



# Legislature of Ontario Debates

Monday, November 24, 1969 - Wednesday, December 17, 1969

RODERICK LEWIS, Q.C., Clerk of the House









# Legislature of Ontario Debates

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Second Session of the Twenty-Eighth Legislature

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Monday, November 24, 1969  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, NOVEMBER 24, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have many guests in our galleries: in the east gallery, students from York-Humber High School in Toronto, and Runnymede Collegiate Institute in Toronto; and in the west gallery, from the Moosonee Educational Centre in Moosonee. Later this afternoon we will be joined by students from Oshawa Central Collegiate Institute, Oshawa, and Harbord Collegiate Institute in Toronto.

Statements by the Ministry.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, you will recall that on May 6 I presented to the House an evaluation of the possible expansion of the GO-Transit commuter service to other parts of the Metropolitan Toronto region.

That evaluation dealt with the use of railway facilities leading into Toronto. The report estimated that it would cost a total of \$14 million to extend the existing GO service from Pickering to Oshawa; more than \$30 million to provide full service from Oakville into Hamilton; and between \$25 and \$35 million to provide full rail services to the area north of Toronto. That report noted that the use of existing rail lines for expansion of the commuter service had certain disadvantages. These revolved around the difficulties of fitting commuter services into the movement of freight and other conventional railway operations.

All the possibilities for full GO-Transit type of service on the various lines evaluated in the report would require an estimated government expenditure for right-of-way improvements, station facilities and equipment amounting to \$94 million. Subsidies required to maintain a reasonable level of fares in relation to operating costs would amount to several millions more a year.

The report also pointed out that the right-of-way would still be owned by the railways. All decisions on the scheduling of trains would have to be approved by the railways and train movements fitted in with their other traffic.

In the light of these very considerable costs and these other important points, the report said consideration should be given to public transportation modes other than those operating on existing railway rights-of-way.

In my statement last May, I assured the House that the government could not accept a programme of such extremely high initial and continuing costs without first examining alternative routes and modes, and I also assured the House that we would be doing this in the months that lay ahead of that May statement. I also assured the House that the government would seek the co-operation of all local agencies in providing as co-ordinated a public transit service as possible within this region.

I would also remind members of the House that in the course of my remarks, I announced that through The Department of Highways, the government would extend additional financial aid to municipalities to assist in planning and improving transportation efficiency. This would involve extension of the 75 per cent subsidy to cover studies of all aspects of transportation; an increase to 50 per cent of the 33½ per cent subsidy available to cities and separated town for road construction; and that this increased rate would apply to the subsidy made available for subway construction in Metropolitan Toronto.

Mr. Speaker, I have reviewed the salient points of the statement on transportation I made last May to re-establish the perspective of the approach the government has adopted in the planning and implementation of its programme of transportation development.

Our objective is an integrated and balanced transportation system, not only for the Metropolitan Toronto area, but for other heavily populated regions of our province.

I want to stress those words "integrated" and "balance". From our own public transportation studies, and drawing on the experience of other cities elsewhere in the world, we fully realize and subscribe to the premise that freeways alone are not the answer to moving masses of the public. Neither is the solution to be found in concentrating on any one form of mass transportation. In the

opinion of our own experts and supported by transportation experts elsewhere, the solution for surface transportation problems in densely-populated areas must be found in a balance of all forms of transportation—the automobile and public transit.

In the case of bus and other forms of public transit it is highly desirable that these should operate on an exclusive right-of-way, where possible.

It is imperative that all public transit services be integrated, using the best features of each to provide a convenient and unrestricted movement of passengers.

To this end, a highly-skilled group within The Department of Highways has been investigating a balanced, integrated system of transportation for the Metropolitan Toronto region, based on an immediate, medium and long-range approach.

The initial investigations, covering the immediate period of the next three to five years, have involved Gray Coach Lines Limited and Canadian National Railways. Gray Coach Lines was involved because it is the major agency operating bus service in the Metropolitan Toronto region and the CNR because it controls the majority of rail lines in the region.

The studies of the medium and long-range approaches are still in the preliminary stages.

However, conceptual approaches for immediate application have now been developed. The government of Ontario will immediately undertake further public transportation demonstration projects in the Metropolitan Toronto area. They are tentatively scheduled to begin operation in mid-1970.

Agreement in principle for active participation has been received from both Gray Coach Lines and the Canadian National Railways.

The new demonstration projects will involve bus services with express schedules, the introduction of experimental mini-bus services in certain areas, and the scheduling of local bus services so that they co-ordinate with the main line type of transit facilities.

These demonstration projects will involve an approach to the integration of several types of transportation services.

Included is a single fare system with transfer arrangement covering all modes.

Also a part of these projects will be new community bus stations with parking and the popular kiss-n-ride facilities similar to those provided by the GO-Transit railway commuter service.

Mr. Speaker, I should now like to outline in some detail the specific projects which the government will be undertaking:

(1) One proposed demonstration project would involve the introduction of a GO-Transit express bus service between Hamilton and Oakville, where connections would be made with all GO trains. New bus terminals to serve Bronte and Burlington would be located at the Queen Elizabeth Way. A third bus terminal would be in the vicinity of Main Street and Highway 403 in Hamilton. All would have passenger-waiting facilities and parking areas.

An experimental mini-bus service would be introduced in the Bronte area. Negotiations will be carried out with existing local bus operators at Burlington, Oakville, Clarkson, Port Credit and Long Branch to provide improved feeder services to GO stations.

Under this proposal, Gray Coach operations between Hamilton and Toronto would concentrate on an inter-city express bus service along the Queen Elizabeth Way and local service along Highway 2.

(2) East of Metropolitan Toronto, it is proposed to introduce an express GO-Transit bus service along Highway 401 between Oshawa and the Pickering GO station. New bus terminals and parking lots would be located along Highway 401 at Oshawa, Whitby and Ajax. This service would connect with all GO trains.

In addition, it is proposed to introduce mini-bus services in the Whitby and Ajax areas to provide feeder services to the new terminals and in the Pickering and Rouge Hill areas to feed into GO stations. Oshawa city bus operators would be asked to provide connections with the GO express bus service.

Gray Coach would continue to operate its services between Oshawa and downtown Toronto along Highway 401, Kingston Road and the Don Valley Parkway.

Another aspect of integration proposed is the introduction of a shuttle bus service connecting the Scarborough GO station with the Toronto Transit Commission's Warden Avenue subway station about a mile and a half away. Such a transfer facility, under one fare, would offer residents east of Toronto a wider selection of public transportation routes to reach their destination.

(3) In the northern corridor between Toronto and Barrie, it is proposed to introduce a combination of train and co-ordinated express bus services for rush hour commuting.



The proposed rail service would consist of three chartered Canadian National Railway trains operating during each of the morning and evening peak commuting hours between Richmond Hill and Union Station. Stations with parking facilities would be established at selected locations between these two points. Negotiations are underway with the Canadian National Railways in the hope that satisfactory scheduling of trains and financial arrangements can be worked out.

GO-Transit express buses would shuttle between Newmarket, Aurora, Oak Ridges and Richmond Hill to meet each of these trains. Additional express bus service would be provided between Barrie and Richmond Hill via Highway 400. Local bus services would provide feeders to the new transit terminals.

Apart from this express bus and rail service, it is also proposed that express buses would be integrated into the existing service between Richmond Hill and the Toronto Transit Commission's Eglinton subway terminal. During the off-peak periods, express buses would provide service between Toronto and Newmarket, with stops at the intermediate terminals. Local Gray Coach buses would continue to serve other points with improved service. Local and express buses would operate between Richmond Hill and the Eglinton subway terminal.

In addition to the improved schedules and frequency of service, other features would include new terminal facilities, with parking, at all of the points I have mentioned, integration of local feeder bus services at Barrie and Richmond Hill, and the introduction of experimental mini-bus services at Newmarket and Aurora.

Mr. Speaker, I would like to emphasize one point in respect to the proposed services to the north. In attempting to develop maximum utilization of all modes, the government has accepted the advice of the CNR that the only rail capacity available without resorting to costly and major modifications existed only on the line that we have selected. And even at that, it is severely restricted.

As I have pointed out the introduction of the proposed service north of Metropolitan Toronto covers the immediate period. The flexibility of this type of service makes it adaptable to any intermediate and long-range proposals. These could range from the provision of exclusive bus lanes on the freeway system during the intermediate stage of planning, to a long-range programme using new systems which could revolutionize the whole commuter concept.

In giving approval to proceed with these three demonstration projects, the government undertakes to provide not funds but financing for such rolling stock required for the GO express bus services, the mini-bus services and all station facilities.

In these projects we shall apply the qualities of service that were developed for the GO-Transit railway commuter service and which were found to be so highly acceptable by the public. This will entail consultation with equipment manufacturers to obtain possible new bus designs which will provide maximum passenger comfort with pleasing, relaxed environment and new designs for bus station facilities which will offer commuters comfort and convenience.

Mr. Speaker, I want to be clearly understood that as a matter of policy it is not the intention of the government to become a transit bus operator. The role of the government will be to provide leadership and encouragement to bring about an integration of all modes of transit in this region, under existing ownership, along with the development of a single-fare system.

Detailed planning to implement the concepts I have outlined is now underway. Negotiations will be carried out to develop the operational aspects with Gray Coach Lines. Discussions will be held with municipalities and local bus operators where they are involved.

Further, the government considers these demonstration projects to be highly significant advancements in the transportation system of this region. The flexibility of the co-ordinated system that we have worked out appears to lend itself to other areas of Ontario which are experiencing, or are likely to be experiencing in future, problems of the movement of people, such as Ottawa, London and Windsor. Discussions will be undertaken with these municipalities as the programme proceeds.

I should like to stress again that the announcement which I have made today is not a final proposal for the development of transportation services in the Metropolitan Toronto region. We have purposely retained a high degree of flexibility to permit changes in type and direction of services.

For many months members of The Department of Highways staff have been working as part of an interdepartmental planning project to prepare a proposed regional development plan for the area covered by the Metropolitan Toronto and Region Transportation Study and the immediately surrounding areas. An interim report from this group is before the

government. We will be considering in the new year firmer proposals under the regional development programme for strategic patterns of development in this region. When, after consultation with local groups, a broad development plan has become policy of the government, all government-supported services—including transportation, water and sewage—will be adapted to support the basic plan for the region.

Mr. Speaker, in conclusion, I should like to publicly acknowledge the considerable cooperation and assistance extended to the government's planning group by officials of Gray Coach Lines and the members of the Toronto Transit Commission in developing these concepts.

I am confident the proposals we have adopted will yield further significant information and experience in our methodical search for economic and effective formulas for transportation systems in this and other areas of the province.

**Hon. A. Grossman** (Minister of Correctional Services): I would like to announce that The Department of Correctional Services will establish a minimum security forestry camp in Dufferin county. Approximately three miles north of the village of Mansfield.

The camp, which will be administered by Guelph reformatory as a satellite institution, will accommodate approximately 40 selected offenders up to 24 years of age, serving short sentences.

The seventh of its kind, the camp is a further extension of The Department of Correctional Services' programme of reducing the population in larger institutions by providing smaller units.

The new unit will be located on a six-acre site in the Dufferin county forest. The site has already been cleared and modular buildings are being constructed by inmates at the Guelph Reformatory. Erection of the buildings on the site will be carried out by selected inmates under the supervision of correctional staff.

Existing forestry camps have proven highly successful as part of a rehabilitation programme which allows for more individual attention, provides healthful, productive work, and teaches good work habits.

The men selected for this camp will, under the direction of The Department of Lands and Forests, carry on such work as pruning, trimming, cutting poles, improving roads, and fire-fighting—tasks which will benefit the community as well as the men.

The camp is expected to be in operation next summer.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, further to the statement made by the Prime Minister: he indicated that there would be no funds but financing. How extensive would he expect that to be as the programme, which he calls an immediate programme, gets underway?

**Hon. Mr. Robarts:** Mr. Speaker, I made that clear. I thought what I was making clear was the fact that we are not going into the business. In other words, we will provide the financing for other organizations that are presently in the transport business. It is not possible for me at this moment to give any figure which would be very meaningful. I want these figures myself, and when I have them, I will certainly be more than pleased to share them with hon. members.

But now, if we are to proceed with what is set out in this statement, we are going to have to enter into negotiations with a good many different groups of people. To date, we have been working with the TTC, Gray Coach Lines, and CNR; but you can see, Mr. Speaker, that this is going to involve local bus lines and other places, and it will involve local municipalities. And, of course, it is going to involve acquisition of properties and so on. So, if you bear with me—if I gave the hon. member a figure now, I would have the feeling it might not really be very meaningful. My experience has been, in the past, when you throw one of these figures out, sometimes you find out you are more or less stuck with it. Now, when I can get something I feel would be of—

**Mr. D. C. MacDonald** (York South): Something the Prime Minister would be happy to be stuck with.

**Hon. Mr. Robarts:** Well, I can think of various situations that have arisen around here in the last few years where a figure has been used for one purpose or another—and it recurs, and recurs, when it really may end up having no relevance to the situation at all. So I am just going to hold the figures until I am a little sure.

**Mr. Nixon:** Well, then, a supplemental question; perhaps for clarification. The group within The Department of Highways, and other departments, will be dealing with these other organizations on the basis that we are prepared to listen to their requirements for credit,

and then assist them in meeting the credit required for this capital expansion out of provincial funds.

Would there be a subsidy associated with the repayment of these capital funds? Would it be tied to the—let us say—financial success of the overall programme; or would there be some kind of a guarantee that these companies might take part with—let us say—with a reduced risk?

**Hon. Mr. Roberts:** I am inclined to doubt that there would be the type of guarantee to which the member is referring, and no doubt we will be asked to put up funds for real estate, for parking lots and things of this nature; which we will be prepared to do. But I cannot tell the member the exact form as to whether in certain cases it might become the type of guarantee that he mentioned. I am inclined to doubt it.

**Hon. Mr. Grossman:** Better not wait for the federal government to help in urban matters.

**Mr. MacDonald:** Who brought the Minister into this?

**Mr. Speaker:** The member for Windsor West has a supplementary.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, may I ask the Prime Minister if this announcement today either sets aside, or postpones, the introduction of a provincial assistance programme by way of direct grants to the municipalities with major transportation problems?

**Hon. Mr. Roberts:** No, Mr. Speaker. I think last May when we started the discussion of this, we pointed out then that we were making additional funds available to municipalities in order that they may study their total transportation problems. Now this in no way surpasses any programme that we presently have, or that we are developing.

This is an exercise into the whole area of commuter traffic. We think it will produce results that will be applicable in other parts of the province as well as Toronto—but we have to start some place. And I think I can assure you that this will not be in substitution for anything else we may have in mind doing.

**Mr. Speaker:** The member for York Centre has a supplementary.

**Mr. D. M. Deacon (York Centre):** A further supplementary to the Premier. Does this contemplate a re-negotiation of the existing CN GO-Transit agreement, and a basis of pay-

ments that assures that the charges are competitive with other existing types of transportation or similar types of transportation?

**Hon. Mr. Roberts:** I do not think there is tied to this any specific re-negotiation of our arrangements with the CNR. But certainly, from a price point of view, we are going to have to be competitive, but we subsidize GO-Transit to make it competitive; and the justification for this, of course, is the substitution of that form of transportation as against a creation of more highways and expressways. So whatever comes out of this, it will have to be a form of transportation that will be competitive. Otherwise it will not survive.

**Mr. Deacon:** Mr. Speaker, I am concerned about the cost charged by the railway.

**Mr. MacDonald:** A further supplementary question, Mr. Speaker.

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

**Mr. G. E. Smith (Simcoe East):** Mr. Speaker, I would like to ask the Prime Minister if the city of Orillia and the surrounding municipalities would benefit by the announced transportation programme as far as rapid transit to the city of Toronto via Barrie is concerned?

**Hon. Mr. Roberts:** Well, Mr. Speaker, with the combination of services we are planning, I think probably the residents of Orillia and area would tie into this system, yes.

**Mr. MacDonald:** In the fullness of time!

**Hon. Mr. Roberts:** Well, you have got to start some place. But, Mr. Speaker, the concept of a mini-bus is not a big bus, as we think of a bus, but a relatively small vehicle that can cruise, for instance, the streets in some particular sub-division, and pick up people standing on the corner, and take them to a terminal where they will transfer to a larger bus or train.

Now, it is simply a method—and I think ingenious—that you do not need the size of a bus which operates on our highways. You need a small bus, similar to some of the school buses that you see, which can literally cruise down the residential streets in the subdivisions to provide those people with portal-to-portal service.

Interjections by hon. members.

**Hon. Mr. Grossman:** The Liberals are not up on this urban terminology; they do not understand.

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

**Mr. MacDonald:** Mr. Speaker, perhaps I missed it, but did the Prime Minister indicate when these experimental projects are going to be initiated.

**Hon. Mr. Robarts:** I believe my term was, hopefully, mid-1970.

Now a good deal of the planning has been done. As I pointed out, we must now enter into what will undoubtedly be fairly public discussions with a lot of various people. We intend to proceed forthwith and we hope that sometime in mid-1970 we will be able to start some of these services.

**Mr. G. Ben (Humber):** That is the government's programme for bringing pollution to the suburbs.

**Mr. Speaker:** Does the leader of the Opposition have further questions?

**Mr. Nixon:** Yes, I have a question for the Minister of Energy and Resources Management. Has he issued any guidelines or terms of reference to the hearing underway, beginning today, by the energy board in the Consumers-Union takeover bid? Would the guidelines include an indication that their reports should be made available before the offer from Consumers runs out on December 15?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Well, Mr. Speaker, as the hon. leader of the Opposition knows, the government does not interfere with hearings before the energy board. As far as guidelines are concerned, we have requested that a report and recommendations be given to the Lieutenant-Governor-in-Council as soon as possible.

**Mr. Nixon:** A supplementary question: Does the Minister happen to know how many applications to appear before this hearing have been received by the energy board?

**Hon. Mr. Kerr:** I have no definite information, but as of Friday, I believe there were around a dozen applications, or interventions, that had been filed by the deadline on Friday.

**Mr. Nixon:** A further supplementary: accepting the fact that neither the Minister nor his colleagues would want to interfere in any way, there would be no objection, then, if there was a postponement based on a large

number of hearings? The number of requests put forward since the time to prepare the basic statistics for an objection has been limited.

**Hon. Mr. Kerr:** This decision, Mr. Speaker, again, should be left up to the energy board. I indicated in an answer to a question, I believe of the hon. member last week, it is my hope that there will be no postponement.

**Mr. MacDonald:** Mr. Speaker, a further supplementary in this instance. Is it accurate that the government has asked for a report from the energy board by December 2, namely about one week hence?

**Hon. Mr. Kerr:** No.

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

**Mr. MacDonald:** I have a question of the Prime Minister. Is the Prime Minister in a position to indicate when the report of the committee on healing arts, announced in the Throne Speech, almost two years ago, might become available?

**Hon. Mr. Robarts:** I do not think I can give a specific date, but it is reasonably immediate. It is in the process of being prepared, at the present time, and I would hope it will be available within, oh, possibly the next six weeks to two months.

**Mr. MacDonald:** Before the next session?

**Hon. Mr. Robarts:** I would hope so. We want the report very badly. It is bound to contain recommendations that would be of great benefit to us in planning some on-going programmes and we are looking for it at the earliest possible moment, and I have so indicated to the chairman.

**Mr. MacDonald:** My second question, Mr. Speaker, is to the Minister of Energy and Resources Management. In view of the statement of Dr. Chant, head of the department of zoology at the University of Toronto, a week ago, that if all the present accumulations of DDT in the possession of citizens across the province of Ontario were disposed of at one time, the result would be an ecological disaster, has the Minister investigated how serious this problem is and, if so, what steps are going to be taken to gather them and dispose of the DDT in the least harmful way possible?

**Hon. Mr. Kerr:** Mr. Speaker, I have asked people in my department—and also this would

involve, as the hon. member knows, The Department of Health—to indicate some possible disposal methods of DDT. Apparently there are not any available that would be considered of normal nature. As Dr. Chant indicates, to dispose of these things in a normal manner down a sink, for example, would be possibly very dangerous. I think that it may require some form of legislation.

The other suggestion I have to make, Mr. Speaker, is the fact that it is not a world-wide ban, therefore the product is still saleable in very many parts of the world, and also, as the hon. member knows on a limited basis on this continent. Possibly, it is possible to dispose of it in this manner, although this would be a long-term matter.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question, the Minister made reference to changes in legislation—if the ban goes into effect on January 1, to cope with whatever danger exists in mass disposal, will have to be handled in the next two weeks. Is the Minister operating on the basis that the disposal may take place *en masse* as of New Year's day next?

**Hon. Mr. Kerr:** That is the point Mr. Speaker, I do not think that there will be any great disposal procedures taking place. For example, I do not think early in January that members will find that DDT or containers of DDT will be disposed of on any large basis: because, as I said, it is not a complete ban even in Ontario or Canada, and certainly it is needed in many parts of this world for various reasons. However, I think that either the federal government or possibly this government should at least indicate some directions and guidelines for the safe disposal of this pesticide.

**Mr. F. A. Burr (Sandwich-Riverside):** As a supplementary question, sir, inasmuch as the Minister says he is having difficulty finding a way, may I suggest that because the small bulk of this material—

**Mr. Speaker:** Would the hon. member make it a supplementary question and not a suggestion?

**Mr. Burr:** Has the Minister considered burying this material at the bottom of some abandoned mine, where it would presumably be safe?

**Hon. Mr. Kerr:** This has been considered, Mr. Speaker, but then again there is the possibility of seepage. It depends on the mine, the depth of the mine and the location of the

mine. But if we have to drill shafts, maybe this is the answer.

**Mr. R. G. Hodgson (Victoria-Haliburton):** A supplementary, Mr. Speaker: Has the Minister considered using the good offices of the various departments of this government as collection agencies?

**Hon. Mr. Kerr:** On a commission basis, Mr. Speaker?

**Mr. R. G. Hodgson:** If anyone wishes to turn this stuff in, should not the government offices in various parts of this province, be available for the citizens to turn such quantities in, so that they will be collected?

**Hon. Mr. Kerr:** This suggestion will be taken under advisement, Mr. Speaker.

Interjections by hon. members.

**Mr. Speaker:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question of the Prime Minister. I would like to ask the Prime Minister, Mr. Speaker, whether he would consider launching an investigation into the living conditions of citizens of 70 years of age and over in the province of Ontario during this time of rapid inflation; and whether he would consider reading in *Hansard* my address of Friday in this House concerning our elderly citizens and consider implementing some of the recommendations made there?

**Hon. Mr. Robarts:** I shall consider that, Mr. Speaker.

**Mr. Speaker:** The hon. Minister of Agriculture and Food has the answer to a question placed by the member for Brantford (Mr. Makarchuk).

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Thank you, Mr. Speaker. May I table this and send a copy of the answer to the hon. member for Brantford, as well as to the agricultural critics in the Liberal Party who, I believe, referred to the matter?

**Mr. Speaker:** I understand that it is a very lengthy answer.

**Hon. Mr. Stewart:** Yes, it is very lengthy and detailed.

[See appendix page 8810]

**Mr. Speaker:** I would like to point out to the member for High Park (Mr. Shulman) that the answer to the member for Brantford

was the turn of the New Democratic Party and the question period goes to the leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I would like to ask the Attorney General if the charges laid against Domtar at the Red Rock area, are designed to be a test case before further charges are laid against other sources of pollution associated with resource industry?

**Hon. A. A. Wishart (Minister of Justice):** Not necessarily, Mr. Speaker, not necessarily!

**Mr. Nixon:** I wonder, as a supplementary question, if the Attorney General can give any justification for the selection of that firm, rather than some others that are generally accepted even in our own light as putting pollution into the surrounding waters? How did you go about selecting Domtar? Are they the worst or have they failed to come under a programme for pollution abatement or what is the reason they were selected?

**Hon. Mr. Wishart:** Mr. Speaker, the agency which draws to our attention, for instance, those firms guilty of pollution, is the Ontario Water Resources Commission, in this case they asked that charges be laid against Domtar.

**Mr. Nixon:** I do not know whether it is within the rules to ask a supplementary question of another Minister since—

**Mr. Speaker:** I think it will be a new question.

**Mr. Nixon:** All right, may I be permitted to do that now or—

**Mr. Speaker:** I think perhaps the leader has now lost his position of the head of the list.

**Mr. M. Shulman (High Park):** I have a question of the Minister of Public Works, Mr. Speaker. What action was taken as the result of your inspector's report of the Ontario Science Center which indicated that the rugs the draperies and the insulation of the auditorium, were all flammable?

**Hon. J. R. Simonett (Minister of Public Works):** Mr. Speaker I have investigated or had the matter investigated and I might, with your permission, read a short statement which would cover that investigation.

**Mr. Speaker:** If the hon. Minister is answering his question by reading material, it is quite in order, but if he is making a statement then of course this is not the proper

time to make it. I presume that this is the answer to the question.

**Hon. Mr. Simonett:** Right!

I am pleased to clarify some of the apparent misunderstandings and statements that are being made with regard to the safety of the staff and public at The Ontario Science Center.

**Mr. Shulman:** On a point of order, Mr. Speaker, I wonder if the hon. Minister heard my question. I was asking a different matter today than what was referred to the other day outside of the House.

**Hon. Mr. Simonett:** Mr. Speaker, what I am trying to do, is answer the hon. member's question, if he would just listen I will not be more than three minutes.

**Mr. S. Lewis (Scarborough West):** That is not the point.

**Hon. Mr. Simonett:** Firstly, may I advise that prior to construction, the plans and specifications were developed to the approval of the borough of North York Fire Department, with respect to all matters of safety.

Prior to the official opening of the center on September 27, safety inspector S. W. Greenslade, of my department spent three days, September 24, 25, and 26, reviewing again all aspects of safety in the building.

His report dated September 29, 1969, recommended certain operational procedures be adopted and included three items of a corrective nature, two of which he implemented at that time.

His report suggested additional fire alarm bells in the display area in "C" building. This is under review.

During the first day's operation a false alarm was activated by a child in "C" building and this alarm was responded to by the North York Fire Department. Approximately 20,000 people were in the buildings at the time, and when it was determined that the alarm was false the public were advised to return to the buildings and this was over the public address system.

I should like to quote one more paragraph from that report:

A fire evacuation programme was instigated with the co-operation of Mr. T. Maike, director of interpretation, and his staff. Also, the security staff were instructed on emergency procedures.

This report, Mr. Speaker, is the last report that has been made on this building.

The day-to-day operation of The Ontario Science Center is the responsibility of the center's staff. I am advised the borough of North York, since the official opening, have assisted, on several occasions, the management in ensuring that the daily operations are not in conflict with their recommendations and standards. The director general of the center is unaware of any situation or condition that is in violation of reasonable safety standards for this building.

**Mr. Shulman:** A supplementary question, Mr. Speaker: is the Minister aware that since the opening of the building there have been 140 false alarms that have gone into the North York Fire Department because of the poor setting up of the alarm system?

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Shulman:** I am sorry, is the Minister not going to answer that? May I ask a further supplementary then?

**Hon. Mr. Simonett:** There have been a few false alarms, but again I do not think there has been that much problem with the false alarms—perhaps children have activated the alarm system.

**Mr. Shulman:** One hundred and forty to be exact, as of last night.

**Hon. Mr. Simonett:** Any child could activate the alarm system in this building.

**Mr. Shulman:** But they do not.

**Hon. Mr. Simonett:** They do not?

**Mr. Lewis:** Would the Minister characterize himself as a false alarm?

**Mr. Shulman:** As a further supplementary, Mr. Speaker. My original question was, "Has anything been done about the flammable rugs, drapes and installations"—does the Minister have any knowledge of that matter?

**Hon. Mr. Simonett:** No, Mr. Speaker, it has not been reported to me, but I suppose there are flammable rugs and drapes, in any building you go into. We live with them every day, so I do not think we should worry any more up there than we do here.

**Mr. Shulman:** As a final supplementary, why does the Minister not arrange to have them sprayed so they will be fire-proof?

**Hon. S. J. Randall (Minister of Trade and Development):** Make us an offer and we will send the hon. member up.

**Mr. Speaker:** Has the member for Downsview a supplementary?

**Mr. V. M. Singer (Downsview):** Mr. Speaker, have there been any actual fires, other than alarms, in the science center?

**Hon. Mr. Simonett:** No.

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I would like to ask a question of the Minister of Energy and Resources Management.

Does he consider the charges laid against Domtar in the Red Rock area as a test case which may, or may not, permit him and the OWRC to proceed with other cases?

If it is not a test case, how does the OWRC select the company against which charges will be laid when there are other polluting companies in northern Ontario associated with resource industries?

**Hon. Mr. Kerr:** Mr. Speaker, we do not necessarily consider this particular charge or prosecution a test case. We have had other successful prosecutions under the OWRC Act against paper mills. As far as this company is concerned, it is a matter of not co-operating with OWRC to the extent that we can get them into a programme—

**Mr. Nixon:** They would not enter a programme?

**Hon. Mr. Kerr:** Yes, and because of the delay and the attempt over a period of time it was felt that there was no alternative but to lay charges. This particular plant apparently is dumping, or contaminating, a recreational lake quite close to the mill and, as I indicated last week in my estimates, there are other companies who are on a programme. In the event that they are not, this remedy is invoked.

**Mr. Nixon:** A supplementary question: Is it true that this company is charged because they would not enter a pollution abatement programme rather than the fact that they are polluting because, as the Minister explained in his remarks, several companies are polluting but they are not charged because they are coming under OWRC supervision?

**Hon. Mr. Kerr:** As far as the charge, Mr. Speaker, under the Act is concerned, they are charged for polluting.

**Mr. Shulman:** Mr. Speaker, I have a question for the Minister of Public Works.

1. Is the Minister aware that his Deputy this morning issued instructions disbanding his safety department as of December 1?

2. If the Minister was not aware of that, in view of the increased hazards this will mean to all occupants of government buildings throughout the province, would he please look into it and take remedial action?

Did the Minister not hear my question?

**Hon. Mr. Simonett:** Mr. Speaker, I am not aware of us disbanding the safety section of our department. I think when that happens it will be a policy decision of our department and the government, and I will announce it in the House at that time.

**Mr. Shulman:** Would the Minister mind contacting his Deputy and inquiring as to the instruction which was issued to all department heads this morning at 10 o'clock?

**Mr. MacDonald:** Is he not the Minister?

**Hon. Mr. Simonett:** Yes, I am the Minister, and I wish some of the people that were instructing the leader of the NDP's member knew as much about that department as the Deputy and I do, because I only discussed this not later than this morning.

**Hon. Mr. Randall:** One of those \$65 a week Quislings.

Interjections by hon. members.

**Mr. Speaker:** Order. The member for—

**Mr. Shulman:** May I ask a supplementary, sir? Will the Minister report back to the House?

**Mr. Speaker:** The hon. member has asked sufficient supplementaries in this matter. The member for Wentworth has the floor.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I would like to ask a question of the Attorney-General if I could.

Is the Attorney-General investigating the possible Mafia action in the city of Hamilton at this time?

**Hon. Mr. Wishart:** Mr. Speaker, I gave an answer the other day, which I think is really an answer to this question. All criminal activities of which we are aware—and we are aware, I think, of most of them—are being investigated by the intelligence forces of our Ontario Police Commission and of the urban police forces and the municipal police forces—particularly of the large municipalities.

I do not know the particular specific case to which the hon. member refers, but I can assure him that the activities of the criminal people in Hamilton are being investigated continuously.

**Mr. Deans:** By way of supplementary, is the Minister aware of the statements of the police chief of the city of Hamilton today that he suspects Mafia irregularities and actions in the city of Hamilton and that he is concerned about them?

**Hon. Mr. Wishart:** I am sure the chief of police of Hamilton must have suspected these long ago.

**Mr. MacDonald:** Why did he say it today?

**Hon. Mr. Wishart:** I do not feel it is my place to tell police chiefs what they say to the public. I think none of us is so naive as to think that there are not criminal activities of organized criminals in cities such as Hamilton, Toronto and other places. If a chief wants to take that as a subject for an address, I think he has a privilege to do so and I do not intend to choke off that expression of opinion. But, to suggest that it is not being investigated, I would like to set that idea at rest. Certainly the activities of crime and criminals, whether it is organized or individual, are continuously under investigation.

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

**Mr. E. W. Martel (Sudbury East):** Is the Prime Minister aware that the International Nickel Company today announced the increase of nickel by 25 cents a pound? Does he not consider this to be inflationary at this time?

**Hon. Mr. Robarts:** Mr. Speaker, I do not know whether that would be inflationary at this time. I think the price of nickel on the international market has gone up something like 60 per cent in the last three or four months, perhaps as a direct result of the strike that took place there when all production ceased. I do not know how companies can continue to pay price increases without raising the end price of their product. There is no other way.

This may be inflationary, but I do not know whether I am in a position to say that it is directly inflationary. I suppose that any price increase is inflationary. I was not aware that they had increased the price this morning, but certainly the price of nickel has been rising steadily for three or four months.



**Mr. Martel:** I agree with the Prime Minister that—

**Mr. Speaker:** Is the hon. member going to ask a supplementary?

**Mr. Martel:** Yes, I am going to ask a supplementary question. Is the Prime Minister, then, aware that International Nickel Company raised the price of nickel by nine cents a pound last year and five cents a pound for copper when there was no contract negotiation going on and they derived an additional \$40 million profit on that increase alone?

**Hon. Mr. Robarts:** Mr. Speaker, as I look at the activities of International Nickel Company, and believe me I am no apologist for them, I notice that in their expansion plans to meet the world's demand for copper, they are increasing production, they are bringing in new processes and they are looking for new sources of raw material. Undoubtedly, all this is going to cost money, it has to be financed in one way or another. Is the member—well, I will not parry a question with a question, but we come back to the position I am in, in this House, very often. That is, do these questions indicate this particular group in the House is advocating the establishment of a prices and wage board in this province?

**Mr. MacDonald:** By way of a supplementary question: The Prime Minister a moment ago indicated that there was no other way to meet rising costs than by price increases. Would the Prime Minister agree that there may be some possibility of meeting those rising costs by reducing somewhat the \$148 million profits after taxes that the company had last year?

**Hon. Mr. Robarts:** Mr. Speaker, there are many, many ways of reducing prices. You can do it by increasing productivity, you can do it by disposing of all profits whatsoever, in which case, I doubt very much if we would ever develop the International Nickel Company and its tens of thousands of employees at all. There has to be a profit motive and I think it is a good motive. I think if we dispose of it and if we so order our affairs that there is no profit motive left in our economy, our expansion will come to an end. Men work for profit. That is the whole basis of the current prosperity in this province and I for one am not anxious to chip away at the profit motive any more than—

Interjections by hon. members.

**Hon. Mr. Robarts:** Let me finish, the member asked the questions.

I am not interested either in limiting the right of any worker in this province to sell his services for the highest price he can get.

I used to do so myself when I was a practising lawyer and I do not intend to limit his rights to sell his services. He is entitled to everything he can get—in many cases probably entitled to more than he is getting.

**Mr. MacDonald:** The Prime Minister is not interested in controlling inflation.

**Hon. Mr. Robarts:** I am as interested as the member in the controlling of inflation, and I recognize the problems faced, particularly by people on fixed incomes in this province. We have a lot of pensioners and we are looking at pensions as far as our own pensioners in the civil service, our own ex-employees are concerned. We have the problem with teachers; we have the problem of all the older people, as the hon. member for Port Arthur was speaking about on Friday. We recognize these problems, yes; and we are well aware of the distress caused by inflation. But I do not think you can rule out every price increase on the basis that that will control inflation.

Interjections by hon. members.

**Mr. Martel:** May I ask one further supplementary question: In the press release—this question is to the Prime Minister—they indicated a raise in three commodities of 25 cents. But the American price is ten cents cheaper than what we can purchase it for in Canada. Is there any justification for selling produce mined here ten cents dearer per pound than in the United States?

**Mr. Speaker:** Of course, this is not supplementary to the original question—

**Mr. Martel:** It certainly is. It deals with the whole pricing.

**Mr. Speaker:** Which was a question, with respect, to the effect of a price raise on inflation. And this, of course, is not supplementary to that. If the member wishes to place another question, in due course, in those terms, it will be acceptable.

The member for Middlesex South.

**Mr. K. C. Bolton (Middlesex South):** A question of the Minister of Justice: In view of the fact that the McIlraith bill, the expunging of criminal records, applies to federal offences alone, and in view of the

fact that provincial offences are much more numerous, and that the records are equally a barrier to rehabilitation, does the Minister plan any parallel or complementary action directed towards expunging of provincial criminal records?

**Hon. Mr. Wishart:** Mr. Speaker, this is a matter for government policy. I could tell the hon. members of the House, that we have considered this matter, that no policy has been determined. The McIlraith bill, as the hon. member refers to it, goes a very short distance in expunging criminal records.

Actually, there is very little of importance in that bill. And the matter of expunging criminal records is one that requires a good deal of consideration—for instance persons who seek employment have to be bonded, and all that sort of thing. It is a question of whether they are entitled to go forward and say: "I have never had any criminal record or any criminal conviction."

We have discussed it in a general way. I have discussed it with some of the federal officials, but no policy as yet has been determined.

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

**Mr. F. Young (Yorkview):** Mr. Speaker, I have a question of the hon. Minister of Trade and Development: In connection with the 669-unit OHC development just announced for Falstaff and Jane in North York, has the Minister made arrangements with the local municipality in respect to the education of the children emanating from this development? If so, what is projected?

**Hon. Mr. Randall:** Mr. Speaker, I am sorry, I did not hear it. In respect of what?

**Mr. Young:** In respect of the education of the children in this area. Because the schools there are now jammed full with portables, and gymnasiums full. I was wondering if arrangements had been made for the education of those children; and, if such arrangements are made, what are they?

**Hon. Mr. Randall:** Well all I can suggest to the hon. member, Mr. Speaker, is that we only get approval through the North York board, and the board of education at the time would also participate in those approvals. I assume that they know how many children are going to be in there and they have made arrangements to handle the movement of children into that area. Outside of that, I do not know if I can add any more to it. I would

be glad to look into it and see if there have been special arrangements made.

**Mr. Young:** Mr. Speaker, as a supplementary, the approvals have been granted by the municipality for this development then? The Minister is satisfied that these arrangements are there?

**Hon. Mr. Randall:** Yes.

**Hon. Mr. Wishart:** Mr. Speaker, on Thursday last I was in the midst of answering a question from the hon. member for York South when time ran out. I think your expression was that I had been saved by the bell.

I should like to finish that answer and to say that, in the case of the University of Toronto, to which the question was directed, the approving authority would be the Minister of Justice by virtue of two Acts, one of which is The University Expropriation Powers Act of 1965, which applies to the University of Toronto, and therefore gives the powers of expropriation in connection with that university, and actually practically all our Ontario universities under that public Act.

Therefore, by virtue of that and subsection five of The Expropriations Act of 1968-1969, by section five, subsection five, the approving authority would be the Minister of Justice and Attorney General.

**Mr. MacDonald:** I take it that supersedes all private rights to expropriation?

**Hon. Mr. Wishart:** Yes, The University Expropriation Powers Act of 1965 is now the Act under which all our universities get the power to expropriate. Since, therefore, that is a public Act, they do not come under the hand of the Minister of University Affairs. For that purpose the approving authority is the Minister of Justice and Attorney General.

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

**Mr. Burr:** Mr. Speaker, a question of the Minister of Social and Family Services: Has the Minister completed his investigation of the dismissals at St. Monica House, Kitchener?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, our contact with the St. Monica House has been on a continuing basis. I may say it is not so much a matter of investigation as an assurance that the very highly commendable work of this organization will be able to continue in the way that was originally planned. There is a meeting of the board of directors, I believe, tomorrow night, or the night after, and I think

the conclusion of this matter should be a satisfactory one from the point of view of the young people who are to be the beneficiaries.

**Mr. Speaker:** The member for Sudbury East was on his feet a moment ago. Does he wish to place a question?

**Mr. Martel:** No thank you.

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

**Mr. Shulman:** I have a two-part question for the Minister of Public Works, Mr. Speaker.

1. Were instructions issued last year that no building was to be leased or purchased before a safety inspection by the Minister's department?

2. Were, earlier this month, 35 requests put on the desk of Mr. E. W. Wrightman for inspections of buildings that have been put through, and had not been inspected before being purchased and/or rented?

**Hon. Mr. Simonett:** Mr. Speaker, instructions are issued that no building is leased or purchased before it is inspected. Now as to the 35 that slipped through, I am not aware of it, and I would doubt very much if they had slipped through without inspection before lease or purchase.

**Mr. Shulman:** Will the Minister inquire as to the fact of this particular matter. The man involved is Mr. E. G. Wrightman.

**Hon. Mr. Simonett:** Yes I will, Mr. Speaker.

**Mr. Shulman:** I have a question to the Minister of Public Works, Mr. Speaker. What is the explanation, Mr. Minister, for the fact that in this past year, your drivers have been involved in 28 automobile accidents?

**Mr. Speaker:** I would think that while that is a matter of public importance, at the moment it is not of such urgency that it needs to be discussed in the oral question period; and I would suggest that the member might direct that to the Minister privately by letter or otherwise.

**Mr. Shulman:** Well, if there is no one else, I have another question for the Minister of Public Works. Mr. Minister, what is the explanation for the fact that when the Science Centre was opened, all the fire extinguishers that were put in, were water extinguishers? And they all had to be removed because the large amount of electrical wiring would electrocute anyone who attempted to use these water extinguishers?

**Hon. Mr. Simonett:** Well Mr. Speaker, I cannot answer why this happened. But I do know now that after the report came in, they have all been changed and we have no problem there.

**Mr. MacDonald:** What about North York Fire Department on that kind of proposition?

**Mr. Nixon:** The Minister had better undertake investigation of his staff.

**Mr. MacDonald:** They are being investigated right now.

**Mr. Shulman:** I have a question of The Minister of Public Works, Mr. Speaker. Mr. Minister, are you aware that your department did not approve the plans for The Department of Education building on Bayview Avenue to house film and exhibit films and that the department went ahead despite your failure to approve those plans? As one example, there is only one exit from the viewing room when your department insisted there be two.

**Hon. Mr. Simonett:** Mr. Speaker, I was not aware of that, but it could have happened. I would have to check it out with our department. Evidently, we were in the right and some other department was in the wrong, so I think the question should be directed to another department.

**Mr. Nixon:** Would the Minister care to check it?

**Mr. Shulman:** Well, can the Minister explain, how it can be that if his approval is necessary, if the approval is not given, that the other departments can go ahead anyway? Is there no control there?

**Mr. Speaker:** I would point out to the hon. member for High Park, that I allowed the question because matters of safety of even a few people working in the building are urgent and of public importance, but the supplementary now asked, certainly is not the proper question for the oral question period and it is out of order.

**Mr. Shulman:** Well is it not a proper supplementary as matter of policy, sir, which involves the safety of people in any building?

**Mr. Speaker:** I have ruled the question as out of order. Are there any further questions? This ends the oral question period.

**Mr. Speaker:** Petitions.

Presenting reports.

Motions.

Introduction of bills.

### THE HIGHWAY TRAFFIC ACT

**Hon. I. Haskett (Minister of Transport)** moves first reading of an Act intituled an Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Haskett:** Mr. Speaker, this bill is to amend The Highway Traffic Act as required because of the new federal legislation concerning drinking and driving that becomes effective on December 1. The purpose of the bill is to amend The Highway Traffic Act for consistency with the renumbering of the sections in The Criminal Code, for elimination of references to the deleted offence of driving while intoxicated, and to apply existing mandatory licence suspensions to the new offences of refusing to provide a breath sample and driving with over .08 per cent alcohol in the blood.

**Mr. Singer:** Mr. Speaker, on a point of order, I am sure neither the hon. member for High Park nor The Minister of Public Works would wish to mislead the House and insofar as the various incidents at the Science Centre are concerned. I thought they would appreciate the information that is with the House. Platoon chief Simmons of the North York Fire Department has just advised me—there were not 114 false alarms, there were in fact 14 false alarms—

**Hon. Mr. Robarts:** That is par for the course—

**Mr. Singer:** —and secondly that there was a fire on September 18. The fire caused an estimated \$400 damage. It apparently was caused by sparks from a welder's torch and it involved the screen in the theatre contained in the Science Centre.

**Mr. Shulman:** Mr. Speaker, apparently I have been named as misleading the House, but the figure was not 114. I said it was 140 and that figure was received from a member of The Department of Public Works who confirmed it from an officer at the borough of North York, sir.

Interjections by hon. members.

**Mr. Singer:** Platoon chief Simmons just gave me the information a few minutes ago.

**Mr. Lewis:** One would suspect this?

**Mr. Singer:** No; I would respect.

**Mr. Lewis:** Ah—respect!

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

**Clerk of the House:** The 31st order; concurrence in supply for The Department of Agriculture and Food.

### ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD

**Mr. Speaker:** I wonder if I might have the attention of the members for a moment before we start on this order, because this is a new procedure.

I have asked the assistance of the Clerk of the House and I believe he has been in consultation with the party leaders and Whips. I understand it has been decided, and I think a proper decision, that this debate will proceed in the ordinary course of a debate in the House and shall be opened by my asking the question: shall the resolution for supply for The Department of Agriculture and Food be concurred in? And that then the chairman of the committee will lead off the debate to be followed by the spokesman for the Opposition party and so on, in accordance with the list arranged by the Whips.

If there is, or should there be in this or in any similar proceeding an amendment to the concurrence question, then of course, it can be properly moved and the debate will continue and the amendment and then the question will be put at the end of the period.

I am informed there is some agreement that the speech list provided Mr. Speaker, for this afternoon will probably only take up the afternoon session and if so, the vote of course will be in the normal course before the House rises. But I would point out to the hon. members that the rules of procedures adopted by the House do give two sittings, or this afternoon and this evening for consideration of the estimates of this particular department.

Therefore, when the appropriate time comes, I trust that if the debate has not been completed or is not nearing completion, that the Whips will advise Mr. Speaker, so that everyone will have the opportunity of speaking to this particular matter, if they wish to, because this is the first go, shall I say, of the new procedure and I think we should make

sure that no one is cut off, that it is dealt with in the proper way and afterward I would be most pleased to have any remarks which either members of the committee or members of the House would wish to make.

This, so that when the education estimates come in we can deal with them in the best manner possible.

Therefore, I put the question: Shall the resolution for supply for The Department of Agriculture and Food be concurred in? Mr. Whitney, the member for Prince Edward-Lennox.

Mr. N. Whitney (Prince Edward-Lennox): Mr. Speaker, as the members all know, the procedure of dealing with estimates committee, came as a result of the report of the select committee chaired by the hon. member for Victoria-Haliburton (Mr. R. G. Hodgson) and it was decided that three committees would handle three estimates for The Department of Agriculture and Food, Education, and Highways—on a trial basis.

It is my privilege to serve as chairman for the committee on Agriculture and Food and I do feel the work of the committee was a success and I want to congratulate the select committee on the recommendations it made. I believe, as time goes on, a system we adopt can be improved from time to time. For instance, that need may come for a larger meeting room. We know there are some over in the Macdonald building, but nevertheless we did need to be close to the legislative chamber.

We made out very well, but on future occasions, it may be that a greater number of spectators would like to be present when these estimates are discussed.

Also, in the beginning we did not have the complete *Hansard* service that we had later on. Consequently, we did not receive copies of *Hansard* to correct until we were in the middle of our meetings, and due to people having to be away the occasional day, and due to a certain mix-up and *Hansard* not being continuous, I am well aware that not all members, the chairman included, were able to get *Hansard* corrected which they would have loved to have done.

However, by and large, I do believe that it was a very excellent exercise and I think satisfying to the members of the committee. I want to congratulate the Minister of Agriculture and Food (Mr. Stewart) and his staff on the replies they were able to give and the evidence they supplied from their knowledge

and interest in the entire workings of the department.

He certainly did a most comprehensive job. I believe that questions were answered in an understandable way and it seemed there was much greater participation by the members in the debates that developed.

I want to express my appreciation to all members of the committee for their attendance and for their interest. Certainly I felt I learned more about The Department of Agriculture and Food than on any previous occasion in this Legislature, and I think that came about as a result of the direct participation of the members.

I might say it reminds me of the anecdote the hon. member for Muskoka (Mr. Boyer) told me a few years ago on the occasion of the opening of a new building. After the formal opening ceremonies, guests were being shown around. People got on one elevator, the doors closed and immediately the lights went out. They did not know what to do. There was a Chinese boy on the elevator and he said: "Everybody raise right hand", and they did. "Now," he said, "everybody raise left hand" and they did and the lights came on, so they asked him how he did this, and he said: "There is old Chinese proverb that many hands make light work".

And I think in this case, the proverb should be that many hands make work more lightening. This, I think, would be the conclusion of the results of the committee's meeting.

I might say that, as chairman perhaps, there was not the opportunity to participate in the actual discussion. I would like to mention a few of these things pertaining to the estimates of The Department of Agriculture and Food. For instance, for the year ending March 31, 1969, the total estimates were \$51,562,000, and for the year ending March 31, 1970, they will be \$65,865,000.

Of that amount, \$9 million was formerly taken care of from the Treasury Department being advanced to the Junior Farmers' Loan Corporation which have been transferred to Agriculture at the period when the junior farmers' loan is being phased out. However, there is obviously a net increase of some \$5,303,000 in the spending of The Department of Agriculture and Food.

Of this increase, approximately \$2 million is the amount that is being used to expand extension services in our extension department, namely, assistant agricultural representatives and other services that are being

given. To any of us who live in rural Ontario, I think that we are well aware of the great services that are being given in the field by our agricultural representatives and their staffs.

I know it has been my privilege to attend the awards night of the 4-H clubs on different occasions and I feel that there we have among the finest groups of young people that can be found anywhere in Ontario. I think that these people on our extension service staffs do work over and above the call of duty. They spend long hours, they lend of their time, their advice, and they are really very active. I think that we cannot express our appreciation or commend them too highly for the great service they give.

Consequently, I think no one would quarrel with that increase of approximately \$2 million in that particular regard.

Now, there are, of course, other increases in our budget. There is an increase of approximately \$1 million in grants to trade fairs, and so on, in order to promote the sale of agricultural products. I think this is all to the good because it has been proven we can produce in Ontario, but sometimes the selling is the difficult part. I think that money is well spent for that purpose.

We might say also that there is another approximately \$3 million which is being spent on behalf of ARDA. There are some other items on which there have been some slight decreases. This accounts for the total of some \$5 million increase in the budget of The Department of Agriculture and Food. There again, we feel that this money is well spent on the drainage propositions and the many requirements that the people in agriculture have and where capital costs would be so great that without this assistance they would be unable to carry them out.

This just forms a contrast with what I was reading in the paper where I understand that the federal government at Ottawa proposes to make a reduction in the agricultural budget in the ensuing year. We understand, according to what we read, that the Benson budget next year will, in total, be about \$250 million, whereas this year's limit was \$251.4 million. It appears there are going to be increases in certain parts of it because it says that the dairy support programme will feel the greatest effect with its budget cut by \$10 million or more to \$115 million. This would reduce the subsidy of about \$1.36 per hundredweight to farmers by about ten cents.

There are other things that are mentioned. I am not going to go into any detail on that because that does not strictly refer to our budget, but there is one part that does. That is, namely, that there is going to be a reduction in the wool subsidy. I know a few years ago the federal government and the provincial government entered into a deal whereby they shared two-thirds of the freight rate bringing sheep east. They realized that lamb was being imported from other countries—and likewise, wool—and they realized that our wool did not bring a high price on the market.

As an encouragement to the sheep industry, they certainly did enter into this agreement. I know that myself, I imported two car loads of lambs, and I would like the Minister to state how successful this has been. But I think that at this time when there is the greatest market and the greatest demand for Canadian lamb than there has ever been, I think there should be some hesitancy in doing anything to injure this industry any further. We know that the people engaged in it find that there are difficulties; we know that at the present time, for instance, where formerly dogs were the natural predators, then coyotes, now we believe that the big predator is the hybrid—the cross between the coyote and the dog.

In fact, the local lands and forests conservation officer reports that four of the last animals that have been caught in Prince Edward county have been hybrid in nature.

I would therefore conclude my remarks by suggesting that our federal counterparts suggest to their friends at Ottawa that this is not the time to reduce the assistance to those engaged in agriculture because their income is not increased proportionately to the increase in wages. People are earning the money with which to pay for food with far less hours work now than ever before in the history of Canada. Much as we appreciate the need for a reduction in expenditure in various things, I would conclude by saying that the agriculture costs and agriculture assistance is the very last department in which any reduction should be made by either the federal government or the Ontario government.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, if I may be permitted a word of comment on my friend's remarks, my friend from Prince Edward-Lennox.

First of all, in relation to the federal government cutback, I do not intend to support or defend the federal government in that position. I think it is regrettable that they

have seen fit to cut back on their agricultural budget at this particular time simply because farmers are experiencing a more difficult time to make ends meet than they have ever experienced previously, at least in modern times. So from that point of view it is indefensible that the federal government should cut back on their agricultural budget.

I also want to say, and to a certain extent, mirror the remarks of my friend from Prince Edward-Lennox in respect to the new experiments in dealing with the estimates of The Department of Agriculture and Food this year.

I want to say that, for my part, Mr. Speaker, I think this new procedure has a lot of merit and can certainly signal an entirely new era in dealing with the estimates in this House.

I think we had some good debates, Mr. Speaker, in committee. The crop insurance debate comes immediately to mind. I think there were a number of good points made. I think it was a debate which was certainly useful from the Opposition's standpoint and I hope it was helpful from the government's standpoint.

I do not want to repeat anything or very much of what was said in the committee. I want to concentrate, instead, on the rather detailed analysis, albeit a short one. I only have 20 minutes within which to do this, Mr. Speaker, and I will try and abide by that time limit.

Nonetheless, I want to devote my attention to an analysis of the farm income report. It was alluded to from time to time in the committee; but it was done more on the basis of supporting a point of view one happened to be advancing at any one particular moment. I think it is an important report. It certainly could change the direction and thrust of Ontario agriculture dramatically. It cost \$750,000 of the taxpayers' money, and so I think it deserves more than passing attention.

Before I get into that, Mr. Speaker, I want to make one brief comment concerning the Royal Winter Fair. The Royal Winter Fair has just concluded, and perhaps this would be the most appropriate time to make this kind of comment. I relate the comments both to the Royal Winter Fair and to the CNE.

I think many of the breeders of livestock consider the Royal Agricultural Winter Fair as their show. In a sense I think this is somewhat unfortunate, when one considers that the Royal Winter Fair has an attendance

figure of some 250,000 or thereabouts—the CNE has approximately three million.

Now I make that comparison from the point of view that I think one of our biggest jobs in agriculture today is to create a better understanding on the part of the consuming public as to what agriculture is all about. And it seems to me that at the CNE and at the Royal Winter Fair—but particularly at the CNE—it is vital that we should have an agricultural exhibit which goes far beyond the so-called show ring classics.

Let me give you an example of what I have in mind. I think that it would be very wise for the department, and perhaps they could do this in conjunction with the breed associations or any associations involved in any particular product—with, for instance, hens. The exhibit would be set up whereby the hens would be laying eggs right on spot, the eggs would be rolling down the cages, they would be gathered, they would be cleaned, they would be retailed, right there, and one could even go so far as to indicating the exact pricing on the farm, at the wholesale level and at the retail level.

One could do this with a whole number of products, one could do it with milk certainly, one could do it with beef, one could adjust it to include beef as well.

The point is that the agriculture community must undertake this type of public relations work on behalf of its own industry, if, in fact, the consuming public is to understand where they really get their food from; and where the costs really come from in the final analysis.

Well I leave it at that; and I hope the Minister will give it some consideration, and pass it along to the various associations with which he is connected and hopefully they will take up the torch.

Back to the report. Now the report received some favourable attention, and some adverse comments, I am sure that is not unexpected. Farmer reaction initially was rather favourable, although, once they begin wading through the thick volume of the report, the farmers' enthusiasm began to cool somewhat.

The severest critics, insofar as the rural papers were concerned, was the *Country Guide*, which attacked the report with a vengeance. In their editorial of February 1, 1969, the report was called a document for social revolution, a call to arms for a new battle in the class warfare that has echoed through farm communities for generations, aimed at shielding agriculture from the facts of life rather than helping it face them, turning agriculture

into a public utility, and ends up by calling it a disaster by design—an invitation to bureaucratic strangulation of initiative.

Well, that is the *Country Guide's* opinion and they were rather caustic in it. Others were kinder. The *Globe and Mail* thought the report was quotable and comprehensive in its sheer scope of its inquiry. However, said the *Globe*, "It was a disappointing collection of bright ideas rather than the thoughtful examination of concepts that Ontario agriculture needed".

Frankly, Mr. Speaker, I think Ontario agriculture will be better off in the long run for having had the report. It lent credence to what many of us have been saying about agriculture for years, and it substantiated it with the prestige firm of Hedlin-Menzies researchers.

There was no doubt in my mind that this was a sweeping blueprint for farmer power in the province.

Many of the ideas were practicable and saleable. Others, of course, were not. In my opinion, there was an unnaturally heavy emphasis on the General Farm Organization; and, when it failed, almost everything else went out of the window with it. The Minister obviously felt that he had been soundly spanked by the farmers of the province, and he wasted no time in putting the ship on automatic pilot and heading for the sleeping quarters, bolting the door, and sailing off into the sunset.

**Mr. R. F. Ruston (Essex-Kent):** That is just what he did.

**Mr. R. F. Nixon (Leader of the Opposition):** He has been in bed ever since.

**Mr. Gaunt:** Since that time he has surfaced only twice, Mr. Speaker, aside from the cat and dog problem with which we are all familiar. Both were very brief appearances: one to announce the hiring of the farm specialists and the other to announce the cancellation of the Junior Farmers loan programme.

There was one other occasion when he announced that the price of beef had fallen, but retail prices had not fallen accordingly—which was unfortunate because the government could not do anything about it anyway.

Now, there are only three things that the Minister has taken any action on in response to the report. The first was the GFO vote. The second, as I have already indicated, was the junior farmer loan; and the third was the hiring of the farm management consultants. Other than that, the Minister has

avoided the report, he has even avoided a public discussion of it.

Many of the recommendations can only be undertaken by the farmers, or by their organizations. However, there are many other areas where the government has the sole responsibility. For instance, I would like to hear the Minister comment, and pass an opinion, in respect to a fertilizer review board.

The Minister made some passing comment the other day in response to a question from my hon. friend from York South, but other than that—

**Mr. D. C. MacDonald (York South):** He dismissed it.

**Mr. Gaunt:** He dismissed it—right! But other than that I have not heard the Minister engage in any type of in-depth discussion of the matter. I would also like to hear his opinion in respect to the Ontario Farm Machinery Crown Corporation. I have a very good idea what the Minister thinks about this, but I have never really heard him say it.

What about the farm accounting system, Can Farm? What about the negative income tax for farmers? What about an Ontario Land Corporation which would be part of an overall land use plan for Ontario? One has to admit that the report is a genuine attack on the land problems in Ontario, which do exist, which do distort growth, which do produce strangulation and inflated land costs.

The committee recommended that the cost of education be removed from property tax in view of the fact that education is a service to people and bears no direct relationship to property ownership or its use. We, in this party, would certainly agree with that proposition.

The report recommends that the 4-H programme be changed and broadened with different emphasis. When some of these things were drawn to the attention of the Minister in committee he said, "It is just a report". If the Minister was really reflecting his true feelings, and I say, if he were really reflecting his true feelings, then I suggest that the entire report, at a cost of \$750,000, was nothing more or less than a calculated plan to buy silence from the more vocal of his farm critics.

The basic contention in the report is that farmers have been sacrificed on the altar of the cheap food philosophy, but that something has to be done about it.

Responsibility for this rests with the farmer and his failure to co-operate to try and match



production to probable demand, but the government is also tagged with a share of the responsibility, and hence, the onus for trying to do something about it.

If the Minister considers it as just another report, hence, not really worthy of very much second thought, then the farmers in this province are in even more trouble than they may have thought.

The Minister implied, although it went unsaid, that the report was unimportant and it really does not apply to conditions in agriculture as they exist today. In my view the report set out three goals for Ontario agriculture: (1) Acceptable returns for well managed farms; (2) Adequate incomes for farm operators; and (3) Maximum numbers of farms of efficient size in the industry. The last one can only be achieved by the industry itself.

There has really been no concrete indication that the Minister accepts these goals, and if he does, how does he plan to achieve them? Few investigating bodies have turned in more wide-ranging reports than this one. It indicated that farm complaints have been justified and that something worthwhile has to be done about them. It recognized that the agriculture industry has long been the economic blood of Ontario.

The committee obviously took the broadest possible interpretation of the terms of reference. It indicated on the way through that the government had been disorganized and short-sighted. The report indicates the need for government and the industry to establish some overall philosophy as to where agriculture is, where it is going and where it ought to be going. This is present in the report, but it is buried to a certain extent in the mechanics of implementation.

In some respects the report is a thoughtful examination of the concepts that Ontario agriculture needs. One can go through recommendation after recommendation and one finds the report coming back to the theme that the marketing system is not neutral. It serves those who are willing and able to influence its performance.

The report directly challenges the validity of the existing power structure on the political grounds of preventing violent upheaval and on the economic grounds of increasing the efficiency of the industry. Strong state intervention is urged in order to redistribute power in favour of the farmers, simply, because as the report states:

Unless immediate steps are taken to tackle this crucial issue, the entire agricul-

tural industry faces a violent upheaval that would disrupt and destroy the social and economic structure of rural Ontario.

It goes on to say that almost half of Ontario farmer receive incomes inadequate to meet basic needs. From that premise the report concludes that the state will have to redistribute this power and create, in a sense, farmer-power, in order to correct the situation.

Examples of this are the food supply agency, the Ontario Land Resources Commission, the Ontario Farm Machinery Crown Corporation, the Fertilizer Review Board and the Rural Human Resources Council.

As far as I am concerned, some of the recommendations have a socialistic flavour while others are a kind of rightist state corporation. On occasion, one is left with the uneasy feeling that the provincial bureaucrats would gain more than the farmers.

The thing that gives me most concern about the report, is the supply management and its application to the province of Ontario. I agree with the concept of supply management, but I cannot help but fear the consequences if this programme does not work in concert with the other provinces of Canada. The point is, the province cannot isolate itself from the other provinces. Their productions, and more important, their shifts in production, are bound to affect our farmers here in the province.

I only need to cite the example of the chicken broiler marketing board which has instituted a programme of supply management. The chicken broiler producers enjoyed a short term benefit, but the programme is running into considerable trouble simply because Quebec is more than making up for any reduced production in the province and shipping them into Ontario to compete with our producers.

One can have so-called supply management in one province, but where there is risk of great interprovincial trade, as there is in many products, then supply management is limited in its effectiveness. When the chicken broiler producers marketing board gained power to set quotas and establish a price, there was something in the neighbourhood of 1,600,000 set per week. That figure has remained constant, while Quebec has more than doubled their production in the same period and are shipping that production into Ontario. Ontario broilers have dropped four cents in the last two months and predictions are that they will go even lower.

These are the facts of life and one cannot ignore them.

As far as I am concerned, Mr. Speaker, I feel the report, by and large, is a good one. It is readable, quotable and certainly understandable. I think Ontario agriculture will be better off in the future because of the report, provided the Minister provides some leadership in response to it. So far this has been totally absent. All government departments tend to insulate themselves against criticism and inbreed on their own advice. This department is no exception so the report has added a new dimension to the discussion of the problems and the possible solutions.

It is very difficult to judge what long-range effect the report will have on the redistribution of political and economic power within the industry.

Unless the Minister and the government are prepared to give leadership and direction, the report will gather must and dust on the shelf and the industry will wander through the quagmire of economic hardship while the Minister dozes.

And it is therefore my motion, that:

I move, seconded by the leader of the Opposition (Mr. Nixon) that this House regrets that the Minister has not given more serious attention to the farm income report and has made no acceptable attempts to ensure that farm operators receive adequate incomes and that well-managed farms receive acceptable returns on investment.

I feel this motion is necessary to underline to the Minister that we view this report as an important one, we view it as worthy of serious consideration, many of the things are quite acceptable in the industry, some are not, I recognize, but I think the Minister has a duty to accept this report, at least many things in it, and consult with the industry—

Hon. W. A. Stewart (Minister of Agriculture and Food): Like what?

Mr. Gaunt: My colleagues will be dealing with them on the way through the estimates.

Mr. S. Lewis (Scarborough West): They have been raised a number of times.

Mr. Gaunt: They have been raised a number of times as my friend just said. So that somehow this government can assist agriculture in a real and obvious way.

Mr. Speaker: In amendment to the main question placed by Mr. Speaker at the begin-

ning of the debate, Mr. Gaunt moves, seconded by Mr. Nixon:

That this House regrets that the Minister has not given serious attention to the farm income report and has made no acceptable attempts to ensure that farm operators receive adequate incomes and that well-managed farms received acceptable returns on investments.

The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, in rising to participate in this debate, I would first like to say that I agree with the member for Huron-Bruce in stating that the position of the federal government is indefensible as far as agriculture is concerned. But, I would carry it much further and indicate that most of their positions are indefensible. Of course, it being the just society or the main thrust of the just society, is being just for the rich leaves the farmer completely out—as well as most of the other people in Canada.

Personally, Mr. Speaker, regarding the committee system, I think it provided a better opportunity for the members to discuss the estimates. The senior civil servants were there and were able to participate and contribute to the discussions, and I think this resulted in better understanding of the department, the operations and some of the functions.

A serious examination of the present government's farm policies would indicate to me that this government is acting as the friendly undertaker whose function is to preside over the elimination of about 60,000 Ontario farms. If there is anything that came through strong and clear in those estimates it was the fact that the Minister and this government really were not concerned.

We have the Minister of Agriculture dedicated to his private enterprise philosophy and below him we see an ongoing battle. The battle here is between the corporate sectors of our society—the farm equipment manufacturers, the fertilizer producers, the processors, chain stores and others on one side, and on the other side, we have the farmers.

You would think that despite the constraints of the Minister's political philosophy, he would at least come down and try to referee this battle. The farmer is not really asking for more, he wants to compete on even terms, and I think this is the place and this is the area where this government has fallen down—to give the farmer a voice and a chance to compete on even terms against this large great force on the other side.

The matter, of course, is the area of agricultural costs, this is one sphere of activity which should occupy the time and the resources of The Department of Agriculture and Food.

We will just examine some of these matters and, of course, we will first look at tractors and farm machinery. We know that prices are being manipulated, there is no doubt in anybody's mind right now that the Ontario Federation of Agriculture is able to bring in tractors at prices that are about \$2,000 or \$3,000 lower than what farmers are paying for the tractors here.

We have figures on equipment, manufactured in North America, that sells for about \$1,000 or \$2,000 less in other countries.

This government in its operation of this department, if it was involved in a battle, would be battling on the side of the farmers. It is limited to what it can do, but it certainly can examine a lot of these pricing practices. It can examine the prices, it can appoint commissions, it can report to the farmers, stating where the profits are made, why are the prices so high. If necessary, the government itself should get into the business, it should set up Crown corporations, as suggested in the farm income report, and buy the equipment and sell it to the farmers at cost.

There is also the problem of farm equipment repairs. Again, this is a very serious matter. Many farmers find their equipment is tied up in critical periods or during harvest when they need it and they are unable to get repairs and consequently their input costs go up. Again, this is something that this Department of Agriculture and Food can either, through moral suasion—try that first—or through some serious discussions with the farm equipment companies, get to them and insist that parts depots be established in Ontario which carry parts from all manufacturers, depots that are open all the time—or at least in peak periods of demand—so farmers can and should be able to get the parts they need. And, of course, if industry, Mr. Speaker, is not prepared to do these things, then it is the responsibility of this government to step into this breach and set up its own depots.

The matter of fertilizer: The Minister did suggest that a Royal commission should investigate the matter. Now, a Royal commission, in my opinion, is going to provide more fertilizer, but it is not going to provide an answer to the problem. Why does not the Minister call the fertilizer manufacturers into

his office and have a frank and comradely discussion on the matter of fertilizer prices? Why does he not get the expert help, the economic help that he needs to find out the input costs that go into fertilizer and find out just exactly where the money is being spent? Why are the costs so high? Why is fertilizer more expensive in Ontario or Canada in comparison to the United States? We expect the Ministers to report this to the farmer. Once again, if the companies are not prepared to lower the prices to the level that is at least available in the United States, the Minister or the Crown corporation or a farmer-owned co-op either financed through the department—or operated by The Department of Agriculture and Food—should go into this matter of obtaining fertilizer and providing it to the farmers at cost.

There is the matter of interest rates, again this contributes to the farmers' input costs. I was amazed as the Minister said that they did not try when they were getting out of the junior farmer loan business, that they did not try to negotiate with the federal government some level of interest or a certain level above which the rates would not increase on money that would be borrowed by the farmers.

The result now, of course, is that the farmers are thrown to the mercy of the financial wolves and their input costs are going up. I am also amazed at the fact that the farm committee suggested that the matter of farm credit should be consolidated but it should be operated by the province.

I think this has a considerable amount of merit. The province is certainly much closer to the farmer, closer to areas of concern and problems and in the better position to evaluate the need of the farmers than the department in Ottawa. The Minister, of course, of the department is very reluctant and has refused to step in and declare a moratorium, if necessary, in areas where farmers have suffered crop failure as a result of natural disasters.

Crop failure can put a farmer back or put him in a position where he will be incapable to continue as a viable economic unit and eventually will be forced out of farming completely. Just up to this point we have dwelled on the matter of input costs. Now, I think there are some matters that should be considered from the other side. For example, the matter of the prices that farmers get for their produce.

And again, we have a good example in beef prices. Here we have a situation where the beef prices were actually manipulated.

When the matter was first raised in this House, the Minister came up with a feeble excuse saying that Mr. Weinstein—and he is a Liberal, so of course, it is convenient—said that he suggested a boycott and consumption of meat dropped. As a result the farmer received less money for his meat. Which is not true.

Consumption, as the figures shown by the federal Department of Agriculture and Food statistics indicate, was going up in each one of those months. Consumption this year was higher than it was in the same month last year. I think the Minister, of course, can be excused a point here—that this is a matter of national importance, that he is not in a position himself to really control the importation of meat or stopping the transportation of meat, between the provinces of Canada. But I think he should make energetic representations, and I think he should report to the House the result of his discussions with the federal Minister of Agriculture and let us make public, or let us tell the farmers, just exactly what the federal Minister of Agriculture thinks about these matters. Let us find out where the chips are and how they fall.

I think the Minister and his department, and this is particularly the food portion of his department, should make an effort at least once a week, to come up with radio, television programmes and possibly notices in the paper, advising the consumers regarding a situation where meat prices are rising. They could come through with a commercial that could sound something like this: "Attention, shoppers, this week, Loblaws and Dominion Stores have raised their meat prices to anywhere from 15 to 80 cents a pound. This does not mean that the farmer is getting more this week for his meat, instead this is a devious effort by these two chains to obtain unjustified profits at your expense. If you do not want to be taken in, we suggest that you do your meat shopping here". Suggest some other stores, or suggest your local corner butcher store, or some other chains, or possibly suggest that they switch to the other meat products.

I am sure, Mr. Minister, if you did this for a few months, you would have a reaction beyond expectation from these stores, inasmuch as they are very concerned with their image, particularly when you are dealing with meat, and their meat departments. I am sure there would be a drop in the cost of living.

Mr. Nixon: It could be worded like the OWRC. What has The Department of Agriculture and Food done for you lately?

Mr. Makarchuk: Yes, it certainly could. There is also the matter of collective bargaining—

Mr. W. Hodgson (York North): Corporation store! Go in there and buy the products at cost.

Mr. Makarchuk: —the matter of collective bargaining by farmers. I think this is something that the Minister should encourage, of course. The GFO vote was a rejection, of everything that the Minister touched. But I think that some of the suspicion could be overcome, and this was touched on in the estimates.

I suggest that the Minister appoint individuals, such as Peter Twynstra, Walter Miller or Peter Myers to membership on the Farm Products Marketing Board. I think these individuals at least have the confidence of the farmers of Ontario, which is more than you can say for the Minister.

There was a considerable discussion of crop insurance in the estimates, and so I will not dwell on that here. But I certainly do not believe that crop insurance is the answer to the matter of crop failure. Typical of this were the conditions in Essex and Kent where farmers were unable to get crop insurance because they were unable to plant their produce.

I think the government should establish a direct fund, should set aside a sum, roughly ten or twelve million dollars a year which could be used, if necessary, to bail the farmer out if he suffers as a result of natural disasters.

At the same time, if the money is not spent and it could be used, the surplus funds could be used to help rationalize agriculture—or make farms into more viable agricultural units—if necessary taking land out of agriculture; if necessary, using some of the ARDA programmes, or some of the type of programmes as suggested by ARDA.

Of course, this would require economic planning, and this government really does not believe in these things.

Another matter, and this was mentioned in the estimates, is the fact that this government carries on very little economic analysis of the agricultural market. All their research is still directed, and has been directed, towards creating more efficient farms. This is commendable. But, at the same time, they should be doing a considerable amount of market research, trying to forecast the consumptions, the products that would be required. This is something that is done by large corporations,

and something that the farmer cannot do—sell himself, individually or otherwise—and this is what the government should do.

There is the matter of land use again. The Minister refuses to get involved in this matter. We had an excellent debate on the problems in the Niagara Peninsula and I would like to read into the record—a brief was presented to the NDP mini-caucus in St. Catharines last Saturday, by Dr. John N. Jackson, chairman of the department of geography at Brock University, St. Catharines. And he says—and this is pertaining to the discussion we had on the fruit belt:

The pollution of a different type is continuing to desecrate the fruit belt. The hub of this issue is that this area is famed across Canada as a highly specialized agricultural locality which is most productive when under good management.

It has natural advantages of site, situation, soil and climate which provides a unique resource for Ontario, and which cannot be repeated with the same excellence anywhere in Canada. The other side of the coin is that the net return from a good quality fruit farm under top production with irrigation, a lakeshore situation and under competent management, is not likely to exceed \$300 per acre.

Fruit farms thus become uneconomic in strict financial terms when land values increase to beyond \$2,500 to \$3,000 an acre.

There are variances to these figures, but the line of argument is clear. As land values increase—and these have increased in the fruit belt over the past six years from about \$2,000 to \$8,000 per acre for raw, serviceable land accessible to the growing cities of St. Catharines and Hamilton—the farming of land becomes an uneconomic proposition. The outcome is that perhaps not a farm in the fruit belt is viable as an economic entity at current land values. The best agricultural land in Canada.

Yet, farming has become impossible—does this contrast make sense? The most simple feature of the present situation is that no provincial policy exists for the fruit belt. Is it a vital asset for agricultural use in perpetuity or should its resources gradually wane into oblivion?

Well, what it really means, and he continues, is that this government has really been dilly-dallying over the whole thing. It has refused to act.

The Minister again refuses to come out with any statement as to whether the government

is going to get involved; as to whether there is going to be a land-use plan for Ontario; or just exactly where this government is going.

There is the matter of vertical integration in farms. Again, in last year's estimates, the Minister made a big ado and sounded the alarm as to vertical integration and the problems it is going to cause the farmers. Naturally this year, he said he is not too concerned about it all. He does not seem to realize that not only will this result in the elimination of many farmers from the agricultural sector of our society, but will also result in higher prices to the consumer.

Under this Minister, and under this department, I cannot see any possible solutions to the problem. I suggest that the Minister resign.

Mr. C. G. Pilkey (Oshawa): The whole government!

Mr. Makarchuk: The ultimate solution of course—

Hon. A. Grossman (Minister of Correctional Services): We shall think about that.

Mr. Makarchuk: The ultimate solution, of course, is the removal of the government and naturally—

Mr. Lewis: Hear, hear! It is not an ultimate solution, it is an imminent one.

Mr. Makarchuk: An imminent solution—and Middlesex South has indicated the way it is going to happen in 1971.

Hon. Mr. Grossman: Take another shot in the arm.

Mr. Makarchuk: Certainly we will support the Liberal amendment, but naturally—we cannot change it, but I would suggest, sir, that instead of the House saying "that this House regrets", I would suggest that "this House deploras" that the Minister has not given more serious attention, in fact I suggest that it should read, "Has not given any attention to the farm income report." And "has made no acceptable attempts" should be "has made no attempts"—that is the way it should read, to ensure the farm operators receive adequate incomes and that well-managed farms receive acceptable returns on investment. Thank you.

Mr. W. Newman (Ontario South): Mr. Speaker, as we come here today to discuss these final summations, shall we say, of the agricultural estimates, I am slightly amazed at some of my friends across the way who try

to tell us the Minister of Agriculture is not concerned. Nobody could convince me or I think nobody could convince most of the farmers of the province of Ontario that our Minister is not concerned and is not doing things about it and does not care about the farmers of Ontario.

Mr. MacDonald: What, for example?

Mr. W. Newman: If the member will listen for a moment, I will tell him a few of the things.

Interjections by hon. members.

Mr. W. Newman: If I told the member all of the things he was doing, I could be here for two days. I would just like to comment, Mr. Speaker, on the moving of the estimates to the committee although it may have—

Mr. Lewis: That is an indictment in itself.

Mr. W. Newman: —taken longer in committee to discuss the estimates, it gave us a chance to thoroughly analyze the departmental estimates in many of the programmes and most of the programmes The Department of Agriculture and Food is bringing forward.

One of the things that came out of the farm income report and was perhaps one of the important things, were the extension services that were brought forward by the Minister of Agriculture and Food for the people and for the farmers of the province of Ontario—the farm management advisory service, the credit counselling, the feed advisory and testing service. Now these, along with the services that are already available, are a step forward with our modern day agricultural problems that we are faced with, that the farm management and advisory service has to be extended to many of our farmers who really are not taking full advantage of them. And now, because of the extra staff that has been put in the field, I am sure many of these services will be taken advantage of by our farmers.

Credit counselling, which is one of the most important things today for our agricultural people, we all admit that the agricultural people do have a problem with income. We all admit perhaps that the government in Ottawa should take a more active role in helping us in the province of Ontario municipalities to co-ordinate many of our programmes so that we can stop the thing that the member for Huron-Bruce brought out, the dumping out of broilers through an inter-provincial broiler scheme and we have a good

scheme here in Ontario and they are dumping these into Ontario, which creates problems for our Ontario people.

We have a dairy herd improvement programme, which I think is perhaps one of the foremost programmes on the North American continent which has improved the lot of the dairy farmer. And those who are in dairy herd improvement have done a great deal to bring us the standards of production in the dairy industry and done a great deal to increase income of the dairy farmers today because of the effort put forward on behalf of our government.

The province is working, and I have heard it said that our agricultural representatives are nothing but armchair—I have forgotten the exact terminology that was used, but they sit back in their armchair and do not do anything and I can tell you this—

Mr. Nixon: Who said that?

Mr. W. Newman: I beg your pardon?

Mr. Nixon: Who said that?

Mr. W. Newman: It was not from the member's party.

Interjections by hon. members.

Mr. W. Newman: I would just like to say this: the agricultural representatives in the province of Ontario are the most dedicated people that I have ever worked with and I know in my own county, men who do not work an eight-hour day, they work a very long day and many nights on behalf of the people they are trying to help. The services available through these people and their assistants have done a great deal for the farmers to increase their income, increase their productivity and make recommendations to them.

The capital grants programme, which was brought out by the province of Ontario, which still has several years to run to improve the working conditions for farmers, gives them grants for drainage, for water, for silos, and so on, with various things that grants are available for, to encourage farmers to step out perhaps with some of our modern practices.

The capital grants programme has been a real boon to many agricultural people and many farmers in the province of Ontario. The drainage programme alone, which is carried out under the auspices of The Department of Agriculture and Food, has done more to drain many, many thousands of acres in the

province of Ontario to make land more productive, to increase productivity, to help the farmers in our area.

One thing I would like to touch on perhaps is early farm income. Basically it is on farm taxation and farm assessment and I realize that perhaps this could come under another department of government, but I feel that farm taxes have a direct result on the farmer and his problem. And I notice in one of our publications, *The Farm and Country*, the hon. member for Huron-Bruce was commenting quite proliferously on the committee on farm assessment which has now reported and of which we all have a copy. He has made some comments on this and I would just like to say this, Mr. Speaker, and to those of us who are here, I feel this committee did a very conscientious and sincere job; I think they brought in a very fine report. I do feel that there is some room for correction, perhaps in the farm out-buildings.

They have come to a standard base on farm assessment, based on soil maps, based on sale value, whichever is less. For instance, in some areas of the province of Ontario where the sale value is less than \$15 an acre this would be used as a base of assessment. They came up with this. They tried it in several parts of the province to see how it works, and they feel it will work. I feel that we have to give this a chance to work.

If we start to assess farms and farm buildings on a percentage basis of sale value, we destroy all the good productive land in our urban areas in the province of Ontario. And this is something that we have to get back to. I look at my area, perhaps because I am very familiar with it. I look around this great metropolitan area of Toronto, where some of the best productive land in the province of Ontario is growing weeds where it could be growing crops—but because of assessment practices in the past, which have not been adequate to protect the agricultural people, they were forced, in many instances—and will be, if this report basically is not implemented—forced off the land.

To give you a good example, in my own township last year, farm taxes were actually double. On a 100-acre farm where our taxes were running around \$700 to \$750 they went to \$1,400 and \$1,500. This is something the farmers cannot cope with, and if we follow the formula that the member for Huron-Bruce pointed out—taking a percentage of sale value because it is in a metropolitan area—this will not help these farmers.

It will force them off the land, so I think we have to look at all these things in the assessment field and farm taxation field from a realistic point of view, and I feel that this committee this summer—and I have to give them credit—did a great job on this.

I could go on at great length about the great job that I feel that our Department of Agriculture and Food is doing—that our Minister is trying to do for the people of this province. I hear criticism in committee, and I hear criticism in the House, of this department, and what he is not doing, and so on and so forth. And the GFO was brought out today. The Minister—and I say this in all fairness—brought legislation before this House to allow the farmers in this province a free vote for their choice.

It was no rejection of our Minister of Agriculture and Food, and it was no rejection of this government. And do not try to tell me otherwise. How do you know anything about agriculture?

Mr. Lewis: Well look at Middlesex South, I will take the member on a tour, farm by farm.

Mr. W. Newman: I would like to get the member out on the back 40 too, but that is beside the point.

Mr. MacDonald: We met the member on the “back 40”, and look what happened.

Mr. Lewis: The member has been looking at drugs. I have been looking at farmers.

Mr. W. Newman: Yes, well I looked at them both.

I feel very strongly that the GFO vote was a right for the farmer to express his own free choice. They were not guided and directed by this Department of Agriculture and Food as to which way they should go.

I might just touch briefly on the ARDA programme which I think—as you know the people in Ottawa let us down—our province has picked up, and that it is carrying on with these sorts of programmes to develop more economical units for many of our farmers in many instances where they are not economical units, taking them out of production, and putting them into some other and better use. As I say, I could go on and on about the job that this department is doing.

I would like to say in closing that I will certainly reject the motions brought forward by the member for Huron-Bruce, and the member for Brantford; and would like to say

that I wholeheartedly endorse the policies of our Minister of Agriculture and Food and the job he is doing.

**Mr. Speaker:** I am sure the hon. leader of the Opposition will permit just a moment while I introduce a group of students and teachers from the Harbord Collegiate Institute in Toronto in the west gallery.

The hon. leader of the Opposition.

**Mr. Lewis:** A very illustrious collegiate.

**Mr. Nixon:** Mr. Speaker, I would certainly agree it is an illustrious collegiate. I used to teach there and I hope that the students and teachers are as interested in this farm debate as they should be. But certainly, in the brief ten minutes at my disposal, I want to support the amendment put forward by the hon. member for Huron-Bruce, because I believe in the years since 1961, when this Minister took over the responsibility for agriculture, that he has failed in his half-hearted attempts to improve the farm income situation. I believe further that in this period of time his policies have produced economic second-class citizens in the rural area, which is something the farm community is not used to.

Surely the hon. Minister can recall periods when farm families considered themselves leaders in the community, economically and otherwise. Now they are reduced to enjoying the fresh air and sunshine and perhaps that feeling that perhaps the fruits of their own initiative are much less productive than they should be, if this province were guided along policies which were designed to improve the agricultural economic situation.

In the years since 1961 there have been far-reaching changes in the community. I am sure the Minister knows as well as I that a good many farmers are leaving the land, their farms are being bought by those who have made their livings and their wealth elsewhere; that these farms are perhaps being kept in production to some extent but usually with a small herd of show cattle. Or perhaps with a bunch of horses which are then run on the tracks of the province; and of course, they get the grants that are available from the generous Treasurer to support the expansion of the race horse industry in this province.

I sometimes wish the Minister of Agriculture would show this same generosity of spirit in supporting other agricultural endeavours which I believe are at least as important.

Now I believe what has happened over these few years is that conscientious young men, who have committed themselves to a

life in the agricultural industry, have found that they cannot make a decent living—a living which equates with what is available, even if they were going to go into factory production or almost anything else. The result is that these farms have been sold, and many of these young men are still struggling—some of them are not so young any more—to make a productive unit which will be viable to be passed on to the next generation, in which they can make enough profit so that they can prepare for their own retirement and, as a matter of fact, fulfill their basic responsibilities as productive members of the community.

Now, as I say, many of them are selling out. In my own home town, one of our best milk producers sold his entire milk quota and herd just a week ago, and I do not know what he is going to do. Perhaps he is in a position to wait for a little while and see what comes along.

There are others, like my hon. friend from Ontario South, who was able to subdivide part of his farm, as the urban development associated with the big cities netted a substantial profit because of the land that he held under those circumstances.

I know of other farmers who have been fortunate enough and wise enough to marry girls who were qualified as teachers. And while they are home tending their \$150,000 investment—probably as well as two or three kids—their wives are out teaching for the county board. And while their best efforts as farmers are probably netting them \$5,000 to \$6,000 a year, the little woman, working as a teacher, is probably making \$8,000 to \$10,000 with prospects for an improvement.

I am not knocking this. Too many of my friends are engaging in this sort of a situation, and it is working out well for them. But it certainly reflects very poorly on the support this government gives to the agricultural industry when this is a fact. Some of my neighbours work in the winter for The Department of Highways and piece out their income with that. Others work in machinery repair and sales; some sell insurance; but very few of them have, as the only economic string to their bow, the working of a farm even of a size which the Minister and his advisors would indicate would be economically viable.

Now there are some answers surely. The member for Huron-Bruce has said most succinctly that the policy of cheap food is something that we have to cope with—we farmers have to cope with as politicians. Most people in the cities who earn their livings in other ways



object strenuously when there is any increase in the price that they pay week by week when they go to the supermarket to get their food supplies. Yet the Minister knows, as well as we all know, that what comes as profit to the farmer is inadequate. And it can in no way be compared with the tremendous increases that have been granted often across the board—to those who are engaged in industry and the professions; that they have been left at the bottom of the totem pole because, in fact, there is no one to speak strenuously enough for them, and unfortunately their organizations which, though they are efficient, do not speak with sufficient strength to allow the community, or persuade the community, that the farmers should have higher prices for their produce.

The Minister, on the other hand, in supposedly following the admonitions of the report of the Farm Income Committee, had done away with the junior farmer establishment loans.

I remember when this Act was brought in, and since that time a good many young farmers have been able to take over from their fathers or establish themselves as farmers themselves by using the junior farmer establishment loan plan.

The interest rates at five per cent were payable and they were not subsidized to any great extent at the time this programme was brought in, but now, as they find themselves looking for further assistance in the capital requirements for modern farming, they are left at the tender mercies of the federal programme with a 7½ per cent rate—close to eight per cent under some circumstances—payable on their loans. If they look for it elsewhere they are facing ten per cent.

Many of them are very wisely saying that this particular industry, as it is supported in the province at this time cannot stand those kinds of interest payments. They are making other arrangements and usually it results in selling the farm for non-productive purposes to those people who come out from the urban centres and want to make farming a hobby and a pleasant place to live.

Well, certainly, this is what it is. It is a pleasant place to live, but this is not sufficient return for those men who are dedicating their lives to a way of life which I believe should return to them something in the vicinity of parity—as we would understand parity to be—a comparable return for investment, for effort, for education, for hours spent. Surely this is what we are all concerned with.

Now, other departments of government have embarked on programmes to assist the development of various segments of the economy. The Minister of Trade and Development (Mr. Randall) has more than \$30 million to invest in a programme for equalizing industrial opportunity. I would submit that this department has done little or nothing towards bringing forward a programme that is meaningful.

To say the replacement of the junior farm establishment loans at five per cent with improved extension services or even with the capital grants programme is only to beg the question. The provision of capital at subsidized rates should be an integral part of any modern programme which is designed to meet the farmers' needs.

The Minister has said: What should he do as far as the farm income committee report is concerned? I was rather surprised when he said in the discussion in committee that he was not prepared to take further action to implement the recommendations and that in fact it was up to the industry to do what they chose as far as the other recommendations were concerned. Well, I think what he should do is move on the fertilizer price review board.

I do not agree with the member for Brantford that calling the fertilizer companies into his office for a little chat will mean very much. But I do think that the farmers need some government emanation which will restore their confidence in the fact that fertilizer prices are either justifiable at their present level or in fact that they can be reduced. The same is true for machinery prices.

Frankly, I am not very much in favour of the government setting out to form a farm machinery corporation itself, but I would say that the farmers are angry that this government has done nothing about the problem of the high cost of farm machinery in this jurisdiction—particularly when they have proved themselves that they can import this machinery to their own benefit and it costs as much as one-third to one-half reduced from what we pay here.

Now, I brought this to the attention of the hon. Minister of Trade and Development and he really did not seem to be aware that the problem existed. I think the Minister of Agriculture and Food is guilty of not taking sufficient action to support the farmers in their demand that if they are going to compete on the world market, as far as their products are concerned, that at least they

have the availability of getting the lower prices associated with world prices for the inputs that are so necessary as far as modern farm production is concerned.

So far these reasons, Mr. Speaker, I believe that the administration and this Minister have failed in a budget in excess of \$60 million of bringing forward programmes which are going to meet the real needs of the farm community. There is lots of talk, there are lots of commissions investigating but there are no programmes that meet these needs on a modern and viable way.

The farmers are gradually drifting off the land. The member for Brantford indicated 60,000, he thought, would be leaving the farm community. I believe the numbers to be much larger than that, particularly if we base the figures on the changes in the last nine years since this Minister took office.

So for that reason, Mr. Speaker, I urge the hon. members to support the amendment that has been put forward by my hon. colleague. I think this is what we need, we need some display in this House that there is a concern for farm income and the plight of the farm industry.

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

**Mr. MacDonald:** Mr. Speaker, two weeks ago today I had a remarkable experience and I want to make my comments this afternoon in the context of that experience.

The hon. leader of the Opposition and I were invited, for the first time in my experience, to share the head table with the Minister as guests at the banquet of the annual meeting of the Ontario Federation of Agriculture. We were asked to present not only the normal pleasant, but somewhat bland greetings that are brought by everybody who sits at the head table, but also to take a few moments and speak on policy. I took them at their word and I did so. Indeed, I spoke, in essence, on the substance of this amendment—what was recommended in the challenge of abundance, the report of the Minister's farm income committee, and what had not happened since then.

I want to come back to some details of what I said in a moment, but when I suggested that, since nothing has happened, the challenge was for the farmers to elect a government that would do something, the Minister, in characteristic fashion, rose and dismissed my comments as being "political grandstanding." Well, let me say to the Minister now what I could not say then: We did our

grandstanding in Middlesex South, in Middlesex county, the Minister's county. The Tories lost 800 votes in the rural area and we gained 1,800 votes, in your own back yard. So do not dismiss it as grandstanding.

Indeed, just let me conclude this portion of my remarks: After I had made this comment, Charles Munro, who was being honoured that night as the outgoing president of the Ontario Federation of Agriculture and now the president of the Canadian Federation of Agriculture, was introduced with the normal great flowery words by the Minister as the guest speaker that night. In the course of his remarks what did Mr. Munro have to say on essentially the point I was discussing? Let me quote it from the official text which is going to be in the report of the OFA annual meeting, one paragraph:

It is a depressingly true fact that the Ontario farmers have seemingly gained almost nothing since the tabling of the report of the special committee on farm income. This should not be. The industry is standing still instead of moving steadily forward as it should.

Now, I wish the hon. member from Ontario county were here to listen to that comment from the leading farmer in Canada today at the OFA and CFA level instead of coming in and saying that he would have to talk for two days to recount the achievements of this government.

Now, let me get down to specifics. This is what I said at the OFA banquet. The recommendations of the Minister's farm income committee, for example, with regard to farm input costs, dealing specifically with the fertilizer industry, it noted that the normal prices have been maintained "in domestic markets through their own distribution system and through selling some of their surplus fertilizer at lower prices in the United States." The report added that Ontario farmers are placed at a competitive disadvantage because of the multiple pricing practices of fertilizer companies on international fertilizer markets.

Further, "if the cost of fertilizer to the farmers is to be kept at a minimum, duplication of retail systems should be resisted." For that reason, the report urged the immediate appointment of a fertilizer review board "to facilitate the development of an effective low-cost distribution system of fertilizer and to prevent the duplication of retail facility."

What has happened on that? I asked two weeks ago. The answer, Mr. Speaker, then, as now, is nothing. But more important, Mr.

Speaker, what is going to happen? And the answer again is "nothing" because the Minister told us so last week. When I asked him a question by way of supplementary to some issue that was on the floor, he immediately took refuge in the government's statement of a free enterprise philosophy by the Prime Minister the day or so before: namely, that it is the right and the privilege of the private sector to increase their prices, when and if they please—and that it is not only not the right of government, indeed they would be imposing themselves, they would be sticking their nose into something that is not of their business, if they were to investigate price increases of this nature.

Here, Mr. Speaker, is an abject refusal to accept the responsibility in an area where if the government does not do it, nobody else can do it.

The fertilizer review board is only one organization to do the job that the New Democratic Party has been pleading for in the establishment of a prices review board to investigate any exorbitant price increase. I know of no industry where it is more needed.

But let me move on to the farm machinery industry. The report concluded:

If the farm machinery companies are reluctant to put their own house in order, interference in this leadership system by farm organizations or by the government may be warranted in order to sever the direct link between manufacturers and dealers.

For that reason, the report recommended the creation of one central wholesaling agency for farm machinery to be administered by the farm machinery Crown corporation through which all manufacturers would be required to distribute their equipment.

Now, I was not surprised to hear the leader of the Opposition, as the leader of an old party, say that he is not happy with that, because in essence he, too, is not going to interfere with private enterprise, though for 30 or 40 years we have studied to death the farm machinery industry. In 1935 we had a study; two or three times every decade we have a study, and nothing is done, Mr. Speaker, nothing is done.

The interesting thing here, Mr. Speaker, is that these recommendations did not come from an ivory tower group of economists with no relation to the agricultural industry and its problems. This committee happens to be chaired by the Deputy Minister of Agriculture

and Food, next to the Minister the most important and influential policy maker in this government.

It happened to have sitting on it two or three so-called "dirt farmers"—active farmers—Tom Robson, Gordon Hill and Malcolm Davidson, who are all active not only in farm organizations but active in farming.

These were not unrealistic recommendations. They were recommendations brought down by people who looked at the problems and said: "Look, are we going to do something about these problems or are we going to sit and talk for more years to come?" They made recommendations and nothing has happened. Nothing will happen because of the essential—I was going to say because of the government's free-enterprising philosophy—but let me be fair here, Mr. Speaker, we have a problem with farmers.

The farmers are constantly on the horns of a dilemma. They are plagued with a hang-up. The farmer is a free-enterpriser. He regards himself as the last of the rugged individualists but as long as he continues to believe that he is the last of the rugged individualists, he will be slaughtered in the marketplace by those who dominate the marketplace. The government gets away with it because farmers, to some extent, have the same hang-up as the government, so the problem is back with the farmers as well as with this government.

We have to do the educational job, to help farmers recognize that if they cannot solve their problems in the marketplace, they have the right to ask the government to bolster their position as a contravailing force in the marketplace so that they can get what they are entitled to. This brings me to my concluding point, Mr. Speaker.

In my view, the farming committee report was a very comprehensive—indeed, in some respects a revolutionary document, so revolutionary to some people in the province of Ontario have suggested in a whispering way, that it was written in Moscow. In my view it did not come to grips with the basic issue. How are you going to really cope with the inadequacy of farm income? How did this whole process begin? It was initiated at Vineland, because Tom Robson, speaking for the Ontario Federation of Agriculture, said that they had become persuaded that the only answer to getting a decent farm income was in incentive prices.

For a moment the OFA stood on exactly the same ground as the farm union had stood for ten years, ground which in essence stated this:

Agriculture's experience indicates it cannot get enough in the marketplace. It has never got enough in the marketplace to give an adequate income, a fair return for labour, a fair return for capital and everything that the farmers are entitled to.

Therefore, let us recognize if they cannot get it, and it is necessary to supplement farm incomes in some way or another, it should be called a consumer subsidy, so that consumer prices would not go any higher but it at least would assure the farmer an income which would meet the returns to which he was entitled in view of his labour and his capital investment.

That got lost, Mr. Speaker. You can hardly find the term "income incentive" programme in the report. It got lost in the shuffle and instead we have the proposal for a guaranteed annual income for farmers so that those who are on the verge of extinction economically will be caught in the net, and maintained from starvation.

That, I suggest to you, is not a solution for the basic problem of the industry. It may be the answer to a few marginal farmers. As a result, what you are going to have is bigger and bigger corporate farms plants, the only ones that can survive in the market. Family farms particularly those which happen to be marginal will be plowed under, and this government sits and presides over their passing.

That is why we obviously will support this motion. I agree with my colleague from Brantford, I would like to see it more strongly worded because this government has done nothing. May I quote, in conclusion, Charles Munro. If the Minister will not accept my criticism, accept that of Charles Munro:

It is a depressingly true fact that Ontario farmers have seemingly gained almost nothing since the tabling of the report of the special committee on farm income. This should not be. The industry is standing still instead of moving steadily forward as it should.

That is a devastating indictment of this government and that is why this House should support the amendment, including the hon. member from Ontario South. He, too, should be voting for this motion of non-confidence.

Mr. Speaker: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, in my intention to take part in the estimates of The Department of Agriculture and Food for the year 1969, I do not want to overlap on any of the branches of agriculture of my

colleagues. I am a little surprised, Mr. Minister, that the time that I thought would be allotted for these estimates has dwindled to a very small amount.

Mr. Speaker, the branches of agriculture estimates I wish to discuss, are ruled development in ARDA. Before I discuss these branches, I wish to say that the year of 1969 has been a very discouraging year for the farmers in general in the province of Ontario. It has been a year of unrest and discontent, with bad weather conditions in many parts in the province. I might say, for the first time in my life, I hear the farmers talking about refusing to pay their education cost taxes in many parts of the province of Ontario.

Mr. Speaker, it is nearly a year since the special committee on farm income brought down its report, the challenge of abundance, and very little action has been taking place. This report recommends sweeping and rigid recommendations. It is impossible for me to agree with all the recommendations on which I think some action should be taken. I understand, Mr. Speaker, that nearly half of the food in Canada is imported at the time when the special income committee says "there is abundance" not a scarcity. We have, in agriculture, been existing on increased production. Most of our planning has been directed to increased production.

This comes from The Department of Agriculture and Food, from our agriculture colleges and from those who sell imports to the agriculture industries. We hear on radio and television nearly every day that we should use this fertilizer or this chemical or something else which will increase the farm production by so many bushels per acre—but not enough is being done to sell or market agriculture products or take care of the increased production.

Another matter that concerns me is that there should be more information supplied to the farmers to assist them in making decisions on what crop to produce. Today the farmers should be better informed than is now possible. Accurate information of supply and demand relationship for most commodities is not available to the farmer until it is too late.

Another matter I think should be given study is transportation and storage facilities. In southern Ontario, for grain, we have some port facilities, but they are located in the wrong areas as far as where the grain is produced. As a layman, I understand these ports are controlled by the big companies. This should not be in all cases.

We in southern Ontario market large amounts of grain, corn, beans, wheat, onions, tobacco and so forth, depending on what the trucking companies can handle. Our neighbours the United States, ship corn into these markets by water at eight cents a bushel, while southern Ontario has to pay 21.5 cents per bushel to ship it by rail.

We need port facilities owned by Crown corporations or owned by the public so that no matter who wishes to ship corn or beans or wheat through these ports may do so and not find it is controlled by private companies. I believe this would increase the farm income by millions of dollars. We have a port at Erieau in my riding, where there is a deep water railhead and paved road in an ideal location. I have asked the federal government to make a feasibility study of this port and, Mr. Speaker, very little action has taken place.

Mr. Speaker, I say to the Minister of Agriculture, in the special farm income report, on page 162, transportation of grain in Ontario is mentioned as being usually by rail at a relatively high rate. A terminal elevator capacity at water points is unavailable in southern Ontario, forcing the production to ship to the eastern markets by rail or truck. There is also a shortage of box cars. This complicates the situation and promotes unnecessarily low prices for several months of the year.

I ask the Minister of Agriculture and Food to make a study of this port at Erieau to see if it is feasible, and to investigate the benefits it would bring to the agricultural industry in southwestern Ontario.

I want to say a few words on the crop insurance. I do not wish to re-echo what my colleagues have said but I believe many changes have to be made in crop insurance programmes if it is going to do the job required for those in the agricultural industry.

I was very disappointed to learn last summer that the crop insurance plan did not cover sprouted wheat caused by excessive moisture. I feel that if the farmers were covered for sprouted wheat, which caused a tremendous financial loss, this would have been the best advertisement the crop insurance plan could have received. I would recommend also that farmers who are unable to plant their crops because of excessive moisture or drought, should be covered by the Ontario Crop Insurance Plan.

I ask the Minister to give every consideration to make it possible for the farmers to buy crop insurance. Farmers should only need to pay 50 per cent of the premium when they purchase the insurance, and the other 50 per

cent at harvest time, or when they collect their insurance.

Mr. Speaker, I suggest the Ontario government contribute 25 per cent of the premium, the same as the federal government's contribution. I also feel that if these changes are not made the crop insurance plan will fail in the province of Ontario.

Mr. Speaker, I would like to say something on the development of rural areas by means of farm adjustments, rehabilitation and resources development, to improve employment opportunities and income as is taking place in other provinces of Canada.

At first meeting these vague terms seem to assure us that this is a branch which will fill the gap between the federal ARDA programme and provincial EIO programme. Such is not the case.

However, this is not surprising, because there is only \$13,632,000 allotted to it and this is nowhere near the amount needed to fill this gap.

What we propose to do is show the need for a broader programme in rural development, and suggest ways in which the province can co-operate with the federal government under the existing legislation to pick up the slack that exists in the economic planning of the province.

In my speech in the Legislature on December 17, 1968, I laid the groundwork for the principles that I wish to place before you, and I cite three specific areas in which the government could take immediate action. I intend to enlarge upon this basic theory of rural development and show how it has worked in other areas.

We have two alternatives open to us in seeking aid for slow growth areas, the municipalities either apply for designation under the equalization of industrial opportunity programme, or are part of an area designated by ARDA.

The recent federal legislation reduces the size of designated areas from 10,000 square miles to 5,000. This is a step in the right direction, but neither of these programmes covers the kind of problems raised by my colleague, the hon. member for Perth, during his speech on the estimates of The Department of Trade and Development. He described the experience of two farmers from his riding who attempted to get assistance from the provincial government to finance their trip to France to study certain kinds of beans. Assistance was not available to them because they did not fit in to these categories.

These men managed to raise the money themselves, went to France, brought back their findings and have harvested their first crop of this strain. You may say the story had a very happy ending. But for those two men and others who are going to benefit from their experience, it has meant a large cost. Had they not been able to raise the money themselves, the project would have been dropped.

There should be a branch of this department to which the individuals wishing to help with such a project such as this can apply. I urge the government to look into this matter carefully and at the earlier opportunity. This does not have to be a multi-million dollar undertaking, it can be done in co-operation with The Department of Trade and Development so that both rural and urban businesses can be covered. This is the first point that I wish to make, close the gap that exists between ARDA and EIO.

The concept of growth centres has proven to be off centre; and it is excluding all other plans. The planners have lost sight of the most important resources of all, the people themselves, and there is no reason why people who live in one area for generations should be uprooted for the convenience of the administration.

To illustrate this point I will call your attention to what has been done in the Atlantic provinces, Newfoundland and Nova Scotia, and I suggest you take note of these experiences because we are told that about two-thirds of Ontario farmers will have to seek another means of livelihood within the next ten years. They cannot be expected to go along alone.

Mr. Speaker, I will have to shorten my address but I do want to say that agriculture has become a two-job industry and that some better planning, a better approach, new ideas have to be taken to assist the industry. I am greatly disappointed with our agriculture committee here in the Ontario Legislature which has only met two or three times since this session began a year ago, and I think, this committee, Mr. Speaker, could help solve the many problems that face the agriculture industry in the province of Ontario if they would take a more active part to help to solve these serious situations facing the farmers today.

With that, I will have to say I support my colleague, the hon. member for Huron-Bruce on his amendment in this Ontario Legislature.

Mr. J. Root (Wellington-Dufferin): Mr. Speaker, I have listened with great interest

to the remarks of the hon. members and I jotted down a few thoughts that I want to put into the record regarding the report from the committee and the amendment that is before the House. We have ranged pretty far this afternoon. I want to point out that agriculture benefits from the estimates of many departments. For example, this year's highways estimates for construction and maintenance provides something like \$261 million on King's highways, and \$168 million on municipal roads in addition to the head office budget. In other words, this great expenditure makes it possible to keep our road system open 12 months in the year giving easy access to the various markets in the province to the farmers in all parts of the province.

The same can be said of the educational budget which is now approaching \$1 billion. This budget has made it possible for us to have many fine schools in rural Ontario, making it possible for farm children to have an education that was not available just a few years ago. This same amount of money has also reduced the property tax by the same amount of money provided in the budget.

The province has equalized Hydro rates and subsidized the cost of rural lines to the extent of something like \$125 million or more, making it possible for the farm people to have this cheap source of power and modern appliances which have completely changed the rural way of life.

Now I want to say something about the benefits that have come to agriculture from the estimates that are before the House. For example, we think of the research programme. Today we have many new varieties of grain, grass and clover which have greatly increased our production per acre. We have new hybrid varieties of corn that have expanded the production of corn, one of the high-energy livestock feeds, into areas of the province where a few years ago corn was not looked upon as a crop that could be grown extensively. This comes about through our research programme.

Research has made for a better livestock industry. With a programme of research and better breeding we have produced better cuts of meat, such as beef, pork and lamb. We have developed livestock that does a better job of feed conversion.

The same is true of poultry with a much greater production of eggs and a much better feed conversion per bird. Our dairy herd improvement programme has led to better breeding with more production per cow—this

was referred to by the hon. member for Ontario South.

The farmer today, because of research and soil testing facilities that are available, is able to make a much wiser expenditure of his dollars for commercial fertilizer and increase his production per acre for less money.

Herbicides and pesticides that have been developed in recent years through research programmes are playing a major role in a more efficient and economical agricultural production by the control of weeds and some of the pests that affect our crops.

The capital grants programme—and this is a multi-million dollar programme that will extend over some 12 years—has played and is playing a very important role in increasing production per acre on land available, the production per square foot of barn space and the production per man-hour, making our farms and our barns easier to operate on and in. We are aware that under this programme grants are available to assist in the erection or renovation of barns and other permanent buildings.

It assists in the erection of silos, where we are able to store such high-energy feed as corn. The development of wells will provide adequate water supply for expanding herds and flocks, the construction of farm ponds which can be used for either livestock or irrigation.

These grants are provided for in the estimates that are before the House. There are grants available for drainage where the wet corners of fields and wet fields in farms can be drained and brought under production. The removal of fences and clearing of fence bottoms makes for increased production and more efficient use of the power equipment that is used on the farms today.

I have already mentioned the capital grants to construct rural Hydro lines bringing power and labour-saving equipment into our barns and our dairy operations.

Some mention was made of crop insurance; this is something that is provided that can be of great assistance to farmers, particularly the farmers who specialize in certain crops. Many farmers carry their own insurance by diversifying their operations. There is a free choice: the farmer can either take insurance or diversify his operations and take his chances.

We have our grants for the agricultural and horticultural societies. Agricultural societies receiving financial assistance from the province provide for an annual competition, where the farm people every year strive for some-

thing better—whether it be the development of livestock, field crops or produce. This competitive system—which I suggest is the best system that has been developed to date—where there is an award for effort and development, has through the years played a very major role in bringing agricultural production to the high point of efficiency and quality that exists today.

The 4-H club programme, which involves our young people in many phases of life and stimulates their interest in agriculture, plays a very important part in a total agricultural programme. The effects of this will be realized more and more in the years that lie ahead.

I might mention the community centres and the grants that are paid under this programme. These grants have stimulated the development of many fine community centres where a local community spirit is encouraged, where the community centre halls, skating rinks and playing fields provide facilities that would not be available in many cases without these grants.

The matter of marketing is a very important matter as far as agricultural production is concerned. We have legislation provided by this department which has made possible the establishment of marketing boards and schemes where the farm people are able to bargain collectively if they so wish. Many of these programmes have played a very important part in stabilizing prices for farm commodities.

I have already mentioned that open roads for 12 months of the year play a very important part in orderly marketing. Under the many programmes that have been developed in recent years, agriculture has taken greater strides with regard to efficient, economical production than any other industry.

Now, I agree there are problems. Notwithstanding the fact that agriculture has become more efficient and is producing more food per man hour than at any time in our history, there are problems confronting the farming industry.

The farmer has to bid for his help in a labour market pool which seems to have accepted a five-day week as the norm. I think every hon. member realizes that you cannot operate a livestock, poultry or dairy farm on a five-day week.

Another problem which confronts agriculture today is the steady rise in wages that is reflected in increasing cost for equipment, which includes power equipment, which the farmer has to buy. In other words, if the same piece of equipment costs more money

you are actually depreciating the value of the dollar. This creates a great problem for the farm people who have not seen a parallel rise in the prices the consumer is prepared to pay for the product of the farm.

I think we are all aware that the large corporations, chain stores, and so on, are able to import a product and sell it in competition with the produce of the Ontario farm, thereby restricting any rise in the price of farm products.

I am aware that the control of international tariffs is under the federal government, but this is a serious problem that confronts the farm people today.

I think, Mr. Speaker, we are all aware of the chain reaction that was started when Mr. Weinstein, the head of Loblaw's, made a statement last spring and suggested a boycott of beef at a time when the price to the farmer had finally advanced to the price that prevailed back about 1951 or 1952. For years the farmer had been taking a depressed price for beef and when it got back to about the same price, this statement was made by the head of a large chain store, that they should boycott beef. I think hon. members remember that little folder that came out of the Liberal caucus office on June 18 advocating a boycott of beef. Now, I want to be fair to the leader of the Opposition, he said that came out without his knowledge or without his approval.

Mr. Gaunt: And it did, without party approval!

Mr. Root: Yes, without party approval. I accept that. But the thing that surprises me, and this would indicate to me that the official Opposition is running in two or three directions, is the fact that key people in that party tried to draft the same man to represent them in the contest for mayor of the city of Toronto.

However, following Mr. Weinstein's statement, we have seen the price of live cattle drop. We know the price of finished cattle dropped almost ten cents a pound. When we realize that there are in the neighbourhood of 12.5 million head of cattle in Canada, using an average weight of 1,000 pounds per animal, this drop in the market removed approximately \$1.25 billion worth of purchasing power from the farm people. I understand that several hundred men have been laid off in the farm machine industry in Brantford alone. This is but one indication of what these irresponsible statements can do directly and indirectly to the total economy of the country.

Mr. Speaker: The hon. member's time, plus two minutes, has expired.

Mr. Root: The farm people are quite often the innocent victims or hostages that suffer from labour disputes and strikes. Most of us remember the strike on the seaway a little over a year ago when some 1,200 or 1,300 men were able to cripple that transportation artery that had been built at great expense to the taxpayer. I understand some 75 foreign ships were really held as hostages, unable to get out until the strike was settled. When this strike was settled some of these ships went up to the head of the lake and another strike by grain handlers made it impossible to get a load of wheat or grain, leaving the grain in the elevators or on the farm.

Mr. Speaker: I must ask the hon. member to endeavour to draw his remarks to a conclusion. If he were making a speech and watching the Speaker he would have seen him standing some little time ago to give warning.

Mr. Root: Mr. Speaker, could I ask you how much time have I left?

Mr. Speaker: The hon. member has had now 13 minutes. The time allotted was 10.

Mr. Root: Mr. Speaker, I regret that I have overrun my time. I thought I had timed my notes to finish in nine minutes. Thank you.

Mr. D. A. Paterson (Essex South): Mr. Speaker, hopefully I can gain the three minutes lost, but listening to a farm debate, one usually learns a little. This is no unique occasion. There are two things that I have learned this afternoon. I am surprised at the first one and that is this: How closely allied the thinking of the leader of the New Democratic Party is to that of the Deputy Minister of this department and such great farm people as Malcolm Davidson, Gordon Hill and Tom Robson.

He underlined that a couple of times and that is very interesting.

The fundamental lack of knowledge of the critic of that department, I think, was underlined this afternoon when he mentioned the—

Mr. Gaunt: Liberal?

Mr. Paterson: No, the New Democratic critic, when he let one phrase drop, he said: "Let the chips fall where they may." I do not think he really knew what he was talking about in this phrase, but certainly I think the Minister will agree with me that the hon.



member did let a lot of chips drop and possibly some one from a farm background will let him know what that particular phrase means in due course.

I certainly support the amendment that was put before us by our critic opposing this particular farm policy to date. I do this because I feel that the emphasis of the Minister and his department over the years has been concerned with production to the neglect of the proper emphasis on marketing procedures in our province.

My remarks are related somewhat to my background in the fruit and vegetable industry, but they could apply to other farm products as well and some of the ideas that were contained in the farm income report.

In the brief time allotted I will restrict my remarks to an expansion of my comments in the committee regarding the moving of The Department of Agriculture and Food into the computer age. The technology of growing food and the availability of large quantities of food is apparently not the problem that it has been in the past, but today our problem is the distribution of foodstuffs to all areas of our province, or country, and the world, and to be able to do this and show a dollar return to our farmers in order that they may continue in business. Basically, I think if you put that in farm terms, what we are worried about is between the stable and the table. I think that is an old phrase that has been used and this is where the problem really lies.

My proposal for increasing the breadth of distribution, for increasing the effectiveness of distribution, for encouraging the balancing of production, is based on a provincial-wide telecommunication system utilizing a central computer centre at the proposed new Ontario food terminal.

I might say I proposed a similar plan about five years ago to farmers in my area but up until now it has not received much support. This support has been forthcoming, and I trust that the hon. Minister's officials will look at this proposal and hopefully it will be enacted. I am sure that the people in the telecommunications business and computer business can make concrete proposals to the skeleton that I am outlining here.

I can envisage a computer centre at this new food terminal that will be the memory brain into which all statistics of this department can be fed. This would include daily consumption records for the various areas of the province as well as seasonal consumption for Ontario produce as well as imported foods.

The brain would record acreages planted, expected yields, the expected dates of delivery of Ontario produce and extra-provincial produce.

It would be fed information on all foodstuffs brought for delivery from out of the province. It would report weather conditions in the major food growing areas of North America and how this is expected to affect the crops. So, minute by minute and hour by hour this information can be instantly made available by Telex or Translux into The Department of Agriculture and Food offices, sales agencies, farm offices, and the local growers who can assess this information in order to determine how, when and where to send their produce.

Inter-city movements and extra-provincial movements, could be determinel. All purchases and offerings would be recorded minute by minute and, no doubt, a weekly report of transactions could be developed for subscribers. This would be very similar to the stock exchange operation that now exists in our province.

Now, to support this suggestion, I can refer the Minister to the weekly report of the Ontario Greenhouse Producers Marketing Board, for they send out a weekly letter on marketing conditions; a report from Gonzales, King City district of California; the San Joaquin valley of California; the Tula Vista district of California; Dade county, Florida; plus our own local improvement. This gives the growers in our area the total picture of what is going on in North America.

Similarly, an advertisement from the *Financial Post* a few weeks ago by the IBM Company—and I would send this to the Minister in due course—reads:

OK. Pick out the cars with the apples from B.C. and the tomatoes from Niagara and the halibut from Newfoundland. You have got nine seconds. Impossible for a man, no problem for an IBM computer.

So the advertisement goes on to explain how many tons, how many box cars are moved very efficiently.

Similarly, there is a further article from the *Financial Post* on a grain exchange objective "A Market of World Scope" and I will forward this over to the Minister's department to read in further depth.

I hope, through you, Mr. Speaker, to the Minister, my suggestions may contain some little germ in order that it can grow to benefit our farmers in a profitable agricultural

economy, and also assist our consumers at the same time.

Mr. Ruston: Mr. Speaker, I would like to speak with regard to this motion and the agriculture estimates. My speech at the present time looks like the official censor has gone through it because I had a number of pages and I have been trying to cut it down to allotted time. It is rather disappointing to try and get it in, but I will do the best I can.

The crop insurance plan was instigated by this government to relieve it of some of its responsibilities that it has faced with severe weather conditions in the last few years. This was due to the heavy subsidy the government at Ottawa was prepared to give it, the subsidy being 25 per cent of the premium and 50 per cent of the cost of the administration. If you will turn to page 12 of the third annual report of the Crop Insurance Commission of Ontario for the fiscal year ending March 31, 1969, you will see the enormous administration charge of \$299,000.

This sum seems almost unbelievable when you consider only 1,850 contracts were written in that time.

In 1969 the acreage of corn insured amounted to a total of \$14,366, an increase of only 45 contracts covering 4,200 acres. I can see no reason why the corn plan cannot be increased to the amount of 80 per cent of the average price over the last three years of the price of corn being the amount covered. I would suggest that the soya bean contract be increased to 80 per cent of the average yield in the county concerned. This would increase the coverage from 21 bushels to 24 bushels which then would barely cover the cost of production due to the low price of \$2.50 per bushel. I also believe that the insurance plan should cover each farm in its own merit so that it would not be necessary to group all the acres grown by one farm, as we find weather conditions vary a great deal in the course of a couple of miles. The conditions of crops in some areas of Essex and Kent county this year were indeed examples of this.

I would mention that some of the farmers who planted soy beans on July 10 had a turn out of 20 bushels to the acre and these could not be covered by insurance due to the late date and yet beans planted in June went as low as seven bushels to the acre. I am stressing here the serious condition that we have been faced with in the spring and early summer of 1969. We must have assistance or help in some way. I would suppose that

if the prices for the 1968 crop had been adequate, such as three dollars per bushel for the soy beans and corn marketed in the proper time in order that all growers could have received the higher price that prevailed in the spring of 1969, our farmers would not need crop insurance or assistance, as they would have been in a much better financial way at the beginning of the crop year.

I believe this government has a responsibility to see that the agriculture industry of Ontario keeps up sufficiently with other segments of our economy. I would suggest that they pay the claims on sprouted wheat for 1969 in the crop insurance plan and would strongly recommend, as mentioned by the hon. member for Kent, that this government match the federal grant of a 25 per cent premium on crop insurance.

I must plead with the Minister and the Treasury Board that we have a number of farmers in our area this year that have suffered the worst setback they have ever had and they need assistance. They are not asking for handouts, all they are asking for is a loan to tide them over for a year.

There has been, in some areas, from four to six inches of rainfall in one day, and two days later the same thing. Normal rainfall for three months is ten inches, this year it was 29. I would think that from 500 to 1,000 would be mostly affected and if they could only receive a loan of \$25 per acre, up to a limit of \$10,000, for those who are absolutely in need. I have not had the time to work it out in detail, but I am sure that officials and local councils and the agriculture committees of the county councils involved should work out some basis, perhaps quite similar to that mentioned above. This would at least give these people a chance to operate in the spring of 1970.

Mr. Speaker, I wish to discuss the soya bean industry of Canada, and since the soya bean industry is really an Ontario industry in total, I feel it should be given much more consideration by this government than it is given at this time. I would like to read into the records of a submission received from the soya bean growers marketing board, but feel I do not have time at this time.

In the letter the board says the provincial government should share some of the responsibility of this industry. Mr. Speaker, I would suggest that this government has a great opportunity here to encourage the production of soya beans in Ontario and I would recommend that this government pay to every farmer, producer of soya beans in Ontario,

a growing remuneration for all soya beans grown in Ontario providing a minimum price delivered at the local elevator of \$2.85 per bushel.

If you take the average price from the figures of 1966, 1967 and 1968, this would only mean 15 cents per bushel, over the three-year average which was \$2.76 during that time. The 1969 crop was lower and placing this year's price with the above three years, the average price received would have been \$2.62 for the last four-year average. In other words, it would be 23 cents per bushel needed to bring it up to the \$2.85 price. I am not saying here, Mr. Speaker, that the maximum price should be \$2.85, I am saying the minimum price should be \$2.85 and, in fact, I believe in order to have a reasonable profit, the price should probably be three dollars per bushel.

I would strongly urge the federal combines branch and The Department of Corporate and Consumers' Affairs to make a very thorough study of the method of pricing soya beans here in Canada. Mr. Speaker, I realize I will be open to condemnation on this suggestion, but I feel we must take this step at this time. I also believe that if this Minister of Agriculture and Food is really interested in keeping the farming economy fluent in western Ontario, he should support this recommendation. First thing, I suppose, is where do we find the money. Well, the low price of soya beans is allowing the citizens of Ontario low-cost products from the farms of Ontario. We are really talking about \$2 million over the average or less per year.

The money, I believe, is not so great when you see that the Minister of Education (Mr. Davis) can pick \$48 million out of the Treasury's pocket to keep the county school boards operating or the Attorney General (Mr. Wishart) can find \$7 or \$8 million to run his legal aid plan to assist people who have been accused of breaking our laws, or even the hon. Minister of Trade and Development can hand out millions of dollars to large, affluent companies, some fully American owned, that they will create jobs in his so-called "designated" areas.

The province stepped out of the farm credit business, unlike Saskatchewan and Quebec who have loans available for farmers willing to assist themselves. I believe this government should be in a position to help any sector of their agricultural economy that is sagging, providing the potential need is there for the end product.

In closing, Mr. Speaker, I feel that this government and this particular Minister have failed miserably in any attempt to see that the majority of the farmers of Ontario receive their fair share of the economy of the province. I believe the Premier has no choice now, but to ask for the resignation of this Minister.

**Mr. Speaker:** The other members whose names are on the list are not in the House. The Minister therefore has the floor to close the debate.

**Hon. Mr. Stewart:** There is before the House, a motion criticizing the department for not having implemented proposals that were recommended in the farm income committee report and since it is the motion, Mr. Speaker, I assume that we will be voting on, I want to deal, if I may, with some aspects of that report.

First of all, there has been much said and quotations have been made, with reference to a statement made by the president of the Canadian Federation of Agriculture, Mr. Munro, at the recent annual meeting as guest speaker. I must confess that I was concerned when I heard that statement, because I was of the opinion that Mr. Munro was not aware of some of the things that have been done and I want, if I may, Mr. Speaker, in the few minutes that I have at my disposal, to enunciate some of the things that have been implemented as a result of the farm income committee report which was presented to me. I have the original copy here presented to me on January 6, 1969.

This report is quite far-reaching in its implications. It delves into many fields that are of federal jurisdiction. It also delves into many fields that are under other departmental jurisdictions.

It does make certain recommendations as to what The Department of Agriculture and Food in Ontario might do. It also makes very far-reaching suggestions as to what the farmers of Ontario might do if given the type of legislation which they require to do it with. I want to mention, first of all, that the report refers to the elimination of competition in farm credit. It does propose that there be a farm credit bank established.

This we attempted to do through negotiations with the federal government in their farm credit policy and with the chartered banks. I think it is unrealistic to even suggest that the banks would enter into any type of agreement whereby somebody would be making credit available on their behalf to somebody else and they simply would not

have any part of the idea. The federal government took the position that since they had a very extensive farm credit corporation established, with many people in the province of Ontario already representing their corporation, and inasmuch as their corporation was spread across the length and breadth of Canada in every province, they wanted the same type of policy to apply in each of the provinces. I think this was a reasonable position for the hon. Minister, Mr. Olson, to take in this regard.

We suggested to him the advantages of a co-ordinated credit approach to farm credit in Ontario, however, we simply could not get anywhere. We then took the position that if we were to withdraw from the field of farm credit because our loan was exactly the same as theirs, with the exception that our interest rate was five per cent and theirs was the going rate of interest—and I think all members will agree, and in fact the committee suggests, Mr. Speaker, that there should be established in the province of Ontario the going rate of interest, not subsidized interest as hon. members have suggested across the way, but the going rate of interest should apply and that is what the farm credit corporation has done.

We have accepted the position that the farm credit corporation will agree to provide the credit, we in turn agreed to use some of the money that we would save from the junior farmer loan administration, in the expansion of our extension services which is very widely dealt with in the report. We have to date employed 62 additional people in our departmental service, involving farm management, credit counselling, decision making and what I like to refer to as plain, simple kitchen table counselling because I believe that if we are really going to be effective in providing help to the farmers of this province then we have to do it on a personal basis.

No farmer is going to stand up in a public meeting and discuss his private affairs and how he runs his business. But if you go to him in his own home and sit down with him and talk to him, I think we can get somewhere. This really is taking The Department of Agriculture and Food management service and credit counselling right to the farmer. This is a major step forward. This has been done.

As Minister of this department, I discussed with the Minister of Municipal Affairs (Mr. McKeough), the farm assessment recommendation contained in this report at some length, privately. We agreed there should be

some type of a committee established to deal with farm assessment *per se*. That committee was appointed. And we had the privilege of suggesting a nomination from our department in the person of Mr. Earl Haslitt, the director of our economics and statistics branch, to be a member of that committee.

That report has been tabled. It is now under study by members of this Legislature. You all have a copy of it, I assume. And I assume that the hon. Minister of Municipal Affairs will likely be implementing the suggestions contained in that report. That has been done. The Ontario Farm Products Marketing Board already provides the opportunity for food producers of agricultural products, on a vote of the producers, to implement the quota controls that are talked about in this farm income committee report. That proposal is here now.

It is available, if farmers want to use it. One of the hon. members opposite has suggested broilers as an illustration of what is going on as far as quota is concerned—but what in the world is the use of implementing supply controls in the province of Ontario if you do not have it on a national basis? This is the problem. Quebec broilers are pouring into this province because there is no quota control in the province of Quebec and the province of Ontario cannot keep them out. So they are pouring in here.

Now are we to follow the suggestions of the Opposition and force down the throats of the farmers of the province of Ontario quota controls on other commodities that will restrict their production and allow provinces across this country of ours to ship products in here? Let us be reasonable, let us use a little common sense. If the farmers of this country want to implement these kind of things, they have the right to do it.

We refer to Can Farm, this business of farm accounting. We are actively participating with the federal government in this. We were offered 70 places last year and we filled them all on a trial basis. This year we are provided with 700 places and we have more than enough to fill the allotment.

Our extension people are going across this province teaching farmers how to use the Can Farm system, and it is a good system—I am all for it. But are we to say, as this report recommends, that every farmer in this province must use Can Farm, if he is to qualify for a capital grant or for any type of farm improvement loan or any other type of government assistance? Is that what hon. members opposite want us to do? I do not

think so. But that is what you are suggesting we should do.

We are implementing a full-scale promotional campaign for all our agricultural colleges across this province. We agree that agricultural education is necessary, that it is important and we are doing this, right now, with one of the most extensive, full-scale promotional programmes that we have ever implemented. A suggestion that is contained in this report, it is underway.

It is being done today by every extension branch person across this province. And I go one step further, Mr. Speaker, if I may, and that is to use your good offices to encourage every member of this Legislature who knows a young farm boy or girl, who has the potential to use agricultural and home economics training, to enroll in one of these agricultural college courses because I think that is the way we can get this message across and done effectively and well.

We will be assuming our responsibility as members of this House, interested in the welfare of young people in the future of this great industry. The Rural Human Resources Council, proposed in this challenge of abundance report, I suggest to you, is already being looked after through The Agriculture Research Institute of the province of Ontario whose present responsibilities are to co-ordinate all agricultural education and avoid the duplication of unnecessary research and the wasteful expenditure of public funds.

That is being done today. Now why set up any other type of body to do it? The report supports that normal interest rates apply on everything across this province. We have adopted that position as it is suggested here because I think that you can get yourselves into a great deal of trouble when you start talking about implementing subsidized interest rates as the hon. leader of the Opposition suggests.

I was somewhat surprised to hear him say that. Sure, it is popular politically to say those kind of things but is it realistic? What does it do to land prices? We were criticized by people opposite and we were criticized by people in the farm organizations because we had a subsidized interest rate on farm loans. They said it drove up the price of land values and perhaps they were right. Because certainly, since this normal interest rate has applied, it has taken the steam out of land prices quicker than anything I know and brought them back to a more realistic price as far as farming is concerned.

Surely long term results must be our main concern rather than doing the politically expedient thing. With regard to the 4-H programme, it is suggested in this book it may not be everything it should be. Let me suggest to you this: that the 4-H programme in Ontario seems to me to be a pretty popular one. Last year in the home economics clubs of our province we had 16,000 girls participating, completing over 26,000 projects; and the number of clubs was 2,893. And that means an increase over the previous year of nearly 700 girls participating and 207 additional clubs formed. And then when you look at the agricultural clubs that we have—4-H agricultural clubs, 728 4-H agricultural clubs with 12,281 projects completed. Mr. Speaker, that is an impressive record for the 4-H programme in this province. We agree that it should be updated, that it should be revitalized, that it should be modernized to bring it up to the standards of today in modern agriculture as we face Ontario's conditions, and this is what we are continuing to do and we will always continue to do these things.

But let us not throw the baby out with the bath water. On the Feed Advisory Service, which is proposed in this "Challenge of Abundance"—we have that programme implemented today, we have had about two or three years of trial and error, working this programme out, now it is ready for public service and we have it in operation today so that any farmer can apply to his local agricultural representative, get the necessary material—the forms, the containers, all the rest of it—take it home, fill it out, put the feed in the containers, send it to the OAC of The University of Guelph and obtain analysis.

Our Feed Advisory Service is here. Another recommendation of this report. And then I come to the fact that there is a requirement in this report that suggests no one be allowed to get into agriculture unless he has the necessary requirements; education and all the rest of it.

I say to you, Mr. Speaker, that as long as I am the Minister of Agriculture and Food in this province of Ontario, that that requirement will never be implemented because I believe, quite frankly, that the farmers of this province, many of them, who have not had the good fortune to have the educational opportunities that some who wrote the report may have had, have done a pretty good job of farming in this province and what is more they are very highly respected citizens. I feel that recommendation goes just a little too far.

Now when it comes to the General Farm Organization vote, and this is really what this report says, the farmers of Ontario might very well form themselves into an organization, one farm organization, with one single purpose in mind and that is the strengthening of their position.

They left no doubt in our mind—all the members of the Opposition parties were invited, the members of the government party, ourselves and all farm organizations, to the Seaway Towers Hotel last winter to discuss this report. We spent three days there. There was no doubt in our mind that there was a strong request that legislation should be drafted providing for such a vote. We debated that legislation in this House. We took it to the committee on agriculture and food. It was debated there, but let me say this, Mr. Speaker, that is was and is the most powerful legislation ever granted to any group in Ontario society outside of government authority. There is no question about that whatsoever.

There it was. It was given to the farmers if they wanted to use it. It was supported by all parties in this Legislature. We amended it, we tried to do everything we could to make that legislation what the farmers of Ontario thought it should be, and what happened? It was opposed by farmers across the length and breadth of this province.

Why? I do not know. Hon. members opposite, suggest it is because of me! Well, all right; they supported it too. Do join the club!

Now, I tell you this, Mr. Speaker, that if the farmers of Ontario really want bargaining rights, if they really want control and authority in their own hands, divorced completely from government, they have it in that General Farm Organization legislation. But they rejected it. And that, of course, is their business.

Are we to suggest now, are we to interpret from what the hon. members in the Opposition parties have said to us today, Mr. Speaker, that we should take this report, that we should take that General Farm Organization legislation and force it on the farmers of Ontario? I do not think so. I think that is up to farmers themselves to make that decision.

I suppose that perhaps one of the things that was of the greatest concern to the farmers in this report is the food supply agency, where there was to be quota production, where there was to be controls, where a farmer would be told what he could grow

and what he could not grow, and how much of it.

**Mr. Spence:** And the \$2 million for expenses.

**Hon. Mr. Stewart:** Well, perhaps that was it. But they said it was only necessary that there be \$1.5 million with a maximum of \$2.5 million. But just think, my hon. friend from Kent, what could have been done with that money. We talk about market research—and someone mentioned today that there has not been enough done on market research—and I would be the first one to agree. We have been production oriented in our research, and rightly so, because production research is a part of marketing. This can never be denied. If you can produce a hog for \$30 instead of \$40, that is \$10 to the farmer's advantage.

So production research fits right into the programme. But that does not for a moment suggest that we should not do everything we possibly can to expand, as my hon. friend from Essex South has suggested, in this business of bringing marketing information through The Department of Agriculture and Food as a service of the farmers of Ontario, right into the seventies and into the next generation.

I think this is a good suggestion. I think it is an excellent suggestion, and, believe you me, we are going to take a real look at that one to see how it can be implemented. Because, in our department, we have already been looking at how we can provide better marketing information for our people—and this is a part of it.

But when you come back to this business of the \$1.5 million, the \$2 million or the \$2.5 million; think of the good that could have been made of that kind of money in marketing research by the farmers themselves to do the job that has been done. But they have not done it and apparently are not going to do it. Now I think we as government have to get into the field and do it ourselves to a greater degree than we ever have before. I am always concerned that somebody is going to say: "Oh well, that is taking public money to do a job that they should be doing for themselves".

We are not doing it for other people in other sectors. But, here, however, I think we have to do it.

I was interested in the fact that our farm people took such a strong exception to the food supply agency—but frankly, I too am one of those kind of farmers who would have that kind of reservation, because I have never taken orders from anybody as to what I can

grow and what I could not grow on my own farm and I hope to heavens I never have to.

But maybe that time will come, I do not know. I was interested in today's *Globe and Mail* to see an article that refers to the Saskatchewan wheat pool representing something like 60,000 farmers in Saskatchewan, suggesting that perhaps the time has come when they must accept controlled production.

Now, that to me is quite a step forward. That is quite an interesting step forward for them to make that kind of a suggestion. But what are the implications in that kind of a suggestion? The implications, as I see it, Mr. Speaker, may very well be interpreted that if Saskatchewan controls production of wheat which they obviously cannot sell, and they control production of feed grains, which they could sell to a greater degree than they have in the past—had such a policy been implemented to a greater degree—and they get into livestock production, then what does that do to the eastern Canadian livestock economy?

This is the real challenge that faces Canadian agriculture today, just so much so that we have asked that that particular matter be put on the agenda of the federal Ministers' conference on Wednesday of this week for discussion at Ottawa.

Because, I suggest, Mr. Speaker, we could be in very great trouble if, because of the limited sale of wheat and feed grains, livestock and livestock products—goes into production in western Canada to replace the sale of wheat or feed grains—then eastern Canadian agriculture can find itself in a very vulnerable position. I think that as Canadian citizens we should do everything possible to support the federal government, and anybody else who tries to sell grain beyond the borders of this country of ours. I take that position quite firmly.

Now, we intend to state our position, and we intend to state it very, very firmly when we go to Ottawa this week.

Many things have been said concerning many things we should do. Reference has been made to the fertilizer review board, by different members. The member for York South and the leader of the Opposition both referred to this fertilizer review board. A fertilizer review board could be set up. But let me ask you Mr. Speaker, what good would it do when most of the fertilizer companies are operated by management outside the province of Ontario? And certainly the product of many provinces, other than Ontario, is being used as ingredients of those fertilizers?

We have supported the position that a Royal commission should be established on a federal basis to study the fertilizer industry. But I believe that the real control has been demonstrated by the farmers of Ontario, in southwestern Ontario, who went over to the United States to a wholesale house and brought back fertilizer at greatly reduced prices to this province of ours.

I also suggest that many farmers who would buy from ordinary fertilizer dealers in the United States would be paying more for their fertilizer than they are from local dealers in Ontario today. Because when you look at what is happening in Ontario today, you have these fertilizer blending plants and the distribution plants located every few miles throughout the rural communities, certainly in southwestern Ontario.

Now, who has put theme there? The fertilizer companies in competition with each other? This report suggested we should have a review board who would only say there shall be one such plant in every so many areas to supply so many thousand tons of fertilizer in each community—and I wonder if that is really what we want to do.

Maybe that is a solution, I do not know. But I think this, that if there were many farmers in Ontario who were told that that little fertilizer plant down the road where they have been going whenever they want to get a load of fertilizer to plant their crop, in bulk, is going to be closed by the province on the government of Ontario's dictum, then there is going to be quite an outcry.

Many of us, as farm people, have expressed our interest in and support of such a place, we have wanted the opportunity, where we could take our conveyances—wagons, trucks, trailers, or whatever they may be—to that plant and buy the blended fertilizer that would meet the soil test requirements of our farm. In many cases one cannot buy fertilizer in standard blends. One has to have it blended to what is required, and be able to bring it home in bulk, and use it in bulk.

Now, we have demanded this, and the fertilizer companies have met that demand. We are saying to them that you are charging far too much for the service that is provided. But we say to them again, that you have to carry us in credit from the spring of the year right through until the crop is sold. And when we refer this afternoon to the prices for fertilizer in that large wholesale-retail outlet in the United States—do members know how their business is run? Cash and carry on

the barrelhead. No cheques accepted unless they are certified cheques or cash in hand.

That is what happens over there. And I think that if you want that kind of an operation in Ontario, then perhaps a fertilizer review board might bring these kind of things out. But I feel very definitely that it would be quite difficult to really implement a fertilizer review board that would have any very great meaning.

I was tremendously impressed with the statements that were made by members of our own party this afternoon, Mr. Speaker. In particular, I wish to refer to the member for Wellington-Dufferin who suggests that the intangibles in agriculture cannot be measured in dollars and cents. This is something that I think we, as farm people, should think just a little bit about. We can have a really interesting debate across this floor, as was indicated this afternoon, and we can have debate and discussion that lasted seven sessions of two and a half hours each, as we did in our committee on Agriculture and Food; and incidentally, Mr. Speaker, I would like to join those members who have said that was a good experience. I thought it was excellent. I would like to see our estimates go before that committee again in the future.

I think it is a good way to do it really. I think it was a most productive and useful discussion, particularly the one on crop insurance. Many suggestions came out of that one that our crop insurance commission are working on today, and I have a report on my desk as to what progress they are making regarding some of the suggestions made.

But the thing that concerns me more than anything else is the fact that while we can talk about the economics of agriculture, how do we talk about the intangible values of living in rural Ontario today? And I venture to suggest that nobody can put a dollar sign on the opportunity of living in rural Ontario, to know what it means to be a farmer, to enjoy working with livestock and soil and crops. To place a value on that, you just cannot measure in dollars and cents. But too often we compare the income that we derive as free enterprisers in that type of an economy, to the lunch-pail carrier who has to be on the job at a certain hour, and who has to work under the direction of somebody else who tells him exactly what hole he is to punch in the piece of sheet metal, or what screw he is to put into that hole, or what bolt he is to fasten. It would drive me straight up a wall and I think it would a great many other farmers as well.

So, I do not think it quite fair to compare farm income with the lunch pail carriers income or that of the comparatively high labourers' income, because he faces a great many problems that are not obvious to everybody concerned. By the same token, I am the first to agree, and to admit that the theory that was suggested by the hon. member for Huron-Bruce, that an acceptable return on investment, that adequate incomes, that a maximum number of farmers be employed in the industry, is a very fine theory to which everyone of us would subscribe.

But I say at the same time, that it is not always possible for us to equate, in the type of free economy that we have today, all of those magnificent objectives with actual practicality when we realize that as a province, our limits go only to the borders of this province in every direction and no further particularly when we have nothing to say about what happens beyond those borders covering food products that will flow across it.

So, Mr. Speaker, I humbly submit to you that our department has done a great deal, that we are continuing to do a great deal. There is no more dedicated staff of people in the civil service of the province of Ontario, nor of Canada, than are the people of The Department of Agriculture and Food and I say that quite sincerely and respectfully of all of them.

I appreciate the team effort that they have put forward in developing ideas, in carrying out programmes, sometimes under difficult circumstances, and working long beyond the normal hours of employment, time after time, I suggest to you that this department is a service department that is fulfilling its objectives in doing the job that should be done, not to the disadvantage of farmers, but to the advantage of farmers, in helping them to help themselves. Therefore, I respectfully call upon all members of this Legislature including our good friends in the Opposition who have listened so attentively to vote with us in defeating the amendment.

**Mr. Speaker:** The question before the House, as put by Mr. Speaker was:

Shall the resolution for supply for The Department of Agriculture and Food be concurred in.

Mr. Gaunt, seconded by Mr. Nixon, moved that the question as put be amended by the addition:

That this House regrets that the Minister has not given more serious attention to



the Farm Income Report, and has made no acceptable attempts to ensure that farm operators receive adequate incomes and that well managed farms receive acceptable returns on investment.

I shall, of course, put the amendment first.

All those in favour of the amendment will please say "aye".

All those opposed will please say "nay".

In my opinion the "nays" have it. Call in the members.

Earlier this afternoon, the following question was put by Mr. Speaker:

Shall the resolution for supply for The Department of Agriculture and Food be concurred in?

Thereafter, Mr. Gaunt moved, seconded by Mr. Nixon, the amendment thereto:

That this House regrets that the Minister has not given more serious attention to the farm income report and has made no acceptable attempts to ensure that farm operators receive adequate income and that well-managed farms receive acceptable returns on investment.

The vote, of course, is on the amendment.

The House divided on the amendment moved by Mr. Gaunt, which was negatived by the following vote:

AYES	NAYS
Braithwaite	Allan
Burr	Bernier
Davison	Boyer
Deacon	Carruthers
Deans	Carton
Edighoffer	Connell
Farquhar	Davis
Ferrier	Downer
Gaunt	Dymond
Good	Evans
Haggerty	Gilbertson
Innes	Gomme
Jackson	Grossman
Lewis	Guindon
MacDonald	Hamilton
MacKenzie	Haskett
Makarchuk	Henderson
Martel	Hodgson
Newman	(Victoria-
(Windsor-	Haliburton)
Walkerville)	Hodgson
Nixon	(York North)

AYES  
 Paterson  
 Peacock  
 Pilkey  
 Renwick (Mrs.)  
 (Scarborough  
 Centre)  
 Ruston  
 Singer  
 Smith  
 (Nipissing)  
 Sopha  
 Spence  
 Stokes  
 Trotter  
 Worton  
 Young—33.

NAYS  
 Jessiman  
 Johnston  
 (St. Catharines)  
 Johnston  
 (Carleton)  
 Kennedy  
 Kerr  
 Knight  
 Lawrence  
 (Carleton East)  
 MacNaughton  
 Meen  
 Morningstar  
 Morrow  
 McKeough  
 McNeil  
 Newman  
 (Ontario South)  
 Potter  
 Price  
 Pritchard (Mrs.)  
 Randall  
 Reilly  
 Reuter  
 Roberts  
 Rollins  
 Root  
 Rowe  
 Rowntree  
 Simonett  
 Smith  
 (Simcoe East)  
 Smith  
 (Hamilton  
 Mountain)  
 Snow  
 Stewart  
 Villeneuve  
 Welch  
 White  
 Whitney  
 Winkler  
 Wishart  
 Yakabuski  
 Yaremko—57.

Clerk of the House: Mr. Speaker, the "ayes" are 33, the "nays" 57.

Mr. Speaker: I declare the amendment lost. Shall the supply resolution be concurred in?

Resolution concurred in.

It being 6.00 of the clock, p.m., the House took recess.

## APPENDIX

(See page 8773)

Mr. M. Makarchuk (Brantford) inquired of the Minister of Agriculture and Food on October 9, 1969:

What was the total amount paid to members of the special committee on Farm Income?

What amount was paid to each member?

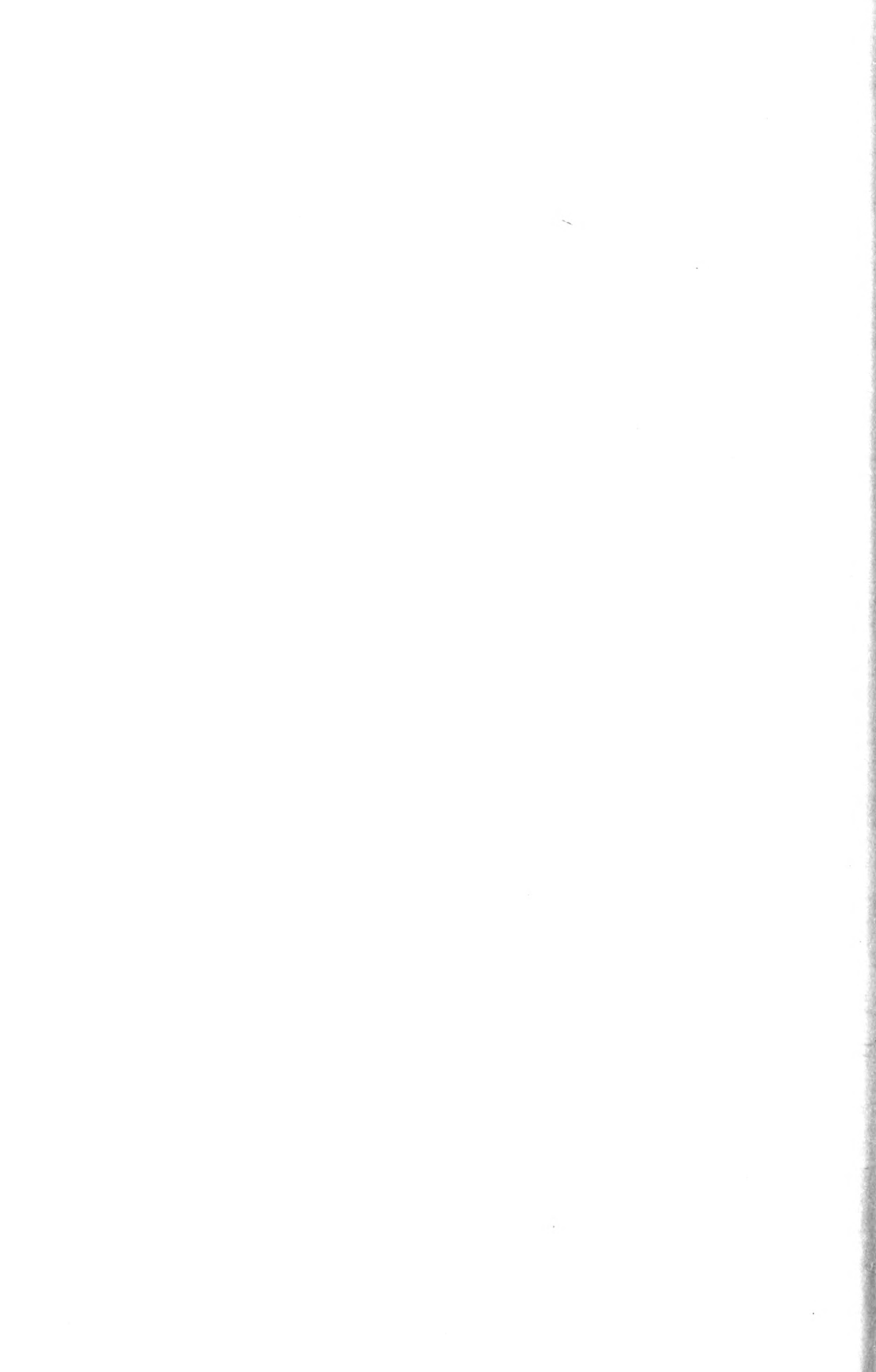
What per diem rate was paid to each member?

Hon. W. A. Stewart (Minister of Agriculture and Food) tabled the following written reply on November 24, 1969:

## FARM INCOME COMMITTEE

Members Per-Diem and Expenses:	1966-67		1967-68		1968-69 (March 1/68-Nov. 17/68)		TOTAL, 1966-69	
	Per-Diem	Expenses	Per-Diem	Expenses	Per-Diem	Expenses	Per-Diem	Expenses
(At \$25 per diem)	\$	\$	\$	\$	\$	\$	\$	\$
Everett Biggs (Chairman)					395.27		395.27	
Gordon H. M.	175.00	231.40	375.00	496.60	1,175.00	920.61	1,725.00	1,648.61
Edith MacIntosh	100.00	82.40	325.00	287.35	1,100.00	605.18	1,525.00	974.93
Tom Robson	287.50	426.30	350.00	436.35	1,300.00	1,136.77	1,987.50	1,999.42
Malcolm Davidson					1,725.00	873.70	1,725.00	873.70
John Phillips					1,100.00	777.44	1,100.00	777.44
J. E. O'Meara (Secretary)					1,409.18		1,409.18	1,409.18
	<u>562.50</u>	<u>740.10</u>	<u>1,050.00</u>	<u>1,220.30</u>	<u>6,400.00</u>	<u>6,118.15</u>	<u>8,012.50</u>	<u>8,078.55</u>
								<u>16,091.05</u>







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, November 24, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, NOVEMBER 24, 1969

The House resumed at 8.00 o'clock, p.m.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I wonder if I might ask the permission of the House to revert to the presentation of reports.

**Mr. Speaker:** Agreed?

Agreed.

**Hon. Mr. Welch:** Mr. Speaker, I have the honour of placing before the House, the report and the recommendations of the Hamilton-Wentworth-Burlington Local Government Review Commission. As the name suggests, the commission made up of Mr. Donald R. Steele, Mr. Brian W. B. Morrison, and Mr. Edwin A. Jerratt was retained to study the municipal government structure and to make recommendations about the structure and effect of a regional government in that subject area. This report is now completed. The hon. Minister of Municipal Affairs (Mr. McKeough) is presenting it to a meeting of area representatives and interested citizens in Hamilton tonight and naturally wanted the House to have the benefit of that report simultaneously.

**Mr. Speaker:** Also, I would like to inform the members that, in the west gallery, we have members of the 12th Willowdale Scout Troop from Willowdale.

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

## THE PUBLIC SERVICE SUPERANNUATION ACT

House in committee on Bill 192, An Act to amend The Public Service Superannuation Act.

**Mr. Chairman:** If the hon. member would mind waiting while I get a copy of the bill, I shall call him first. Bill 192, An Act to amend The Public Service Superannuation Act. I understand there will be an amendment to this bill. Are there any questions, comments or amendments up to section 5?

Sections 1 to 4, inclusive, agreed to.

On section 5:

**Hon. C. S. MacNaughton** (Provincial Treasurer): I move that subsection 1 of section 5 of Bill 192 be amended as follows: That the number 100 in the fourth line of the subsection be deleted and that the number 130 be substituted therefor; so that section will now read:

Whereupon the contributor is, in the opinion of the board, re-employed or engaged in any capacity of the service of the Crown and works for a period of more than 130 days in any one year, any allowance or annuity to which he is entitled during such re-employment or engagement shall not be paid in respect of such period.

**Mr. H. Peacock** (Windsor West): Mr. Chairman, I am very disappointed in the Treasurer's amendment. On second reading, members on this side of the House discussed the elimination altogether of any period of restriction on the rights of former employees of the government to draw their pension in full. The Minister has come back to us with an amendment tonight replacing 100 days of employment with an extension of 130 days of employment. On second reading, we made the point to the Provincial Treasurer that once an employee has earned entitlement to a pension by right of service, that right should not be diminished if he is employed for a further period of time with some other department of the Crown, and that his pension should be paid to him in full regardless of further service beyond his normal retirement age or retirement date of service. I think, Mr. Chairman, we will have to vote against the Provincial Treasurer's amendment.

**Mr. G. Ben** (Humber): Mr. Chairman, because of the present system that we are operating under whereby we run two committees at the same time, I missed an opportunity to be here when this particular matter was discussed. I take a view opposite to what the hon. member just said, even though it may be a view contrary to that taken by my own party.

I believe there ought to be a diminution of the number of days that a pensioned person can work for the province, not an extension. Anybody who argues that there should

be an extension is the kind who would deny to our young people a place in the sun. They are the ones who will keep the young people always young and incapable of taking the reins into their hands. They are the kind who will never let go of power. They just want to be in the driver's seat all the time.

Pensions, Mr. Chairman, were not created just to give a person a means of existence in old age. Every year, we have been slowly decreasing the age at which these pensions are granted. We have been doing that for two reasons—one, because we feel that the people, during the lifetime that they have worked, have earned the right to retire; and two, and this is something that the unions have fought for for decades and decades, is the right to retire at an early age to give the young people a chance to move up on the economic ladder, to move up in society, to finally assume control of their own destiny. So there are two aspects to it: one is the monetary aspect, and the other is the social aspect.

Mr. Chairman, if we extend the time period in which a pensioned civil servant can continue to work part-time with the government, we in essence are doing a number of things. We are admitting that we made a bad choice in that person to begin with, for if we had made a good choice, we would not have concerned ourselves with his retirement. That person or this government would have ensured that there was someone to take his place when he retired. In other words, we would not need him part-time or otherwise if he was a good and faithful servant because he would have prepared others to take his place.

Secondly, by permitting him to stay on, as I say, we are denying our young people the right to advance. We are being selfish, we are being dog-in-a-mangerish. General Motors will not permit a man to stay on past the retirement age. Eaton's will not permit a man to stay on beyond retirement age, and I am talking about the executives in senior positions, not the people down below. They appreciate you must make way for youth. You must give them their place in the sun and their day in the sun. This is the important principle here.

This is why I oppose any extension of the number of days that a retired civil servant can work for this government beyond what it is now. In fact, I would diminish it. I would wipe it out completely. It he has done his job well, he is entitled to his retirement. If he wants, I would not deprive him of the right to go and work elsewhere. He has earned his

pension. He can draw his pension and work elsewhere for all I care, but I say he ought not to work for the civil service. The young ought to be given a chance to move ahead and show what they can do.

**Hon. Mr. MacNaughton:** Mr. Chairman, this was discussed in the House on second reading, to some extent. I explained the background that prompted the original amendments which increased the time that a former contributor could be employed—which was, prior to the introduction of this bill, and still is, if the bill is not passed, 30 days. The amendment originally called for 100 days. The amendment was made on the recommendation of the Public Service Superannuation Board, and it is anomalous to the extent that it can work both ways. I am speaking chiefly to the member for Humber at the moment. I find myself in that rather anomalous position of agreeing with both sides of the presentation and that is not a very easy position to defend.

I explained on second reading that one of the reasons the restrictions were there was to prevent the very thing that the hon. member for Humber referred to, and that was to make it too attractive altogether for persons to seek retirement and benefit from retirement, which was in certain instances, the case. The anomaly again, in that sense, is, of course, that they can leave the public service altogether and draw their pension and there are no restrictions. So we have a situation where outside the public sector there are no restrictions; inside the public sector there are restrictions.

I made a commitment at the time of second reading of the bill that I would examine this again with those from the Public Service Superannuation Board who advised the amendments in the first place, and beyond that I made no commitment. I recall being asked, I think by the hon. member for Downsview (Mr. Singer), to commit myself to go with some modest amendment at this time and then bring in new legislation next session wiping out the restrictions altogether. This I have not found it possible or sensible to do, for a variety of reasons, but before I explain those reasons, and I will be brief about it, Mr. Chairman, I should tell the committee that 130 days is the equivalent of six months. It is half a year. If there are 52 weeks, and five working days in a week, and not concerning ourselves with statutory holidays, we are now proposing something that constitutes half a year, six months. It seems to me that this is very generous at this point



in time, when you consider that the pension can be drawn and six months of employment can be added to a pension. It seems to me to be very generous.

The other point I explained on second reading was that the whole matter of pensions, pension benefits, and their entire relationship with pensions, to civil servants and others—as a matter of fact, employees of Crown agencies and the rest—is under very intensive study. This prompts me to suggest to you, Mr. Chairman, and to members of the House, that I am reluctant to proceed any further at this time until the results of that study are made known to me and I, in turn, can make them known to the House.

I think this is a sensible position for now. It is an interim situation. It was intended to be, as I explained on second reading, and still is intended to be. Whether it remains to be considered generous and fair enough in the light of the study that is being undertaken, I cannot say at this time but I certainly am not prepared to commit myself to go any further.

Indeed, possibly the original motion, and the original amendment, was sufficient. However, upon examination and upon discussion with the Public Service Superannuation Board, they felt this was reasonable enough in terms of practical limitations and I have to say to you, Mr. Chairman, I am not disposed to consider the amendment proposed by the hon. member for Windsor West. So, there we have it, Mr. Chairman.

Mr. Peacock: If I could just ask the Provincial Treasurer one further question, Mr. Chairman. Before doing so I would like to say that is very, very inconsistent of him because if he had arrived at this limit of 130 days by some logical process, may I refer him to the limits placed in The Municipal Act on the entitlement of retiring employees to their sick leave. This gives them 180 days pay; no more, no less. Should they have sufficient service when they reach the point of retirement they can draw that amount of entitlement, 180 days pay, times the daily rate, if they have not had to draw from the fund for salary continuation during sickness. Now I do not see why this Act affecting civil servants of the province should in any way differ from the benefit made available to municipal employees, policemen and firefighters.

Mr. Chairman: Any other discussion?

Mr. MacNaughton moves that subsection 1 of section 5 of Bill 192 be amended as fol-

lows: That the number 100 in the fourth line of the subsection be deleted and the number 130 be substituted therefor.

Shall the motion carry?

Motion agreed to.

Mr. Chairman: Are there any other sections with amendments or comments or questions?

If not, shall the bill be reported as amended?

Bill No. 192, as amended, reported.

Clerk of the House: The Honourable the Lieutenant-Governor recommends the following:

*That, the*

fees and expenses to be allowed to returning officers and other officers in person for services performed under The Election Act, 1968-69, so far as they are payable by the province of Ontario under the Consolidated Revenue Fund, and be for the purpose of providing funds for the payment of such fees and expenses; the Lieutenant-Governor-in-Council may direct that accountable warrants payable out of the Consolidated Revenue Fund be issued from time to time in favour of any officer or other person,

as provided in Bill No. 217, The Election Act, 1968-69.

Resolution concurred in.

## THE REGULATIONS ACT

House in committee on Bill 125, An Act to amend The Regulations Act.

Mr. Peacock: May I ask why the bill on which the recommendation of His Honour, the Lieutenant Governor is based is not before the committee?

Clerk of the House: It is already on for third reading, Mr. Chairman.

Mr. Peacock: It is something we did not take account of.

Mr. Chairman: On section 1. There is an amendment for section 1.

Hon. A. A. Wishart (Minister of Justice): When this bill, No. 125, was last before the committee of the whole, I indicated that if we could defer consideration I would be prepared to amend the bill. The Act as it is printed provides for a special committee to be appointed at the commencement of each Legislature. The result of our discussion as

we undertook consideration of the bill previously was that perhaps it would be well to have such a committee appointed at the commencement of each session. So I move, Mr. Chairman—in accordance with that suggestion—I move that section 12 of the Act, as enacted by section 1 of the bill be amended by deleting subsection 1 and substituting the following therefore:

1. At the commencement of each session of the Legislature a standing committee of the Assembly shall be appointed to be known as the standing committee on regulations, with authority to sit during the session, and that the said section 12 be further amended by striking out "special" where it occurs in subsections 2, 3, 4 and 5 and inserting in lieu thereof "standing" in each instance.

The effect of the amendment, Mr. Chairman, is to make the committee a standing committee rather than a special committee; to provide that it be appointed at the beginning of each session and that it sits during the session; and the word "special", where it appears in section one, becomes "standing."

Mr. Chairman: Any discussion on the motion by Mr. Wishart?

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, if I may.

I am wondering about the actual effect of this amendment, Mr. Chairman. The Attorney General has replaced the special committee with a standing committee of this Legislature, and that standing committee presumably would review all of the regulations that were brought in in relation to legislation.

Now I am wondering what would happen, for instance, in the interim when the session was not operating. Would this standing committee, at some future date when the session reconvenes or when we open the new session, would the standing committee actually review all of the regulations that have been undertaken during the interim? Is this the effect of this amendment?

Hon. Mr. Wishart: Yes, that would be the effect.

I might point out, Mr. Chairman, that Mr. McRuer in his recommendations for the provision of such legislation as this bill, to review the regulations, did recommend that the committee should have power to sit during recess. Now, we considered that when the bill was first presented but we abandoned the recommendation to that extent, and felt it should sit during the sessions of the Legislature. With

the amendment, it sits during each session still. We have not gone so far as to say it should sit between sessions.

To answer the hon. member's question, it would pick up any regulations that were passed between sessions and all regulations by the Act, subsection 2 of section 1, every regulation stands permanently referred to the committee. It will now read standing committee, so it will review all regulations. With the Legislature now sitting almost, we might say, throughout the year, it would appear there will be little time except a reasonable time between sessions when the committee will not be working because the session seems to be now lasting almost ten months, or thereabouts, of the year. So I think they will probably require what break they get. Anyway, we did not go to the extent of the recommendation that they should sit throughout between sessions.

Mr. Gaunt: Mr. Chairman: there is only one problem with that as I see it. I would agree with the Attorney General that the sessions are extending to almost ten months—nine to ten months of the year, if this particular session is any indication. However, if we do get a shorter session in the future, the standing committee may in some cases be reviewing these regulations after they have become operative and after the whole procedure has been set in motion. I really do not think that is the intent of the bill.

Hon. Mr. Wishart: Yes, that is the intent of the bill. The regulations are passed by the Lieutenant-Governor-in-Council, they will be effective, I presume, immediately; in many cases at least, they would be effective. It is not intended that the effectiveness of the regulations should wait until the committee has reviewed them and made its report. The committee's power is to review the regulations, to report back to the Legislature; it cannot, it does not, deal with government policy in the making of the regulations. It reviews the scope of the regulations to see if they are within the terms of the Act to which the regulations are appended, by which they become a part of the legislative power.

But I would not anticipate, I do not believe that it is intended for a moment, that the regulations should not be effective. The thought, I think, of this legislation is that we have never had this type of review in this Legislature; that the committee would review the regulations, bring back to the House a report, pointing out that in the opinion of the committee, perhaps, the regulations go

beyond the necessity of the purposes of the Act or impose a penalty, perhaps, which they should not do—things of that nature, that are outside the scope of the Act. But it was never intended that the regulations should wait upon the committee or upon the committee's report.

**Mr. Gaunt:** Well, I did not infer, Mr. Chairman, that this particular committee would actually formulate government policy. I realize that is outside the jurisdiction of the committee and I did not want to infer that. The only point that I was making was that the regulations in some cases could be operative and in effect when the committee reviews them. Perhaps this is not such a bad thing but it seems to me that the committee would be of greater effect and of greater force if the regulations were reviewed prior to becoming operative.

**Hon. Mr. Wishart:** Mr. Chairman, I appreciate the merit of the suggestion, but I see practical difficulties. It is necessary, to carry out the purposes of the legislation, whatever Act it may be, that there be regulations. They are framed, and carefully drawn; it is possible that they might need to become effective very quickly after they are promulgated or published; that is when they do become effective. It is altogether possible that the standing committee might not get around to dealing with them for a matter of weeks, possibly—a week, two weeks, five weeks, something of that sort. Whereas I think they must go forward, they must be effective.

The committee is at liberty, of course, to review them, to consider their scope and be critical of their provisions, and in its report, to say so to this House. But the government must take the responsibility for the policy which is carried forward from the Act into the regulations. The committee's duty is to review them and see that they fit within the intent and purpose of the Act. They must be effective. I think they cannot wait on the uncertainty of the time of review of the standing committee.

There may be cases, I would anticipate, where regulations may be prepared. And I am not sure of this but I think it may very well be possible that they could be submitted to that committee for its advice and assistance to the drafters of the regulations. But I think the general intent here is that regulations, once passed, approved by the Lieutenant-Governor-in-Council and thereby made effective on publication, are submitted to the standing committee on regulations for its review and study and report back. And I

do not think you could contemplate that the regulations could not be effective until you had this report from the committee.

**Mr. Chairman:** The member for Windsor West.

**Mr. Peacock:** If I may, I would like to say to the Attorney General that one of the first tasks that I think should be put before the standing committee as he now has constituted it, should be an effort to arrive at a concrete definition of regulation where we have before us in the House and in the various standing committees, a number of terms, all of which countenance a legislative discretion or authority—order-in-council, regulation, order, by-law—what-have-you.

I imagine there are any number of synonyms which are used to refer to what this Legislature delegates to subordinate bodies as law-making exercise and I think it would be very helpful if the Attorney General's senior legislative counsel put before the standing committee various definitions of what constitutes delegated legislation or the terminology which has been used in Ottawa—statutory instruments, I think the special committee or standing committee of the House of Commons used in its study. This was its first undertaking. I think it is particularly important in this jurisdiction, this provincial jurisdiction, where so many statutes provide within them the delegation of law-making authority to subordinate commissions or boards that have application not in the general way but in a very, very particular way to individuals and corporations and municipalities and companies, just what it is that constitutes a regulation as opposed to a statute.

Secondly, I would like to say to the Attorney General and Minister of Justice, Mr. Chairman, that I was not able to comprehend too well in the report of the House of Commons committee on statutory instruments, how it was that a regulation came to be defined as an order or legal fiat which provided for a penalty in the instance where an offence was committed. I believe that this was one of the definitions used by that committee of the House of Commons to determine the definition of a regulation and I do not believe that in our jurisdiction at least, the commission of an offence against the order of a subordinate body to the legislative authority necessarily is a definition of regulation.

I think that the remarks that the member for Huron-Bruce, if they point to the exercise of a veto by the standing committee, are

not well founded. The executive will, of course, want to continue the prerogative of law making through regulation, however it is defined, with the right of review by this Legislature of the exercise of that authority, and I think that the executive, while it may wish to continue that prerogative, has a responsibility none the less to assist the Legislature in reaching the decision as to whether the exercise of that executive prerogative has been carried out in accordance with the statute as the Attorney General has just explained.

So, Mr. Chairman, when the committee meets and takes up the task of the review of the regulations, I hope that that will be one of the items of documentation of material that is put before it at one of its early sittings: the assistance of the Attorney-General's senior law officers in reaching a very clear definition of just what the distinction is between the statute and the regulation.

Hon. Mr. Wishart: Mr. Chairman, I would just like to speak briefly on that. I think perhaps we would welcome the help of the committee. We have not got a definition of regulation in this bill. I think of a regulation—although I do not offer this as a definition—as a subordinate type of legislation which follows a statute which provides that the Lieutenant-Governor-in-Council may pass a regulation to carry out the purposes of the Act.

Mr. McRuer in his volume on civil rights, volume 1, report number 1, at page 378—and these are not in the bill—lays down certain principles and I think we have become very aware of them and I would hope that the committee will use them because it is to the committee that he directs these words, or these recommendations. He said:

The following principles should be laid down to guide the committee in its examination of the regulations.

These are not included in statutory form in the bill but these principles would certainly be applied by the committee.

He says:

(a) They should not contain provisions initiating new policy, but should be confined to details to give effect to the policy established by the statute.

(b) They should be in strict accord with the statute, conferring the power, particularly concerning personal liberties.

(c) They should be expressed in precise and unambiguous language.

(d) They should not have retrospective effect unless clearly authorized by statute.

(e) They should not exclude the jurisdiction of the courts.

Which I think is very important—

(f) They should not impose a fine, imprisonment, or other penalty.

I am not sure all our regulations have been observing these things in the past.

(g) They should not shift the onus of proof of innocence to a person accused of an offence.

(h) They should not impose anything in the way of a tax—as distinct from fixing the amount of a license fee or the like.

Mr. Peacock: Well that washes out your Ontario hospital premiums and OHSIP.

Hon. Mr. Wishart: Yes. Now these are some of the things the committee will probably be very quick to note in these principles, in the review of the regulations. This is, I think, the great virtue of this legislation in that it will give an opportunity for someone, a competent body of this House, to make this study bearing these principles in mind. He has two more:

(i) They should not make any unusual or unexpected use of delegated power.

A very important thing, and:

(j) General powers should not be exercised to establish a judicial tribunal or administrative tribunal.

Those principles, he said, should be followed by the committee in its study.

As to the matter of the definition, as I say, I would welcome some assistance on that and perhaps we might get that from the committee. I would not propose to draft one or offer an amendment here tonight to try to define it in the bill.

Mr. V. M. Singer (Downsview): Mr. Chairman, as the Attorney General well knows, my colleague from Samia (Mr. Bullbrook) and I on second reading of this bill at some length took question with the Attorney General about the provisions of section 3; and those objections still stand.

I was tempted to move an amendment tonight removing the words that we thought objectionable.

Mr. Chairman: We have a motion—

Mr. Singer: Have we a motion?

**Mr. Chairman:** We have an amendment to section 1—

**Mr. Singer:** Well I was not addressing myself to section 1.

**Mr. Chairman:** —which must be cleared before we go on to section 3.

**Hon. Mr. Wishart:** Mr. Chairman, I think perhaps I can offer some help here. The amendment which I offered to section 1, I think, is not the point on which the hon. member is addressing himself. I am sure he is quite agreeable to the amendment I moved but he is pursuing what he does submit—frankly he pursued “at some length” to use his own words, on second reading. I hope he will not pursue it quite so long tonight.

**Mr. Singer:** No, no; I have no intention—I have no objection to the amendment of section 1 if you want to put it, Mr. Chairman.

**Mr. Chairman:** We should put it.

**Mr. Singer:** All right, and then I will make my remarks on section 3.

**Mr. Chairman:** Shall the motion as moved by Mr. Wishart carry?

Motion agreed to.

Section 1, as amended, agreed to.

**Mr. Singer:** Now on section 3, Mr. Chairman—

**Hon. Mr. Wishart:** How about section 2?

**Mr. Singer:** Section 2—I have no objection to that either. Do you want to carry that one, Mr. Chairman?

On section 2:

**Mr. Chairman:** Actually we are prepared for comments, questions or amendments to section 2 or section 3, whichever you have.

**Mr. Singer:** Oh well, I am in order now on subsection 3?

Section 2, agreed to.

On section 3:

**Mr. Singer:** On subsection 3; as I say, my colleague from Sarnia and I, at some length as the Attorney General underlined, and we think it is important, quarrelled with the words “but without reference to the merits of a policy or the objectives to be affected

by the regulations or enabling statutes”. We fought our battle there. I think we divided the House. I am not sure—did we divide the House at that time?

Nevertheless we made the point. The point is obvious again, Mr. Chairman, because I just scribbled down as the Attorney General was talking—one of the tasks of the committee “are to determine whether the regulations fit within the intent and purpose of the Act.” Those are the Attorney General’s own words.

How the committee is going to do that without reference to the merits of the policy or the objectives affected by the regulations I do not know, and it may be that the Attorney General can see more in the English language than I can, but if the committee is going to be barred from talking about the objectives to be affected by the regulations, or the enabling statutes, then it means they cannot determine whether the regulations fit within the intent and purpose of the Act. I think that the simplest amendment that we suggested—and I am not even going to move it, I will just appeal to the Attorney General’s good sense—is to take out the words “or objectives to be affected by the regulations or enabling statutes”.

I think if he took those out then he would not be barring the committee in future years from determining whether or not the particular regulation is within the enabling powers in the statute.

With those words remaining and to my mind, Mr. Chairman, it leaves to the caprice of an arbitrary chairman of the committee the ability to rule out a serious discussion as to whether or not a particular regulation fits within the powers given by the statute. What I say very simply is that surely we do not want to give to a committee or to bar a committee from enquiring into whether or not regulations—if this committee has any purpose—are within the powers laid down by this Legislature. I will leave it at that.

We argued this point at some length. We were not able to convince the Attorney General at an earlier time. Perhaps this last suggestion might make some impression on him. I am not even going to move the amendment, I am just going to appeal to his good intelligence hopefully that he will accept this suggestion.

**Hon. Mr. Wishart:** Mr. Chairman, again I appreciate the comments of the hon. member for Downsview, but, and this is not semantics that we are talking about, I think we have a different approach to the meaning

of what is in the bill, the scope of the regulations, the language of subsection 3, to which he addressed himself "the committee shall examine the regulations with particular emphasis to the scope"—

**Mr. Singer:** And the method of exercising.

**Hon. Mr. Wishart:** And the method of exercising! How far do they go? How do they carry out the purposes and intent of the legislation, of the statute?

**Mr. Singer:** I left those words alone.

**Hon. Mr. Wishart:** Yes. Now I think it is very necessary to say "but without reference to the merits"—

**Mr. Singer:** "Merits" yes, I agree.

**Hon. Mr. Wishart:** "Of the policy, or objectives". Now surely the government in bringing in a bill has to frame a policy, has to know its policy, and policy and objective surely meld one into the other, they are almost one and the same thing, the objective is accomplished by a policy framed into legislation. Now you cannot entrust under our system. I am not saying they would not be trustworthy but you cannot abdicate the responsibility of government and give it to a committee of the House, the responsibility, the obligation to frame policy, to carry out an objective which the government sees as part of its policy.

**Mr. McRuer** says this, maybe he makes it plainer than I do. It is brief, Mr. Chairman, at page 377 he says this:

The policy of the Act having been settled by the Legislature after full debate and discussion, ought not to be re-opened for discussion in the committee. The merits of the regulation, namely, an evaluation of the need for them and their efficacy, within the framework of the policy approved and provided for by the Act, are matters for which the government is responsible to the Legislature.

The committee has no business, he says, in that area.

It is not proposed that the functions of the committee should be to supervise the operation of departments of government. Elimination of the consideration of policy or merits should permit the committee to proceed in a non-partisan way as it has done in the United Kingdom and in Manitoba.

**Mr. McRuer**, I think, makes it clear that when it gets to the committee they are not to be

engaged in whether this is wise, good, bad or indifferent. Do these regulations carry out the purpose and intent of the Act? Is this the method? Do they fit the method? You do not get into a partisan or political debate on policy and I think that the language is clear when it says:

The committee shall examine the regulations with reference to the scope and the method—these are procedures—but without reference to the merit or the policy or the objectives.

That was the way that I see it. I think it is just that my friend and I differ in our interpretation of the language. He did not move an amendment, but I could not accept it—I believe he did move one on second reading, Mr. Chairman, and I could not accept it then.

**Mr. Singer:** Mr. Chairman, by way of a postscript, I cannot find myself in disagreement at all with the section that the Attorney General quoted from McRuer. He says that you should not review the policy of the statute because that has been decided already. But I am saying that if the policies or objectives to be effected by the regulations, differ from the policies or objectives effected by the statute, then surely the committee must be able to question that. And in this section of this statute you are barring the committee from questioning.

**Hon. Mr. Wishart:** No, No, that is the scope. If they go beyond the Act they are into scope and that is right in the section.

**Mr. Singer:** Well, if the Attorney General is satisfied that scope is sufficient why then does he need the additional phrase "but without reference to the merits or objectives to be effected by the regulations"? If he merely said "but without reference to objectives to be effected by the enabling statutes," that would be fine. Why does he need the words "without reference to the merits of the policy or objectives to be effected by the regulation"?

Surely, if the committee is going to serve a useful function, it is one of its tasks, it has to be, to determine whether in its opinion the regulation in question is within the four walls of the enabling statute.

Not for a moment am I suggesting that the statutory provision can or should be questioned as to its policy or objectives by the committee. That has already been determined in the Legislature at some particular time. I am saying the committee has to have the task of saying, "In this regulation is there an

objective that perhaps might tend to be beyond the powers of the enabling statute?"

I am sure one must start to say the statute is there. One cannot question the statute. The Legislature in its wisdom, or lack of it, has decreed that this is the statutory condition. It should come to the committee—and presuming that some day you are going to get an arbitrary chairman in that committee who says, "I will not have any talk about whether or not the regulation is within the power granted by the statute, because I have got those protective words." This is my fear.

Hon. Mr. Wishart: I am sure you would get a minority report very quickly, maybe even a majority report against the Chairman in that case. But just very briefly, Mr. Chairman, to use the example that the hon. member for Downsview used, if the regulations, in the opinion of members of that committee, go beyond the policy and purposes as expressed in the legislation, then I think that committee would quickly come back with its report to the House and say, "These regulations are, or this particular regulation is, out of order. We criticize it because of its scope—it is carrying policy in the regulation much further than the legislation intends to go." That is why we think the report would say, "The scope of the regulation goes beyond the Act and is purely bad."

Mr. Chairman: Shall Mr. Wishart's motion carry?

Mr. Singer: That is on section 1.

Mr. Chairman: On section 1, is this carried? Are there any other comments, questions or amendments to this bill? Shall the bill as amended be reported?

Mr. Singer: How about calling? You said you called sections 1 and 2.

Mr. Chairman: My question, as put to the committee, covers that. Are there any further comments, questions or amendments to this bill?

Mr. Singer: We voted, Mr. Chairman, with respect, on subsection 1 and subsection 2 of section 12. I would just like that for the record, for whatever that is worth. I am not going to suggest we divide the House on it. I am going to register my objection, in some way, to subsection 2 of 12, the new 12, because, with great respect, I think the Attorney General is wrong.

Mr. Chairman: Are there any further comments, questions or amendments to this bill?

Shall the bill as amended be reported?

Section 3, agreed to.

Bill 125, as amended, reported.

Hon. Mr. Welch moves that the committee of the whole House rise and report a certain resolution and two bills with certain amendments and ask for leave to sit again.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report a certain resolution and two bills with certain amendments and asks for leave to sit again.

Report agreed to.

### THIRD READINGS

The following bills were given third reading upon motions:

Bill 134, An Act to amend The Day Nurseries Act, 1966.

Bill 144, An Act to amend The Homes for the Aged and Rest Homes Act.

Bill 189, An Act to amend The Moosonee Development Area Board Act, 1966.

Bill 196, An Act to regulate farms on which pregnant mares are kept for the collection of urine.

Bill 197, An Act to amend The Veterinarians Act:

Bill 198, An Act to amend The Territorial Division Act.

Bill 217, The Election Act, 1968-69.

Bill 218, An Act to amend The Voters List Act.

Bill 219, An Act to amend The Drainage Act, 1962-63.

Bill 220, An Act to amend The Local Improvement Act.

Bill 221, An Act to amend The Municipality of Metropolitan Toronto Act.

Clerk of the House: The 12th order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and the House resolve itself into the committee on ways and means.

## BUDGET DEBATE

Mr. G. Ben (Humber): There are not many NDPers in the House, so I will give the member a hand.

Mr. W. Ferrier (Cochrane South): That is very kind of the hon. member.

Mr. Speaker, a great deal of attention has been given these past few months to the subject of the development of northern Ontario. The Minister of Mines' (Mr. A. F. Lawrence's) three conferences in Timmins, Sudbury and the Lakehead certainly sparked additional discussion of the problems and difficulties that we northerners face in an effort to create growth and expansion of the north's economy. I did not feel that very many new problems or grievances were aired that have not been aired by northerners on countless other occasions when making representations to Queen's Park in the past.

I am sure many northerners approached these conferences with a mixture of scepticism and hope. We wondered, and still do, if anything really beneficial and dynamic will emerge from these exercises, since our voices have fallen on deaf ears so frequently in the past. Even with senior Cabinet Ministers from the north in the government, little encouragement has come to us from successive Tory administrations in Queen's Park as far as development is concerned. Even the Minister of Mines on Timmins TV's so-called Bear Pit—which was pretty tame—hinted that in the past when northern problems were discussed in the Cabinet little attention or interest was apparent on behalf of his colleagues.

When the present report was to be considered, he stated that full Cabinet attendance and participation would be required. I hope he has succeeded in accomplishing his aim in this regard as I understand such a meeting was held last week.

I suppose the element of hope northerners experienced was that many felt that perhaps—just perhaps—the Minister of Mines might be able to impress upon his colleagues, what northern Cabinet Ministers have previously failed to do, the seriousness of the feeling of alienation and neglect felt by northerners, so that constructive and dynamic policies may be formulated to take full advantage of the opportunities that presently exist.

To expect such from a Tory government, with its record of indifference and its commitment to out-and-out free enterprise, is a tall order, but on the other hand the point was effectively made on a number of occasions

that public funds need to be committed not just to subsidies and hand-outs to the big corporations, but to promote public enterprises where the needs exist and where a viable industry can operate in those areas where private investment is lacking, that perhaps, just perhaps, a realistic, pragmatic politician like the Minister of Mines just might be able to convince his Cabinet colleagues of the wisdom of such a policy that will lead to real development of the north. We await, therefore, the outcome of these conferences with scepticism mingled with some hope that our faith in northern Ontario may evoke a similar response of faith in our future, leading to action from the Cabinet.

One point that northerners realize is that we ourselves must show initiative and resourcefulness to come up with ideas and plans to develop the north. We must be prepared to invest our money, our talent and our future in the opportunities that we see in our area if our economy is to expand. Basically, we must show a willingness to help ourselves rather than look to others to do it for us.

Even the hon. Prime Minister (Mr. Roberts), in his "Design for Development" statement, said:

Local initiative, responsibility, and advice must continue to be encouraged and sought in any scheme of provincial planning and economic development.

Prior to that statement, the Prime Minister said:

The philosophy of the present Ontario government has always been to encourage and assist individuals to develop their full capacities, to encourage economic competitiveness, and to provide a climate of expanding employment opportunities for a growing labour force.

These words of the Prime Minister have a pretty hollow sound when the experience of one Zane Williamson of my riding is considered. The record of governmental red tape, buck-passing, indifference and unconcern is both shocking and disgraceful. A mild mannered and long suffering man has been both discouraged and infuriated with the treatment he has received in the last year and a half. If only the government took the Prime Minister's words seriously and acted upon them, we might get some solution to Mr. Williamson's problems and we might also come to think that the Tory government has some real genuine concerns for our problems.

Mr. Williamson came to Timmins from Ohio two or three years ago to teach at the



Northern College of Applied Arts and Technology, Porcupine campus. He had been an engineer and builder back home in Ohio and had decided to try Canadian living for a change. As he explored the countryside in his spare time, he discovered a choice piece of property, some 32 acres, on Night Hawk Lake that had all the prerequisites for a thriving tourist operation — beauty, privacy, good beach, nice lake and all the rest of it. He proceeded to buy the property from one Prosper Deslauriers for about \$10,000. He turned his inventive and imaginative mind loose on this property as far as its use is concerned. He has worked on it for some 18 months, has built a number of camper sites for use on a year-round basis and eventually plans to have 70 available.

Such things as moose hunting in the fall, ice fishing in winter, nature hikes in the spring or outdoor camping in the summer are all possibilities. He has built one \$10,000 cottage, has plans for others and has a laundromat built and equipped, as well as an \$11,000 sewage system meeting Department of Health regulations, already installed. All this represents considerable initiative and his life's savings of \$50,000.

But there is one catch to all this. His tourist operation is in unorganized territory and is a half mile off the main Highway 101. His letter of September 11 to the district engineer of The Department of Highways in Cochrane outlines pretty dramatically the problem he is having. He writes, Mr. Speaker:

After working with the New Liskeard office, Department of Highways, for over one year, I still have a very poor road leading to our property here on Night Hawk Lake. I have spent over \$1,500 and now it is, we believe, time for public maintenance of this one-half mile road. It was just suggested today by the New Liskeard office that we ask to be taken under a statute labour board. This is what we are doing in this letter and are hoping to have work done on the road within a week or so, as it seems to me that we have been given the runaround. Of course we know that there was a change in jurisdiction this past spring and this only complicated matters. After an inspection of the road and an evaluation of the investment we have in our business, it will be seen that it is time to do this much needed work on the road.

We have at present \$45,000 in the 32-acre site and have just completed a 10,000-gallon septic system designed for 10 year-around families and 60 camping families.

Also we are waiting on delivery of three coin-operated washing machines and two large commercial dryers. These will be located in our laundromat. I have employed one man, full-time, for over one year and have used several day labourers. So you see, we have invested all we had and more; and what makes matters almost unbearable is the road. We would have opened for business this past summer but our work was not complete. We were delayed several times and for several weeks each time because our suppliers could not make deliveries. It has been a struggle, for after each rain the condition of the road was almost impassable and this has accounted for most of our delays. In addition to the loss of income from the summer tourist season we keep spending money buying gravel in order to get our materials in. This past summer we have put \$300 or more gravel on the road just to get our gravel truck out of the mud. It is hard to realize that I have used approximately 4,000 yards of gravel and still require more. My employee and myself have worked every day and we plan to work all winter developing other features of our establishment. The north asks for development investment, etc. but where is the incentive, grants or help for the smaller investor than a Texas-Gulf Sulphur type investor? It will not be easy to have my 10 year-round trailer sites filled this fall if water is always standing on the road. I have even had camping families tell me that the road was too bad and they went elsewhere. We do need a better road and now.

Well, that letter was written on September 11. On September 18 to the 20 the northern conference was held in Timmins. The hon. Minister of Tourism and Information (Mr. Auld) talked with Mr. Williamson and assured him of his support and his help with the road. Subsequently, I was invited out to Mr. Williamson's place on a Sunday afternoon in mid-October after a rainstorm and the drive over that one-half mile road took all the courage I could muster because I did not think I could get in or get out without being bogged down in a couple of feet of mud. I thought I might seriously damage my car in the process. I needed no further convincing that action was necessary on that road, and so, at Mr. Williamson's request, went and talked with the Minister of Tourism and Information to be assured that he was pursuing the matter with the Minister of Highways (Mr. Gomme). Just to be on the safe side, I wrote to the Minister of

Highways requesting his consideration and I received the following reply:

This is in reply to your letter of October 24, 1969 in connection with a request by Mr. Zane Williamson, R.R. No. 1, Connaught, Ontario, for financial assistance in maintaining the access road to his property on Night Hawk Lake, south of Highway 101. Under the present legislation, Mr. Williamson may secure financial assistance in two ways. Indirectly, he may appeal to the Statute Labour Board of German-Matheson Township to include the road in question with their road system. His contribution would then be in the form of taxes to the board who would perform work under a 50 per cent subsidy from the department. However, it should be noted that Mr. Williamson's property lies in the unorganized Township of Macklem. Should the board not agree to this arrangement, Mr. Williamson could apply directly to the district engineer of New Liskeard, Mr. D. A. O. White, for a special work order under section 91, part 12 of The Highway Improvement Act. The subsidy in this case is also 50 per cent. The applicant's share must be paid in advance and departmental approval obtained before any work is done.

And he goes on to outline some other things.

But Mr. Williamson has talked about that and talked about that for months and nothing has transpired. And then it was put over to the Cochrane district, it was transferred out of the New Liskeard district, so even the hon. Minister of Highways is behind time. In desperation, Mr. Williamson again wrote to the Minister of Tourism and Information and this is what his letter says:

It has been over a month since my letter of October 3, and as yet there has been no reply. What is the progress in regards to the funds that are needed by the Cochrane office of The Department of Highways? As was stated in my first letter, I have done some transit work and have prepared a set of plans. Since that time, I have been doing some bush clearing in order to facilitate the ditching work which is the major cause of the poor road condition.

You see, I am so concerned with this problem and the protection of my investment that I do not mind doing additional work in order to reduce the cost which must be shouldered by the provincial government. This is the easiest time of year to do this work, before the heavy snow,

and there is a drag line available if this work is to be contracted out. We must have a return on our investment next year and without a better road this will be almost impossible.

Now when a man is in the process of trying to get a tourist industry underway and the hon. Minister of Tourism and Information is completely unconcerned about the man's problem even though it has been brought to him in a number of ways, it is rather a discouraging thing, it makes one wonder what really he is doing to promote tourism in northern Ontario.

It appears that this problem is not too much nearer a solution than it was way back last spring. In the meantime, he must drive, if possible, over this road with ruts knee-deep. At the same time with the gnawing concern in the back of his mind that next spring again, the road will be the same. Prospective tourists and permanent residents at the trailer park will be deterred and his investment will be in jeopardy and may go down the drain.

It is certainly not a pleasant prospect that this industrious and imaginative northerner faces as a result of governmental indifference. The half-mile road needs proper ditching and draining to eliminate the problem of the mud and subsequent ruts that will develop after a rain or in the spring break-up. He needs help and he needs it right now.

The previous owner was something of an inventive person and had thought of establishing a business, the manufacture of cores for rolls of paper at Abitibi at Iroquois Falls. Well, alas, his business skills did not match his inventive skills and he was never able to go ahead with his dream. But he also had the problem of the road and he spent over \$900 of his own money, and him still a poor man, on some elementary ditching. Neither The Department of Highways nor Lands and Forests would reimburse him or do a similar amount of work. I tried unsuccessfully to get assistance for him and I guess in frustration or discouragement he sold his property.

The present owner, Zane Williamson, has presently spent over \$1,500 of his own money on this road and it is still in impassable condition. He has done the necessary surveys and the drafting on his own to rectify the situation and still he gets the runaround. Surely, with the potentially bright future that this man's business has from a tourist point of view, it behooves both the Minister of Highways and the Minister of Tourism and

Information to personally get involved in this situation to see that all necessary steps are taken to get that road in useable condition as soon as possible, so that his business can be opened, a return can be realized on his investment, and future expansion in the north can take place.

This man has shown his industriousness, his determination to do something for the north, his willingness to go more than the second mile to co-operate and find a solution to his thorny problem. Surely if the Prime Minister's words in "Design for Development" have any real meaning, or if this government, Mr. Speaker, is really concerned about individual initiative and industriousness as a free enterprise party like theirs says it is, then they must get this matter settled immediately and promote rather than hinder northern development.

All I am suggesting to this government is that they live up to their professed principles; that they practise what they preach.

There is one further, but unrelated, matter to that with which I have just dealt, that I wish to advance in the time remaining to me. The secretary of the juvenile and family court in the Porcupine, Mr. Len Bradley, has informed me of a very worthwhile and advanced approach that he, along with Chief of Police Gordon Beacock, of Timmins, have spearheaded and have had adopted in our area. I was so impressed with that which has been done by Mr. Bradley and the Porcupine area's juvenile committee that I feel it advisable to share it with this House with the hope that the whole province might adopt this very worthwhile procedure.

Mr. Justice McRuer in the second volume of his enquiry into civil rights, quite extensively explores the function of the juvenile and family courts in this province; and in the appendix to chapter 40, he examines, in an effort to improve the present situation, both Scottish and American recent developments in the field of the approach to be taken by the state in regard to juvenile offenders. As a novice on this subject I feel that the proposition of Judge Julian Mack in an article of 1909 on the role of the judge in the juvenile and family court, should equally be the concern of all working with juvenile offenders. Judge Mack wrote:

The problem for determination by the judge is not, has this boy or girl committed a specific wrong, but what is he, how has he become what he is, and what had best be done in his interests and in the interest of the state to save him from a downward career.

Such a philosophy of care, concern and rehabilitation should, I believe, be the guiding approach to take to young people in trouble.

In the Kilbrandon report submitted in 1964, which was set up to consider the provisions of the law of Scotland relating to the treatment of juvenile delinquents and juveniles in need of care and protection, or beyond parental control—and in particular the constitution of powers and procedures of the courts dealing with such juveniles—the following recommendations were put forth; and these might be found on pages 574 and 575 of Mr. Justice McRuer's report:

The committee therefore recommended that juvenile panels be established, whose sole function would be the disposition of the proper treatment to the juvenile. The panel would assume jurisdiction only after the juvenile has admitted his guilt, or his guilt has been determined by an appropriate court of law, the sheriff court. The committee noted that, as the basic facts actually were in dispute in only a limited number of cases, referrals to the sheriff court to determine the facts would not be many.

It was recommended, therefore, that all existing juvenile courts be abolished and that all juveniles under the age of 16 should be removed from the criminal courts and come under the jurisdiction of the juvenile panels, which would be empowered to order special measures of education and training according to the needs of the juvenile concerned.

The proposed juvenile panel would not be a court of law. It would be a lay body comprising persons specially qualified with regard to the problems of children. The panel would be a completely independent agency whose members should be appointed by the sheriff. The committee felt that it was essential that the panel always consider the child's need for special measures of education and training and should accordingly be empowered to exercise a continuing jurisdiction over all children referred to it, subject to a statutory upper age limit, and within that period should have the discretion to alter, vary, or terminate the measures initially applied in the light of the child's progress and response.

I suspect, Mr. Speaker, that these recommendations, as applied to our jurisdiction and modified accordingly, would have a good deal of relevance and would lead to improvement in the present state of affairs. At any rate, the existence of a panel something along these

lines may be found in the Porcupine, in my riding, and I wish to read for hon. members the report of this Porcupine area juvenile committee from June 1966 to June 1969, since I think there are some very worthwhile insights to be found in this report.

The juvenile committee was formed in June 1966 at the suggestion of the chief of police of the town of Timmins, and with the approval of the local judge. Boys and girls under 16 years of age who appear before this committee come from the town of Timmins, three area townships, which comprise a population of 45,000, and the intervening unorganized territory. There are three police departments involved, which are the Timmins police department, the township of Tisdale police department, and the Ontario Provincial Police.

The committee is made up of a representative from the following organizations: the Porcupine and District Children's Aid Society, the probation office, the police department interested in the case, the welfare administration of the town of Timmins, and the clerk of the provincial court, family division. The committee meets on an average of once a month and more often if necessary. It is noteworthy to point out that practically the same personnel have attended all meetings and there has hardly been an absentee from any of the meetings. Like most innovations, there were some problems to be straightened out but it is now unanimously agreed by all concerned that this committee has been a real asset to the community, and in particular, to the children and families concerned. The reason for the formation of the committee was to hold court appearances by children to a minimum and at the same time give the child greater help than might result from a court appearance.

All children alleged to have committed offences under the Criminal Code of Canada, or statutory offences of local by-laws, are referred to the committee unless the committal of the offence is denied by the child or his parents. In such cases the matter goes directly to court. When a juvenile is suspected of having committed an offence, a copy of the police report is forwarded to the clerk of the judges court, family division. The clerk then visits the home, advises the parent of the offence and extends an invitation to the child and parents to attend the juvenile committee meeting.

The clerk at the same time makes obser-

vations concerning the home background. The average parent is most anxious to avoid the child appearing in court and the attendance of one or both parents with the child is close to 100 per cent.

The clerk then forwards a notice to the members of the committee, setting out the names of the child and the parents and the offence committed. Invariably several organizations represented on the committee have files or information concerning the family and any necessary information is taken to the meeting.

The meeting is held as informally as possible in the judge's chambers. The parent or parents and child are called in. A discussion of the child's conduct takes place rather than the fact that an offence was committed by the child. If it is obvious that the child is not going to be referred to the court, suggestions are made concerning supervision of the child, such as curfew, money allowance, companions, hobbies, school conduct and discipline. The committee members make suggestions and usually an atmosphere of co-operation is developed with the parents and child. A plan is then developed to improve the conduct of the child with the entire responsibility of implementing the plan usually given to the parents. If the parents feel they need help, voluntary probation is at times agreed upon. If the home conditions are considered to be the source of the trouble, the children's aid makes an arrangement to visit the home. If the home has insufficient money, the welfare department looks into the matter. If a child is a borderline mental defective—to help such a child—the community resources are explained to the parents. The help this committee gives to the parents and child is varied and constructive.

If the committee shows signs of disagreement concerning a child being sent to court, the parents and child are requested to leave the meeting and a decision is then agreed upon. Such action is followed where the child has been before the committee in the past, or the offence has been of a serious nature such as sexual misbehaviour or the use of drugs.

To finalize a case by the committee, the clerk sends a report to the judge setting out the name of the child, his age, the name and address of the parents, the offence alleged and disposition of same.

The following is a résumé concerning the boys and girls who have come before

the juvenile committee from June 1966 to June 1969:

There have been 158 boys and five girls appear before the juvenile committee. 128 of these boys and two girls were left in their own homes with the offer of assistance, if required, by any member of the committee.

Two boys and their parents accepted voluntary probation to the probation office.

It was the decision of the committee that the remaining 28 boys and three girls should appear in juvenile court. Eighteen of these boys and one girl went to training school. Three boys were placed in the care of the children's aid society and seven boys and two girls were placed on probation.

Of the 128 boys and two girls left in their own homes by the committee, only 20 of these boys got into further trouble.

The purpose of the boy or girl and one or both parents appearing before the committee is to avoid, if possible, the boy or girl appearing in court. In some instance when a boy appears in court he is considered a hero among some of his pals. A number of these families appearing before the committee have dealt with one or all of the agencies represented on the committee. In some cases such experiences have not been of a pleasant nature and an antipathy has been developed by the parents against persons in authority. At these committee meetings, the parents soon realize that the members of the committee are simply trying to help them and their child and, if possible, to avoid the child going to court. The attitude of the parents changes to one of co-operation and this is considered by the committee to be one of its greatest achievements.

In my opinion the juvenile committee has been a success. This success may be largely attributed to the clerk of the provincial court, family division, who acts as secretary of the committee, and to all the dedicated members who give unstintingly of their time and their talents for the welfare of the juveniles of this community.

It gives a sense of real pride to read such a report to you, Mr. Speaker. I did have the privilege of sitting in on one of their sessions a week ago. I was impressed with the concern they have to do what is best for the boy or girl concerned. I believe they helped the particular boys and their parents in the various cases that came up, to face up to the seriousness of their actions and the implica-

tions of the same, at the same time as they communicated a real interest in the welfare of both parent and child. It seemed to me that they were supportive and that they were saying: "We want to help you and we shall do all we can to see that the community resources are available to you to help you cope with your problems and difficulties." I did not feel that a judgemental or critical attitude was shown, but rather understanding was communicated and notions of punishment were replaced with concepts of care and rehabilitation.

In most instances, when a boy or girl is brought before the committee, the charge or complaint is discussed and the child is dismissed on the first appearance.

The figures which I read are rather impressive—of the 130 that the committee left in their homes in the three-year period, only 20 have been back before them. Some measure of success is indicated.

Furthermore these 110 have been kept from appearing before the judge, and hopefully they have been steered on the right path.

As I say, Mr. Speaker, I am proud of what has been done in my area by this committee and I hope that the Attorney General (Mr. Wishart) will explore the work that it does and the success it has had, so that he may give serious consideration to the introduction of such committees throughout the province.

We northerners have our concern about the problems we face, and the indifference that Queen's Park frequently shows to us in the face of them. But on the other hand we have some good things to offer and we want hon. members to know about them — hon. members in the south—so that they can receive from us. Hopefully, the day will come when we are much more closely involved with one another's problems and concerned to improve each other's lot more so than hitherto has been the case.

Mr. G. Ben (Humber): Mr. Speaker, I am delighted to speak in this debate but I think I should point out that I had not anticipated there would be very much time for a debate and I am not as prepared as I am accustomed to be. In this instance I am just going to be rambling, so I ask the hon. members to forgive me for expressing thoughts that I may have on a variety of topics.

Mr. Speaker, I find it extremely embarrassing to operate in the system that we have introduced into this House on an experimental basis. Too many of us, I think, have

discovered that it is impossible to be in two places at the same time, and as a result we are not as familiar with everything that is going on as perhaps we might have been under the old system. Many of us were not always in our seats. We were not always paying attention to what was going on but we had a better idea of the total programme of this Legislature because whatever did go on, did so either in this House or in some committee of which we were members.

Now we find ourselves being unable to appear in both places and the result is that we do not often express ourselves in a place where we should like to express ourselves and do not hear the comments of others on points which impressed us. This is an experiment; I imagine we will decide what we are going to do after we have been following the system for some time, but my own feeling, Mr. Speaker, is that we can go back to the whole procedure and by simply allocating hours to different topics as we have been at the present, we can all be at the same place and all participate in a debate to our hearts' content and still finish the business of the House with dispatch.

So I would suggest that perhaps we learn a lesson from this to the degree that we cannot do a proper job if we are only half here or half some place else and learn to stick to the topic before us and try to avoid repetition and we will be able to carry out the business of the people of the province of Ontario with dispatch.

In this particular regard, Mr. Speaker, I want to just pass a comment about your office. I have sat in embarrassment in this House watching Mr. Speaker being embarrassed. Too many people seem to get some kind of a thrill from embarrassing Mr. Speaker and what they are overlooking is that they are destroying the office and the institution of Mr. Speaker; a person who has played a very important part in our particular form of government down through the ages.

When Mr. Speaker is wrong, he is wrong; and he has been wrong and he knows he has been wrong. In acknowledging that he is not infallible he has admitted here when he has been wrong. Too many times, however, he has been wrong in doing what was right. But he has had to do wrong because the archaic rules under which we operate do make a wrong a right. When this happens, we should not take it out on Mr. Speaker but on the rules. In fact, we should not even take it out on the rules but what we should do is take out such rules.

How are we going to correct this situation?

First of all, I think we should remember that as we sow, so shall we reap. I charge the members sitting on the right of Mr. Speaker to keep in mind that the good Lord has not given them that office in perpetuity and some day, some day, they are going to find themselves in Opposition.

And government members remember that that every time they pass a rule restricting the Opposition, they some day will have to labour under that rule. Too many times rules have been passed in this House; that is, precedents created, which have restricted the members of the Opposition and I say to government members that the day will come when they shall reap what they have sown and are going to be crying that they have been gagged by the very rules which they are today passing.

**Hon. A Grossman** (Minister of Correctional Services): Can the member point out an instance?

**Mr. Ben:** Can I point out instances? Many instances in this House: One— all right let me point out one for the Minister. He wants one instance. One of the rules of this House is that if an amendment is passed, members can only restrict themselves to debating the amendment.

**Hon. Mr. Grossman:** Did this government do that?

**Mr. Ben:** This is a precedent that was passed by—established by—the government.

**Hon. Mr. Grossman:** It may have been Mitch Hepburn's government, for all the member knows.

**Mr. Ben:** No, no; the member for Lakeshore (Mr. Lawlor) got up and inadvertently—I trust it was inadvertently—moved an amendment. He did not move the amendment inadvertently. He deliberately moved the amendment, but he was unaware at the time that by so doing he was going to restrict the debate on the amendment and we could not argue the main motion and it was the subject-matter of a lot of argument in this House. This is the rule that was held and this was the argument that we held and I remember the member for Riverdale (Mr. J. Renwick) completely ignored him and went on and we had a heated argument in this House.

**Hon. Mr. Grossman:** What has that got to do with the government? The rules are the rules of the Legislature.

**Mr. Ben:** The rules of the Legislature are those passed by the people in power or created by the people in power.

**Hon. Mr. Grossman:** That is nonsense!

**Mr. Ben:** You can say that it is nonsense, but this is what we were restricted to.

**Hon. Mr. Grossman:** The hon. member must be thinking about the way they do things in Ottawa.

**Mr. Ben:** I am not thinking of the way we do things in Ottawa, I am thinking of what happened here and I remember that heated argument we had in this House.

**Hon. Mr. Grossman:** That is Trudeaucracy!

**Mr. Ben:** That is an example. So we must do something about this particular aspect. Another thing that disturbs me is the attitude that people are starting to evidence towards government. Starting about 1890, the movement was toward giving more power to government and creating bigger and stronger governments. It started with the Fabians and with people like George Bernard Shaw and others, who felt that the answer to all of mankind's problems was creating powerful governments which would take over all responsibilities and would put big business in their place.

This trend was accelerated with the advent of World War I and during World War II when, in order to carry on the war, the government had to take over more powers and take over the direction of much of what used to be in the private sector. People did not object at that time, they felt the only way to win the war was to give the government absolute power to carry on the struggle.

Unfortunately, once government gets power it is very reluctant to give it up.

World War I was followed by a depression and, again, people like Franklin Delano Roosevelt, with "The New Deal", convinced the public that the only way to cure the depression was to give the government still more powers. We saw the courts in the United States, the Supreme Court, changed and its members, to give effect to the programme or programmes that the "New Deal" introduced and even here in Canada and Britain it was felt that the only way the depression could be halted was by giving economic control, total economic control to the government.

Before the depression ended, we were in a second World War and here we had total

mobilization. Again government got bigger. We did not care about it, we gladly gave the government the conduct of almost all human affairs and this continued right through until about 1960.

But starting in the 1960's, people started to have second thoughts about big government and they started to become a little dissatisfied with what big government was doing and what it was not doing. They were not so sure that what was happening was the right thing.

They started talking about my government—that is a phrase you seldom hear these days; they became completely divorced from their government; it became either, "the government" or "that government" or the "Tory government" or the "Liberal government", or just that "damn government".

But how often now do you hear the phrase "my government"? Very seldom!

How often do you hear "I do not like the way the government is spending my money"? It is always the government's money, these days, not, "our government" any more. I see this particularly in young people and it is extremely depressing.

Today government is big, but not strong. It is fat and flabby, it costs much, but it achieves little, promises everything, produces nothing. People are completely disenchanted. They are disenchanted with us as the people in this government. I say in this government, because people just do not put the blame on the people who form the government party. People are dissatisfied with all of us up here at Queen's Park and all of them up on Parliament Hill. They do not trust us now, any more than they trust members over there, and contrary to the opinions of the hon. members to the left, they do not trust them any more than they trust us.

**Mr. M. Shulman (High Park):** They trust us!

**Mr. Ben:** Then the member is living in a fool's paradise when he thinks that they trust him. I wished they trusted somebody.

**Mr. M. Makarchuk (Brantford):** All you have to do is think about Middlesex South, George.

**Mr. Ben:** I think about Middlesex South.

**Mr. Makarchuk:** Yes. As a matter of fact he has been having nightmares over it.

**Mr. Ben:** I think of Middlesex South and I say to myself, "What possessed them?"

Mr. Speaker, we have to do something to reverse this trend, because these people are justified in what they think. Because government has let the people down. It has ceased to lead them, it has ceased to speak for them and, as a matter of fact, it has even ceased to follow them.

**Mr. Makarchuk:** It sounds like something from Harrison Hot Springs.

**Mr. Ben:** The member for Brantford there must have been up at Harrison Hot Springs because he is still full of the hot air. Do you want to talk about Harrison Hot Springs, Mr. Speaker? Let us talk about it. I hold nothing good to say about Harrison Hot Springs. I have never had a high regard for what they call "thinkers". They have their heads so high up in the clouds they have to have somebody else tie their shoelaces, and it is about time some of them came a little closer down to earth and started concerning themselves with the immediate problems, and not with Socrates or Plato's Utopia.

**Mr. Makarchuk:** What about Trudeau's fat cats?

**Mr. Ben:** The thinkers' conferences produce the same thing year in and year out, the same kind of hot air that comes from the hon. member for Brantford there.

**Mr. D. M. De Monte (Dovercourt):** They had a thinkers' conference.

**Mr. Ben:** Sure they had their thinkers' conference and it produced just as much as Harrison Hot Springs produced and Harrison Hot Springs produced just as much as Kingston produced, and Kingston produced just as much as Montmorency Falls produced.

Interjections by hon. members.

**Mr. Ben:** Do not apologize, do not apologize.

**Mr. Makarchuk:** We do not apologize. We are proud of the people who are at our conventions.

**Mr. Ben:** Regardless of the attitude of the hon. member for Brantford, the people are dissatisfied. The trouble with government these days, and the trouble with us, is that we have been marking time so long on one spot that we have cramped ourselves right up to our neck in our own apathy, and if we are going to get back the confidence of the people, we have got to start taking action and we have got to start taking this action in many different spheres—so many, Mr. Speaker,

I do not know where to start; I do not know if I could even cover a fraction of them.

One thing I will not discuss today is the subject-matter of health because that is going to be dealt with later this week, but there are a lot of other things that we could discuss. Let us start on municipal affairs for example.

I had to laugh when I was watching this confrontation as they call it between Mayor Givens and Pierre Elliott Trudeau — between "sir" and "go-go" there.

**Mr. H. Peacock (Windsor West):** Why is it fashionable to denigrate the member's federal leader?

**Mr. Makarchuk:** Which one is which?

**Mr. Ben:** It struck me as strange that Phil Givens, who had been mayor of the largest, or second-largest, metropolis in Canada, had not been able to grasp the problem.

On the other hand the Prime Minister did not have a clue either as to the problem of the cities.

Givens argues that the federal government should do more for the cities, that the cities are the big thing these days and this came from Colin Vaughan, an architect, and a real bright boy.

The Prime Minister on the other hand argues that it is a constitutional problem, and it is not the problem of the federal government, but the problem of a provincial government.

Well, I think, with all due respect to those two illustrious gentlemen of the same political faith as I, that they are both well off the mark.

**Mr. Makarchuk:** They should have soaked their heads in the hot springs in other words.

**Mr. Ben:** The problem of the cities does not need money from the federal government or from the provincial government to be solved. A city is much like an individual; it has a heart, a soul, a brain. It does things, so it must have arms. They say a city is moving in this direction or that, so it must have legs or some means of locomotion. I imagine it must have a circulatory system and that circulatory system is operated by money and brains and desires and goals and ambitions, but predominantly money. And, like a body, it can create blood to keep the circulatory system going; like a body, it can create it to the degree that you can take blood out and give it to somebody else who needs it;



and if you are short of blood somebody else can put it in your veins to keep you going.

So what has been going on with our cities is that the federal government and this government have been draining this life-blood out of its cities from the one arm, faster than it could be replenished by the city itself or by transfusions that are being given in the other arm.

So I say, Mr. Speaker, we do not have to go crying to Ottawa for more money or blood, or to this government. All we have to do is ask them not to take so much out of us, and if they take less out of us we will be able to manage fine. I become extremely incensed when I read that Ottawa has a \$400 million or a \$500 million budget surplus for the first five or six or seven months, whatever the case may be, when I have to consider that about 40 per cent of that surplus came out of Metro Toronto. And while Metro Toronto is being made anaemic by all this blood being drained out of it, Ottawa has a surplus; and if they give you some back, they say, "Well, we are giving you the blood of life."

We need the blood in the metropolitan areas because we are being drained almost white by the higher levels of government and if they leave more for us we will be able to generate enough to look after our own needs and give some to others also. So I would like to see both this government and the federal government just take a little less from the cities so that we will not have to cry for so much from you people here.

In so far as the cities are concerned again—and I have to speak from that particular point of view since I am a city dweller—I have to consider the treatment the aged are receiving.

I do not know where we parted with the Judeo-Christian concept of "Honour thy father and thy mother". But somehow, somewhere, that got lost, and today the philosophy seems to be, "Get rid of the old goats as soon as you can because they are just a hindrance". And they will do it for any reason at all. Reasons just crop up left, right and centre, why we should get rid of, or isolate, our aged; our parents, our grandparents.

The strange part about it, Mr. Speaker, is that every time we come up with a reason it is ostensibly for their own good, that we have to have them with their peers, or the children are too much for them, or they are getting old and they cannot walk stairs anymore, or what would happen if we left them alone and they fell and hurt themselves—we always use compassionate reasons for shuffling

them off some place, isolating them. Today, the word retirement is almost becoming equated with uselessness. We send them out in to the boondocks and to the very fancy senior citizens homes—oh, they are beautiful, lovely, but the people are lonely. They are rejected. As a matter of fact I was thinking of Handel's "Messiah" and that one part "he was despised and rejected", and this is what is happening to our old people.

Mr. Shulman: Sing it all!

Mr. Ben: I wish I could sing it all, it is very nice. But this is the way we are treating them. I do not know why. We worry about crime in the streets, but why not, what can we expect? We do not train our children any more the way we used to. Why? Because the grandparents are not around to do it.

Mr. Makarchuk: How about singing the amen chorus and sitting down?

Mr. Shulman: Sing the whole speech, the member has a beautiful voice.

Mr. Ben: Well, I thank the hon. member for High Park. At least it is an acknowledgement that perhaps I do something well.

Mr. Makarchuk: Has the member checked with the Toronto Opera Company?

Mr. Ben: Although I must admit I carried that last tune about as far as I can carry any tune.

Mr. Makarchuk: Maybe the Mendelssohn choir? They would consider the hon. member.

Mr. Ben: Yes, they do need someone to carry the tuning fork.

Mr. W. Ferrier (Cochrane South): If the member wants to go mod, he should bring his guitar!

Mr. Ben: I think that hon. member must have the g-string in mind.

At any rate, Mr. Speaker, we have lost the three-generation unit. How many three-generation families do you find these days? Perhaps in the ethnic group of my colleague behind me there, the hon. member for Dovercourt. You still find among the Italians, God bless them, a tendency to have three generations in one house. The Jewish communities used to have that until all of a sudden they decided to build that beautiful home up there in north Toronto—what is the name of the place?—Bayview.

Speaking about Bayview, there was a fairly interesting article in the Commentary of

March 1969, "Among the Ancient", by Dorothy Rabinowitz, and what a revealing article. The insight that this woman had into how our senior citizens are dealt with and the excuses given. If I may be permitted, Mr. Speaker, I just want to read a few paragraphs to give you one example—I do not know if it is Mrs. or Miss Dorothy Rabinowitz—she writes it anyway:

One woman, a social worker, explained to me that she wanted her mother to enter the Home so that she could be with her peers, of whom she had few living out at Queens in an apartment she had taken to be near her daughter [this is Queens in New York].

One knew, looking at the old woman, precisely how much peers would mean to her particularly in the face of separation from her daughter and grandchildren.

How many peers would there be? Everyone around her. Some 500 which is a very great number of peers to have, even if one knows or one wants them. Her daughter explained: "She has no one of her own age to spend time with. What can she do with the time all day rattling around in an apartment? When she had children it was different. I cannot spend so much time with her. I cannot imagine what she can find to do. She does not complain. All I know is, I cannot rest with her sitting there."

I am going to skip some parts of this. I want to get over to where the mother was asked what she did because she had a number of answers here.

The mother is enjoying herself — she was shopping, she was painting house, she was looking after the children, she was going out talking to her neighbours, she was having coffee parties. But the daughter, who wanted to get rid of her and have her with her peers, felt that was the answer. Her mother, in her opinion, was not happy even though she was cooking, even though she was shopping, even though she was washing clothes, even though she was looking after the children, even though she was going to these different meetings because she was not doing it with her peers. So off she goes to this home which this Dorothy Rabinowitz describes as one like the Bayview Home. What happens to these people?

Everything is organized for them. One sign painter there wanted to paint some signs. They would not let him because that was work—they had to call in a sign painter. This fellow had been a sign painter all his life

and he wanted to paint some signs for them. No, they had to get a sign painter. He was not permitted to paint signs because painting signs was not one of the therapeutic programmes they have there.

Another woman did fancy needlework. Again it was not part of the therapeutic programme and she could not do that. But everybody felt they were doing their parents a great big favour shuffling them off to these homes.

Well, in some instances maybe they are, but I often wonder to myself how frequently are the wishes of the parents followed. Today in Toronto we have a huge development project stymied, stopped dead, because the residents refuse to have anything done in their area unless it is done according to their wishes and they are consulted.

That may be the way to go about it but it strikes me that very few senior citizens, very few of our parents or grandparents, are consulted as to their desires before we shuffle them off to some senior citizens home. As a matter of fact, I always thought it really strange that you could tell where a person was going by the name.

If it is a subsidized housing project we call it a park—Moss Park, Regent Park. If it has the word "park" in it, you can bet your bottom dollar it is a subsidized housing unit. If it is an old-age home, well, it is Lambert Lodge, McLaughlin Lodge — we label them. Oh, we are great, you know, we are all heart, and label them.

**Mr. E. W. Sopha (Sudbury):** It is an age of labels.

**Mr. Ben:** It is an age of labels, absolutely, an age of labels and abbreviations. At least if sometimes they would change the name and call it Kipling Valhalla or something of the sort, instead of always a lodge, park or manor. That really gripes me.

Now, what are we going to do about the aged? Well, I think the first thing we have to do is teach ourselves again to honour our father and our mother and their father and mother and teach our children perhaps to honour us. Another thing we might do is pay a parent bonus as we pay a baby bonus. We can pay a bonus to people who look after their parents and look after their parents in their homes, not out in the boon-docks.

Another thing we could do is buy up a lot of these large homes that used to be occupied by rich big families and give them at a reduced rental to three-generation

families, large families. As a matter of fact, if we did this we might need less day nurseries because grandparents seem to have a sort of expertise at babysitting when we need babysitters. When we do not need babysitters they do not know anything about children, but when we need them, boy, there is no one like grandparents to babysit.

Or if we cannot find these big homes for big families and there is not room for the parents in a home that already has children and grandchildren in it, the least we can do is try to keep our parents and grandparents in the neighbourhood. We could buy or build accommodations or hostels which would not be huge high-rises but would hold at the most a dozen or two dozen couples who grew up in the area and whose families were still in the area, so that they could always feel they are still part not only of the human race but of their own immediate family.

We spend a great deal of money on recreation facilities for the young. Why then should there not be recreation facilities for the old? If we put up ice rinks in the parks, as we do in the city of Toronto, for people to use free of charge—

**Mr. Shulman:** We put up Legislatures for the old!

**Mr. Ben:** Why can we not, for example—and I am not trying to restrict it to this, but for example—construct bowling greens, lawn bowling greens, in the same parks that our elderly could use without having to belong to the local lawn bowling clubs.

Interjection by an hon. member.

**Mr. Ben:** Yes, we can build Boccia courts!

We should be able to build lawn bowling courts, and that is just one example. And I would not want it to be restricted to that one example.

**An hon. member:** What about chess tables?

**Mr. Ben:** Even chess tables!

As a matter of fact, we can even have recreational facilities geared to all ages. What I like to see is dances for our elderly where the youngsters act as chaperones, and where the elderly have no children or their children have moved away long distances, we could have for them, in each area in each community, what I, for want of a better word, would call a retirement retreat, where the couples can live in small—

**Mr. Shulman:** Retirement Acres!

**Mr. Ben:** There you go.

We have acres and acres of the type we have been discussing. I advocate a retirement retreat where couples can live in small cottages, or, if they please, small apartment units. Again, not high rise, but small apartment units.

Those who want to live out their days in their own homes I think, should be able to do so and should be relieved of education taxes. As a matter of fact, perhaps they can even be relieved, after they attain a certain age, of the taxes for general purposes.

If these people have a large income you can be sure that either Mr. Benson, or Mr. White, our own Minister of Revenue, is going to take it out of them one way or another, and since the change in The Estate Tax Act they are going to get it—well, they are not going to take it with them anyway.

**Mr. Sopha:** No profits in the stock.

**Mr. Ben:** So why do we not do something about it, and why do we not do something about it now?

Now, that is just one. I was talking about one segment of the population. Perhaps I should go to the very other extreme, our youth. I make it a practice, Mr. Speaker, when students from my riding come to visit us in this Legislature, where time and circumstances permit, to meet with them and let them throw questions to me, and frankly, Mr. Speaker, I am becoming more and more pleased with the awareness that these young people have of current events and current affairs, and the desire to be even more informed. The federal government has made known its intention of reducing the voting age to 18 and I can only hope that this government will follow suit, and follow suit soon.

Their opinions of us, Mr. Speaker, may not necessarily be too pleasing to ourselves. I find that many of them feel that we are hypocrites. We talk out of both sides of our mouths, we do not practise what we preach, and we tell them to be truthful but the white lie is the current mode. They believe that as legislators we would not do for a driver of a Volkswagen what we would do for somebody who drives a Rolls-Royce and that, because we accept campaign contributions which originate from business sources, or other sources such as unions, we are bought by the givers and are only their puppets. Perhaps, Mr. Speaker, that last aspect of it

will be wiped out if we do reform our election practice and let our election expenses to a set limit, be paid out of the consolidated revenue, under the conditions that we have discussed in this House many, many times.

Youth must learn, Mr. Speaker, and most of the time we can teach youth what it must learn, but sometimes youth must learn in its own way and it is our duty to protect our youth against itself while it learns in its own way.

I am afraid that these days we do not give youth enough responsibility. We always seem to be putting blocks in their way. I was thinking today of the seniority system that prevails in unions. The purpose was to protect a man from arbitrary dismissal as he grew older and, some people believed, less efficient in his job. Frankly, I always felt that through seniority you acquired a certain skill which more than made up for speed, that what they lacked in speed they made up in accuracy. But it also seems to be a block to our youth.

Who is laid off first when there is a recession in the factory? Those with the least seniority, the youngest, who need the job the most because they have started a family. They have started a family, and bought furniture on payments, they have bought a house on payments, they have young children they have to raise, no savings whatsoever, and they are the first ones that are thrown out. I am not suggesting for one minute, Mr. Speaker, that older people should be thrown out of their jobs in those circumstances, but I do suggest that it is an onerous burden to bear knowing that if anything goes wrong you are the first to go. We must find some kind of a system or correct this, what to me, is an evil.

I think perhaps one way of making these youngsters better prepared is to give them a couple of years of what I call national service. Not military service, Mr. Speaker, national service. I believe that our youth should be given an opportunity to get to know our country better, and to get a better appreciation of what makes it tick and what makes it grow, and to blend the—well, I was going to say the two cultures, people call it two cultures, I think it is one culture—

**Mr. D. A. Paterson (Essex South):** Multi-cultures!

**Mr. Ben:** Multi-cultures together. I had the pleasure of serving in 425 Squadron, it was called the Alouette Squadron of the

RCAF. It was a French-Canadian squad and I served in one of the two crews on that squadron, at the time I was there, that were totally non-French speaking.

**Mr. Sopha:** His name was Benoit at that time.

**Mr. Ben:** And many—

**Mr. Sopha:** George Benoit.

**Mr. Ben:** And many of the people, many non-French speakers, had a chance to learn French by being stationed in the province of Quebec, and many people of French descent in Quebec had an opportunity to learn English by being stationed outside of the province of Quebec. We are trying to become bilingual, Mr. Speaker, and I think if we had this national service scheme, we would soon become not only bilingual but practically bilingual—and perhaps my friend from Sudbury will correct me if it is practically or practicably bilingual.

Not only that, but we might be able to utilize the energy, the desires, that these young people have to change a lot of our deplorable conditions, to correct them.

I do not for one minute denigrate the good work that these people are doing in other countries, nor do I for one minute suggest that we should not be sending our young people to countries that are just emerging and that need assistance. But there is the saying that "one should remove the beam from his own eye before he would remove the mote from somebody else's," and it might be a good opportunity to clean up our own backyard before we send our people out to clean somebody else's. So I think that this would have some effect.

There are many things that these young Canadians could do. For example, they could construct hostels throughout Canada. They could construct nature trails and this is aside from just cleaning up a lot of slums—that would be the first task. But they could do a lot of these things.

And speaking of hostels, Mr. Speaker, I deplore the lack of hostels for our youth throughout the country. I asked the hon. Minister of—I think it is economics and development now. The department names change so frequently, I cannot recall what the correct name is—it is Trade and Industry now. Thanks.

**Mr. E. Dunlop (York-Forest Hill):** Trade and Development!

**Mr. Ben:** Well, Trade and Development (Mr. Randall)—it was changed last week again, was it?

Interjections by hon. members.

**Mr. Ben:** Last week, I asked if he had given consideration to purchasing Rochdale College and turning it into a hostel and he said he had not considered that at all. Our hon. friend from Scarborough West (Mr. Lewis), who is not here with us this evening, interjected that that is what it is being used for at the present time. I guess if that is what it was, it certainly is not being used for a college.

**Mr. De Monte:** How about a zoo?

**Mr. Ben:** But the fact—well my colleague here, I think, is being facetious as was the hon. Minister of—what is it, Trade and Development or economics and development?—when he said that they should take butterfly nets in there, but I think they would be most—

**Mr. De Monte:** Trade and Development!

**Mr. Ben:** Trade and Development, thank you.

I think it would be most advantageous to future generations, if we did buy some of the buildings like that and turn them into hostels. At least it would be taking a step forward.

I just want to mention, in passing, the problem we are having with drugs—marijuana, amphetamine, LSD. There seems to be a trend afoot to legalize the use of some of these drugs for the simple reason that we are prosecuting people who use them. That would be the same as saying that we ought to legalize driving while one's ability is impaired because we are giving people records for doing it. I think we ought to find what causes our young people to take these drugs, if there is a reason for it and cure the cause, not just cover up the results.

I am rather baffled by people who subscribe to the theory that if we cannot prove these drugs are harmful, they ought to be permitted to sell. I always thought that our attitude toward drugs being sold to the public was, "You prove that the drugs are safe, you prove that the drugs are harmless, before we will let you sell them". But all of a sudden, for this particular type of drug, they are trying to convince us that we ought to use the reverse philosophy. Well, Mr. Speaker, I do not like that.

**Mr. Speaker,** I was saying to you that

when it comes to drugs, we have to go and find the cause for their use. I do not profess to know what the cause is and I would be thankful to any member of the House who could pinpoint the causes, but I could suggest to this House at least one cause, and that is, inadequate housing. And inadequate housing is usually accompanied by poverty or poverty is usually accompanied by inadequate housing.

And it disturbs me that in an affluent age, in an affluent country, we still have inadequate housing. We just do not seem to realize the price that we pay for inadequate substandard housing. Our children are perpetually prejudiced by the lack of adequate housing, which usually denotes a poor environment. My colleague, the hon. member for Scarborough East (Mr. T. Reid) in speaking on the estimates of The Department of Education said, "More money should be spent to educate certain groups of children to give them a headstart, the poor children," and I applaud the intent of my colleague's statement.

However, research in the United States, where they did have or still have a headstart programme, indicated that although it did give a child a better start, because of the poor environment in which that child remained, it soon ran out of steam and fell behind. It does little good to feed all this learning into the child, under pressure you might say, when he had no opportunity whatsoever to put into practice much of what he was being taught, because his environment made no provision for the practice. So in the United States they are giving second thought to this. They are now discovering that a headstart programme without a modification of the environment to go along with the headstart programme has very little long-range effect. We must heed the lesson that they learned in the United States, and we must start changing the environment in which people live and changing it for the better and only then will the money we spent on these headstart programmes begin to pay off. And one of the ways of changing the environment, Mr. Speaker, is to create better housing, and do it quickly.

**Mr. Speaker,** I do not believe we should be demolishing so many existing dwellings. In Toronto, most of our fancy high rises are going into the most desirable residential areas where you already have the best stock of housing. Where they should be building these high rise apartments, if that is what they want to build—and I have great misgivings about the advisability of constructing

high rise buildings—where they should be building them is in the areas that need redevelopment: Trefann Court, Don Mount or over the unoccupied spaces where the railroad yards are at the present time along our waterfront and also along Parkdale, all along the St. Helen's area, again along the railway yards, or out in Mimico where we have—I forget how many—hundreds of acres; or on the reformatory land out in Mimico and New Toronto and not where there is already good housing.

Another way we could preserve our housing stock is to encourage our senior citizens to rent out their excess space and not discourage them, as we are now doing, by the Toronto minimum standards of housing by-law. This by-law, you might say, Mr. Speaker, was intended to make houses warmer for the tenants. I think it has had the effect of burning them to the ground. What it is doing is imposing today's standards on yesterday's houses, and yesterday's houses are not unsafe, Mr. Speaker, simply because they do not have two convenience outlets in every room. They are still good housing. They are still safe housing even though a galvanized eavestrough is not painted. And yet, under the by-law, every surface must be painted or preserved. So if you used galvanized material, which is galvanized to prevent erosion, you have to nevertheless cover it with a coat of paint.

Do you know, Mr. Speaker, that under this minimum standards of housing by-law, of the city of Toronto, if you were to have aluminum siding on your house you would have to paint it even though now it comes in colours, because this by-law says you must paint all metal and wood surfaces.

If they only concern themselves with seeing that every dwelling was up to the standard to which it was constructed in the first instance, much of our existing housing stock could be preserved. I do not know how much was destroyed in the city of Toronto to date because of this by-law, but last time it was close to 500 dwellings. This was not for replacement, but simply destroyed because the owner felt that he was not going to spend \$5,000, \$6,000 or \$7,000 to fix up the house because he would never get his money back.

Another way that we can relieve the situation—that is the shortage of living accommodation—is to be a little more broadminded as to how we supply this housing. For example, a government need not necessarily buy or lease or build a whole building. It can lease parts of it, just apartments in these buildings, and subsidize the tenants. I de-

plore the construction of these ghettos which are occupied exclusively by people whose rents are being subsidized, or almost exclusively by people whose rents are being subsidized. Why? Because it is attaching a sort of a stigma to poverty, and that is another thing that I deplore.

There seems to be a stigma attached to poverty. Some people say that we should eradicate poverty and that we are going to eradicate poverty and that we will eradicate poverty. Well, I do not believe it, Mr. Speaker. I believe in the scripture that poverty is ever going to be with us, but I believe that what we can do, Mr. Speaker, is remove or relieve the evils of poverty, alleviate the suffering which people living in poverty have to go through. I do not think poverty ought to be equated with suffering. Many people are impoverished, are poor, because the good Lord just did not see fit to give them all the faculties which he was prepared to give to us—

**Mr. J. E. Stokes (Thunder Bay):** Come on, the member is running out of steam.

**Mr. Ben:** —most of us, Mr. Speaker, for I exclude my friend over there.

**Mr. C. Bukator (Niagara Falls):** Does the member include the NDP—their group?

**Mr. Ben:** I was going to, but after that interjection I do not know.

There are many ways we can do this, Mr. Speaker, but I note that the hour—

**Mr. Speaker:** Would the hon. member wish to adjourn the debate before he starts on the other matters, or is he going to complete it within the next few minutes?

**Mr. Ben** moves the adjournment of the debate.

Motion agreed to.

**Mr. Speaker:** Perhaps there is someone on the government side of the House who would deal with the next order of business?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, before moving the adjournment of the House I would like to indicate that the Minister of University Affairs (Mr. Davis) will submit his estimates for the consideration of the committee of supply tomorrow.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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**Tuesday, November 25, 1969**  
Afternoon Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, NOVEMBER 25, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have visitors with us in the east gallery from the King George Public School, Guelph; and in the west gallery students from Kawartha Lakes School in Lindsay, and the Canadian Citizenship Centre, Rawlinson Senior Public School, Toronto.

Statements by the Ministry.

**Mr. M. Shulman (High Park):** Mr. Speaker, on a point of personal privilege. There is an article in today's press, sir, which states that an employee of The Department of Public Works has been fired, presumably under the suspicion that he had supplied information to me. As a matter of privilege and in defence of this man, I wish to point out I have never met this man nor has he supplied me with any information whatsoever. Any of the information I brought to this House came from entirely different sources. I think it is very important that the Minister should not victimize those who are not guilty.

**Hon. J. R. Simonett (Minister of Public Works):** Mr. Speaker, on a point of personal privilege, I might say that I was not the one who made the statement that he carried information to the hon. member for High Park.

**Mr. D. C. MacDonald (York South):** Did the Minister fire him?

**Hon. Mr. Simonett:** Well, that is another case. We are talking about one thing now. The member for York South is talking about another. I might say that I talked to Mr. Greenslade yesterday afternoon and of course there was nothing said by me that indicated we accused him of carrying information to anyone.

**Mr. Speaker:** The hon. Minister of Revenue.

**Hon. J. H. White (Minister of Revenue):** I would like to announce a change in the retail sales tax regulations affecting bazaars and rummage sales, which will be welcomed, I think, by all members.

At one time these sales were exempted from retail sales tax completely, but this exemption was exploited to the extent that some control became necessary to protect legitimate commercial outlets. This control was achieved by restricting the exemption to those bazaars and rummage sales held by religious, charitable or benevolent organizations at which the total receipts did not exceed \$500. Experience has proven that this amount is now unduly restrictive to those charitable activities which are increasing each year in this province in number and in volume of sales. For that reason I am pleased to inform the House that the exemption will be raised from \$500 to \$5,000 of total sales. This change will become effective on December 1, 1969.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a question of the Premier (Mr. Roberts). I want to know if he is undertaking an investigation into the administration of The Department of Public Works. Secondly, I want to know how long he is going to permit the unorthodox flow of information from his government departments on the part of the so-called spies of the member for High Park rather than a free flow of information to this House. I believe it has become ridiculous that this department and some others are completely disrupted by the activities of one member in this House and the fact that his government members are not prepared—

Interjections by hon. members.

**Mr. Nixon:** —to give a free flow of information here. He can sit there and let it go, but we cannot.

**Mr. MacDonald:** The member is complaining because the Liberal Party was not contacted.

**Mr. Nixon:** We would like to have some information from the Prime Minister about this matter.

**Mr. Shulman:** Mr. Speaker, on a matter of privilege.

**Mr. Nixon:** Oh, sit down.

**Mr. Shulman:** On a matter of privilege, the leader of the Opposition said I had spies in the department. I wish to make very clear, sir, that I have placed no one in this department. There are a number of disaffected employees who are so unhappy about the present administration of the department that they have been bringing me a great deal of information voluntarily, sir.

Interjections by hon. members.

**Mr. Speaker:** Order.

**Mr. Nixon:** It hurts me to see this administration fall apart under these circumstances. Surely the government has some responsibility to examine the administration of, particularly, the department that is under discussion at the present time. Surely the Prime Minister can give use some assurance that business is going on over there in some rational way.

**Hon. J. P. Robarts (Prime Minister):** This slight outburst of temper, Mr. Speaker, on the part of the leader of the Opposition will be dealt with in a somewhat quieter manner. There is no—

**Mr. Nixon:** Yes, well let us have some action!

**Mr. Speaker:** Order.

**Hon. Mr. Robarts:** There is no indication that anybody is spying in The Department of Public Works. The Minister in charge of that department will deal, through his Deputy, with the employees in the department as the employees of every other department of this government are dealt with.

Now, I hope the hon. leader of the Opposition will not panic over a newspaper story. If he were to address a question to the Minister concerned, no doubt he could find out what, in fact, happened to this particular employee, but certainly, I think the Minister is quite competent and able to run his department.

These matters occur, we cannot put a muzzle on every public servant. We have about 50,000 civil servants and they have, I suppose, rights as well as everybody else. Just allow us to run the department and we will do it properly.

**Mr. Nixon:** Mr. Speaker, a supplementary question. In view of the fact that both the Minister and the member for High Park gave misleading information to this House yesterday, then surely the responsibility passes from

the Minister to the Prime Minister in the events that have been discussed in the last two days. The Premier accuses me of responding in a pique of fury, or something like that. I would accuse him of renegeing on his responsibility to keep that administration working—

**Mr. Speaker:** Order.

**Mr. Nixon:** —on a balanced basis. So I return to the question, is the—

**Hon. Mr. Simonett:** Mr. Speaker—

**Mr. Nixon:** I have a question. Is the Minister on a point of order?

**Hon. Mr. Simonett:** The hon leader of the Opposition—

**Mr. Nixon:** Is he on a point of order?

**Mr. Speaker:** A point of order.

**Hon. Mr. Simonett:** The hon. leader of the Opposition said that yesterday I made a statement misleading this House. I would like to know what that statement was.

**Mr. Nixon:** It had to do with the number of fires at the Centennial centre.

**Hon. Mr. Simonett:** Mr. Speaker, perhaps to clarify this, I was asked yesterday had there been any fire in the buildings in the science centre? My answer was, no. There was a flash fire caused by a spark from a welding torch hitting a screen, and that was a very small fire. I suppose it destroyed the screen. To me that is not a fire in a building that would destroy the building.

**Mr. Nixon:** All right, I would like to put a question to the Minister of Public Works if I might, Mr. Speaker. What action is he taking in view of the resignations and dismissals from his department to bring the administration of Public Works back into some order so that a free flow of information is coming to this House rather than through the rather tortuous channels that are used by the member for High Park?

**Hon. Mr. Simonett:** Mr. Speaker, that is pretty hard for me to answer. Some of the rumours are brought in here by other members in this House. We have a gentleman who retired, superannuated at 60 years old and who was director of the safety department. The man in question worked for him, until three weeks ago, and had nothing to do with what has happened in this House. We found some of his reports did not appear

quite the way they should. We questioned him about them. We know what the problem is. The man was suspended for three weeks. It will be three weeks tomorrow. He had a hearing last Thursday with the Deputy Minister.

I do not need to tell the members what happened here last Thursday night and I am not saying whether it was this gentleman in question or where the information came from. But I looked at the report yesterday morning and I think this man will be dismissed. He has the opportunity to grieve. He has 21 days to do that, where he can present his case with counsel or without. We will present the case of Public Works representing the government of the province of Ontario and the people of Ontario.

**Mr. Nixon:** It looks like this department needs some cleaning-up. Who is going to undertake that? When is the Minister going to undertake that? What could be more interrogative than that?

**Hon. Mr. Simonett:** What am I doing now? I do not understand what the hon. leader of the Opposition is getting at. If we find someone in our department—or in a department that I am responsible for—who will not follow the rules and regulations laid down by government, then I think it is up to us to either dismiss, suspend or take whatever action should be taken depending on the particular case.

**Mr. Nixon:** All right. I will accept that. A supplementary question, Mr. Speaker, to the Minister of Public Works. Can he now tell the Legislature whether or not the system for safety control has been changed in his department, as charged by the member for High Park yesterday?

**Hon. Mr. Simonett:** No, Mr. Speaker, there has been no change as far as the safety groups are concerned in our department, other than that we are reorganizing the department. They will report to another director, but the safety groups will still act and perform the same duties as they have in the past.

**Mr. Nixon:** A supplementary question. The charges made by the member for High Park are erroneous; is that true?

**Hon. Mr. Simonett:** Right.

**Mr. Nixon:** They are erroneous.

**Mr. Speaker:** I think there need be no further supplementary questions on this particular topic. It is developing into an argu-

mentative debate which is not the purpose of this question period.

**Mr. Shulman:** I would like to ask a supplementary, Mr. Speaker. My question is: Was there a meeting yesterday morning at 9.00 o'clock with the Deputy, Mr. Hillier, at which time all those present were informed that the safety department was being disbanded and the members being dispersed to various units around the province?

**Hon. R. S. Welch (Provincial Secretary):** He asked that yesterday.

**Hon. Mr. Simonett:** Mr. Speaker, the answer is no. I just explained to the hon. leader of the Opposition that there might have been a meeting yesterday morning of our directors advising them the safety departments were going to come under a new director as we had reorganized the department, but not to disband the safety group as a safety group.

**Mr. Shulman:** Who is the new director?

**Mr. Speaker:** I would rule there be no further supplementary questions of this topic.

**Mr. Shulman:** But, sir, the hon. leader of the Opposition has questioned my integrity.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Speaker, I rise on a point of order. If everybody in this House asked six supplementary questions which added up to a statement of a case ending with a conclusion, that would be regarded as a speech. Indeed, some members of this House, if they ask a second supplementary question, are cut off. The leader of the Opposition is not in a privileged position in this House and I would request that the same laws and rules that are applied to others be applied to him.

**Mr. Speaker:** That is exactly the manner in which I have been trying to handle this situation. The question was directed to the Prime Minister. It seems to me that answers were provided to the best of the Prime Minister's ability under the circumstances, also by the hon. Minister of Public Works. Complete and further interrogation, in my opinion, will result in nothing more than an argumentative debate. There was no restriction on the hon. member for High Park. He has risen on a point of privilege and had risen on a point of order, and these were permitted. I think there should be no further supplementary questions in this respect.

**Mr. Shulman:** Sir, you are unfair.

**Mr. MacDonald:** One moment, if I may—at least five supplementary questions were permitted by the leader of the Opposition. Why cannot two supplementary questions be permitted by the man who is being pilloried by the leader of the Opposition?

**Mr. Speaker:** It seems to me that further supplementary questions can elicit no further information than has already been given.

**Mr. Shulman:** If you would just hear my supplementary question before you rule it out of order, Mr. Speaker. Sir, the question I was asking—

**Mr. Speaker:** Order, please. I have suggested to the hon. members that in my opinion the matter has been thoroughly and fully explored. I think that the question period is a period of time in which all members have the opportunity to gain information. I do not think there should be any restriction on any hon. members on the proper orderly supplementary questions. If the hon. member for High Park feels he has an important point I will permit him one more supplementary question.

**Mr. Shulman:** My question is very simple. What is the name of the new head of the safety department?

**Mr. Speaker:** Would the hon. Minister of Public Works like to answer that question?

**Hon. Mr. Simonett:** Mr. Speaker, there will be a new organization chart out within the next three days or next week, and I will see the hon. member gets one.

**Mr. Shulman:** Does the Minister not know the name of the head of the safety department?

**Hon. Mr. Simonett:** Maybe we have not made a decision yet. Give us time to make a decision.

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, if there are no further supplementary questions, I have a further question of the Prime Minister. Has he been in consultation with the government of Canada over the requirement that \$75 million in insurance will be required for our atomic facilities associated with Ontario Hydro?

**Hon. Mr. Robarts:** No, I have not, Mr. Speaker.

**Mr. Nixon:** A supplementary question. Is the Premier aware that this is before the Parliament of Canada now, and if so, does he intend to make any submissions to the committee that would be discharging its responsibilities?

**Hon. Mr. Robarts:** I believe I read the same news report in the morning paper the leader of the Opposition read, Mr. Speaker, and we will take what action we consider necessary as the situation develops.

**Mr. Speaker:** The hon. member for York South is next in the questions.

**Mr. MacDonald:** I have a question of the Minister of Lands and Forests. In view of the availability of canal land because of the twinning of the Welland Canal, has the Minister made any approaches to Ottawa to discover what the disposition of this land is going to be and whether or not it can be incorporated into a provincial park?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. leader of the NDP we have had discussions with the St. Lawrence Seaway Commission as recently as last month. This matter is very active; it has been discussed at the second last meeting of the parks integration board, and it is coming up at one of the next meetings. Though this whole question is quite a complex one, and has quite a large area involved, we are pursuing it with the St. Lawrence Seaway Commission.

**Mr. MacDonald:** By way of a supplementary question: Are the present discussions considering canal land that was made available some years ago in the city of St. Catharines and which is today a great source of pollution?

**Hon. Mr. Brunelle:** Mr. Speaker, I could not answer this point specifically. I would say that the whole matter of the old canal and the new canal is being discussed as a total package.

**Mr. MacDonald:** When can people in the community expect to know something of the direction in which the government might move?

**Hon. Mr. Brunelle:** Mr. Speaker, I would hope that we may have some information, maybe, within the next month or two.

**Mr. MacDonald:** I have a question of the Minister of Municipal Affairs. In view of the admission by a number of candidates in the

municipal election in Ottawa that they have been offered funds for their campaigns by developers and the admission by some that they have accepted such funds, is the Minister contemplating the proclamation of regulations which will make it necessary for a public audit of the source and amount of campaign funds at the municipal level?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): No, I do not think it is necessary, Mr. Speaker, to do this. I am not aware of the reports from Ottawa at all. I have not seen the Ottawa papers for some days. I am aware of reports in the Toronto papers which indicate a certain amount of support for various candidates, financial and otherwise, and I do not think it is necessary to investigate these things.

**Hon. A. Grossman** (Minister of Correctional Services): Support for all parties?

**Mr. MacDonald:** As a matter of fact, Mr. Speaker, the interjection prompts me to indicate by way of a question: Will the government move on this now so we will know where it is true and where it is not true? In other words, just let the truth out. Will the government move?

**Hon. Mr. McKeough:** Mr. Speaker, we know that this is a great source of concern to the member. We wonder which union he is getting his money from.

**Mr. MacDonald:** That is publicly known, Mr. Speaker, and I will give the Minister an audited statement on it.

**Mr. J. Renwick** (Riverdale): This cloak of secrecy around this government will destroy it.

**Mr. MacDonald:** Right.

Mr. Speaker, I have a question of the Attorney General. Has the Attorney General been approached by Kahntineta Horn with the contention that in both the original arrest and in the subsequent trials here, civil rights were seriously violated following the incidents in the Cornwall area earlier this past year?

**Hon. A. A. Wishart** (Minister of Justice): I do not recall that I have been, Mr. Speaker. I think there was a letter some three months ago. I am not certain of the content of it at the moment. I will look it up and let the hon. member know. I have had correspondence with Kahntineta Horn, some of it as long ago as two years, but I do not think it relates to this matter the member is speaking of.

**Mr. MacDonald:** Mr. Speaker, in view of the fact that she had made representations to the federal Minister of Justice, who says that it is a provincial matter, would the Minister accept a copy of the letter that went to the federal Minister and act on it since it falls within his jurisdiction?

**Hon. Mr. Wishart:** I most certainly would be glad to receive the letter, Mr. Speaker. If it calls for action, we will certainly follow it up.

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

**Mr. E. A. Winkler** (Grey South): Mr. Speaker, I have a question of the Minister of Lands and Forests. Have the officials of his department seized wild animals, particularly wolves, from the wildlife park operators of the Georgian Bay Tourist Association? If so, would he have them returned so they may retain them for public viewing?

**Hon. Mr. Brunelle:** Mr. Speaker, in reply to the hon. member for Grey South, I would say that if the municipality wishes to establish a municipal zoo with the animals in question—the wolves—we would be pleased to grant a permit to a municipal zoo at the request of the township.

**Mr. E. Sargent** (Grey-Bruce): Mr. Speaker, a supplementary question. One of our zoo-keepers is in court on Monday morning for holding a wolf more than ten days, although the Minister's men knew—all summer he had this. So they laid the charge after the season was over and a letter from the Minister to the operators says that a wolf is not educational. That is why it cannot—

**Mr. Speaker:** The hon. member should pose the question.

**Mr. Sargent:** Would the Minister advise why he says a wolf is not educational? He had one in his exhibit at the Royal Winter Fair in the Lands and Forests exhibit. Secondly, clause (b) of the Act says that if it is for educational purposes they may be held in these zoos. So I would like to ask the Minister if he would review the situation and cancel the charges made against Donald Blair in Owen Sound because I think there has been an injustice here.

**Mr. Speaker:** I think perhaps the question is proper, although I do not believe it is supplementary to the original question.

Mr. Sargent: Well, I wanted to question him.

Mr. Speaker: We will permit the question as a question from the member.

Mr. Sargent: I will permit it, yes.

Hon. Mr. Brunelle: Mr. Speaker, I would say to the hon. member that I am in sympathy and that I can assure him that no charges will be laid if the township will make application to us as a municipal zoo, as a public zoo—

Mr. Sargent: They cannot do that.

Hon. Mr. Brunelle: —because it is contrary to The Game and Fish Act to keep certain animals in captivity, mainly wolves.

Mr. Sargent: Sorry about that. The Minister is wrong; clause (b) says they can do it.

Mr. Speaker: Order. It must be a question, or a supplementary question.

Mr. Sargent: Will the Minister look into it?

An hon. member: You are going to be a wolf in sheep's clothing if you do not watch out.

Mr. Sargent: I have another question of the Minister.

Mr. Speaker: We will come back to the hon. member. The hon. member for High Park.

Mr. Shulman: I have a question of the Minister of Public Works, Mr. Speaker. Has the Minister seen a study prepared this last month by his department which shows that the number of car accidents by his drivers have gone up three times, a multiple of three in two years, and if the Minister has seen this study, has he looked into it to determine the cause of this increase in car accidents?

Hon. Mr. Simonett: Mr. Speaker, I have seen the study and I do not think there was anyone able to say what was the cause. After all, accidents can happen. I think we are driving more mileage, we are using more vehicles and I think that should be left to the police and our police officers in the province to determine the cause and then they will notify us.

Mr. Shulman: A supplementary, Mr. Speaker. Is the Minister aware that the number of cars involved has only gone up by 10 per cent while the number of accidents has gone up by 200 per cent?

Hon. Mr. Simonett: This could happen, but there were not that many accidents. Perhaps we had a really good year last year, and maybe this is just normal.

Hon. S. J. Randall (Minister of Trade and Development): Do not cross the road.

Mr. Sargent: To the Minister of Trade and Development: I would like to ask the Minister if he is aware that as of November 19 of this year—last week, in fact—the federal housing authority in the U.S.A. made possible loans for mobile homes? In view of the fact that 90 per cent of the new homes in the States last year under \$15,000 were mobile homes, would the Minister therefore consider making mobile homes in Canada available for home finance?

Hon. Mr. Randall: Mr. Speaker, we have discussed mobile homes before and I pointed out that we have talked to mobile home manufacturers and have said that as far as the Ontario Housing Corporation is concerned, if the municipalities will accept them, and if Central Mortgage and Housing will finance them, we will be quite prepared to assist in any way we can. We have had no reason to reject mobile homes except that many municipalities, as the member knows, have not got an area prepared for them and perhaps they are not as far advanced here as they are in the United States, particularly in the southern United States, regarding mobile homes. However, if I recall correctly, a few years ago the Minister of Municipal Affairs changed one of our bylaws here to make it possible for mobile homes to locate in the province of Ontario. So we have not put any barriers in their way, and Ontario Housing Corporation will be quite prepared to look at financing if Central Mortgage and Housing will do the same thing.

Mr. Sargent: Mr. Speaker, you and I both know that the whole bottleneck is in the—

Mr. Speaker: Question, question.

Mr. Sargent: Would the Minister agree that the whole source of the programme, to start it rolling, must be to provide mobile-home parks? Would he, therefore, encourage municipalities; would he give them help along this line to give them direction, to the Minister of Municipal Affairs, to allow mobile-home parks as the final solution to the problem? That is the crux of the whole situation, mobile-home parks. Does not the Minister agree?

Hon. Mr. Randall: We place no restrictions in their way and I am sure the Minister of



Municipal Affairs is aware of the fact that mobile homes would relieve some of the difficulties, but I may also point out to the hon. member that we have different conditions here in this part of the North American continent, compared to many of the parts of the United States. I was in Kenora last week looking at some homes there. They can sell a two-bedroom home for as low as \$8,000, but I am sure in many municipalities they would not accept it. But as far as we are concerned, we are quite prepared to work with the municipalities on any kind of a home, whether it be mobile or otherwise, to see they get financing if the municipality will accept it.

**Mr. Sargent:** But will the Minister give loans on mobile homes?

**Hon. Mr. Randall:** Sure.

**Mr. Sargent:** Thank you.

**Mr. Speaker:** The hon. member for Dovercourt; a supplementary?

**Mr. D. M. De Monte (Dovercourt):** Yes, Mr. Speaker. I was wondering, in view of the question brought up by the hon. member for Grey-Bruce, if there is not a restriction on prefab homes and a difficulty in financing those. Is the hon. Minister going to do anything about—

**Mr. Speaker:** I wonder if that is supplementary. The hon. member's question had to do with mobile homes. I think the hon. member is straying somewhat from the question of mobile homes.

**Mr. De Monte:** May I ask a direct question then?

**Mr. Speaker:** The hon. member may ask a new question of the Minister.

**Mr. De Monte:** In view of the fact that the municipalities are having difficulty accepting prefab homes, and also in view of the fact that prefab construction cuts about 20 per cent off the price of a home, is the Minister trying to do anything to induce the municipalities to accept these prefab homes, and amend our bylaws in order to accept them?

**Hon. Mr. Randall:** Frankly, I have not seen any prefab homes that are 20 per cent lower than those built on the traditional basis and I am familiar with what some companies are doing, such as Alcan. We ourselves and Central Mortgage and Housing Corporation, if they meet NHA standards, which most of them do, will finance them, but again the difficulty is that prefab homes are not per-

mitted in some municipalities, but as far as Central Mortgage and Housing and ourselves are concerned, we have had no objection to financing them whatsoever.

**Mr. De Monte:** Mr. Speaker, by way of supplementary, is the hon. Minister attempting to induce these municipalities to amend their bylaws in order to accept prefab homes, because I understand the restrictions set down by CMHC and the Minister's department exclude a mobile home unit?

**Hon. Mr. Randall:** No, I do not think there are any major restrictions as far as we are concerned.

The Minister of Municipal Affairs is, as you know, working on the codes and bylaws for municipalities and I would hope when these codes and bylaws are made known, they are accepted on a provincial basis so that there will not be any restrictions by the municipalities and it will certainly help us house a great many more people.

I think you must remember that in some of these areas, where you were looking at homes last week—and I just use this as an example—a three-bedroom home was \$12,500 without a basement. By the time you dig a basement and put that on a foundation you have \$16,000 or \$17,000. These are some of the difficulties we have with the municipalities; they do not want homes without basements; some of them do not want them with septic tanks. But as far as Central Mortgage and Housing and ourselves are concerned we are quite prepared to go in wherever the municipality will allow us to go in and finance them. I would think your question would be better answered after the code of bylaws and restrictions are brought out by the Minister of Municipal Affairs and accepted on a provincial basis.

**Mr. De Monte:** Do you mean that the bylaws will be accepted by all the municipalities in Ontario?

**Hon. Mr. Randall:** This is what we are hoping for, that we can get the municipalities to accept a standard set of bylaws instead of what we have at the present time.

**Mr. De Monte:** The cost that you mention, of \$16,000: Does that refer to the cost of the home and the land, or purely the construction of the prefab home?

**Hon. Mr. Randall:** No, that is just the cost of a home. Then if you dig a basement and buy the land on top of that you would go

perhaps up to \$20,000, depending on the municipality.

In northern Ontario last week, I think they were saying they could buy a lot for \$200 and, without a basement, they could put a house on, say, a concrete platform for \$8,000 for a two-bedroom and \$12,500 for a three-bedroom home. Now, we have not seen it done yet, but I am hoping it can be done. If they do not require a basement in that municipality and they can buy a lot for \$200, you can finance and house a lot of people.

**Mr. Speaker:** Oral questions. The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** I direct this question to the Minister of Public Works. I am not sure, Mr. Speaker, whether it should be to him or to the Minister of Municipal Affairs. Why did the Minister wait until ten days ago to notify the city of Oshawa, that he had decided to move the regional assessment office from Oshawa to Whitby, and would not be needing the two floors of the new city hall, when in fact, he had signed an agreement with a builder for a leaseback arrangement in the city of Whitby last August?

**Hon. Mr. Simonett:** Mr. Speaker, I think perhaps that question should be directed to me. I do not think there has been any final decision. I know there has not been any final decision made as of today.

**Mr. Good:** Oh?

**Hon. Mr. Simonett:** All right then; if the member does not want an answer, there is no use trying to answer it. Does he want the truth or does he want supposition?

**Mr. Good:** By way of supplementary. Why did the Minister tell the council of the city of Oshawa that he had made arrangements with the builder in Whitby?

**Hon. Mr. Simonett:** Had the member been at that meeting he would have known that is not what was said at all. I said nothing has been finalized as of today, whether the assessment office will be in Whitby or Oshawa. We can get them accommodation in either place.

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

**Mr. Shulman:** I have a question of the Prime Minister, sir; in the absence of the Minister of Health (Mr. Wells) it is of sufficient urgency and I am going to direct it to the Prime Minister. In view of the fact

that over 100 persons have been taken ill with food poisoning at the Whitby Ontario Hospital within the last two days, will the Prime Minister, in the absence of the Minister of Health, arrange for extra help to be sent to that hospital to allow them to manage the very difficult situation they have at the present time?

**Hon. Mr. Roberts:** I am not aware of these circumstances at all. I will check into it to see what the problem is.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Minister of Trade and Development. Would the Minister consider the establishment of a mobile home project in some community as part of an answer for the easing of the housing shortage?

**Hon. Mr. Randall:** Mr. Speaker, I could say we will be quite prepared to look at any kind of a programme that will alleviate a housing shortage in any municipality. I will be delighted to talk to our people about it and see if one could be arranged. As I said earlier, we have to perhaps negotiate a development with the local municipalities to make sure of the services, the schooling and so forth. If they have no objection I will be glad to work with anybody that wants to put in a mobile home project.

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

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Energy and Resources Management. Was the Minister quoted correctly outside the House yesterday, in saying that he was considering approaching municipalities to see if they could set aside disposal areas for DDT? I am wondering whether he meant collection areas or whether he meant disposal areas. If he meant disposal areas, is there any place in southern Ontario where a place could be found below the water table that would be safe for the disposal of DDT?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, I did not mean collection areas, as it has been suggested by the hon. member for Victoria-Haliburton (Mr. R. G. Hodgson), I believe. The member may have noted in this morning's paper that representatives of The Department of Health are going around the province to various municipalities with the

idea of working with the municipalities to set up some form of a collection area for the disposal of DDT.

As far as below-water-table areas are concerned, this of course, as I indicated yesterday, Mr. Speaker, would have to be safe from the point of view of seepage. DDT has a long life; this is the main problem with this pesticide, but I think that with the plans of The Department of Health some form of suitable disposal will be arranged that will minimize any danger to health or to the soil.

**Mr. Speaker:** Supplementary question?

**Mr. M. Makarchuk (Brantford):** Supplementary to that: Has the Minister considered the possibility of using some means of chemical neutralization for DDT—instead of disposing of it, neutralizing it with another chemical?

**Hon. Mr. Kerr:** No, not specifically, Mr. Speaker. I would like to re-emphasize that this is a problem for The Department of Health. The safe disposal of DDT is my colleague's responsibility as far as the province of Ontario is concerned. However, if the disposal results in contamination or pollution of any kind then, of course, my department becomes involved through the solid waste branch or some other branch of my department. The actual programme for the disposal of this pesticide really rests with The Department of Health.

**Mr. Makarchuk:** Mr. Speaker, we have more faith in the Minister of Energy and Resources Management than we have in the Minister of Health.

**Mr. Speaker:** The hon. member had a question? The hon. leader of the Opposition, I believe, was trying to—

**Mr. Nixon:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Has the Minister contacted the management of Consumers' Gas in an effort to extend the deadline for the offer extended to Union Gas so that the pressure on the hearings by the energy board into this matter would be relieved somewhat and could take place perhaps in a more orderly way?

**Hon. Mr. Kerr:** No, Mr. Speaker, I have not done that, as the hon. leader of the Opposition suggests, because it is my understanding, after reading the offer and the information given to me, that if this particular offer expires—I believe, in the middle of

December—a new offer will have to be made. In other words, under the terms of the present offer it is not possible to extend its terms.

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

**Mr. De Monte:** Mr. Speaker, a question of the Attorney General. In view of the fact that child accident fatalities caused by motor vehicles has increased over the past year—I understand, by almost 50 per cent—is the Attorney General considering requesting the municipality of Metropolitan Toronto to re-introduce the policemen on the school crossing areas?

**Hon. Mr. Wishart:** Mr. Speaker, we discussed school crossing areas several months ago, earlier this year, and at that time I made the suggestion that, to a large extent at least, policemen be engaged as school crossing guards. I understand that a good deal of this policy has been carried out. I do not think it necessary to suggest that in every crossing situation you must have policemen. There are senior people, there are young people, some of school age, who are quite competent in some situations. But as I understand it, the Metropolitan Board of Police Commissioners, in conjunction with, and after discussion with, the board of education, did restore a goodly number of police to this function, and I would think that perhaps, observing the situation they will act in a responsible manner further, if that may be necessary.

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

**Mr. R. Haggerty (Welland South):** Mr. Speaker, a question of the Minister of Energy and Resources Management. In a press release in the Welland *Evening Tribune*, the Minister, speaking in Niagara Falls stated that there are at present 12 companies that are causing pollution in the Niagara area, and were given 30 days to correct the situation or charges will be laid. Will the Minister table in the House the names of the 12 companies in violation of the pollution control Act?

**Hon. Mr. Kerr:** Mr. Speaker, a similar question was asked a week or so ago, I believe by the hon. member for Wentworth, and I indicated at that time that the 12 companies were not in violation. What I had said was that we had approximately 12 companies either in a programme or under order in the Niagara area. I also indicated that I would rather not name those particular companies

because they are co-operating and there would be no useful purpose provided, in my opinion, by having the names publicized at this time. I indicated that if these 12 companies, or any one of them, were in default on a programme or an order, and they were prosecuted, of course this would become public knowledge.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** I have a question of the Minister of Highways, Mr. Speaker. In view of the fact that the CPR is going to cut off our rail line to Owen Sound, we have no airport, and you can go to Europe faster than you can go to Owen Sound by CNR—we are cut off from the rest of the world—would the Minister accept an invitation to ride with me in a car from Shelburne north to Owen Sound, 46 miles, and I will give \$1,000 to his favourite charity if it is not the worst highway in Ontario, and he will do something about it.

**Hon. Mr. Simonett:** Pay up.

**Hon. G. E. Gomme** (Minister of Highways): I think I will take up that challenge if he will drive with me over another one which I select, and I will assure one of the charities they will collect the money.

**Hon. Mr. Simonett:** It just cost the member \$1,000.

**Mr. Sargent:** If he goes over \$1,000 I will go over \$1,000.

**Hon. Mr. Gomme:** Mr. Speaker, I will take that back. I do not like doing business with people who change their mind in the midst of a deal.

**Mr. Speaker:** The hon. member for High Park was on his feet.

**Mr. Shulman:** I have a question of the Minister of Financial and Commercial Affairs, Mr. Speaker. In view of Eaton's refusal to remove the Eldon electric car from their shelves, what action has the Minister taken?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): The matter is being currently looked at and checked out, and I will have some observations to make when our investigations are complete. But at the moment we have ascertained that this particular toy has been checked by the consumer branch at Ottawa, and tested by them, also by the Toy Council of Canada. We are told that 200,000 units of this toy have been sold and there have been no accidents to date.

**Hon. A. F. Lawrence** (Minister of Mines): Would they not give the member his money back?

**Mr. Nixon:** Mr. Speaker, a question of the Minister of Financial and Commercial Affairs. In view of the facts that became public at the annual meeting of Revenue Properties yesterday, is the Minister ordering any further investigation into the activities of that company?

**Hon. Mr. Rowntree:** Mr. Speaker, the hon. member is aware the stock is not being traded and the necessary action has been taken to continue the suspension from trading—

**Mr. Shulman:** I suggested that four months ago.

**Hon. Mr. Rowntree:** —by the stock exchange. The matter has not gone unnoticed either by the stock exchange or by the securities commission. In view of the other charges that are pending against this company currently in the courts, I do not think that this is an appropriate time for me to make any additional comment.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, a question of the Attorney General. Would he advise why it takes six weeks to get some information, and we still have not got it, regarding the report on electronic devices in Ontario?

**Hon. Mr. Wishart:** Because it requires quite a comprehensive study to get the information the hon. member asked and we want to get him a full and complete answer.

**Mr. Sargent:** Apollo 12 has been to the moon and back and the Minister still cannot get the information. What is wrong with the Minister?

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

**Mr. Shulman:** A question of the Minister of Mines, Mr. Speaker. What action was taken by his department as a result of the statements made by H. D. Carlson in your department last year that INCO had refused to co-operate with the department and that it would not supply geological or drill information as other companies do in the province?

**Hon. A. F. Lawrence:** Mr. Speaker, we rely completely on a voluntary system of turning over of geological information to the

government and to The Department of Mines. We feel that any other system would be completely unworkable as there are all sorts of complicated ways in which geologists could hide—if they wanted to, under any compulsory system—the information that we are trying to obtain. Therefore, we have to rely on the goodwill of the industry and we feel that we have to rely on a voluntary system of turning that information over to us.

**Mr. Shulman:** As a supplementary question, can nothing be done if a large company like INCO flatly refuses to co-operate?

**Hon. A. F. Lawrence:** My understanding is that the relationship between the department and INCO now, as far as this aspect of getting geological information from them is concerned, is a lot better than it has ever been before. There still may be great room for improvement with that particular company, but, nevertheless, I gather that we are getting more information from them now than we ever have before, and certainly, as far as my own staff is concerned, and the methods and ways we have of storing this material, we have a lot of changes taking place right now so that we will be in a better setup fairly shortly, I would hope, to be able to receive the information and store it in a more meaningful way than we have in the past.

**Mr. Speaker:** Supplementary? Two or three other members have been trying to get the floor. The member for Waterloo North.

**Mr. Good:** I asked my question.

**Mr. Speaker:** All right, the hon. member for Sandwich-Riverside.

**Mr. Burr:** A question of the Minister of Energy and Resources Management. Has the Minister made any enquiries of the plastics industry to ascertain whether the synthetic lubricant called PCB—polychlorinated biphenyl—is used in Ontario and whether it is used in hazardous circumstances. My concern arises from the mystery kill of 10,000 birds in the Irish Sea, which has been traced to this synthetic material.

**Hon. Mr. Kerr:** Mr. Speaker, I will take the hon. member's question as notice and have a reply for him later.

**Mr. Speaker:** The hon. member for Algoma-Manitoulin.

**Mr. S. Farquhar (Algoma-Manitoulin):** To the Minister of Energy and Resources Man-

agement: Is the Minister aware that his recently announced policy for a support to small municipalities for water and sewage works excludes municipalities otherwise qualified for this assistance by virtue of the fact that they have even limited facilities? And would the Minister consider making an exception to this policy in a situation where qualifying municipalities are in a position where they have to provide these facilities now to recently established schools and hospitals at some distance?

**Hon. Mr. Kerr:** Mr. Speaker, the hon. member is correct in that the policy is mainly for new treatment facilities and new waterworks. If the hon. member would let me have the information about the particular municipality he is concerned with, I will look into it for him. However, it would be quite a major change in policy if we included new treatment facilities—for example, additions to existing treatment facilities or a new type of treatment facility, such as a secondary or a tertiary plant as opposed to a primary plant.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** A question of the Minister of Financial and Commercial Affairs. What legislation is there for corporate mergers; what length of notice should they file with the Minister's department before a merger is to be consummated; and if there is legislation, what holdbacks are there and how many have been stopped because of prior advance notice to the Minister?

**Mr. Speaker:** I would think this question is not one of any urgency. The information may be available—

**Mr. Sargent:** It is more urgent than you know, Mr. Speaker, it is going on all the time. The Minister should answer it.

**Mr. Speaker:** Order! The hon. member may direct his enquiry to the Minister; it is not a question of urgent public importance to direct on the floor of this Chamber.

The hon. member for High Park.

**Mr. Sargent:** Mr. Speaker, on a point of order—

**Mr. Speaker:** It is not of urgent public importance and the information may be obtained directly from the Minister.

**Mr. Sargent:** Well, what is more urgent than that?

**Mr. Shulman:** A question of the Attorney General, Mr. Speaker: Inasmuch as the Atlantic report has been completed, why has it not been released?

**Hon. Mr. Wishart:** We have not received it yet for release.

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

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, I have a question for the Minister of Municipal Affairs: has the Minister received a request or requests from northern municipalities to have the basic shelter exemption grant converted to an unconditional grant to the municipalities and, if so, has he considered it? And does he have an answer at this time?

**Hon. Mr. McKeough:** Mr. Speaker, we received a request from a great number of municipalities endorsing a resolution by the town of Barrie. I would guess some 100 municipalities. And this was part of the brief of the mayors and reeves presented to the Cabinet about a month ago. The letters are in the process of being acknowledged, stating that the Prime Minister and the Treasurer and myself have all indicated that if the grant is to be replaced, it will be replaced with something which will provide the same amount of money and with something which will provide the same benefit.

**Mr. Speaker:** If there are no further questions, we will move to the next order of proceedings.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

**Hon. Mr. Wishart:** Mr. Speaker, I move, seconded by the Minister of Correctional Services, that leave be given to introduce a bill intituled, An Act to amend The Landlord and Tenant Act.

**Mr. H. Peacock (Windsor West):** On a point of order, Mr. Speaker, the seconder—

**Hon. Mr. Wishart:** Well, the Minister of Correctional Services was here a moment ago.

**Mr. Shulman:** Well, he is not here now and he cannot second a motion if he is not in the House.

**Hon. Mr. Wishart:** Well, if the members want to be very technical.

## THE LANDLORD AND TENANT ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Landlord and Tenant Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, I might make some comment about the bill at this time, and say that it carries into effect virtually all of the recommendations of the interim report of the Ontario Law Reform Commission. The exceptions are the rent review board and officers on that board.

The function of the rent review officer was primarily mediation and that function is given in large part to the Landlord and Tenant Advisory Bureau, which is set up in the administration under the bill.

No rent control is provided for in the bill.

The bill applies to residential tenancies only—not to commercial tenancies. It applies to all residential leases, oral or written, and many provisions will apply to past, present and, of course, to future leases.

The bill applies to tenancies and leases notwithstanding any other statutes and notwithstanding any agreement or waiver unless the Act expressly states the contrary.

A copy of the lease must be delivered to the tenant and there is no obligation upon the tenant until a copy of the lease has been so delivered.

Security deposits—

**Mr. V. M. Singer (Downsview):** How can he deliver an oral lease?

**Hon. Mr. Wishart:** Well, that would be a written lease.

Security deposits may no longer be required after the Act comes into force, except that one month's rent in advance may be required to ensure payment, and that must be applied to the last rent period.

The present security deposits will be dealt with under the Act in the following way: Interest will be payable at six per cent per annum, compounded annually. Such deposits with interest shall be paid to the tenant within ten days after the expiry of the lease or tenancy. If the landlord desires to claim any part or all of the security deposit, he must get an order of the judge to so retain the money or have the consent in writing of the tenant. The tenant is to receive notice of any such application so he may have the opportunity to oppose the making of such order.

Distress is abolished as far as all future leases are concerned. In the case of present

leases, distress still applies, but not to future renewals of present leases.

Where the consent of the landlord to sublet is required, the Act provides that it may not be unreasonably withheld. There may be applications to the court for relief by the tenant or by the landlord.

**Mr. Singer:** Can that be contracted out?

**Hon. Mr. Wishart:** No.

I should report there is no requirement in the Act saying that there must be in the lease the right to sublet, there is no proviso which says that there must be written into the lease the right of a tenant to sublet. But where the lease contains the right to sublet, it cannot be unreasonably withheld. I think our thinking there, if I may offer this, Mr. Speaker, is that to require a landlord in making a lease to say that a tenant may sublet to anyone would be requiring a landlord to lease to unknown persons, possibly straw persons.

**Mr. Singer:** The Minister gives with the one hand and takes away with the other.

**Hon. Mr. Wishart:** No, I think that is not the way to express it.

**Mr. Singer:** There has not been a thing changed in that one.

**Hon. Mr. Wishart:** As to privacy, it is provided that except in emergencies, the landlord may not enter unless he has given the tenant 24 hours' notice except for the purpose of showing the premises to prospective tenants after the notice of termination of the lease has been given.

A landlord may not alter the locks during the occupancy except with the consent of the tenant. I think—although I do not have the note in front of me—my recollection is that the tenant may not alter the locks either.

**Mr. Singer:** Does the Minister use the word alter in his statute?

**Hon. Mr. Wishart:** We use the word alter, I believe, or change. If the hon. member will permit I might just check the section to make sure. The section reads, Mr. Speaker, section 94 of the bill:

A landlord or tenant shall not during the occupancy of the rented premises by the tenant, alter or cause to be altered, the lock on any door giving entry to the rented premises except by mutual consent.

As to possession:

Unless the tenant has vacated or abandoned premises the landlord must have a writ of possession to regain possession.

And he could not put a padlock on the door, for instance.

The tenant may oppose any application for possession on the grounds that the notice to quit was given because of complaints to authorities or because of attempts to enforce or secure tenant's legal rights.

There is provided in the bill a landlord and tenant advisory bureau to be set up by local municipalities to include a metropolitan municipality forming part of a regional. In other words the board would serve the region.

Such municipalities may establish a bureau to advise people and that bureau would seek to mediate disputes, advise, and investigate complaints, and inform and educate the public. I would point out that it has no sanction to make orders or to enforce them. It is not a rent control or a review board in the sense that it exercises rent control.

**Mr. Singer:** Does it have any power to summon witnesses?

**Hon. Mr. Wishart:** I think not, I am not sure of that.

The doctrine of *interesse termini* and covenant *in posse* and *in esse* are abolished. Those are things which I will explain as we discuss the bill.

**Mr. Singer:** I am very glad about that.

**Hon. Mr. Wishart:** Well, they are quite important. Ordinary law respecting frustration of contract, mitigation of damages and interdependence of covenant, shall apply to all tenancy agreements.

We have a clause in the bill providing that reasonable access shall be given to authorize representatives of election candidates for the purpose of canvassing, or the distribution of election material.

**Mr. MacDonald:** Onward we march into the twentieth century.

**Hon. Mr. Wishart:** Do not confuse that with bakers' and butchers' and merchants' delivery boys.

**Mr. Singer:** Is that provincial and federal?

**Hon. Mr. Wishart:** That is right, provincial, federal, municipal and school boards. The bill provides that the landlord must keep the premises in a good state of repair and fit for

human habitation and that he must comply with the health and safety standards required by law.

The tenant is responsible for ordinary cleanliness of the premises and the repair of wilful or negligent damage to the premises.

Where the lease provides for acceleration, the tenant may pay the rent due and complete his obligation, including reasonable expenses of the landlord and he is thereby relieved from acceleration. This is similar to the clause in mortgages.

The bill provides for notices of termination, for times of service, for the possession and all the other phases for both written and oral leases, and these are set out in detail in forms which we have devised and attached to the bill.

There is a penalty of not over \$1,000 for violation of the Act in respect of security deposits, the entry of canvassers, the alteration of locks, and recovery of possession.

Those, Mr. Speaker, are the main features of the bill and I would point out that, as I say, practically all of the recommendations of the law reform commission have been carried into effect except the rent review which was a recommendation going a long way toward, if it did not actually provide for, rent control.

This report, which is implemented so largely in the bill now introduced to the House, I would ask hon. members to note, is an interim report on landlord and tenant law produced by the Ontario Law Reform Commission. I would like to say to the members that in the large study in the whole field of property law being carried on by the law reform commission, this was one, of course, of the areas of study.

We asked better than a year ago that this particular field, which seemed to be giving us such concern, should be hastened and the study completed. That was done, but it is an interim report. The studies are going on in the whole field of property law and I anticipate that when the report of the law reform commission is final there will be further recommendations bearing on the field of landlord and tenant. For instance, this bill only deals with residential tenancies. I am sure someone will ask me: "Why did you not, in the bill, produce a standard form of lease?"

There is an answer to that but perhaps there may be some recommendation with respect to that when we get the final report. But I want the hon. members to be aware

that studies are still going forward and this report, which we did receive, and which we have implemented here, was an interim report dealing strictly and solely with landlord and tenant situations.

**Mr. J. Renwick:** Mr. Speaker, if I may just ask the Attorney General two questions.

Is it his intention that this bill would be passed at the current sitting of the Legislature?

Is there in the bill any authority for a tenant to withhold all or any portion of his rent in order to enforce compliance by the landlord with his obligations under a lease?

**Hon. Mr. Wishart:** It is my hope, Mr. Speaker, that we would get on with the discussion of this bill and with the necessary readings of it to get it through at this session.

I am told that the legal bills committee is at present engaged with the discussion of The Assessment Act, but I would hope it would complete its consideration of that bill in time to enable this bill to be dealt with. My own feeling is that since we have gone so fully in the implementation of the recommendations which we were offered; since we have taken the length of time we have in hearing representations from both landlord and tenant groups, construction associations and persons interested in the provision of residential habitation, building and all that sort of thing—we have given it a great deal of consideration on the part of the government—I would hope that it might meet with reasonable approbation from the members of the House, and that it might not take so long as you might expect for a bill of such importance.

I am very anxious—the government is anxious—that we might get it through before we adjourn this session.

The other question from the member was: "Can a tenant withhold his rent to enforce an action by the landlord of an obligation?"

No. I think if I interpret that right—I hope I do—that if the tenant refuses to pay rent, he is guilty of a breach of one of his covenants. On the other hand if the landlord is guilty, as the tenant is apparently alleging, of not carrying out some obligation on his part, they would both have a right of action. If one were to go to court, I presume the other would have as part of his defence a set-off, if there is a breach of covenant. The covenants are interdependent and I think if the tenant withheld his rent he would force the landlord to sue and then he would reply that the landlord has not carried out his



obligations. The court would then have to decide it. I think that would be the case.

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

**Clerk of the House:** The 24th order, House in committee of supply; Mr. R. D. Rowe in the chair.

**ESTIMATES, DEPARTMENT OF UNIVERSITY AFFAIRS**

**Mr. Chairman:** The Department of University Affairs. The hon. Minister.

**Hon. W. G. Davis** (Minister of University Affairs): Mr. Chairman, in speaking to these estimates I have a prepared document which, if it is agreeable to the members of the House, I will table and have made available in *Hansard*, and I shall be reading excerpts from that touching on the highlights, and perhaps a little more than that, in order to move the discussions ahead.

In 1969, more than ever before, higher education has become a focal point of public attention. Indeed, it is literally true that one can hardly pick up the daily newspaper without finding several items that relate to the university community.

While such news items deal with a wide variety of topics, you will be aware that those that capture the greatest amount of attention are usually related to the problem areas, of which student activism, in its various forms, and the costs of higher education have tended, of late, to be among the most prominent.

It would seem appropriate, therefore, that in introducing the estimates of The Department of University Affairs I should speak of these areas of public concern along with certain other closely related matters.

To concentrate solely on the problems, to the exclusion of Ontario's many positive accomplishments in higher education, would, I believe, be to place the emphasis in entirely the wrong place. In typical Canadian fashion, we often tend to take our achievements too much for granted while concentrating on our areas of difficulty. This is not so much a negative approach, I feel, as a reflection of our desire to create a better educational system. But since significant achievements in education are only attained through careful planning, considerable thought and effort, dedicated determination by all concerned and unprecedented public support, both moral and financial, perhaps Ontario's achievements in this area are deserving of a few moments of our attention on this occasion.

It is only slightly over five years ago that The Department of University Affairs was formed and the committee on university affairs enlarged and reorganized to co-ordinate—in co-operation with the university presidents—the dramatic expansion of higher education in Ontario that was then under way. In a province whose educational system spans over 150 years, a five-year period is obviously relatively short. Yet a brief statistical summary indicates how much has transpired during the past half decade.

**PROVINCIALY ASSISTED UNIVERSITIES OF ONTARIO**

	1964-65	1969-70 (Estimated)
Total enrolment	43,969	100,002
Post Grade 13 under-graduate students	37,085	88,581
First year students	13,552	30,022
Graduate students	5,421	11,421

The percentage of the age group—and this was a matter, Mr. Chairman, we discussed—the member for York South (Mr. MacDonald) and the leader of the Opposition (Mr. Nixon). I can recall some years ago, when we were discussing the percentage of age groups compared to other jurisdictions, it is pretty encouraging. When we were debating this in 1964-65 the percentage of the age group was 11.8 and in this current year it is 20.1, a pretty significant increase in a relatively short period of time.

I have included, Mr. Chairman, for the information of the members opposite, the breakdown of enrolments in the various institutions from 1964-65 to 1970, and I shall not read them, they will be in the record.

(See appendix, page 8887.)

The operating grants, the financial aspects, from \$42,666,000 to \$262,647,000; and in the area of capital support \$45 million, roughly, to \$119 million, in that same five year period of time.

With respect to student assistance:

	1964-65	1969-70 (Estimated)
Student awards, scholarships and fellowships—provincial contribution	\$4,350,000	\$39,715,000
Number of post-secondary students assisted by grants, loans, fellowships and scholarships	10,553	65,000
Teaching staff at provincially assisted universities and the Ontario College of Art	3,247	7,800

In the words of the report of the committee on university affairs (1968-1969) which

will shortly be distributed to the members of this House:

It is probably fair to claim that Ontario, with less stress and less wasteful duplication than most other jurisdictions, has successfully met the challenge of a fantastic growth in demand for university places . . . without coming apart at the seams, with real net improvements in quality and competence.

A system of higher education which stresses quality as well as quantity obviously cannot stand still. All who are active in its operation or instrumental in its support must constantly strive for meaningful change and improvement. A list of activities and accomplishments in Ontario in recent years indicates very clearly the results of such effort. I might cite, for example:

1. The development of new approaches to teaching and course organization that has taken place on nearly every campus of our province. A good example is the implementation of the McPherson report at the University of Toronto to provide more liberal course options in the arts and sciences.

2. The addition of new programmes and courses to meet changing social needs as, for example, computer science programmes and environmental studies at a number of our universities, and the expansion and modification of courses in medicine, engineering and architecture. One might mention also the remarkable expansion of university programmes of part-time study. York University, as an example, has as many students enrolled in degree programmes at Atkinson College as it has full-time day students.

3. The emergence of an effective university system in which 14 provincially assisted institutions discuss common problems and work toward common objectives through a co-ordinated effort while maintaining their distinctive characteristics and considerable local initiative. In this context it would be appropriate to express my appreciation of the excellent work of the members of the committee on university affairs and the members of the committee of presidents of universities of Ontario, whose joint efforts have resulted in co-operative solutions to so many problems.

4. The wider participation of both faculty and students in shaping the procedures and mapping the future of our colleges and universities.

5. The development of the initial stages of integration of programmes of teacher education and university programmes so as to en-

sure improved quality of teaching in our elementary and secondary schools in future years.

6. The success of Ontario's universities in attracting and keeping good university teachers despite the unprecedented expansion that has taken place and strong competition from practically every jurisdiction in North America. In this area there has been some alarm expressed, of late, in regard to the relatively large number of scholars from other countries who have taken positions in our institutions. While acknowledging that this issue has given rise to varying reactions and that we could benefit from more precise statistical information, let me say that I feel this is a problem we must look at carefully. There may be a need for our universities to address themselves to the question of maintaining a reasonable balance.

The creation of a sound base on which to build for greater numbers of students who will enrol in our institutions of higher learning during the next decade.

8. The successful introduction of an operating grants formula to ensure both adequate levels of support and equality of distribution of public resources.

9. The development of a similar approach to capital funding, this year on an interim basis, pending introduction of a fully developed capital formula—an achievement many thought could not be attained.

10. The development of programmes of student aid that ensure financial barriers do not prevent able high school graduates from going on to post-secondary educational programmes.

These latter accomplishments have given Ontario what has been described as the most sophisticated system of university support in this country.

This is but a partial list of what has recently taken place and most would agree, I am sure, that it is an impressive one. It reflects the collective talent and determination which have become important characteristics of the Ontario university system. It reflects the sound judgment and counsel that the province has received from the committee on university affairs and its ability to obtain effective co-operation from the academic community, primarily through the committee of presidents.

Admittedly, these major achievements have not been attained without difficulties and very frankly, it is unlikely that the further gains in higher education to which we look forward with confidence in the years to come, can be

won without overcoming even greater challenges. Clear indications of many of these problems are already with us and since the hon. members on the other side of the House are always ready and willing to concentrate on problem areas, perhaps I should oblige them by spending the remaining few minutes of my time in discussing some of the difficulties—it is not all-embrasive—facing the university community.

**Mr. R. F. Nixon (Leader of the Opposition):** There may not be anything left to do, when the Minister has finished.

**Hon. Mr. Davis:** We hope not.

Without doubt, the one element of university life today that proves most disturbing for much of the general community is that of student unrest—a worldwide phenomenon that has become almost a part of our way of life. It ranges from Toronto to Tokyo, from Cambridge, Massachusetts, to Cambridge, England. It is found in Europe and Asia as well as in North and South America and, indeed, I think one can say it is found on both sides of the Iron Curtain. It is indicative perhaps, of a general and growing dissatisfaction on the part of many of our young people with the general state of the world in which they live, and with the institutions and organizations that are responsible for that general state of affairs. It reflects a basic desire to make things better both for the people of today and for those of future generations.

I should editorialize here and say these are very personal points of view that I am expressing.

**Mr. Nixon:** I do not think the Minister is going out too far.

**Hon. Mr. Davis:** I never like to go out too far.

Like many phenomena, it comes in various forms, and displays itself through a variety of activities. Student activists seem to represent a whole spectrum of ideologies from ultra-conservative to ultra-radical. The willingness and ability of officials within universities and government to cope with the situation have also varied so that the general climate which is developed, differs considerably from one part of the world to the other. Certainly the one common feature seems to be an awareness that a serious problem exists and that something must be done about it.

While our own province is, of course, but a relatively small part of our world, it cannot hope, nor should it wish, to be isolated from world events. It should neither be disturbing

nor surprising, therefore, that a certain amount of student unrest has come to the campuses of this province. What should be recognized, however, and I want to emphasize this, is that it has come, to date, in a relatively mild form and that, as such, any difficulties involving our students might be regarded more as a reflection of a trend rather than a trend itself. I do not make this observation with any false sense of complacency or in the role of one who is unwilling to face the realities of the situation. One can never be sure, given the ingredients of what is taking place, that tomorrow will not bring to this province certain of the types of difficulties that have been experienced in jurisdictions relatively close at hand.

I feel strongly, however, that if we are going to discuss our current problems in Ontario in a constructive and meaningful way, we should do so with the proper perspective—a recognition of what really has happened as well as the potential of the problems which we must strive to overcome.

Given the current situation, and the relatively strong contrast between what is taking place in this province and what is happening elsewhere, it seems appropriate to ask why Ontario universities have not been affected in the same adverse fashion as certain others. The answer, I assure you, is not simply good fortune. Neither is it because our students lack the spirit or desire for change that exists within young people in other parts of the world. Such explanations not only oversimplify what is taking place; they are frankly misleading. Beyond question, the major reasons why trouble on Ontario campuses has been restricted to a small number of relatively minor protestations, relate to the constructive efforts that have been put forth by university administrators and faculties on the one hand, and the majority of our student leaders on the other. Much common sense has, in fact, prevailed. A good deal of the high level of ability which we have always associated with universities, both within the teaching and student bodies, has been applied. An ongoing, constructive dialogue has been initiated and all of this has been coupled with a recognition, by most of those directly concerned, both of the need for change and of the need to find proper vehicles by which such change can be brought about effectively.

What everyone should understand, both those who sympathize with the difficulties which our universities face in these trying times, and those who may tend to be critical of our institutions of higher learning, is that on every campus in this province meaningful

and constructive steps are being taken to increase participation in the government of each institution by both faculties and student bodies. I have, in an attempt to keep fully informed on these developments, solicited from each institution an account of the specific approaches that are being adopted, and collectively they offer impressive documentation of the manner in which our institutions of higher learning are meeting the challenges which now confront them. A summary of these developments is set out in the Report of the Minister of University Affairs for 1968-1969, which will be issued shortly.

I think, Mr. Chairman, it is included in here so that one need only look at the commission report from the University of Toronto.

The nature of some of the current changes was reflected in the recently released report of the Commission on University Government at the University of Toronto. But Toronto is not alone in seeking new approaches to university organization. I would remind you that three separate university Acts were amended this year in order to provide the legal basis upon which greater faculty and student participation could take place. Each was the result of extensive campus discussion and subsequent agreement. In addition, as you are aware, new legislation for the Ontario College of Art should be approved by this House before this session ends. Other such charter amendments will undoubtedly be requested at future sessions. Our universities and colleges are attempting through a process of evolution, rather than revolution, to provide for changing circumstances in a manner that will allow both a sense of equilibrium to be maintained and the institutions to move forward with their important work of teaching and research.

The attitude of this government, in regard to required changes within our universities has, of course, been made quite clear on numerous occasions over the last two or three years. We are convinced not only that no uniform or common solution can be applied to all 14 provincially assisted universities of Ontario. Rather, given the desire, the talent, and the background of understanding that is prevalent within our university community, we feel that each institution should be allowed to evolve through this period of change in the manner which its members deem most appropriate. There may still be a few members of this Legislature who do not subscribe to this position, even though the approach has been widely endorsed within the university community itself. Yet I am convinced that even those who may have

lingering doubts will soon, as a result of what is being achieved, come to see the real merits of allowing local initiative and action. The ultimate goal is both sound solutions and varied approaches to complex problems—the very essence, I believe, of our university system.

Recently, Mr. James Reston, who is widely regarded as something of an observer, but not one with whom I always agree, began a column that I think was somewhat relevant, and I quote from it:

The political reaction to the campus disorders is now running very strong. The threat of anarchy is now producing the threat of repression, and politicians all over the country are trying to put the university wreckers up against the wall . . . in many ways it is a sad story, for in the end, it could easily mean more political interference and control of the universities, more opposition even to legitimate dissent, reduced state and federal funds for higher education, more separation and hostility between the races, and more trouble for the idealistic students who want fundamental but nonviolent changes in our society.

This is just the type of situation which we have so far been able to avoid in this province. It is the type of situation which we must strive hard to continue to avoid. We have a role to play in this Legislature, Mr. Chairman, that I believe is important. We can help to shape public opinion in a positive way amid conflicting viewpoints, often compounded by emotion. We must keep to the forefront of our thought the importance of our universities, and the potential of the students who attend them, in the development of our country. We must try to assist those who, through responsible thought and action, are trying to avoid the dangerous extremes while reshaping our universities to the needs of the future.

On these issues countless words have been written and spoken. Some of them, in my opinion, make sense; much of what is uttered, unfortunately, is nonsense. Every once in a while, however, I come upon expressed positions which, to me, bring balance to what, at times, seems to be an undisciplined situation. Perhaps, therefore, I might conclude this portion of my remarks by noting one very recent statement which I encountered, and which, in my opinion, deserves consideration by everyone who is interested in the well-being and development of our institutions of higher learning and of their student bodies. It is taken from the lead editorial in the

*Manchester Guardian Weekly* of February 6, 1969, which was entitled "Student Reform or Revolution?"

To build a liberal democracy has taken centuries. To destroy it could be a matter of months. We must beware of undervaluing Parliamentary democracy merely because of its imperfections. The students are impatient, and they have some things to be impatient about. But the most immediate of these concern university affairs, and most of them are now beginning to be put right. These grievances are not so intolerable that they justify a total assault on the system itself. It, too, is being reformed. Reform is a dirty word to the dedicated revolutionary, but it is the better and more civilized course.

Having spoken of students and the student attitudes of today, perhaps I might move to that other area of public attention, money—the costs of higher education. In a logical sense, the natural sequence would seem to be to open this phase of my remarks with a few words about student awards. This, after all, is the one programme which brings government and students at the post-secondary level into contact one with another. It is, to be frank, a subject of controversy in the minds of some of our student body as, inevitably, any programme is likely to be which sets as its goal equality of educational opportunity and, as a result, the allocation of funds to those with the greatest need.

In many instances where differing opinions exist, one can often divide the basis of disagreement into two areas possibly. The first relates to a misunderstanding of basic facts, while the second relates to more fundamental differences of outlook, or, if you wish to add higher tone to the discussion, "philosophies". If all relevant data is available, we need not argue about the first and we should not hesitate to discuss the second. Let me, then, as an initial step, try to clarify certain of the basic facts about the Ontario Student Awards Programme, the means by which we attempt to ensure that students of this province are not denied post-secondary education because of lack of financial resources:

1. The Ontario Student Awards Programme is intended to supplement rather than replace family and/or student resources.

2. The province attempts to assess objectively the ability of the family and/or the student to provide for a student's educational costs, in order to determine the additional funds required.

3. The basis of the objective assessment of family and student contribution is one which has been developed by the federal government, in conjunction with the participating provinces, for the Canada Student Loans Plan.

4. Given this participation in the Canada Student Loans Plan and the included fact that families are expected to contribute, if able, neither students nor their parents can be regarded as free of their share of the obligation on the basis of arbitrary decisions on their part.

5. The programme, in its present form, is expected to assist over 60,000 young people of this province in the current year, in addition to those who qualify for scholarships and fellowships.

6. We are attempting to the best of our ability to combine the inherent equity which basic rules provide, with the degree of flexibility required to deal with individual situations.

The philosophy upon which the Ontario Student Awards Programme is based is sometimes questioned. This is not surprising since there are many opinions as to what an effective student awards programme should be. These range all the way from those who advocate student wages or stipends for the "work" of attending university, to others who assert that no financial aid whatsoever should be given to a privileged minority out of the public purse. While such extremes may seem far-fetched at this point, given on the one hand the limitation on the tax dollar and on the other hand the clear evidence that student aid is opening the doors of educational opportunity, we are, nevertheless, of the opinion that no thoughtful approach should be discarded out of hand without careful study.

Further, having encouraged others to acknowledge changing times and to consider new approaches and new ideas, we feel that it is important that those associated with The Department of University Affairs adopt the same attitude in this area of responsibility. We have learned, however, that Ontario is not alone in its desire to find better approaches to student aid. Thus, while taking steps to gain the knowledge and insight that it will take to improve our own programme, we have also encouraged our sister provinces to join with us, through the Council of Ministers of Education, in the search for better ideas.

We have in turn been encouraged by their response and, to a considerable extent, by

that of the federal government, and a special study group is now at work on a co-operative and far-reaching study that will hopefully give us new insights into this very important area of higher education.

While we have every confidence that this co-operative endeavour with our colleagues in other jurisdictions will lead us towards effective new approaches to student aid, we feel we must also continue to look to our own specific responsibilities, to keep our own programmes under constant review, and to seek, on our own initiative, modifications to our basic programme, which, if valid, may be of considerable use to our colleagues in other provinces.

For that reason I have encouraged the Ontario Committee on Student Awards, a body which was formed some two years ago to advise the Minister about student awards programmes, to give consideration to and initiate, as required, any important studies which its members feel need to be undertaken. I am pleased to report that the committee has initiated research undertakings in several key areas which its members feel require careful analysis. For example, this advisory body has set in motion investigations of the following types of problems:

1. Accessibility to post-secondary education in socio-economic terms, including a comparison of the family incomes of the present student population with patterns that were common in former years and the effect of awards programmes on these changes;

2. The attitudes towards and opinions concerning the current and alternative programmes of aid as expressed by both students and the general public. What is the general attitude, for example, toward the idea of student wages, student grants and/or student loans? Is the concept of the loan really a deterrent to families from low socio-economic backgrounds?

3. The cost and feasibility of alternative aid programmes with special attention paid to amounts of capital required, and the general economic consequences.

The committee has engaged experienced researchers to undertake much of this work. The first of the reports, "Student Financial Assistance Programmes," by Dr. Gail Cook and Dr. David Stager of the Institute for the Quantitative Analysis of Social and Economic Policy of the University of Toronto, has been received and released as a public document. Earlier, a component of this study, dealing with the attitudes of secondary school students

toward higher education was also released. Other reports will follow on the same basis. These studies, I am sure, will shed fresh light upon this important area of social concern and allow us to initiate constructive changes—changes based on fact, not on unsupported opinion.

May I reiterate, therefore, before ending my remarks on this particular issue, that our concern about, and action within, the field of student aid moves forward on two separate but related fronts.

There is every evidence to suggest that the basic programme currently operated within this province is as good and equitable as any that can currently be found within North America. Yet we constantly question its accomplishment in our search for equity and opportunity. We shall, therefore, continue, in consultation with our student awards officers in the various institutions, as well as on the advice of the committee on student awards, to attempt to make whatever modifications and changes are required to ensure fairness in the distribution of funds and adequacy in terms of the scope of the programme.

In the meantime, given the trends which are already clear to us, we must continue with a search for new information, new ideas and, I am sure, eventually new approaches to student assistance in co-operation with our sister provinces and the federal government. Further, we are aware of research which is now being undertaken by people in jurisdictions outside our country as well. We have made contact with many of them, we are exchanging ideas, and we will remain alert, to the best of our ability, to everything worthwhile that other people can provide. It is within the perspective of these activities, I trust, that any subsequent discussion about student assistance will take place.

Now in the concluding portion of my remarks, may I turn to the general question of university financing? Earlier in these remarks, I set forth comparative data for the last five-year period. The results, I believe, are quite dramatic and give a strong indication of the rate at which this area of public support has developed in recent years. Much of this increase has, of course, been related to the growth in enrolment which has taken place within our institutions of higher learning and for which the operating grants formula automatically adjusts. Some of it has obviously reflected the increasing cost of living which has been part of our way of life in recent times. Much of the cost of higher education in recent years has reflected

real improvement in the level of support to our universities in order that they might meet the challenge of the more complex world for which our young people are being prepared.

I should, perhaps, emphasize that this year is somewhat different since the increase in operating grants is accounted for almost entirely by enrolment and rising costs. Nevertheless, these estimates reflect a dollar increase of almost \$50 million over actual expenditures of the last fiscal year. In a period of financial retrenchment, expenditures of this magnitude, however essential, give rise to a number of reactions. On the part of an increasing number of people within the general public there is the feeling that we have reached the end of the line; that we cannot afford to increase to any significant extent the amounts being directed to universities in future years.

Those who hold this point of view would seem to gain support for their conviction by what has happened in many other jurisdictions where expanding university costs have been placed under severe restraints. On the other hand there are many people, particularly within the university community, who feel that we must continue to direct still more rapidly increasing amounts towards higher education to maintain viable staff-student ratios and quality of education in the face of continuing expansion.

This attitude, I believe, reflects a combination of factors, not the least of which is the fact that increased support in recent years has led to increased aspirations among members of university faculties and administrations. There will always prevail within the university community a desire to conduct programmes that are of the highest standards—standards which are often adjudged on an international basis. Advocates of this position feel, with some justification, that nothing is more important than the teaching and research programme conducted within the university setting. This has led some people to comment that universities can, in pursuit of worthy goals, readily spend every dollar that might be provided to them.

The task of government, I would submit, is to determine how many of these dollars will lead to optimum public benefits in the broadest sense. One the other hand, there befalls the universities the task of convincing the general public about their requirements. A major part of this responsibility is to give clear indications that support now being

received is being spent wisely. I should like to come back to this point in just a minute.

There is one further obligation which must be faced in providing financial support; that is, to ensure that whatever funds are available are distributed equitably. For, however little or however much is provided, each institution must be convinced that it has received its fair share. In Ontario, a great deal of time, study and attention has been given to this issue. As a result we have come a very long way in recent years and we have set ourselves on a path that should provide us with even better techniques for determining and distributing university support in the immediate future.

I realize that it might be considered inappropriate or, indeed, even a display of political partisanship, for a Minister to indicate that in this province we might happen to be leading the way in a given field of endeavour. The truth of the matter is, however, that in this regard it happens to be the case. And perhaps it is not really improper for me to so indicate since the judgment of the Minister is reflected as much in his ability to accept new ideas as they are forthcoming from others as in initiating them himself. Much of the credit in this case must go to the committee on university affairs and to the committee of presidents as well, for their collaboration in bringing about the introduction of such techniques as formula-financing to the area of university support.

Those who are willing to tell us about better ways by which government university relationships might be handled in this province would do well to reflect upon the results of our present patterns. The operating grant formula is but one example. The year 1969-1970 will mark the third time in which the formula has been applied and it is generally regarded by those outside Ontario, as well as those within, as a pattern as good as any yet devised for distributing available moneys. We know that it can be improved, and we know that its introduction has given rise to different kinds of problems which must constantly be kept under review to ensure that the overall quality of our educational programmes is not adversely affected or that the emphasis on courses and programmes within the university is not distorted.

It will be of interest to you to know that there is a joint subcommittee, involving the committee on university affairs and the presidents, which meets regularly to discuss formula problems as they become apparent, and that a substantial number of changes and

modifications intended to meet, in a constructive way, the requirements of our universities, have been carried out in the past two to three years. In the meantime, as already noted, increasing attention has been directed towards the question of capital development. In many ways this is a more complex, and therefore more difficult matter. Nevertheless, once again on a co-operative basis, the department, the committee on university affairs and the presidents have committed themselves to the task of developing some national objective means by which capital funds might be allocated and appropriate development of our institutions of higher learning guaranteed.

As in the case of the funding of capital projects, interim arrangements have been necessary as we move toward a more definite pattern. That is why two years ago, on a retroactive basis; the province moved to a 95 per cent level of funding of approved capital projects and broadened the scope of that arrangement to include all the essential types of facilities needed for appropriate university life, save for residences, for which a separate set of provisions—including the establishment of the Ontario Student Housing Corporation—were made. In the current fiscal year provisions for capital allocations were taken a step further with the development of an interim formula device which enabled the department to get a well documented assessment of actual need for future years and, at the same time, to ensure the appropriate distribution of the available funds.

I do not intend to outline, in any detail, the methodology that was employed in this regard. All of the documentation was made available to the institutions and to the press at the time of the budget announcement on March 4, 1969, and can be provided to any interested member of the House. It was our hope—and initial reactions have indicated that this will be fulfilled—that universities will use this documentation as a basis for effective dialogue with the department and the committee, as well as a basis for sound future planning, and thus contribute to the eventual development of a more complete capital formula which we hope to have ready to apply in the very near future.

I am not sure, in outlining these few facts, if all members of the House are aware of how significant this development is. The initial work that has taken place in Ontario over the last year or more has aroused great interest from other government and advisory bodies throughout North America and elsewhere and, consistent with my previous comments, we

have been most happy to share with them the thinking that has been developed.

There are, of course, many specific and difficult problems for which we shall have to find answers. For example, while the approach of the interim formula gives promise of a device which will provide most adequately for new space requirements at universities, it leaves for other approaches such questions as funding of non-building requirements, including site development and utilities, the replacement and/or renovation of existing space, and, of course, the special types of situations which appear at given universities including, as but one example, the emergent institutions. Nevertheless, the very ability to identify these problem areas is, to my mind, a strong beginning toward eventual solutions that will allow us to cope with them adequately.

Our system, of course, will continue to grow. In the current academic year, our university enrolment has passed the figure of 100,000—which once again is a figure I remember giving to this House some five years ago and there was some doubt that we might achieve this—not counting the church-related universities and colleges. We must now gear ourselves to the fact that the next decade will probably see that figure doubled, even though the rate of increase can be expected to moderate.

**Mr. Nixon:** Did not Dr. Deutsch give us that figure about 1963?

**Hon. Mr. Davis:** Our figures were a little closer.

Such growth will take place despite the fact that we will offer post-secondary education in other forms which will also expand at dramatic rates. The challenge of the future, therefore, will obviously be related not only to developing but to operating, with true effectiveness, a large and complex system of post-secondary education that will serve the interests of our people. It will give rise to problems of cost, it will give rise to problems of inter-relationships, but most important, as we already have seen, it will also give rise to problems of human development. We must develop a system that keeps at the forefront the importance of the individual with his needs, his problems, and his potential to contribute to a better society. This will not be an easy task and it will challenge the thoughts and the imagination of our most intelligent and inventive people.

As part of the process of confronting these problems, we have appointed a Commission on Post-Secondary Education. The approach



that the commission will take should ensure that every interested person and organization will have full opportunity to contribute toward the attainment of worthwhile goals in higher education.

We have in Ontario a relatively young, vigorous and fast-growing university community. In relative terms it is perhaps among the best on this continent, and this reflects the contribution of all who are involved in the university community—students, faculty, administrators, governors—as well as the government and, not least important, the general public, who provides the tax dollars.

Admittedly, higher education is not a field of endeavour in which sweetness and light are always likely to prevail. Indeed, widely differing points of view and dissent are essential. I marvel at the imagination of those who are led to state that the patterns of government-university relationships in this province are stifling dissent and dialogue. I see no evidence of this, nor have I any desire to see it.

It can be stated, however, not as an item of controversy, but as a plain fact, that both universities and the government are going to have to do more to share with the general public the kinds of problems we face, and explain with clarity and conviction the requirements that exist. We need not deny the existence of problems or shortcomings. Much remains to be done. But this should not detract from what this province has accomplished to date in higher education. Ontario's record, I believe, speaks for itself. Now our purpose must be to improve and develop patterns of post-secondary education that will meet the needs of our young people and of our changing society.

**Mr. T. Reid (Scarborough East):** Mr. Chairman, I have listened with interest to the Minister's remarks and I find myself in disagreement with some points but also in agreement with a fair number.

I would like to take as my starting point his statement on page 29 that:

The challenge of the future will obviously be related not only to developing, but to operating with true effectiveness, a large and complex system of post-secondary education that will serve the interests of our people.

I would like, in that context, to deal with the question: "university education, for whom in this province?" The question of the present efficiency of the co-ordination efforts among our universities—of the co-ordination of efforts among our universities—and thirdly, fairly

briefly, the issue of what has been called "the de-Canadianization of the universities in Ontario," as part of a general continuing trend of the de-Canadianization of Ontario itself. I would like to deal with those aspects in order.

I must point out—and this is not a commercial—but a book entitled, "*Student Power on the Canadian Campus*," as edited by Tim and Julyan Reid—it just came out last week.

**Mr. Nixon:** The Minister should buy a number of those, I should think.

**Mr. T. Reid:** I think I have a copy going to the Minister, through the mail.

**Hon. Mr. Davis:** Is it complimentary?

**Mr. T. Reid:** It will be complimentary. It is only \$2.95. I hope it will sell in the high schools so that we have—

**An hon. member:** Autographed copies?

**Mr. T. Reid:** Yes, they can be autographed.

**Mr. D. C. MacDonald (York South):** A commercial by any other name—

**Mr. T. Reid:** —is still a commercial!

The point is, Mr. Chairman, that this book contains a number of articles by myself, but the most important article, however, for the purposes here, is written by Julyan Reid, and I would like to use it as the basis for my comments this afternoon. I did not write it but I share some, but not necessarily all of the points of view expressed in it.

I would like to lead with the question: "Education, for whom in this province?" To ask the question, "education for whom", particularly university education for whom in Ontario, is to ask what role the university should play in the just society. Today we do not question the proposition that every Canadian in Ontario should have equal access to the benefits of society including the benefits of education. But there is a strong feeling among the young that the university, despite its "objective" criteria of scholarship, is really geared to maintaining the *status quo* in terms of the class system.

John Porter supports this assumption. He says:

Education at the university level is to a considerable extent the privilege of a numerically small occupational class.

He was, of course, referring to Canada. This book was written in 1965, entitled "The Vertical Mosaic."

Now, one of the key questions among the valid questions in the student protest movement in this province—and in Canada is: Who gets to university and why? The universities traditionally have prided themselves publicly on their objective criteria for admission and for granting degrees.

In the past, ethnic quota systems have certainly existed. For example, one can ask, how many Jews have been admitted to medicine at McGill? But these ethnic quotas have been surrounded with such secrecy that one can assume that even the university administrators did not consider the tactics publicly honourable.

As the Minister well knows, in tracing the facts on who gets to university, in the 1950s the federal Department of Labour noted in a case study that:

It is quite clear that children from middle class and professional homes enjoy a higher survival rate in the educational system than would be predicted from an examination of patterns according to which intelligence is distributed among students.

And that was the 1950s.

Then we come into the census data of 1961—which I have put in the records of this House on numerous occasions—in which we see that the children of the rich, the children of the professional classes, the children of the well-educated, have a much higher survival rate in the school system than children of manual labourers, and so on, and therefore they, the former, are the ones who have the choice of whether or not to go on to university in this province.

Then we come to 1965-66, in which the Canadian Union of Students, in conducting a sample survey of Canadian undergraduates, had results which verified earlier findings; those findings being that Canadian university students are:

By and large not representative of the Canadian class structure but rather bear the characteristics of the middle and upper classes of Canadian society.

Mr. Chairman, the study also concluded that only 35 per cent of Canadian university students were from blue collar or working class families, compared to the 64 per cent of employed Canadians who held jobs which are so classified. The point here is that the socio-economic background of university students in Canada and in Ontario did not nearly reflect the socio-economic background generally in Canada and in Ontario.

So we found that in Ontario in the mid-1960s much of the intelligence, creativity and other inherited abilities of a vast number of people were being wasted. About one of every four non-farm families was living on an annual income of \$4,000 or less and more than half of all foreign families live on incomes of \$2,500 or less. At the very most, in the mid-1960's, 20 of every 100 children of such families in the age group 19 to 24 were attending regular daytime school or university. That was the situation, roughly, in 1965. Then we come to a study done this summer in Ontario—study entitled, "Student Aid and Access to Higher Education in Ontario," by Edmond Clarke, David Cooke, George Fallis and Michael Kent. I just quote briefly from that study to show that really, over the last decade, the characteristics of university students in terms of their socio-economic background have not changed to any great extent, if at all.

Mr. Chairman, the study consisted of administering a questionnaire to 8,700 representative students in 25 high schools across Ontario, and here are some of the conclusions of that study. It is a massive study; I have it with me here. I quote briefly:

The Ontario Student Awards Programme was initiated to ensure equality of educational opportunity at the post-secondary level.

If this phrase is to be meaningful, it must imply that any student who is capable and wants to have a post-secondary education, is financially able to do so.

Yet, many young people, because of economic and social factors, never seriously consider going to university. Large numbers of students never reach the level where they are able to enter university and thus become eligible for student aid, because they give up before then.

The authors went on to note that only the very brightest, highly motivated lower-class student gets to the stage where he is able to obtain a post-secondary education. The authors conclude:

Therefore, if the objective of the student award programme is to be really meaningful, the socio-economic mix of the students reaching the final year of high school should not be very much different from those who started in the educational system.

In short, Mr. Chairman, present student award programmes have very little to do with educating the children of the poor in our society.

I have made this case before but the point I want to make specifically here is that if you look at the evidence in terms of the studies done in 1950 in Ontario, if you look at the census data of 1961, if you look at the Canadian Union of Students' survey of 1965, if you look at this year's massively documented report on "Student Aid and Access to Higher Education in Ontario," you find in answer to the question, "who in Ontario gets to university?" that it is still vastly disproportionately the children of the middle class and well-to-do in our society.

I predict, Mr. Chairman—almost deplore, but predict with some certainty, I think—that the census of 1971 will show, despite all the financial aid programmes across Canada and Ontario, that the participation gap in higher education, especially university education, between the rich and the poor has widened, not narrowed in the 1960s. Financial aid at the top, at the university level, makes it easier for a larger group of those who reach the university gates, to get in and stay in. It does nothing for those who lose out at the beginning: the poor, the culturally deprived, the different language groups. Discrimination against them begins in the early grades. The slum-child in Ontario is not getting within miles of the gates behind which all the money and opportunity wait.

John Porter states that for the higher professions, like law and medicine, such training is even more a preserve of upper-income families. For example, in 1961 dollars, and in terms of the 1961 census, one finds that four per cent of Canadian families had incomes of more than \$10,000, and their children accounted for more than 22 per cent of the doctors in medical school. We find that the same four per cent accounted for 28 per cent of all the young people taking law in Canada.

I suggest that, between 1961 and 1971, you will find, of course, a larger number of families with real incomes over \$10,000, but I suspect that they will still account for about the same disproportionate number of places in law and medicine. And I think that the onus of proof is on the Minister and others to prove that that prediction is not, in fact, true, almost nine years after the census of 1961.

All these studies seem to strengthen the student claim that the role of the university in Ontario today has not changed fundamentally since the 19th century when it was the bastion of the upper classes and served as a training ground for the perpetuation of

an elite. If the universities' admissions policies in this province are ideally so objective, what is the reason for the large, disproportionate number of middle-class and wealthier students gaining entrance? It is not, as many well-to-do people would like to think, because the wealthier are born inherently brighter than the poor.

One has to look further down the education line to the quality of our schools, especially rural and slum schools. The middle-class children, who have often gone to nursery school and junior kindergarten, arrive at grade one with a head start. From that point, the poor, the culturally deprived, the language minorities—already at a disadvantage—continue to slip back.

Mr. Chairman, the implications of this process of educational discrimination are far more far-reaching than the personal and mental development involved in education. They are certainly more far-reaching than even the economic growth of this country which has, as one of its strategic variables, the steady production, if you like, of talent developed through the formal education system. The implications are these: The university system is complex and stratified. The level at which one emerges from the university is the single most determining factor of status and income in future life.

Thus the university plays a powerful role in who governs society and who fills the top jobs. The university has now become the principal mechanism of job allocation at the top. Status can now be passed on through university places and hence important jobs, where formerly it was mainly a function of inherited wealth. For example, a doctor may not have property to pass on to his son like a wealthy landowner of 50 years ago, but he can pass on status and future income by getting his son into medical school. Perhaps this explains some of the admission policies in the medical schools. The son of a doctor is given preference sometimes because he is "more likely to become a good doctor".

Another problem raised by the question, "education for whom," is the concept of the ethnic quota. In the United States, black students have demanded minority quotas in the universities. In Montreal, students recently demonstrated to make McGill a French-speaking university. The last five years have produced an upsurge in demands for a change in the ethnic distribution of rewards in society.

Since gaining the key occupational positions in society, Mr. Chairman, is determined

by graduation from university, admission rates of various ethnic group to different faculties and professional schools is of prime importance to those groups. One can think in this city, particularly, of the large Italian ethnic group. I think I should add that the demonstration to make McGill French is a bid for the privileges in the economic, legal, medical and corporate world of Quebec that comes from being a McGill graduate. Since many positions of privilege are based on family connections and other non-educational factors, the transformation of McGill would not automatically open all doors in that province. But the bid is symbolic; it is a bid for proportionate access to both education and the resultant job, power, and economic guarantee that a McGill degree has traditionally provided the English in Quebec.

Now, the case I am about to make, of course, is for quotas or goals in our universities, for the people who have been deprived of educational opportunity in Ontario. In that context, I think we have to have policies with regard to this following question: What happens to the academic standards of the university when an ethnic, or what I would call, a quota for the disadvantaged in our society, is adopted? It may well be, Mr. Chairman, that a system of selecting students which takes ethnic balance into account will reduce the academic level of the institution. But this would be a short-term loss. In the long run, such action would have the social effect of liberating much talent that is now constrained by the legacy of past discrimination. Over a time, I believe with this article by Julyan Reid, that the net social effect should be a raising or at least a maintenance of the academic standards of the universities in this province, as well as greater social justice within the Ontario society.

This would be, in effect, inverse discrimination in the interest of long-term justice and a gamble for a renaissance of new talent and greater excellence in the future. McGill is just an example from outside of this province, but all universities in Canada, especially those in Ontario, for this discussion, will do well to examine their admission policies in this light.

Now, I have used the term "ethnic quota" to apply to numerically large groups in society, such as the Negroes in the United States who are distinguished by colour, or the French Canadians in Canada who have constitutional rights for their language but who statistically fail to share the benefits of society, including the benefits of university education in proportion to their numbers.

A quota, Mr. Chairman, for students of poor or culturally deprived backgrounds at our universities in Ontario will be more difficult to assess. But even in this field, there are precedents. In Chicago, I believe, the Crits programme took rural students who failed the college boards and gave them four-year scholarships. Predictably, they started off badly but many caught up by their last years and did extremely well and others contributed strongly to the student life of the university as well as managing to pass in traditional manner.

I would submit to the Minister, Mr. Chairman, and to the people of this province, that the universities have little excuse to avoid examining their role in relation to the oppressed groups in Ontario society. If the university is to collaborate with our social goals in terms of government contracts and stress on manpower needs, how can the universities in this province avoid the stated aims of the Minister and, indeed, of the Prime Minister of this country?

And if the university sets itself up as an objective critic of society, independent of specific ideology but searching for truth and ideal social goals, how can it avoid the most pressing and most immediate soluble problems of the access to university education gap?

Mr. Chairman, I quoted extensively from that article and interspersed my own remarks into it. I have known the person who wrote it, for about nine years, and share her views in this regard.

I simply say, in concluding that portion of my remarks, that the central issue in Ontario in education, in my opinion, is the question of who benefits from the education system. The Minister and I have discussed this in committee with regard to elementary and secondary school education and I have reminded him of the link between that and who gets to benefit from university education in the province. I submit that in addition to some of the programmes or ideas I have expressed about early childhood education, there is another way in which we can help break the cycle of poverty and redistribute power in our society: through the acquisition of places in universities in this province.

There is a programme—undoubtedly the Minister knows about it—at the University of Toronto, in which a very few students—I believe it is no more than half a dozen—have come directly into university from outside the normal admission requirements. These are students who left high school, or perhaps

failed in high school, some of whom are still in their teens, and they have been admitted to the University of Toronto on a trial basis.

Many members of faculty, and I believe certain senior students, are tutoring them extensively so they can catch up. And I suggest that perhaps the Minister, over the next two years, while he is still Minister of Education or on the government side, could really examine the question of special admission requirements and what financial aid he would give the universities which adopted this type of special admission requirement.

It is getting into a very difficult area and the Minister is very much aware of the difficulties in this. But I suggest, Mr. Chairman, that if any university—perhaps even a community college, but particularly universities, because that is related to the power structure in our society—if any university in this province accepted students from the culturally oppressed groups outside of the normal admission requirements to give them a special head start in the university programme, that the Minister's department ought to make a great deal of financial resource available to those universities.

Well, I shall leave this; it is a very complicated area, but I think it is necessary. One could get into trouble making the following analogy, but surely, if the universities in the United States are willing to take in students from an oppressed group in that society outside the normal admission requirements, surely the universities of this province could do the same thing for the oppressed groups in our society. And I would hope the Minister would offer leadership in this area.

The second point I want to turn to, Mr. Chairman, is again a very sensitive area since we are talking about the relationship of the government to the institution in society which is perhaps almost more sacrosanct in terms of its independence and freedom than any other institution in our society. I want to let the Minister know that my thinking has shifted over the last year to some extent, and also that the policy of this party has shifted to some extent. I have here, Mr. Chairman, the third annual review, 1968-1969, entitled "Campus Forum" put out by the Committee of Presidents of Universities of Ontario. I have read this document with great interest and I have been following the activities of the Committee of Presidents of Universities in Ontario quite carefully—ever since 1962, when it was established. I knew about it when I was involved in university adminis-

tration starting in 1963 then I have followed their activities.

The document is an interesting one, and I would like to quote briefly from it in order to lay the basis of my recommendations to the Minister. In its first chapter, entitled "Looking Outwards", the reports of the committee of presidents states this:

This chapter will take stock of the extent to which the universities of Ontario have moved from isolation to co-operation and involvement in a wider society of which they are a part, to assist the trend of future development in this direction and consider the adjustments that the universities are likely to make, in tune with such development.

Then the report goes on:

Creation of the committee of presidents in 1962 was the first significant step toward systematic co-operation among Ontario universities.

It goes on to say:

Over the next four years, from 1962 to 1966, a number of specialized sub-groups were established. Beginning with the academic year 1967-68, the universities have embarked on various co-operative projects. Among them the library transit system, the co-operative use agreement relating to university libraries, the bibliographic centre project, the common admission procedure, the appraisal of graduate programmes, to bring in together representatives of discipline groups and a newly formed computer co-ordination group.

I say this with some regret but, in my opinion, for a group of people who *ex officio* got together in 1962—which is seven years ago—the degree of co-operation and co-ordination among the 14 provincially assisted universities in this province has been a great deal less than it should have been.

I can document this with some examples. I will just drive this one point home. I think, again for a committee that got together seven years ago, we should now have had one university library in this province, one computer centre and a great deal of centralization of decision-making at the graduate school level. I state that unequivocally for the first time.

Now, why do I say this? I just do not see the co-operation that should have been reached by this time. I also just like to remind the Minister of one comment in the report by one college or one university. The report is from the presidential committee on Glendon College in June 1969. This is a report that

was put out by a tough-minded group of members of the board of governors at York, including some of the first great businessmen in this community, and the consultant members of the staff and so forth. In their section on page 13 under finance, the sub-section entitled "Analysis of Data", that committee makes the following statement:

As Ontario universities have not evolved costing systems of great sophistication, which the committee could use as a guide, it was necessary for the committee to work out its own approach to this analysis. Two criteria were observed. The revenue assignable to Glendon would be that which was available to the university because of the Glendon student unit formula grants and fees. Secondly, in addition to the direct costs assignable to Glendon College, indirect costs would be assigned in such a way that if a similar analysis was carried out for all university divisions, the cost would be exactly accounted for.

It goes on to say:

It must be emphasized that the result is not a budget nor a projection of a budget, but a statement of assignable income and direct and indirect but allocatable expenses. This method of analysis is a tool useful for the purpose of assessing the viability of one segment of a larger operation.

The point I would like to make is that surely the presidents of the universities of this province should have had a costing system of "great sophistication" which this one particular committee, for example, could have used as a guide in assessing cost and revenues at the education institutions in Ontario. Now, I use that as one example, although I believe that at the medical school of the University of Toronto, the same attempt was made at least five years ago. There could be other examples to make the flat statement that there has not been enough co-operation among the 14 provincially assisted universities in the past.

Now we get to the question: How do we put at least a candle under the university presidents? I think it was in Bill 11 that I introduced in this House, establishing the universities commission, and I maintain as I did several years ago, that the universities commission in this province—made up of representatives of the government—government-appointed people—and of the universities together, including some teacher representation, I think that that 15-man commission—could become a substitute for the Minister's depart-

ment, and for the Minister's advisory committee on university affairs.

I maintain that one could set up that commission and have, within three years, very effective and cost-saving co-operation among the universities in this province, especially for the university library. It is utterly beyond me why there cannot be one university library in this province without impinging upon any of the autonomy of any university.

It is utterly beyond me why we cannot have one computer centre network, particularly with the possibility of the decentralization of computer facilities for all the universities in Ontario.

Of course, even related to the community colleges. Now, getting into a much more sensitive area—because I think the statement the university presidents make about the vetting of graduate programmes in this province is very weak, to put it in the mildest possible term I can—I do not think there is really very effective vetting on the establishment of new graduate programmes in this province.

I think that we should really have, if you like, under this independent universities commission, one central university senate for graduate work in this province. I think, Mr. Chairman, for example, that in Metropolitan Toronto, it would be possible to have one central department of economics made up of economists from York, economists from the University of Toronto, economists from Atkinson College and perhaps some of the economists from Ryerson. We should have in this city, for example, or in this metropolitan area, an Economics Association of Metropolitan Toronto. I would think that you could still have students actually resident at the York campus of York University, but sharing the total resources of the economists available in the Metropolitan Toronto area.

I think it would not be a monolithic hand over all economics in the metropolitan area. I think safeguards could be built up. But I do not think the Minister—when he tells us he always accepts the advice of his advisory committee, which is his way of gaining independence, he says—I do not think that advisory committee and the Minister can get through the necessary degree of co-ordination and co-operation among the 14 provincially assisted universities in Ontario.

They do not dare do it because it is an arm of government. That is why I maintain the position we have in this side of the House that, with the universities commission, we could get better quality programmes, better

library services, better computer services to the teachers and the students at our universities than we will get under this present system. That is the point of departure for us.

The final issue I want to raise at this time, Mr. Chairman—as the Minister noted in his own paper if not in his own remarks—is what is being called, in emotive terms, the de-Canadianization of our universities in Canada, as part and parcel of the de-Canadianization or the Americanization of the Canadian economy and of the Ontario economy.

The basic document that is being used is, of course, the book by Robin Mathews and James Steele entitled, *The Struggle for Canadian Universities*, which came out just recently. I have not had time to do more than read the book; I have not had time to analyze their sources of data, the limitations of their data and just what they mean when they talk about an American teaching at a university in Canada. The problem is essentially one of Americans teaching in sensitive areas of the curricula in our universities.

But I do know—how can I say this—I do not think we have got the facts. One problem with the statistics in the book is that you are not too sure whether some of the people in those statistics are Canadians like myself who have done graduate work in the U.S. and graduate work in the U.K. For example, if the statistics related to the time before I left university work at York, am I called an American in those statistics? Now, there is some question.

Mr. S. Lewis (Scarborough West): I do not think there is any question. You are not called an American.

Mr. T. Reid: It is really thorny, I tell you, I have been through it—

Mr. Lewis: Thorny in one university only.

Mr. T. Reid: Well, we will go on to this. What I would like to see the Minister do—either himself, through his advisory committee, or in conjunction between himself and the committee of presidents of Ontario, or at his council of Ministers on the national basis—is really get the facts on this. I think this is a serious problem. If it is as extensive as Mathews and Steele say it is, that is a serious national problem in our universities. It is serious and one can go into the sociology of it, and probably the member for Scarborough West is going to do that. I leave it to him to do it, if he touches on it.

But we must find out just what the facts are on this, or else find out where they are

teaching and so forth; and I think we will need sociological data as well as hard factual data because I just do not like it. I can tell the Minister that I know of departments—you know this is micro-evidence—and it is macro-evidence that is needed—I know of departments, for example, where there are 20 Canadian citizens who have done their high school work in Canada, their undergraduate work in Canada and then may have done their graduate work elsewhere. And I know how that group of 20 Canadians in this one particular department went out and hired Canadians. Why? Because their friends were Canadian; because they went to university with them. They met them down at Yale or Princeton or Chicago or Berkeley and they knew that they were Canadians down there. They knew they were Canadians over at the London School of Economics.

A group of 20 Canadians hire Canadians, because they know them, because that is the way the old-boy network works when you are hiring at the universities. I also know that the same thing happens at the other departments made up of 12 Americans out of 16 people, and the people they know are Americans—people who have done their high school work in the States and who with very rare exceptions, have done their graduate work in the United States; people who are culturally American, who, in their educational system of primary and secondary school, learn about the United States.

They come up here and we do not know what happens to the curriculum they teach, particularly in the sensitive areas: history, political science, economics. Some of them, and I can name them—again this is micro-evidence and one cannot make judgments on micro-evidence—I know of Americans who have come up to this country and who know more about the urban problems of Montreal than any Canadian national. But there are many, of course, who, because they are Americans, because their experience is American, just do not know much about, say, political science in this country; and I find that bad. I would like to quote just one section from an article in this book I mentioned before. It is by Robert Rae, one of the outspoken and articulate student activists in Canada. And he says this in an article—he calls it “In Defence of Student Activism, a Reply”; he is replying to George Woodcock, and he says this:

I would agree that many of the remedies proposed for this issue about the Americanization of our universities, mass deportation of American teachers for example, are

far more dangerous than the problem itself. But what, on the other hand is particularly enlightened or internationalist about merrily importing American professors, American textbooks and purely American course material? Canada's status as an intellectual transplant colony is complete unless we can nourish our own universities with our own resources.

I just say again, Mr. Minister, take this to your council of Ministers and insist that that council of Ministers does this research in terms of the Canadian context. Get the presidents of the universities of Ontario to really look into this. I suggest to you, Mr. Minister, that there is a problem here but we do not know what kind of problem because we have not yet got the type of data we need, both quantitative and qualitative. I will just leave it and conclude my remarks with that.

Mr. Lewis: To that thunderous ovation, Mr. Chairman, let *Hansard* show, I will begin my remarks. I have curiously enough, some remarks on paper which will emerge at some point when they are typed or duplicated, or I would have given the Minister a copy, I want him to know that.

Mr. Chairman, I want to take a shortish time in this lead-off to state some basic convictions about university life. I am deliberately avoiding repetition of detail in favour of certain general principles within which we in the New Democratic Party can make our more specific case during the few hours that are available. There are, essentially, three areas of interest: first, the question of university governance, student power, curriculum change, freedom and dissent on the campus, that whole complex of issues.

I begin by registering a strong protest against the cynical and mindless way in which Ontario's university administrators invoke the bogey of violence to divert attention from central issues. President Bissell of the University of Toronto is particularly shabby in this instinctive ploy. Perhaps it was the year's sabbatical at Harvard which did it, but President Bissell all too easily slides into accusations of "sabotage" and "saboteurs" in supposedly sophisticated argument. True, he hedges his analysis with annual homilies about the undoubted sincerity of many students, and touching references such as: "Of all institutions, the university should be the most tender toward dissent." However, when the chips are down, the old tactics prevail.

Except perhaps for Murray Ross of York University, most Ontario presidents join the

predictable refrain. Thus, it was not the least surprising to find that in their recent working paper "Order on the Campus", the university presidents' committee began the second paragraph with these words:

There can be no doubt that violence constitutes a serious danger to the survival of the universities as places of teaching, research and scholarship.

This, in Ontario! Let the Minister concern himself with the attitudes and predispositions of his university presidents!

Then, laborately conjecturing on the various forms that violence might take, the enlightened presidents observe:

Violent action is unnatural to the university and yet the only response by which violence can be contained is the exercise of counter-violence. The university recognizes that in such circumstances there is no acceptable alternative to enlisting the police for the protection of the academic community.

I depart from my text to say that I would have thought those were the observations of an *agent provocateur* and not of a university president. One would think that the effort was to stimulate violence rather than to avoid it.

Fortunately, Mr. Chairman, the public response was uniform. Condemnation rang so loud that presidents backed away with unusual haste. But it does not soothe just to know that the would-be autocrats were routed, or that they themselves realized that these procedures are distasteful.

Let it be said, loud and clear, louder and clearer than even the Minister might say it, that the University of Toronto is not Berkeley or even Columbia. We are not, in this country, engaged directly in the madness of Vietnam, nor do we mirror the savage racial fracticide of American cities and campuses.

We have avenues of dissent and protest unknown in the United States. In the entire province of Ontario with its 14 state-assisted universities there has not been a single incident of recent memory which would be said to harbour serious violence. Even parallels drawn to Sir George Williams are loose and irresponsible. In that instance, a combination of race and French-Canadian student protest produced ingredients which cannot be duplicated in this province.

Mr. Chairman, that is not to say that we in this party condone neurotic extremism—by word or deed—in either country. It is sad



that Professor George Woodcock can write an article in *Saturday Night* entitled, "The Ominous Politics of the Student Left," and appear to make a case. For most of us as social democrats, the behaviour of some, almost exclusively in the United States, is disheartening and repugnant. Irving Howe put it well:

Much recent behaviour of insurgent students goes against the grain. Destroying computers, occupying buildings, breaking up meetings, shouting down teachers in classrooms, this has nothing to do with the socialist or radical tradition. It is a strange mixture of Guevarist fantasia, residual Stalinism, anarchist braggadocio, and home-made tough-guy methods. This is not the path for serious radicals.

No, it certainly is not, Mr. Chairman, but serious radical overhaul of existing university structures is what the present ferment in Ontario is all about and it will not be disarmed by the creation of straw men in order to stigmatize the reformers.

I think that what president Bissell, and his colleagues, and the Minister, fail to understand is that powerful demands for change are rooted in a fundamental social analysis, and that the demands are irresistible. Every limited effort to appease the reformers from Duff Berdahl to the ambitious CUG report for the University of Toronto is doomed to failure because the basic issues remain unresolved.

Of course, not all reformers are activists, Mr. Chairman, but it is becoming increasingly clear that a majority of the student body desires a change in the substance and direction of university life. The quality of this change must mean, within the foreseeable future, a revolutionary transformation of post-secondary education in Ontario.

Mr. Chairman, it will no longer be tolerable to have universities run by a self-centred oligarchy, vesting all power as, for example, at the University of Western Ontario—in an *entente* one might rather call a consortium—among the Canada Trust Company, the London Life Insurance Company, the London and Midland General Insurance Company and the Huron and Erie Mortgage Corporation.

It will no longer be possible to exclude students or faculty from any, I repeat any, function of importance in the university. It will no longer be permitted to see universities conduct their affairs in anti-democratic and secretive fashion behind closed doors. It will no longer be countenanced to condone

research projects funded—as in the case presently at the University of Toronto to the tune of \$1 million—by the United States Air Force, the United States Department of the Navy, the United States Department of the Army, the United States National Aeronautic and Space Administration, the Canadian Department of Defence Production, and as a final touch, NATO. It will no longer be acceptable to watch universities slide into the role as technological handmaidens of North American society.

In his address to the Empire Club of Toronto, the then president of York University, Murray Ross, expressed it thus—and I am going to quote at a little length because he puts it rather well:

The student feels particularly at home in and identifies with the university not just because of formal affiliation but because it is one institution which has traditionally shared his rebellion against materialism and conformity. Yet it appears to be becoming just a handmaiden of the new technology. Its methods, its organization, its curriculum all seem to be tailored to the requirements of the outside world.

When a computerized graded report is the only means the student has of measuring his intellectual progress, when professors cannot be found in their offices because they are away on "task forces" and consulting missions, the student may conclude that the university has abjectly surrendered the job of stirring up and challenging its students and its society, and is instead trying to enfold itself in it.

As he sees it, the university nowadays is bent solely on producing grist for the economic mill, turning out generation upon generation of dull, unimaginative and highly skilled recruits for computerized careers in the lifeless world of the machine, and the efficiency expert. He views the university as Professor Henry Aiken of Brandeis saw it in a recent lecture which he gave at York University: "An educational monster which devours its young, processing them into a kind of all-purpose compost for refertilizing the great briar patch of the national society."

That is a pretty impeccable authority, Mr. Chairman, and if the Minister does not discern the grounds for quiet or unquiet revolution, then his Toryism is beyond redemption.

Moreover, Mr. Chairman, it will no longer be acceptable for the university to transmit, uncritically, all that is most odious in the

values of this corporate system; or to persist in a middle-class student body defying penetration by those of lesser economic means; or to surrender to the Americanization of faculty and content; or to be seduced by the new managerial stratagems which wink ominously from the pages of the University of Toronto's CUG report.

Finally, Mr. Chairman, it will no longer be credible for the Minister of University Affairs to avoid outspoken involvement on the dubious grounds of respecting academic autonomy—I depart again—which grounds he surrenders willingly in instances like the Ontario College of Art, and will again if his resistance is similarly uninformed. Public funds now underwrite universities to a level of 85 per cent or higher. The bland Minister cannot forever refuse to lead or he invites serious trouble. When an entire community is seething with change, there is no virtue in the advocacy of impotence.

It was Dante who said, Mr. Chairman, "The hottest places in hell are reserved for those who, in times of moral crisis, preserve their neutrality." The Minister not only preserves it, he transforms it into a fetish. One wonders to what end he is destined. After all, when you solve the separate school crisis you may ascend.

There are, after all, certain elemental standards which should govern the future:

1. Students must have the same rights as any other member of the academic community. A democratic university must abandon rules which purport to govern the private lives of its members. Involvement with discipline, if administered at all, should be minimal. There are civil and criminal proceedings available outside, as to all citizens. As the president of the American Association for Higher Education put it:

Colleges are not churches, clinics, or parents. Whether or not a student burns a protest card, participates in a civil rights march, engages in premarital or extramarital sexual activity, becomes pregnant, attends church, sleeps all day and drinks all night, is not really the concern of an educational institution.

2. Top-level restructuring of every university in Ontario is imperative. There will be many variants, but the ground rules are clear. Students, faculty, genuine community representatives—labour, farmer, urban renewal associations, tenants, consumers—and indeed delegates from among university employees,

from clerks to maintenance workers, must all have a say in top-echelon government. No one group need be dominant, but none can be excluded.

3. As my colleague, the member for Riverdale (Mr. J. Renwick) indicated just last week, it is not sufficient to restructure and then to leave it. There must be accountability—accountability to given constituencies which are represented, whether by way of meeting, referendum, report, or any other suitable direct exchange, including, Mr. Chairman, this Legislature, as much as the Minister might wish on occasion to eschew it.

4. Restructuring must filter down to every faculty and department, perhaps by way of parallel committees which make it necessary for open meetings of both students and academics to approve important decisions. This will be controversial. It would involve questions of hiring, tenure, promotion, firing of faculty, and admission and graduation of students. But if true participation is to be honest and real, nothing less would suffice.

5. An end to the evaluation system is indispensable to reform; major changes in emphasis for curriculum and teaching would become a focal point—even research of potentially compromising kinds, for instance, research with military implications, should have a greater scrutiny through student-faculty committees.

6. The perpetuation of class must be fought on all fronts and here OSAP shows its Achilles heel. The university community must mobilize itself to tackle the Minister, if necessary, in the struggle to change loans to grants, to shift those grants to the elementary and secondary systems, and to liberate the university from a middle-class preserve.

7. The university should develop a much more critical social role for itself; exploring, provoking, pricking the *status quo* in a way which commands anger, confrontation and change.

There are, of course, many other avenues. Two of them I have yet to examine briefly. Suffice it to say that the Minister is indicted by his refusal to provide direction for one of the most important of contemporary debates.

Mr. Chairman, the second theme I would tentatively like to explore is the Americanization of Ontario universities, or, in the even more awkward phrase: the de-Canadianization of Ontario universities. One begins to sound like a splinter political group.

Whichever side one takes, the evidence is incontrovertible. It is not necessary to summarize every particular, but the basic facts are clear.

The proposition of Canadian academics on arts and science faculties has dropped 25 per cent in seven years. It now stands at 49 per cent of the total. Further, from 1963 to 1965, approximately 58 per cent of all new appointments went to non-Canadians; from 1965 to 1967, this figure rose to about 72 per cent; for 1968 it would appear to have reached 86 per cent. Moreover, there is inevitably a disproportionate concentration in the humanities and social sciences.

The roll call of universities is equally discouraging. Useful analyses have been done of various departments at Carleton and Waterloo by Robin Mathews and James Steele; of the University of Toronto recently by Dan Drache; of Windsor by the three graduate students who reported just two weeks ago.

**Hon. Mr. Davis:** The member is not buying all of that?

**Mr. Lewis:** The pattern of de-Canadianization is what I am buying.

**Hon. Mr. Davis:** No, but I mean the reports as being completely objective.

**Mr. J. Renwick (Riverdale):** He said that.

**Mr. Lewis:** I said that I am buying the pattern which is evident and I think there is enough documentary evidence on hand even from the Pauline Jewetts of this world, to underpin it.

Back in August, in fact on August 8 of 1969, the Minister of University Affairs answered Professor Mathews' analysis of the University of Waterloo with a whistling-in-the-dark response showing that two-thirds of all graduate students at Ontario universities—both MA and PhD—are Canadian citizens. In isolation it seems impressive. But how then to explain the apparent lack of employment of increasing numbers of Canadian scholars? Let me elaborate:

From 1963 to 1967 the number of Canadians taking higher degrees rose from 9,785 to 14,151. That is pretty impressive. During the same period, additional faculty hired rose from 3,040 to 4,716, an increase of more than 1,700. Yet in the same period, the increase in the number of Canadians recruited went from 1,284 to 1,320, a total jump of 36—a growth rate of three per cent. At the same time, recruitment of non-Canadians went

up from 1,756 to 3,396—a growth rate of 93 per cent. What then, assuming that Ontario mirrors, or indeed accentuates the national pattern, is happening to our employable graduate students?

It would be bad enough if we were simply confined to the numbers game. But the implications are far more serious.

We are, in Ontario, increasingly subject to an imperialism of ideas. It is impossible to avoid—whether at a university or at a place like OISE—the creeping Americanization of both course substance and methodology, with political science and sociology being most vulnerable. These trends are both subtle and explicit: American university education has developed very particular forms, attitudes, nuances and methods which are foreign and inescapable. While it is possible for large numbers of American academics to incorporate Canadian adaptations, it is more likely that they will import an identifiable legacy, viewpoint or ideology.

There is nothing deliberately malevolent in so doing. That is obvious. But the very act has sinister, yes, sinister implications for Canadian educational autonomy. Unless, of course, correctives were evident; but they are not. As with the erosion of economic sovereignty, we are simply succumbing to the continentalism of ideas with very little protest from this Minister.

It is not enough to say, as the Ontario university presidents do in their 1969 report, that “scholarship is universal.” That is too simple-minded to be taken seriously. Nor is the Minister in his usual form when he says to Professor Mathews in his letter:

I must also express my regret at the anti-American tone of your comments which appear to do a disservice to many able American scholars who have opted to make Canada their permanent home.

Mr. Chairman, the Minister knows that is not the argument.

Are the French, the Dutch, the Italians, the Germans, the Swedes, anti-American because they make citizenship a mandatory condition for any academic holding a permanent post? Are the Americans and British anti-Canadian because they employ so few foreign academics at their universities as to make the numbers negligible? Of course not. The difference between this province and its government, and those countries is that we have almost no pride of citizenship left. We have surrendered autonomy on so many fronts that we are naked to assault from almost any source. And

one in particular. And in education increasingly.

It is not without significance that Canadian educational publishing is on its last legs; that Litton Industries, RCA, Raytheon, IBM, Time-Life and Xerox have taken a monopoly stranglehold on the production of educational hardware and technology; that the few "Canadian" concerns left in this field are almost all subsidiaries. What is to become of our fledgling educational world?

Which brings me back to the central issue, Mr. Chairman. Whenever Mathews and Steele advance notions to alter the present trends, they are dubbed immoral, illiberal, racist, neo-Nazi, proto-Fascist, chauvinistic, anti-American, protectionist, restrictionist and intellectually obscene. What poppycock. It is a dead giveaway for the truly repressive mentality.

No one is advocating a quota system. I repeat, no one is advocating a quota system. Few have set out a table of percentages to suggest who would be desirable and in what numbers. Many have suggested that at least in the area of faculty heads and senior professors, an herculean effort should be made to fill these posts with Canadians. That is an innocent and tentative enough proposition. But, beyond that, I feel the situation to be ominous and critical. Events cannot be allowed to take their normal course.

Mr. Chairman, we say this to the Minister. It would take only three months for a complete analysis to be made of the patterns of nationality, citizenship, first-degree source and final degree source for each university in Ontario. It would take about the same time to examine scrupulously the numbers and destiny of all our graduate students, whether at home or abroad. It would take perhaps six months to make a study of the influence on courses and methodologies of large numbers of expatriate academics.

This is the course I urge upon the Minister. Then let him table the findings, hear submissions, open debate and evolve a policy. The results of such an enquiry might be wholly reassuring. I suspect, however, that it might find us well down the road to academic servility, as we have been found on so many other roads, Mr. Chairman.

The third and final theme in which direction I shall fleetingly nod is that of the university as landlord. Not just the University of Toronto has suffered the arrows of outraged fortune of late, but it is, perhaps, the most dramatic illustration.

Somewhere along the way, Mr. Chairman, the University of Toronto forgot that it was a community of learning and developed the style of a blockbusting developer. Indeed, at this point, the question of expropriating powers is perhaps irrelevant, because on the one hand no expropriating bylaws have been requested since the new Act was passed, and on the other, the university usually behaves in the fairly crude, but predictable, pattern of buying up intermittent homes, allowing them to run down, and then purchasing the deteriorating neighbourhood holus-bolus.

Next thing we know, judging from this morning's paper, the university will reveal that it gives contributions to candidates running for municipal office.

The university of Toronto is one of the most—

**Hon. Mr. Davis:** Not with our funds!

**Mr. Lewis:** The University of Toronto is one of the most overcrowded population centres in Canada—a burgeoning 40,000 people, originally thought to be confined to the first 26 acres purchased in 1956. But throughout the 1960s it bulldozed its way past the intended northern boundary of Harbord. In the process, Kensington, Huron-Sussex, Ramsden Park and now the Annex have been involved in a whirling commotion of land deals which makes amateurs out of your run-of-the-mill developers.

As the *Toronto Globe and Mail* editorialized on November 17:

The University of Toronto has for too long shown itself to be a citizen without a conscience, a community so steeped in its own parochial ethic that it has become oblivious to the likes and needs of the municipality surrounding it.

And that is the crux, Mr. Chairman. We can go into the details later, but the University of Toronto has devoured so much land in so short a time, in such an unprincipled fashion with so much incipient anxiety and near panic, that government itself must call a halt. The University of Toronto receives, as landlord-owner, such extraordinary tax concessions, that one or two Cabinet Ministers have the right to intervene and demand an accounting.

It should be insisted that no further development take place without consultation with the local community immediately affected. There are residents' and ratepayers' groups desperate to know just what the university's intentions are. Furthermore, this Minister, and the appropriate colleague, should peruse

all expansionist proposals in the light of the official Metropolitan Plan. Approval would be contingent on adherence to the best planning principles. Finally, the university should be prohibited from making any sales of, or swaps for, existing land, whether with a private developer like Greenwin or a public institution like the board of education, without Ministerial approval. Somehow, sense must be gently knocked into the heads of that university administration.

Mr. Chairman, that ends the context of the remarks within which many of us in this party will pursue the debate. I might say, so be it. The Minister performs well and masquerades well. Many have seen in him a modern Bonaparte, although his arm is inextricably trapped, if I may say, by his "waistcoat".

I might say, Mr. Chairman, that we hope to lock horns fairly fiercely in the hours that remain.

Hon. Mr. Davis: Mr. Chairman, I will just reply very briefly to some of the observations that have been made. I always find it of interest whenever members, and this is human nature, I guess, Mr. Chairman, relate existing or current problems to how they see things at that precise moment without, perhaps, the total degree of recollection to some issues that are also relevant. If the hon. members do not quite understand what I am saying I refer to this issue of Americanization. It is one that has given me very great concern, and yet I sit here in this House, Mr. Chairman, and I listen to the members opposite, including the last member who spoke so eloquently—and really with substantial merit on some points, though not on all—and I heard him not relating, you know, matters relating to elementary and secondary education as determined in this school system. I have heard him quote at great length from American authors, on American situations, American experience, all because it apparently tied in with his own outlook, his own thoughts, that related to many of the situations that he wished to develop in this Legislature. And, once again, I do not necessarily agree with some of them.

Mr. Lewis: Surely my thoughts have always been derived from Spain and Poland.

Hon. Mr. Davis: No, I think, Mr. Chairman, if memory serves me correctly, that while their families may have originated from those great jurisdictions some years ago, that most of those sources quoted to me by the member for Scarborough West, are probably American citizens.

Mr. Lewis: No, no; that is your faint recollection, surely!

Hon. Mr. Davis: I was even intrigued by the member for Scarborough West—am I right; West or East?

An hon. member: That is the member for Dovercourt.

Hon. Mr. Davis: —in perusing some of this material written by, Mrs. Reid? The author says he has known the authoress for some nine years, and agrees with her. I do not know how he could help but agree. But once again it is intriguing, and I just pass this on. It is very intriguing to me to see once again some of the references in that article—

Mr. T. Reid: That is Canadian.

Hon. Mr. Davis: —written by a Canadian, but the references and situations relating to the University of Chicago. I am not sure, perhaps it was the University of Illinois, but that does not matter, it was in the same city. The references related to other situations and source materials from outside Canada—you know, very learned scholarly works—drawing for sources of information and parallels from information outside our own jurisdiction but written by a Canadian author. This, to me, is worthy of some note and perhaps some consideration because we all do it. We all do it.

Mr. T. Reid: You did not read the whole article—there are two U.S. examples out of ten, I think.

Hon. Mr. Davis: Oh, I am looking forward to reading it in its entirety. However, let me move to another point; the hon. member for Scarborough East referred to the University of Toronto as landlord—I am not going to get into an extensive—

Mr. Lewis: Scarborough West. Why do you not say the socialist and the Liberal? Then it will be easier for you.

Hon. Mr. Davis: Yes, all right. Well, I am not going to get into a lengthy discussion as to what the University of Toronto has done or is doing, and so on. I have my own problems with that institution such as the little expropriation in Erindale two or three years ago, if memory serves me correctly. I think I can tell the hon. member that I do not believe there has ever been a plan filed for expropriation since about July 1967, or some time in 1967. I think that those responsible recognize that far more has

to be done to involve the communities where growth must take place and I think there is an indication, a very real one, that the university has done, and is intending to do it.

**Mr. Lewis:** They blockbust. They do not expropriate.

**Hon. Mr. Davis:** The hon. member raised one point of Kensington, which is a matter of some concern, and I am sure he would agree with the letter that did appear in the *Globe and Mail*—the paper which gives a very objective picture of these situations—from Stephen Langdon as it relates to the activities of the SAC and the University of Toronto with respect to the Kensington situation.

**Mr. Lewis:** Did you reply to that?

**Hon. Mr. Davis:** It is here.

**Mr. Lewis:** Do send it over to me.

**Hon. Mr. Davis:** I will, I will.

**Mr. Lewis:** I would appreciate that.

**Hon. Mr. Davis:** I am sure the hon. member cannot help but agree with the content. I will not read the whole letter but I recognize that he would share Mr. Langdon's point of view, although perhaps not Dr. Bissell's point of view which was also printed on that particular occasion.

Dealing with, Mr. Chairman, who attends and who does not attend, we have discussed this really in the education committee. I tried to point out in my preliminary remarks—perhaps they were rather clumsy—that we know that the student award programme does not solve the problem of young people who do not leave the high school system. We know that there are things to be done, and very frankly, as I said to the education committee, we do not at this particular moment pretend to have all the answers, but there are some interesting statistics available to us. The thing is not by any means completely negative. I cannot divide this into percentages of totals for our total society, but the hon. members perhaps would be interested in knowing that of the young people in university who come from income groups under \$3,000, this represents 6.9 of the student population. Without going through each figure under \$8,000 income—and I cannot say whether this is middle income or upper income—I leave this to the hon. members to assess.

**Mr. T. Reid:** Does it say between \$3,000 and \$8,000?

**Hon. Mr. Davis:** No, no, under \$8,000—47.7 per cent of the students at Ontario universities come from this income range.

**Mr. T. Reid:** About half.

**Hon. Mr. Davis:** Right. About half. Mr. Chairman, I cannot debate with any great knowledge as to what this represents right across the province, or right across the country. It does indicate that a good percentage of students are coming from families whose income is something less than \$8,000.

**Mr. T. Reid:** Was that last year?

**Hon. Mr. Davis:** Yes, this was 1968-69.

**Mr. T. Reid:** How many families under \$8,000?

**Hon. Mr. Davis:** There were 47.7 per cent and there is a cumulative total there of student awards. This would be interesting to the hon. members, too, that 70 per cent of those who received student awards come from this category. These figures do not include the independent students who are once again separate and apart from this, but it is some indication that while we do not say for one moment that we have resolved the problems of students who do not move into grade 13 and from there on to university—

**Mr. Lewis:** What do you mean by independent students?

**Hon. Mr. Davis:** Independent students are those where the question of parental contribution is not involved in the determination of whether they receive assistance or not.

**Mr. Lewis:** With those figures only, do those involve only those receiving—

**Hon. Mr. Davis:** No, these involve only those who are assessed on the basis of parental support.

**Mr. Lewis:** Parental support?

**Hon. Mr. Davis:** Parental support, right. As well as their own contributions.

**Mr. Lewis:** So there might be a few left unaccounted for?

**Hon. Mr. Davis:** The independent students would account for some and they, I think, would perhaps go roughly through the same situation, but it is very hard to determine because they do not show parental income. They have been designated as independent students.

**Mr. T. Reid:** What proportion of the people of Ontario have family incomes under \$8,000?

**Hon. Mr. Davis:** Well, Mr. Chairman, this is the point. I cannot relate these, you know, to the income ranges right across the province, but I think it fair to say that when you have close to 50 per cent from families with income under \$8,000, this is some marked change from ten years ago. I do not think there is any doubt about it.

**Mr. T. Reid:** You mean 80 per cent of the families in Ontario have incomes under \$8,000? Eighty per cent of the parents?

**Hon. Mr. Davis:** But no one has ever stated that we have the same balance in the universities; we do not have it yet in the high schools.

**Mr. T. Reid:** There is nowhere the same balance, nowhere near—

**Hon. Mr. Davis:** Mr. Chairman, I really did not interrupt the hon. member too frequently during his remarks. I am just trying to—

**Mr. E. W. Sopha (Sudbury):** But you missed the whole point.

**Hon. Mr. Davis:** No, no, I see the point. Mr. Chairman, it is something we have discussed in this House for the last four years. We have discussed it, related to whether there should be free tuition, whether there should be more of this, more of that. All I am saying is that the student award programme is relating to students who have need. Now I am asking the hon. member for Scarborough East—he says, you know, change it all from loans to grants—that is fine, that in my view is no simple solution to it:

(a) It requires a substantial increase in investment which he would be prepared to make;

(b) It does not in itself solve the problem that we have been discussing, and what I am asking him, and am asking the member for Scarborough West, are they not prepared to recognize that there are thousands of students who were receiving support under the student award programme who, in fact, needed support? I am not debating whether or not there should be more.

**Mr. T. Reid:** Red herring.

**Hon. Mr. Davis:** Oh, no red herring at all, Mr. Chairman, I think it is very valid.

**Mr. MacDonald:** I would hope.

**Hon. Mr. Davis:** Yes, no question. As I said at the education committee, I hope that some of the members will join in enthusiasm in voting for that particular estimate.

I will move to Glendon just for a moment or two, but not for too long, perhaps to suggest to the hon. member that the report prepared at Glendon by the board of governors for Glendon related to some cost analysis—the universities do have relatively sophisticated cost analysis but once again they are not perfection. They are very difficult in multi-faculty institutions and, of course, the purpose of that report, I think, related to the problems at Glendon relative to the type of programme they were producing as to whether or not it should receive additional assistance.

**Mr. T. Reid:** Did you read that statement?

**Hon. Mr. Davis:** Well I met with the people who helped prepare it and I have discussed it with the principal of Glendon as to whether or not, because of the type of programme, there should be some assistance related to it, and this was part of it.

**Mr. T. Reid:** That is not the issue here.

**Hon. Mr. Davis:** Mr. Chairman, I will not pursue it any further but I will say that it is not completely unrelated.

On the question of having one library, or the philosophy of the hon. member for Scarborough West with respect to the commission—I do not want to debate this again—I can just say to him through you, Mr. Chairman, that this matter has been canvassed, it has been discussed with the universities, it has been discussed with some of the most knowledgeable people we know.

While there are imperfections in the existing system, I do not think anybody wants to move to the form of grants commission or commission envisaged by the hon. member as being any better solution to the problems we face, and I just put it very simply that way. I just do not think there is anything in that, which would improve on what we are presently doing.

Just once again on this question of Americanization—I just throw this out, Mr. Chairman, I do not think we should confine it just to Americanization. I think the studies—and we are in the process of obtaining information—will be necessarily pretty well confined to the province of Ontario. Hopefully we will get some information from the other

jurisdictions, but I think it has to relate to faculty from outside Ontario and Canada.

I think it must relate to the number of faculty people who come from the U.K. or Commonwealth jurisdictions because it could be that the percentage coming from the U.K. or the Commonwealth jurisdictions may not be too dissimilar to the percentages coming from American universities.

I think the whole thing must be looked at and I would just say, Mr. Chairman, that we can sort of stay away from Americanization or de-Americanization, and perhaps concentrate on our studies on what is the Canadian content in faculty at the universities. Perhaps that would be more constructive.

Mr. Lewis: We want you to speed your studies so that there is still a Canadian content to study.

Hon. Mr. Davis: Well, we are coming along. I have some preliminary figures, Mr. Chairman, but I really am going to wait for another two or three weeks because they may not give the picture. I just noticed in Professor Mathews' book—I think there is a quotation there that the number of Americans on faculty probably account for between 10 and 20 per cent. This is his own rough figure, and I should point out to the hon. member for Scarborough East, part of my reaction to some of Professor Mathews' statements, especially his suggestion that we legislate this thing, that we legislate that the Chancellor must be a Canadian, that all faculty members must be Canadian, that everybody must be a Canadian. You know that if this Legislature was to put it down in statutory form, and—

Mr. Lewis: You do it for all the other professions.

Hon. Mr. Davis: Mr. Chairman, I would regret very definitely having to take this type of approach to determine this problem. I think every member in this Legislature would regret having to legislate this sort of thing.

I can recall the leader of the Opposition in one of his very enlightening—and he has many moments—

Mr. Nixon: Now be careful.

Hon. Mr. Davis: Well, it is true, I think it was two or three years ago, I was reading the debates—

Mr. Nixon: You certainly have not much to do.

Hon. Mr. Davis: Well no, I always make a point of rereading *Hansard* as it relates to education. Mind you, some of it is pretty dry, Mr. Chairman, and I will say the Minister contributes more than his share, but the hon. member for Brant, when he was discussing the estimates, said we have a shortage of teachers, we need more qualified personnel. This was elementary and secondary schools, not universities. He asked why we do not open the doors, why we do not broaden these situations, to let us have some of our American friends who are qualified in these fields and teachers from elsewhere move into the school system because they can bring some expertise and some assistance that we just could not otherwise get.

Mr. Nixon: I thought you were going to quote a more recent statement about that.

Hon. Mr. Davis: I am not quarrelling with what he said because there is some merit in it.

Mr. Chairman, I have talked too much already today. We spent a few minutes with the CRTC. This morning and I am sort of running out of voice.

Mr. T. Reid: What happened?

Hon. Mr. Davis: I do not know what happened. I am anxiously waiting the results.

On the question of the vetting of the graduate programmes—the member from Scarborough West once again—this is an argument used before—

Mr. T. Reid: East.

Hon. Mr. Davis: East. He suggests there be a single graduate situation as well as computer centre and one university library. I find that a very interesting concept. I can only tell him that there would be, I think, some very substantial opposition, not only from the faculty but also from the students with respect to the single library centre.

Mr. Lewis: Would you put it in Barrie, Orillia—the end of the GO line?

Hon. Mr. Davis: I am wondering where it would go, I have been trying to assess this. Brampton would be delightful but not really acceptable.

Mr. T. Reid: One library with decentralized books!

Hon. Mr. Davis: Well, of course, that is not what the hon. member said but I was hoping this was what he meant. I agree there



must be, and there is, far greater co-operation with respect to the library service than existed some years ago. Now, Mr. Chairman, I have made a number of other notes, I hope and I trust, on some of the highlights raised by the members opposite. I was particularly interested—

**Mr. Sopha:** You did not say what you were going to do about Americanization of the universities.

**Hon. Mr. Davis:** Mr. Chairman, very simply this: I think this was a suggestion, really, from the member for Scarborough West and by others. It is something the universities themselves are doing. We are studying and obtaining the statistical data that, you know, will make sense and that we can all then discuss. I think this is very important before we start making emotional decisions perhaps on information that is not too relevant. I am not going to be critical of the study made in Windsor but those who are somewhat knowledgeable will question really—

**Mr. Sopha:** We are Canadians; we are never emotional. We are the most phlegmatic, docile, dull people. We are never emotional.

**Hon. Mr. Davis:** Mr. Chairman, I know the member for Sudbury too well. I know that he is emotional from time to time.

**Mr. MacDonald:** Sometimes he is, very.

**Hon. Mr. Davis:** And for many years back.

**Mr. Lewis:** When he throws off his Imperial shackles.

**Hon. Mr. Davis:** But I shall be able to assure the hon. members of the House, Mr. Chairman, when this statistical information is available to us.

There was a very interesting review of the book of Professor Mathews in last weekend's *Globe* magazine, where once again, it may not be just the totals that are relevant. It will be a breakdown that is most useful and this becomes very complicated—it takes quite a period of time. A breakdown of the faculty representation as it relates to the specialties within the university is also very good.

What I am saying, Mr. Chairman, is that I have expressed this on other occasions, it is not new today; we are concerned about the number of Canadian personnel in our universities and we are in the process of obtaining figures that we hope will have some validity for some further discussion here. When we

have them available, we will certainly make them available to all the members.

**Mr. Nixon:** Mr. Chairman, would a question on this be appropriate now? If the Minister will permit, the whole thing that shocks me about this as much as anything, is the fact that there are qualified Canadian graduate students or qualified Canadian academics who seem to be relegated to a second or third place when the opportunities for these positions come up. I think this is apparent in what has been said here this afternoon. I find it very surprising. Is this in fact true? Can it be verified in the figures that are available to the Minister and if so, what possible explanation could there be if someone with a Canadian background is available and, other things being reasonably equal, that he not have as good a chance as anyone else for the appointment?

**Hon. Mr. Davis:** Mr. Chairman, once again I cannot speak with the precise data that I hope we will have some time in the not-too-far-distant future. I think there are a number of Canadian graduate students, or Ontario graduate students more particularly, who are taken on faculty. I do not think there is any question about this. But, I think probably the survey will determine that in some fields, particularly in the social sciences where perhaps our graduate programme is not yet fully developed—there has been a larger percentage of faculty from outside Ontario than in many of the other faculties.

I think that a number of Canadian graduate students have been taken on at the university, there is no question about it, and some very able ones. But there are some fields where our own graduate programmes were not commenced, quite frankly, as soon as they might have been and this is where I think we will find there is a higher percentage of non-Canadians. I do not use the term American, because you will find a lot from the U.K.

**Mr. Nixon:** Part of your statistical review, then, would include the number of qualified Canadians who had to leave the province or the country in order to get employment.

**Hon. Mr. Davis:** If you will assess the total number of positions offered, I think you will find that there is perhaps one PhD graduate from a Canadian university available for every three potential teaching positions. Ontario is, I think, perhaps contributing more than its proportionate share right across the country but I think this is the rough figure.

**Mr. Nixon:** One Canadian available for each three positions?

**Hon. Mr. Davis:** Right.

**Mr. Lewis:** With great respect, may I just interject to say, Mr. Chairman, that quite apart from where the Minister gets it, the vast majority of those who have been hired over the last two years have not had PhDs whether American or Canadian. They are being hired with MAs, so the figure is just not pertinent.

**Mr. Chairman:** Before we get into the actual consideration of the votes and the manner in which we will deal with them, we should determine whether or not we are going to take it vote by vote.

There are three particular votes in this estimate. Departmental administration, university support and university policy. I am not at all certain that it is going to be an easy matter to separate the discussion in any way. Would the hon. Minister think it desirable to attempt to separate discussion in this department?

**Hon. Mr. Davis:** Mr. Chairman, really there just are the three votes, and as far as I am concerned, it does not really matter.

**Mr. Chairman:** I am sure that where the difficulties arise in trying to keep things in order, and if the committee concurs with me and the hon. Minister concurs, we will permit any sort of discussion at any point on any of the three votes. Is this agreeable?

Agreed.

**Mr. W. G. Pitman (Peterborough):** I want to stay on this Americanization issue for a moment, Mr. Chairman. It seems to me that we are going to be terribly hung up on the nature of the statistics which the Minister is gathering. If we are playing a numbers game, we are not really going to get very far. What we really have to find out is, I think, where they are in terms of making decisions within the university, particularly within the faculty and within the departments, to what extent the existence of an American at a pressure point in a faculty, perhaps as a department head, is having upon the rest of that department. There are indications, for example, that when the head of a department is American, he tends to create an American department or an Americanized department. And I think that this is the problem. Just getting the numbers, I think, is very much like OISE. I mean if you drag in all the caretaking staff

and you drag in all the cleaning women, I am sure you will get a Canadianized OISE.

**Hon. Mr. Davis:** They have anyway.

**Mr. Pitman:** Oh, I know that. I realize that I am exaggerating but the point I am trying to make is that you can make these statistics create any kind of a picture that the Minister wants.

If the Minister's letter to the Toronto professors is any indication of his own feelings about this matter then I think that the danger is that the Minister may very well be having statistics collected which will bring out his own predisposition, which is essentially that it is not a real problem. And I think, Mr. Chairman, it is a real problem.

An example is the fact that we still have tax relief for two years for Americans to come over, for some strange reason. I know that is not his policy, it is a federal policy, but this is the kind of—

**Hon. Mr. Davis:** We have nothing to do with that.

**Mr. Pitman:** I realize you have nothing to do with that. As I say, it is something which has to be put into the mix in terms of things which are encouraging Americanization. I think we ought to look at the courses that are being created in these universities, and particularly looking where there is a high rate of Americanization, particularly in the social sciences—what I think one person has called the “white rat” kind of psychology which seems to be an obsession with some of our American friends. Well, let us find out what has happened to the nature of the university.

**Mr. Nixon:** Like heavy-water physics with our Canadian friends.

**Mr. Pitman:** Let us just see if we can find out what the effect of Americans on all these pressure points is, and it will be far more than counting heads or counting legs and dividing by two. It is going to be a demanding process. This is really a research project, you know, in which we can have some sense of feeling that the realities are going to be revealed, and not just a sort of a silly numbers game that will be conducted over the next nine months or so.

**Hon. Mr. Davis:** I think part of the debate is related to a numbers game up to this point. I think it becomes a pretty subjective type of study or analysis of somebody, if you are saying the Minister should—or his

department is to determine within each individual institution, within each individual faculty, where pressure points may or may not exist, and to what extent that individual may be in a position to determine curriculum and what have you.

With respect, Mr. Chairman, I think this is perhaps asking a great deal. No one wants to play the numbers games at all—but I think we should all know roughly—hopefully using the same basis for data so we know in fact what we are talking about. Then perhaps we can make some of these determinations, and surely there is some responsibility—and I am not talking about the university administration. I am talking about the people within the universities themselves.

Surely if the member for Peterborough were on the senate of Trent University—no, no, but let us say he were—and he is a Canadian where there is a preponderance of Canadians, I think about 65 to 5, and the senate sensed that an American in that institution was exercising pressure on a very sensitive educational area, surely those people are competent to come to grips with the situation without somebody who knows very little about it moving in.

Data—yes—I hope on criteria that we can all understand, but to get in and assess where pressure points may or may not exist and how competent a single individual is to exert these pressures, Mr. Chairman—surely these are things that have to be determined by those who work with these people on a day-to-day basis—and can be, I am sure.

**Mr. Pitman:** Mr. Chairman, what we have really seen here is that the universities have not been able to cope with this situation and I would suggest to the Minister that perhaps what he has given is an excellent argument for an open commission to which faculty members, to which students can discuss this whole matter. Bring it out in the open. Let us have a discussion of this.

It seems to me we have been carrying this thing on where you have had students, at least graduate students, and professors, in Canadian universities rushing around surreptitiously trying to gather information; going through presidents' filing cabinets and doing everything they can to find out what is going on. Why not bring it out in the open? Let us have an open discussion of it.

Now, we do suggest in the area of art that Canadianization is important enough that there be Canadian content rules in the CBC.

Well, why does the Minister find it such a pernicious concept that we should legislate, do something specific to indicate to the universities that they should have a degree of Canadian content?

That this should not be just an absence of American professors but Canadianization of the atmosphere—because this whole bit of “publish or perish” and large lecture-style education is essentially American importation. It goes far more than just simply counting heads as to how many Americans there are in the faculty.

It is the total education experience of the young people going through our universities and the way they are going to look at their country; the way they are going to react to the problems in that country. So that it is one of the most important matters I would think that this government could possibly come to grips with.

**Hon. Mr. Davis:** Mr. Chairman, just to reply to this very briefly. No one is minimizing the importance. All I am saying is, I think the figures will reveal that the percentage or number of Canadians at every Ontario university will be substantially higher than any American percentage or number, and I am singling out the Americans now, leaving out the U.K. or Commonwealth, and this is never raised. I am very intrigued to a degree, but—I am just saying, I am telling you the fact—it has not been yet. And to say that, you know—

**Mr. Pitman:** It is a sick society there.

**Hon. Mr. Davis:** And to say that, you know one could almost get the impression from the hon. member for Peterborough—let us take Trent University with which he is very familiar—let us for fun take Trent because I think it is a very good university, and say that because five per cent of the faculty—

**Mr. MacDonald:** Name one that you do not think is good.

**Hon. Mr. Davis:** Five per cent of the faculty at Trent University comes from the United States, 17 per cent from the U.K. or Commonwealth and some 12.5 per cent from other jurisdictions—that because this percentage is much less than the total of 65 from Canada, the faculty, the senate, the people involved in Trent University cannot make these determinations internally. If the hon. member for Peterborough is telling me

that the whole programme in Trent has become Americanized in the last couple of years. I do not believe it.

Mr. Pitman: Well, I do not believe it either but—

Hon. Mr. Davis: Well, why not use that as a relatively typical example?

Mr. T. Reid: Mr. Chairman, I would like to get my two bits in on this. I object strongly as a member of this House to the Minister pointing his finger at my friend from Peterborough and trying to dismiss his argument because he teaches at Trent University. You did that to me last year. Sit down and listen—are you on a point of order or not?

Hon. Mr. Davis: Yes, I—

Mr. T. Reid: Sit down. You did it to me last year.

Hon. Mr. Davis: Mr. Chairman, on a point of order, I recognize that on a point of personal privilege the hon. member for Scarborough—

Mr. T. Reid: Are you on a point of order or not?

Hon. Mr. Davis: Yes, I am, personal privilege—

Mr. T. Reid: What is your point of order?

Hon. Mr. Davis: The hon. member suggests that I sit down and I am on a point of personal privilege. I want to point out to him that when I referred to the member for Peterborough, and I know of his very recent—listen, he does not quarrel with it, because Trent University happens to be in his constituency. It is a very good university. He had some association with it, and all I am doing is using it as an example.

Mr. MacDonald: It is also proud of him.

Hon. Mr. Davis: Certainly he is. Why should the hon. member for Scarborough East be embarrassed?

Mr. T. Reid: Point of order. I am not now. Just take this—when you talk to me or you talk to the member for Peterborough, use other universities. Otherwise we will suspect your motives.

Hon. Mr. Davis: Oh, do not be so sensitive—

Mr. Lewis: You see there are advantages to never having graduated—

Hon. Mr. Davis: I just try to relate things to people; things that people understand; it is as simple as that.

Mr. T. Reid: Mr. Chairman, I would like to suggest to the Minister that one of the things he should get in his data, if he is not already getting it, is the rank and the nationality of members of the faculty and particularly whether or not the chairman of the department has other administrative responsibilities in the university. This is very important. Hopefully he will be getting that.

I would just like to throw out to him some of the very intricate relationships that do exist when we discuss this issue. For example, there tends to be a trend that people who have been educated—Americans have been educated at American high schools and American universities, including their undergraduate work and their graduate work—they tend to view the social sciences in a very quantitative way. This is what the member for Peterborough meant when he talked about psychology being “rat psychology.” The same is true of political science, the same is very true of economics. And what you find because of this cultural bias of American social sciences, as opposed to Canadian, as opposed to many of the approaches taken say in the U.K. and Sweden—

Hon. Mr. Davis: As opposed to, or different from?

Mr. T. Reid:—as opposed to a more philosophical bent in social science and economics, and so forth. You find that the Americanization of the political science department means also that the type of political science being taught is highly quantitative, that there is a reliance on opinion surveys to a great extent, that the whole philosophy of political science gets twisted—let me continue—

Hon. Mr. Davis: I just want to say that must suit you, though—

Mr. T. Reid: Pardon? No, I cannot stand economics; it is the only thing I—

Hon. Mr. Davis: No, no, no. The survey thing. Certainly you are telling us about the surveys you have conducted. You rely on them very heavily.

Mr. T. Reid: No, we are in balance with proper principles and philosophy and views of society—

Hon. Mr. Davis: Yes, and the surveys come in with the information you want.

**Mr. T. Reid:** Well, if you are doing a survey on the United States issue, what are you going to do?

**Hon. Mr. Davis:** Sure.

**Mr. T. Reid:** This is objective—

**Hon. Mr. Davis:** I read your survey—

**Mr. T. Reid:** Well, I am waiting to see yours. But the point is that Americanization brings in a whole bunch of related problems, not just the numbers game. It brings in the whole philosophy of what subject matter or what discipline has been taken in that particular department. And there have been examples in this province of Americanization also meaning the quantification of a particular discipline and the pressure on people in that department who happen to be Canadians with research degrees, say, at the London School of Economics or Cambridge—not myself—who have literally been forced out of the department. I think this is the type of sociological input the Minister must consider and study.

The other emphasis—and this is related to my argument about the need for a great deal more unity, perhaps even having a single post-graduate framework for Ontario—is that there is a link between the degree of Americanization in various disciplines and the drive to have a graduate programme at that particular university in that particular discipline. What we have seen in this province over the past four years, as something which is correlated to the degree of Americanization in particular departments, in particular universities, is that drive for graduate programmes. Before, quite often, there was an excellent teaching department within that particular discipline and that particular university.

So, underlining that remark I made about the need for co-operation, if not an institutional framework of some sort for graduate studies in Ontario at all 14 provincially assisted universities, is the view that one of the reasons this must be done is that this is an output of the Americanization of the universities of this provinces. And this is related to what the member for Peterborough is saying. It cannot just be a numbers game, a counting that one must consider—

**Hon. Mr. Davis:** Surely that is the beginning.

**Mr. T. Reid:** It is the beginning, but if you are going to dig, let us start digging.

**Mr. Lewis:** But that has already been done.

**Mr. T. Reid:** The whole question of the selection of courses for specialization—every year in every department in every university in Ontario there are people in those departments who want to teach their own specialties at third- and fourth-year level, and of course in the graduate level. The whole status relationship, if you like, is being imported in direct representation to the Americanization of the various departments at particular universities. What happens is that someone who has spent five years studying the development of certain Senate committees of the federal government in the U.S. wants to have a graduate course specializing in the analysis of those various committees of the U.S. senate in Washington. So, this type of things is happening.

We find the whole twisting of the curriculum, in terms of specialization, starts to come about, not because of any malicious intent to take over Canada or to take over our universities, but simply because a good academic who has specialized in certain American institutional history, certain types of American political science or economics, is extremely competent—and we are talking about competent people—that they want to teach that speciality. And, for example, if 12 out of 18 members of a political science department are Americans who specialize in these areas of American study, they put pressures—this is a pressure-point argument—for courses in their own specialization, particularly at the graduate school level.

I am just saying that I think the Minister should examine the hypothesis, if you like—I am not prepared to make it as a statement yet—that there is a direct relationship between the Americanization of universities in Canada and the twisting of the whole value structure within the universities toward graduate studies, toward semester work as opposed to term work.

I am the first one to say in conclusion on this point, Mr. Chairman, that a lot of things would happen to Canadian universities, even if we had no American teaching in them, because the pressures across the border are so immense. But surely that is an argument for being even more concerned with this issue that we are raising on this side of the House. If there is an area in which we can do something, in opposition to this flood that is coming across our border—cultural flood, academic flood of ideas and concepts about education—surely that is all the more reason to move

in on those areas where we can at least control some of our own destiny in this province and in this country.

**Mr. Chairman:** The hon. member for Sudbury.

**Mr. Sopha:** I just wanted to speak on another subject, Mr. Chairman. One joins in this debate with a great sense of trepidation because if you are outside the immediate field of involvement in education, you would recently get the impression that the educators are becoming a priestly cult, and they have entrapped all knowledge, and if you are not the Minister of University Affairs, and if you are not part of his bureaucracy, if you do not belong to OISE and you do not teach at a university, then your opinions on what is going on in the universities is not worthy of much credit.

That is a growing impression, especially since the publication of the Hall-Dennis report, that a mere layman gets of the great world of education. And yet outside, if you are outside, I feel somewhat like the member for Grey-Bruce (Mr. Sargent) in this regard, when he views the lawyers talking about the law. But if you are outside, you see many things that are wrong, that call for correction, and I want to treat one of them and you, Mr. Chairman, will know precisely what I mean when I speak of this. This autumn I tried my darndest, with the greatest effort, to get three students into the law schools, any one of six of them, in Ontario, and I failed dismally.

Each of the law schools apparently the six of them, had had something like 1,100 applications for admission to the first year. Probably there was much duplication, probably a great many arriving at the stage where they were ready to take up the study of law, applied to all six. In the pleas that I made to three of the law schools—I do not mind citing the names of the three that I pleaded with, to let any one of these three in; they were, Osgoode Hall, the University of Toronto and the University of Western Ontario where I have the good fortune to have personal friends on the faculty—the basis I put it on, I thought, was a quite legitimate one.

North of the French we do not have a law school. The students must, perforce, travel some 250 miles, remove themselves from their homes and take up the study of law in a far distant centre. And I thought quite validly that there might be, on the part of the law schools of the province, some sort of definition of area whereby they would allocate a certain number of places—I have lost the attention of

the Minister entirely—to people who come from northern Ontario. The reason I feel that, is that when I began to reflect upon it, I realized that in at least three districts of northern Ontario, Mr. Chairman, the districts of Manitoulin, Sudbury and Algoma, all of the lawyers in those districts are located in the major urban centres.

I hastily add that in respect to Manitoulin, the lawyers are located in Sudbury, which serves that district with a lawyer two days away. All of the lawyers in Algoma are in Sault Ste. Marie; all of the lawyers in the district of Sudbury are situated in Sudbury. I suspect that the same obtains for the district of Thunder Bay because they are all located in Port Arthur and Fort William; I suspect the same obtains for the district of Kenora, that they are all located in Kenora, I do not know. It would be interesting for somebody who is aware to tell me whether that is the case. It is said, so far as the southern part of the province is concerned, that one of the staff at Osgoode Hall has made a study of the situation and has determined that there is a surplus of lawyers. That must only be true in Toronto, this metropolitan area. Certainly in northern Ontario, there is no surplus of lawyers, in the light of the geographical basis upon which I put it, Mr. Chairman, and you are very well aware of the difficulties encountered by the large numbers of people who have to travel great distances to avail themselves of legal services.

The second important aspect to emphasize is the very type of people we want in northern Ontario—no, I had better not put it that way—it is in our interest in northern Ontario to attract as many professional people as possible, because without being immodest about it, in many of the centres, especially in many smaller centres, professional people often do and can give that sense of community leadership and do devote themselves toward interest in matters of social concern or, to put it another way, we have a great dearth of professional people in northern Ontario.

I was very much distressed to learn that in our law schools there are quite a number of Americans, quite a number of American students, and I am willing to state as a matter of principle and defend it, that no American student takes away a place in a law school from a native Ontarian. The native Ontario young man has first claim to priority to that place in the law school. And my surprise is somewhat enhanced when I realize that at the end of a course of study

in law, in order to practise law, it is necessary to become a citizen of Canada.

"There is no call to the Bar can be made with respect to a person who is not a citizen of Canada, he must swear that oath of allegiance, he must become a British subject"—I think this is the way the law society still puts it, that only a British subject may be a member of the bar. So I wonder about the intentions of these Americans who are at present located in our law schools.

In respect of Osgoode Hall at York, I took this matter up quite extensively with Dean LeDain, and he promised to let me have some figures in respect of the numbers from northern Ontario who are at present in that law school, but I have never heard from him since. I hope he will not mind that reference too much. He just forgot about it, I suppose, but I have noticed in the popular press that he is engaged rather heavily in studying marijuana, or some other exotic substance, and that may be the reason.

But I complained most bitterly about what seems to me something of a discrimination against young people from northern Ontario who might very well, after they are called to the Bar, come back into the north and add to the numbers of those who are in a position to give leadership, a commodity desperately needed in northern Ontario, as Bishop Carter, who has since become a world figure, said a number of years ago at the launching of the University of Sudbury.

And I say that if we are to reach the potential of what is four-fifths of the land mass of Ontario, then we have got to encourage larger numbers of such people to come back there. The older I get the more concerned I become about it and I wonder at some time whether I will leave the field of politics at all and initiate some form of separatist movement in northern Ontario. If we cannot get justice from the people who rule us here in Toronto, then ultimately it will be necessary for us to determine alternative courses of action in respect of that area of Ontario that in so many ways, and in this, seems to be neglected.

I wonder what the Minister of Education and University Affairs and his bureaucrats—and I use that term in its respectable sense, its accurate sense, not the way the Prime Minister uses it, when he uses it, but meaning the people who staff the administrative side of government—I wonder whether his bureaucrats make any regional studies to determine, not only in respect of law, but the other professions like engineering, what

the regional quality of the university is, how many people present themselves from the various regions of the province? What legacy of sophisticated and trained talent is available to the various regions, or is it just helter skelter? Another matter of great merriment, as one looks at these educators and the way they run things in this very close-knit world, is that if you have not got 66 per cent you might as well take—what do they call the course now—they take a special course—

**An hon. member:** Make-up course.

**Mr. Sopha:** Make-up course. They go back and repopulate the universities for another year in order to make up the marks to get into the professional schools. Well, I am desperately interested in these aspects. After all, people in northern Ontario pay taxes for the support of these institutions the same as anybody else, and they are entitled to expect that sufficient numbers of plain people will come out of the universities and come back to endow their community with their talents. I strongly suspect that the Minister of University Affairs does not care about that aspect at all. It is just a matter of who presents himself, no matter where he comes from, and if he is fortunate enough to get in then that is all well and good and pay no heed to the long-term, sociological implications.

I have long ago learned not to ask the Minister of University Affairs any questions. I do not ask him any questions because you do not get much of an answer from him, and I have adopted the technique for many years now. I tell him what I think he should do. What he should have done a long time ago is take the steps to initiate the founding of a law school at Laurentian. That would be a solution.

We have not got a single professional school in northern Ontario, in the classical professions. We have no medical school. We have no law school. We have no school of engineering. In that type of sophisticated training we have none at all. We have some professional schools in some of the newer disciplines, which is a nice way of putting it. The newer disciplines, such as social work, but—

**Hon. Mr. Davis:** And teaching!

**Mr. Sopha:** And teaching!

**Hon. Mr. Davis:** Not very new!

**Mr. Sopha:** No, it is not very new. Well, not a profession in the sense of the older

ones. But, there is the problem yet: I sit across the lake and I look at Laurentian University with all its troubles; I am not going to relate them here. The Minister will never accuse me of being connected with Laurentian although I am on the board of regents of one of the founding colleges there. But I sit and I look at those buildings across the lake and this is the last point I want to make and I have no reticence about making it at all. You sit and you see the most elaborate, expensive, luxurious—all those words fit—buildings going up and the buildings are related to the comfort of the administration. The administration's comfort comes first. They have the most elaborate office space that would outdo that of any bank president, the president of the CPR or anybody else. You can see that the first priority of the board of governors at Laurentian and the senior administration staff from the president down was to look to their own comfort first.

Interjections by hon. members.

**Mr. Sopha:** Students come last.

**Hon. Mr. Davis:** Not at hunting!

**Mr. Sopha:** Students come last.

Not at hunting; that is true, to their great discredit.

They ought to have established a student centre many years ago. The number of books in the library so far as I am concerned, is deplorable. But what they did is, they built lots of office space and bought a very elaborate home for the president and housed him very well. One of the best houses in town was purchased at a very early time. They bought a whole apartment building for the staff. They just routed everybody out of the apartment building downtown and it is true to say that every contact of Laurentian with the city of Sudbury has been abrasive. It has been an irritable contact. Every time they have come into contact with the community of Sudbury, relations have worsened. And one wonders when the students are going to have adequate facilities in which to meet, discuss and learn from each other and engage in—what is the modern word—dialogue, and do all those sorts of things. But I suppose sometime in the next decade, there might be some hope on the horizon.

Well, a lot of money is spent, but I suppose next year I will be faced with the same problem in respect of the law schools which was the subject that I started out to talk about to these young men who come to me

and say: "I tried to get in. I wrote to them all. I have been turned down, and could you be of any assistance?"

Well, of what assistance can a politician be? The one thing you cannot do if you are the true ombudsman, is that you cannot say, "I cannot do anything for you". You cannot close the door or give them a blunt refusal against making some effort. But if you make the effort, you know that you are going to end in failure because you get up against what I call this very cohesive, insulated type of educational clique who in many ways—whose notions appear to be, if I may borrow the word—simplistic.

They will tell you that if you have not got 66 per cent, there is no use applying, and yet there was never any proof that because a law student in the first day had 66 per cent that he was going to end up a better lawyer than a man who had 59 per cent. That proposition needs to be demonstrated. And of course, we know that it cannot be demonstrated.

I just trust that The Department of University Affairs will do something; and I remind myself now I am one of those on the outside looking in, one of the taxpayers and representatives of the taxpayers. I remind myself that the Minister of University Affairs himself, not so many years ago, told the presidents—I think I am right, I think it was the presidents of the universities, a body that seems to have surrounded itself with more power than the Kremlin—but he told them at some dinner that the day would soon come when they would have to be sensitive to the society about them.

**Hon. Mr. Davis:** No, it was actually at a lecture at York University.

**Mr. Sopha:** All right!

He went on to say that if they did not demonstrate the necessary sensitivity that it would not be long until the public sector would begin to show them how it needed to be done. I think I paraphrased accurately what he said.

Well, this is a good area for him to get started, because I have no difficulty at all in digesting the notion that in the light of the vast amount of money that the public pours into universities, that the public, through the Minister of University Affairs, has a moral right to tell the universities, or suggest to them, or advise them, in what ways they might demonstrate sensitivity to sociological and economic needs.



I have no trouble with that at all and I do not see that interfering with academic freedom, but these institutions operate within the framework of society, they are supported by society, and they must be relevant to the needs of society.

All right; I have spoken, Mr. Chairman, about one area of frustration that I have encountered as a member.

I have been sort of critical of President Mullins, and I just wanted to say this about him. I noticed in a recent meeting that he advocated the early establishment of a law school at Laurentian, and that incensed some of the faculty there. The faculty are not prepared to allow President Mullins to determine the priorities of development of the university, and now they have got a number of the students in support of them, thus adding to the anxieties of President Mullins' life. But they want to wrest those initiatives away from him.

Well, I say, "God speed, President Mullins," in the establishment of a law school and a medical school and any other type of professional faculty. And I want to add this about it—I hope I am not taking up somebody else's time—all the Minister of University Affairs has to do, I say to my friend from Scarborough East, to show the prestige of his position, is to make a speech somewhere. He drops a pearl, and ripples would not be an adequate way to describe the reverberation; he sets up tidal waves, absolute tidal waves.

I recall in that regard that the Minister made a speech somewhere about the establishment of a teachers' college and right away President Mullins wrote to the Minister in the next post and said, "Laurentian—establish it at Laurentian". A few weeks later the Minister made a speech about the establishment of a medical school and the next day President Mullins wrote to him and said "Laurentian".

**Hon. Mr. Davis:** He does not miss many there.

**Mr. Sopha:** Well all credit to him.

**Hon. Mr. Davis:** I have not made a speech about the establishment of another law school.

**Mr. Sopha:** What President Mullins does not know is that notwithstanding he wrote to the Minister, it may be six or eight months, if ever, before he gets a reply. He may have to send a smoke signal or telephone him or something.

**Hon. Mr. Davis:** He has got his teachers' college.

**Mr. Sopha:** Because this Minister certainly is not attentive to his mail, he is not much on the mail, he is not much on answering.

Now if I could briefly advert to the question, I would like to have some form of reply in respect of this vexing problem of assistance to Ontario students studying abroad. I went through the travails of the geographer from Laurentian studying in England. The Minister was not here, but I brought this up under the Treasurer's estimates, and I am not going to repeat that, though it was quite a story.

But yesterday came in the mail a query from a student who is studying at Stratford, a resident of Ontario. He has a wife and one child. He wrote to the member for Eglinton (Mr. Reilly) and myself at the same time; one, because he lived in the Eglinton riding before he went to Stratford, and two, because originally he is from Sudbury. He tells me of the desperate financial straits that he is in, with a wife and child, no resources, and apparently no funds available from the student loan or student awards programme.

I do not see what the justification for that can be, because it is in our own self-interest for these people to go abroad. I do not have to elaborate on, or argue that. That is so perfectly apparent. I know from experience, that the student awards programme is not functioning very well, because they do not answer the mail either. And when you are told about it and write to them; weeks go by, six, seven weeks. Asking for an investigation into the refusal of the many who come to see all of us, you wonder why you have not got a reply. You call them up and you are told that their mailing address is different from their location. The mind really boggles to hear this, but having called up you say, "Why do you not answer your mail? What about these three or four students that I wrote to you about six weeks ago?" Mr. Bethune is not to be criticized because he has not seen your letter at this point. He has not seen it. He is the boss somewhere and he rustles about when he finds your letters, and then gives you a reply.

There has to be something wrong with a system like that for me to say you are spending \$1.5 billion and yet you ought to be able to look after your mail a little better.

We may have to do something about cutting down the amount that you have. I really believe—finally, the last point I am going to

make—that it is time this Minister got out of his portfolio. He has been too long a time Minister of Education, and I think he has got too close—he really has got too close to a subject—and it is an almost *quasi familiar* relationship. I was going to use a more colourful word, but I will not. It might be misunderstood, but he knows the word I mean. It is about time that he bailed out so that we may put somebody like the Minister of Mines (Mr. A. F. Lawrence) with some fresh ideas in here to have another look at this whole programme, and I would hope for his own political future—if he does not mind a little free advice at two minutes

to six—that for his own political future he might very well divest himself of both portfolios and get into something safe and comfortable, like Attorney General. And the Attorney General (Mr. Wishart) can become the new Solicitor General whenever we appoint such a body.

Now the Premier (Mr. Robarts) is not here. Nobody will tell him that I made those comments, but he has an unerring accuracy of eventually following the Cabinet changes that I advocate. Thank you very much.

It being 6.00 o'clock, p.m., the House took recess.

APPENDIX  
(see page 8853)

**PROVINCIALY ASSISTED UNIVERSITIES OF ONTARIO**

	<u>1964-65</u>	<u>1969-70</u> (Estimated)
Total enrolment .....	43,969	100,002
Post Grade 13 undergraduate students .....	37,085	88,581
First year students .....	13,552	30,022
Graduate students .....	5,421	11,421
Percentage of age group 18-21 attending university .....	11.8%	20.1%
	<u>1964-65</u>	<u>1969-70</u> (Estimated)
Full-time enrolment by institution		
—Brock University .....	124	1,699
—Carleton University .....	2,729	7,140
—University of Guelph .....	1,927	6,073
—Lakehead University .....	466	2,322
—Laurentian University* .....	556	2,074
—McMaster University .....	3,312	6,885
—University of Ottawa .....	3,838	6,816
—Queen's University .....	4,029	7,297
—University of Toronto** .....	15,207	23,700
—Trent University .....	105	1,313
—University of Waterloo .....	3,137	10,326
—The University of Western Ontario .....	5,274	11,384
—University of Windsor .....	1,986	5,144
—York University*** .....	1,279	7,829
Total .....	<u>43,969</u>	<u>100,002</u>
Operating Grants to Ontario Universities .....	\$42,666,000	\$262,647,000†
Capital Support .....	\$45,600,000	\$119,000,000

	<u>1964-65</u>	<u>1969-70</u> (Estimated)
Student Awards, Scholarships and Fellowships—		
Provincial Contribution .....	\$4,350,000	\$39,715,000
Number of Post-secondary Students Assisted by		
Grants, Loans, Fellowships and Scholarships .....	10,553	65,000
Teaching Staff at Provincially Assisted Universities		
and the Ontario College of Art .....	3,247	7,800

\*including Algoma and Nipissing

\*\*including Scarborough and Erindale

\*\*\*including Osgoode Hall Law School

†includes Computer Grants, Grants to Church-related institutions and to the Ontario College of Art.

1907-1908

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ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, November 25, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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Tuesday, November 25, 1969

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, NOVEMBER 25, 1969

The House resumed at 8.00 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF UNIVERSITY AFFAIRS

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

**Mr. E. W. Martel (Sudbury East):** Thank you, Mr. Chairman, for giving me this opportunity, as I have another set of estimates running. I want to turn to a subject that is dear to my heart and, hopefully, it is going to become dear to the Minister's (Mr. Davis's) heart. When the Minister presented us with this booklet, and I read through it, I noticed that the Minister indicated here on page 26, and I quote:

Planning is under way for an addition to the college of education of the University of Toronto and for refurbishing the present building.

I was, to say the least, slightly dismayed, Mr. Chairman, that in there it did not say that plans for a college of education at Sudbury, to be located at Laurentian, were under way.

I want to go back to show the Minister how he can save some money, hopefully, and to prove to him why we must have a college of education in the Sudbury area. I am going to use the material I gathered for the Throne Debate last fall and try to present the same facts, because I believe the Minister was not in the House on that occasion, due to other commitments, and I want to ensure that he knows what I said.

**Hon. W. G. Davis (Minister of University Affairs):** I read it, but I will listen again.

**Mr. Martel:** I want to drive the point home tonight, and maybe it will be the *coup de grâce* that will give a much-needed building and facility in Northern Ontario.

**Hon. A. A. Wishart (Minister of Justice):** In Sault Ste. Marie.

**Mr. Martel:** No, I am going to prove to the Minister—

**Mr. J. E. Stokes (Thunder Bay):** The Lakehead.

**Mr. Martel:** I am going to prove, Mr. Minister, to the Attorney General why—

**Mr. D. C. MacDonald (York South):** These are all beaten paths.

**Mr. Martel:**—why Sault Ste. Marie is not the natural choice either.

The college of education could be, and should be, and must be located in the Sudbury area, in northern Ontario immediately. This Ontario College of Education could, in fact, be opened to students in the fall of 1970—I have changed the date because 1969 is now gone by. It must be started in the fall for very valid reasons. One, which has been outlined already, is that some 18 per cent of the teachers in the high schools at the present time are unqualified. The number of unqualified personnel will increase because the emergency courses, for all intents and purposes, in summer schools, except at the Lakehead, have disappeared. This means that complete reliance will have to be placed on the existing college of education for the majority of teachers who will supply the secondary level. This source is inadequate at the present time.

Coupled with this is the fact that the secondary schools will receive their greatest influx of students in the next seven to ten years. One can readily see that we are in for a rather rough time—not just in the north, although primarily in the north, but in southern Ontario as well. As if it were not bad enough, we in the north cannot get graduates from the Ontario College of Education in the south. They just do not go to the north. I believe in our area, in the year 1967-68, we were successful in getting 14 graduates, and in the north as a whole we were successful in getting 65 graduates, out of 1,000 graduate students from the Ontario Colleges of Education. Even those university graduates from the north do not return in great numbers to the north.

To substantiate this, Mr. Chairman, I would like to quote some studies recently done in England on regional colleges of education. It was revealed that students travelling long distances to colleges of education did not tend

to return to their place of origin in significantly large percentages, but rather stayed and accepted positions in the proximity of the college of education which they were attending.

A paper in the magazine *Education for Teaching* in the autumn of 1967, called "Regional Origins of Students in Colleges of Education" by William Taylor, refers to a study made of a college of education in the Bristol area in southwestern England. The study was made over a period of years and it was noted that approximately 80 per cent of the students attending it came from within a radius of approximately 50 miles. Of this 80 per cent, two-thirds accepted positions in the local schools in that area after graduation. The other 20 per cent came mostly from Wales—approximately 100 miles away—and of this 20 per cent, it is significant, Mr. Chairman, that only three per cent returned to Wales to teach upon graduation.

The author of this report argued that the low rate of mobility for 80 per cent of the students was as a direct result of the regional nature of the college. Had the college been farther away from the area, the local schools would have been much less well served, and certainly this holds true in northern Ontario. For the purpose of this report, we might call this a factor of loss by osmosis. The osmosis might be the result of practical teaching experience in local schools. The pressure exerted by salesmanship of local school boards and by principals during the period of training, and a natural tendency by students to locate for their early years of teaching in a known educational environment.

It is quite obvious, when we take all of these matters into consideration, that unless a college of education be opened up in northern Ontario, we are confronted with some rather grave problems. It follows that a college of education must be located in the north and I want to suggest—and I am not being parochial, Mr. Chairman—the Sudbury area. It might appear that way but hopefully when I get through even the Attorney General will agree with us that it is imperative that it go to the Sudbury area. I hope he is listening.

In the various documents that have come out in the last two or three years, including "Living and Learning" and the McLeod report, it has been indicated that teachers' colleges should house teacher training from kindergarten to grade 12 or 13 and a teacher attending one of these should be able to teach at any level. That is, if my under-

standing of these documents is correct. Let me quote from the recommendations of the McLeod report:

A programme for teacher education be provided by universities. The programme be of four-year duration, leading to a baccalaureate degree and professional certification, elementary and secondary school education be offered within the same university.

Mr. Chairman, the same university and by the same university. This is according to McLeod and the Hall-Dennis report.

If we are going to try to establish this in the north, we should try to establish it in a locality that is central. Consider the area that I feel a college of education should serve—it would include the North Bay area, the Timmins area, Sault Ste. Marie and Sudbury.

With the Timmins to Sudbury highway nearing completion—we were guaranteed last night by the Minister of Highways (Mr. Gomme) that it would be completed by 1970—this means the Timmins students could drive down in a couple of hours. With North Bay only 80-odd miles from Sudbury and with the Soo 200 miles, roughly, from Sudbury, you have a focal point that brings students by a variety of means of transportation—primarily road for university students, I would imagine—to an area that is focal or central to the whole region. I see the Attorney General watching me; I am sure the Attorney General has to agree on that point anyway.

At the present time, by the way, included as modes of transport there is air, the CNR and the CP, so you do not have much of a problem—it is a very central location. But what also is very interesting is that at North Bay, you are in the process, or contemplating, planning building an elementary school or training school for elementary teachers associated with Nipissing; at Laurentian, you are now building or finishing an Ecole Normale and you are contemplating a teachers' college in the Lakehead or an OCE. That is three different structures.

The point is are we going to adhere to this policy? If we are going to have plans from people who do studies and make reports and then we ignore the reports, this seems to be ridiculous. You are going to end with three universities, three libraries this way; you are going to end up with three gymnasiums, three cafeterias. Three of everything, Mr. Minister, including classrooms.

Yet, the studies indicate that rather than having this diversity all over the province,



we should be trying to consolidate it and put it in an area which would satisfy the need. I do not think there is an area—and I am not being parochial again—outside of Sudbury that can serve the whole mass of northeastern Ontario if you locate it at the Soo or at the Lakehead.

**Mr. J. Jessiman (Fort William):** You are a little loose on your mileage.

**Mr. Martel:** Students are not going to go to the Lakehead from North Bay, they are not going to go from Timmins and they are not going to go from Sudbury. I doubt if they will go there from the Soo because the transportation is not adequate. They will come to southern Ontario. If you are going to try to save the province money, the time to do it is now while only one structure is being built; the Ecole Normale which is almost completed.

If you are going to serve a bilingual community, it would be advisable, where an Ecole Normale is being constructed, to finish that aspect including the training of French high school teachers and fill in the rest of the complex with the English counterpart right there. We would not have triplicate facilities being built. This would greatly reduce the cost to the province, transportation-wise and so on, as already indicated; it is there. There are a lot of other reasons, sociological reasons. For example, the people in Timmins have many related people in Sudbury because they are involved in mining industries; they know many people. It makes it much simpler to find accommodation. I am just trying to get a few more reasons.

**Mr. Jessiman:** You had better check with the hon. member for Thunder Bay.

**Mr. Martel:** For the member for Fort William, I am not trying to eliminate the necessity for a teachers' college there. It serves 200,000 people maybe?

**Mr. Jessiman:** Locally 250,000.

**Mr. Martel:** The area I am talking about serves 700,000 people. Another factor, of course, is in teacher training you have to have good high schools. I think that the Soo has certainly some high schools which have top-notch performances. So has the Sudbury area, North Bay and Timmins. We have the real training ground for students who are attending Laurentian, Nipissing and Algoma to train and stay right in the area. I say, economically and logically and in keeping with the reports of the various com-

mittees, that there is only one area in which this Minister can move to save the province money and to provide the best teachers possible for northern Ontario, and that is at Laurentian. I would appreciate the Minister's comments.

**Mr. Jessiman:** The member for Thunder Bay should be defending his own area.

**Hon. Mr. Davis:** I anticipated that the member might want some reply. This has been discussed, of course, on other occasions.

I would point out two or three things to him. I am sure that he would agree with these. Firstly, as far as the department is concerned, the question of the integration of teacher education into the universities is something that is in a state now of flux; it is in process, and of course, we can apply other thoughts to it that perhaps were not possible some two or three years ago.

I think one should also point out to the hon. member that there already is an existing facility at Thunder Bay. It is a very fine facility, and I am sure he would not want to see it not used, so perhaps it would make sense to continue with the teacher education programme there. I do not think there is any doubt, and I would agree with the member for Sudbury, who did not really ask me to reply, I think he told me, 'you will put a faculty of law in Laurentian' — I do not think there is any doubt that if there is a faculty there, a professional faculty, there is no question of the possibilities of creating an interest and retaining people in those geographic areas; no doubt that they are better than if there are no facilities there.

We found this with the interim summer course at the Lakehead this year for secondary school teachers. Now, can the member now question the validity of the course *per se*? That may be a subject for some other occasion, but the fact is, it was oversubscribed and the teachers were prepared to stay in the northwest and the northeast. There is no doubt this attracted a number of secondary school teachers into the profession who otherwise would not have gone if the course had not been offered in the Lakehead. I can only say to the hon. member that we recognize the new college that is being built at Laurentian which will be integrated, of course, with that institution, that one should always broaden one's horizons and anticipate the possibility of extending it into the secondary school field as well.

**Mr. Martel:** Could I ask the Minister one question? Is there a possibility you might

just delay the addition to the University of Toronto and the updating to at least provide us with a much, much needed facility? You now have—what is it? McCarthy?

**Hon. Mr. Davis:** MacArthur.

**Mr. Martel:** MacArthur. You have got University of Toronto. Where else have you got OCE located in southern Ontario?

**Hon. Mr. Davis:** London.

**Mr. Martel:** The south has some. We do not have any, you know. We northerners get rather frustrated at the slowness in which things come to the north. In other words, when the demand is filled in the south, then we might consider the north. In this case I am asking the Minister to consider the north first and allow those people at the University of Toronto to just put up with the inadequate facilities for the present time. But at least provide us with a facility.

**Hon. Mr. Davis:** Mr. Chairman, I will not prolong this but if the hon. member would discuss this just very briefly with the hon. member for Scarborough West (Mr. Lewis), he will recall, I am sure, a speech, a rather impassioned plea that he made, relative to the totally inadequate facilities, he calls it, up at OCE here in Toronto. He said: "Mr. Minister, it is time to get that rebuilt, or renovated, or build a new facility." He really had that as one of his number one priorities.

**Mr. MacDonald:** You have a lot of catching up to do with this government.

**Hon. Mr. Davis:** Listen, we are always in the process, but I think perhaps we might check this out.

**Mr. MacDonald:** What was it Dr. Jackson said—100 years behind the times and we have gained about 50?

**Hon. Mr. Davis:** Well, that was five years ago so I think if you asked him today, as I said in the education committee—

**Mr. MacDonald:** You are now only 25 years behind.

**Hon. Mr. Davis:** No, no. He would say we are perhaps even ahead of time now.

**Mr. MacDonald:** You are going to trip over your own feet if you do not look out.

**Hon. Mr. Davis:** Yes, one has to be careful of that. However, I think it should be pointed out that to say we have completely neglected teacher education in the north is not quite

right because the new teachers' college at Laurentian will be a very excellent facility, a first class facility.

**Mr. Martel:** No one is disputing that. All I want is a college of education.

**Hon. Mr. Davis:** All right. All you want is a college of education. I have made a note.

**Hon. A. Grossman (Minister of Correctional Services):** Will yesterday be soon enough?

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I would like to renew my annual plea to the Minister for reconsideration of the way the Ontario student awards plan operates in relation to students attending American universities. Coming, as I do, from the southwestern part of Ontario, a lot of our students have only one alternative when it comes to certain types of education and that is to go into the United States for their education.

However, the department, in its student award programme, does not allow the students any portion of their award to be recognized as an award and as a result this is a real penalty to the student who can travel just across the border and get a type of education and in some type of discipline that he cannot get here in the province of Ontario. May I, at this time then, ask the Minister if he is giving any consideration to changing the student award programme so that the student attending an American university would be treated the same as the student attending a Canadian university and not discriminated against in relation to the award programme?

**Hon. Mr. Davis:** Mr. Chairman, I find the suggestion a little more intriguing this year than last year after listening to some of the discussions earlier this afternoon. We could almost say there is a bit of a contradiction. We were discussing, Mr. Chairman, this afternoon the desirability or the concern — I think a very valid concern — about the possibilities of others than Canadians — if I can phrase it that way—in our universities; the desirability to improve the numbers of Canadians, the Canadian content. And then we are asked, when resources are limited, to provide student assistance for those students who will be studying outside the province.

**Mr. E. W. Sopha (Sudbury):** Surely, this is different.

**Hon. Mr. Davis:** I am not saying it is exactly the same but surely if there is—

**Mr. R. F. Nixon (Leader of the Opposition):** Then why are you wasting our time with all that? It is a different case!

**Hon. Mr. Davis:** Because I think it is partially relevant.

**Mr. Sopha:** Well, this is very spurious.

**Hon. Mr. Davis:** Mr. Chairman, I think that if funds are limited surely we have the obligation to apportion those funds. I would agree with the member for Sudbury with respect to entrance into professional faculties. I think priority should go in that instance to students from Ontario or Canada, and I think priority has to go—if there is a limitation on funds — to students who are studying in Ontario institutions.

You know, if funds were totally unlimited—in other words if we had all that anybody would wish for this type of programme — sure you might consider it. But surely, if we have to, as we do, set certain priorities, the priority must be for students in our own jurisdiction. There is nothing I think illogical about that.

**Mr. B. Newman:** The Minister does not understand though that if some of these students were to attend a Canadian university, you would have to give them a much larger award than what you would give them were they attending an American university. You are really saving money by allowing them to go to school in the United States.

You would have to come along and build at least one more university in Ontario to accommodate those Canadians or those Ontario students who are attending American universities at the present time. So you are really saving money, Mr. Minister, by providing them with some type of forgivable loan or by allocating some part of that award programme that would be forgiven, to those students who are attending American universities.

Were American universities to treat the Canadian students and the Ontario student exactly the same way as we treat American students I would not be as critical as I am. But the American university charges the Canadian student a higher tuition than the Canadian university charges an American student.

For example, in the State of Michigan right now, a Michigan resident pays \$480 to attend university and the Canadian has to pay \$1,670 in Canadian funds to take that same programme at the American university.

If they are going to penalize our students for attending their institutions then I think that we should have reciprocal agreements with them. We should require their students attending our universities to pay a triple tuition fee just as they charge our students.

I am not asking for that really. What I am asking you to do is to give consideration to the Canadian student and the Ontario student, and I will make the plea for the Windsor resident student who is attending a school in Detroit or its environs.

He cannot, in a lot of cases, get that programme in a Canadian university, but he can over there in the U.S. You are discriminating against him; you are being completely unfair to that student who would like to further his education in the U.S.

You may say, well he is going to get his education over there and he does not return. With the new immigration laws, there is a two-year waiting period right now for anyone attempting to enter the United States by visa.

He has two years to wait before they will even consider his application. So, Mr. Minister, you are being completely unfair to students who could travel only two or three miles, or maybe five miles, to get an education. You would prefer to have that student come back into Ontario and travel 120, 230, or 370 miles for that education. I am referring to London, Toronto and Kingston.

**Hon. Mr. Davis:** Would you not like to have—

**Mr. B. Newman:** Well, they cannot get the programme in Windsor. I am referring to students who cannot get the programmes they want in Windsor.

**Hon. Mr. Davis:** No student at all?

**Mr. B. Newman:** Then our Canadian universities will not accept that student with a Grade 12 education.

**Hon. Mr. Davis:** Quite.

**Mr. B. Newman:** Whereas the American universities will accept that, and yet that same student will get that degree from an American university and he will come back and be accepted as a teacher in a Canadian university. Yes, they are accepted. They are teaching at St. Clair College, they are teaching at the University of Windsor. See how you are discriminating against the Canadian who wants to attend an American university. You are being completely unfair with him

and I think you should reconsider your attitude towards the student loan with these Canadian students—and I should really refer to the Ontario students attending universities in the United States.

One of the universities over there, that I can mention, Mr. Chairman, has nine per cent Canadian students. Nine per cent of the university with a population of 18,000. If we had to turn around—and provide a university in here for those approximately 1,500 students, you would have to build another facility in here. Why don't you see this, Mr. Minister, and have some consideration for the Canadian and the Ontario student who wishes to get his education in the U.S.? It is cheaper for you in the long run.

Hon. Mr. Davis: Mr. Chairman, with great respect, it is not cheaper in the long run. A good number of the students who are going to Michigan, to Michigan State—very fine universities—to Wayne, another institution of higher learning in the State of Michigan, and elsewhere, are doing so with Grade 12. The hon. member knows this. It is also, I think, relevant to point out that we have a number of American students studying here in this jurisdiction who have “replaced” Ontario students going elsewhere, but I do not think that it would be necessarily a question of replacing.

These facilities are built in here in this province. I think there would be other ways, but hopefully this sort of situation will not arise. We are in this position, Mr. Chairman: Who has the first priority, if there are limitations of funds, a student who wants to go to Erindale College—I won't go to Trent or York, I do not want to upset anybody—or a student who wishes to attend Wayne? And while the member for Sudbury says that my argument is a bit specious, I am not sure. What about the cultural influence, the Americanization of students who are studying in the United States, who will be returning to this jurisdiction? That is a bit of a contradiction to some of the things we were saying earlier.

Mr. B. Newman: All right, if the Minister considers that a contradiction, why does not the Minister consider then, buying out the radio station in Windsor, CKLW that is up for sale right now, and have that as an outlet, so that at least we can come along and have Canadian content over that television station rather than practically all American content? So, Mr. Minister, you are speaking out of both sides of your mouth at the same time.

Hon. Mr. Davis: Why not—

Mr. B. Newman: We have a facility that is available and can be used very well for educational purposes, and you are going to allow it to carry on the same ways that it has in the past. So, Mr. Minister, what is the difference whether a student goes to university over there and he comes back and is productive in Canada? It matters not.

Mr. R. Haggerty (Welland South): Or you hire professors from the United States.

Mr. B. Newman: Or you hire professors from the United States says the hon. member from Welland. Mr. Minister, you are completely wrong in your approach. You are completely wrong and I hope—

Hon. Mr. Davis: Oh, I do not think so.

Mr. B. Newman: You are completely wrong and I hope you would certainly reconsider. I notice your Deputy comes from Windsor, and I think that he should brainwash you a bit, so that you—

Mr. Nixon: What do they do for an education down there?

Mr. B. Newman: Were is not for the facilities across the border, he probably would not be where he is today.

Hon. Mr. Davis: I would say this, that somebody much closer than the Deputy Minister has a certificate from Michigan.

Mr. B. Newman: The only thing is that I am a little disappointed that he has not been able to point out to the Minister the discrimination that the Minister is practising in not allowing a student to attend a university of his choice. He tells him he has got to go to an Ontario university or he will slap his wrist and not give him a student award.

Hon. Mr. Davis: We do not slap their wrist at all. We leave them alone.

Mr. B. Newman: Mr. Minister, why do you not treat the Ontario student attending an American university the same way as you treat a Canadian student attending a Canadian university? You are discriminating against them.

Mr. MacDonald: I got your point.

Mr. B. Newman: Well, I know, but I am trying to drive it into the Minister's head, this is the thing. It will never help convincing the hon. member.

**Mr. W. G. Pitman** (Peterborough). It may very soon.

**Hon. Mr. Davis:** You do not really believe that.

**Mr. B. Newman:** Well, apparently that fell on infertile ground. I will only tell the Minister now that when we come back in here next year, you will hear the same thing and you will hear it until we are over there forming the government, Mr. Chairman.

**Hon. Mr. Davis:** Well, we will both be old, old men by that time.

**Mr. E. Sargent** (Grey-Bruce): Do not be so smug, you are on the skids now.

**Mr. Pitman:** Mr. Chairman, I wonder if I might add to the plea of the member for Windsor-Walkerville, in relation to this whole business of the process of awards before I begin the main comment I want to make.

It seems to me that an even more serious problem exists in our country in that students who go from province to province are placed at a serious disadvantage. I think that this is something that surely should come before the council of ministers, and which surely should be resolved as soon as possible. Because if we are going to have national institutions in our country, if, indeed, we are going to have, particularly French speaking students coming into Ontario—

**Hon. Mr. Davis:** Mr. Chairman, if we are talking about students awards; a student who is studying in another province is eligible for assistance, if they qualify.

**Mr. Pitman:** No, I mean those who are coming from another province to Ontario—

**Hon. Mr. Davis:** No, but any student from Ontario, is looked after if they go elsewhere in Canada.

**Mr. Pitman:** Yes, but I am talking essentially about the Minister's jurisdiction, although it is not his responsibility.

**Hon. Mr. Davis:** Yes, okay.

**Mr. Pitman:** I am concerned about the fact that there are universities in Ontario who are encouraging students to come from other jurisdictions, other provinces of Canada, who want, indeed, to build a national university—well, with specific purposes. Let us take Glendon College, which is attempting to draw people from other parts of Canada, and particularly trying to draw them from the province of Quebec, and I think that the

whole thrust of this university is distorted as a result of the fact that this cannot be done. I would ask the Minister, in relation to this same problem, to bring this matter, with some degree of effectiveness before the council of Ministers because I think this is really distorting his own jurisdiction here in Ontario. I think there are students in Saskatchewan, in Alberta, in British Columbia, who would like to be in an Ontario university, and I think there are Ontario students who should be meeting those students in an Ontario university. Even more so, there are students from Quebec who should be at an Ontario university, if we are going to create some kind of nationality.

I am not going to get into the Americanization argument again, but simply to indicate, if we want to really "Canadianize" Ontario universities, I think this should be the first step we should take.

**Hon. Mr. Davis:** It is expensive.

**Mr. Pitman:** I recognize that, but the cheapest way to give university education in Ontario would be to have every student, indeed to force every student, to go to the university which would be within 50 miles. You could draw circles and make everyone go "local" the same as you do with teachers' colleges. But you would not want to do that. That is not the kind of university spectrum you would want to produce in this province, and you encourage students, if they wish, to go to other universities because of the educational experience available.

In fact, you do not even do it for arts and science, which I think is important. There are students who are going right across the province to secure arts and science courses at the University of Windsor, who could be getting that course at Carleton, and it is a very good thing that there is that kind of a mix in each university. Well, I am suggesting that that mix should be broadened, should be Canadianized, and I would hope that the Minister might work on that in his usual effective way at the council of Ministers the next time he is there.

May I turn to another point, Mr. Chairman, which I want to deal with, I hope not at too great length. I suggested last year, in my comments on the University Affairs estimates, that this province desperately needs some kind of a five-year plan. We are still operating year by year, and it is very difficult for universities to know exactly where they are going on this basis. The second point I would like to make is that I think someone

must decide exactly what we are doing. What kind of a pattern of post-secondary education are we trying to produce in this province?

Now I know the Minister will probably say that this is the job of the Commission to Study Post-Secondary Education, and although we must congratulate the Minister for having appointed the commission, I would very much like to know how the commission is getting along; how many meetings has it had. The statement of the Minister indicated that we would be getting a report from time to time, but I do not think we have had a report yet, and I suggest to the Minister that the decisions which he has given to that commission to make are crucial, are critical at this point in time. I suspect that with the delay in appointing the commission, we may very well have made a number of decisions which we will not be able to reverse, and that unless we move very, very quickly, that we are going to be, I think, in some serious trouble.

I suggest to the Minister that Ontario is in limbo between what is essentially two different traditions. We have the British tradition on the one hand, which tends to consider university as an experience which really is relevant to a fairly small number of the population, perhaps only 8, 9 or 10 per cent. Then you have the American tradition across the border which essentially regards the university as an extension of compulsory universal education; well, perhaps not compulsory, but at least universal education. One tries to find exactly where the Minister of Education in Ontario stands in this game.

**Mr. J. L. Brown (Beaches-Woodbine):** Impossible.

**An hon. member:** In the middle.

**Mr. Pitman:** Well, you see, the problem is that this, I think, is a basic point. Last year in his remarks, and on the introduction to the estimates the Minister said that by 1975 I think, he would have double the number of enrollments in the universities in Ontario. He said by that time he would probably have 25 per cent of the age group from 18 to 21 at the university level. And he said that probably about 25 per cent would be in the colleges of applied arts and technology by the same time.

Now, my question really is, where do you get this figure. Where does the 25 per cent come from? And is 25 per cent at the bottom of the projection, or the top of the projection? And is that what the Minister regards as the

plateau at which we start to level out, or is it simply 25 per cent on the way to 50 per cent, 60 per cent, 70 per cent. In other words, exactly, where are we going?

This, I think, is the problem that the universities are facing. But the problem is that this decision is not being made by the Minister; it is not being made by the politicians and I think it is the responsibility of the politicians, to decide the ends of the educational system. I suggest to the Minister that really, the means are deciding the ends, and I am not at all sure that the Minister has very clearly in his mind what the end is.

I know that anyone who says we should restrict the university population to a certain percentage of the population is immediately going to be put upon by all sorts of people for being an elitist, for being an intellectual snob and all sorts of other things. But I do suggest to the Minister that he is realistic enough to know that we have to make a decision, that putting 100 per cent of the age group from 18 to 21, or even 50 per cent of the age group from 18 to 21 in a university may very well be somewhat beyond the means of this province, if the university education means in 1985 what university education means in 1969. In other words—

**Hon. Mr. Davis:** But will it, this is the point?

**Mr. Pitman:** Well, I suggest that is a very pointed question. Will it? That is exactly what people in universities are asking. Is the Minister really suggesting to us that what we want really is not a university but a post-secondary institution of a pseudo university type. Now, I think this is an important point because if you look at formula financing I would say this is the means that the Minister is using to try and place the money in the hands of the universities.

We will come back to formula financing in another context, I hope, in a few minutes, but I think that that procedure, for example, does encourage universities to add to their numbers. It encourages universities to go out and procure students. It encourages universities, in some cases, not to be quite as definitive as they might be as to who would benefit best from their programmes, because the larger you get, the sooner will your formula financing make your university financially viable, and I think this is a very real problem. As well as that, it encourages large classes, the very things that the students are concerned about. It encourages post-graduate work, and post-graduate work of such a

quantity that the nature may very well be undermined.

Universities may feel that they are being pressured, being influenced to encourage post-graduate work in Ontario, because, of course, it is by that means that you get "money in the bank," once you have enlarged your post-graduate course beyond a certain level.

At the same time you are using this system of encouraging universities to enlarge, what I call the Grade 13 machine disappears. Now, with all of its faults and heaven only knows I would agree with the Minister that we did blessed little, I think, to improve the Grade 13 examination over the years—to make it a more reasonable method of sorting out those who should go on and those who should not—at least, not those who should go on and those who should not, but rather sorting out the direction that young people should go once they have reached Grade 13.

The point is that there is nothing now, at all. Last year I discussed with the Minister what 60 per cent meant and he kept saying that the 60 per cent is what the universities required. I kept saying to the Minister that 60 per cent really does not mean very much now, because 60 per cent may be very different in one school to another.

I think now what you are going to see happen is the universities are going to say, "Look, we don't know what 60 per cent is, not only that but we don't even know whether the universities will give us a mark of 60 per cent", they are starting to use A, B, C, D, or Roman numerals, I, II, III and IV, which all mean different marks in different schools.

On top of that, really what the Minister wants is an individual education in an individual high school, so what we will do is we will simply ask each principal to hand us a statement saying, "Well, he has completed Grade 13" or whatever the Minister calls Grade 13 at that point in time, or "We think he should be at a university" and passes it on to the university who then use their tests and their various methods to decide who is going to go in and who is going to stay out. But this is going to be very difficult for the Minister and it is going to be very difficult politically for universities (a) to have to turn down people who previously would have received perhaps an entrance to university and, (b) it is going to be even more difficult if it means they are not going to get the formula financing advantage which they would have by enlarging their institutions.

I think this is a very real problem because certainly the presidents in their annual review for 1968-69 "Campus Forum," bring up this whole matter, discussing the whole question of formula weights. They discussed the problem on page 28, the fact that they assumed that the basic unit should rise to 11 per cent. Of course, the decision was that it should go to 5.5 per cent.

"As a result," as the presidents themselves say, "three universities reported they had budgeted for a deficit. Some stated new programmes had been cut back or postponed. Renovation and maintenance of physical plant, or replacement of furniture and equipment were cancelled at most universities, as was the purchase of library books."

A moment ago the Minister said maybe university education is going to change. Well, if that is the case—

Hon. Mr. Davis: I did not say that.

Mr. Pitman: Well, he said perhaps it is going to change.

Hon. Mr. Davis: Well, all right.

Mr. Pitman: The point is I am simply trying to quote the Minister accurately, and in all fairness I think it is important that universities know if the Minister does want university education to change, if they are expected to plan the educational experience at the university level.

If it really will be an extension of the secondary school, then I think they can stop fighting against what is an impossible task, and that is to provide what the Minister calls university education *a la* 1960 in 1970 when they will not have the resources to do this, and when they are going to be forced, as the presidents themselves say, to increase in average class size.

Are there any two elements which are more related to quality of education? This is the problem that a great many of the universities face, as the Minister knows. They could not cut down in the wages of professors because it is quite impossible against the rising cost of living to suggest that the professors' wages could be either cut or that they could be held below the ten per cent increase which you find going across the province.

It is in these crucial places of library books, and particularly in the area of size of classes that the crunch really comes. This is the whole point.

Are we going to lower the quality of education, university education in Ontario, on the

basis that we are trying to have an open-ended system over which there is no control related either to a Grade 13 mark, and where there is an encouragement in the formula of financing, to increase the size of the universities so that the per unit cost will be less and less?

I raised the point of autonomy last year. The Minister said in his opening remarks, "There is, therefore, no more indication in 1968 than previously to indicate who shall teach, who shall be taught, or what shall be taught at a university in Ontario.

I think the pressure now is certainly on what shall be taught. I think it is now very clear that no new courses in certain areas are going to be accepted, so that in a sense that is a levelling off in autonomy.

But I suggest to you it is also, I think, undermining the autonomy to decide on what kind of education is going to be given, how many are going to be forced on the universities to make them financially viable. What classes are they going to have in order to be financially viable?

It seems to me that the major decision has to be made and it has to be made politically. I do not think the report on the post-secondary education can make these things. I think, essentially, the Minister has to make the decisions.

Where does 25 per cent come from? Where does the Minister decide on a point like that?

I would have said 10 years ago, maybe 15 years ago, the Minister would have said, "But you are going to deprive people of education after they have reached the age of 18, or after they have ended their high school career". But that is not true today.

We have provided a spectrum. The colleges of applied arts and technology are able to provide a very wide spectrum. It seems to me that somebody has to make the decision.

Now, for example, I just question, are the same number able, you might say, to succeed or to have a valuable educational or intellectual experience in university as they can do so at a college of applied arts and technology?

I do not care what you want to use. If you want to use SACU results, if you want to use tests, intelligence tests. Does that sort them out? 25 per cent?

If you look at the employment market, that is where the young people are going. I would not regard this as the first priority, as the Minister knows, but if you are going to look at that, is there, you might say, appropriate

employment for 25 per cent as they leave the universities as compared to the colleges of applied arts and technology?

In other words, does the economic system in Canada and in Ontario expect the universities to provide the university education for 25 per cent of the population to go into their business organizations? 25 per cent that go on to the colleges of applied arts and technology, or is it, rather, 15 per cent and 35 or 40 per cent in the colleges of applied arts and technology? I do not know.

I say to the Minister that somebody has to make this kind of decision, and it is not being made. In fact, one might even go on—and I am going to speak with a great deal of, I hope, kindness and delicacy on this point—because I think it has some merit. Our problem is, I think, that we are not sure exactly what the Minister does decide about the universities in Ontario.

**Hon. Mr. Davis:** I act on the advice of my committee; they are very good people.

**Mr. Pitman:** I know. That is the very point. The committee, of course, is chaired by Dr. Wright.

**Hon. Mr. Davis:** A very able man.

**Mr. Pitman:** Dr. Wright is one of the most able men. He has made a great contribution to university education in Ontario.

**Hon. Mr. Davis:** He is here; he is listening.

**Mr. Pitman:** I am very pleased to know that because I am going to have some more things to say. I am so glad that Dr. Wright is here, because I say this in all honesty, Mr. Chairman, someone—was it Lord Acton said, "Power corrupts, and absence of power corrupts absolutely", and I say of the Minister he is corrupting Dr. Wright.

**Hon. Mr. Grossman:** The member must have got that information from a spy in the department.

**Mr. Pitman:** I question whether any man should be given the responsibility, the heavy onerous responsibility, of being the chairman of the committee of university affairs with all that that entails over extended years, at the same time being asked to write a constitution for the college of arts, which of course becomes in a sense an influence on post-secondary education across this province, at least in terms of the structure of university governments or post-secondary institutional governments. And at the same time, the Minister loads on the chairmanship—



**Hon. Mr. Davis:** Oh, no, let us not impose too much on Professor Wright's physical well-being. He finished the report on the college of arts.

**Mr. Pitman:** Indeed he did.

**Hon. Mr. Davis:** Well before he undertook this other task. I would not want the members to think we are overworking him that much.

**Mr. Pitman:** Well, you have imposed upon him again by making him the chairman of the committee—

**Hon. Mr. Davis:** We did indeed.

**Mr. Pitman:** You placed him in a rather embarrassing position of examining his own work.

**Hon. Mr. Davis:** But he is not embarrassed at all.

**Mr. Pitman:** At the same time, I suggest to the Minister, there are political decisions which Dr. Wright should not be expected to make—

**Hon. Mr. Davis:** Quite right, and we will make them.

**Mr. Pitman:** The Minister has to decide what the plan is. The committee for university affairs is dealing with individual universities and rightly so. The Minister is going to stand up and say, "You wouldn't want to go away from formula financing back to that old nasty political system of handing out money to the universities on the basis of how they appear, who they appear with before the Minister." No, I would not.

**Mr. MacDonald:** It was known as the Frost dole.

**Mr. Pitman:** I do suggest to the Minister though that he has to set the goals of what we are trying to do at the post-secondary level. This government has to set the goals.

To try some cutting back and perhaps undermining what you have already done in many areas—

**Hon. Mr. Davis:** Well, who is doing that?

**Mr. Pitman:** I think there is a feeling in all universities across the province that there has been, let us say, less money available to universities over the last years than there was over the previous five or six years. I do not think that is an unfair statement.

**Hon. Mr. Davis:** I think it is. When the member is finished I will—

**Mr. Pitman:** Yes, I will be very pleased to—

**Hon. Mr. Davis:** I know you want to spend more, I know you think they should have more.

**Mr. Pitman:** You see, the Minister is making an off-hand judgment on what he thinks I am going to suggest. I am not necessarily suggesting that the universities should spend more.

I think what the Minister must decide is what should the universities do, and then we can decide whether they can spend more, or indeed spend less. It may very well be that it would be in the best interests of Ontario and the young people of Ontario that, as I say, the percentage of the 18-21 year olds should be 15 per cent in university, 45-50-60-80 per cent in the college of arts and technology.

I do not know, but it would seem to me that this is the kind of decision that is a political decision that has to be made by the Minister of Education and the Minister of University Affairs, and the Minister is not making this kind of decision.

He is simply opening the door to an open-end system without making decision, without deciding what these goals should be. I suggest to the Minister that this is not appropriate, I think, in the situation we find ourselves in Ontario today.

**Hon. Mr. Davis:** Mr. Chairman, just to comment, I hope very briefly. I think the government has had a stated goal or philosophy. If the member from Peterborough is listening very closely, the policy simply is this:

We have developed the post-secondary institutions, particularly the universities, on the basis of accepting all those students who wish and have the qualifications to attend. I think it is a very simple policy.

**Mr. Pitman:** But there is no such thing as qualifications; qualifications will not exist.

**Hon. Mr. Davis:** Well, with respect Mr. Chairman, the member from Peterborough really is perhaps a shade ahead of many of his academic colleagues. I do not know where he got the impression that qualifications of some kind—

**Mr. Pitman:** Oh, of some kind—

**Hon. Mr. Davis:** Right . . . will not exist and I would think that with respect, once

again, you will be getting probably in percentage increases roughly the same numbers. Whether or not you will get different mixes over the period of years, whether there will be any alteration when we move to an ungraded situation at the secondary level, I do not know but that it will be that substantial. We have been without the Grade 13 examinations now for two years and I think, as we understand it, the rate of failure at the universities has not altered very significantly.

The percentage increase beyond that which we projected has been somewhat higher, but not necessarily related to Grade 13 and also related to economic factors and the level of competence being determined by the business and industrial community. Mr. Chairman, for me to say today what the objectives should be of the total university community staying out of context, and all the rest of it, but what the objectives should be say by 1985, is a very difficult task. With great respect to Dr. Wright and his colleagues, I think they will come in with some helpful recommendations. But with great respect to them again, I am not sure that they can look that well into a crystal ball and make these determinations.

If somebody had been standing here 20 years ago and had said that by 1970 we will have 20 per cent of the age group 18-23 or whatever age group we are using, in universities in this province—100,000 students—I would think, Mr. Chairman, that there would be many people who would have doubted this prognostication. In fact, I think they would have said he was all wet.

Mr. Nixon: There might have been some who would have thought it a bit conservative.

Hon. Mr. Davis: Well 20 years ago, it certainly would have been a conservative statement from here.

Interjections by hon. members.

Mr. Brown: It would have been good to have somebody say it.

Hon. Mr. Davis: Yes, well the point is Mr. Chairman: We had enunciated an objective as of 70-71 of 100,000 students. It represents 20 per cent. You know, I do not know that anyone in our society today can say that by 1980, it should be, shall we say, 30 per cent or 35 per cent of the age group. I think these things, to a degree, are determined by the needs of society and what happens with the total educational picture. And while I recognize the desirability, it would be tremendous if I could put down in black and

white here tonight for the member from Peterborough just how I see things developing over the next 15 or 20 years in a way that would be totally acceptable to all of us. I just do not have this capacity and I do not know that there are many people who do. If you look into the other fields of post-secondary education, there are even some members here—I do not think they really meant it—who were somewhat dubious about just how successful the community college programme would be in a relatively short period of time.

Mr. MacDonald: You were dubious enough that you did not get them started until graduates were pouring out of the four year stream.

Hon. Mr. Davis: Oh well, Mr. Chairman, that is not quite accurate either but we will not go back into that debate. But the point is that I think they have been singularly successful. Not just in terms and numbers. This is no—you know—single basis to judge anything; but in terms of numbers, quality of programme and the relevance of the programmes to our existing society. Certainly the commission will have some of the answers. The department itself is working on answers. The advisory committee does, and to relate this to formula financing, with respect, Mr. Chairman, is not right either. You know, we are all having to tighten our belts and any interpretation by the universities that the fact that there are only 50 million dollars in addition to last years' amount to distribute for the increased enrollment and the viable functioning of our institutions of higher learning, our universities in this province, any thought that this indicates any—shall we say, change in approach or philosophy is just not factually correct.

We want to see the universities to continue to develop the quality of their programme—this is still our policy. And this may be a problem for us. I am not denying that, economically. To admit those students who have the qualifications and who wish to attend, may be very tough, looking ahead three or four years. All you have to do is project the increase in numbers and the increase in dollars at the present figures and add to that whatever escalation there could conceivably be over the next five years and you come up with some very staggering figures. But this is the present situation. We have asked the universities, or the committee has, for their own five year projections of growth and needs. These have been coming in now for two years, or at least we started this two years

ago. But, I just have to say to the hon. member for Peterborough that I do not think anybody in any jurisdiction today can identify as clearly as we would all like the needs of society in the 1980's or 1985 to make pre-determinations today that make sense by the mid 70's even. I think the main point today, Mr. Chairman, is to accept the great need for flexibility and at the same time, accept the very real need to maintain the quality and the integrity of our post-secondary institutions. I think this is absolutely essential and I think it can be done. It will not be easy; I cannot be any more helpful. I do not have a crystal ball that will give you some of the answers that we would all like.

**Mr. Brown:** You only have to worry about the next two years.

**Hon. Mr. Davis:** John, you are a wishful thinker.

**Mr. Nixon:** The point the Minister was referring to on university qualifications: I was quite interested that the member for Peterborough responded that there are no such things and this is the way it appears. I know the Minister says that perhaps that is an extreme statement, that we still have ratings from the high schools, and yet already there is every indication that universities are in turn, rating the high schools so that there are value judgments.

**Hon. Mr. Davis:** They are using Grade 12.

**Mr. Nixon:** That is correct, but the fact that there is no external exam—and frankly I am not arguing for a return to it—but the fact that there is no external exam means that the university admission officers are rating the high schools as to the usefulness of the recommendation they give based on Grade 12. They are working Grade 13 to the individual student. Now this is precisely what happened on at least one previous occasion when we moved to a position where we were abolishing the external exams. I think this is fine. We support the abolition of external examination. But, I am concerned with what has replaced it. I believe that most school boards and principals and staffs are very conscientious in giving what they consider their best possible assessment of the ability of the individual student. More and more, this is not based on their ability to pass examinations or come up to a certain degree of achievement, but simply on the subject assessment of the individual's ability which is arrived at over a number of years by a number of teachers. But this, in

a way, this subject of assessment, is not in the best interests of all students. I can remember the Minister assuring the House when he was talking about the abolition of Grade 13 departmental examinations that he, for one, was going to provide funds to assist in a programme that was going to cut through this difficulty that we saw emerging and assist the universities in getting some sort of uniform entrance approach.

I do not know what has been done on that programme further, but I believe more and more that the centralization of qualifications has been done away with and the individual student has to depend on making a personal impression, first on his teachers over the past three or four years and then hopefully making a personal impression during interview with an admissions officer. I regret to some extent the ability that a bright student might have to make his mark academically without having to rely on the force of his personality to impress either his teachers over a year or two, or perhaps the admissions committee of any individual university.

There was a time when I felt that everybody who graduated from our secondary system should by right have a place in the universities, I regret, personally regret, that there is a stratification, a class stratification, even if that class is associated with ability that funnels certain groups in the community colleges which have been successful in the way the Minister has described it, and others are channelled into post-secondary education at the university level, I have always felt that the achieving of a degree—a first degree at least—does not associate itself with a recognition of outstanding intellectual or academic ability. I am sure the Minister has among his acquaintances those people who have—maybe not too far away, as he looks over here—achieved a bachelor standing without any really outstanding intellectual ability. There are other graduations of academic achievement, which the Minister himself has achieved when we see the number of doctorates penned after his name, that are recognizable and can differentiate these levels of achievement.

I often regret that a person who simply graduates from the secondary system without any great academic honour is hard-pressed to go on to a university experience where, in fact, he might achieve better than his teachers are prepared to predict. Perhaps even the system that has been established in the last two years is apt to reject him when, in fact, this rejection is unfair.

Number one, I would like the Minister to comment more fully on the business of university entrance requirements which I do not think are as well understood or as specific as they should be.

Now the second thing has to do with the general expansion of the university system. In the days when I had the responsibility to be the critic of this department, I read all of the reports, most of which are now sitting on the desk of the Minister's advisors, and combing through them very carefully to see where the committees of presidents and others had some phrases that were perhaps detrimental to and critical of the Minister's policy. We were able to find many of them.

Realizing that there is some embarrassment to the Minister, these days have changed. We do not hear outbursts from the presidents now saying that the Minister has cut us off, say, at Queens without adequate support for our growing student population. Perhaps the formula of financing method is chiefly responsible for this. I believe that it is.

On the other hand, perhaps the presidents of the universities have learnt to be much more political—with the small 'p'—than they were even in the days when their entrance before the Minister, and before the former Prime Minister, had to be accompanied by a lot of panoply to put forward their claim to further financing. But what is the immediate expansion plan of the university system?

We moved to 14 supported universities with a rush. I presume that there is no further university expansion in the plan at the present time? Yet it is interesting that some, like Trent, have been able to — if I may be forgiven for mentioning that university particularly — maintain their position as a very small institution indeed. There are many bigger high schools, figured by population.

Mr. Pitman: Not now.

Mr. Nixon: What are you at — 1,600?

Mr. Pitman: Look at the Minister's report.

Mr. Nixon: I believe 1,600 is what it says. There are many high schools that are at least that big. While we look forward to keeping some of the institutions small, with the advantages that that renders, surely there is a figure, that is perhaps a bit bigger than that, which is associated with some optimum use of the basic commitment of finances for a campus and all that it involves.

I would like to know not what the long range goals of the system are to be—the minister has said he cannot predict them and he has a committee with very competent people staffing it which will give us all some indication of what the future will be. But I would like to know just what does he intend the growth of the university system to be in the next two or three years? If there is going to be the kind of continuous middle-of-the-road expansion that we have had this year and in the most recent years.

The third thing I want to raise is the place of the colleges of education on the university campus. The Minister, in ringing tones, has attempted to associate these colleges and the teachers' colleges with a university situation. While his speeches have been quite successful I think, in fact, that he has failed to achieve this association, at least to the extent that many would wish.

I have heard it said that the salaries paid to those people working in the institutions directly under the control of the Minister, such as the Ontario Institute and to some extent at the colleges of education, are at a level which makes it difficult for them to be incorporated into the regular universities situation. To put it bluntly, I understand that he is paying salary schedules which are significantly higher than those available at the university level, except in the very top situations. This is one of the problems.

I hope that some effort can be made to make the colleges of education and the teachers' colleges more closely integrated with the campus and with the university atmosphere. I do not think this has been achieved. I think there should be more stress on what has generally been accepted as policy of the government supported on all sides. The training of teachers and the certification of teachers should more and more be a function of universities and less and less under the control of the Minister and his advisers.

The fourth thing I want to refer to is the student award programme. I see that the figure listed in the estimates is now close to \$40 million. I presume this involves the payments for post-graduate fellowships which have been a substantial part of the awards for some time. I recall those days when the students were marching on Queens Park; I hope the Minister recalls the tremendous influence that well-informed students had at that time on not forcing, but at least achieving, a change, a progressive change, in the policy of the Minister and the administration on student awards.

We have come a long way. I think many of the complaints now are based on a lack of understanding. I do not think there are many members here who have not had constituents come to them and say, "Look at the unfairness in these particular awards" only to find, on careful investigation, that the facts were not well understood by those who were doing most of the complaining. But still there is that problem associated with the fact that people are prepared to put forward information that is either misleading or basically wrong—lies—to achieve some public assistance for young people who really, under the present programme, do not warrant it.

I believe in the long run we are going to achieve that situation where students who achieve entrance to post-secondary education are going to have a good deal more assistance than they have now. I believe that it should be a part of the provision of education without personal cost—some people call it free education and in one respect it is—that this should be the goal of the student award programme.

I have heard the Minister talk about how closely we have achieved that in the past and that still he reflects the Prime Minister's comment—something about the moral fibre in the student depends upon his requirement to meet some of these costs himself. Well, of course, the student will always have to meet some of the costs, particularly his living costs, when it come to providing for post-secondary education.

I am interested that the government of Canada is still working in conjunction with the government of Ontario in providing that part of the assistance which is on a loan basis. I wish that the money would be made available in the form of a grant so that we could approach more closely than we have in the past, at least the payment of tuition for all students concerned; and a programme of special assistance for those people who cannot approach meeting the cost for living away from home, or those costs associated with university and post-secondary education.

I think there are many fewer complaints on the student award programme. I believe there is a misunderstanding on the part of many people who are still under the misapprehension that the decision is made by the student awards officer, rather than at the university. I think this change in policy was a good one; that the universities themselves and the awards made there are the responsibility of the university and should not be reflected back to any particular office here at

Queen's Park or an adjunct to the Minister's staff. I think our goal should be for the provision of free education, if you want to call it that, at least the payment of tuition; and a further programme of assistance for those who cannot meet the cost of living away from home which could be established in a situation somewhat similar to that which we are using now.

There is always the problem of those citizens, all of them taxpayers, who take advantage of the system. There are cases where, I suppose, there has been definite misrepresentation leading to fairly healthy support for students which, if the truth were known, was unwarranted under the Minister's programme; not under the programme that we would have in mind on this side where we believe that tuition should be paid as a matter of right, and not simply as a matter of a decision by a student awards officer at the university or in the Minister's staff.

Well, those are the four things I wanted to raise at this time. I do not know whether they are in the form of questions that the Minister can respond to, but I would like to hear his views.

**Hon. Mr. Davis:** Mr. Chairman, I will try to answer very briefly. I am not sure that I remember the questions—three of them I have, the fourth may come to me. With respect once again briefly, Mr. Chairman—

**Mr. Nixon:** Entrance qualifications.

**Hon. Mr. Davis:** Yes. The question of entrance to the universities. While I recognize that the elimination of the Grade 13 exams did put a greater onus on the universities to a degree to make certain determinations, I still feel very strongly about this—and I think this view is shared now by large numbers in the profession. If a student has been in the school system for four or five years—and most have—and this applies to a very large percentage of them—then the principal and senior staff members are in a position to make a subjective and objective assessment as to whether that student can benefit from a university experience.

I think this is a very basic principle. There are still testing procedures; the students in Grade 13 are still undergoing testing procedures.

They have the SACU tests which the universities are using. Who knows, Mr. Chairman, perhaps the universities themselves will adopt more sophisticated entrance techniques or

admission requirements themselves. We debated this in the education committee—the member for Peterborough and I think the member for Scarborough West—

**Mr. S. Lewis (Scarborough West):** Just call me the socialist.

**Mr. MacDonald:** The young man from the west.

**Hon. Mr. Davis:** —were both suggesting—I think I am right in this—that the entrance requirements to teachers' colleges—the set percentage and so on at the teachers' colleges themselves—should become more sophisticated from the standpoint that marks should not be the only criteria for admission.

I recall these discussions. They went on at some length, and I think this is something that is evolving in the universities. I recognize their difficulties in this area, but you know this is part of their responsibility.

Surely they have the expertise and the intelligence to come to grips with this situation, and I think they are doing it. I do not believe they will get the quota systems unless economic circumstances so dictate, and so far they have not.

Now, related to the projections of where we are going over the next number of years, how detailed do you want these figures, Mr. Chairman?

**Mr. Nixon:** I suppose since I might be able to help with that—we are voting \$365 million—the Minister cannot predict what kind of reception he is going to get by Treasury Board, but is this going to grow at the rate of 25 per cent a year for the foreseeable future?

**Hon. Mr. Davis:** Mr. Chairman, there will be, we estimate, by 1975 a doubling probably. We will come very close to 200,000.

**Mr. Nixon:** So it will be 25 per cent.

**Hon. Mr. Davis:** Right, but it will not be on a percentage basis as high an increase, or as rapid an increase as that which we have had in the past.

Just to give the hon. member some idea of figures. Take the first year undergraduate degree programme; full time freshmen intake for 1970-71—estimated total, 29,561. We are estimating for 71-72—31,980, closer to 32,000; 72-73—34,000; 73-74—36,000; 74-75—some 39,000, close to 40,000 students.

These are the estimated projections of intake into the first year undergraduate programme.

Now the total full-time undergraduates—and I want to emphasize this, Mr. Chairman—these are estimates based on material received from the universities, our own projections. So far they have been relatively accurate to date. I will not predict they will stay as accurate. We were within about one per cent this year, which is not bad, not necessarily of each institution, but in total terms.

Once again, just using totals, not breaking it down in institutions, we are saying, Mr. Chairman, that we will have—taking the total graduate programme just to give a little difference—13,579 in 70-71; and it goes up to 19,000 we estimate by 74-75.

If the hon. member is interested in the part-time enrolments, we are estimating 15,000 to some 20,000. These are fairly detailed projections—

**Mr. Nixon:** If I might, Mr. Chairman. The Minister says that the growth of the system, the post-secondary system, is such that it is going to double by 1975. What will happen to the costs in that period?

**Hon. Mr. Davis:** Mr. Chairman, you know you have to build into this certain escalation features—

**Mr. Nixon:** Will the cost double, would you predict?

**Hon. Mr. Davis:** I would think that if numbers double the cost will double, yes. I would think actually, based on past experience, it would more than double.

**Mr. Nixon:** Well, if I may, what about the colleges of education? Are you satisfied with their association with the universities? Are you satisfied with the association of the colleges of education with the universities?

**Hon. Mr. Davis:** Mr. Chairman, no we are not completely satisfied, but I think we are fairly well along the road. The situation here in Toronto, the agreement I think is a relatively good agreement. The same way at MacArthur and at Althouse College.

There is, I think, some variation with respect to the institute in salaries. But I think, if you were to discuss it with the people involved, you will find that they will make something of a case for the length of time, the type of programme being somewhat different from universities, you know.

I am not going to debate their cause here tonight, I assure you, but they will make this point.

But to solve all these problems we are determined that although it will take a year or two to do this, the colleges and eventually the teachers' colleges and the institute will all come under the total formula financing basis. This will then create equity so no one can debate it.

I cannot predict the situation with respect to the teachers' colleges yet. We have the two now formally integrated with the universities. We are moving ahead with three or four others. Certainly our experience to date indicates that it is going very well, but it is premature to say that it is by any means settled. There are only the two so far.

**Mr. Nixon:** If I might just continue this a bit. I think that a comparison of the cost is only one way in which I have been struck by the lack of integration. I think that there is an attitude in the colleges of education that still separates them from the general academic atmosphere of a university, and I regret this, having attended the College of Education, which was even at that time supposed to be a part of the University of Toronto.

I can assure you that we did not sense that we were attending a graduate school of the university, and I do not believe that it has changed since that time. I do not believe that there is any closer association with the university and I regret this, since I would support the Minister's often stated contention that teacher training should very well be closely integrated with the university situation, and not be set apart as some kind of a trade school. We lose something very important in this, and I just throw that out as my own view.

I am looking at the budget here and I understand that the government of Canada pays half the cost of post secondary education, that is including grade 13. I may be reading this incorrectly, but under education I see that federal transfer is about 24 million.

Is that all we get in the province? I do not find it under university affairs anywhere. What is the transfer for university affairs?

**Hon. Mr. Davis:** Mr. Chairman, just to correct one thing. Just thinking back to what I said, and I may have created a little confusion. I have a number of figures here—the doubling is by 1980—

**Mr. Nixon:** 1980?

**Hon. Mr. Davis:** By 1980. The doubling in costs will probably be there by 1975 as to our total investment now.

**Mr. Nixon:** It will quadruple by 1980 in all probability.

**Hon. Mr. Davis:** I am not going to look that far ahead tonight.

**Mr. Nixon:** All right.

**Hon. Mr. Davis:** With respect to the fiscal transfer. The federal government, I do not want to be technical, is not really paying. They are giving a fiscal transfer to the province of 50 per cent of the full secondary operating costs—nothing to do with capital.

The transfer does not show in the estimates. I would guess that for 1968-1969 it is in the neighbourhood of around 200 and some million dollars.

**Mr. Nixon:** I have found it. It is \$365 million or \$366 million for university affairs; I thought they would be alphabetical.

**Hon. Mr. Davis:** But the fiscal transfer, when you put them all together probably from Ottawa, will be something in excess of 200, I would think.

**Mr. Nixon:** Why does not that show here?

**Hon. Mr. Davis:** Mr. Chairman, the estimates do not show here. The transfer that is received is part of the fiscal transfer from the federal government and has never shown in the estimates.

**Mr. Nixon:** Well, the Budget this year very properly sets out clearly the part of the estimates and the Budget of the province is paid out of our provincial revenues. What part comes from a fiscal transfer from the federal level and the transfer from the federal sources for university affairs is really shown as nil in the Treasurer's Budget.

**Hon. Mr. Davis:** Mr. Chairman, I guess there are two programmes really. There are those that the federal government is involved in, say with respect to manpower that may show this way but with respect to the moneys to be received under the post secondary agreement, there are in terms of fiscal transfer at income tax points and, as I say, our rough figure is around \$185-\$200 million dollars.

**Mr. Chairman:** The hon. member for York South.

**Mr. MacDonald:** Mr. Chairman, in February of 1967, the federal Minister of Industry, Mr. Bud Drury, announced the provision of grants to encourage the establishment and development of industrial research in the institutes in some five different educational

institutions across the province. Three of them are in Ontario—McMaster, Waterloo and Windsor.

I am a little intrigued as to exactly what the Minister's feeling is with regard to this kind of development. I do not know whether it is significant or not, but no further provision of moneys has been made by the federal government and the reason I am raising the question, is that I think it is time that we aired—I will do it briefly tonight in this House—the misgivings that have risen in the minds of many people with regards to the validity of this whole approach.

I recognize that if there is going to be an industrial research institute established in the university, this is the decision of the university, particularly if the federal government is going to be providing the money to "prime the pump" and get it going. But, it seems to me, there is an obligation on the Minister to indicate in this area, as in so many others, some guidelines.

In the universities themselves, there is a growing body of opinion that is unhappy with regard to this kind of development. The usual tendency had been to look at the United States and to think that contract research with industry done in the university has been highly successful over there. If the Minister is not aware of it, because I think it is a development of recent months, the two major instances of research institutes in the United States are now in the process of separating themselves from the universities with which they had been associated.

In Cornell, for example, the famous Cornell Labs, involving some 2,000-3,000 people with a \$30 million turnover, has been sold for some \$25 million. There are two reasons for the sale. One has been the growing protest among students and staff with regards to their involvement in defence research, but the second one has been the growing feeling that this really does not fit into a university, that it is some serious encroachment on the major objectives of the university—teaching and pure research.

It happened only because the Attorney-General of the state has halted things to look into some legal aspects of it, otherwise this separation would have been completed by now. A second and even more widely known research institute, at Stanford, is also in the process of splitting itself off from the university and has been sold.

It has grown to some 65 million dollars in income. It too, is separating itself from the university.

There is a second, and rather equally impressive argument for these changes. The Carnegie Foundation For The Advancement of Learning has done a study entitled "The flight from teaching" in which it is reported that in these universities, some of the faculty members have come to regard their students:

As impediments in the headlong search for more and better grants, fatter fees, higher salaries, higher ranks.

I want to put briefly to the Minister, a number of the areas in which concern has arisen, not just in the United States where they have had more experience, but in Canada where we are in what might be described as more of a pioneering stage in this kind of involvement.

The first question: What market are these research institutes in our universities going to fill? The usual answer, in fact their purpose is to meet local markets, and therefore if you analyze it, you find that what these universities are going to be doing is the application of technology already available.

That is so far removed from pure research, and therefore from what is normally considered to be the appropriate function of university, that I repeat, the doubts are being created.

Can this kind of an institute ever be self supporting? The grants in the first instance given by the federal government were of a pump-priming nature. They were hoping that they would get the ball rolling, and that the institute in Windsor or Waterloo or McMaster might be able to establish working relationships with existing industry or potential industry in the community and get a growing proportion of their income from industry.

Experience in the United States indicates this simply does not happen. For example, Stanford started out that way, but gradually found its proportion of moneys from contracts from local industries dwindling until it represented only 20 per cent of its annual income. The other 80 per cent was coming from government contracts. There is a built-in inclination to forget about the industry because there is a selling job, you have to go out and seek the contracts whereas the government contracts seem to come more readily.

So, I repeat, it seems to me that their experience has proven that they are not likely to be self-supporting unless the government provides a growing proportion of the finances.

On what basis will the contract work be performed? If it is going to be paid fully by the clients, then what proportion of it



should go to the university by way of overhead, because university facilities are being used?

Will the universities be required to hire extra staff? If they do not, then one wonders whether or not they do not have too much staff to begin with. If they do, then how exactly do you apportion this kind of a cost? Is it appropriate that research of an applied nature should be brought into the university milieu, rather than being done in the industrial labs where it is closer to the industry itself, for the kind of spinoff for economic development of the university staff.

Finally, there is the method of remuneration of the university staff. Quite frankly, here I think, those who are not involved particularly, are voicing most of the objections. They refer to it rather ungraciously as "professional moonlighting", and that, in effect, is what university staff members are doing, using these public facilities, financed by 85 per cent of public funds, for consulting work. If all the resulting revenue comes back to the men themselves involved, as is the case in some universities, if most of it does not go back to the university itself, then you have not got a fair apportioning of the money that is coming in.

It is interesting that in France, where this kind of a procedure has been regularized, they restrict outside consultation to a half a day a week for research work of this nature. The staff member involved can only retain a rather small proportion of any income that can come from it—the rest of it must go to the university itself.

It would be absurd to allow a university staff member to personally retain fees charged by the institute for the work done from private sources on time already adequately paid for by the public, and it would compound this absurdity if government funds were used to create and maintain an institute through which the university staff members could pursue this type of activity.

I have only raised five or six of many questions in areas of concern. There is the question of who is going to have control of patents. There is a whole area of persons engaged in graduate work, and doing theses and research work for that purpose. Presumably, in the traditional fashion, it becomes public information, available to everybody. But what is being done, in this instance, on a confidential basis, is presumably available only to the company for which they are working. That, perhaps, illustrates most sharply the conflict between industrial re-

search work and the normal work of a university.

I raise this with the Minister and I leave the elaboration of it at that point. But I want to ask the Minister if he, himself, personally, or if the government, has any views with regard to this? Even if one operates on the initial assumption that it is a decision of a university as to whether or not it is going to have an institute, are the Minister's views firmly enough consolidated that he feels that they should be advanced to encourage, or discourage, this kind of development throughout the province of Ontario?

**Hon. Mr. Davis:** Mr. Speaker, my views are not firm on this matter at all. We have already started a preliminary study of this and I shall, more than likely, be communicating with the committee on university affairs, to look at this in a general way. I think—

**Mr. MacDonald:** Who is doing the study, Dr. Wright?

**Hon. Mr. Davis:** No, not at this point. I actually asked my Deputy Minister to start dealing with this because I think the hon. member raised this on one of my colleague's estimates, if my memory is correct.

**Mr. MacDonald:** I did; I first raised it in the estimates of The Department of Trade and Development.

**Hon. Mr. Davis:** We have been in communication with two or three sources. I will be sending the hon. member a copy of the MacDonald Report, not one that he has prepared, but prepared for the federal government relevant to this, which he might find interesting reading. It is interesting that in the years 1965 to 1968, inclusive, the amount of federal contribution, or involvement, averaged about \$3 million a year, and I think it is a matter that the universities themselves are considering. You know, they are accused from time to time of being a little bit out in left field and did not look at the practical situations—

**Mr. T. Reid (Scarborough East):** Right field.

**Hon. Mr. Davis:** Right field or left field, it is some field, and I think that some of them, at least, look upon this as a practical area to develop and one that is really, to all intents, self supporting.

The member for York South has raised a very valid point that has occurred at several universities where these, shall we say, con-

tract research developments have become almost totally dependent upon government resource in a way that would not be in keeping with what we are doing under the formula basis, and that source can dry up overnight. I would think that the universities themselves should be very careful before they become dependent, to any degree, upon this type of financial support for any long term projections.

Another example of this research, which does not relate to the research institutes, necessarily, but one might ask—and perhaps the University of Toronto is considering this in their total study—should the Connaught laboratories be part of a university function these days? I do not know. I think it is something that might be assessed, and I think there are other situations.

There are many American universities that have very large, shall we say, commercial operations attached to the institution. Some of them are making fairly good returns, too. That is the other side of it. Mr. Chairman, we are interested in this. It has come to our attention fairly recently and I expect we shall be pursuing it further and as we get information I will relate it to the members of the House.

**Mr. MacDonald:** May I make just a brief comment and leave the matter, Mr. Chairman. I appreciate the Minister looking into this because I think we should look into the industrial research institutes *per se*, as financed by the federal government by initial grants before they develop any further. If we have misgivings about it, now is the time to change our minds and not wait until we have ourselves dug in.

But there is a broader principle involved, not just in relationship to the three institutes initiated by the federal government grants, and that is the whole question of consulting companies which develop among a group of staff members. They are tied in with the university, and yet I do not know to what extent the university gets anything of the benefits or whether it is just straight “moon-lighting” and an augmenting of the adequate incomes that they are already getting from the universities.

**Mr. J. E. Bullbrook (Sarnia):** It is very prevalent.

**Mr. MacDonald:** I know it is very prevalent, and I repeat, in France, they have laid down regulations. You cannot be involved in consulting and thereby, in effect, be drawing

time off from university activity more than a half a day a week, and I think it is ten or 15 per cent, at the most, which can go to the consultant involved and the other 85 or 90 per cent of revenues must go to the university. Because they are operating with the facilities that have been paid for by the public the revenues go to the university. So, I am not raising the question in terms of the three particular industrial research institutes, though I think that programme should be looked at at this initial stage before we go any further, but in the whole broader proliferation of consulting groups in universities.

If they are prostituting the basic purpose of a university or if they are unduly perverting the original purpose, then I think there is a responsibility for some guidance from this Minister. On this occasion I hope that he will be the “fearless Bill” rather than the “bland Bill” as referred to in the *Globe and Mail*.

**Hon. Mr. Davis:** Is there a difference, really?

**Mr. Bullbrook:** If I may, Mr. Chairman, is the Minister going to reply to this point?

**Hon. Mr. Davis:** I have already.

**Mr. Bullbrook:** Oh, you have already. What are you going to do about it?

**Mr. MacDonald:** Study it.

**Mr. Chairman:** The hon. member for Peterborough has been trying to get the floor previous to the hon. member.

**Mr. Pitman:** Mr. Chairman, I wonder if I can carry on a little bit from the point we left off previously. The Minister suggested he had no crystal ball in which to discover what these plans are, but I suggest to him that what we have in place of plans, are projections.

**Hon. Mr. Davis:** These are plans to 1975 but you are talking about 1985.

**Mr. Pitman:** No, no! The Minister has picked numbers out of a hat, 25 per cent. He has represented at least some concept of a plan—

**Hon. Mr. Davis:** Mr. Chairman, I meant to raise this. I have been very careful not to lay down any projections or predictions that we will necessarily reach relative to any 25 per cent. I did predict, four years ago, that we would hope to be between 18 and 20 per cent by 1970-1971, and we have come very close to this. I do not know where this 25—

**Mr. Pitman:** I think you will find it in last year's Minister's statement on the estimates.

**Hon. Mr. Davis:** No, I do not think so. What I have said, and there is no question about it, and I do not know what the division is nor necessarily, the accurate totals, I am just saying that there will be, in my view, an increasing percent of students graduating from high school who will go into some form of post-secondary experience, and we can project, not only project, I would think the figures for the next two or three years would probably maintain relative to the individual institutions, the enrolments that we see coming. You know, it is not a question—

**Mr. Pitman:** What will the percentage be by 1975?

**Hon. Mr. Davis:** As a percentage of the age groups?

**Mr. Pitman:** Yes, 18 to 21.

**Hon. Mr. Davis:** Five years is a guess, Mr. Chairman, it is a guess of about 23 or 24 per cent.

**Mr. Pitman:** Well, we are playing with one per cent.

**Hon. Mr. Davis:** No, no we are not. But I am not making this as any prediction, and that—it may not be the end of it. You know, we have discussed this in the House before. It is quoted to me, in our non-Americanized approach, just what figures have always been used south of the border. I have had this related to me by members opposite for the last five years, how there are 28 per cent or 30 per cent, or sometimes I have heard of higher percentages of the student population in the universities of the United States.

**Mr. Pitman:** All I want to bring to the attention of the Minister is that we have tradition in this country and I think that the Minister has to relate the percentage to the tradition. That is, the American tradition is not, I think, relevant to the kind of universities he is creating, or has endeavoured to create in the past.

**Hon. Mr. Davis:** Mr. Chairman, I think one must draw a distinction between the kinds of universities and the total number. If the hon. member from Peterborough is saying to me that we have to be careful not to create institutions of forty or fifty thousand students, I would agree with him completely. If he is saying, because of our traditions, we should limit the intake of stu-

dents in our universities, limit those who have the ability and the ambition to attend because of our traditions, and there were jurisdictions where our traditions come from where they did this very thing, I would say with respect, Mr. Chairman, I do not buy it.

**Mr. Pitman.** I do not buy it either!

**Hon. Mr. Davis:** Okay.

**Mr. Pitman:** —but we do not have any knowledge of what we are—

**Hon. Mr. Davis:** We are in the process of establishing our own traditions.

**Mr. Pitman:** —and if we have a policy where we do not know whether the young people we are bringing into the university are really going to benefit effectively by it, or whether some other form of post-secondary education might be the place that those young people would, (a) receive the most effective educational experience, and (b) be able to secure some kind of a job.

**Hon. Mr. Davis:** This is what is in the process of happening.

**Mr. Pitman:** Yes, I suggest to you it is going to happen and if you do not do it, what I see happening in the new council of the Universities of Ontario, which is, the expansion of the committees of presidents. I see only one reason for that expansion and that expansion is essentially to provide a research arm in order to virtually find out what is going on and do the planning themselves if the Minister will not provide the planning.

**Hon. Mr. Davis:** We are providing the planning. Mr. Chairman.

**Mr. Pitman:** I hope by next year we will perhaps get a clearer picture.

**Hon. Mr. Davis:** I do not want to interrupt, but I realize just how desirable it would be to have all these things set down. I am just saying I think it would be a great mistake for us to try and determine in the year 1970, the exact situation in the year 1985. Guidelines, helpful suggestions, studies, all the rest of it are useful, but as I said, if anybody had tried to lay down the objectives, the type of institution and numbers 15 years ago, I think one can accurately say they would perhaps not be too close to the mark.

**Mr. Pitman:** In all sincerity I say to the Minister that this is the kind of projection

that is going to be necessary. For example, I just quote from this again, the committee of presidents, on page 9 in regard to graduate education.

**Mr. Sopha:** Is that the Bible?

**Mr. Pitman:** It is the latest thing that has been produced in this area.

In the absence of reliable projections of future manpower needs—

**Hon. Mr. Davis:** That report is not necessarily all right, incidentally.

**Mr. Pitman:** I just suggest to the Minister that this is a very real problem.

I would like to come back to this problem of formula financing. The Minister, I think, does not accept that formula financing can produce some things that I feel will give flexibility. The Minister himself, in another speech, did indicate that this was under continuous consideration.

**Hon. Mr. Davis:** Always.

**Mr. Pitman:** Well, the formula needs to be thought out a bit more. I was wondering how long we are moving along towards this end. I think in essence the formula reflects the past essentially in how it relates to larger universities, the multi-universities, where the unit value of each student is more realistic, you might say, than it is in many of the smaller universities.

I am speaking of Laurentian, I am speaking of Brock and various others—York University, Glendon, Carleton, which I think is a 1.4 base unit. I think in many cases these universities are finding it extremely difficult, in fact to quote from the "bible" again, the statement is made by these gentlemen:

There is growing doubt whether the present formula weights do in fact reflect costs accurately. Recent analysis have raised the question whether institutions predominantly devoted to undergraduate arts and sciences can, with the present formula weights, become viable at any size.

Then it goes on to point out that more study is needed to determine this.

I just point out to the Minister that we desperately need some degree of flexibility. I do not know what the answer is; maybe it is a continuing use of particular grants, supplementary grants to arts and sciences institutions, maybe some flexibility built into the formula base. Perhaps it is to raise the base unit to 1.5 or whatever it is to

make the thing financially viable for smaller institutions.

But I suggest to the Minister that some of the people in universities are concerned that the formula financing might very well be making it very difficult to produce the kind of quality of education which the Minister indicated was his intention at the time when 14 universities were created in this province.

As I say, I am one of those who believe that this province can support 14 good top-quality universities. But I think it is desperately important that we look at individual situations, as well as find a fair and equitable way of dividing whatever money the public of Ontario, represented by the Minister, decide must go to university education.

I would like to ask particularly what is going on in relation to Glendon College. I notice they requested an emergent grant. I think they made a very good case in the document they provided for the committee on university affairs.

They pointed out that they were very much in the same situation as other emerging institutions, such as Erindale, Scarborough, Algoma, such as Brock and Trent. I think as well as that, they suggested that the Minister might very well be looking at the problems which they face, particularly in attempts to be a bilingual university, attempting to insure that a large number of their students would be able to be fluently French-speaking.

I think this is a particular cost to that university, particularly in view of the fact they want to send their students away for one year to a French-speaking university. I think they have peculiar problems with relation to the size of the institution; the fact they cannot enlarge it to the viable size which the presidents suggest is considerable if the formula is going to work; the fact that they are trying interdepartmental work.

They are doing a great deal of experimental work in the English department. They are doing a lot of work in small classes. In other words, they have special needs.

I am wondering if the Minister could indicate what he is intending to do in this situation, where you have a college within a university where you might say the college itself is emergent rather than the total university.

Also I would like to know whether he is making special efforts to get some money from the federal government. I think they are intending to pass out a little bit of money

on this bilingual agreement that the Minister has been fairly proud of.

Once again I ask for a flexibility in formula financing. As well as that, I suggest that—and I ask him—how his capital formula financing is coming along. We have interim formula financing at the present time. There has been a great deal of concern on the part of university officials that this is not enough. I think they set 130 square feet per student, which has been suggested as being inadequate.

I was very interested, for example, in Harry Crowe's views on this particular area. Perhaps I might just read a very small section of his comment on what he called the square foot scholar and the two-formula system in which he said:

Superficially the interim capital formula seems to be the same as the other formula. Here students are distributed among five categories, again reflecting the fact that different kinds of students have different space needs.

For each category, a weight is assigned a narrower spread, a weight of one to a weight of four. On this basis, space entitlement and hence grants to construct buildings is determined.

But here the similarity between the two formulae ends. The weights and space formula correspond only to the relative needs and not real needs of students in each category. An arts and science student has a weight of one, a PhD in arts a weight of two, an MA student in geography a weight of three, a PhD in science a weight of four.

But—and it is a big but—the space assigned to the average student across the system is set at 130 net assignable square feet. So, as the percentage of students shifts from low weight into high weight of categories as projected, the value of weights declines and each year each student is assigned less space than the year before.

There you have the feelings of at least one university official who is especially concerned about that problem.

**Mr. Sopha:** And whose views about our young people are very disturbing, indeed. He seems to have a hatred of youth.

**Mr. Pitman:** Well, I am not going to get into an argument with the member for Sudbury about Mr. Crowe's views on youth.

**Mr. Sopha:** What a queer pair.

**Mr. Lewis:** Who is a queer pair?

**Mr. Pitman:** But I do want to turn for a moment to the whole question of teachers' colleges. I am wondering if the Minister would like to make any comments in this context as to where we stand in relation to teachers' colleges now that we have dragged him through this whole business in the committee dealing with education estimates.

I am wondering if he has any further views on this matter, whether anything has gone farther ahead at Windsor, particularly in view of the fact at that time he said discussions were still being carried on.

I was wondering, with relation to Hamilton for example, where the teachers' college is already on the campus, is anything to be done in that particular setting? Perhaps the Minister would like to comment on one or two of those areas, as well as on the formula.

**Hon. Mr. Davis:** Mr. Chairman, just to deal with the formula very briefly, there is a sub-committee of the university affairs advisory committee dealing with formula on a continuing basis.

As I stated in my own introductory remarks, we recognize the formula itself must adapt to any changing situations. I think the matter brought to the attention of myself and the members of the House relates to the problems of the emergent universities. When you look at the ones he listed, and if you add one or two others to it, I think you would—

**Mr. Pitman:** In relation to the formula.

**Hon. Mr. Davis:** Right. I think you would relate it to the feeling that exists with the emergent institutions, that they need some further consideration because of their nature.

**Mr. Chairman,** this matter has been canvassed very thoroughly by the committee. They have meetings with this group of universities, rather extensive meetings, and certainly from my experience with the committee they are quite prepared, if there is any relevant information, any change that should be taken into account, the committee is always prepared to take a look at it.

But I think, **Mr. Chairman,** in fairness to the total university community, any changes must relate to the total needs and must be valid.

Just to deal very briefly with Glendon, once again, I do not think one can construe this as an emergent institution. It relates to a particular programme that is being offered at Glendon which, you know, is one that—

**Mr. Pitman:** How is it different to Erindale?

**Hon. Mr. Davis:** Well, Mr. Chairman, there is a very real difference. Erindale is still in the process of both physical as well as student growth. It is developing really as almost a new university. It is called a college because it is in affiliation with the University of Toronto, but there is no similarity at this point really between Erindale, Scarborough or Glendon.

Glendon has been in operation as a college of York University almost, I guess, from its beginning. As a matter of fact this was York University. So you cannot really put Glendon in the same category as Erindale and Scarborough.

**Mr. Pitman:** Well, Erindale is part of the University of Toronto.

**Hon. Mr. Davis:** That is right, but it is still separated physically, and to many extents, administratively; and the cost factors there are different from development here at the main campus.

All I am saying is that there is a special need for Glendon that relates not to the fact that it is an emergent institution. In my view, it relates to the type of programme. The committee has its problems in dealing with this, because every university has particular situations and particular programmes which it feels it needs special assistance to maintain.

Now whether or not the suggestions, or the announced proposals from the federal government—these are related to bilingual programmes exclusively—would provide some opportunity for the committee on university affairs to take a look at this as it relates to Glendon, I do not know. Certainly, I am sure the Glendon people will be bringing this to the attention of the committee in the very near future. Perhaps this may be an avenue that can be explored, but I think, really in fairness, it is the position of Glendon College.

Now dealing with the teachers' colleges, Mr. Chairman, I really have not anything to add. We finished the estimates of The Department of Education, if memory serves me correctly, about this hour a week ago tonight. We have had a few other problems to deal with in the interim so I cannot report any further progress in the past six days.

**Mr. Pitman:** I was hoping that possibly the Minister would have considered the idea of having the full dialogue we talked about last week, so that right across the province we could talk about teacher education with the teachers' problems being involved, the uni-

versities being involved, and the Ontario Teachers' Federation being involved; so that we could provide some kind of guidelines as to what kind of teacher education is going on within the universities. I do not think simply putting it in universities is going to solve the problem of teacher education in Ontario.

The Minister, I know, feels that this can go on within each university and that in a similar situation the problems can be resolved. I think it would be an advantage to have the entire business aired across the province involving, in essence, the teachers who are in the field, and who know what is wrong with teacher education. The leader of the Opposition made some pretty salient points about the Ontario College of Education. I can remember that my year in that institution, to put it bluntly, was not one of the most intellectually stimulating years I have ever survived.

**Mr. Nixon:** But you are not suggesting another committee on that?

**Mr. Pitman:** I am suggesting that what we need is a full discussion.

**Hon. Mr. Davis:** I do not know whether the member for Sudbury would agree with me or not, but I can recall my articling years not being the most intellectually stimulating. Now, you may have found it different.

**Mr. Sopha:** I did not find it different. I did the south side of Richmond Street.

**Mr. Pitman:** I submit to the Minister that this has a viability at this point in time when teacher education is the important matter, I think. Universities are going to be dealing with it in the next ten years, and it should receive full open debate and consideration.

**Mr. Chairman:** The hon. member for Scarborough East.

**Mr. T. Reid:** Mr. Chairman, in the few minutes remaining for this department I would like to touch upon a number of issues.

One is to bring home a point in the student awards programme which to me should have been changed a long time ago. I will not be redundant in terms of the remarks I made almost a year and a half ago on the student awards programme. I do not see that the Minister has responded at all to any of those lengthy comments I made. Basically the system remains as it was a year ago.

The point I want to raise with the Minister is in regard to a specific case and I would like to quote some correspondence

fairly briefly. This is with regard to a student, Robert Kienzle, in Ontario, whose file number is 68-94259984751524. That is his social security number also. Anyhow, Mr. Kienzle received a grant, an award, from the Minister's department in 1968-69. Then he was written to by Mr. D. S. Bethune, the director of student awards, on August 6, 1969, and Mr. Bethune made these comments in his letter:

Since you failed to obtain a certificate of eligibility last September and did not indicate that you had not received it during your academic year, 1968-69, you are not eligible for the loan portion. Your eligibility for the grant portion of your award was contingent upon the negotiation of your certificate of eligibility.

Therefore, you are not eligible for the grant portion of \$55. This amount of \$55 must be repaid to the Treasurer of Ontario.

Yours sincerely,  
(for) D. S. Bethune, director of  
student awards.

Edward R. Good, MPP for Waterloo North wrote to Mr. Bethune, noting, in essence, that it seemed rather silly that Mr. Kienzle had been notified that the \$55 award portion must be repaid because he failed to obtain a certificate of eligibility in September, 1968.

The letter back to Mr. Good from Mr. Bethune, signed by him this time, was dated September 19, 1969, and here is the incredible statement:

A student's eligibility for the grant portion of an Ontario student award is contingent upon his negotiation of the certificate of eligibility for the Canadian student loan portion of the award.

As the student in this case chose not to make use of the loan portion of his award, he is not entitled to the grant portion and must repay it in full to The Treasury Department.

I just say to the Minister that I think it silly, I think it is stupid. I think it is everything that is wrong to say that a student must go into debt before he gets the provincial grant part of his award. I fail to understand it. Surely a student—

**Hon. Mr. Davis:** I will try to explain it to you.

**Mr. T. Reid:** Let me just put my case this way. Surely the student can simply say: "I want an award. I understand that the grant portion will be reduced because of the Min-

ister's formula on how much must be a grant portion and how much must be award portion, but I, student so and so, do not want to go in debt, so keep that loan portion, I do not want it."

Why does a student have to go into debt before he can get the provincial grant portion of his student award?

**Hon. Mr. Davis:** We have been into this matter before and I will not take too long to explain it once again.

The provisions of the federal loan scheme are laid down by the federal government. Our scheme, which relates to it, says very specifically that the need assessment determines the amount of money. If a student does not have the need, if he is going to take the grant only and then when he gets the grant says, "I do not need the loan" then the need assessment has not been valid, either from wrong information or something else that has been made available to the student award officer.

With great respect, Mr. Chairman, there are certain inadequacies in the student award scheme, we know this, but this, in my humble opinion, Mr. Chairman, really is not one of them. What is more illogical than if a student makes a request for public support from the taxpayers of this province and says my need is x hundred dollars, picks up one or two hundred or fifty dollars of outright grant and then says: "I do not really need the loan, let us forget about it" and then wanders away.

Mr. Chairman, I am not supporting loans, I am not saying these are the best and all the rest of it. But surely, if we are going to have equity, and if we are going to distribute the moneys available to all the students who have a need, what is illogical about this? I mean I just cannot see—

**Mr. T. Reid:** There are people in this province, Mr. Chairman, who believe because of their family background, because of the way they are brought up, that they ought not to go into debt. I find nothing inequitable about two people applying to the Minister's department with the same need, everything the same.

**Hon. Mr. Davis:** He has not had the same need.

**Mr. T. Reid:** He put it down.

**Hon. Mr. Davis:** He is getting money some other way.

Mr. T. Reid: Let me finish.

Hon. Mr. Davis: All right, but I—

Mr. T. Reid: I find nothing inequitable with two identical students and two identical circumstances in the same state of need, as judged by the Minister and all the regulations about family background—

Hon. Mr. Davis: I do not judge it—the student awards officer does.

Mr. T. Reid: And the federal government, too, but the Minister makes up the regulations in conjunction with the federal government—the joint agreement. My point is simply that I find nothing inequitable about the fact that one student says, I will lower my standard of living—I will do without lunch, and so forth, I will do with fewer clothes, and so on, but I do not want to go into debt.

I see absolutely no reason why a student must be forced to go into debt in order to get the provincial grant part of the student award system. The Minister says it is an agreement with the federal government, and it is wrong. I agree with him, I think the federal government has been lax in the whole area of student awards. I agree with him. I am speaking from the provincial perspective, in the field of education. In this field, as everyone knows, the federal government knows very little. I just leave that, I wanted to make that one point—we agree to disagree.

Hon. Mr. Davis: Yes, Mr. Chairman, one other little note, it is not really relevant. I will not use names, but the leader of the Opposition had some very constructive and some kind observations about the plan. Others raised the question of whether students were taking advantage of it. There was a student at York University who recently received a small inheritance and as a result of this inheritance he repaid entirely the award and the loan. He also—

Mr. T. Reid: Take about ten more cases—

Hon. Mr. Davis: No, no. I am just saying this on behalf of the student. I think it is very encouraging that a student, who had been given an award, received some money elsewhere, and as a result of this repaid the moneys to the province, those funds that had been provided to him before this inheritance came along. I thought it was very interesting and rather encouraging that there are students who will do this.

Mr. T. Reid: I will just continue with another point on—

Mr. Sopha: On student awards?

Mr. T. Reid: I will yield the floor. Go ahead.

Mr. Sopha: I will just be very brief. I think this system is demonstrated to be terribly inadequate. Now, I speak from my personal experience and I do not know everything that has been said, but I am certain that a system which I, incidentally, find offensive, in putting that long number on our young people to start with. But of course, I am a part of a small minority that lives in resistance to the age of the computer and the labelling by numbers in the style of 1984 that is already here.

All right. I am sure the system, as it is administered, did not take into account this year the long strike at INCO. A great many students had the advantage in previous years of working during the summer at the International Nickel Company and making quite substantial sums of money over the summer. They were prevented from doing that because we—

Hon. Mr. Davis: But it did take that into account.

Mr. Sopha: Oh no! I have a couple of cases with Mr. Bethune right now, and if you see him, if you happen to see him, would you tell him that he owes me a couple of letters right now. Maybe he has not got the mail, but if you see him would you tell him that there is a couple—there is a couple by the name of Grenon—I may not be here tomorrow—down at the University of Windsor who are awaiting—I wish I had brought my letters—a loan, and a warrant of a mere \$200 was given.

And yet the young fellow was unable to work at INCO because we did not know that that company would keep the works shut up for 126 days when they knew all the while that they were going to increase the price of nickel by 25 per cent and might have paid an adequate wage.

I have lost the attention of the Minister, but I am telling him what is fact, and I have written about a number of these young people who might have put away \$800 or \$1,000 over the summer, but were precluded from doing so.

Now, here is another inadequacy I am unable to understand. When they bring the slip of paper—which is about that size—with



them, that has the social security number on it that takes up about half the page, in addition to wearing out their typewriters in reproducing it when we write, it never tells the basis upon which the award is made. You look in the two squares—squares one and two. You see the loan portion and the award portion and the young fellow had visible signs of distress on his face. He is utterly unable to understand.

Take the case of the Trinidadian girl who came here. Informed that she was getting . . . I think it was the handsome sum of—how much was that—\$1,500, somewhere in that neighbourhood. Then a month later she gets a notice under an appropriate social security number which took up half the page, telling her that the amount was \$1,000—\$500 less. No explanation at all. She had both of them when she came into the office. Both of them had the correct social security number on them. One was \$1,500; the other was \$1,000. Now, she is a visitor to the country. She is a young lady studying in our country and will take the benefits of the training she obtains here back to her people in Trinidad.

Certainly, the system is inadequate. I ran into the member for Sarnia (Mr. Bullbrook) one day and he is so distressed about it that he is going up to examine the files himself. He has more energy and initiative than I have, but he is on his way down to University Avenue. Wherever they are, they are not at the mailing address. They are some place else. The mail goes someplace else. They are located someplace else, and the mail does not get to them, but he is on his way down there to look at the very files. I am sorry I have not the time. If I were an adequate ombudsman I would go down and look. I will some day. Because this fall, we certainly had a surfeit of them in Sudbury coming in and expressing their grave anxiety about the future.

Finally, the last point deserves to be emphasized and that is that students from northern Ontario must perforce remove themselves several hundred miles from their homes and set up domestic quarters whether they are single or married in the centres where the universities and schools are located. They have special problems of cost that attend them because they cannot get the training in northern Ontario. There are no institutions in northern Ontario to give it to them. All the sophisticated schools are attached to universities in southern Ontario and once again they are the subject of discrimination.

Now, if that system, inadequate as it is, was improved, it would recognize this special problem of young people from northern Ontario coming down here, and the special costs that are involved. If a young fellow goes from Sudbury to the University of Waterloo, well, that is 250—how far to Waterloo from here—it is over 300 miles. He goes to the University of Windsor, that is 500 or 600 miles from his home. The shortest distance he can go if he comes from Sudbury, which is one of the near northern centres, is 250 miles. That is the closest. Heaven only knows the special problems of those who come from Sault Ste. Marie, Port Arthur, Timmins, Kapuskasing, Hearst and centres located like that. You do not need to prove to me, Mr. Chairman, when the Minister says the system is inadequate; he does not have to convince me. Those were his own words. I know it is. I know it is inadequate from even a cursory investigation.

I would think it is incumbent upon that department to make a greater study. I am satisfied they do not make an adequate enough study. They have a formula: How much does the old man make; what is the family income; and down comes the portcullis and then the assistance is denied. That is no good because it overlooks the human consideration. It overlooks the special circumstances of the home; it overlooks the sociological economic implication and just about everything else that has to do with human beings. Now, the Minister is administering that system by a computer; he is married to the computer and I suspect that computerized technology has infected his bureaucracy, in that department. I really suspect that. That is the way he wants to run the universities now; to put the whole of the student body and the faculty into a computer. He wants to run it like IBM or the Bell Telephone run theirs.

A funny thing is that there is help on the horizon, because the way I see it from the barber's chair in Sudbury on a Saturday morning, the one body that is not going to put up with that kind of approach is the student body. They all change things to suit their own needs and their own feelings and it appears that probably they are getting a lot of training in that. That is precisely how the universities are going to be transformed, and I must confess, and I do it unashamedly, that I have a good deal of sympathy with them, a good deal of sympathy in their goals in changing the aims and purposes of higher education in this province.

That is a hot subject in itself, but boy, oh boy, after ten years a member of the

assembly gets sick and tired of having to be a go-between in regard to things that could be corrected if a little more thought was exercised in the first place. With a good deal of heart, we would be relieved of a good deal of hard work and be able to devote ourselves to more productive things such as the framing of legislation, its study and analysis.

But finally, if you see Mr. Bethune, would you please ask him to write. And if he cannot write in regard to those, would he telephone? And if my line is busy, would he send me a telegram in regard to the outstanding letters that he has?

**Mr. T. Reid:** Mr. Chairman, I would like to return briefly to the question of the formula financing, since that is about all we have. I would like to start with the operating side of formula financing. I would like to quote briefly from the report of the committee of presidents of the universities of Ontario for this year. It says:

Under the formula, each category of student had been assigned a weight ranging from one for the first year undergraduate arts and science to six for advanced Ph.D work.

It goes on and I find this the most intriguing remark since the committee of presidents has been in operation since 1962. The report says:

In the absence of detailed cost studies, the weights under the formula were based on the best information available concerning the cost of educating the various categories of students. The first year undergraduate arts and science was taken as a base to assign the weight of one. And the cost of educating other categories of students was related to the base.

The report goes on to say:

It was intended from the beginning that the weight should be reviewed when more accurate costs data were available.

It was also realized that the weights would have to be reviewed periodically because relative costs would not necessarily remain constant. Then the report goes on, Mr. Chairman:

Ideally a comprehensive review of formula weights should have been undertaken before any changes were made. (This is with regard to the weight changes last year, the current year.) But in view of the urgent need to provide additional funds for medical education, the govern-

ment set up a committee comprising of representatives—

Mr. Chairman, the point here is related to the point I made in my opening remarks, when I quoted from the report of the presidential committee in Glendon College. That report stated:

As Ontario universities have evolved costing systems of great sophistication, which the committee could use as a guide, it was necessary for it to work out some approach to this analysis.

The purpose of quoting that documentation, Mr. Chairman, is simply this; the weights which were assigned originally for operating formula financing for the universities were based simply on the way the situation was adjusted by some subjective criteria.

The fact of the matter is that seven years after the committee of presidents was established, five years since The Department of University Affairs was established and four years since the advisory committee on university affairs was established, there is still no systematic cost analysis of the universities in this province on which to base a realistic set of weights for formula financing.

I call into evidence the presidents' only forte where they repeatedly point out that there has not yet been developed either in their own body—the committee of presidents—or the Minister's department, or to this advisory committee on university affairs, a realistic cost analysis of university financing in this province. I call that utterly irresponsible on the part of the Minister and his department. I would think that by now, that information would have been in so at least when we change the weights on the formula financing, we would know what we are doing with the public's money. I was wondering Mr. Chairman, if the Minister might comment on the weights and the criteria used to change those weights.

**Hon. Mr. Davis:** Mr. Chairman, I think, if memory serves me correctly once again, it was indicated when the formula was introduced. I would refer the hon. member to the first sentence of the "bible" that he is quoting from, which the member for Sudbury—

**Mr. T. Reid:** It is not a Bible.

**Hon. Mr. Davis:** The member for Sudbury is suggesting that we really should not pay much attention to it.

**Mr. Lewis:** Hear! Hear! It really is a thin and inconsequential piece of paper.

**Hon. Mr. Davis:** I just would remind the member for Scarborough West that his own colleague was using it.

**Mr. Lewis:** He has to use whatever is available.

**Hon. Mr. Davis:** Oh, I see, all right.

**Mr. Sopha:** I really believe that body should be disbanded.

**Mr. Lewis:** You should send those guys off to university to study.

**Mr. Sopha:** I really think that body should be disbanded.

**Mr. Lewis:** You are right about that.

**Hon. Mr. Davis:** I will just read the first sentence because it has been referred to; that would be fair:

The operating grants formula introduced in the fall of 1967 has worked so well, that it would be difficult to contemplate a return to the previous practice whereby the government grants to universities were based on the detailed scrutiny of their budgets.

It is from the same section that the hon. member is referring. When the formula was introduced, Mr. Chairman, I think there was an indication that it should be available for roughly a three-year period of time, at which time it should be reviewed.

The universities themselves, I think I can recall, were involved with the AUCC in some studies of this subject that perhaps would go beyond the confines of this province. But I think, Mr. Chairman, that these studies perhaps will not provide the answers, if in fact they are finalized.

We are into the third year, and the committee will more than likely have to undertake some of these studies related to any change in weights. This was understood and they will do it. We were hopeful that the AUCC, in conjunction with the committee and others, might provide some of the information on a more general basis but apparently they may not be able to. We would be doing it on our own.

**Mr. T. Reid:** That is helpful. But the point is a simple one. The weights, when they were established, reflected—as the member for Peterborough pointed out—the way things were as of a certain number of years ago. I simply say with the knowledge of a couple of institutions, not just York, but others, that

I have tried to do some cost analysis on, that there is a need for a systematic analysis of costs of our universities.

I think that if this were done—and perhaps it should be done by independent universities and perhaps an independent Minister's department—we would find a lot of very interesting facts about the relative weights to be assigned to different categories of students. I would like to get into the real questioning of the Minister on the capital of formula financing and at what state it is at. The Bud Fisher and Harry Crowe article of May 16, 1969, makes it quite clear—

Interjections by hon. members.

**Hon. Mr. Davis:** Oh, I am sorry, I did not know you were going to read it again.

**Mr. T. Reid:** No—I was here before that. But the point is that the average student is given 130 net assignable square feet. Now the problem is, as I raised with the weights for the operating grants, that this is almost an arbitrary figure. It was arrived at in some way, but it is having tremendous implications for a number of universities. I am just trying to keep my questioning brief, Mr. Chairman. For example, if the Minister knows, at Brock they built a certain type of building to start with. If the Minister uses that formula for the dating of new capital funds to Brock University, you end up with a silly effect. The problem is basically that you cannot assign 130 net assignable square feet per student in an institution that has a very low quantity of buildings, because the quantity of building that it does have might be unique and specific in some sense, and therefore it just does not apply.

I was wondering if the Minister could just comment on what the rational bases of that 130 figure is, and perhaps how it was arrived at and whether or not he has devised some way of re-evaluating that basic unit for the capital grants?

**Hon. Mr. Davis:** Mr. Chairman, I think it was explained when the capital or the interim capital formula was announced last March, that we developed after some very careful study and consultation certain guidelines for the interim capital formula. The one point the hon. member selects is the 130 square feet per student. This figure is not final by any means. It is subject to final consideration when the formula itself is determined.

But I must point out and I do not want to introduce anything else into this, but there were studies made and consultation with

studies that have been done in Indiana and Australia and Illinois and state of California. This was the average figure per square foot per student. We are not saying that this in itself is final by any means. But it is a guideline and we will have equity with all the various institutions.

This has to be one of the basic ingredients in the formula, that no matter what square footage it is we come up with, it is acceptable to everybody. The point is that we treat everybody the same way, that every university is getting its fair share of capital support.

And in the interim, whether we use 130, 150 or 120, with the total dollars available, I think that in fairness there is an equitable distribution of the available capital funds; and that is what we are attempting to achieve.

The space utilization study is not only well under way, it is in the process of finalization, and I would hope, Mr. Chairman, before we meet again to discuss the estimates, we will have a capital grants formula that will make sense. Once again, not perfection, because there are many intangibles, many areas that I pointed out in my introductory remarks that will have to be assessed on an individual basis, but in the total sense we think it can be done, and hopefully before we discuss these estimates again.

Mr. T. Reid: Mr. Chairman, a final question to the Minister. You know, I think that the part-time university student is getting a very bad deal from the federal government and from the provincial government. I think that this is an area of education which is just as important as full-time undergraduate work.

I was wondering if the Minister could state why the part-time student is not receiving his fair share of student award money, and why an institution such as Atkinson College, for example, which is concerned with part-time degree study, is not receiving fair and equitable treatment on a prorated basis for the students in it?

Hon. Mr. Davis: Mr. Chairman, we have taken this up with the federal authorities and we have suggested that from our standpoint we would be prepared to go into assisting part-time students. As far as the reaction at the present moment from the federal government—I should not speak for them—but I do not think they are accepting this, at this point, although there are certain discussions going on relative to the total field of student awards in the next three or four weeks with the council of Ministers and others, and perhaps out of that we will manage something.

Mr. T. Reid: I would like you to convey to any federal people we meet that the official Opposition in this Legislature's reports in that regard.

Mr. B. Newman: Mr. Chairman, I wanted to bring up one topic with the Minister, and that is concerning the fee structure in the universities. Is the Minister considering having a two-fee structure, one for residents of the province and one for non-residents similar to the fee-structure in some of the jurisdictions to the south of us?

Hon. Mr. Davis: Mr. Chairman, we, of course, do not contemplate fee structures. These are determined by the universities, and certainly the universities have received no indication from us that they should consider, shall we say, two-fee structures, one for out-of-province students, and one from in-province students.

This is a practice in many states of the union, but I do not think we would really want to set up a larger fee structure, say, for students coming from Manitoba or Saskatchewan, or some other Canadian province, although they do this in the States.

If you are a resident, say, in Michigan and you want to go to the University of California, while free tuition is theoretically in effect in the State of California, you will pay out-of-state fees which are rather substantial. This is a policy I think with a lot of state universities.

I do not think it would solve many problems by asking students coming into Ontario from other provinces in particular to pay something over and above what they would pay if they were living in Ontario.

Mr. B. Newman: May I suggest to the Minister that he approach the authorities in the state of Michigan and ask for reciprocal treatment for students from the province of Ontario attending their universities so that our students do not pay any more than do their students when they come and attend Ontario universities?

It is a very important thing because our students pay three times the tuition fees at some of the universities in the state of Michigan than does the resident of the state of Michigan. It is not fair if they charge ours three times the tuition fee while their students in return pay the same fee that the resident Ontario student does.

Mr. Lewis: Mr. Chairman, by way of curiosity before the estimate carries, has the Minister any specifics on what is inaccurate in

the Windsor University report prepared by the three graduate students?

Hon. Mr. Davis: Mr. Chairman, when I say inaccurate, I have some information on that. I do not have it available with me. I would be delighted to show it to the hon. member and let him have a look at it and assess it himself. I would be quite prepared to make this available.

Mr. Lewis: Was it in the figures that the inaccuracy was purported to be, or was it in the argument about the colonization of ideas and such?

Hon. Mr. Davis: Mr. Chairman, I believe it was in the figures basically; I believe so, and I will get that for the hon. member.

Mr. Lewis: Fine. I would appreciate it. Thank you.

Mr. Sopha: May I ask the Minister before you close, if there is any comparable sum to the \$500,000, when he wears his other hat, that he has that he can spend in his own discretion? Is there any comparable sum in this department? Surely there must be few people in North America that have a discretion to spend \$500,000?

Hon. Mr. Davis: Mr. Chairman, it is not as large.

Mr. Sopha: How much is it?

Hon. Mr. Davis: Around \$52,000.

Mr. Sopha: I like to know that because I always tell after dinner audiences about the travails of the professor who went to England to study geography and the hard-hearted attitude of this government in refusing him a mere \$1,000 to support his wife and three children while he was studying geography to come back to teach at Laurentian and my inability to tap that \$500,000 that you have to spend—do not shake your head—he never did get the \$1,000.

Hon. Mr. Davis: But, Mr. Chairman, I do not have \$500,000 in this department at all. There is \$52,000.

Mr. Sopha: On page 46—you have \$500,000.

Hon. Mr. Davis: In The Department of Education.

Mr. Sopha: —less \$700. Now, if you want to make it an even \$500,000, I will advance you the \$700.

Hon. Mr. Davis: No, Mr. Chairman, with great respect, we are not really on that estimate.

Mr. Sopha: I know—I just asked how much you had in this department.

Hon. Mr. Davis: Yes, in this department.

Mr. Sopha: Had you given the professor \$1,000, you tell me you would have had \$51,000 left?

Hon. Mr. Davis: No, that is not quite right because—

Mr. Sopha: Well, that is what you said.

Hon. Mr. Davis: There are certain set sums that are paid every year, the SACU gets—\$13,000; CEA—\$9,000; so that there really is not that total amount at the Minister's discretion.

Mr. Sopha: How much have you got? I really want to know because when I tell these Kiwanis Clubs I want to know the exact amount. How much have you got to spend in your own discretion?

Hon. Mr. Davis: Approximately \$30,500.

Mr. Sopha: \$30,000?

Hon. Mr. Davis: Right.

Mr. Sopha: So if my mathematics—

Hon. Mr. Davis: Sorry—\$29,500.

Mr. Sopha: All right. Wearing both hats, you have \$529,500 to spend in your own discretion.

Hon. Mr. Davis: Not really.

Mr. Sopha: There is not another person in North America, not one.

Votes 2501 to 2503, inclusive, agreed to.

Mr. Chairman: This completes the estimates of The Department of University Affairs.

For the information of the committee it would appear that there are now 65 hours and nine minutes expired out of the total available time.

Mr. Singer: How many hours are available, how many more?

Mr. Chairman: Just under ten hours.

Hon. A. F. Lawrence moves that the committee of supply rise and report that it has

come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

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

Report agreed to.

Hon. A. F. Lawrence moves the adjournment of the House.

**Mr. Nixon:** Mr. Speaker, it is understood that tomorrow we are going to be dealing with legislation?

**Hon. A. F. Lawrence (Minister of Mines):** Yes, legislation.

**Mr. Nixon:** Well, you are not going to proceed with anything on that? My colleague is concerned about the landlord and tenant bill; we presume that that is not going to be called?

**Hon. A. F. Lawrence:** We could do it with the unanimous consent of the House. No, it is not the intention to call The Landlord and Tenant Act.

**Mr. Singer:** I do not trust you any more. When you are writing jokes, please say so.

Motion agreed to.

The House adjourned at 10.35 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, November 26, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, NOVEMBER 26, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our visitors today in both galleries are students from the Queen Alexandra Public School of Toronto. In the west gallery, I understand that there are to be guests of the field staff from The Department of Social and Family Services.

Statements by the Ministry. The hon. Minister of Revenue.

**Hon. J. H. White (Minister of Revenue):** Mr. Speaker, during the recent debate on my estimates I informed the House that we were planning to introduce certain changes affecting tax on meals served to more than one customer.

With the introduction of The Retail Sales Tax Act in 1961, Ontario adopted the method recommended by most other jurisdictions on this continent, wherein the taxable status of a meal was determined by the total on each check. This procedure caused relatively few difficulties while the exemption remained at \$1.50 per meal and the tax rate at five per cent. When the rate was increased to ten per cent and the exemption was raised to \$2.50 the need for separate checks became apparent and this resulted in embarrassment to the customers and more work for the vendors.

To eliminate these troublesome aspects, we are going to break with tradition and introduce a completely new and flexible concept with the object that only those meals exceeding a value of \$2.50 will be taxed, which is the intention of the legislation. To accomplish this, each complete meal must be identified separately on the bill in a manner acceptable to the department. Three acceptable methods are illustrated in vendor information service bulletin No. 69-3, which will be in the hands of all vendors in a few days. Copies of this bulletin will be distributed to members of this House on Friday, November 28.

At the same time, we have relaxed the requirements applicable to caterers so that no tax will be collected on individual meals sold for \$2.50 or less, and individual meal checks will no longer be required.

The effective date of these changes will be December 1, 1969.

I should like to express the government's appreciation to those vendors throughout the province and to the Canadian Restaurant Association, Ontario region, whose co-operation and suggestions were most helpful to us in developing these improvements.

**Mr. D. C. MacDonald (York South):** That is what you call the Burr Amendment.

**Mr. Speaker:** The hon. Minister of Education.

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I have a very short statement to make. The government has received an interim report from the special committee to which I referred during the estimates of the department, and I am pleased to announce that, effective January 1, 1970, the present minimum pension for those persons on long-term and disability pensions—A, B, C, and CB pensions—will be increased from the present figure of \$1,200 per annum to \$2,100 per annum.

At the same time, Mr. Chairman, we are raising the minimum pension paid to the dependents of deceased teachers from the present figure of \$600 to \$1,050 per annum. This will assist the 286 widows presently receiving less than \$1,050 a year.

These new minimums, Mr. Speaker, will be integrated with the amounts which the pensioners are receiving from the Canada Pension Plan. The total annual cost of providing the increase in minimum will be estimated at about \$1,569,000, and this cost will be met in its entirety by the Ontario government. The additional sums needed for these payments will be made each month to the teachers' superannuation fund which in turn will adjust the monthly pension cheques. The increase in pension will be reflected in the cheque which the pensioners will receive at the end of January, 1970.

The government has instructed the special committee to continue its deliberations regarding the other requests made by the Ontario Teachers' Federation, which I mentioned at the time of the committee hearings.

Mr. Speaker: Oral questions.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question of the Prime Minister related to the statement just given to the House by the Minister of Education. Will this policy decision, which in fact concerns pensions which are not related to contributions, be a model for the improvement of the pensions situation in other areas of government and public service and for the workmen's compensation board?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, you realize, of course, that the workmen's compensation board pensions are under constant review by the board and have been increased on a somewhat different basis because the fund out of which they are paid is built up by industry itself. But I think we are all aware of the fact that those pensions are under constant review.

The government has some real concern about our old pensioners, if I may put it that way. Perhaps there are some from the civil service who are being adversely affected by the recent inflationary spiral. We are presently examining all situations with a view to correcting inequities where they exist and to being somewhat more realistic, in terms of today's cost, concerning pensions that may have matured some considerable number of years ago.

So my answer to the question is "yes."

Mr. Nixon: Mr. Speaker, I have another question of the Premier. Can he assure the House that the energy board has received no instructions from the Ministry, or a Minister, calling for a decision on its enquiry into the relative merits of the takeover of Union Gas by Consumers' Gas, and calling for their report by specific date?

Hon. Mr. Robarts: I can assure the member that we have not issued any instructions, nor has any Minister, to the energy board as to when it might complete its public hearings in this matter.

I would point out that one of the solicitors has put the matter into the courts by asking for a writ of prohibition against the board. I believe that application is to be heard by the Chief Justice tomorrow morning. What the result of that will be, of course, we have no idea.

There are several interests, perhaps conflicting interests, in this whole matter. There are some shareholders of Union Gas who might think that this is a pretty good deal. I believe the offer expires on December 15.

What the result will be if the energy board hearing goes beyond that date is a little hard to project, so there are interests both ways.

There will be interests that might be adversely affected if the hearing were held too quickly and there are interests that will be adversely affected if the hearing stretches out too long. This is just one of the difficulties that arise out of a matter of this kind, but certainly it is not the intention of the government to interfere with the functioning of the energy board in the discharge of its duties.

On the other hand we do recognize that there are conflicting interests involved.

Mr. Nixon: A supplementary question. Is the Premier aware that the chairman of the energy board said almost what the Premier has said in different words when he said, "We are damned if we do and we are damned if we do not," when talking about a postponement?

I will not wait for an answer to that, but here is a second question which is also supplementary: Does the Prime Minister feel that since the enactment of this legislation made this hearing mandatory after the offer was made, the good offices of the government might be brought into play to attempt to extend the period in which the offer is valid so that the full public hearing can be held as is required by the statute and as is expected by the community?

Hon. Mr. Robarts: Mr. Speaker, on the first of those two supplementary questions: I discussed this with the chairman of the energy board but I did not issue an instruction to him. I wanted to inform myself completely as possible as to what the situation was; I was not aware that he had made this comment about "damned if we do or damned if we do not," but it is the situation.

As far as using the good offices of the government in extending the offer is concerned, I do not know that we have any good offices to exercise. This is a transaction in the commercial world and I suppose, really, those who made the offer are going to be bound by the legalities of the offer as it was made, and I would point out that the offer was made before we passed the legislation.

Mr. Nixon: That is what I pointed out to the Premier as well. That is why he has got the responsibility.

Hon. Mr. Robarts: That is what we face as a government. But certainly we are

aware of the interests involved and anything we can do to ensure that all interests are properly served will be done.

**Mr. Nixon:** A further supplementary question, with your permission, Mr. Speaker. Would the Premier agree that the priority, as far as our responsibility is concerned, is to see that a full enquiry is held without the limitations of time, which seem to be imposed on it by the fact that this is a deal in the business community over which the Premier indicates he has no control?

**Hon. Mr. Robarts:** Mr. Speaker, I can only say that this Legislature, having passed that legislation, must have as our interest the interests of those we are protecting with that legislation. This is obvious.

**Mr. Nixon:** Mr. Speaker, I have a question of the hon. Minister of Social and Family Services.

As a result of the hearings that he and the Premier have conducted with representatives of the Indian community, has he forwarded to the government of Canada any particular view on the white paper brought down by Mr. Chretien, which in fact initiated these hearings?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, about a month or so ago I attended a conference in Victoria, B.C., of the welfare Ministers of Canada, and during one of the sessions Mr. Chretien was present and I gave to him a summary of the discussions which had taken place at Queen's Park here, indicating to him two main things:

1. That I had gained from the Indians assembled a very clear picture that the concept of proposals as he had stated in his white paper were unacceptable to the Indians at large. They were unacceptable either based on an assessment and a conclusion as to the merits, or unacceptable because of not having been able to grasp what was being put forward without additional detail.

2. And the other aspect that I put forward to him was the immediate necessity for devising a format which would bring together the federal government and the Indians primarily, and then bring the provinces into the picture as the third interested party.

**Mr. Nixon:** A supplementary question, Mr. Speaker. As a result of these discussions with the Indians, has the Minister opened up any new policy areas or attitudes for his own department in what has been a growing pro-

vincial responsibility in relation to the Indian community?

**Hon. Mr. Yaremko:** Both prior to the white paper and subsequent to the white paper, we have gone ahead with what I call an action programme. That is, we are dealing with projects being placed before us by Indian bands and Indian communities from across the province; specific projects mostly related to small economic development projects. We are using the funds which are in the Indian community development fund to go ahead with meeting these requests. The short-term needs will not wait to be attended to. We are proceeding with them in the light that the long-term policies may take a considerable period of time.

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

**Mr. MacDonald:** A question of the Minister of Financial and Commercial Affairs. In view of the announcement over the weekend by PSI, that they were holding a meeting shortly to decide on the disposition of the \$14 million in reserves which they have from medical premium accounts down through the years, is the Minister in a position to indicate what report he has had from his letters to all these non-profit companies; secondly, whether or not he is laying guidelines down that will have to be followed or whether PSI is going to dispose of these reserves as it sees fit?

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Mr. Speaker, the meetings have been held with various organizations, including the officials of PSI. The PSI organization, I believe, is having a meeting of its membership today, and it will be a day or so after today before I make a statement on behalf of the department.

**Mr. MacDonald:** Is the Minister in a position to report to the House now, or will that be a part of his report, as to the extent of the reserves (a) of non-profit organizations and, (b) of profit organizations?

**Hon. Mr. Rowntree:** I will not be in a position to report on the profit organizations but I will be in a position to deal largely with the non-profit organizations.

**Mr. MacDonald:** We can await the Minister's report on the non-profit organizations. Would the Minister explain to me the rationale for intervening and dictating to non-profit organizations as to how they are going to distribute their reserves, and yet saying to

the profit organizations, "You can just absorb yours and the public will have to kiss them good-bye", so to speak.

**Hon. Mr. Rowntree:** Among the profit organizations, each organization stands for exactly what it was organized for; it stands on the charter which incorporated the organization. There are some organizations which were incorporated by doctors; there are some organizations which were incorporated by subscriber groups; there are some organizations which were incorporated and are operating in the health and accident field as co-operatives, as the member knows.

Then, also, there are those organizations which operate as a straight business for a profit incentive. Some of those organizations with a profit incentive have other areas of endeavour and will continue in business in other fields, or in fields which are not interfered with by the OHSIP legislation.

The law, frankly, contained in The Corporations Act, is quite clear, providing for the incorporation of these bodies and also providing for the dissolution of these bodies. The members are the predominant factors in each of these situations; the actual owners. In many cases, the ownership is in the hands of the subscribing group. In the case of PSI, it is in the hands of the medical profession. I do not think I will proceed any further with any comments on that today, in view of the meeting that I believe is being held today. But I will have some comments to make shortly about the PSI operation, which I think will be of interest to the House.

The department's interest in this whole field, from the supervisory point of view, had to do with the payments of all creditors of every kind, whether they are trade creditors or whether they are subscriber creditors, before any steps toward dissolution, under any statute or resolution of shareholders, takes place at all. The operational debts of the body must be taken care of. This was the warning signal which the superintendent of insurance sent out to each of them, and at that time put them on notice that the department was interested and wanted to be assured of the various steps which would be taken in the event that they discontinued from further active business endeavours.

**Mr. MacDonald:** A final supplementary question, Mr. Speaker. In view of the fact that the Minister himself stated during his estimates that these reserves were built up under the direction of the superintendent of insurance for the protection of the subscrib-

ers, by what logic does one say to the insurance companies that that portion of their reserves which was built up to protect medical insurance, which is now being disbanded, should not be returned? Why should they be able to absorb it into their structure for the rest of the insurance that they are carrying?

**Hon. Mr. Rowntree:** Mr. Speaker, this matter is one of the items which will be dealt with when I make my statement on this subject.

**Mr. MacDonald:** That will be illuminating.

I am afraid that in the complete absence of the Ministers I want, I have no further questions.

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

**Mr. H. Worton (Wellington South):** Mr. Speaker, I have a question of the Minister of Transport. Would the Minister comment on the statement made by his deputy that the trucks have been allowed to overload and so reduce the life of the 401 from 20 years to six years, and why has this not been stopped?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I have not seen the statement by my deputy. It was probably made to the ATA convention yesterday.

**Mr. MacDonald:** Right, in the morning *Globe and Mail*.

**Hon. Mr. Haskett:** I will look into it and give him an answer.

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

**Mr. J. E. Bullbrook (Sarnia):** I have a question of the Minister of Social and Family Services. Having regard to the rather general response made to the leader of the Opposition by the Prime Minister last week, could the Minister enlighten the House as to any specific intentions by his department to relieve the iniquitous and unacceptable situation resulting from the Mumford decision and, particularly, would he entertain the possibility of taking The Child Welfare Act out of the exemption relative to The Summary Convictions Act so that there at least would be a certain term for appeal in these matters?

**Hon. Mr. Yaremko:** As a matter of fact, Mr. Speaker, it so happens that right now, at this very moment, I am reviewing all of the court proceedings throughout, the whole of the proceedings. The director, the deputy and the

solicitor in the department are, at this moment, today, working on this to advise me and see what steps should be taken.

**Mr. Bullbrook:** Thank you. Is there any possibility that the children's aid societies of the province could be relieved of their concern by reason of the fact that amendments might be available before this session comes to an end?

**Hon. Mr. Yaremko:** That is under consideration.

**Mr. Speaker:** Supplementary?

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, this Ottawa case, was this a test case? Was it a test case, the supreme court case?

**Hon. Mr. Yaremko:** I do not know what the hon. member means by a test case. A test case usually is considered to be one where parties more or less agree to a trial in order to have a matter determined. That is not my understanding. This was an application by the mother which was taken through all the courts to the Supreme Court of Canada to get a final decision.

**Mr. Speaker:** A supplementary? If not, the hon. member for Riverdale.

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I have a question of the Minister of Justice. If the Minister of Justice, as he stated yesterday, believes that we would be naive to think that there was no organized crime in the city of Toronto or Hamilton, would he think that we were equally naive if we believed that there was no syndicated crime in Toronto or Hamilton?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, I think there is crime of organized nature—syndicated, if that means a different thing. Yes, I think perhaps there is that type of crime always at least seeking to get into our province.

I add to that answer what I said before; that our intelligence services are aware of the criminal organizations and are continuously investigating and continuously seeking to prevent crimes happening and to bring criminals to ground if crimes are committed.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question, if I may, to the Minister of Justice: Could he give us an indication of any case which has been before the criminal courts of this province in the last few months that would be indicative of

the fact that the police are dealing with syndicated crime?

**Hon. Mr. Wishart:** Mr. Speaker, I would think that perhaps if the hon. member wants specific cases I will look at our records and give him some instances, but not at the moment.

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

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, a question of the Premier. Has the Premier any statement yet with regard to discussions he has held with Ottawa on assistance to the railways or representations to the railways for providing commuter service in the Toronto area on the same sort of basis as in Montreal so that no provincial subsidy is involved?

**Hon. Mr. Robarts:** Mr. Speaker, I personally have had no conversations with Ottawa on this matter, but I have checked over the records of when this was raised previously. I found that really I did not have much information about it. I have gone over a good deal of material that has been examined, including the records of discussions with the federal government and the railways on previous occasions, and I am afraid that I come up with the feeling that there is not much virtue in pursuing this matter.

If there is a subsidy there—and I suppose there is such a possibility—it is buried somewhere in the deficits of the railways themselves, and I cannot come away from my examination of the matter with any feeling of optimism that there would be any virtue in pursuing this on behalf of a commuter service in this area.

**Mr. Deacon:** A supplementary question. Does the Premier recall that in May he undertook to follow the matter up with Ottawa to see whether the same sort of service could be provided at no cost to Ontario taxpayers?

**Hon. Mr. Robarts:** Mr. Speaker, I have just answered that question. I checked *Hansard* as to what I said and I indicated that I did not have much information about this matter and I would inform myself. I have so done, and I am telling the member I do not think there is much purpose in pursuing the matter further with any idea that some similar arrangement might be worked out in this area.

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

**Mr. M. Shulman (High Park):** A question of the Minister of Public Works, Mr. Speaker. Is the Minister aware that buildings 552 and 554 Yonge Street, which were purchased by his department through the good offices of a former employee of his department for \$280,000 without appraisal, had been purchased by the owner at the time for only \$100,000 some four years and a fraction ago? Will the Minister take steps to ensure that in future all buildings are appraised and a control put on to prevent this rapid markup in the price of buildings being purchased by the government?

**Hon. J. R. Simonett (Minister of Public Works):** The answer to the first question is no. To the second part, all buildings are appraised before they are purchased by The Department of Public Works.

**Mr. Shulman:** A supplementary then, Mr. Speaker. What was this building appraised at before the purchase?

**Hon. Mr. Simonett:** Mr. Speaker, I would not have that information with me, but I can get it for the hon. member.

**Mr. S. Lewis (Scarborough West):** It is buried because he paid an inflated price.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** Question to the Provincial Treasurer, Mr. Speaker. Will the Treasurer advise why The Department of Highways is not included in the programming for central purchasing? Why, if the central purchasing programme is going to save us \$15 million or \$20 million, or something like that, is The Department of Highways not included in that?

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, did the hon. member ask why it is not included in that?

**Mr. Sargent:** Yes.

**Hon. Mr. MacNaughton:** I would have to say, Mr. Speaker, if it is not included it is not excluded.

**Mr. Sargent:** The Minister of Highways does not know anything about it.

**Mr. Speaker:** Order!

**Hon. Mr. MacNaughton:** I think perhaps he does.

**Mr. Sargent:** Well, what is the Treasurer's answer.

**Hon. Mr. MacNaughton:** I have given my answer. There is no reason that I am aware of why they should be excluded.

**Mr. Sargent:** The Treasurer had better have a talk with the Minister of Highways.

**Hon. Mr. MacNaughton:** I will.

**Mr. Shulman:** This is a supplementary to this question. Why does The Department of Public Works exclude itself from The Department of Public Works central purchasing?

**Hon. Mr. MacNaughton:** Mr. Speaker, I would suggest that question be asked of the Minister of Public Works.

**Mr. Shulman:** He left. He ran out as soon as he heard it.

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

**Hon. Mr. Robarts:** Go ahead, I just want to answer one from yesterday.

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. Does he consider it to be in the public interest that Kaufman and Broad of Los Angeles should acquire any portion of the inventory or other assets of Revenue Properties Limited, and engage in the real estate development business in and about the area of Metropolitan Toronto?

**Hon. Mr. Rowntree:** I do not think that question can be answered in the House in any brief fashion at all. There are a number of factors involved in that situation, including the possibility of finding any buyer who would be strong enough, or have the funds in this current and present money market, who is interested in participating or assisting in part or all of this type of venture.

**Mr. Speaker:** The hon. Prime Minister.

**Hon. Mr. Robarts:** I just wanted to say, Mr. Speaker, that the hon. member for High Park asked me about the Whitby hospital. On investigation, I find that on Sunday last there was a creamed turkey preparation served to some of the patients and about 25 per cent of them had some stomach distress as a result. They have all completely recovered as of now and there is an investigation going on to see just how this occurred and what the food poisoning was. It was a relatively minor form of result, if I may put it that way, and my information is that there is no one still suffering from the effects of it.



**Mr. R. Gisborn** (Hamilton South): Perhaps the cook is underpaid.

**Mr. Shulman:** As a supplementary, Mr. Speaker, is it correct that there were approximately 100 patients involved and was one or more sent to hospital?

**Hon. Mr. Robarts:** I believe, Mr. Speaker, there were in excess of 100 involved and about a quarter of the total number of patients who were served this food were affected. I believe there were between 700 and 800 people served, and about a quarter of those were affected in some way. One patient was taken to hospital but that patient is now back and is in comparatively good health.

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

**Mr. E. A. Winkler** (Grey South): Yes, Mr. Speaker, I have a question of the Minister of Social and Family Services consistent with one I had asked some time ago. I understand that the Company of Young Canadians—

**Mr. Speaker:** The question, please.

**Mr. Winkler:** I want to ask the Minister if he has had any consultation or request for co-operation from the Company of Young Canadians regarding the seven announced programmes in the province of Ontario?

**Hon. Mr. Yaremko:** Mr. Speaker, I have no direct knowledge of any such communication. We have received, since the member's last question, a letter from a member of the company eliciting certain information from the department.

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

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Justice. Would the Minister correct the misconception which is abroad that the advisory bureau referred to in the amending bill related to The Landlords and Tenants Act and referred to in the report of the Ontario Law Reform Commission is separate and distinct from the rental review boards which were recommended by the law reform commission and which were specifically rejected by the government in the bill which was introduced yesterday?

**Mr. V. M. Singer** (Downsview): Mr. Speaker, on a point of order, it would be my opinion that question is not urgent. It

will be debated when second reading is called.

**Mr. C. G. Pilkey** (Oshawa): Who is the Speaker?

**Mr. J. Renwick:** Mr. Speaker, if I may speak to the point of order raised by the member for Downsview, it is a matter of some urgency because the misconception is abroad, both in the *Globe and Mail* this morning and in the *Telegram* published today.

**Mr. Singer:** No, Mr. Speaker, on the point of order, clearly the statute speaks for itself and it will come up for second reading. If we are going to destroy our question period by attempting to conduct second reading debates in the question period, we destroy the whole question period, Mr. Speaker.

**Hon. Mr. Wishart:** Mr. Speaker, on a point of order, I feel the question is of some importance.

**Mr. Speaker:** Three different points of order have been raised, I have listened to them, and in any event the time for the question period has now elapsed.

**Mr. Shulman:** Mr. Speaker, on a further point of order, the ruling of the Speaker has been that a question should be completed and answered. The elapsing of the question period will not allow that, sir.

**Mr. Speaker:** The time has elapsed, there was a point of order, I had not allowed nor disallowed the question. The question period has elapsed.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

#### THE REGIONAL MUNICIPALITY OF NIAGARA ACT, 1968-1969

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to amend The Regional Municipality of Niagara Act, 1968-1969.

Motion agreed to; first reading of the bill.

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, I would just like to make a brief comment on the amendment.

**Mr. Speaker:** If the hon. member would just wait a moment until we go through the

routine. Now, perhaps the hon. Minister would give us his statement.

**Hon. Mr. McKeough:** Mr. Speaker, there are some ten amendments. I think they are self-explanatory. They are all in the nature of housekeeping which we probably could have lived without until the next session, but because we are making such splendid progress at this session, the House leader urged me to bring this bill in at this time.

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

#### THE HIGHWAY IMPROVEMENT ACT

**Hon. G. E. Comme** (Minister of Highways) moves second reading of Bill 229, An Act to amend The Highway Improvement Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I would like to recommend that the bill be considered by the committee of the whole.

Agreed to.

#### THE HIGHWAY TRAFFIC ACT

**Hon. I. Haskett** (Minister of Transport) moves second reading of Bill 233, An Act to amend The Highway Traffic Act.

**Mr. Nixon:** Mr. Speaker, I believe this is the amendment which brings the breathalyzer into use in the applications he is responsible for other than those referred to in the Criminal Code. I would like to hear the Minister's remarks as to how he believes this will be used, and the emphasis on the availability of the equipment when it comes into force, supposedly, on December 1, at the same time as the federal legislation will come into force. I do not particularly want to ask a question about it this time, because it would not be in order, but I believe that the matter is of sufficient concern that the Minister might make a further statement at this time.

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

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I am glad to see that the province of Ontario at long last is going along with this very

intelligent idea—I guess it really has no choice—of taking action against people who have consumed too much liquor and are driving their car. You may recall, sir, that over a long period of years, I have been putting forward that position, as have other members of this House.

I think a word should be said at this stage commending the late Dr. Ward Smith, who was the head of the crime laboratory, and who really fathered this scheme in The Attorney General's Department, published many learned articles and gave very many excellent lectures in support of this scheme which has now become a part of the law of Canada.

Notwithstanding the source from which it emanated, Mr. Speaker, there was great difficulty over the years in convincing a series of Attorneys General and a series of Ministers of Transport that the scheme had substantial validity. At this point, and bearing in mind some of the comments we get from the other side of the House about what happens in Ottawa, I would like to commend the federal government for bringing forward this intelligent amendment to the Criminal Code, and commend the province of Ontario, which really had no other choice but to bring forth complementary legislation.

But, certainly, Mr. Speaker, I did not want to let this opportunity slip by without mentioning the very substantial contribution that the late Dr. Ward Smith made to this very important field of public safety.

**Mr. Speaker:** Does any other member wish to speak to this bill before the hon. Minister comments? If not, the hon. Minister.

**Hon. Mr. Haskett:** Mr. Speaker, I appreciate the commendatory words of the member for Downsview. They are quite in line with what he has said on previous occasions. We have looked forward, all of us, I think, to the enactment by the federal government of the changes in the drinking and driving sections of the Criminal Code. I think the point raised by the hon. leader of the Opposition with respect to the enforcement are matters which fall entirely within the jurisdiction of my colleague, the Minister of Justice. What we are doing with this Act is simply amending our Act to agree with the changes that have been made in the code with respect to the renumbering of sections, with respect to the elimination of the offence of driving while intoxicated, and providing the same mandatory provisions of suspension with respect to refusing to take the breathalyzer test and having more than .08.

Both the hon. leader of the Opposition and the member for Downsview spoke in this very vein a year, or a year and a half ago. I think that we all rejoice in the action that has been taken by the federal government. At that time, the federal enactment appeared to be going through at an impairment level of .1 and I think the hon. leader of the Opposition hoped, as many of the rest of us did, that it would be reduced to .08. That is where it stands and we look forward to the beneficial effects of the federal correction of the code and of our agreeing with it.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

**Some hon. members:** Yes.

Agreed to.

#### THE INCOME TAX ACT, 1961-1962

**Hon. J. H. White** (Minister of Revenue) moves second reading of Bill 223, An Act to amend The Income Tax Act, 1961-1962.

**Mr. Nixon:** Just a word on second reading. As I understand it, this is just a standard re-enactment of our position in the income tax deal that is brought forward every year so that our rights to what used to be called an abatement will return to the province. I wonder if the Minister might make it clear, however, why this has to be re-enacted from time to time? What opportunities are available in the federal-provincial tax collection agreement for amendment to the level of the income taxes levied for this province, which, under the present agreement, are collected federally, for return, whether abatement or otherwise, to Ontario?

**Hon. Mr. White:** Mr. Speaker, I will be glad to do that.

**Mr. Speaker:** I wonder, perhaps, if there are any other members who wish to speak to this bill; perhaps they could do so before the Minister replies. Are there, in fact, other members wishing to speak to the bill? If not, the hon. Minister may proceed.

**Hon. Mr. White:** Mr. Speaker, we must have statutory authority to enter into the contractual arrangement with the federal government, whereby they collect our 28 points of personal income tax. That, it happens, is the same amount as their abatement. We are

not confined to that amount and, as you know, other provinces have higher amounts.

Twice a year we have the opportunity of adjusting these amounts or confirming that they shall remain the same. I think I am correct in saying that we have that opportunity by October 15 each year for the period commencing January 1; and by May 15 for the period beginning July 1. If the government, as a matter of policy, decided to increase the tax or decrease it, that opportunity would be available at those two times of the year.

The reason, I think, that the statute has not been worded to provide that rate in perpetuity is because we do, in fact, wish to have the opportunity of reviewing this particular tax level at regular intervals. We are prepared to bring that policy, in the form of a bill, before the Legislature at least once a year.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

**Some hon. members:** Yes.

Agreed to.

#### THE TEACHING PROFESSION ACT,

**Hon. W. G. Davis** (Minister of Education) moves second reading of Bill 224, An Act to amend The Teaching Profession Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

**Mr. Nixon:** What does the Minister have to say?

**Hon. Mr. Davis:** Mr. Speaker, unless there is some point, I think these next four or five Acts really can go right to third reading. There is nothing other than routine or administrative details in them.

**Mr. Speaker:** Agreed to?

**Mr. W. G. Pitman** (Peterborough): I would like to ask a question on this particular one, The Teaching Profession Act. It is just really a question on procedure, or you might say, on mechanics. Is it possible to—

**Mr. Speaker:** I must point out to the hon. member that the question is put, the bill has been carried. The motion has been carried.

**Mr. Pitman:** These are going right to third reading without any committee?

**Mr. J. Renwick (Riverdale):** Unless the members decide—

**Mr. Speaker:** I think probably, and I am informed that it may be a good idea since the bill has been concurred in as going to third reading that we may permit a question at this time.

**Mr. Pitman:** It is really only a question, Mr. Speaker. As the Minister is well aware, there has been a great deal of discussion over the future of the teaching profession in terms of a single teaching organization. As the Minister well knows this is one of the recommendations that is dealt with at some length in the Hall-Dennis report. Really, what I want to find out is whether there is anything in the mind of the Minister as to how this is going to come about or, if it should come about, is it entirely in the hands of the Ontario Teachers' Federation? Is it entirely in the hands of the various affiliates of the Ontario Teachers' Federation? This bill, essentially, is a reorganizational bill of that particular organization.

I wonder if the Minister could indicate on the occasion of this amendment just what the direction of the government is in bringing about what, at least, some educational experts feel would be a relatively useful tendency, in view of the fact that the K to 13 is the direction in which certainly the Minister's educational policies seem to be going at the present time.

**Hon. Mr. Davis:** Mr. Speaker, the position of the government at the moment is simply to leave this for discussions within the profession itself. I know they have been giving this matter some genuine consideration but they do face rather immediate problems with respect to their structure. This is why these minor amendments are being made. But at the present moment, we are looking to the profession itself to make these determinations. The government itself is not becoming involved.

#### THE ONTARIO SCHOOL TRUSTEE COUNCIL ACT

**Hon. Mr. Davis** moves second reading of Bill 225, an Act to amend The Ontario School Trustee Council Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

Agreed to.

#### THE TRADE SCHOOLS REGULATION ACT

**Hon. Mr. Davis** moves second reading of Bill 226, An Act to amend The Trade Schools Regulation Act.

**Mr. Pitman:** Mr. Speaker, I see here something of a problem and I wonder if the Minister would indicate what the problem is. Is it that he has been having difficulty with trade schools in relation to the forfeiture of the securities?

**Hon. Mr. Davis:** If I may explain very briefly, Mr. Speaker, we have run into some situations where with the amount of bond that has been deposited and the terminology in the Act, some students have paid fees in advance. If the trade school closed down and ceased offering the course, there was not sufficient money there to compensate these students for the fees paid in advance. This will give us the opportunity to see that this sort of thing does not happen.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

Agreed to.

#### THE TEACHERS' SUPERANNUATION ACT

**Hon. Mr. Davis** moves second reading of Bill 227, An Act to amend The Teachers' Superannuation Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

Agreed to.

#### THE DEPARTMENT OF EDUCATION ACT

**Hon. Mr. Davis** moves second reading of Bill 228, An Act to amend The Department of Education Act.

**Mr. Nixon:** Mr Speaker, since I think we would agree that this bill might go right forward to third reading, I would make a comment or two, instead of asking a question, particularly about the change in provision that permits a landed immigrant to be granted a certificate without declaring his intention to become a Canadian citizen. This is in a sense a bit of the argument we had in the estimates of The Department of University Affairs yesterday when some concern was expressed that our schools, or at least our universities, were being de-Canadianized. I do not think there is the same threat by any means associated with our elementary and secondary schools. As a matter of fact the Minister in his policy—in his administration—has gone far afield searching for qualified teachers, particularly during those periods when shortages of competent teachers were acute.

I just wonder what has prompted this particular change and whether or not it might have been left in the statute in view of the problems that seem to be arising in other levels of the education system, over which we in this Legislature have some concern and control?

**Mr. Speaker:** Does any other member wish to speak to the bill before the Minister replies?

**Mr. Pitman:** One or two words on this, Mr. Speaker. I am interested as well in the point the hon. leader of the Opposition brought up and the concern which he expresses over what seems to be a change of direction. I am concerned as well and interested in the subsection 2, providing for the appointment of recreation committees for territories without municipal organization. Once again I would like to pick the mind of the Minister as to whether this is a direction The Department of Education is taking toward the—you might say—extension of its power and jurisdiction over recreation in the province, looking upon recreation in its widest sense—that it is essentially educational. Perhaps this is a direction toward providing what one might call a social purpose for an entire community by making a school the centre of the total resources in a community and providing recreation within that jurisdiction. I just wonder if this is the first step toward a totally new direction or whether this is just a cleaning up and filling in of holes which perhaps exist here?

I would say on the amendment to section 5 that I certainly would agree with that. I

think it is about time that we recognize the services which have been given to us by the people the Minister has appointed to his council of regents for the colleges of applied arts and technology. They have put in many, many hours.

I wonder if this is going to be retroactive in view of the fact that they have been working now for three years. Is it retroactive to the time of the setting up of that council? Because many of them have given many, many hours. Many of them have left the council and the Minister has given us very good reasons why they have left, but I would hope these people would not be deprived of what really is a very token payment for the kind of services which they provided to the Minister of Education.

At the same time, I would hope that he would broaden that body to include others—a wider community—and that there would be an opportunity to bring in people from the faculty associations and from the student organizations of the colleges of applied arts and technology in such a way that this body would really represent them. It would be a more effective body in governing the colleges of applied arts and technology across the province.

I think that is really all I wanted to say on that bill, Mr. Speaker.

**Mr. Speaker:** Does any other member wish to speak to the bill? If not, the hon. Minister.

**Hon. Mr. Davis:** Mr. Speaker, just to reply to them in reverse order with respect to the last point, is to a degree making it clear that we can in fact make these payments. I think in the first year we were, in fact, making them. This was raised by the people in the auditor's department, so we are making this change.

With respect to the matter of appointment of recreation committees, this does not point out a direction that perhaps the hon. member is suggesting that this sort of programme might take. It really is to meet an existing situation in those territories without municipal organization.

With respect to the first matter raised by the leader of the Opposition: As it spells out in the Act, this provides uniformity with the requirements under The Canadian Citizenship Act, which is no longer a declaration of intent. As he will notice, this is still confined to a temporary or interim teaching certificate.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

Agreed to.

#### THE ONTARIO MUNICIPAL BOARD ACT

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves second reading of Bill 231, An Act to amend The Ontario Municipal Board Act.

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good** (Waterloo North): Mr. Speaker, I have just one question. What happens if two members of the municipal board have to make a decision and they do not agree on it?

**Hon. Mr. McKeough:** The point is that they will not sit any longer as two. They will either sit singly or as three.

**Mr. Speaker:** Does any other member wish to speak to this bill?

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

Agreed to.

#### THE MUNICIPAL FRANCHISES ACT

**Hon. Mr. McKeough** moves second reading of Bill 232, An Act to amend The Municipal Franchises Act.

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Nixon:** Thank you, Mr. Speaker. Just a comment or two on this bill. The Minister was good enough to provide me with some information following first reading, but I was interested that these franchises have apparently been renewed and extended for many years without the authority of this Legislature. I do not know whether there would be any legal problem connected with this under these circumstances and I do not believe this bill gives retroactive authority in any way. Is there a possibility that there might be, in fact, some legal actions taken

in view of decisions and extensions made by the energy board which apparently were not authorized?

**Mr. Speaker:** Does any other member wish to speak to the bill before the Minister replies? The hon. member for Waterloo North.

**Mr. Good:** Mr. Speaker, I have just one question. In giving the energy board authority to renew, does it also give authority over the terms of the franchise that is extended or renewed?

**Mr. Speaker:** Do any other members wish to speak? If not, the hon. Minister.

**Hon. Mr. McKeough:** I think the leader of the Opposition perhaps has misconstrued a little bit what I told him the other day. Where there has been a renewal, and there have been many renewals, they have been agreed to or confirmed by the Ontario Energy Board. But there has been an agreement. There has had to be an agreement before there could be a confirmation by the energy board. This bill allows the energy board to get into the act, if I can put it that way, where there is not an agreement between the municipality and the utility. I think there is one situation in the province where there has not been an agreement until now, and where gas has been supplied in the absence of an agreement.

I think that in answer to the second question from the member for Waterloo North, the answer would be "yes."

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

Agreed to.

#### THIRD READINGS

The following bills were given third reading upon motions:

Bill 125, An Act to amend The Regulations Act.

Bill 192, An Act to amend The Public Service Superannuation Act.

**Clerk of the House:** The third order; resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the Chair and that the House resolve into the committee on ways and means.

## ON THE BUDGET

**Mr. Speaker:** In the absence of any list of speakers, the hon. member for High Park.

**Mr. M. Shulman (High Park):** Mr. Speaker, I thank you for the opportunity to be able to speak again in this House.

I would like to for once pass out some compliments. It is, unfortunately, the duty of Opposition to criticize members of this House all too often. We have so very many reasons to criticize, particularly when we look across the floor, but there are some meritorious members in the other parties who have not received very many plaudits from this side of the House.

I have never done this before, but perhaps you will forgive me if I do praise one or two—in fact a few—of the members on the other side of the House who have done a good job and I think, for once, should get some credit.

There are three members of the Cabinet I would like to mention and two members of the Conservative back bench. I have had a little difficulty with the Liberals, but there is one who, I believe, should get some praise.

I would like to mention the member for Cochrane North, the Minister of Lands and Forests (Mr. Brunelle). He is a modest, unassuming man who does a remarkably good job in the House. He is always kind and cooperative. In my few contacts with him—I have not had that many opportunities, not having too many lands and forests in my riding but I have had problems—and in the few problems that have come up, any time that I have gone to him he has been unfailingly polite and kind.

In contrast with some of his colleagues, he has never hesitated to supply the information which is necessary for the proper functioning of a member of this House. He has gone out of his way to give me information which I am sure other Ministers would have considered impossible to hand to the Opposition.

For example, the thing that comes to mind is transportation maps. It had been brought to my attention by a government employee that there was a tremendous duplication in the method of communication of government departments, and that a transportation and a communication map had been made by this particular Minister. He unhesitatingly handed it to me and took the trouble to have his associates explain the meaning of the map, and the fact was that there was not a true duplication, and that if he had not done this we, in the Opposition, might have risen in the House here and wasted a great deal of

time arguing about something which really was not of any importance. I think he deserves some credit.

The other Minister, who also is not here at the moment—I am sorry he is not—is the Minister of Education (Mr. Davis). The Minister of Education, by the very nature of his appointment, is the subject of a great deal of criticism. I want to say that in my two years in this House, this member, the member for Peel North, has gone out of his way also to be helpful to me in every possible way. He has been of tremendous assistance, and the reason I have not had to press him in the House and ask questions is that invariably my queries which are sent to his office are answered promptly and helpfully. I want to give a tip of my hat to that Minister also.

Finally, one Minister with whom I disagree quite often and who makes many mistakes, but I think who deserves a word of commendation, is the Minister of Mines (Mr. A. F. Lawrence). He is a refreshing change from his predecessors in his position. There are many things we think he should do that he has not done as yet, but he has begun to move and he has made progress and I think he deserves a word of credit.

There are two Conservative back benchers that I would like to mention briefly because I think they are outstanding. Of course, it is easy to be outstanding in that group—but they are outstanding, I think they would be outstanding in any group. They are the member for Armourdale (Mr. Carton) and for Quinte (Mr. Potter). I have the pleasure of sitting on committees headed by those two members and it has been a pleasure to work with both of them.

The member for Armourdale is a quiet man; he works steadily and conscientiously and he—in the committee where I am working with him at the moment—has worked very carefully to bring in a report which I am sure will be signed unanimously, and will receive the approval of all the members of the House and will be of benefit to every citizen of this province. I think that he should get a word of commendation from the Opposition benches.

As to the member for Quinte, of course everyone knows his value. It is a great pity, it is a sin, that he was not made the Minister of Health. He would have taken so much of the health problems out of the political realm because this is a man whom everyone recognizes is working for the betterment of the people of the province. We, on this side of the House, are conscious of his efforts. We regret he does not have more responsibility.

I would like to say a word about the member for Sarnia (Mr. Bullbrook) because I have been most impressed by his work in this House. I am sorry he is not here to hear my compliment. We have quarrels from time to time—as I say, looking at the Liberal group, it is easy to stand out—but he has done a remarkable job. He would even stand out in our group.

I am not going to praise the members of my own party because there are so many of them who do a good job. It would take the rest of the day, sir, but I did feel on this one occasion that perhaps I might take a few minutes to praise those members from the other parties who are outstanding in their work. There are a few of them, and those are the few who I hope will be here after the next election. We intend to look after the rest of them. The member for Scarborough West is deciding whether or not those seats are safe.

**Mr. J. Renwick (Riverdale):** Did the member miss anyone?

**Mr. Shulman:** I did not miss anybody.

**Mr. S. Lewis (Scarborough West):** He covered every conceivable member of the Opposition.

**Mr. Shulman:** Now that we have covered every conceivable member of the other parties who deserve praise, sir, I would like to turn to one of the members of the other parties who deserves very little praise. Unfortunately, it is the Minister of Health (Mr. Wells). There is so much wrong in that department that perhaps I might spend the bulk of my three quarters of an hour discussing that.

Before I do I would just like to say one word about the Minister of Public Works (Mr. Simonett). The Minister of Public Works is worth about one word. We have heard a great deal from the Minister of Public Works in recent weeks. Unfortunately, it is all wrong and contradictory, but the ultimate was today. I asked about a building on Yonge Street which his department had purchased a few months ago for \$280,000, and he said, "All buildings are appraised before they are purchased by my department".

We could understand this Minister a little better if he did not contradict himself so often. I looked back on page 7446 of *Hansard* and I see that on the day that I originally asked him about the purchase of that building he said "the building was not appraised".

This is really basically the problem with that Minister. He says one thing one day and

another thing another day and you do not really know what he is doing or what he means. The department is in disarray, I think the *Globe and Mail* cartoon this morning summed it up so very well: The department is taking a free ride behind the Premier (Mr. Robarts) and if that Premier was not there to lug the three Ministers along who were mentioned in the cartoon, the whole government would fall apart from the sheer weight of those three men. Surely the Minister of Public Works is the heaviest of the three that were mentioned in the cartoon this morning.

He is an embarrassment—not just to the Conservative members—he is an embarrassment to everyone in this House. When we go out in the hustings to discuss government, we would like to think that the government represents all of us, even though they are Conservatives.

We do not expect them to do a good job, but they should do a reasonable job, and when they fumble and bumble and make mistakes after mistakes, we are not that pleased. We know they are going down anyway but we do not want you to go down in an avalanche, we would like you to gently slide into the sea and not collapse as you are doing.

I say to the House leader, and I hope he will pass it on to the Prime Minister, your Minister of Public Works is an embarrassment, not just to yourselves, but to ourselves. We thank you for writing it down. And for the good of all of us, send him to manage London House—that will be a good place for him. He could be your ambassador there in England and he would be following in the steps of George Drew and those other great Conservatives. Over there it would not matter if he made the odd bumble. We would not be aware and I am sure the English would not mind. I am sorry is there an interjection?

**Mr. E. A. Dunlop (York-Forest Hill):** Through his high commissioner!

**Mr. Shulman:** Well all right, make him the high commissioner.

**Mr. Dunlop:** That does not lie within the past, and this is typical of your statements. You pick up anything, you talk about people being inaccurate and you are just as inaccurate as you can possibly be very frequently.

**Mr. Shulman:** I thank the member for—

**Mr. Dunlop:** York-Forest Hill, make it right!



**Mr. Shulman:** I was making a suggestion, and I would not want to pinpoint the government down and force them to make this man high commissioner. They might be embarrassed.

Find a job for him. Perhaps he could go and mediate in Biafra or in the southern States. He cannot do any worse than our present Prime Minister is doing there. But in his present job he is going to bring us all into disrepute.

Anyway, let us leave that matter for a moment. I would like to turn to The Department of Health. The Department of Health's estimates are coming up tomorrow, so I am not going into the broader aspects of the department which we will have a chance to discuss in the next few days. But I would like to mention two or three incidents which show the peculiar things that happen as a result of the unbelievable incompetence in that department.

We had suffered for some years with a long procession of Ministers of Health who did very little, if anything, for health in this province, starting with the hon. MacKinnon Phillips. That honourable line is continued down, and finally this past year we have not had a medical doctor in charge, and we felt that any change had to be for the better.

It was a great shock to us to find a change for the worst, almost an unbelievable shock. But we now have a Minister of Health (Mr. Wells) who is outstanding in the long series; outstanding for his incompetence.

I would like to tell you one incident which typifies the situation in that department.

Last July 8, one of the technicians at the CBC—it was a hot day and he was feeling in a larky mood—walked outside of the CBC building. There is a huge tower there which stretches into the sky, and he bet it would be a great lark to climb the tower.

He vaulted over the fence and climbed to the top of the tower where he had a great view of Toronto. He looked all about him, and then he started to climb down. As he was climbing down he saw people climbing up toward him—firemen—policemen and safety inspectors—and when he reached the bottom, they grabbed him and said: "Oh, we are so glad you did not jump".

He said, "I was not going to jump. I went up to get a look at the view", and the other added, "Oh yeah, that is what they all say". They bundled him off to 999 Queen Street, and I quote from what he wrote himself.

The man's name is Sean McCutcheon and he has worked for the CBC for some time. I have spoken to him. He is a very reliable young man and I quote from what he wrote about the Ontario Hospital at 999 Queen Street.

The duty psychiatrist was already filling out my commitment form when he saw me. The interview lasted three minutes. He asked me my name, age, address and two questions of psychiatric content—"why did you climb the tower?" I answered, "For fun." "Did you hear any voices telling you to climb the tower?" he asked. "No." "Take him up to ward 5B."

Jingling his enormous collection of keys, the warden led me in through an eternal series of locked doors into the heart of 999 Queen. My ward was a long dank corridor, metal doors, barred windows. My bed a wooden bench in the corridor. They were a little short of bed space. My toilet consisted of four smelly bowls and was doorless.

It was too late for food and a shower. The therapy offered was the entire removal of my clothes and the substitution of pyjamas, the mark of the outcasts. I refused that therapy and asked to see a psychiatrist. I was told there was none available. At 6 a.m. the following morning, a warden shook me awake, told me to urinate in the urine sample bottle.

A kid on the ward whom I made friends with wanted to wear his clothes. Inmates are divided into four varying degrees of freedom. The lowest grade is confined to the ward and kept in pyjamas. He asked the warden and the warden refused. He asked the nurse and the nurse refused. He started to pull at the door behind which his clothes were locked, and the warden grabbed him and forced him to sit down. In desperation he stripped off his clothes and ran around naked.

The therapy moved up a degree and he was now grabbed by two wardens while the nurse came and give him a shot. He spent the rest of the day as a zombie, shuffling up and down the ward, his pupils enormously dilated, his face blank, wearing his pyjamas.

I walked into the cafeteria and saw a group of three inmates engaging in a conversation. Their heads are turning and they are smiling and I can hear the buzz of conversation. When I come closer, however, I realize they were talking utter

gibberish. They are playing at being normal because their own world has been shattered. They veil the hollow wreckage in meaningless, unacceptable behaviour.

The normal, the sane inmates instinctively play this game of survival in this lunatic asylum—be respectful and submissive to the psychiatrist; assume the symptoms he expects of you; and then gradually let yourself be cured. It is the only way to get out.

I was sitting at the end of the corridor watching the inmates shuffle up and down, constantly coming toward me. About ten per cent of the inmates have their heads shaved to facilitate the administration of shock treatment.

The warden got some inmates to collect the bed sheets, soiled during the night. They laugh when a bundle is dropped, and joke about giving the fumbling inmate the big headache. I feel sick and scared.

I go to a group of therapy sessions. The psychiatrist does not say a word. The inmates talk to each other. They say, "Mary did not go to occupational therapy." "Peter slept in yesterday."

One of the inmates who is quiet stands up and says, "Listen, you have got to let me go home to New York. That is my home, that is where I belong. That is where my family is. This place is no good for me. I am crying more than I used to and I am just trying to talk to myself. This place is driving me mad."

The psychiatrist answers, "Shut up, George, you said the same thing last week." George leaves the room in tears.

I find myself on the verge of hysteria and suddenly realize that if I have to stay here much longer, I will become mentally ill myself.

I complain bitterly and manage to get myself transferred to the Clarke Institute by threatening to call Morton Shulman.

There I was further probed. The probing went as follows; subtract seven from 100 and keep on subtracting. I subtract all the way back to zero. Recite this list of numbers backward. I am a graduate engineer, I scored perfectly. I said happily to the psychiatrist, "Does that prove that I am sane, doctor?" He replied, "No, it proves you are obsessed with details."

So I sit there for two days. No psychiatrists were available on the weekend. I played shuffleboard, bridge and things to keep my spirits up. Everything I say goes

into the daily report. This is all part of the therapy. My visitors are turned away. There is a pop festival outside our block but the windows are sealed.

Finally, on Monday, I trade an intimate account of my upbringing and sexual activity for a declaration that I am sane and I am let out.

Two weeks later I get a bill from the Clarke Institute for \$208. I phoned the Clarke.

Well, he was a little upset at getting his bill for \$208 because he did not really think that he had requested the therapy. So he phoned the Clarke Institute to complain.

They said, "Well, do you not have insurance?" "No, I do not have insurance. Why don't you send the bill to the police. They brought me here?" "Well, you were responsible because you were in here. Why don't you apply for welfare and get the welfare to pay for it?" "I am not on welfare. I work, why should I apply for welfare?"

"Well, you will have to pay that \$208".

So he says, "Send the bill to the chief of police". The next thing that happened—I have a letter here dated September 12, 1969, from the Apex Collection Agency—the Clarke Institute turned his bill for \$208 over to the collection agency. It says here:

Mr. Sean McCutcheon,  
165 Robert Street,  
Re: Clarke Institute of Psychiatry.  
Balance demanded \$208.

It now appears to us—I know you can correct us—that to collect the above amount it is necessary to enter this claim in a court of competent jurisdiction and to proceed. We hesitate to recommend such action to our client, the Clarke Institute, but you have left us with almost no alternative.

We must advise you that unless your intentions are known by us within five days, our client is to take the action indicated. Urgent. Act today.

Yours truly,  
Apex Collection Agency.

At this point, Mr. McCutcheon phoned the Minister of Health. He could not get through to him and spoke to one of his employers, and they said, "As far as we can see, you owe them \$208. You should pay it".

So he came to me and we phoned Mr. Borthwick of the Clarke Institute. Mr. Borthwick at first said, "There must be a mistake, let me look into it and we will call you back". Mr. Borthwick called back and said, "There

is nothing I can do. We really do not seem to be able to cope with this type of problem because the Clarke does not get that many patients on remand”.

Really, it was McCutcheon's own fault because he asked to be moved from 999 to the Clarke. If he had stayed at 999 he would have got the bill from them instead of the Clarke. The Clarke did not feel responsible and as far as they were concerned it was out of their hands. They had given it to a collection agency and he had to pay, or suffer the consequences, which means go to jail.

So here we have this dumb situation, and it is a dumb situation—I am sorry the Minister of Health is not here; I think even he would understand how dumb it is—where a perfectly healthy, sane human being, as a result of a prank, ends up in the hands of the police who ship him off to a mental institution. He is kept there over a week until a psychiatrist finally sees him and tells him he is perfectly sane.

They then let him go and now they are dunning him for \$208 for the mistake they made and nowhere in government apparently is anyone willing to listen and undo this wrong, and he is going to have to go to court. I am going to go to court with him and I am going to get up in front of that judge and say, “They are all insane down at Queen's Park, and they are the ones that should be dunned for this. In fact, they are the ones that should be getting the mental examination.”

This is the type of thing that happens in this department. It is so badly run, it rivals The Department of Public Works. Hard to say, but it does.

Let me give you another more serious example. This first one had certain ludicrous aspects. This was about a young man. He has a good sense of humour and even as he went through this most unpleasant experience he realized that it was not all bad. It showed up the ridiculous bureaucracy of the government; it showed up the insane way in which we are governed; it showed up the insanity which follows along, one insanity upon another insanity in that insane asylum.

**Mr. R. G. Hodgson (Victoria-Haliburton):** Is that a medical opinion?

**Mr. Shulman:** That is a medical opinion. He came out of there laughing. He said, “Good lord, is this how we are managed? Is this the way Canada is run? Is this the way Ontario is run?” That, stupid as it was, had humour to it. But there are more serious

things that happen in The Department of Health and I would like to tell you of a very serious incident which we—when I say “we”, I mean myself and other members of the House not in my party—spent a great deal of time trying to unravel with absolutely no success this past year.

In the Ontario Hospital out in Mimico—the Lakeshore Psychiatric Hospital—a very serious situation developed in the spring of this year in the housekeeping branch. It was so serious that as a result of it a petition was taken up by the branch, by the people working in the cleaning department. It was signed by 11 or 12 of these people and they took the petition to Dr. Gunn, the manager of the Lakeshore Psychiatric Hospital—actually he is the superintendent. I will read the petition, I think that is the simplest thing. Let me say that this is coming up in this House only after months of effort of trying to get it straightened out through the Minister of Health and through other members of the government.

It is dated March 20, 1969:

Dear Sir:

We, the undersigned, would like to make a complaint in regard to the conduct of Mr. X.

And this is a senior member of the staff at the department; I am not going to mention his name.

We are in the employ of the Lakeshore Psychiatric Hospital, 3131 Lakeshore Blvd. West, Toronto, Ontario, under the supervision of Mr. X.

On several occasions he came to the hospital in his off hours intoxicated and approached us with immoral proposals. As we are morally opposed to his proposals we refused. When we refused he threatened us with dismissal. When this tactic failed he actually dismissed one of us.

We respectfully request an investigation be made into this matter and appropriate measures be taken.

They went to the superintendent in good faith. One of the women who signed the petition, a Mrs. Reading, had been dismissed, and the reason which had been given by the man who dismissed her was that she had lost a key. It seemed very odd after she had worked there for close to a year, but it was not just her complaint. This was signed by four women on the cleaning staff and seven men, also on the cleaning staff, who had been witnesses of this very matter.

The petition was taken in to the superintendent by Mr. Frank Shleback, who was a cleaner who had had no problems and who had worked there steadily. The result of this petition was not that Mrs. Reading was reinstated; it was not that the complaints which the cleaners had made were rectified. The result was that Mr. Shleback was fired. I think it was three weeks after taking in the petition they called him in and said: "We decided your work is no longer satisfactory. You are fired."

Mr. Speaker, I am not on the closest relationship with the Minister of Health, or his predecessor who was still in office at that time. I went to a member of the Conservative Party who I know is a good man and I laid the facts in front of him and he was as upset as I was. He interviewed several of these people and confirmed the facts, and then he went with these facts to the Minister of Health and said—this is the former Minister of Health—and said: "You must do something. This is awful."

The Minister of Health said: "I do not like being pushed, but I will interview them," and he interviewed three of the people. It was a very brief interview; he went through the motions; and at the end of the interview he said: "I am not going to interfere in local matters. The superintendent out there is in charge," and that was the end of it.

Despite all our efforts Mrs. Reading was not rehired. I was unable to get anywhere to have Shleback put back, and the people who worked there—the other cleaners, and the other employees in the hospital—have learned a lesson: Do not complain, because nobody can help you. The Opposition cannot help you, the government members cannot help you, and if you do finally force your way to the Minister he will not help you. And what is this doing to morale?

I have spoken often of the morale in this department—how low it is, how bad it is—and this is the reason. You just do not behave the way employers should behave toward employees. This is not a matter of politics.

I went to the Minister of Health through one of your members and I said: "Please, I do not want to bring this up in the House but a mistake has been made. Please rectify it. Give this woman her job back. If you do not want to put her in there put her somewhere else. Shleback was fired unfairly; I do not want to bring this up publicly. Clean it up," and they laughed at me, and that is why this government is going down, because every one of the people in that hospital is

terrified. They will not complain any more. You have succeeded in that. You have frightened them, but I will tell you what happened two weeks ago.

Two weeks ago the employees at another Ontario Hospital, the one at 999 Queen Street, held a meeting. They held it in the Lansdowne Hall and there must have been 100 people at that meeting. They asked me to come down, and they said: "What can we do?" I told them that there is nothing they can do because no one will listen, and the employees of every Ontario Hospital throughout this province are aware of this. You are digging your own graves, because a lot of those people voted Conservative but they never will again. They will only have the superintendents' vote.

Mr. Lewis: They will not even have that. Not from all of them.

Mr. Shulman: You will have a few of the superintendents, a few of the brass, a few of the people who are anxious for their positions, but you are deliberately alienating the mass of people. Why do you do it? I just do not understand. Here was a non-political situation. You had nothing to lose. You were not even going to give me any votes. It is not in my riding. You had nothing to lose. You could have rectified this; you could have made the people out there feel secure and happy instead of which you slapped them in the face and said "go away." You have frightened them, but you have frightened them so much that when they go to vote they are going to vote against you.

Mr. Lewis: That is true. You have done it right across the province in every urban area.

Mr. Shulman: Let me tell you of another hospital. I am going to tell you now of one of my patients and I have her permission to bring this matter up here. She came to me not as a politician. She came to me as a doctor, because she had injured her foot working in an Ontario Hospital.

The background is this: We have a law in this province that says equal pay for equal work. Men and women are both supposed to receive the same amount of pay if they do the same work. This was not the situation in the Ontario Hospitals up until a short time ago, and a number of the female employees complained very bitterly. As a result of their complaints, which they brought to me, I took it to the Minister of Labour (Mr. Bales) and

I give the Minister of Labour credit: He contacted the hospitals involved and the word went down:

You cannot continue like that. You have got to give equal pay for equal work.

Well, all very well. Suddenly they start getting equal pay for equal work. So what do they do? In order to keep the budget at the same amount, they reduce the number of workers. On one particular shift, where there used to be six women acting as cleaners, they said:

All right, if we have to give you equal pay we will give you equal pay, but we are going to change it. From now on, instead of there being six women looking after these two floors, there are going to be three women and one man.

So, that way they kept the financial expenditure the same way.

Well, what happens? This woman had an accident, she hurt her foot at work. The doctor comes up, the psychiatrist who was on duty, and he said:

Well, it does not look like much. I would not worry about it. Keep on working.

After work—she was a patient of mine; she came to see me. I sent her for an x-ray, and I told her she could not work, she would have to go off on compensation. Well, what did the doctor on duty say to her? He said:

So many of you go on compensation. You complain too often. You cannot continue like this.

He called the supervisor up and the supervisor said, and I quote:

I am short staffed. You should not go on compensation. Can you not manage? We are short staffed because you complained about the equal pay and we do not have enough people. If you go off on compensation the other people who are left are going to have to do your work. They are short staffed now. How can they do your work too?

Well, all right. The woman could not work. She had to go off. She was sick. And what was the outcome? There was no one put in to replace her. Instead of the six girls they originally had to do the work; instead of having the one man and three girls, they now had one man and two girls to do the work of six people before. They were run off their feet. What does this do to their morale?

There are two reactions to this. The first reason—you must all share responsibility for

that—is The Department of Health has not been given the priority in your thinking that it should have; you are pouring money into places which really should not have it. You are putting it into building highways. You are putting it into doing things which are very meritorious if we could afford it, great; but surely they should come further down that priority list?

The health of our people should come first; the care of the people in our hospitals should come first. The people in our hospitals are not going to get proper care if the hospitals are not properly staffed. Your Ontario Hospitals are not properly staffed and the reason they are not properly staffed is that you are not paying enough money. You are not hiring enough people. The people you do hire you are short-changing. And this, basically, is the problem. It is a serious problem. There is so much waste.

I have some statistics which were prepared here by the United States Department of Health, Education and Welfare; strangely enough, they did this study here in Ontario. I suppose you do not know about that. I was quite intrigued to read it. They did the study in Canada to see where the money is going.

They discovered that the administrative expenses of hospital insurance in Ontario is two-thirds higher than it is for the rest of Canada. Two-thirds higher—what a waste. This brings in the second reason, which is if this department is properly run—and this must go back to the Minister and the Deputy Minister, but primarily the Minister because he sets the policy—if this department was properly run, you would be able to divert your funds to the proper places. We would not have the waste.

We would not have every employee, and I say every employee advisedly, of every Ontario Hospital feeling he is being short-changed and overworked. I direct this to the Provincial Secretary (Mr. Welch). You are an intelligent man; you are aware of the problem; why does this happen? Why is this department not put in the hands of a competent, kind man? Why is this department so neglected financially? You could do so much, apolitically, if you would be willing to do so. There is something very wrong at the top of that department.

I think in one of my very first speeches in this House, a year ago, I got up and I was shocked by what had happened to Janet Gurman, who ran a nursing home. I said, "There is something evil in that department,"

and I received a lot of abuse for those words. But my feelings have not changed.

There is something so very wrong in that department and when there is something wrong in this department, we can suffer with it. When there is something wrong in The Public Works Department, we can laugh at it. It costs money but it does not break anyone, it does not hurt people's health. But when there is something serious wrong in the top of The Department of Health, we all suffer. The health of our province suffers; the morale of thousands of people who work in your Ontario hospitals suffer. I am going to have a great deal to say at the beginning of the Health estimates. I will not go off on that subject. But you have neglected this so shamefully, and I feel it. I feel it as a doctor, as a human being, and as a member of this House and I am not speaking now as a New Democrat. I am speaking as a colleague of yours. Something is wrong there; do something about it. You are one of the few men in this House who can.

**Mr. D. C. MacDonald (York South):** Pretty lonely, eh?

**Mr. R. F. Nixon (Leader of the Opposition):** One of 15.

**Mr. Shulman:** The department, from top to bottom, is in such bad shape. I am glad there is one here to hear it. There is only one Cabinet Minister in the House—no, there are two—but I am glad that the two who are here happen to be the two who have any intelligence of any consequence.

**Mr. MacDonald:** The member has the quality here but no quantity.

**Hon. J. H. White (Minister of Revenue):** Would the member be good enough to name the Cabinet Ministers for the record?

**Mr. Shulman:** Yes, I have no hesitation in mentioning that the Minister of Revenue is here also. I think the two Ministers who are here are aware, just as aware as we are, of how rotten things are in the Cabinet and how important it is you make changes.

Why can you not speak to the Prime Minister? He is not here enough; he does not know what is happening. He does not know the mess that your colleagues are producing in so many fields, but basically and importantly, in the field of health. Go back to him. If you do not want to do it in the Cabinet meeting—you know him well, Mr. Minister of Revenue, you can speak to him privately. You know as well as I do how wrong this

is. Your backbenchers know it and we feel, I say this in all honesty—we feel that the only way to get improvement in The Department of Health is to turf out all of you and we are doing our darndest to do it.

But it is all so unnecessary. We should not be arguing over health in this province. Let me tell you, you have other Ministers here—and I come back to the Minister of Lands and Forests—who, when we get up and make a suggestion—and many of you are the same, as you have shown today—do not have a closed mind. The member for Sandwich-Riverside (Mr. Burr) got up and made a suggestion to you earlier this month. You realized it was a sensible suggestion and you put it into law. This is common sense.

We should be able to co-operate in this House on things that are not of a political basis, and health should be one of them. We should be able to get up and make suggestions to you and your colleagues just as you do. You should say, "That is sensible, it is reasonable, I will consider it. If it is practicable we will bring it in. And that is what you do. That is what the Minister of Lands and Forests does. That is what the Minister of Education does. We saw that today, he showed it. But the majority of your colleagues have closed minds.

They say if a suggestion comes from the Liberal Party, if the suggestion comes from the NDP, it must be wrong. They even have closed minds about your backbenchers. Some of them, believe it or not, and the Minister of Health is one example, will not even listen to your backbenchers' suggestions. I come back to this mess at Lakeshore Psychiatric—one of your leading backbenchers went to him and he would not listen.

All right, there is my appeal to the only two Cabinet Ministers with IQ over 100. Perhaps we will get some results; I have my doubts. You know, I know you two mean well, but my fear is that you do not carry the weight in the Cabinet that you should. Not that individually you do not carry your weight, but you are outnumbered by the dunces.

**Mr. MacDonald:** Sadly outnumbered.

**Mr. Shulman:** That is what the problem is.

**Mr. G. Ben (Humber):** They will be carrying more weight, the member just made their heads bigger.

**Mr. Shulman:** Well, I wish they would carry more weight. We might have better government in this province.

I would like to tell you, to carry on with the situation in The Health Department, there are health units across the province and so many of them are in a mess. Again, the problem comes because at the top your direction is weak or non-existent. The Minister involved is obviously unaware of the problems in his department. I do not know what he is doing, if anything, but let me give you an example from the Leeds, Grenville and Lanark area. This is a good Conservative area of the province, you get a lot of your votes there, and this is what you should take such care to protect. You should look after the health of the province everywhere but surely, from a political point of view as well as from a health point of view, you should not allow stupid situations to develop. Let me read you a letter I received from Seeleys Bay.

Mr. MacDonald: They have got them in the bag, that is why they push them around.

Mr. Shulman: That is the stupid thing. You have to vote against them before you can get proper care.

Hon. Mr. White: If you vote against us, you need the care.

Mr. MacDonald: They are doing it down in Middlesex.

Hon. Mr. White: Anyone who does not vote Tory in this province requires treatment.

Mr. Shulman: That is intriguing, the interjection from our intelligent member. Perhaps I will have to modify my earlier comments.

Let me quote a letter, I would just like to read this into the record. It is from a doctor in Seeleys Bay:

We have a unique situation surely unparalleled in Ontario. In the Leeds, Grenville and Lanark health unit area, the medical officer of health or director's wife is also the nursing home inspector. The director is also the provincial chairman of the nursing home advisory board.

You can well imagine the futility of any complaint when it has to be first laid with the wife, then with the husband, and again with the husband as chairman of the advisory board. A most interesting sequence.

It is just so stupid. The Minister recognizes it is stupid. This sort of thing should not develop. It could only happen in The Department of Health in this province, I am sure it could not happen anywhere else in

Canada. Yet this got into the local press in Seeleys Bay and had a great deal of controversy and the people could not even see anything wrong with it. It took unbelievable pressure from the Opposition to have this obvious situation corrected.

Halton is another weak area. I have an editorial here from the *Daily Journal-Record* in Oakville. The heading is "Our sick health unit", that is what they call it. And it starts off:

How long will the municipalities in Halton sit quietly on the sidelines watching the county health unit wallow around in a state of disarray.

I will not read the whole editorial, it is fairly lengthy, and there is no use in going into the details. It is mistake after mistake made in Halton.

Here is another one, this is from January, 1969, another article about the Halton health unit: "Halton refuses Ontario grants for birth control." It is immoral, apparently, to the man in charge there, he does not want it. What about the people who have to go to the health unit who cannot afford private care? There are people like that in Halton. These are mistakes after mistakes.

But the *pièce de résistance*, surely is seen when we look at The Department of Health, the prison hospital up at Penetanguishene, and I have had the honour—and I use the word advisedly—of being thrown out of that hospital twice. Once it happened when I went up wishing to look through the hospital. That was under the orders of the Minister of Health, the predecessor of the present Minister. But this is what really upsets me, Mr. Speaker, I know the Conservatives are not too interested in health in this province but I have come in here to make an effort, I am trying not to be political, I have done my best to make reasonable suggestions. There are exactly two members of the Conservative Party left in this House; I demand a quorum be called.

Mr. Speaker: The hon. member for High Park has drawn to my attention the fact there is an absence of a quorum in the House. I therefore direct the division bell to be rung for a period of four minutes.

I would ask the Clerk to confirm to the Chair that there is in fact a quorum present.

Clerk of the House: There is a quorum.

Mr. Speaker: The hon. member for High Park may now continue in view of the fact that a quorum is present.

**Mr. Shulman:** Thank you, Mr. Speaker. I had better speak quickly while I still have a few Conservatives to listen.

I was discussing—for the benefit of those who who have just arrived—the problems in the Cabinet, specifically the problem at this point of the Minister of Health. I had the pleasure a few weeks ago of listening to a speech by the Deputy Minister of Health. I do not think it was meant to be made public.

It was given to a group of doctors at the academy of medicine but as a member of the academy I went to listen. I was amazed at the sensible things he said, which are in such contrast to the practice carried out by this department. These things which I am going to say are all quotations. Ah, I am glad the Premier is here, I wish he had heard my earlier comments. The Deputy Minister of Health said:

In Ontario, one of the problems is, our emphasis is on ill health rather than health; we have comparative neglect of preventive services.

That is what the Deputy Minister of Health said a few weeks ago.

Well, I think back to our Health estimates last year when so many of us, the member for Parkdale (Mr. Trotter), the member for Beaches-Woodbine (Mr. Brown), myself and the member for Humber, got up and said this very same thing to the Minister of Health. He denied it, said it was not true, said we are doing a great job here in Ontario.

His own deputy knew this was untrue. The sensible approach to public health should be prevention, not treatment of the ill after they are all, but trying to prevent them from becoming ill, and the Deputy Minister recognizes this is not being done in this province. So, if the Deputy Minister himself recognizes this and he is unable to bring about changes, how can we, over here, hope to do anything. You must replace this Minister, He is not doing his job.

The second thing the Deputy Minister of Health said to the doctors of Ontario is this and I quote:

Health research should be supported in much more generous terms than it is at the present time.

Once again, we have a health committee in this House and the health committee has been hearing people from public health and people from the VD clinic. Two weeks ago we had Dr. Kyle, from the VD clinic, and she said we were not getting the support we need, we

are not getting the money we need, we are not getting the drugs we need.

What happened? The Minister of Health got up in the House and denied it. He says Dr. Kyle is not co-operative. His own deputy puts the lie to what he says and we cannot get anywhere with this man. He does not listen to his deputy, he does not listen to the civil servants who work for him, he does not listen to the people like Dr. Kyle, who are dedicated. He certainly does not listen to the Opposition. We are not going to have any improvement in the health of this province until this man is replaced.

What else did he say? And this the Prime Minister might find of some interest. I am quoting:

The problem in The Department of Health is that we have adopted the add-on principle. Everything new is just added on instead of replacing the old which would lead to a more effective system.

As we develop our arrangements, these should be set up on the basis of planned systems otherwise our problems will become more acute.

That almost sounds like socialism, does it not?

Anyway, this is from the Deputy Minister of Health—and he is so right. You cannot continue this way when someone gets up outside—as happened at Warrendale—and points out all the mistakes that you are making in the treatment of mentally ill children, you add something on. When someone gets up here in the House and complains of the treatment of the retarded, you add something on. Your whole system is wrong. You have to set up a whole new system. The deputy knows this. Every doctor in this province knows this. Everybody knows this except the Minister of Health. The man must go.

What else did the deputy say? I quote him:

We must avoid crisis planning. It is amazing how much crisis planning is applied to our development leading to neglect of other areas in health. We have just such an example in the last few weeks—

He was referring to OHSIP:

—when most of our resources suddenly had to be put in one area and we had to strip the other areas of health.

That from your Deputy Minister of Health. He knew. He knows. Everybody knows. You go from crisis to crisis because the department is so badly managed.



**Mr. S. Apps** (Kingston and the Islands): Mr. Speaker, may I ask the hon. member a question?

**Mr. Shulman:** Certainly.

**Mr. Apps:** The new Minister of Health has been in office for what? Two months?

**Mr. MacDonald:** Too long.

**Mr. Apps:** Do you not think he should be given the opportunity to try and do his job? I do not think two months is long enough to come to the opinions that you have apparently come to in that space of time. Give him a chance.

**Hon. J. P. Robarts** (Prime Minister): The speech is months old.

**Mr. Shulman:** This speech has not been written. I am speaking extemporaneously for the benefit of the Prime Minister.

**Hon. Mr. Robarts:** Well, you made all those comments about the previous Minister.

**Mr. Shulman:** That is the amazing thing. Let me say this—

**Hon. Mr. Robarts:** So it is kind of duplicated. It is losing its validity.

**Mr. Shulman:** Just let me say this, Mr. Prime Minister, through the Speaker to you. We were sick with the previous Minister. We looked forward to a change being made. We were disappointed when the new Minister was appointed. We knew you had more capable men you could have appointed. We had hoped the member for Quinte or the member for Armourdale or the Minister without Portfolio (Mr. A. B. R. Lawrence), might have received it.

We were mildly disappointed. We would have welcomed the Minister without Portfolio (Mr. Guindon), who is a man of good heart, and I know this. We were mildly disappointed when the member received his appointment, but we were still hopeful and we approached him. When I say we, many of us, approached him, hopefully, saying: "Please, these were mistakes in the past, will you improve them?" What was his answer? "No." He turned us down flat.

The very first day he was appointed I went up to him to congratulate him and hoping for the best. I was hoping we would have a good relationship because I do not want to be criticizing The Department of Health. I want to criticize your Department of Financial and Commercial Affairs, your

Treasurer (Mr. MacNaughton), and the stupid, basic things that the stupid basic people do. I do not want to be arguing about health on which we should be co-operating.

I went up to your new Minister of Health—and I direct this to the member for Kingston and the Islands—and I said "I want to co-operate with you. I hope we will get along well. It is part of my duty to try and improve the standards of health in the province." I wrote him a letter that first day congratulating him and saying, "one of my duties is to go into these hospitals and try and improve care. Will you remove the restrictions that were put in by your predecessor?" He refused. What a beginning.

What he should have done is said: "Of course, come in. If you see something wrong, let me know. Of course I want to improve standards of health care. We have nothing to hide."

That is what he should have said. That is what the hon. member for Quinte would have said. If he had done that, I would not be giving this speech and you would not be hearing the criticisms from the Liberal Party of this Minister. We would have co-operated together. We still would have gone to the institutions. I would not be paying people to send the information on those institutions.

What a terrible thing this is that I have to do. I am not proud of it. I am not happy about it. It is a bad way to get information, the wrong way, and everybody knows it. But what a shame that we are forced to do that.

If the Minister had said: "All right, let us co-operate together. Go, and if you see something wrong, do not go to the newspapers, come to me, let us see if we can work together."

Members of this House have done that, members of your Cabinet have done it. There are men in this Cabinet I have never criticized because they are truly working for the benefit of this province. But they are so few.

The Minister of Health did not do that. He said: "No, you cannot go in; no, the other members cannot go in; no, we are not interested in your help or your suggestions." This is how the trial began and I direct this to the member in reply to his question.

We want to work with you in the field of health. You do not allow us to, you will not let us.

**Mr. J. L. Brown** (Beaches-Woodbine): They do not allow their own members to.

Mr. Shulman: All right, that answers the question. Let us come back to Penetang.

Mr. Brown: Not even good Tories.

Mr. Shulman: Penetang is the jewel, the worst, the outstanding part of this department and they are frightened up there. They will not let you in to see. I understand the good reason why they will not let you because there are things happening in there that cannot bear the light of day.

Let me tell you of my two experiences there. The first time I was not allowed in, when I wanted to see the institutions, this was on the orders of the previous Minister of Health.

The second time I went back, and this was under the aegis of the new Minister of Health, I did not even want to see the institution. I went up to see one person, a perfectly sane man who had been committed there in error. His wife had come to me and asked my help.

I went up to see him. I wanted to see what he was really like. Was he really mentally ill? Did he have a real grievance? And they said: "You may not see him". What have they got to hide? All right, they did not want me to see the institution, could they not have taken me to the visiting room and let me see him there? But they would not allow me within the door.

What about that insane man they would not let me see? I sent a message in—when they would not let me see him—through a guard. I said, tell Mr. X I am going to the newspapers with his story and I will have him out of here next week because I think he is being held here improperly.

What did they do? The day after or two days after that, they released him. The psychiatrist came in and said: "You can go". He was not mentally ill.

What are you trying to hide? I know what the Minister of Revenue would have done if he had been the Minister. He would have said: "See him. Give me your opinion". Would you not? Would you not have done that? You know you would, of course you would. That is the sensible idea.

But when you try and cover things up, you do stupid things like something that happened last year. Two members of this House went down to the Smiths Falls Hospital. We went through the hospital conducted by a supervisor. We said: "How can we help you? What improvements do you need?" And the supervisor said: "The most important thing you

could improve is the clothing. When we put the clothes on the children when they arrive, it is fine. But after one washing, it shrivels up to half size and cannot be used".

So, I came back here and I displayed these in the House to the Minister of Health and I asked for an investigation to see why the Dominion Textile Company was giving them this shoddy clothing. We got an investigation all right. He called in the provincial police to investigate at Smiths Falls to find out who it was who had given us the clothing so charges could be laid.

What a terrible way to run a department. Surely the sensible attitude should have been not to investigate to find out who had told us but to investigate what was wrong and to correct it. I just do not understand this attitude. I do not understand a Minister of Health who can be so obsessed with secrecy—and both of them have been—that the care of the people who come under their control becomes secondary to their appearance. They have to appear important. They cannot appear to have made any mistakes. If the time comes, and I think the time will come that one of us on this side of the House—and I extend this to everyone on this side of the House—is the Minister of Health, I hope that that Minister will be sufficiently humble and sufficiently cognizant of the responsibilities of his job, that he will say, the day he takes office—and if it is me, I hope you will remind me over there—"We have no secrets, come and see whatever you want. Come and see any papers you want, come and see any correspondence there is. If you have suggestions, bring them to us and we will try and carry them out." That is the way Health should be administered in this province.

Let me say a few more words about Penetang. I have a series of letters here from people who have left Penetang and they are frightening letters. The things that they say have happened there frighten me. I do not know whether they are true because I have not been able to get in. Some of them I have been able to confirm by speaking to guards and speaking to officials there. Enough of them are true that I am frightened.

One case I know because it has been confirmed. A 16-year-old boy who was transferred from the Guelph Training School to Penetang, was put under the care of two prisoners. They have a system up there where prisoners act as teachers. Two older prisoners who had been transferred from Kingston were put in charge of this boy and they

forced him to indulge in homosexual relations.

This was confirmed by the senior member of the staff who informed me these two men—as soon as this was discovered—were transferred back to Kingston. Well, why did this happen? I mean, you can find homosexuality in any institution. I am not blaming the staff for this, in any way. I am blaming the system. It happened because you are so short staffed, it happened because you are so short of funds that there is not enough staff to do the jobs up there and you have to take inmates to do it.

Imagine! Taking inmates in the Penetang hospital for the criminally insane, putting them in charge of a 16-year-old boy so that this type of thing can happen. It frightens me, it should not happen.

**Mr. Brown:** That is insane.

**Mr. Shulman:** The member is right. That is insane. This is carrying insanity into the administration. I have a letter here that was written to me by a man who was sent there in error. This is the man I mentioned earlier who was found perfectly sane. He was let out and was so upset afterwards he wrote me a letter telling me what happened to him in there. I just want to quote a little of it to you, because it frightens me. This was written not by a mentally ill man; this is written by a man who has been cleared and who has been released.

Let me tell you. He was sent there by a judge for a mental examination. After he became terribly dejected as a result of hearing some bad news about his family, he said: "I am going to commit suicide." His wife became worried, called the police and he was then sent to Penetang for this mental examination. They mentally examined him and released him. This is what he wrote me about Penetang. I quote:

The new prisoner is shaved and showered and then placed stripped in a stripped cell. A stripped cell has only a cemented toilet and a cement-block bed. A naked man has lost all of his dignity in one shot and has the added torture of no bed, no sheets, with a light shining all day and night on him. The prisoner goes through hell. During the period the new prisoner is here, he is subject to constant scrutiny not only from the guards but from the other prisoners also.

Not knowing the routine, the prisoner will automatically ask the guards for anything he might desire. One of the first

things a prisoner will ask for is toilet paper. Now this is something one takes for granted on the outside, but not here. When he first asks, he will be told: "Yes, right away," and then he waits. After quite a period, he again will ask and again will be told: "in a few minutes." If the prisoner is stupid enough to go on asking, there are more stupid answers coming to him than you could record. It does not matter what he asks for, the game is played. In this fashion, he learns his first lesson—do not ask a guard for anything.

Lack of sleep is something that a healthy person can tolerate for quite a while but most prisoners here are not healthy. The night lights are unnecessarily bright so that unless a person is used to sleeping with a light on, he is doomed to only sleeping when thoroughly exhausted. No consideration is shown for age, physical handicap or health here. Everyone is treated the same way.

I interject: Just imagine, suppose one of us through some unfortunate circumstances were thrown in there. Suppose we had been a little depressed before we had gone in there, can you imagine what those surroundings might do to your mind? Can you imagine how many people are actually pushed over the brink as a result of that and who really do become mentally ill as a result of that?

How many people are examined after some time in there and as a result of that examination are then certified? I have letters here from people who have been in there for years and I am convinced that some of them have whatever mental illness they have as a result of their confinement there. I am convinced of it. It is a frightening, Kafkaesque situation. I quote further:

The humiliating duties that the prisoners are forced to perform so that the guard number can be kept down because the prisoners are not paid, are frightening. If they refuse to scrub floors or any other job, then they are locked up and often are struck. There is no out for the prisoner because if he complains to one of the doctors that he was struck, he is told that could not have happened. The guards would not do that and that he is hallucinating and this is the problem.

This is the problem. Who is going to believe a man in an insane asylum? Nobody.

I will tell you what I did as a result of this. I have a pile of letters from people in mental institutions who have written me

stories, frightening stories of brutality and let me stress now, these are not stories of brutality by the guards. The guards, by and large, are a good group; the orderlies, by and large, are a good group. This is inter-patient—patient-to-patient brutality—and it occurs because you are so short of staff and because the attendants cannot properly supervise.

I will tell you what I did as a result of this. I could not prove it, there is no use getting up here and reading letters from people who are mentally ill because we will have the Minister of Correctional Services (Mr. Grossman) say, "Oh, they are crazy, what is the use of listening to them." So, I had a healthy man from the CBC go into one of these institutions last month. He did not go in on a false certificate, let me say at this point, he went down as a voluntary patient and said that he was depressed.

He took a number of pictures for me, pictures which I will be showing you in the health estimates, of conditions in one of those mental institutions. He came back and he said to me, "It is frightening. No one is going to get well in there." And this frightens me.

Let me say this is the second person I have tried to get into an institution: The first person who went down as a depressive was rejected. They gave him some sleeping pills and told him to go home and this frightened me a little bit too. When you start giving depressed people sleeping pills and tell them to go home, that they will feel better tomorrow—this is not too good therapy. But this is what is happening and the reason it is happening is because this department is being neglected.

You have got to put a man in there who cares, a Minister who cares. You have got to give him the money to upgrade the status and the staff and the salaries and the number of staff in these hospitals. Otherwise you are going to continue to have these horrors brought out. Let me read another excerpt; this is still from Penetang. I quote:

All of the prisoners are mixed together on B ward. Certified violent types walk the corridor with persons on warrants of remand who may be quiet family men who, through indiscreet remarks or acts, are here for 30 or 60 days to be observed and evaluated. If the person on remand gets into a mix-up with another type, he is treated the same even though he might not have wanted anything to do with the violent person. He has no recourse here and

there is no fair treatment, you must just accept the lumps and try to like them.

I would like to give you an example of how this mixing can cause such bad things to happen. Last week, in the Ontario Hospital at 999 Queen Street there was a very serious disturbance in ward 4A. This serious disturbance occurred because two violent people from Penetang were transferred from Penetang and put on an open ward at Queen Street. The superintendent knew it was a mistake, he said so publicly, he has been quoted in the press. I got up here in the House and asked the Minister of Health about it. He did not know anything about the disturbance.

These two violent men suddenly went berserk one night and began beating people up. They then ran away. One of them came back the next day and let himself in with his own key. This rather frightened the staff and this rather frightened the patients. Where did he get a key? Nobody knows.

The other one is now back in custody and has been transferred back to Penetang. But this type of mistake occurs and it occurs time and time again because you are short staffed. When this eruption occurred on that ward, there was no staff present. The three men on duty were busy in different areas, there was no one to control. As a result of this there was an emergency meeting the next morning at the Ontario Hospital—what they called a crisis meeting of all the staff.

There was a resolution at that meeting that this situation in the Ontario Hospital was because of the lack of staff. They could not guarantee the safety of either the staff or the patients. It comes back again to the Minister of Health, he is not doing his job. He is not presenting the problem to the Cabinet, he has had a chance, and he has failed.

Well, there is a great deal more material here from Penetang. I do not wish to belabour it, I will not go any further into it, but perhaps I should just complete my remarks on The Department of Health by quoting from a magazine called *Emotionally Disturbed Children*. It is put out by the Ontario Association for Emotionally Disturbed Children and I have here the issue of this past summer, 1969. This is a regular magazine; it comes out at regular intervals and it comments on the problems of the emotionally disturbed in this province. I think what sums it all up is their view and they are not politically motivated. On page 23 it reads:

Goose egg of the month to Ontario's Minister of Health.

And that sums it all up, because that is what he has given them and that is what he has given the people of this province as far as health goes: Nothing. And I appeal to the government, and I tried as best I can. I have tried to be fair here, and I have tried not to bring personalities or politics into this, because this should not be a political matter. The health of the people of this province should be something every member of this House should be able to work together on.

I appeal to the government again, one last time, and I shall not make this appeal ever again, but this is his last chance. We want to work with them. We want to improve the standards of health care in this province. It is not possible to do that unless they cooperate with us; let us help them; listen to our suggestions; open the institutions so we can see them, so we can make suggestions. And we do not want to cause political turmoil or go to the newspapers or get up here in the House. We will come to the government with our suggestions. We will give them an opportunity to carry them out, but they must try. And the first thing the government must do is put a competent man in as the Minister of Health. They must give him the funds to attempt to upgrade that department, and they must show some effort to cooperate.

If the government will do that, we will cooperate with them and I am sure I speak for the members to my right also; I am sure they will do the same thing. Because the next election should not be fought on what is happening in our mental institutions, or the treatment of the ill in this province. It should be fought on the basic important things which differentiate our parties, and this should not be one of them. I do not want to go into this next election and say the Conservatives are the party that do not care about the ill in this province.

So I am bringing one last appeal to the government, and next year I am going to speak very harshly if they have not heeded. If the government comes halfway with us, we will go more than halfway with them. Thank you, Mr. Speaker.

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

**Mr. G. Ben (Humber):** First of all, Mr. Speaker, in starting, perhaps I should just

repeat the words that the member for High Park ended with. If you come halfway with us, we will go halfway with you. That way you will be getting one-and-a-half so you are getting the better part of the deal.

Mr. Speaker, before I sat down yesterday or the day before, I was on the subject of housing and I was trying to establish that the lack of adequate housing is causing a lot of the ills in this province and as with the others, there were some conclusions that I wanted to draw to the attention of this House in trying to solve the problems of housing. This is not an all-inclusive list but these are just some of the points that I think we ought to dwell on.

One of the things I do believe I mentioned is that we should not, in a period of housing crisis, be demolishing existing dwellings, especially dwellings that are in first-class condition as were the dwellings in the High Park area; as a matter of fact the area where the member for High Park, who just sat down, comes from, where Cadillac Construction put up a whole series of high-rise units. The best housing in the west end undoubtedly was sacrificed to put up those high-rise units. There are other and better places to put up these units and I suggested the railroad yards.

I also said that people occupying these large houses—older citizens with their children already grown up and gone—should be encouraged to rent out excess space. At the present time, this is made impossible by the very restrictive zoning. I am not for one minute suggesting that zoning which protects the character of an area ought to be done away with. I am saying that in a period of crisis, the laws could be suspended temporarily to a fixed degree to enable these senior citizens to take in roomers or even boarders or a combination of both to a fixed maximum.

This would have two effects. It would have the first effect of relieving some of the chronic housing shortage that is with us. Secondly, it would give these people a source of income to supplement the old-age benefits which they are drawing at the present time.

A third point I discussed was that some municipalities, especially the city of Toronto, have bylaws that encourage people to demolish homes rather than to repair them because the bylaw is too stringent. I talked about the minimum standards of the housing bylaw which is so stringent that it would require you to paint aluminum siding, if you in fact had aluminum siding on your dwelling, because the bylaws says that "all metal and

wood surfaces must be covered with a preservative."

I also mentioned poverty and the effects of poverty. And also I was just getting to the point about giving grants to people who buy homes when the hour ended. I want to say that we should give strong consideration to giving outright grants to people to enable them to buy homes. In the first instance, this may sound like a giveaway programme. Maybe it is and maybe it is not; it all depends on how you look at it. But I would draw to your attention that under our subsidization programme, we are leasing to needy people apartments anywhere from \$50 up per month—\$32; I stand corrected. In essence, it is costing us anywhere from \$170 down per month to subsidize these people. Well, if we are talking about \$32 a month, perhaps that is not the best example. Let us take as an example people who could readily pay about \$125 a month and require an apartment which would cost \$200. They are receiving a subsidization of \$75 a month or \$900 a year. At the present time, they will be paying this almost in perpetuity as long as they need accommodation. If, however, we permitted them to buy a dwelling which would supply the same number of bedroom spaces and then forgive them \$75 a month off the principal, even for the first five or ten years, it would reduce the balance of their principal to the point where from then on they could carry it themselves.

It would have two effects. After ten years these people would no longer be a charge on the consolidated revenue of the province of Ontario. They could then pay for their own accommodation. Secondly, it would enable them to establish a sort of a capital fund for their own children so that when they grew up their own children would not have to go into subsidized accommodation or live off the consolidated revenue of this province. In essence, what we would be doing is cutting off this perpetual reliance of some segment of our community on the resources of the community, for their accommodation.

In many quarters it would be hard to take that somebody is being given a gift, so to speak, of \$900 a year, which over ten years can amount to \$9,000. But let me point this out, Mr. Speaker. This government in the space of one year, gave away, by way of forgiveness loans, over \$10 million of the moneys of the people of the province of Ontario under its Equalization of Industrial Opportunity Programme.

Now, surely, if you can give a forgivable loan of \$500,000 to a firm like Allied Chemical, which grosses in the neighbourhood of over \$3 billion per year, perhaps it will not be so sinful as it appears to give a forgiveness loan of \$9,000 payable over ten years, or \$900 a year. Consideration ought to be given to this. I think it would create an absolutely new environment for many of the children of parents who are not in the best financial circumstances. And as I said, providing these head-start programmes for pupils is not enough if you do not also do something to change the environment. This, I suggest, would also change the environment.

When we come to the subsidization talk, every year since I have been in this House, and before that while I was still on city council, I advocated permitting welfare recipients to supplement their income by casual employment, and I stated the reasons then.

I am gratified to read and to hear and to see in the news media that many other people in all segments of the community are advocating this procedure. Essentially it has a tendency to make those people who are receiving benefits self-subsistent.

I do hope that the government is going to give heed to this. Also, they should give heed to the need for more child day care centres and nursery centres.

Mr. Speaker, the big fear these days, especially in the United States, is not of losing the war in Vietnam or of a new war with Russia or China. It is not fear of the big bomb or chemical or bacteriological warfare, Mr. Speaker, it is a fear of walking the streets of the city at night. It is a fear of crime in the street.

This, in the United States of America, is the immediate danger. I say this Mr. Speaker, unless this government, unless we, take action to eliminate poverty; unless we take action to give everybody equal opportunity to enjoy the fruits of our economy; unless we supply our citizens with adequate accommodation at reasonable cost; unless we start paying our citizens a decent living wage for their labours and ensure that all of them will have the privilege of holding a job, we too are going to find ourselves in the same position as a lot of these Americans in these large cities—afraid to walk our streets at night, and nowadays, even during the day.

We have to start thinking in a "cradle to the grave" context. I am not suggesting that we ought to have a system of social services which will look after our citizens from the

cradle to the grave, although I am not saying that that would be a bad thing.

I am saying that everybody ought to be given an opportunity to live today and face tomorrow with absolute dignity. This, unfortunately, we are not doing.

I think, Mr. Speaker, that a lot of our problem with drugs in our youthful society arises out of some of the things I have mentioned—poverty, lack of dignity, lack of adequate housing, previous lack of child day-care nursery centres, the having been thrown into the streets for their education rather than to pre-kindergarten schools.

All those things have given rise to the Yorkvilles and the Haight-Asburys of today. I am disturbed, Mr. Speaker, by the trend today to avoid tackling the causes of all these things, and the over-emphasis on so-called cures; the general tendency to try to legalize marijuana because so many people are using it, where people are getting up and trying to lead the public to believe that there is nothing harmful in the use of marijuana.

Mr. Speaker, I would like to read some excerpts from some reports that have been written on this topic in other jurisdictions. Here is part of a statement relative to marijuana prepared by the committee on mental health of the Massachusetts Medical Society, approved by the council, in the October 9, 1969, issue of *Listen* magazine:

Marijuana is a dangerous drug and as such is a public health concern. The fact that no physical dependence develops does not render it innocuous. Dose response curves indicate it ranks higher in potency than a barbiturate, and markedly higher than alcohol as a psycho-active agent.

Among the dangers are acute intoxication, psychological dependence, personality deterioration, and especially in predisposed individuals, psychosis.

Then the LaGuardia report in 1944, which has been counted as one of the few pro-cannabis reports, clearly states the following in a limited number of cases. Again I quote:

There were alterations in behaviour, giving rise to anti-social expression. This was shown by unconventional acts not permitted in public—anxiety reactions, opposition and antagonism and eroticism. Effects such as these would be considered conducive to acts of violence.

Then proof against marijuana took on a further dimension to the already existing marijuana laws in the world. The World Health Organization placed marijuana with

heroin, and brought forward a single convention treaty signed by 74 nations of the United Nations, including Canada and the United States.

It was presented in 1961, setting as its goal the elimination of the use of cannabis all over the world by education and legal means over 25 years including the countries where it was once legal. This pact was ratified by the U.S. Senate May 8, 1967.

Then, getting back to our own country, Bert Hoskin, director of the Narcotic Addiction Foundation of British Columbia, announced the California statistics on the progression rate of marijuana to heroin were now one out of four from the previous one out of eight. These are figures for February 1968.

In 1967, Dr. David Smith of Haight-Asbury, one of the many users, warned that many users were also using "speed" to bring them up in their lethargy induced by "pot". He said he found speed-freaks were using "pot" three times more than other drug users.

A social worker who took "pot" at night had to take "speed" the next day so that she could make it to work. She finally had to go in for treatment to stay away from the "in" crowd.

Then our own Dr. Lionel Solursh of Toronto, chairman of the Canadian Medical Association committee on drugs, warned of the spread of hepatitis, mononucleosis and syphilis during certain stages by the passing on of a referreted "pot" party.

VD is now out of control in many cities of the world, thanks to the permissiveness regarding drugs, promiscuity, illicit relations and, of course, the disease is increasing in tolerance to our miracle drugs.

People say that marijuana is not harmful, but everyone has heard of the suicides, murders and fatal accidents caused by marijuana. The World Health Organization also reports: "Chronic exposure produces brain lesions". In India, a study on mental patients found 600 of 1,500 had been using cannabis. A Brazilian government study in 1961 and 1964 found that the cannabis addict is soon a useless and harmful member of society. His anti-social behaviour is a common phenomenon. There were cases of addicts beating up their parents and attacking their brothers and sisters. In Egypt in 1960, the government issued this report on cannabis:

The prepared product of the cannabis sativa plant, while having very little use for medical use, is capable of profoundly disturbing the brain cells and inducing

acts of violence—even murder. That it is, in fact, a fairly vicious and dangerous thing of no value whatever to humanity and deserving of nothing but the contempt of civilized people.

The above is reported by researchers, masters of Houston who know the use of cannabis still accounts for a high percentage of Arab absenteeism and a high percentage of mental illness in Egypt. The most recent high-level judgment in the U.S. was the Boston marijuana case in 1967 with the Chief Justice of the Supreme Court of that state, J. Joseph Touro, presiding. After deliberating for three months with a mountain of testimony from both sides, he returned the judgement that:

It is by opinion, based on the evidence presented at this hearing, that marijuana is a harmful and dangerous drug.

Here is one of the lengthy paragraphs in his lengthy speech:

The lessons of history and the experiences of other nations teach us that such artificial alteration of the normal brain function by the use of drugs has been harmful both to the individual and to the society in which he lives. The evidence clearly indicated where the subculture has developed who has tolerated the use of cannabis—the harmful results have become clearly manifest. It is of great significance that the vast majority of nations have outlawed its use.

Mr. Speaker, I have other quotes here but all they do is say the same thing. If a person is not convinced by these authorities, the authorities that I have quoted, then I do not think he wants to be convinced and I do not think I am going to be gaining anything by continuing.

Mr. Speaker, we are too much of a permissive society. I say again, unless we heed the problems that are presenting themselves to us, unless the government does something to change the social structure, we too in this province—which boasts that it is the place to stand—are going to find that we can stand all right, as long as it is not out in the street because it is not going to be safe to do so. I just hope that somebody over there pays attention to this.

Now, Mr. Speaker I had not intended to speak more, to tell you the truth, but I had a very unsatisfactory experience yesterday in the other place, that is, the Highways committee. I had waited there patiently most of the day for a chance to speak. There was the question of who got the Chairman's eye down there.

We spoke in rotation and had to notify the Chairman that we intended to speak and he wrote the member's name down. The result was it was not until ten minutes to six that my turn came to speak. There were some others who were trying to get on all afternoon, too.

At any rate, I asked a question of the Minister (Mr. Gomme) pertaining to a report he had promised to bring down back in 1967. The members that I see in the House at the present time on the government benches—except for the hon. member for Grey South (Mr. Winkler)—will recall that it had to do with the highways department of Metro Toronto and an interim report was brought down by the then Minister of Highways in 1967 before we rose for the summer and that House did not return.

I asked the Highways Minister when he would bring down the final report. He indicated he had the report with him and because it was 17 pages long, he thought it best that we adjourn and return at 8:00 o'clock and punctually, almost at 8:00 o'clock, the Minister started to read his report without any interruption or interjection by anyone at the meeting.

When I rose to ask questions on this report, I was ruled out of order by the Chairman on the ground that the report touched something that was not covered by the current estimates.

When it was pointed out to him that he had not ruled the Minister out of order he stated he had been waiting for somebody, for the members to rule him out of order. The very sad and sickening aspect of it was he was supported by five NDP members in stifling continuation of an investigation of the affairs of the Metro roads department and I was not permitted to ask questions touching on that report.

Now, Mr. Speaker, we all know what month this is, but for the purposes of record, it is November. We are dealing with the estimates for the province of Ontario deciding whether we are or are not going to approve the spendings of the departments of this province when we know that most of the moneys have already been spent. I said yesterday that it was rather like a man asking his wife whether his father-in-law's shotgun had been loaded. It was a little late to be asking that question and the same thing applies to these estimates.

We are having an academic argument. We are completing a formality. But I had always



considered, Mr. Speaker, that the purpose of going into these estimates was to question the conduct of the Minister for the previous fiscal year and the previous fiscal years for which we had records. This had been the course of conduct from time immemorial, as long as they had a Parliamentary system in Westminster and in Canada.

This was always the system up to last year and all of a sudden it was ruled that you could not discuss anything that was not in the estimates. Now what kind of a position does that put the members into? We have a question period but the rules say that you can only ask questions of the Ministers before the orders of the day if the questions are on matters of current public importance. I can just see myself trying to ask a question before the orders of the day on a report that the Minister of Highways brought down in 1967 and the Speaker rightfully saying to me: "That is hardly a matter of current public importance."

If we cannot discuss the matter during the estimates and we cannot ask questions on these things before the orders of the day, when can we ask about them? Somebody may say, well, how about the public accounts committee? The public accounts committee is just looking over the expenditures for the previous fiscal year, so there again, I would be ruled out of order. In essence, Mr. Speaker, we in the Opposition have been completely gagged when it comes to trying to make a thorough investigation of the affairs of this government, especially matters that are only coming to light two or three years after they took place.

In other words, the principle has been established that a government—if it can keep a bushel on the light of facts for two years—is safe from further scrutiny. That, Mr. Speaker, is not a democratic way of running any kind of government.

Mr. Speaker, two years ago I found myself speaking on a Budget Debate when the scandals involving the administration of Metropolitan Toronto department of roads and traffic came to light. I recall that the hon. member for Hamilton East (Mr. Gisborn) was on his feet, and I was sitting in the House when the then leader of the Liberal Party said to me: "You are going on as soon as Reg Gisborn sits down."

Mr. H. Worton (Wellington South): He is still sitting there.

Mr. Ben: He is still sitting there. That was rather a shock, as I had not expected to be

going on in the debate for five days—if my memory serves me correctly—and I was called rather unexpectedly in this Budget Debate. The result was I had to make a rather unpolished address, but fortunately, I was able to polish it up over a weekend that intervened. The same thing has happened again to me. Yesterday we were informed that we were going to be just going back to the order paper to discuss bills. Then all of a sudden, the government changed its mind and we are back on the Budget Debate and I have to scurry around to try to speak extemporaneously on the statement that the Minister of Highways—

Mr. R. Gisborn (Hamilton East): They are pretty poor managers. You have to be ready for anything.

Mr. Ben: Well, I think you are being overly kind to them when you call them pretty poor managers, because there is an implication that they are managers, even though they are poor. I would question if they are managers at all.

An hon. member: You have to be ready for anything.

Hon. R. S. Welch (Provincial Secretary): This debate is on the order paper.

Mr. Ben: I am quite cognizant of that.

Mr. Gisborn: Even the water in the Highways committee is getting warm.

Mr. Ben: I have to read parts of this report to you, Mr. Speaker. It is a statement by the Minister on Metro roads contracts, and it is undated, so I do not know how long he has had it. But he starts off by saying:

In the spring of 1964, the member for Humber raised a number of queries regarding Metropolitan Toronto road contracts in this House and requested some answers regarding certain aspects of the administration of these contracts and The Department of Highways' contribution to the contracts. Since that time we have had our engineering audit office review the contracts in question in some detail and I am now prepared to report to this House on these questions and statements, and as there are five contracts to be dealt with here I will deal with each one separately.

The first contract in question was No. R-1-64, Gardiner Expressway, the contract for which was held by Harrison Construction Ontario Limited. The hon. member raised some questions regarding the completion date of the contract, the strikes which were encountered during the prosecution of the contract, and the effects these strikes had on this contract.

At the time, Mr. Speaker, I complained that the completion date, without the authority of the Metro council ahead of time, had

been extended from October to July of the following year, a period of 9½ months. I complained that the penalty clauses contained in the contracts had not been enforced, and I complained that there was over-payment to the contractors. And, in fact, there were strikes, so that I did ask questions concerning them. I mention this, because although the Minister makes this sentence, and I repeat it:

The hon. member raised some questions regarding the completion date of the contract, the strikes which were encountered during the prosecution of the contract, and the effect these strikes had on the contract.

The Minister does not answer the questions. He goes on:

The carpenters' strike in June 1965, halted the erection of form work and the pouring of concrete. This contractor made a special settlement with the carpenters' union and the carpenters returned to work after approximately ten days. On August 23, the rod men, cement finishers and hoisting engineers struck, thereby cancelling any benefits derived by the settlement with the carpenters. It is almost impossible to state a definite period of overall delay to the contract occasioned by the strikes. We cannot determine if certain other trades did carry on during the strikes.

Now, I ask this simple, blunt question. Why cannot the Minister of Highways find out, or why could he not find out in 1967, for what period the rod men, the cement men, or the finishers, the hoisting engineers, were on strike?

Mr. B. Newman (Windsor-Walkerville): There is no Cabinet Minister here. Is the member for Kingston and the Islands (Mr. Apps) House leader?

Mr. Ben: Were they on strike, in fact, for 9½ months?

Mr. B. Newman: Is the member for Kingston and the Islands House leader?

Mr. Ben: I guess he is. How can a Minister have the gall to say that they paid 50 per cent of this contract including the delays, and then he cannot tell this House what effect a strike had in delaying the completion of this contract? Talk about consummate gall, or stupid ignorance. It is one or the other or both.

He goes on:

The bulk of this contract was for construction of an elevated structural roadway and the key to this operation was the construction of form work which involved carpenters. This being the case, the contractor could likely operate only a very short time after the carpenters struck. It must be appreciated that strikes by any trade would ultimately affect all other trades in progress in the general contract. It is impossible to determine precisely the period of delay caused by the aforementioned strikes in June and August, but we feel that there is no doubt that the contract was seriously affected by the strike.

Good grief. The Minister writes that they went back to work ten days after they struck. He then goes on to say that most of the work involved the carpenters, who were on the job and were doing their work, and then replies that there is a justification for a delay of 9½ months. He later admits that they do not know how seriously affected this project was by the strike, and yet they paid a 50 per cent cost of this construction. It is incomprehensible how the Minister can talk out of both sides of his mouth and through his nostrils all at the same time.

Then he goes on:

The hon. member then posed the question as to why Metro council was not notified or advised, and an extension of the contract completion date from October 1, 1965 to July 15, 1966, was necessary, and why they were not asked to authorize the same. He further asked: Was this not a change in terms of the original contract.

And he goes on:

In answer to that, Mr. Chairman, I may say that the contract does not specify that council approval is necessary. The completion date in the original contract is tentative in that an extension may be granted by the commissioner of roads, if unforeseen circumstances warrant.

What unadulterated rot. Here the Minister is displaying through his Deputy Ministers or his Deputy Ministers are displaying through him ignorance to the nth degree.

The contract, Mr. Speaker, may not specify that Metro council approval is necessary, but everybody knows that a corporation acts through its council and that it is a contract between council and the contractor and not between the commissioner of roads and the contractor. The only one that can amend the contract, Mr. Speaker, is one of the parties with the concurrence of the other party, so that the commissioner of roads had no right to change the terms of a contract without concurrence of one of the contracting parties, in this particular instance Metro council. And for him to suggest that the road commissioner can by-pass council is really something to behold.

He then goes on with a number of things I have discussed. Tenders: he does not answer them; he has waffled; he makes use of rhetoric; he wriggles this way; he wriggles that way. Good grief, if the Argos could have zig zagged half the way he zig zags in his report, they would have wiped the Ottawa Rough Riders about a hundred to nil.

He goes on:

The department was aware that extra work-order payments were included in payments of today's figures quoted by Metro. Provision is made in Metropolitan Toronto roads contracts as in Department of Highway contracts, to pay for unseen items of work and these

are considered as part of the contract, which would have been included in the original, had they been foreseen.

That, Mr. Speaker, if not deliberately misleading, is an absolute unmitigated lie, because the contracts do not provide for that. The contract provides for payment of additional work and, in fact, the contract stipulates, as I read in this House in 1967, that the contractor must inform himself of all the circumstances and as to any unforeseen items and is responsible for them. It is not as the hon. Minister included in this report; the contract does not specify anything of unforeseen circumstances. In every instance, the contractor must satisfy himself.

So that is not so. He is wrong again but these things are minor, but here is a real humdinger route. There was the question of pre-payment of the holdback before the date specified in the contract. Getting back to the report, it reads as follows:

The hon. member felt that this was a premature payment and raised the question as to whether this premature payment cost Metro an average of 6 per cent interest or roughly \$45,000. In reply, I would say that this is not the case. The debentures issued in November, 1965, were at the rate of 5¼ per cent, while those issued in November, 1966, were at 6½ per cent, both for periods of 20 years. Theoretically, then, there will be a saving of ¼ on \$750,000 over 20 years.

What a deliberately misleading statement. Again, Mr. Speaker, if I was not unparliamentary, I would say it is a lie, because the debentures with this particular contract were issued long before that November 1965, date. In fact, under the condition set out by the municipal board you have to be able to finance your work before you can start on it. In other words you have to assure the municipal board that you have the money to pay for it. So in fact, the total cost of this project had already been debentured in November, 1965.

He does not say if the debentures were not issued in November, 1965. He says theoretically, are you trying to lead the people to the conclusion that if they had not been issued in November, 1965, but had been issued in November, 1966, they would have been paying three-quarter per cent more! If they had not been issued in 1965, that would have been true; but they were issued in 1965, and a contract issued including that money, and it did cost Metro corporation \$45,000 of which which this province paid half.

He goes on to a lot of other nonsense here. One of the next parts I will read again here, relates to the questions regarding recent holdbacks.

I wish to state that although there was a specific outline of procedures relative to releasing holdback in the general conditions of the contract, there were also clauses in the contract that either the commissioner of roads or the Metropolitan council had these powers to abrogate certain terms of the contract for cause.

You see how neat he is. I had complained that it was the Metro commissioner of roads who was arbitrarily, without the concurrence of council, changing the terms in the contract. He did, and I said that this was wrong. He tried to smooth it over here by saying that there is a clause in the contract giving the commissioner of roads and the Metropolitan council powers to abrogate certain terms. That is true, but my complaint was that because it is true, just one of them, namely, the commissioner of roads, alone did not have that power. And he did exercise that power, and this was wrong.

Going on again:

A complaint I made with reference to this contract was that the invoices which I had gone over indicated that a charge was made to the Metropolitan corporation for considerably more concrete than in fact the corporation had been charged for having laid. In other words, the corporation was asked to pay for a larger supply of concrete than they were charged for having laid.

What does he say?

The original design of the concrete deck as indicated in the contract drawings called for a seven-inch-thick deck, and this design was changed during the contract by the consulting engineer with the approval of Metro roads commissioner.

What an unmitigated, deliberate attempt to bamboozle and deceive the people here. What happened is this, Mr. Speaker.

After I raised in this House the point that I had found in the progress reports about Metro council being charged for some 2,000 cubic yards of concrete for which they were not charging the people laying—in other words, they bought 2,000 more yards of concrete than were laid—I asked, or demanded, an investigation. They found that, in fact, instead of laying only a seven-inch deck, the contractor had laid a 7½-inch deck. What had occurred was the supplier of the concrete had charged the contractor for the additional 2,000 cubic yards of concrete, and the contractor said, “No, according to our calculations a seven-inch deck will not take that much so you are trying to bill us for 2,000 cubic yards more.” It was after I revealed this that he made an investigation, Mr. Speaker, and he found out that they had, in fact, laid 7½ inches of concrete, or so they say; and in some cases they laid 8¾ inches of concrete.

When he says that this design was changed in the contract by the consulting engineer,

Mr. Speaker, it was, but after I revealed the skulduggery and when the only way they could justify it was that, it was *ipso facto*. In other words, there was no change in the contract by the consulting engineers in the road bed from 7½ inches to 8¾ inches until after the concrete had been laid and there was discovered 2,000 cubic yards of concrete unaccounted for. They did it so they could pay the man. Then they try to say that they do not pay him here for it.

After I discovered this, I still complained that they should not have paid Boyd because the dead-load, which is a construction phrase used on highway construction, was increased by that extra half-inch or extra 1¼ inches to the detriment of the highway over a long period of time. What did he say in the report? Listen to this:

I would advise the House that all materials used in the construction of the bridge, including concrete reinforcing the structural steel, contributed to what is technically known as dead-load. In point of fact—

This is what gets you. It gets you right here, if you have got a heart. You have a heart, Mr. Speaker, I know, I heard it tick.

—the design of the structure exceeded the requirements of the anticipated loading and the design engineers assure me that the utility of the structure is not decreased by the additional concrete poured.

You know what he is saying? He is saying, "You are right, Mr. Ben. The dead-load has been increased but you know what, it does not affect the passage of cars on the road." He is absolutely right. It is just that the bridge is not going to last as long as it would have had it not had to carry an additional 2,000 cubic yards of concrete.

Obviously certificate No. 19 referred to by the hon. member did indicate that more concrete was supplied than placed, but this was a clerical error and was corrected in later certificates.

No, it was not. There was no clerical error. This is the thing that I caught. When it says that the figures were corrected, it means covered up.

Then we go on through this. Some of the stuff, really. I think we ought to call this "Good Grief," and see if we can book the Royal Alex for it; we may get money for turning it into a play.

All the bare facts that are at hand are coming out now, Mr. Speaker.

The next question is about the overrun and payment of quantities for items No. 38 and No. 39, which called for the removal of existing asphalt and concrete pavement and existing concrete base.

In answer to the hon. member's specific questions, I may say that the overall quantities were paid for at the unit price tendered to a total of \$13,749.09.

The specifications do, in fact, state that the estimated quantities may fluctuate and may be increased or decreased, and furthermore the specifications may indicate the provisions of a dump site for the material waste which is the contractor's responsibility, and would, in fact, be included in his contract price.

In this particular instance, the contractor tried to charge, and did charge, an extra for producing the dump site. I showed that the contract showed that he must supply the dump site and he must evacuate the material.

Then it says:

In beating these two particular items, the contractor should dissipate the cost of hauling and providing dump sites for the material removed in these operations.

He admits it. But the contractor charged Metro roads for it. And you know what? This magnanimous government, with lots of money to spend for contractors who take a kickback to supply the coffers with election funds, was able to get this money. But you try to get money for Medicare, hospitals or day care centres—not on your life. They have not even got the decency to supply dump sites where we can put these poor wretches after they have passed away from lack of nourishment from this government.

There were a few other things in this 17-page report but some of them are real dillies.

In one instance, it reads as follows:

The department is unaware of what specific requirements Metro council has in respect of the authority of their commissioner, but the contract, under clause 30 of the general conditions gives the commissioner authority to extend the date of completion for certain or stipulate a reason.

First of all, it is an admission that this department is unaware of requirements that Metro council has with respect to the authority of their commissioner. We think that that is some admission. Good grief, all they have to do is phone the Metro council clerk and say, "Send us your bylaw." No, I guess they are afraid of spending a dime. So they admit that they do not know under what conditions the commissioner of roads, who approves all these contracts, operates. To go on:

There were a number of circumstances which caused delay to the contract and the commissioner exercises his authority of extending the completion date because of the circumstances. His decision is based to a great extent on his opinion, and at his discretion extra payments beyond the bid price for items 41, 42 and 79 were made because the work was extended beyond the original completion date, and due to inflationary pressures, the contractor's costs were increased during this period.

And get this:

Since the commissioner had already accepted the responsibility for late completion of the contract, he further decided that extra costs in generally completing this particular item shall also be absorbed by the Metropolitan roads department.

Please try to understand this, Mr. Speaker. First of all, have you heard of any contract, except the old cost-plus contracts we had during the war, which permits you to change the contract unilaterally because of inflationary forces? What contract is based on those principles?

A contract is a firm agreement and the contractor has to take that into consideration. He has got to decide, especially if he knows that labour contracts are terminating, what his labourers are going to ask and by how much it is going to increase the price of his work. He has to build that into his contract. No contract provides that inflationary clause and you are not going to get more out of the Metropolitan corporation because of inflation caused through delay.

How has this Minister got the gall to accept the statement that the commissioner had already accepted the responsibility for the late completion of the contract? They had no right to accept responsibility for anything because it was not the Metro corporation's fault. The Metro corporation was an innocent bystander. If there was any fault, it was the employer's in not settling with his employees soon enough. Even so, how could he possibly bind the Metro corporation to pay when it was not the Metro corporation's fault? This is how they are trying to cover up their own inadequacies.

I should really point out, Mr. Speaker that they have tightened up everything since that time.

There are a few other items all touching on this, Mr. Speaker. There are little things, in going through this whole contract. I think I pointed out that it is nothing but a mish-mash of misinformation, false innuendoes and attempts to cover up their own inadequacies.

All I am doing is honouring this Minister, by even taking the trouble to answer such a salacious report. I do not think I should exercise myself any more than I already have by saying that the *Globe and Mail* ought to amend that little cartoon they had today which had the Prime Minister (Mr. Robarts) of this province in his GO train pulling into oblivion three of his Ministers; I believe they were the Minister of Financial and Commercial Affairs (Mr. Rowntree), the Minister of Social and Family Services (Mr. Yaremko) and the Minister of Public Works (Mr. Simonett). I think the *Globe and Mail* should have spent a little bit on ink and made that wagon a little wider and broader so they could have included the current Minister of Highways. Let them all ride wherever the Prime Minister is going to take them.

Mr. R. F. Nixon (Leader of the Opposition): Downhill.

Mr. Ben: Because Lord knows, we do not want them here.

Mr. Nixon: He is driving, is he?

Hon. Mr. Welch moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Welch: Mr. Speaker, tomorrow we will consider the estimates of The Department of Health.

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

Motion agreed to.

The House adjourned at 5.10 o'clock, p.m.











# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, November 27, 1969  
Afternoon Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**  
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, NOVEMBER 27, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** We welcome this afternoon as guests in the east gallery, students from Tecumseh Senior Public School, Scarborough; Kane Senior Public School, Toronto; Earl Beatty Public School, Toronto; and in the west gallery, from the Loretto Abbey, Toronto, and the Adjuvant training course, The Department of Social and Family Services.

Statements by the Ministry.

**Hon. J. H. White (Minister of Revenue):** Mr. Speaker, today I should like to inform the House of another important change we are making to the requirements of The Retail Sales Tax Act. I refer to the tax on take-out meals.

As you know, in the Budget brought down on March 4 of this year, the government acted on the recommendation of the Smith committee and the select committee of this Legislature that take-out meals should be taxed in the same manner as meals eaten in a restaurant.

Our experience since then has proven that the administration of this aspect of the tax is cumbersome and inequitable. To meet the government's objective of exempting meals costing \$2.50 or less poses serious problems to the take-out food industry, which is expanding rapidly in this province and which depends very heavily upon speedy service and a high volume of low-priced sales. It also proved to be a nuisance to the customers.

For that reason, we intend to remove this tax from take-out meals and revert to the situation which prevailed prior to the last Budget.

This change will become effective December 1, 1969.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a question of the Premier: Is he aware that an affidavit has been filed with the judge hearing the application for the writ of prohibition concerning the hearing

for the energy board in the matter of Consumers' Gas and Union Gas? The affidavit has been filed in the name of Michael N. McCrank, and it refers to the pressures on the board, making it difficult for them to grant an adjournment, and the quote from the affidavit is as follows:

The board's hands are tied because the Cabinet has set a deadline of December 1 for the board to conclude the hearing and have its report in the hands of the Lieutenant-Governor-in-Council.

Is the Premier aware the affidavit puts those words as having come from the secretary of the energy board?

**Hon. J. P. Roberts (Prime Minister):** No, Mr. Speaker, I am not aware of this affidavit and I do not know who Mr. McCrank is.

All I can say is that as the leader of the government I discussed this matter with the chairman of the energy board. We looked over the timetables, of course, and the dates when the offer expired, and it became quite obvious to me that there would be some difficulty, but as I said yesterday, we did not set any timetables because we fully recognized they might be impossible to keep.

On the other hand, as I pointed out yesterday, there is a conflict of interest. Some people are interested in the hearing going quickly and others perhaps are equally interested in it being delayed to the point where it may be completely aborted. Now those are the two interests involved. Who this man is, or where he got his information, I do not know, but as far as I am concerned I simply repeat that we have given the energy board no deadlines.

**Mr. Nixon:** As a supplementary question: under the circumstances would the government consider making any move to oppose the content of this affidavit, or simply leave it up to the discretion of the judge?

**Hon. Mr. Roberts:** Mr. Speaker, I will leave it to the discretion of the judge. We cannot intervene at this stage. I believe the application was heard this morning, was it not?

**Mr. D. C. MacDonald (York South):** A supplementary question, Mr. Speaker: through my own personal contacts with the board, I learned that there was a deadline of December 2 rather than the first. Would the Prime Minister officially inform the board that there is no deadline so imposed by the government?

**Hon. Mr. Roberts:** I think there might be some confusion on this point of view. There were some dates worked out as to the time upon which certain things would have to occur if the matter was to be dealt with prior to the expiry of the takeover bid. Perhaps somebody has interpreted those as deadlines set down by the government. I can assure members that is not so. And I will speak to Mr. Crozier as soon as this oral question period is over; but there is no reason for me to do so because he sat in my office and we discussed this in the terms I am telling members—probably on Wednesday of this week, or Tuesday.

**Mr. Speaker:** Is that the end of the supplementaries on this?

I wonder if the House would allow me to enquire of the Minister of Tourism and Information if he has a statement, because if he has I would like to revert to that. I will take the time out of the question period so that questions may be asked about the statement by the members waiting.

Has the hon. Minister a statement?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** I have, Mr. Speaker. Inasmuch as I am the Minister charged with the overall responsibility for the Ontario Science Center, I wanted to make a statement about the safety precautions at the center in light of the recent allegations of the hon. member for High Park (Mr. Shulman).

Mr. Speaker, I enquired at the center and I am quite satisfied, completely satisfied, that every possible precaution has been taken and is being taken to safeguard the public and the staff of the center.

For the most part, the center's staff is completely puzzled about the charges of dangerous explosions from volatile liquids. Only two areas exist where volatile liquids are stored. One of these is a room specifically set aside for this purpose. This room cannot be reached from inside the buildings themselves. It is accessible only through an exterior door, which is so designed that the door itself would be blown out if an explosion were to occur within the room. Liquids stored here, are, namely, paints, thinners and cleaning solvents.

The other area is the paint shop in the valley building. This is not a public area and in fact it is separated from the exhibit halls by two concrete walls. Inspections have shown that only those materials needed for ongoing production are kept within the paint shop.

As you know, Mr. Speaker, the three buildings themselves are of poured concrete or pre-formed concrete construction. All exhibits within were treated during their manufacture with fire-resistant paint on the recommendation of the North York Fire Department. They say that a long-established liaison exists with the two district fire chiefs of the borough of North York and these officials make regular visits to the center. On several occasions, the district chiefs have brought along groups of fire-fighters to familiarize themselves with the center's layout.

The center has also been visited by inspectors of the safety branch of The Department of Labour, the Industrial Accident Prevention Association, the office of the Ontario fire marshal and Metropolitan Toronto police.

**Mr. V. M. Singer (Downsview):** And the North York Fire Department.

**Hon. Mr. Auld:** Which I mentioned a moment ago and which I will mention further in another moment.

None of these visits have resulted in any unfavourable reports which have been brought to the attention of the officials of the center. North York fire officials have made recommendations which have been followed to the letter.

Mr. Speaker, since the center opened to the public at the end of September, there have been no fires on the premises. During the construction of the three buildings there was one small fire in an area where fresh paint was being applied. No damage resulted except for the fact that the area had to be repainted.

Since the opening, as I mentioned previously, there have been about 40 false alarms; most of these have been turned in by children, although several are believed to have occurred through carelessness of the cleaning staff.

I believe that it was suggested that the center is short of fire extinguishers. However, again we can give no credence to this. Prior to the opening, most of the water extinguishers were removed and replaced by CO<sub>2</sub>—carbon dioxide—extinguishers. As well, of course, there are stand pipes and hoses throughout the complex.

When a fire alarm is turned in, the location of the tripped alarm is registered on two annunciator panels, one in the tower building and one in the valley building, and also in the North York Fire Department. The alarm sets off an interior chime. If in fact the fire should break out, this chime would automatically increase in tempo. A fire would also result in the automatic closing of doors in the large service corridor. The public would be able to leave the building by a total of 52 exits. Warnings to evacuate are given over a public-address system heard throughout the complex. Staff at the center have also been trained in evacuation procedures.

Mr. Speaker, I thought it was necessary to give the members of this House and the public at large some measure of reassurance about the fire safety precautions at the Ontario Science Center because of the news media reports of the allegations of the hon. member for High Park. What I am happy to say is apparently nobody has been taking these charges seriously. They have resulted in one query at the center from a school teacher who was planning to bring a group of students.

This group went through yesterday morning, and I trust, Mr. Speaker, that the children enjoyed their visit as much as the hon. member for High Park and his family enjoyed theirs.

**Mr. Speaker:** The hon. leader of the Opposition might now continue with his questions. I have added an additional five minutes, which was the time taken by the statement.

Mr. Nixon: Thank you, Mr. Speaker. I have a question for the Minister of Financial and Commercial Affairs. Must the decision by the board of Physicians Services Incorporated to use their reserve fund as a research fund for medicine and perhaps anti-pollution measures be approved by the Minister? If so, what would the procedure be for this approval to take place?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): As I said in the House yesterday, the rules for the authority, the basis, for creating an association such as PSI is found in The Corporations Act. Similarly, in that Corporations Act, I found the provisions for dissolution. On dissolution, the members or the equivalent term, shareholders, would be entitled to a refund. The Act also provides for the use of such

funds and the disposal of them for charitable or educational purposes.

In the case of PSI I think that one must make reference to the actual charter when it was incorporated. The terms in the charter of PSI are very broad and they encompass such inherent objectives as educational research, assistance to education, and matters of that sort; including, among other related objectives, the usual legal provisions for the amalgamation of the operation with some other organizations of a similar type, if that seems desirable at the time.

The proposed distribution towards research in the areas of science or medicine or pollution would appear to be a highly desirable solution to this matter.

I have not seen the actual resolution, but I was informed late yesterday by Dr. Miller of PSI that in addition to the formalities of the discussion, there was a motion and resolution to the effect that the doctors did not, as members of PSI, intend, nor desire, to have any of their funds or assets on a winding-up basis distributed to themselves. That clears up that situation, I think, in a very forthright and clear manner.

The proceedings went on to deal with proposals for the use of the fund. Quite frankly, I think that I should inform the House that Dr. Miller told me that it was the view of the executive and of the house of delegates of the PSI, which is the way it is organized, that the question of dissolution should not be considered. They felt that there might be, in the future an opportunity for PSI to participate in some fashion in a public scheme related to this general area of health care. Having that in mind, among other things, they voted specifically against any winding up.

The third step, as I recall this conversation, went on to deal with the proposal for the use of the funds that would remain in the hands of the organization after the current claims had been cleaned up and their trade accounts cleaned up. That amount, I think, would be estimated at \$14.8 million in PSI. I think that is the figure referred to in the press as being the \$15 million figure.

The use of this money—the third item which he reported to me late yesterday—was a proposal which appears in the press today about the use of the money, in the public interest—for the public generally, by way of research in the fields of medicine, health and pollution.

**Mr. Nixon:** A supplementary question, Mr. Speaker, and I may have missed the answer; I just could not hear it that well.

Does the decision by PSI, if in fact it is ratified by their members, require the approval of the Minister or anyone in the corporations branch?

Secondly, would the Minister apply pressure to those in control of the other reserve funds which are presently under consideration, that those funds might be added to this fund which would become a significant, public contribution to a matter of urgent importance.

**Hon. Mr. Rowntree:** To be specific in answer to the question about government approval, if the PSI continues as I have outlined and as I understand it from Dr. Miller, then it would be a continuation of the present corporate structure; probably with different representation on its board of directors. It would be a continuing entity a legal entity consistent with the objects set out in its charter, and consistent with the provisions of The Corporations Act; and would require no further approval from either the corporations branch or the government.

I might say then with respect to the broader aspects of this matter that it would be my hope that other organizations in somewhat similar positions to PSI, which are discontinuing their operation—that is the non-profit organization—that rather than attempt a distribution of any kind, I think the public interest and the interest of this province would be best served if those funds were to be applied in a some similar direction as PSI has.

I think I should also inform the hon. leader of the Opposition and the members of this House that it is a general intimation at the moment from the large preponderance of such organizations that such will be the case. Some of the organizations have not met yet to determine their final positions, and I look forward to hearing from them.

But it would appear at the moment that the majority of them will take such an approach as we are discussing here today. The only difference might be that some of the organizations or associations might have a more local colour to them; that is, be more localized in their nature and not being of a province-wide nature, might attempt the project within the confines of their scope of their operation—say within their county or within the area of their operations.

**Mr. Nixon:** Mr. Speaker, a further supplementary.

What would the total fund be—I do not know whether the Minister knows that yet—beyond PSI?

Second, if, in fact, the other groups have this same use of their funds in mind, it looks like the beginning of one of the first significant semi-private foundations in this province or in this country that would have a direct—

**Mr. Speaker:** I assume the hon. member is making another question—

**Mr. Nixon:** I would ask the Minister, Mr. Speaker, if I may, would he consider the development of a policy which would integrate these funds, rather than distribute them over 10 or 12 smaller funds—not that the PSI is small by any means, but rather than having them distributed on a county basis or anything like that, so that their approach to this problem would be integrated and be, for that reason, much more significant.

**Hon. Mr. Rowntree:** I think there is some merit in what the hon. leader of the Opposition says. Firstly I should say, I cannot and I would not attempt at this moment to guess what the amount would be in total in the other organizations, but individually they would be substantially less of course than the amount of PSI.

The question of a consolidation, I think, is a matter which we would give our attention to, once the matter becomes more *finitus*, if I might put it that way. I must underscore the point, however, that there is a localized area aspect that is attached to the lives and the existence of some of these organizations, but it is a very important point that is raised.

**Mr. Speaker:** The member for York Centre was on his feet before the member for York South.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, a supplementary. Is there some similarity in the ratio between the reserves of each of these non-profit companies and their annual premium income? Is there a fair, consistent ratio that the department has found between these reserves and their premium income?

**Hon. Mr. Rowntree:** Not necessarily. That is an item in which we should have to look at the statements and the charts of each of the operations to determine that. But I would have to say that I would not expect such a relationship to indicate it exists, because the

premium rates might be set and maintained over a continuing period of time. Relative costs, shall we say, of the claims might be on a rising scale. The premiums would not have been automatically increased at the specific time of increase of the claim.

**Mr. Deacon:** As a further supplementary, would the Minister supply us with a report showing these reserves—and the premiums paid in the last two or three years—of all these companies, to see what there might be in the way of a similarity?

**Hon. Mr. Rowntree:** These statements are now all being gathered together and studied.

**Mr. MacDonald:** Mr. Speaker, a further supplementary question: Since the Minister quoted the superintendent of insurance in his letter to these non-profit companies on August 14 as saying, "I would ask that no payment of refunds from surplus be made without the prior written approval of the superintendent of insurance," does one now assume that they have been absolved of that obligation to have a prior written approval?

**Hon. Mr. Rowntree:** No, I would not say that. I think the officials of PSI have been most co-operative with the superintendent of insurance himself, and with his staff, as they have been with me. They have been most forthright in their position and I have no reason to expect that we in this Legislature and in the government will receive other than the utmost co-operation from the executive and the house of delegates.

**Mr. MacDonald:** Will the Minister please answer my question? Are they now absolved of the obligation of getting prior written approval before they disburse the refunds?

**Hon. Mr. Rowntree:** I would simply say this, that whatever remains to be complied with, they will comply with.

Interjections by hon. members.

**Hon. Mr. Rowntree:** The commencement of payments of their project is some months ahead.

**Mr. MacDonald:** The Minister changed the rules in the middle of the game.

**Hon. Mr. Rowntree:** Not at all.

**Mr. MacDonald:** The original rule was they must get written approval. Will the Minister answer, do they now have to get written approval before they disburse these funds?

**Hon. Mr. Rowntree:** I cannot say about that detail. But I know they were in to see the superintendent of insurance and disclosed to him the general intent, which was the subject of their meeting yesterday, and it remains following the meeting yesterday for them to formalize their position with the superintendent.

**Mr. MacDonald:** That was the rule in the letter that went out on August 4. If they are not now going to conform with it, how can the Minister argue that the rules are not being changed?

**Mr. Speaker:** The hon. member for York South is now endeavouring to make this an argument or a debate in his own words and, therefore, I think—

**Mr. MacDonald:** I have not yet got an answer from the Minister.

**Mr. Speaker:** The Minister does not have to answer any question if he does not wish to. It is entirely up to the Minister, whether the member likes it or not.

**Mr. MacDonald:** Mr. Speaker, then the Minister should say, "No, I am not going to answer," instead of doubletalk.

**Mr. Speaker:** But the Minister has the right under the rules not to answer or to answer it in any way he sees fit.

**Mr. MacDonald:** My final supplementary question to the Minister is this:

Are we to assume that these bits and pieces of replies extracted from the Minister in the last few days are his report that he promised us on the basis of these letters from all of these companies? Or when are we going to get that?

**Hon. Mr. Rowntree:** That report is being prepared. We are doing it as quickly as we can. Many of these organizations are still in the process of paying out claims. We are trying to get the figure which will be an estimate.

I have instructed the staff again, after the question of the hon. member for York South yesterday to speed up their efforts to give me this information so that it may be presented in the House at the earliest possible moment.

The answer to the member's question is "no," my answers in the House do not constitute the report, which I will table.

**Mr. MacDonald:** The decisions will all be made by them before the Minister makes up his mind.

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

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

In view of the statement reportedly made by the chairman of the Water Resources Commission to the Lake Erie development council yesterday that the Lake Erie states are lagging behind Ontario in the fight against pollution, will the Minister consider convening a meeting of his opposite numbers from the American jurisdictions so that the responsibilities can be pinpointed; the level of pollution from American sources as well as Ontario sources can be outlined, and a programme correlated to abate the Great Lakes pollution?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Yes, Mr. Speaker, it was our intention to have such a meeting following the completion of the report of the international joint commission, and particularly the hearings in respect to drilling in lakes, including Lake Erie.

This subject, as well as general problems of waste into these lakes, were all to be discussed and I expect that meeting will take place early in the new year.

**Mr. Nixon:** Has the Minister conferred with the Prime Minister on the advisability of—if you will forgive me—upgrading the meeting to some extent so that it would include the Premier and the governors of the states, so that on matters of policy, decisions of, perhaps, more far-reaching importance could be undertaken, and perhaps public attention centred on the problem?

**Hon. Mr. Kerr:** Mr. Speaker, I have not conferred with the Prime Minister on that basis, but this is a good thought to be considered.

**Mr. Nixon:** Would not the Minister agree that this matter is equally as important as the low or high lake levels of a few years ago, on which matter the Premier did convene a conference of state governors?

**Hon. Mr. Kerr:** Well, Mr. Speaker, I am, unfortunately handicapped because I did not see the statement to which the hon. leader of the Opposition refers, that was made by the chairman of OWRC.

It is pretty well a known fact that certain states bordering the Great Lakes are not keeping up with our efforts in fighting pollu-

tion. This is one of the reasons, of course, that we have the Great Lakes commission and the IJC.

However, if this is as serious as the hon. member indicates, if there is a dragging of feet, shall we say, by certain states, such a conference could be convened at the level indicated by the hon. leader of the Opposition. However, I must also mention at this time that we are in constant communication with the various states bordering the Great Lakes regarding standards, data and research, and things like that.

**Mr. Nixon:** Mr. Speaker, I do not think I should let this occasion go by without asking the Premier if he has any views on the possibility of himself taking part in such a conference, and issuing an invitation to the governors to participate.

**Hon. Mr. Robarts:** Mr. Speaker, I have views on almost everything; but as the hon. member no doubt knows, there is a constant flow of communication and co-operation back and forth. I have not gone into this matter to establish just how open those lines of communication are. I do know we convened such a conference here once before which resulted in recommendations going from the states to the federal government in Washington and from Ontario and Quebec to the government of Canada, and as a result of those efforts, certain action was taken by the international joint commission at the request of both the senior governments.

Whether the situation at this moment in time is such that this type of action is necessary, I really do not know. Since the days of that conference, there has been an almost constant exchange of information and meeting of personnel in the eight states involved and the provincial government, and unless there is some specific purpose to be served, unless there is some gap in the present degree of co-operation to be filled, then such a conference could be simply redundant. I am not close enough to the day-to-day operations, but I do know that in the last few years there has been an increasingly heavy volume of information and action back and forth between the jurisdictions involved.

**Mr. Speaker:** Supplementary to the question of the Prime Minister or the Minister of Energy and Resources Management?

**Mr. C. Bukator (Niagara Falls):** I have a supplementary question of the hon. Minister.



**Mr. Speaker:** Well, we are a little out of line, but I think the hon. member is entitled to ask it, because the leader of the Opposition went ahead.

**Mr. Bukator:** In view of the fact that both the federal and state governments of New York State, if they agree to a project, jointly pay 85 per cent, and the municipality only has to pay 15 per cent, did the hon. Minister know that there were 29 industries polluting the Niagara River on the American side between Buffalo River and the Horseshoe Falls and have we cleaned up our municipal sewage pollution problem?

**Hon. Mr. Kerr:** Well, not entirely, Mr. Speaker, but the answer to both questions is yes.

**Mr. Speaker:** Is yours a supplementary question—the member for York South?

**Mr. MacDonald:** No.

**Mr. Speaker:** Has the leader of the Opposition completed?

**Mr. MacDonald:** My first question is of the Prime Minister: After a year of study, would the Prime Minister now release the reports of the four task forces on the implementation of bilingualism in the public service in Ontario?

**Hon. Mr. Robarts:** I realize there has been some delay in this regard, Mr. Speaker. I believe it has been justified and I hope it will not be very long before I will be dealing with this matter in the House.

**Mr. MacDonald:** Do I rightly conclude that the Prime Minister is going to deal with it himself, or that he is going to release the reports? I have difficulty getting a specific answer from Ministers today.

**Hon. Mr. Robarts:** I would simply say you are having difficulty getting a specific answer because I am not giving you one. It is obvious no decision is made as to whether those reports would be made public or not.

**Mr. MacDonald:** After a year we are still where we were.

**To the Minister of Transport:** In view of the imminent cessation of service by Nordic Air Services in the Niagara peninsula, particularly Fort Erie, is the government making any representations to the air transport board in Ottawa in this connection?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I am not aware of the specific action

being taken in the mentioned suspension of services by Nordic Air but The Department of Transport, on behalf of the government of Ontario is making representations in matters before the air committee of the Canadian Transport Commission.

**Mr. MacDonald:** I have a question of the Minister of Energy and Resources Management: Can the Minister indicate whether or not the situation in Lanark county has been resolved in which certain property owners have taken into their own hands the operation of a dam because the water supply going down to a two-bit Gananoque power company is going to lower lake water levels and destroy their whole property values? And if it has been resolved, how has it been resolved?

**Hon. Mr. Kerr:** I do not believe, Mr. Speaker, the matter in question to which the hon. member refers is in Lanark county.

**Mr. MacDonald:** Lyndhurst. I am sorry—Leeds.

**Hon. Mr. Robarts:** You do not know your geography.

**Mr. MacDonald:** I am sorry, it was a slip of the tongue.

**Hon. Mr. Kerr:** Mr. Speaker, the matter has not, as yet, been resolved.

**Mr. MacDonald:** Well, Mr. Speaker, how can the hon. Minister for one moment justify the damage to \$2 million worth of cottage property in favour of a water supply to a company that is so small, 600 kilowatt hours, it is only \$9 an hour of power being turned out—how does he justify that?

**Hon. Mr. Kerr:** Mr. Speaker, all I want to say is that there are at least two other departments involved in this. There have been negotiations going on for some months; a committee was formed some months ago to try and resolve this between the conservationists and the people in the area and the hydro company. It is my information that this matter, as a result of a lengthy meeting held at Queen's Park just within the last month, is moving to conclusion and the matter will be resolved. This also included the possibility that this hydro company will not use the water available but will buy power from some other source.

**Mr. MacDonald:** A question of the Attorney General: is the Attorney General in a position to indicate his response to the

request of the Ontario Police Association that there should be a Royal commission investigation into the operation of the Brantford police department?

**Hon. A. A. Wishart (Attorney General):** There was an investigation, Mr. Speaker, into the operation of the Brantford police department.

**Mr. MacDonald:** I think there were certain cases before the courts. As of November 26 the hon. Minister has a letter from Sid Brown of the Ontario Police Association requesting that on behalf of all of the police associations, such a commission be established. My question is, has the hon. Minister reacted to that?

**Hon. Mr. Wishart:** No, Mr. Speaker. The answer is no.

**Mr. MacDonald:** I have a final, rather small question of the Minister.

**Mr. M. Makarchuk (Brantford):** By way of supplementary, Mr. Speaker, a question of the Minister of Justice: would he indicate if the investigation into the Brantford police department has been concluded, and if so, what are the results?

**Hon. Mr. Wishart:** The investigation by the Ontario Police Commission which was requested by the Brantford town council has been completed and the report, some time ago, was given to the council.

**Mr. Makarchuk:** I think, Mr. Speaker, the Attorney General is wrong in this case.

**Mr. Speaker:** The hon. member may ask a supplementary question.

**Mr. Makarchuk:** By way of supplementary question: the investigation that was requested of the director of public prosecutions by two policemen into the activities of the Brantford police department, not the investigation that was asked by the Brantford city council, this is what I am referring to.

**Hon. Mr. Wishart:** The Ontario Police Commission went into the whole matter. The question of the two policemen and their conduct, and it was an examination of the operation of the police force. I have the report and I have seen it. I have read it. It deals with the whole question of the morale, the operation of the force, personnel, the ability of the chief, other personnel, and it was completed some little time ago and was furnished to the Brantford council. I think it covered the whole field.

**Mr. Makarchuk:** A supplementary question, Mr. Speaker: Certain matters were placed before the Attorney General following the report of the Ontario Police Commission, and the Attorney General indicated in his estimates that further investigations were being carried out by his department. Now, what I would like to know is whether these investigations have been concluded and if so, with what results?

**Hon. Mr. Wishart:** I am not aware of anything further except possibly the matter raised by the hon. member for York South—that letter apparently dated November 26. This is the 27th; I have not seen it. It has probably reached my desk by now, but insofar as the other matter is concerned, as I stated, I think it was a very complete and thorough investigation of the whole operation of that police force. As I said, it covered its personnel, its morale, the way it was administered. Comment was made about the capabilities and qualities of the officers, including the chief. As far as I am aware, that was a very thorough investigation. If there is anything further beyond what the hon. member for York South has raised, I would be glad to look into it.

**Mr. Makarchuk:** A further supplementary question: The hon. Minister is again evading my question. The matter that I am relating to is the matter of the break-in in the public utilities office, and this matter was raised in the estimates and you specifically stated that this matter was being investigated by your director of public prosecution. Now could he indicate if this matter has come to a conclusion and with what results? This is what I am asking.

**Hon. Mr. Wishart:** The hon. member, Mr. Speaker, now makes himself clear, he is speaking about what apparently is charged as a criminal matter, not an investigation into a police force.

**Hon. A. Grossman (Minister of Correctional Services):** The hon. member will never get his QC.

**Hon. Mr. Wishart:** Anything that is charged or suspected as being a criminal offence is always investigated, of course, by our branch headed by the director of public prosecutions. I do not know standing here at this moment what stage that particular case is at—whether evidence has been found sufficient to lay a charge, conduct a prosecution. I do not know, but I can find out.

**Mr. MacDonald:** I have a question of the Minister of Tourism and Information. Would the Minister reconcile the apparent conflict between his earlier assertion that there were adequate fire extinguishers in the science center with that of his colleague, the Minister of Public Works (Mr. Simonett) a few days ago that there were not enough and an inspector's report said that 250 more were required?

**Hon. Mr. Auld:** Mr. Speaker, I can only say that the information that I have is based on the inspection of—I think it is—Deputy Chief Adair of the North York fire department.

**Mr. M. Shulman (High Park):** A supplementary question, Mr. Speaker, if I may. Why were the rugs, drapes and insulation not fireproof?

**Hon. Mr. Auld:** Mr. Speaker, I am not aware that there is any problem in this connection. There are very few drapes in the place, I can tell him that.

**Mr. MacDonald:** Some walls are all drapes.

**Hon. Mr. Auld:** There are wall-to-wall carpets. I assume that they are not fireproof—if, in fact, they are not fireproof—because it was not considered necessary by the fire people.

**Mr. Shulman:** As a further supplementary. Is the Minister aware that a report was sent to his colleague, saying they should be fireproof?

**Hon. Mr. Auld:** Mr. Speaker, I have said that we have had all the fire people available, who are experts in this field, inspecting the center. We have carried out all the recommendations they have made.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** Thank you, Mr. Speaker. A question to the Prime Minister. This is really an Energy and Resources matter I guess, but on a matter of this importance I think the boss should state his position.

**Mr. Speaker:** The member will ask his question of the Minister to whom he wishes it directed.

**Mr. Sargent:** In view of the fact that I, along with many people of Ontario, am concerned about monopoly control, Mr. Prime Minister, that will come about by the Con-

sumers' Gas takeover, I would like to ask the Prime Minister if Consumers' Gas will continue to enjoy the fixed assessment they have across Ontario in the plant facilities they have in different municipalities. Number two, will their transactions be restricted to gas distribution only and leave the sale and rental of equipment to retailers?

I mean, the monopoly is getting worse all the time but they control not only gas distribution, but the sale and rental of all the equipment. Will that be curtailed? Will the Ontario Energy Board, Mr. Prime Minister—these things may not be answered but they should be aware of the facts. We are concerned about the fact that the Ontario Energy Board should be doing the inspection on the pipeline.

**Mr. J. W. Snow (Halton East):** The member really read that letter.

**Mr. Sargent:** This clown up here—

**Mr. Speaker:** Is the hon. member asking a question? If he is, please do so. In my opinion his question so far is not a proper oral question for this period, but if he will conclude—

**Mr. Sargent:** Will the Ontario Energy Board be doing the pipeline inspections or will the Consumers' Gas be doing the pipeline inspections? I am concerned about where you get the right, Mr. Prime Minister, to spend public funds—

**Mr. Speaker:** Order!

**Mr. Sargent:** —to bail out the gas company in the Malton explosion. Where do you get the right to use public funds to bail them out in Malton?

Interjections by hon. members.

**Hon. Mr. Robarts:** Mr. Speaker, on a point of order. This is a complete abuse of the oral question period—

**Mr. Speaker:** I cannot rule until I have heard the member's question—

**Hon. Mr. Robarts:** I heard enough to know that he is making a speech. He admits he is not asking a question.

**Mr. Sargent:** I am asking a question. You are pretty touchy, are you not? When you do not know the answer, you pull the old stuff that you do not know what is going on.

**Mr. Speaker:** Order!

**Mr. Sargent:** You sure do not know what is going on—

Interjections by hon. members.

**Mr. Sargent:** Is the Prime Minister aware, finally, that 90 per cent of the employees of the Ontario Energy Board are former employees of the gas company?

**Mr. Speaker:** In my opinion, this is not the type of question suitable for the oral question period and is—

**Hon. Mr. Robarts:** But he got his speech in just the same.

**Mr. Speaker:** —and is one which is not of the urgent type which is dealt at the present time.

**Mr. Sargent:** Mr. Speaker, on a point of order. My main concern is the complete lack of concern of the government on monopoly control in the gas field and no one—

**Mr. Speaker:** Order! That might be quite so, but there are other places and ways that the hon. member can use to find out the answer to the problem he has.

**Mr. Sargent:** Is there any question he can answer?

**Mr. Speaker:** If the hon. member has a question which he thinks will fall within the rules, I will be glad to hear it.

**Mr. Sargent:** I am going to ask him one question. Will the Prime Minister consider restricting the franchise of this new complex to the distribution of gas only and not the sale and rental of equipment?

**Mr. MacDonald:** That is a good question.

**Hon. Mr. Robarts:** Mr. Speaker, as I rise to answer this so-called question, I consider this whole exchange a complete abuse of the rules of the House. I would say this, there is no desire on the part of this government to restrict the questions or to restrict the giving of information. But after a great deal of pain and suffering we got together and made an agreement on rules which we thought would improve the question period. This type of thing is going to put us right back where we were before we changed the rules to try to bring some order out of this situation.

**Mr. Sargent:** Point of order!

**Mr. Speaker:** The hon. member will wait.

**Mr. Sargent:** Point of order.

**Mr. Speaker:** The hon. Minister will complete what he has to say and then the hon. member may have the floor.

**Mr. Sargent:** It is too bad. I have four questions.

**Mr. Speaker:** Order!

**Hon. Mr. Robarts:** Mr. Speaker, if you could find the questions in the speech that was made—as usual, the member really does not know what is going on. Because this is a purchase of shares—

**Mr. Sargent:** I am not but a lot of people—

**Hon. Mr. Robarts:** It is a purchase of shares, it is not a takeover of equipment. We have passed legislation in this House to ensure the whole transaction is examined in the light of the public interest in front of the energy board. I do not know if the hon. member was here when that was done, probably not; but this Legislature took that action—brought in an amendment to the action—

**Mr. Sargent:** Were you here?

**Hon. Mr. Robarts:** The matter is presently before the energy board and it may be that this transaction will never take place at all, if it proves not to be in the public interest. Therefore, Mr. Speaker, all the questions are purely hypothetical.

**Mr. Sargent:** What are you doing in the public interest then?

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

**Mr. Makarchuk:** A question of the Attorney General and Minister of Justice. Does the Attorney General agree to the proposition that newspapermen must reveal their sources of information when asked in any court within his jurisdiction?

**Hon. Mr. Grossman:** Only if they are not members of the Legislature.

**Mr. K. C. Bolton (Middlesex South):** How original the Minister is.

**Hon. Mr. Wishart:** I do not quite get the purport of the question, Mr. Speaker. I do not think it is a rule of law that they must reveal their sources of information.

**Hon. A. F. Lawrence (Minister of Mines):** He is asking for the Minister's advice.

**Mr. Makarchuk:** I am sorry, Mr. Speaker, I did not catch the Attorney General's answer.

Am I correct in presuming that newspapermen must reveal their sources of information when asked to in a court of law within his jurisdiction. Is that correct?

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member will have to make his question a little more definite because I do not know whether he means in a court of law. Does he mean as a witness in a case? I say there is no rule of law to require a newsman to reveal his source of information.

**Mr. MacDonald:** One was fined when he refused to reveal his sources.

**Hon. Mr. Wishart:** There are perhaps some exceptions but generally newspapers do not need to reveal their sources of information.

**Mr. MacDonald:** The late Blair Fraser was.

**Hon. Mr. Grossman:** But sometimes they do not have any information.

**Mr. Speaker:** It now passes to the leader of the Opposition.

**Mr. Nixon:** I have a question for the Minister of Municipal Affairs.

Is he aware that some hardships are being experienced by townships as a result of the equalization factors announced by his department some weeks ago. Is there any plan where these equalization factors are being used at the local level in place of reassessment to assist those townships which are experiencing special difficulties in the levies which will be based on equalization factors in the coming year?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** I would have to say, Mr. Speaker, I am not aware of any hardships at the present time because those equalization factors will be used during 1970 rather than during 1969.

**Mr. Nixon:** Not in this tax bill?

**Hon. Mr. McKeough:** Not in this tax bill. I think I said when I tabled the equalization factors that there were, for various reasons of which inflation is one, substantial drops in many of the equalization factors, nor were they consistent.

I indicated at that time that the Minister of Education was aware of this and he would take it into account in terms of the education grant regulations or legislation for the forthcoming year. That, of course, is the greatest use made of the factors. There can be some compensation for the drop in the factors built

into the grant regulations for next year and I believe that the education department is in the process of working out the details of how this may be done.

**Mr. Nixon:** A supplementary, Mr. Speaker; would it be expected that it would require legislation for that assistance, or would it just be a part of the grant formula?

**Hon. Mr. McKeough:** I am not just sure to be very frank, Mr. Speaker. I think perhaps it could be done either way. It might be more desirable to do it by way of legislation than in the grant regulations, but I think you would have to ask the Minister of Education. I do not really think they will know until they work through what is a desirable end result and then conclude how it can be done.

**Mr. Speaker:** The member for Beaches-Woodbine has the floor unless the member for York South has a supplementary.

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Speaker, a question of the Prime Minister.

Is the government of Ontario, as an act of a civilized Legislature, going to express in any way its abhorrence of the massacres in Vietnam by some of the U.S. military units there, as revealed recently in Canadian and U.S. press?

**Mr. Speaker:** Of course, this is a matter of public importance, but certainly not of urgent public importance.

**Mr. Brown:** I think it is quite urgent, how could it not be urgent?

**Mr. Speaker:** The hon. member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** To the Minister of Agriculture and Food, Mr. Speaker: Has the department arranged a meeting with the University of Guelph in respect to the university's desire to drop the name OAC?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, we have sought to arrange such a meeting for some time. It was delayed because of the strike that was on up there and because the personnel in administration were doing some of the things that normally they would not have to do and so the meeting had been delayed.

We are, however, counting on having a meeting with them, but I have been reassured, Mr. Speaker, to some degree at least, that a recent announcement from the campus that the names of the Ontario Agricultural

College, the Ontario Veterinary College, and the Macdonald Institute, will be continued in a series of designations of colleges that will be established on the campus in connection with the University of Guelph. The concern that was so well expressed in the standing committee on Agriculture at the time of our estimates, and has been expressed in various public forums since, and by individuals greatly interested in the value of continuing the relationship of the name the Ontario Agricultural College, may be reassured that it is my understanding that recommendation will be made to the senate, and from the senate to the board of governors, that those names be continued.

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

**Mr. MacDonald:** I have a question of the Minister of Health.

Does the Minister's survey, announced on November 12 or 13, to discover who and how many doctors are charging the extra 10 per cent, beyond the 90 per cent of the OMA schedule of fees, include an investigation of the savings that doctors have in administrative cost—the administrative savings in collections—and also the greater income they get by virtue of full payment for all so-called charity cases?

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, it includes looking into this matter. I would not say it is a definitive survey, but I think that the hon. member would find a lot of doctors would disagree with his last statement.

**Mr. MacDonald:** Do I assume correctly, by way of supplementary question, that you are looking not just at the number of doctors who are over-charging, but also what administrative savings they have through avoiding collection costs—and this other factor you are disputing.

**Hon. Mr. Wells:** Yes we are looking into that too, but basically we are interested in knowing what the pattern is in the province insofar as those doctors who are accepting 90 per cent, those doctors who are billing direct and charging 10 per cent, and those doctors who are billing the patients and asking the patient to pay direct.

We basically want to know that. It will include some looks at whether or not the doctors can actually save money billing OHSIP.

**Mr. MacDonald:** Good. Thank you.

**Mr. Nixon:** Mr. Speaker, to the Minister of Health, what part will Ontario play in the assessment of the nutrition of the people of Canada that was announced by the federal Minister of Health?

Will this Minister undertake a survey that will go into the disadvantaged communities in Ontario as well as a general survey of the population that would include the Indians in the far north?

**Mr. Speaker:** That also does not come under the urgent category and in view of the fact that the Minister's estimates are up later today, I believe that is the proper place for such a question to be raised.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Health: Is the Minister now ready to publicize the system that he said almost six weeks ago his department was working out for the disposal of DDT?

**Hon. Mr. Wells:** Mr. Speaker, the definitive statement will be ready shortly. In brief, it is this.

Firstly that we have told people, as my colleague the Minister of Energy and Resources Management has said, firstly hold on to it and whatever you do, do not put it down water, or down toilets or drains, or anything like this, or in any way that it can be disposed of in water.

We have then been carrying on with the waste management section of The Department of Energy and Resources Management, some sample programmes in communities, I think Kingston is one where it is being tried out this week, to see if the local authorities can carry out a programme of collecting the material, and then we are now looking into places to dispose of this material. The most obvious place to dispose of the material seems to be in abandoned mines and this is what they are doing out west.

We are presently looking in to see if there are any of these. I understand perhaps my colleague, the Minister of Mines, will be able to provide us with a few. As long as we can find some place to deposit the material so that it is below the water levels it will be safe.

The most effective way of disposing of it is in a high degree incinerator, but there are none of these available in this province for this use. I think there are some in the state of Michigan. We have been looking to see if we could use these, but we have not any word on this yet. Basically what we have

been telling people and what our sample programmes suggest, is to hold on to it until it is announced in your community how the programme will be operated and where you can take DDT, or who will pick it up. However, do not pour it into any water. We are looking, with the waste management branch, into ways of then disposing of it after we get it all in. Basically, we are going to put it down, I think, in the ground somewhere, below the water levels.

**Mr. Burr:** Mr. Speaker, as a supplementary question, is the Minister not entertaining the suggestion then of the Minister of Energy and Resources Management, that you sell it to other countries?

**Hon. Mr. Wells:** No, we are not going to sell it to other countries. I do not think he ever suggested that.

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, will the Minister of Health confer with the Minister of Mines, who, I am sure, can point out the dangers of disposing of it in old mine shafts, because the mines do fill up with water up above the water table?

**Hon. Mr. Wells:** As I indicated, Mr. Speaker, it would have to be a mine shaft that, by putting it in and filling it in, was below the water table. Obviously, if a mine shaft is filling up with water, it is not below the water table, although I am not an expert in this, but the idea is—

**Mr. Jackson:** It could never be below the water table.

**Hon. Mr. Wells:** It would be capped and filled in.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Makarchuk:** A supplementary, Mr. Speaker?

**Mr. Speaker:** I think the discussion of this has gone far enough now and that further questions may be asked later today in the estimates of the Minister.

**Mr. G. Ben (Humber):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. He may recall that earlier last year I brought his attention to the pollution of the Humber and the presence of dead fish. My question is this, Mr. Speaker:

I brought to the attention of the new head of the Ontario Water Resources Commission that I had observed a truck of a particular type dumping liquid waste into the storm system of both Etobicoke and the city of Toronto prior to the time that these dead fish came to light. I asked him to get me the names of this liquid cargo disposal outfit to check what had been responsible for the pollution.

Will the Minister please tell us what the result of this checking out has been?

**Hon. Mr. Kerr:** Mr. Speaker, I do not recall the question referred to by the hon. member. There is no question that dumping of liquid waste in storm sewers is a problem.

However, if the hon. member will give me the names of the companies that are doing this, particularly in this instance, I will investigate it.

**Mr. Ben:** Mr. Speaker, perhaps my question was not clear. I had given to Mr. Don Collins the description of the tank truck which I had observed on two occasions dumping this black liquid.

I called him and asked him if his department could make this check and see what companies had this particular type of truck with the particular colour I described to see if we could trace the source of the cyanide that was poisoning the fish in the Humber River.

**Mr. Speaker:** The hon. member made himself quite plain on the first question. It is the type of question the Minister could not be expected to answer at this time because the member had not brought it to his attention before. However, the Minister now has the floor either to answer it or take it as notice.

**Hon. Mr. Kerr:** Mr. Speaker, the fact was that the chairman of OWRC is aware of this. I will follow it up with him.

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

**Mr. Shulman:** Mr. Speaker, I have a two-part question of the Minister of Tourism and Information in relation to his statement earlier today.

Is the Minister aware that a high proportion of the 52 exits in the science center that he mentioned had to be bolted shortly after opening day because they opened onto a 60-foot drop?

The second part, is the Minister aware that the fire marshal has issued instructions that no volatile liquids can be stored except when there is a so-called three-hour fire enclosure, which is not present in either of the places at the science center?

**Hon. Mr. Auld:** Mr. Speaker, I would be interested to know of this high proportion of the 52 exits. I can think of one which was bolted for a while until a ladder was put to an exit below it. If the hon. member would like to give me some specific detail on these things, I would be delighted to inquire. On the other hand, on just a generalization I am afraid I cannot help him.

However, I am informed, Mr. Speaker, that as far as volatile liquids are concerned, we are within all the fire and other safety regulations.

**Mr. Shulman:** I have a supplementary then.

Has the Minister seen the report which said that in excess of ten of the exits fronted on chasms?

**Hon. Mr. Auld:** Mr. Speaker, I have not seen that report, if in fact it exists.

**Mr. Speaker:** The hon. member for Middlesex South has a supplementary?

**Mr. Bolton:** No, Mr. Speaker, a question of the Minister of Transport.

**Mr. Speaker:** Well, then, the member for Grey-Bruce.

**Mr. Sargent:** A question of the Minister of Health. I would ask the Minister if the report in the *Globe and Mail* this morning in regard to the conditions in mental institutions as outlined by the member for High Park yesterday are true? If they are, does he plan to have a crash programme to find out the answers? If not, should he not be hanging his head in shame sitting there—

**Mr. Speaker:** The hon. member's question is one which can also be dealt with in the estimates.

**Mr. Sargent:** What action does the Minister plan to take?

**Mr. Speaker:** The hon. member's question is one which I think can be much better dealt with later today in the estimates.

The member for Middlesex South has a question.

**Mr. Bolton:** A question of the Minister of Transport. Is the Minister aware that a six

per cent general increase in commodity freight rates on highway traffic between Canada and the United States through Ontario is scheduled for mid-February?

**Hon. Mr. Haskett:** Mr. Speaker, I did not hear all the question. Would the member please repeat?

**Mr. Bolton:** Is the Minister aware that a six per cent general increase in commodity freight rates on highway traffic between Canada and the United States through Ontario is scheduled for mid-February?

**Hon. Mr. Haskett:** Mr. Speaker, I am aware that highway freight rates are due to be increased. In Ontario, we do not have rate setting, we have rate filing. If the carriers file their increased rates, I do not think there is any objection forthcoming to the practice, providing the shippers will meet the increased rates.

**Mr. Bolton:** A supplementary question, Mr. Speaker.

Is the Minister aware that the Niagara frontier tariff bureau increased their rates from one to ten per cent in May of this year?

**Hon. Mr. Haskett:** I understood there was an increase.

**Mr. Speaker:** The extended time for the oral question period has now expired.

Petitions.

Presenting reports.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, I beg leave to present to the House the report of the Ontario stockyards board for the fiscal year ending June 30, 1969.

**Clerk of the House:** Mr. Yakabuski, from the standing highways and transport committee, reports the following resolution:

RESOLVED:

*That*, supply in the following amounts and to defray the expenses of The Department of Highways be granted to Her Majesty for the fiscal year ending March 31, 1970:

The Department of Highways  
 Departmental administration, general expenditure, \$11,370,000;  
 Road maintenance, general expenditure, \$134,741,000;



Road construction, general expenditure, \$333,703,000;

GO-Transit, general expenditure, \$3,479,000.

Resolution concurred in.

**Mr. Speaker:** Presenting reports.

Motions.

Mr. Demers moves that the standing legal and municipal committee be authorized to sit concurrently with the House for the remainder of this week.

Motion agreed to.

**Mr. Speaker:** Motions.

Introduction of bills.

#### THE LEGISLATIVE ASSEMBLY ACT

**Hon. Mr. Robarts** moves first reading of bill intituled, An Act to amend The Legislative Assembly Act.

Motion agreed to; first reading of the bill.

#### THE EXECUTIVE COUNCIL ACT

**Hon. Mr. Robarts** moves first reading of bill intituled, An Act to amend The Executive Council Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Robarts:** Mr. Speaker in support of the introduction of these bills, perhaps I could read the explanatory notes.

The Legislative Assembly Amendment Act increases the indemnity of members of this House from \$8,000 to \$12,000 per annum. It increases allowance for expenses from \$3,000 and \$4,000 to \$6,000 per annum. The amount of advance that is authorized against these sums is increased from \$650 per month to \$1,000 per month.

The indemnity of the Speaker is increased from \$3,000 to \$5,000; the indemnity of the leader of the Opposition is increased from \$12,000 to \$15,000; the leader of the party having a recognized membership of 12 or more members of this Assembly will receive an indemnity of \$4,000 per annum.

The sessional indemnity of the chairman of the committees of the whole House is increased from \$2,000 to \$4,000; and a sessional indemnity of \$2,000 is to be paid to the deputy chairman. The chairman of each standing committee will receive a sessional indemnity of \$1,000.

The new section provides for an annual indemnity for the chief government Whip of \$2,000, for each of not more than two deputy government Whip of \$1,000, and for the Opposition Whip and the Whip of each party having 12 or more members in the Assembly of \$1,000; and the members' mileage allowance is increased to provide this allowance from 15 trips to 30 trips per annum.

The Executive Council Act amendments increases the annual salary of the Prime Minister from \$16,000 to \$20,000; of each other Minister of the Crown having charge of a department from \$12,000 to \$15,000, and of Ministers without Portfolio from \$2,500 to \$5,000.

I would like to take a moment or two to outline to the House some of the supporting philosophy connected with the two bills. Before I start I would like to say that essentially my personal feelings—and I suppose you share them in some degree—are that of all the things I have had to do in this Legislature over a period of time I think, probably, this is one of the most distasteful, namely, bringing forward legislation which, in effect, increases our own salaries, and my own salary.

I suspect it is distasteful to all of us to be placed in a position in which we must vote to approve legislation which will increase our remuneration as members. I think it would be desirable if we were not faced with such a responsibility.

Unhappily there is no other method by which we can adjust the indemnities other than to bring forward appropriate legislation and express our approval or disapproval by our votes.

You will recall that during the consideration of the estimates of The Department of the Prime Minister on November 14, the member for Grey-Bruce initiated some discussion about the level of remuneration received by the members of the Legislature of Ontario. At that time I indicated to the House that consideration was being given to the revision of the members' salaries. Indeed, I agreed categorically with the thesis which was put forward that revisions are both merited and overdue.

Contained in these bills is a schedule of revisions which the government believes will more adequately recognize the responsibilities and work load of the members of the Legislature and the expenses which they must necessarily incur in the conduct of the business of the people of Ontario.

I would point out that the revisions which are proposed in these bills, although they may appear quite simple, reflect a great deal of deliberation and study by myself and others in the government and consultation with the leader of Opposition and the leader of the New Democratic Party. It is my understanding that both are in general agreement with the contents of these bills, but I shall leave it to them to deal with this aspect as they see fit at the appropriate time.

In our research to determine the level of remuneration which members of this House should receive, the government also commissioned an independent study of this matter. The competent firm of management consultants which undertook an evaluation of the salary levels of the senior Ontario public service studied also the unique area of remuneration of members. While these bills represent a modification of the recommendations, I would assure the hon. members that the suggestions which that firm of independent management consultants proposed, and the research which supported them, were most valuable in drafting this legislation.

In undertaking the current review of members' compensation, we sought to develop a consistent approach which could be applied not only to current conditions, but which will enable more efficient adjustments to be made to meet future requirements.

We also sought to eliminate several questionable elements in the present system of remuneration, and to recognize the work loads and responsibilities of members who accept special duties connected with the operation of the Legislature.

As you are aware, Mr. Speaker, the whole area of compensation of elected public servants is highly unstructured. When one studies the subject of remuneration, regardless of the level of government to which it applies, there is no clear basis in most jurisdictions in the western world to deal with this problem. In most cases, compensation has been developed on an *ad hoc* basis, in response to pressures of one kind or another over the years. However, there are a few consistent criteria which have guided legislative bodies. By referring to them, I can illustrate that the search for an adequate system of compensation to serve the democratic process has been going on for many years. It is neither a modern problem, nor one unique in Canada.

For example, one of the earlier select committee on members' salaries was conducted

by the Parliament at Westminster in 1831. In its report, the select committee noted that it was "frequently observed . . . that offices in a free country should not be put beyond the reach of men of moderate fortunes."

This principle—that public office should be attainable for every citizen—is fundamental to our democratic system. It is the crux of every investigation into members' remuneration, and a basic element of the various systems which have been developed to deal with compensation of elected people.

Another expression of this principle was put forward by David Lloyd George, as Chancellor of the Exchequer, in the British House of Commons in 1911, when he said:

The only principle of payment in the public service is that you should make an allowance to a man to enable him to maintain himself comfortably and honourably, but not luxuriously, during the time he is rendering service to the state.

The remuneration of Ministers and members of the British Parliament was the subject of a further review by an independent committee in 1964, the committee adopted the principle that:

Payment should be such as not only to enable the man with no external means to become a member of the House without financial embarrassment, but to allow him to discharge the proper expenses of conscientious and efficient membership and to live at a level consistent with the dignity of the service.

He should not be forced to sacrifices which impair the quality of his service and lower the reputation and prestige of Parliament itself.

That report concluded by saying:

Our recommendations should . . . reduce the danger that men and women of the highest ability will be turned away by lack of means to adopt it, and they may contribute to the strengthening of our democratic institutions of government.

I have stated on many occasions that I did not, and I am sure most of us here, or none of us here, enter public life with the idea that we would make a fortune. Indeed, I stood for public office with the knowledge that if successful I would probably earn a good deal less than if I had continued to practise law. I know I express the feelings of all members when I say that there is an enormous satisfaction in serving the people of Ontario

to which a dollar valuation cannot be—nor should be—attached.

At the same time, these principles to which I have referred must apply, and have been applied in the philosophy of the revisions made in 1965 and in these two bills that I introduced today. We must ensure that any resident may stand for public office and that, once elected, may receive adequate compensation to conduct the business of the people of Ontario without financial penalty to himself and his family. Only if we can achieve this can we be certain that we are attracting to public office the best and most qualified men and women.

I believe it is a fair statement, and one with which anyone who examined the problem objectively would agree, that compensation for members of the Legislature of Ontario has not kept pace with increasing responsibilities, work load and cost of living. The increase in the length of the session, to the point where members are here between eight and ten months of the year, and the further involvement in select committees which has grown greater and greater in recent years, and the whole factor of constituency work between sessions, which is increasing very rapidly as well, have turned what was not long ago a part-time job into what is now virtually a full-time occupation. Certainly no member could effectively handle full-time work in private life and adequately discharge his public responsibilities as a member of this Legislature.

This is especially so for those who are in the so-called white collar and managerial groups where part-time work is just simply impossible.

With this heavier work load have come parallel increases in the costs of meals, accommodation and already onerous travel costs for members. I remember when we used to have passes on the railways that meant something, but they do not mean much any more. These costs are especially acute for members who represent constituencies located a considerable distance from the seat of government at Queen's Park and, indeed, just travelling around some of these constituencies alone is a very large task indeed.

Our present system of indemnities was begun under circumstances far different from those with which we deal today. The original concept of the payment of an indemnity was to compensate or indemnify a member for expenses incurred while attending a short session, and we all remember those days.

When I first came in the House we would meet perhaps at the end of January and finish always on the Thursday before Good Friday. It was automatic. I think the first session I spent in this House was something like seven weeks long, as compared with the fact that this particular session has been going on for over a year.

In any event, that indemnity was not intended as a salary. The same principle, that is, of indemnifying a member who must come to the seat of government to transact the province's business on behalf of those who elect him, still applies. But clearly, this needs to be updated and brought into closer conformity with current conditions.

The study undertaken for us, to which I have previously referred, also dealt with the level of payment for the members of the executive council. The report stated that, "In all our work in executive compensation in both the public and private sector, we have seen no positions which place any greater demand on an individual than those of a senior, elected public servant of the province of Ontario."

The report went on to say that the "Technological explosion, the growth of the population, the increasing complexity of provincial and federal relationships on the one hand and provincial-municipal relationships on the other, plus the ever-increasing demands of the public for central services, have resulted in a job expansion with no real point of comparison with the possible exception of the federal area."

The report added that, "In addition to meeting the demands of offices of comparable scale to federal Ministers, members of the Ontario Cabinet have considerably higher demands on their time by constituents," mainly, I suppose, because we are closer to them.

In discussing these matters, I would express the view that, for the foreseeable future, men and women in elected public positions are unlikely to receive compensation directly comparable to their levels of responsibility. Nor, I am confident, would they expect to receive the same level of compensation as that being paid for comparable responsibilities in the private sector.

However, it must be recognized to all that the steady escalation of the cost of living in the four years since amendments were made has eroded the capacity of members to maintain a reasonable standard of living. One of the methods which we considered to help

overcome this situation was to relate the compensation for members and Ministers to the salary scale of senior Deputy Ministers which, in turn, is related to the pay of the civil service as a whole. However, as we considered this suggestion and the method by which it might be carried out, we rejected it as unworkable.

I should like to mention another element contained in our existing system of indemnities and expense allowances, which is common with the federal government and other provinces, and which we also considered at length. This is the tax-free element of the general expense allowance. I have always considered it to be a questionable practice to have legislators, who must decree that taxes be levied by others, be in some measure partially exempt from taxation. We gave detailed consideration to the possibility of eliminating the general expense allowance and allowing members to be reimbursed for expenses incurred in the course of his duties as a member of the Legislature. However, close examination of the complications of devising such a system led us reluctantly to retain the present structure.

I believe that the level of compensation which is contained in these two bills will more adequately reflect the responsibilities and work load of members of the Ontario Legislature, and bring the level of payment more closely in line with that of the members of the federal Parliament and the Quebec National Assembly.

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

**Clerk of the House:** The 23rd order, House in committee of supply; Mr. R. D. Rowe, chairman.

#### ESTIMATES, THE DEPARTMENT OF HEALTH

**Mr. Chairman:** Estimates of The Department of Health; Mr. Minister.

**Hon. T. L. Wells (Minister of Health):** Mr. Chairman, presenting for the first time to this House the estimates of The Department of Health, I would like to begin by saying a word about my predecessor in this portfolio, the hon. member for Ontario riding.

As the members of this House know, this gentleman led this department for over 10 years and as one who has now come into the department, I can see the definite signs of his leadership in this department. From the time

he took over, back in 1958 to the present time, phenomenal growth has occurred; many new programmes have been instituted, and much has been done in improving the quality of the health of the people of this province, I think that it cannot go without being mentioned in this House, that this House and the people of Ontario owe a great debt of gratitude to the hon. member for Ontario riding for the leadership that he gave to this department.

I also think it should not go without notice that five or six weeks ago, the Canadian Mental Health Association held a meeting and paid tribute to him for the outstanding leadership that he gave in the field of mental health in this province.

Mr. Chairman, in presenting the estimates of this department I would like to review to the House a few of the highlights, some of the things that have happened in the past year and some of the things that we are planning to undertake. I would like to begin by paying tribute to the staff of the department. In the short time that I have been in the department, I have found them to be very competent and of great expertise in many of the various areas that our department covers.

I would like to also pay tribute to the many people not immediately on our staff; but the many people on the Ontario Council of Health, its various committees, the executives of the health organizations in this province and all those in the field of health who have been working with us as a team over these past years to bring about the great advances that we have had in the health field in this province.

The first area I would like to review today, Mr. Chairman, is the Ontario Council of Health. I am pleased to report that this council continues to make substantial progress. As hon. members will remember, the council has been given statutory authority as the senior advisory body of health in The Department of Health Act, 1968-1969.

There is in the annual report of this department an outline of the council's activities, including details of organization and membership. I believe that through the mechanism of the council and its various committees that we have been able to bring together a broad and, indeed, a unique spectrum of interest and experience. We have received from this council a series of major reports and recommendations on a variety of matters of priority interest in the planning and development of health service arrangements in this province.

These reports cover such subjects as health manpower, education of the health disciplines, regional organization of health services, physical resources, health research, health statistics and health library services. I do appreciate, Mr. Chairman, that these reports have not as yet been made available to the House. The reason for that is that these reports are interrelated, both in subject matter and recommendations. If we had presented them in a piecemeal fashion, as and when they were submitted to us, there could have been misunderstanding and confusion.

However, we have now received a sufficient number of these reports which, taken together, add up to a significant and comprehensible total effort, worthy of presentation to the hon. members and in due course for distribution to other jurisdictions.

With this end in view, an overall report on the council's activities is now being prepared. This document will collate the major features and recommendations from the various reports which have been accepted by the council so far and will have as appendices the various individual reports. After the council has reviewed and approved this material at the council's next meeting in January, I will make the reports available to hon. members of this House and the public shortly thereafter.

I may say, Mr. Chairman, that the Ontario Council of Health, during its comparatively short existence, has occasioned much interest, not only in other provinces but in federal circles as well. We have also had expressions of interest and requests for information about the council's work from the United Kingdom and from our friends south of the border.

I am sure that when hon. members have had the opportunity of reviewing the quality and the scope of the efforts of the Ontario Council of Health, they will agree that this council is a most important and worthwhile advisory body to this government. It is providing an effective mechanism for the development, in Ontario, of comprehensive health services of highest quality on a planned and orderly basis.

Mr. Chairman, as the hon. members realize the Ministers of Health from the various provinces met in Ottawa just this week on Tuesday and Wednesday with the federal Minister of Health and Welfare. The primary subject on the agenda of this meeting was a report to our conference of ministers from the committee set up by our conference on the cost of health services in Canada.

This report is in three volumes, and I think that we made available to the both Oppositions, copies of this report on Friday. We got them down as quickly as we could. It is in three volumes with volume 1 being a summary of the work of the various task forces, with a consolidation of important recommendations. The province of Ontario established a committee to review health care costs in this province some months ago and we were prominently represented on the federal committee and its various task forces. The work of the provincial committee has been complementary to the national effort and therefore, Mr. Chairman, we were in a position to analyze the various recommendations proposed in the consolidated document before the Ottawa meeting.

Most of the first day of our meeting at the Ottawa conference was taken up with a review of health care costs and it was decided that the primary committee, with its steering committee, should continue to function and report back to the Conference of Ministers. This decision was taken because it was appreciated that there was a substantial amount of unfinished business, particularly as related to implementation in areas in which there was a combined provincial and federal interest.

In addition, the Ontario committee, with its various task forces, has been requested to report to me as soon as possible, putting forward recommendations and proposed methods to implement the recommendations. These recommendations will take into account the proposals of the federal committee and other features which our provincial group consider pertinent to this particular province. It might be of interest to the members, Mr. Chairman, to know that the provincial task forces are reviewing costs as related to hospitals and other health facilities, medical services, mental health, public health, dental care and drugs and biologicals. If other task forces are required, they will be set up to complete an analysis of the total spectrum.

I can assure the hon. members that aggressive action will be taken so that the people of this province will have available to them Health services which are of the highest quality and also which are effective and economic.

Next, Mr. Chairman, I would like to deal with The Alcoholism and Drug Addiction Research Foundation, an agency coming under our department.

On an ever-widening front in this province, and throughout the rest of North America, public concern about the rising incidence of

drug abuse is becoming increasingly vocal. It takes only a few well-illustrated newspaper or television reports to divert public attention to a new crisis, a new aspect of illicit drugs.

We hear the urgent pleas of parents whose children are on "speed" to help them, to tell them what to do, to set up centres where they can be given emergency treatment or helped over the long term; we hear a growing segment of society demanding research into marijuana; we hear of the great need to relieve our courts and jails of the chronic drunkenness offenders, and to make such people medical and not police responsibilities.

There can be no mistake that these are urgent problems that we need to do something about. On the one hand we can be motivated solely by public crisis or panic reactions; on the other we can look at the whole social pattern of drug and alcohol, its use and abuse and try to devise solutions that are of infinitely more value, and have some chance of being permanent.

It is with this permanence, perspective and stability in mind that we have given the addiction research foundation of Ontario such a broad mandate in dealing with drug dependence and Mr. Chairman, this includes alcohol from the point of view of research, education and public information, and assisting in the development of treatment programmes.

To minimize the spread of human dependence on alcohol and drugs and to determine how best to treat the existing victims of this major health problem, the staff members of the foundation must deploy themselves across this province to stimulate action by agencies within each specific community. At this time the foundation is represented in more than 25 municipalities in this province.

In some communities the staff is necessarily large and the functions and resources are as diversified as are the needs of that community. In other towns one staff person must wear many hats, he must be counsellor to teachers, parents, physicians; he must be the liaison person with youth groups, with media, with the local hospital and the other available health and social services.

Let me describe briefly the deployment of foundation units, bearing in mind that no two regional centres are exactly the same, that some have more research function than others, while some are more service and community-oriented.

The Lake Erie region which operates out of London has a community and professional

education programme, and out-patient clinic, provides support to halfway houses, provides supporting staff in a mental hospital in Goderich and has set up a crisis intervention centre for care of amphetamine, "speed" abusers in the city in conjunction with Victoria Hospital.

The Lake St. Clair region, headquartered in Windsor, has an active clinical consultative service in that city, as well as community development workers in Chatham and Sarnia. It also provides support to halfway houses.

In the Niagara Counties region, there are clinical and consultative services in Welland, Port Colborne, St. Catharines and Niagara Falls, and there is a counselling service in Dunnville.

In the Midwestern Ontario region there are three distinct, but related programmes. The centre in Kitchener-Waterloo offers a programme of specialized services including information, consultation, counselling and referral assistance. The segment of the programme originating in Brantford covers Brant and Norfolk counties and the third programme in Guelph, is run independently by the Wellington-Dufferin-Guelph public health unit with initial support of a grant-in-aid from the foundation.

The Northern programmes division operates an out-patient clinic and a psychiatric in-patient unit in Sudbury, consultative services in Orillia, Sault Ste. Marie, North Bay, South Porcupine, Kapuskasing, Kirkland Lake, Fort William and a detoxication hostel for overnight accommodation, primarily used by Indian people in Kenora. There is also financial aid and staff support for a special hospital ward and a drop-in centre in Port Arthur, as well as a halfway house in Fort William. In all of these units the primary focus is on development of community resources, professional training and preventive education.

In eastern Ontario, with headquarters in Ottawa, there is an out-patient and consultation service within that city, a clinical research and teaching unit at Queen's University, financial and staff support for an addiction studies department at the Peterborough civic hospital. There is also financial and staff support for an independent halfway house in Ottawa, a drop-in centre in Cornwall, and there are community-based consultation services and some direct services in Brockville, Cornwall, Pembroke and Kingston.

In metropolitan Hamilton the multi-disciplinary staff maintains an out-patient clinic, assists in teaching rounds in the community hospital, organizes weekly seminars and case

conferences for local professionals; has an annual programme of fellowships, and facilitates an in-patient unit for alcoholics at the Metropolitan Hamilton Psychiatric Hospital, and shortly, in conjunction with Chedoke Hospital, a 25-bed in-patient unit will be opened.

In Metropolitan Toronto, the foundation staff maintain out-patient clinics in central, and east, and soon in North Toronto, a half-way house and a detoxication centre, a demonstration centre for employed alcoholics referred by their employers, a rehabilitative farm for alcoholics near Elora, a speaker's bureau, and a youth counselling service. It has recently instituted a 24-hour information service which was designed primarily to tell parents, professionals, or even the young people themselves, what to do in cases of drug emergency, to make referral to the most appropriate hospital or health centre if necessary to advise on helping facilities of an acute or long-term nature available in the city.

There are also community programmes in Oakville, Mississauga, Whitby, Oshawa, and Newmarket. In downtown Toronto the foundation with the co-operation of the YMCA has just established a consultation centre for both youth and adults where the emphasis will be on information about drugs.

As part of its central services, the foundation has also reinstated its narcotic addiction unit to test the validity of methadone in treatment of heroin addicts and it is now developing a crisis intervention centre for emergency and long-term care of "speed" and multi-drug users. This unit will eventually include residential and other back-up facilities for rehabilitation.

All of these regional services, Mr. Chairman, receive support from the foundation's central educational division which develops literature, films and television material for public use; and for use in school systems and professional training; and from the research division which in the 20-year operation of the foundation has become one of the leading research centres in the world dealing with alcohol and drugs.

To correlate more effectively such activities and to bring professionals of the various disciplines closer together, the foundation will shortly be moving into its new headquarters, which house a research block, administrative and professional offices, as well as a 100-bed hospital. Significantly, this clinical institute will be used as a teaching hospital in co-operation with the University of Toronto.

This, then, is the actual physical makeup of the foundation, featuring different priorities

in the different communities. But there are, Mr. Chairman, some common elements and needs throughout the province about "public crisis," or about reports of bizarre incidents related to drug abuse, we obviously cannot afford to neglect these. But we must see them as symptoms of an underlying disorder within society.

The foundation has studied very intensively this disorder, this social pattern. It has been trying to tell us that we cannot isolate marijuana use among youth, the "speed" user, the chronic alcoholic, the drunk driver, or the adult abuser of drugs, such as tranquilizers and sedatives. The way society generally uses drugs, they say, not only endorses this use but very actively encourages it through advertising and other means of suggestion, and bears a very direct relationship on the way the so-called subcultures use drugs.

In a series of high school studies done by the foundation in London and Toronto in 1968, which are being up-dated at this time, at least 16 per cent of students were shown to have experimented with drugs such as marijuana, solvents, amphetamines and LSD. More than ten per cent of grade 9 students in the study had experimented with marijuana and this was, in fact, the highest level of experimentation within the schools.

We were also shown that the way parents in a household regard drugs—even the socially-accepted ones such as tobacco and alcohol—have a direct relationship on the prevalence of drug use among their children. These studies also showed us that regardless of the incidence of other drug use among the student groups, alcohol and tobacco were still by far the most popular and the most used drugs of all. Of all students in the London survey, for example, 68 per cent reported having used alcohol, 46 per cent reported having used tobacco.

Another major factor to consider—one which is underlined in a report on prescription drug use which will be released soon by the foundation—is that in one sample year, at least 1.37 million prescriptions for mood-modifying drugs—these are the amphetamines, barbiturates and tranquilizers—were issued to 1.35 million people over the age of 15. This means that in this study, on an average, therefore, this is one prescription for a mood-modifying drug for every person over the age of 15.

Only with such scientifically-valid background, one free of rumour, speculation, educated wild guesses, or panic reactions, can we make true assessments of the scope of the

drug problem and determine the best means of dealing with it.

Relating this to the matter of amphetamines, for example, the foundation's role must be to determine the best means of treating emergency cases, to devise the means of providing long-term rehabilitation to get people who are dependent on such drugs off them. For several months the foundation has been running a crisis intervention centre for the amphetamine and multi-drug user in London.

A similar one, with a co-ordinating function related to other social and health services in the city, is now being developed for the city of Toronto. On the basis of the foundation's experience in such units, a professionally- viable approach to "speed" can be developed. The intention is not, and will not be, that other agencies will be relieved of their responsibility in this matter of service. Service must become the responsibility of the hospitals and other health and social agencies that already exist in every community.

The foundation's role will be to assist such units, to provide information, support personnel and the community stimulus to get something effective done. For example, in Toronto there are hospital beds and facilities for "speed" users that are not being used for that purpose. Space for emergency care, therefore, is not the primary need in this case, but development of the skills and knowledge about rehabilitation and long-term care might well be more important than any bed count.

In more direct educational activities, the foundation is now involved in production of fact sheets which are distributed widely to professional groups and the public at large. The fact sheets—one has already been done on marijuana, solvents, LSD, amphetamines and alcohol—describe the drugs themselves, their effects, dosage, what is known about them. Already one million of these have been distributed.

Material from these sheets has formed the basis for a strong newspaper advertising campaign, which I am sure many members have already seen and which has started to show up all across this province. So far we have seen ads on the \$1 cigarette, which of course refers to marijuana; "The Fun-Filled Disaster Kit," which is an ad on glue and solvents; "Some Trips Are More Dangerous," which is about LSD; and "What You Don't Know Can Hurt You," referring to amphetamines. A television campaign relating to alcohol and drugs is now also being developed.

Throughout this spectrum of educational activities, the foundation has found that youth will not respond favourably to preaching, scare tactics or hounding, but it does have considerable regard for the facts and findings of science. Essential, therefore, to all of these educational aids developed by the foundation is their scientific responsibility.

During the recent marijuana dialogue, stimulated by the drug inquiry hearing there has been an evident lack of this kind of responsibility. To give the commission benefit of their experience, foundation personnel have held meetings with the federally-appointed group and have prepared a detailed memorandum assisting the commission, the federal commission, in developing its hearings, and are now developing an extensive brief which will be presented to the federal commission in the near future.

To date, the foundation has conducted animal experimentation, laboratory work; has developed in book form an important assessment of the scientific literature from around the world. An expanded version of this is now being written and is nearing completion, of a psychological and physical assessment of more than 250 marijuana users in Toronto.

But let us not think that on the basis of such studies alone, one will be able to make a simple decision about the legal status of marijuana. There is no rational way of deciding how much harm from a particular substance or practice society is prepared to put up with. This can only be decided on the basis of general contemporary values, rather than the scientific reasoning alone.

The foundation at present is very clear in stressing that at the present time it cannot support legalization of marijuana, but it is equally clear in opposing the present criminalization of vast numbers of experimental or curious users of the drug. It strongly urges moving legislation governing marijuana out of The Narcotics Control Act and into the jurisdiction of The Food and Drug Act.

It is this kind of judgment, one balancing the scientific and the social values, that an organization such as the Addiction Research Foundation is particularly qualified to make. For reasons such as these the foundation was asked by Kiwanis International to assist in the continent-wide operation, drug alert programme, and it subsequently committed itself to a considerable amount of participation.

Meetings have already been held with Ontario representatives of Kiwanis to discuss what kinds of programmes and projects the



local clubs across this province could best operate in their own communities, and to define what kind of guidance the foundation could offer by way of resources and personnel. This is an excellent example, Mr. Chairman, of how citizens can themselves participate in programmes devised by their own community leaders.

The foundation has also held discussions with representatives of the recently formed committee on drug abuse (CODA) and has offered advisory services to this group.

It is in this role as community catalyst, as resource body, as scientific conscience that the addiction foundation provides one of its great services to this province.

Mr. Chairman, hon. members on another subject will recall the statements made by the Prime Minister in March, 1969, that The Department of Energy and Resources Management was to be the principal vehicle for the government's programme on environmental management and pollution abatement.

The former air pollution control of this Department of Health is now the air management branch of The Department of Energy and Resources Management, and the staff formerly dealing with waste management in this department is now the waste management branch of The Department of Energy and Resources Management.

This has resulted in a reduction in complement of 233 persons within The Department of Health. As a result, the printed estimates no longer present expenditures forecasts in the two departments as they relate to these programmes. The Minister of Energy and Resources Management, I believe, provided the leaders of the Opposition parties with two sheets of figures which show the changes in the estimates for both departments.

Briefly an amount of \$3,258,900 is being transferred from the estimates of The Department of Health to the estimates of The Department of Energy and Resources Management.

In consequence, the revised estimates for the public health programme and the environmental health services are as follows: And rather than reading them I will send copies over to the member.

The revised estimates for The Department of Health to be voted now total, therefore, Mr. Chairman, \$394,450,100. The statutory vote remains at \$22,000.

Mr. Chairman, in talking about the public health branch of the department, I would like

to mention a few words about maternal and child health, and particularly infant and perinatal deaths.

It is gratifying to be able to report that considerable progress has been made in the reduction of infant mortality. Over the past 30 years, the infant mortality rate in Ontario, which is a well known indicator of the quality of health care for our infant population, has been reduced from 55 in 1937 to 19 in 1967.

This improvement has been brought about by a number of factors. Prominent among them are the general improvement in the care of both mothers and infants, including safer milk and water supplies; the control of communicable diseases by immunization; and the reduction in other communicable diseases such as tuberculosis.

However, the greatest reduction of deaths in the first year of life has been in the one- to 12-month period. While this has been accomplished by some reduction in deaths of infants very early in their lives, at present 66 per cent of deaths of infants in the first year occur in the first week of their life.

These deaths of newborns are often described as the hard core of infant mortality; the deaths that are most difficult to prevent because the causes are more complex.

These first-week deaths, together with infants who are still-born are, I understand, now referred to as perinatal deaths, that is, those which occur before or just following the mother's confinement.

In Ontario in 1967 there were 3,000 such deaths, with a rate of 23 per 100,000 total births, but while this rate was below the national average of 24, two provinces had lower rates than ours. Moreover, within the province there are variations in rates which give us cause for concern.

While the provincial rate of 23 is commendable, rates in smaller jurisdictions within the province, both rural and urban, ranged all the way from 17 to 31. It seems fairly obvious that a major problem in maternal and child health exists here, and that there is a real need to examine more thoroughly the field of perinatal deaths.

As is well known, the birth rate continues to fall in Ontario, in other parts of Canada and, indeed, in other industrialized societies. Surely this makes it even more important that babies who are born, not only survive, but receive care which will provide the best conditions for their normal development to productive adulthood.

Among the main causes of death in the first week of life are immaturity, affecting babies who are born weighing less than five and a half pounds and are not quite ready for existence in the outside world. Congenital malformations are among the major causes of which we are learning much, but many questions have yet to be answered on how congenital malformations can be prevented.

The third major condition, and perhaps the leading one in this age period, is a group of conditions of the lungs resulting in deaths from respiratory failure. However, it has been emphasized to me, Mr. Chairman, by my advisors that the most important single cause of death, as I said earlier, in this period, often associated with the other causes, is immaturity. The very small baby has not the resources to survive without highly specialized medical and nursing care in specialized facilities.

If we consider again the 3,000 perinatal deaths which occurred in 1967, and look at deaths in adults from that year, it is not until the 10-year age group of adults between 45 and 54 is reached, that we find a greater number of deaths. In that group there were 4,400 deaths, and that is the only place in that grouping where the number exceeds those in the perinatal death group.

We are investing significantly in the study and treatment of heart disease and cancer which are the leading causes of death in the 45 to 54 age group, and no one would deny these important investments.

How often, however, do we hear of campaigns to provide resources to study the cause of immaturity and so prevent these infant deaths. The saving of infant lives is as important to this province and, indeed, to the nation, as any health problem we have to face.

For these reasons, the department intends to extend its activities in the study of perinatal deaths, begun a number of years ago with the study in university hospitals in Ontario, which was reported in 1967 and widely distributed since then. This new undertaking will study such deaths occurring in all hospitals in this province.

The emphasis will be on factors in the mother, or in the care of the mother, which were revealed by the former study to be closely related to successful or tragic outcome of her pregnancy.

In the planning of this province-wide programme, every effort will be made to use

information on documents and reports already required of physicians and hospitals so as not to increase the burden of reporting already carried out by these groups.

An advisory group of clinical authorities, statisticians and administrators will assist the department in the planning, so that the most pertinent information will be sought and processed as efficiently as possible. This plan to gather such information and to do this study has the endorsement of the council of the Ontario Medical Association.

This information will hopefully reveal aspects of medical and nursing care, as well as aspects of the mother's care of herself which may influence her health and the survival of her baby. These include such things as how early the mother seeks the advice of her physician; her nutrition; the number of other children she has borne; her resources, both financially and physically which have been shown to influence the outcome of her pregnancy.

This kind of information will give us a more sound basis on which to plan regionally to bring the highest level of care to mothers who are at the greatest risk of complications of pregnancy.

Included in this is the transport of mothers or infants already born to facilities where they can get the necessary care. Perhaps many of us are not aware that there are 200 hospitals in Ontario which provide care for mothers and newborn infants at delivery. A significant number of these hospitals have relatively few maternity and newborn patients during the year and, therefore, cannot possibly have the resources either in professional personnel or equipment to cope with all the types of complications which may arise.

Many of us are aware, I am sure, of modern hospital facilities for intensive care patients who have suffered coronary heart attacks. Maternal and newborn intensive care facilities are operating or being developed as well for the intensive care of mothers and newborns. They are located most often in hospitals in health science centres, where families and highly trained personnel are likely to be available.

I understand that remarkable progress has been made in recent years in the care of both mother and infant during this precarious experience of birth. This has resulted not only in lives saved, but in the reduction of the hazards of births so that such babies have a much better opportunity to develop into

normal productive individuals. This programme, has, therefore, a very definite preventative purpose—to save mothers' and infants' lives and to help reduce the causes of long-term disabilities, such as mental retardation and cerebral palsy, which have often been associated with the survival of immature or very small babies, for whom today's high standards of care were not available.

I am sure that the people of this province are as prepared to invest in the salvage of new lives as they have been in investing in the salvage of adults with serious heart disease who have fewer, perhaps, productive years to look forward to.

I would like to say a word on the subject of family planning because I believe it is closely related to what I have been talking about. With the long-awaited amendments to the Criminal Code, whereby family planning services and advice are no longer illegal activities, we look forward to an extension of family planning services in this province. This, too, has its preventative aspects, enabling parents to plan their families in relationship to their resources to care for their children; not merely their financial resources but their human resources.

My department is providing financial support for this development through local health services grants and is actively urging the setting up of these facilities, the family planning services, across this province. A home environment of warmth and acceptance, which will foster not only physical health, but normal mental and emotional growth as well, is our aspiration for all children. I am sure that these two programmes will go a long way towards their achievement.

Mr. Chairman, the incidence of venereal disease as a public health problem is of continuing concern. The number of cases that are reported each year does not reflect in any way the actual extent of the occurrence of syphilis and gonorrhoea, but rather represents directly the amount of effort that is directed to obtaining notification. The fact that most cases of venereal disease are not reported to the venereal disease control section of my department is of serious concern. It is a matter of record that the number of positive smears for gonorrhoea and positive blood tests for syphilis performed each year in the provincial public health laboratories far exceeds the number of reported cases for either of these diseases, and it is a valid measure of the significance of the problem of under-reporting.

The operation of an effective venereal disease control programme is dependent upon several factors. The first of these is an awareness, a high index of suspicion, that a venereal disease may be present in an individual, often in an inapparent form, and that appropriate laboratory examinations are the only way in which a diagnosis of the condition will be made.

It is noted that of all cases of syphilis reported in Ontario in 1968, only 123, or 15.5 per cent were in the infectious stage; and 595, or 74.6 per cent in the latent stage. This latter group constituted a majority of reported cases, and were in a stage which presented no symptoms or signs of disease, being diagnosed by routine serological examination. They were not detected, therefore, during the infective stage when the identification and examination of contacts is of the utmost importance.

The public health aspect of a venereal disease control programme is directed to a location and examination of all contacts of each case of a venereal disease as soon as possible after exposure has occurred, so that effective treatment measures can be instituted to minimize further spread of infection. The names of the relevant contacts can be obtained only by careful and often repeated interviewing of the case, either by the personal physician or by an appropriate member of the staff of the local health agency.

The Venereal Disease Protection Act provides for notification of all cases of venereal disease to the provincial Department of Health rather than to the local medical officer of health. There are several reasons supporting the principle of central reporting. The maintenance of a case registry by a central agency is of value in providing a standard method of disease classification, of recording the treatment that has been used in each case, and of providing a reference file for physicians to obtain information about an individual's past history of venereal disease.

In addition, it provides the mechanism to follow contacts who may reside in municipalities other than that in which the case occurred. It is of prime importance that absolute confidence concerning persons suffering from venereal disease be maintained, and it is considered that central notification is the most effective way of ensuring it. It should be appreciated that central reporting does not in any way interfere or prevent the development of a good professional relationship between the practising physician and the medical officer of health in conducting an effective venereal disease control programme

in their own area. The confidence of the case of venereal disease remains with the personal physician, and he has the responsibility for the release of any information concerning the case of venereal disease under his care, and according to his best judgment.

The interviewing of each case of venereal disease, depending on the stage of infection, to obtain the names of relevant contacts is essential in the control of the spread of this disease. In certain circumstances it is recognized that personal physicians will prefer to accept this responsibility and to examine and treat, if necessary, those so named. In most situations, however, he does not have the time nor the facilities to carry out this important function, and would prefer to make use of the services of skilled personnel of the local health departments.

It has been shown that repeated interviewing is necessary to obtain the confidence and co-operation of the case in obtaining the names of the contacts in sufficient detail so that they can be located and brought in for examination and treatment.

An important reason for the failure to control the spread of venereal disease within this province is that interviewing either has not been done, or has not been successful in obtaining the names of contacts involved. This is supported by the fact that the number of reported contacts per case, for the province of Ontario, is less than one, on the average, and control measures cannot hope to be effective until this situation improves considerably. In areas where careful and intensive interviewing techniques have been practised the average number of contacts per case is four.

If the same ratio of contacts to cases applies in Ontario, and there is no reason to suspect otherwise, there are a large number of people who may be suffering from venereal disease and have not had the benefit of a laboratory examination to determine whether or not they are infected, who consequently remain untreated, and continue as a source of the spread of infection.

Recognizing that the control of VD has been ineffective in the areas mentioned previously—namely, notification by physicians, and interviewing by either physicians or local health agencies, and appreciating, Mr. Chairman, that questions have been raised on treatment and other aspects—I have authorized, as I told the House a few weeks ago, the establishment of a task force with terms of reference as follows:

To examine all aspects of venereal disease control and make recommendations concerning: (a) Diagnosis and treatment, including provision of free drug therapy. (b) Reporting procedures, including report forms. (c) Epidemiological procedures, both central and local. (d) The provision of clinic services. (e) Educational programmes, both professional and lay.

The task force will also have the authority to invite special resource personnel to provide information in related fields such as laboratories—public, private and hospital—clinics, legal aspects, law enforcement, sociological factors, education—both elementary and secondary—and it will also have the benefit of working with the Ontario Hospital Services Commission and the Ontario Health Services Insurance Plan.

The task force on venereal disease is comprised of individuals with expert knowledge and experience in various aspects of venereal disease. They represent those groups with particular interests and involvement in treatment and control programmes. The task force is made up of the following people: Dr. Frank Addlery, general practitioner, Scarborough; Miss Ella Beardmore, director of public health nursing, Scarborough; Dr. Harry Brown, general practitioner, Sarnia; Dr. Anne Kyle, clinic director, Toronto; Dr. W. T. R. Linton, dermatologist, Toronto; Dr. G. W. O. Moss, associate medical officer of health, city of Toronto; Dr. W. E. Page, medical officer of health, Brantford; Dr. Carol Voaden, general practitioner, Toronto. And the chairman of the committee is Dr. J. Stewart Bell, chief of the epidemiology service in The Department of Health.

Mr. M. Shulman (High Park): Mr. Chairman, if the Minister looks about him he will see how interested his backbenchers are in his speech. There is only one present.

Hon. Mr. Wells: I have instructed the task force to place before me recommendations as soon as possible for an aggressive and complete venereal disease programme for this province.

Mr. Chairman, man's health is directly influenced by his environment—the air he breathes, the water he drinks and the food he eats. All have influence on his state of well-being. The quality of man's environment has been affected by increasing changes in technology, the introducing of new chemicals and the trend to urbanization. While the evidence that these environmental changes are associated with changes in the disease picture in man is not conclusive, there is concern

among health people about them. The environmental health services branch in our department brings together a group of specialists who serve to keep watch on the environment and the possible effects of these on the health of the public of Ontario.

In recent months there has been much discussion about the significance of pesticides in our environment. Because of the concern about contamination of our environment, an Order-in-Council was passed last May banning immediately from use in agriculture, aldrin, dieldrin and heptachlor, and prohibiting all other use after January 1, 1970. One exception was made to this in that these substances could be used by a person holding a licence to do termite extermination while engaged in this work.

In September of this year, another Order-in-Council was approved providing for a prohibition on the use of DDT after January 1, 1970. There were three exemptions to this ban. The Order-in-Council made provision for DDT to be available under permit for bat control, tarnished plant bug control in apple production, and cutworm control in tobacco.

It should be stated that to date there is no concrete evidence that DDT is posing a threat to the health of the people of Ontario. However, there is concern about it as an environmental pollutant which has affected certain groups of our wildlife and fish. It is hoped that as suitable alternatives become available for DDT in the case of the three exemptions, the latter will also be withdrawn. As the hon. members know, aldrin, dieldrin, heptachlor and DDT are members of the chlorinated hydrocarbon group of insecticides.

I might also say here, Mr. Chairman, that our action in banning DDT in this province came about directly as the result of our pesticides advisory board. This board carried on hearings at the instigation of my predecessor and they have made a very thorough report which is presently in the process of being printed and will be made available shortly to all the hon. members. It was on the basis of this report and the expertise of our pesticides advisory board and those they consulted with, that we took the action we did last September.

As a result of an incident or incidents involving the death of ducks at Ward's Island, Toronto, this past summer, in which the insecticide diazinon was suspect, a one-man commission has been appointed to look into this matter.

Dr. Martin E. Edwards of the Royal Military College, Kingston, is the commissioner.

Hearings will be starting shortly and Dr. Edwards will be reporting his findings and recommendations to me on this matter.

During the past summer, the pesticides advisory board has been used extensively as an advisory body to the department. The board was asked to look into the use of aldrin, dieldrin and, later, DDT. And it was, as I said, as a result of their investigations and recommendations that we took the action we did.

The department is not complacent about the use of pesticides in Ontario. It is the intention to have a systematic investigation of all the persistent pesticides now being used. Action taken by the department will depend largely on the findings of these investigations and the recommendations accompanying the report.

Mr. Chairman, I would like to conclude my remarks by saying something about the whole matter of mental health.

Ontario has long been recognized as a leader in mental health services. Having met with our people and seen them at work, I can understand why. Since I became Minister of Health, I have had an opportunity to visit several of our mental hospitals and training centres for the retarded. I say, Mr. Chairman, I intend to visit all these facilities within the space of the next several months.

Mr. Shulman: I am glad somebody can get in.

Hon. Mr. Wells: Talking with our staff in the hospitals and in the central offices, I am becoming more familiar with this very large and important programme.

We are very fortunate to have such an advanced programme, and a staff of dedicated people who are trying very hard to provide the best possible care, treatment and training for our mentally ill and retarded. And I say this very sincerely, Mr. Chairman, having met most of these people, they deserve every support and encouragement we in this House can give them.

Mr. M. Makurchuk (Brantford): Try it with the dollars and cents!

Hon. Mr. Wells: Even with these advantages, we must do more to raise the level of care that is provided for those who are mentally sick and disabled. Considerable work needs to be done in our older hospitals to turn them into more modern treatment centres.

We do need more staff, particularly the more highly trained and skilled professional people, to achieve a level of care that will

provide the best results in the shortest period of time. We do not have enough beds to care for all of the retarded who would benefit from placement in a residential training centre.

The resident population of some of our facilities for the retarded, particularly the two largest at Smiths Falls and Orillia, should be reduced so that more space would be available for training activities. We also need more staff in our facilities for the retarded to help these children to reach their maximum potential.

Closer working relationships are being developed with public health and other agencies, but more could be done, needs to be done, and will be done, to prevent mental disorders.

For too long our attention has been focused on the provision of beds. Many years ago when a safe and comfortable haven was all that could be offered to these unfortunate people, this was appropriate. With the knowledge and skill now available to us, there are increasing opportunities for prevention; diagnostic and treatment services can now be provided without the necessity of the individual leaving his home or community, often without leaving his job.

With fewer people having to enter hospital to obtain the treatment they require, and the length of hospital stay becoming shorter and shorter, rehabilitation takes on a new meaning for those who require extended care.

I can assure the Legislature that as Minister of Health I propose to give particular attention to the further development of the programmes in this province for the mentally ill, the retarded and for emotionally disturbed children, and I would like to mention some of the highlights of the progress that we have made in the last few years.

The reorganization of the central offices in 1966 has greatly strengthened the overall administration of the programme, and added new resources for giving leadership and guidance to those in the field who are endeavouring to meet the changing needs and priorities for services. This reorganization programme has been extended out into the provincial hospitals and facilities for the retarded where a new organizational pattern has been established which makes provision for a functional grouping of activities and services into departments.

It is our intention to place a university-qualified and experienced hospital administrator in charge of the overall administration and

management of all our facilities, and to place the responsibility for all clinical services in the hands of a senior psychiatrist or physician as the medical director, or director of treatment and training.

During the past two years, 11 administrators have been appointed, and the remaining appointments will be made as quickly as well-qualified administrators can be recruited to the programme.

We have also designed and introduced a new cost accounting system in all of the provincial facilities. The new accounting system reinforced the new departmental organization, and provides a basis for comparison of cost data within our facilities, and with other hospitals or similar operations.

We are now in a position to develop indices and standards of performance which will help use to raise the standards of care throughout the system, and lead to improved efficiency and increased effectiveness in the delivery of mental health services.

In keeping with these changes, a number of new senior positions have been established within the various departments of the hospitals and hospital schools which are being filled by staff with the required training and experience. At the same time, an extensive programme of in-service training has been undertaken with special courses being arranged where indicated to assist the staff in upgrading their skills.

Now let me talk for a minute about the children's programme. This province was the first to formulate an overall programme to co-ordinate the services for children and adolescents suffering from mental and emotional disorders. A new administrative branch has been established within the mental health division to be responsible for the further development, planning and administration of the government programme for children.

Headed by a child psychiatrist with many years of experience in the clinical and academic fields, with a professional staff of programme co-ordinator and inspectors, this branch will also provide technical advice and guidance to all agencies serving emotionally disturbed children and adolescents.

The children's services branch will co-ordinate the services provided by all agencies and special units for children and adolescents coming under the jurisdiction of The Department of Health, and maintain close liaison with the other departments and programmes provided by the government for these children.

Regional centres are under development at eight locations in this province, as indicated in the White Paper, and special units with programmes and staffing particularly designed for the needs of children and adolescents have been established in six regional psychiatric hospitals.

Nine agencies operating under a local board, which provide special services for emotionally disturbed children, have been brought under the jurisdiction of this new department so that they can be identified with the government programme and receive financial assistance in maintaining their services.

Closer liaison has been developed with public health nurses, school authorities and children's aid societies in the identification and treatment of children in need of assistance. Increasing emphasis is being placed on treatment of the child in his own home and community wherever possible, using residential units only where there is specific reason to remove the child from his natural environment, and for as short an interval as possible.

I am pleased to be able to tell the House that Dr. Naomi I. Rae-Grant has been appointed director of our new children's services branch, and also Mr. Douglas Finlay has been appointed co-ordinator of this programme.

As I said, this branch was established within our mental health division to provide leadership and direction in the further development of the provincial programme for children suffering from mental and emotional disorders.

Dr. Rae-Grant and her staff will be responsible for the planning, development and co-ordination of all special facilities and programmes for emotionally disturbed children and adolescents.

Prior to her appointment as director of the children's services branch, Dr. Rae-Grant held a number of senior clinical and consulting appointments in Baltimore, Maryland, and was a member of the teaching faculty of the University of Maryland, Johns Hopkins University, and Coppin College.

Dr. Rae-Grant has also contributed generously to the literature in the field of child psychiatry, and has been particularly interested in the development of community programmes which emphasize the prevention of emotional disorders among children and adolescents.

Dr. Douglas Finlay is returning to this province, his native province, to co-ordinate

the programme in this division. A University of Toronto graduate, he studied social work at the University of British Columbia. Mr. Finlay is well known and respected in his field by reason of his extensive experience in the development and operation of programmes on behalf of emotionally disturbed children, both in Canada and the United States.

In 1961, he was sent to Thailand by the United Nations as an advisor in child and family welfare. Prior to this present appointment to our department, he was director of a residential treatment centre for emotionally disturbed children in British Columbia.

Over the past few years a new organizational pattern has been introduced in our facilities for the retarded to divide the larger hospital schools into smaller units, each to specialize in the training of children and adults according to the degree of their disability.

The progressive activity units provide a total training programme of purposeful activities directed toward increasing the child's ability to care for himself, and to the development of social skills. These units are designed for those who are unable to participate in more structured programmes because of the degree and complexity of their handicap.

The educational units provide a complementary and stimulating residential training programme for progressive emotional and social growth for the educable retarded. The adult training and rehabilitation units are designed to provide training programmes geared to different levels of retardation which will assist in the rehabilitation of the retardates who are able to return to the community, or do productive work in the sheltered setting of the institution.

In addition to these three activity units, a hospital unit is maintained to provide out-patient and inpatient diagnostic and assessment services, as well as medical care and nursing services for the institution.

An entirely new training course has been developed to teach the particular knowledge and skills required by the mental retardation counsellors identified with each of the units. The educational programmes, under the direction and supervision of The Department of Education, have been expanded, and special classes are provided for those with particular disabilities, such as impaired vision, or hearing.

Additional beds have been provided for the severely disabled and the multiple-handicapped child, and an extensive programme has been developed in collaboration with the public health agencies throughout the province to give assistance to the management and training of the retarded in the community, and to assess the degree of urgency when there is a need for residential placement.

In summary, Mr. Chairman, these are but a few of the highlights of the changes which have been introduced, and the advances which have been made in our mental health programme during the past few years.

We must do more to bring to the mentally ill and the retarded the advantages of the most effective methods of prevention, diagnosis, treatment and rehabilitation which are available, and to provide a standard of care that is comparable to that which we consider essential in the care and treatment of other forms of illness and disability.

And to these ends, we are working.

Mr. Chairman, the other major sections of our votes deal with the Ontario health services insurance department, and the Ontario hospital services commission. Rather than talk about those at this time, I will reserve my prerogative to talk about these two major aspects of our department's programmes when these votes are arrived at.

**Mr. G. Ben (Humber):** Before getting into estimates that are before the House, I think I should say a few words about the Minister's predecessor as Minister of Health.

I do not know how we can characterize the previous incumbent except to say that in defense of the Hall-Winegard-McKinney Report he was prepared to utter the most incredible absurdities about fluoride poisoning ever heard in this House.

The member for Ontario will be remembered as a man who could see nothing in Dunnville but blue sky; nothing at Port Maitland but innocence; nothing in the CBC but the most appalling wrong.

Well, the next few days will prove him wrong in that as the CBC is gloriously vindicated by the Canadian Radio Television Commission for its relentless pursuit of the truth in the fluoride pollution. So will the people who made the Dunnville report.

What, I wonder, will he say then, as his critics throw in his face all the outrageous statements he made in this House about a professional colleague from Detroit—Dr. Waldbott—about Canada's prime information media, the CBC.

The member for Ontario has done a complete about-face that is total and complete in the matter of the Respirin inhalation hospital at 429 Walmer Road, Toronto. Here again, guided by a stuffy kind of mal-professionalism, he was ready to run Respirin, quite unjustly perhaps, into the ground.

Now his metamorphosis is so complete that he has associated himself with that company, and this would seem to be an opportune time to congratulate him for having seen the light. I understand that the company may shortly be going public and perhaps the member for High Park and I could buy shares and we will finally get our opportunity to question the hon. member for Ontario after all.

Interjections by hon. members.

**Mr. Shulman:** We may be allowed to inspect the premises.

**Mr. Ben:** That is right, we might be able to get into the premises.

His successor cannot make these same professional gaffs since he is not possessed of a medical degree. He has to be content with service on a periphery of the profession.

In the current, fashionable terminology, I suppose I might refer to him as a para-Minister, the night orderly who was called in to do the jobs the doctor could not stomach. And what a night it was for the Robarts government, faced with what they called Machiavelian fraud, yet greed enough to envy the Maritimes their equalization payments.

This richest of all the provinces was torn between aloofness and the sensation of jaws dripping with greed for the \$176 million that was passing Ontario by. And so we got this incredible compromise, Medicare, that is neither fish nor fowl nor good red herring. If I may be permitted or forgiven for a mixed metaphor, we are paying Cadillac prices for Volkswagen services.

**Mr. R. Gisborn (Hamilton East):** You voted for it.

**Mr. Ben:** Mr. Chairman—

**Mr. Gisborn:** You are never going to—

**Mr. Ben:** I intend to resist an overwhelming desire—

**Mr. R. F. Nixon (Leader of the Opposition):** We will never convince you because you are not interested in the facts.

**Mr. Ben:** To be partisan in the matter of Medicare, which is obviously the one topic



that is on the minds of all of us today even though we may have prepared detailed material on all the other aspects of this portfolio, as indeed I and my colleagues have. In fact, the circumstances that the health estimates have come so late in the session has given us the opportunity to pin the new Minister down in a way that might not have been possible had this debate come up immediately he assumed his portfolio.

However, his assumption of office was so flamboyant, so characteristically an advertising man's approach to the job, that he made the mistake of committing himself to policies and making promises I am sure he has already lived to regret. It was important—really of note—that he made no mention in his main speech to this problem nor the statements he made to the Conservatives and others down at the King Edward Hotel.

**Hon. Mr. Wells:** I told you I would speak later on it.

**Mr. Ben:** He always says later on in the fullness of time. The Minister returns from Ottawa to face this House, fully aware of how the costs of health care have risen. The report which the federal-provincial conference considered shows a steady rise of more than ten per cent annually in health care costs, and of 14 per cent annually in hospital service costs.

The report states that the cost of health services has risen so rapidly in Canada in recent years that three alternatives are now imminent. The standards of health care now available can be reduced. This is obviously an unacceptable recommendation. The people have come to expect a certain level of service and they are not going to forget it.

The second alternative is that taxes, premiums or deterrent fees can be raised even higher than they are at present. And the third possibility proposed in the report is that ways must be found to restrain the growth of cost increases through better operation of the health service structure now in existence. Serious consideration must be given to a future major revamping of the entire system.

**Hon. Mr. Wells:** We have already done that.

**Mr. Ben:** The report notes also that the overall quality of Canada's health system is among the highest in the world through a combination of individual dedication, public desire and government action. I am glad that we have this progress report to mull over during the coming months. It is a vast project.

The three-volume report covers nearly 1,000 printed pages and covers areas of health services never before surveyed in Canada. As the federal Minister of Health, Mr. Munro, has pointed out, this document will now require important decisions by governments and by the health professions, and we can expect that the next occasion on which the Minister brings his estimates before this House will find us all fully versed in the complexities of this task force report.

For the record, it might be useful to bear in mind the seven areas of inquiry, each with its own task force. These were: four areas of hospital service—namely utilization, operational efficiency, salaries and wages, beds and facilities—and three areas of health service—namely, methods of delivery of medical care, price of medical care and the cost of public health services. The members of the seven task forces were, of course, leaders in the health professions chosen from universities, hospitals, professional associations and government.

The recommendations of this report are submitted under 16 headings, which I will note now for the record, and then as we come to the appropriate points in these estimates, we can correlate our observations to some degree with what is in the report. The headings are: co-ordinated government planning; regionalization; utilization; planning hospital facilities; teaching facilities; operational efficiency; financial incentives and analysis; manpower utilization; patient care classification; standards of patient care; ambulatory services; home care; health care administration; fee schedules; mass screenings, education.

I appreciate the Minister was unable to release this report before the conclusion of the Health Minister's conference but I do think that, once the restriction on its distribution was lifted with the conclusion of that conference, he could have made a special effort last night to make sure that copies were in our possession overnight in order that we might better correlate our comments for this debate with those under the headings I have enumerated. I would however, like to mention one fact about this report.

**Hon. Mr. Wells:** We sent them to you today.

**Mr. Ben:** You did indeed send it to me today. I trust that you did, otherwise I would not have it in my hand. Now the most startling thing about this report is, how many—

Mr. Shulman: He did not send me one.

Mr. Ben:—findings or recommendations in this report are merely repetition of matters that the Opposition has continuously brought before this House and asked the Minister either to implement or adopt. Item after item, I have found myself simply reading what either I or some other member of this House had tried to convince the Minister or his successor was required by way of implementation.

We kept on trying to convince this government that utilization of active treatment beds was often costly and unnecessary and that less sophisticated surroundings and less costly surroundings would, in many cases, be just as adequate. And it was not heeded. We tried to point out that hospital administrators did not have enough power to implement a lot of the recommendations because they were ruled by the medical profession in the hospitals; that was not heeded.

We pointed out that doctors too often did not take into account the economic consequences of their decisions and they left patients in active treatment beds when, in fact, all the patient had to do was have a rest in a rest-home or a nursing home or in a convalescent hospital. Again, this government refused to take action to enforce an edict which would leave active treatment beds for active treatment patients.

We suggested that there should be a system whereby convalescent hospitals and chronic hospitals be constructed in relation to active treatment hospitals and that was disregarded. Another topic that we mentioned here quite frequently was the overuse of drugs. I recall using the phrase that one of the problems we face today apart from water pollution, air pollution, and noise pollution was drug pollution, and that we are polluting ourselves with drugs, almost indiscriminately. This is another recommendation that was drawn up.

Medical fee schedules should be drawn up against the backlog of more information which is now available; that was something that the leader of the Opposition brought to the attention of this House.

Some of the nursing services are misused, both through maintaining the staff constantly at peak load levels, and through using graduate nurses for tasks not requiring their education and skills. This is something that was brought to the attention of this Minister's predecessor.

We kept asking why graduate nurses, registered nurses, should have to empty bed-pans

or make beds. This is one of the points that this commission dwells on. It talks about savings that can be made by group purchase of many items from drugs to linen; items should be standardized. Again, this was brought to the attention of this House.

As a matter of fact, I recall the member for Grey-Bruce arguing that you ought to have central purchasing. This particular report states that one group of hospitals was found to be using 16 types of bed sheets. I am just mentioning these because I have the letter "K" marked beside all of these items indicating that this was already known to this government and was brought to its attention by the members of the Opposition parties.

New health centres, insurance plans, the loads on doctors and the like, all these things. I would venture to say that 75 per cent, at least, of the recommendations that I have read in the short time that has been available to me since this report was placed in our hands, are recommendations that we brought to the attention of this government. We asked this government to implement them and we asked them unsuccessfully.

The attitude of this government is that as it comes from the Opposition party as a suggestion or a recommendation though sensible, should not be implemented, it might prove embarrassing to you. I think that you ought to consider the welfare of the people of the province and not your own particular political welfare.

Mr. Chairman, Ontario is now a partner in Canada's federal Medicare scheme, and I feel the Liberals can take credit for forcing the hand of the Robarts government in this regard. Intent on protecting private interest and privilege, Ontario was content to waive its right to share in the national Medicare fund, which was accumulated from its two per cent social development tax which we all pay as Canadians, if we pay taxes at all.

Finally, however, even the Conservatives realized that Ontario could not forego the moneys which were the rights of Ontarians to share. People realized that they were paying for a medical coverage twice over—through private contributions to insurance companies or co-operatives, like Physician's Services Incorporated, Associated Medical Services or the Ontario Medical Services Insurance Plan—and again through social development tax.

Ontario, therefore, put together a Medicare scheme which Ottawa agreed to accept as qualifying for federal funds. We supported that scheme in principle, because Liberals are

in favour of the principle of Medicare. So let us have an end to purposeful distortions of the reason for that action.

However, we reserved the right, and subsequently exercised that right in the committee stage of the debate, to point up the shortcomings of the government scheme. Then we produced our own and better proposal. All three parties now have a Medicare scheme. The government's, of course, is operational. When we come to office in 1971, we will substitute our fairer scheme, the most equitable of the three.

Please note, that we do not say our scheme is the best. Simply that it is the fairest. We are more modest than the NDP, because we are responsible. We know what government is capable of doing, what it is possible to accomplish without punching Ontario to utter bankruptcy. We also know that possibilities are open to the people of Ontario if only we can stop the cream being syphoned off to the London establishment.

**Mr. J. Renwick (Riverdale):** You have a myopic view of how government works in a democracy.

**Mr. Ben:** I often think that Ontario borrows money from Germany only so that in the end individuals can get rich at the expense of the common people and salt it all away in Switzerland in numbered accounts, which cannot be traced. How else can this Tory government explain to the people its reluctance to abandon the insurance company of London?

Medicare can no longer be regarded as the gateway to socialism. As the task force report demonstrates beyond a shadow of doubt, prudent people who believe in free enterprise and have saved all their lives can no longer afford the costs of medical care in the absence of such a scheme. Medicare is simple social justice, and since all three parties have adopted a Medicare proposal, there are no longer any political overtones in the principle of such coverage.

There are, however, important differences in the fairness of the three schemes. OHSIP is a premium scheme, very regressive. People have to pay whether they can afford to or not, or go begging for partial or total relief. There is no dignity in it.

The costs of the OHSIP scheme are inflated because it caters to the interests of the private insurance companies whose administration costs are not controlled. It is possible to run a Medicare scheme very cheaply if

existing governmental machinery is used. We propose to use the facilities that are already there—the federal taxation offices with their giant computers, and the employers' payroll machinery—to do the job of collecting the money required for Medicare coverage, rather than have the present expensive duplication of facilities through the insurance companies. In our plan, cheques in payment of doctor fees would come from one source. We are not interested in subsidizing the entry of insurance companies into your home for the purpose of talking you into further coverage or other classes of protection. Let them build their own mailing lists—and at their own expense.

Of the NDP proposal, I would say only this. Liberals believe in fairness and equity, and "progressivity" in the sense that this has in the field of taxation. But there is obviously an optimum curve between what the country can afford to do, and the legitimate demands of the disadvantaged.

There would come a point in any scheme of "super progressivity" where the incentive to help oneself, either individually or corporately, would diminish to the point where the wheels would begin to slow down. Liberals and socialists are in fundamental disagreement as to the location of this curve on the scale of social values, and that is the reason for the difference between the NDP and the Liberal Medicare plans.

The Liberal plan would not shake society to its roots, whereas the NDP plan is built on the formula that society must be radicalized. It cannot be denied that other incentives would be necessary to maintain productivity and effort if the "disincentive" effective of the NDP plan, coupled with other socialistic proposals, were given full weight in the ongoing Ontario climate of activity and enterprise.

It only needs the flight of capital, perhaps on the level now being experienced in Quebec, to make nonsense of a Medicare plan laid out on lines of "super progressivity". The Liberal plan was deliberately designed to strike the balance between the two factors of reasonable incentive and social justice, and we feel that we have succeeded very well in achieving this.

A comparison of the Liberal plan and the OHSIP plan will make this clear—and I would ask you to list them while I give the particular figures that distinguish the two plans.

I will take it firstly in relationship to a family man with two children, that would

be the caption for one set of figures; a married couple would be the caption for the second, and a single person for the third. Under the first, a family man with two children, one of three examples refers to a family man with a gross income of \$12,000, a taxable income of \$9,300. His contribution to the cost of Medicare under our proposed method and the present method is as follows: the proposed method—OHSIP premiums—nil; present method, \$177.

The one per cent health insurance premium under the proposed method would be \$93—there is nothing of that sort under the present method, and the federal social development tax, under the proposed method, \$120, would give a \$213 total of premium costs or total costs of Medicare to a family man with two children having a gross income of \$12,000, against the present method cost of \$297—a saving of \$84.

The second set of figures deals with a family man with two children having a gross income of \$7,500—taxable income of \$4,800. And here the figures are as follows: again there would be no OHSIP premium—the present premium for this man is \$177. Under the proposed method, the one per cent health insurance premium would be \$48, the federal social development tax \$96, for a total cost of \$144, as against the present method's cost of \$273. A family man with two children, therefore, with a gross income of \$7,500, would be saving \$129 on Medicare costs.

The third example is a family man with two children, having a gross income of \$5,200, a taxable income of \$2,500. His contributions to the cost of Medicare would be as follows: The OHSIP premium—again nil; the one per cent health insurance premium—\$25, and the federal social development tax—\$50 for a total of \$75. The total present method cost is \$227.

I should point out that the figures I have been giving for the federal social development tax are the same under the proposed method as they are under the present method. At any rate the contribution to cost of Medicare for a family man with two children having a gross income of \$5,200 under the proposed method of the Liberal Party is \$75, as against the present contribution of \$227; again a remarkable saving.

Insofar as the married couple is concerned, taking the same incomes, the first set of figures deal with married couples with a gross income of \$12,000—taxable income, \$9,900. Again, under the proposed method

there would be no OHSIP premiums. There is no provision for OHSIP premiums under our scheme whatsoever.

The present method costs \$141.60, to which is added a federal social development tax of \$120, so that the cost of the present method is \$261.60.

Under the Liberal proposed method there would be a payment of a one per cent health insurance premium of \$99 and a federal social development tax of \$120, so that the proposed method cost would be \$219 against \$261.60.

For a man with a gross income of \$7,500, and a taxable income of \$5,400 under the proposed scheme, the total contribution to the cost of Medicare would be \$162, which consists of a one per cent health insurance premium of \$54, and federal social development tax of \$108, as against the present method cost of \$249.60, made up of OHSIP premiums of \$141.60 and federal social development tax of \$108.00.

For the man with a gross income of \$5,200, and a taxable income of \$3,100, the present method costs him \$203, made up of \$141.60 premium and \$62.00 federal social development tax, whereas the proposed method would cost him \$93, a saving of \$110, the proposed method cost being made up of \$31 as the health insurance premium and \$62.00 for the federal social development tax—fantastic savings right down the line.

**Hon. Mr. Wells:** Mr. Chairman, would the hon. member be able to send over a copy of these figures?

**Mr. Ben:** Surely.

**Hon. Mr. Wells:** Not right away.

**Mr. Ben:** Oh thank you. Then the final figures, Mr. Chairman, deal with the single person—again, same incomes.

The person having a gross income of \$12,000 and a taxable income of \$10,900. Under the present method his contribution of cost to Medicare is \$190.80. Under our proposed method his cost would be \$229 which would consist of the one per cent health insurance premium of \$109 and the federal social development tax of \$120. The present method costs him \$190.80, as I have pointed out, so the cost would be greater there.

A person whose gross income is only \$7,500 and taxable income of \$6,400, would be paying \$184 into the proposed method as against \$190.80 under the present method. Under the present method, cost is made up of

\$70.80 premium, and \$120 federal social development tax. Under the proposed method \$64 would come from the health insurance premium and \$120 from the social development tax.

A person having a gross income of \$5,200, and a taxable income of \$4,100, his contribution to cost of Medicare under the present method is \$152.80, of which \$70.80 is premium and \$82 federal social development tax, as against the proposed contribution of \$123 made up of \$41 health insurance premium and \$82 federal social development tax.

Now there, Mr. Chairman, is what we call equity. Unless and until the extra billing feature is eliminated from the government plan, Ontario residents will have to pay an extra \$10 million a year to the doctors, often in the form of cash on the barrelhead for that invidious ten per cent. I had hoped that moments before I arose, the Minister would have eliminated this injustice, and since he has not I call upon him to make that declaration some time during these estimates.

**Hon. Mr. Wells:** Which injustice is that?

**Mr. Ben:** The ten per cent deterrent fee that you have imposed on the people of the province of Ontario for medical services.

**Hon. Mr. Wells:** You mean pay doctors 100 per cent; is that what you mean?

**Mr. Ben:** Liberals believe that doctors should get a fair fee, but that they should not get the rates unilaterally and without adequate consultation. We believe that the standing committee on health should have the power and the obligation to meet with officials of the Ontario Medical Association before any further changes are made in the fee schedule.

Obviously the schedule must be revised upward from time to time, and the integrity of the profession must be preserved, but the accountability of this Legislature is to the public and we have to examine all expenditures of public money to see that waste does not occur.

I think that must be said even in today's sensitive atmosphere so far as this Legislature is concerned. A professional is either qualified to serve in his field or he is not, and if he is qualified to serve he should be paid the rate for the job.

The Liberal plan will eliminate the present flat rate of \$177 a year for a family. Our programme will be financed through a one per cent tax on personal income and .8 per cent

tax based on a company's total payroll, plus the federal contribution of \$176 million.

Deducting the company's payments from their total payrolls would eliminate the cost of expensive bookkeeping now involved by having each company making separate payments for each employee. The federal government put a ceiling of \$120 on the two per cent social development tax they collect from all taxpayers to finance their contribution to the national Medicare scheme.

Provincial Liberals disagree with the federal government's position, and we point out that Mr. Benson's decision has limited the contributions of 150,000 Ontario taxpayers who normally would pay more than \$120. With our proposal there would be no ceiling.

Federal Medicare was intended to provide the cheapest possible medical care insurance coverage for the people of Canada. Premier Robarts clearly broke with the spirit of the programme when he decided to leave premiums at their high level. Even in this day of inflation, \$177 is far too much for a family.

A person with two children making \$5,000 a year pays \$177 of that for OHSIP, while his boss, who makes \$25,000 a year, pays the same. The employee pays nearly a month's take-home pay. It costs the boss a week's salary. I feel this is an inequitable way of financing Medicare.

**Hon. A. Grossman** (Minister of Correctional Services): I know, but Benson said he could live on \$32 a week.

**Mr. Ben:** Well, unfortunately he carries so much weight around that he has got enough to sustain him, aside from the \$32, but the people of this province have been left so skinny that they just cannot get on with the \$32.

The present plan hits hardest at those least able to pay, the old, those on fixed incomes, pensioners, those with incomes just above arbitrary assistance margins, who often have heavy family responsibilities. A parital reduction in premiums cannot erase the inequity of the system.

Let me make this point clear regarding Medicare. The Liberal plan does not provide "free" Medicare. There is no such animal.

Our proposal is a workable and more equitable alternative to the present plan, and it is progressive to the point where a balance is achieved between social justice and individual incentives. It fits in well with the federal White Paper proposals which are likely to be implemented in the near future.

This is more than can be said for the NDP plan which, taken together with the Benson proposals, produces an impossible steep curve, the disincentive curve that we fear would change the whole climate of enterprise in Ontario.

Ours is just the fine balance, the art of the possible captured and set out for all to read.

The Liberal plan requires employers to continue to pay their share towards employee medical care as part of their union contract. We are not out to undercut any fringe benefits that may have been won the hard way through collective bargaining over the years.

Employer contributions would account for 56 per cent of the financing of our plan, and the remaining 44 per cent, excluding the federal contribution of course, would come from the personal income tax deductions which the employer would take off each pay cheque, roughly in 26 equal small amounts so that the government would have the use of the money, and the interest on that would help further lower the rate of tax to the figures we have quoted.

Liberals believe that the integration of the health care and hospitalization schemes should be the next step in a planned progression. As a matter of fact, we believe that the initials OHSC should stand, not for Ontario Hospital Services Commission, but Ontario Health Services Commission, and it should supply all the health services that are required by the people of Ontario under that one umbrella.

Frankly, we think that the NDP proposal bites off more than Ontario can chew in one mouthful. It is a matter of practical politics rather than principle that guides us here. We certainly have no objection in principle to hospitalization being integrated with health care, and it is difficult to see how anybody could have such an objection.

But politics is the art of the possible, and since we believe we have to present a responsible alternative, and a credible one, we do not advocate the impossible. The NDP know that they would have to backtrack from their proposals somewhat, or at least stretch it out in time, but we have no such fears. We know that Ontario can afford what Liberals propose.

This, then, is the difference between our plan and the NDP plan.

**Mr. Makarchuk:** Ours was good enough for the people in Middlesex South.

**Mr. Ben:** The question of credibility must always be raised, and I hope that this will happen in the union halls across Ontario

where the pressure for the total package is said to have arisen. Let us take this one step at a time and let us do each step properly, fairly and equitably, and we will be worthy of greater respect from the people of Ontario than those who would irresponsibly reach for the moon. Let us leave that to NASA.

The strength of Liberal Medicare arises from it being closely tied to a rapidly growing tax base. This means that the increasing sums needed for health costs, so graphically detailed in the report made available today, would come from the dynamic ability of the province to continue to grow. It would no longer be necessary to maintain a surplus to control premiums as the present government is forced to do. We would eliminate that \$18 million stabilization fund and put the money to work.

The Liberal plan is a 100 per cent plan in more ways than one. It will pay the doctors 100 per cent of an equitable fee schedule that was under constant surveillance and review. It would pay the people's medical bills without worry and take the fear out of suffering and remove the fear that financial worry aggravates. They would have 100 per cent peace of mind. And, of course, when we could do it, we would bring in chiropractic and drugs. We recognize the desirability of this step. We are, however, once more, being prudent and not leaping into this just for the plaudits or the publicity. That, we feel, is the height of irresponsibility. Liberals have a Medicare plan to be proud of, the best of the three, and the one most closely related to the reality of today's climate and economic situation. I wish I could say the same for the others. But, the government is pragmatic, and the NDP is dogmatic, and I say, heaven help the people of Ontario caught between these two extremes.

**Mr. Chairman,** before I yield to the hon. member for High Park I would just like to make a few short comments about this report.

I was impressed in reading this report, but I could not help noting that when the Minister was discussing environmental health, he did not make any effort to redirect back into his department the subject matter of air and water pollution. Because, as he says in this report, or as he said in his opening remarks, man's health is directly influenced by his environment; the air he breathes, the water he drinks and the food he eats all have influence on his state of wellbeing. Why then, I naturally ask, did this government remove from the control of this department the subject matter of pollution, air pollution?

Why are not air pollution, water pollution, sound pollution all under this particular department? Furthermore, he gave no credit at all to Pollution Probe. The experts on his pesticide control board would not have acted, particularly in view of the involvement of Cyanamid, that is the name of the company, and other industry people on the board, unless the youth of the University of Toronto had not shown selfish idealism, untrammelled by having a financial stake in the outcome. They will be the same with phosphates and detergents. Diazonon would not have been investigated without citizen action first. Do not take the departmental credit for the credit that is due to the people of Ontario. Please do not knock participatory democracy.

**Hon. Mr. Wells:** Learn all the facts first.

**Mr. Ben:** They showed you the facts. You would not even have opened the book if they had not brought it to you.

**Hon. Mr. Wells:** You are wrong.

**Mr. Ben:** That is not wrong, that is the absolute truth.

I will have other points to raise, and other comments to make with reference to this report as we go over it from item to item, but I just thought I would mention that one point as far as pesticide is concerned because I do not think that any assistance body deserves more credit than does Pollution Probe and the efforts it expended and the success it had in bringing to the attention of the people of Ontario how serious was the pollution problem from these insecticides such as aldrin, dieldrin and heptachlor that the Minister mentioned, and DDT. So I think I will leave my opening remarks on that note.

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

**Mr. Shulman:** Thank you Mr. Chairman. I rise to speak in this estimate with some diffidence as this, without doubt, is the most important estimate the House will consider this year or any other year and that is, of course, the health of our people.

Undoubtedly, the major issue in the mind of the people of this province is that of OHSIP, its failures, and its costs, but I am not going to speak at any length on that subject because I think that all three parties have made their position very, very clear.

The government has brought forth a plan which I am sure they realize now, has bitterly disappointed the people of this province—

**Mr. MacDonald:** Including the Tories.

**Mr. Shulman:** Including your own backbenchers. The Liberals have offered an alternative, and we have offered another alternative which, I believe in all humbleness, is the proper answer. I think that if the government does not repent and does not realize it has made a mistake and does not bring in the alternative which we have suggested, they will pay the penalty for it, come election day in 1971. But, we have all presented our plans, there is no use my sending figures across setting them out again, because they are all available to anyone who wishes them, they have been in the press and I will leave it at that. I am sure the people will decide which is the best one.

What I want to talk about today, tonight, are other shortcomings in this department which perhaps have not been as well publicized. Last night, there came to my home, the president of the Associated Nursing Homes of Ontario and he phoned and asked if he could come over and he said,

I want to see you in desperation. We, the Associated Nursing Homes of Ontario have been trying for two months to get an appointment with the present Minister of Health. We have not been able to get an appointment. Will you see us so you can present our problems to him across the floor since he will not see us in person?

Dr. Wong, and his associates came to my home last night, and they presented a great deal of material to me, a little of which I would like to tell you about now, and basically, the problem is a lack of communication.

I am sure the Minister is unaware, I hope he is unaware, because if he is aware, I cry for him. I hope he is unaware of what is happening lower in his department because it is so bad and it goes right across the province.

There is an article in today's *Ottawa Citizen* which was sent in to me, and this sums up so very well the nursing home problem which the executive of the associated nursing homes came to see me about last night. I would like to read just a couple of paragraphs from this article. It is datelined Carleton Place, and I think it is rather significant that so often when I have to rise in this House it is about the problems down in eastern Ontario because

there is no one in this House to speak for those people and that is basically the problem.

Two years and \$16,000 after its opening, Stone Haven nursing home here has been shut down. Despite repairs, improvements, modernization and praise from local doctors, who believed their patients at Stone Haven were receiving excellent care, by mid-month all patients had been sent elsewhere and the doors closed at the solid stone home.

In December, 1968 the health unit board met with the administrators and some of the executives of the nursing home in the Leeds, Grenville and Lanark area, to see if we could clarify the situation. Nine nursing homes were represented. Dr. John Long of Toronto, an executive director of the associated nursing homes incorporated in Ontario was at that meeting. Mr. Folkes was very vocal at that meeting.

I interject, Mr. Folkes is the owner of Stone Haven.

He protested at the manner in which inspectors made constant demands on the owner, some of them impossible to meet. In view of what has happened this month, I would just wonder if he is being set up as a scapegoat. Dr. W. J. Hanham, coroner of Lanark county, said, "I have been in the nursing home several times as a coroner. I have seen nothing to indicate the home was not being run in a pleasant, efficient manner."

Dr. Donald Ferguson, who had several patients in the home said, "My patients have been receiving excellent care. I would consider it one of the best nursing homes in the area."

Dr. Wayne Barry, house physician, has been in communication with Dr. Thoms, the local head of the health unit, on several occasions. Dr. Barry said the Stone Haven nursing home had an excellent staff who strove for patient comfort and happiness. He, too, considered the home well run and with a pleasant and homey atmosphere.

Well, what is the reason for this mystery? Why has that nursing home and others, a number of others, in the area, been shut down? Why is Carleton Place suddenly short of nursing homes? Let me tell you the background of this one particular case, because it so sums up the very, very bad way in which the department is run. I am glad to see the member for Lanark is now here in the House, because the people there went to him and

tried to get action and they came to me only after they were unable to do so.

**Hon. G. E. Gomme** (Minister of Highways): Mr. Chairman, on a point of order—about that problem—the people did not come to me.

**Mr. Ben:** Why not?

**Mr. MacDonald:** That is a very significant admission.

**Mr. Shulman:** Well, in that case there is something very odd, because I have a letter here from the Minister in which he acknowledges their visit. Would he like me to send a copy to him?

**Mr. MacDonald:** Read the letter, let us get it on the record. Why does the Minister not hear the letter first?

**Hon. Mr. Gomme:** To correct this statement, the owner of the nursing home came to see me. That is not what the member inferred.

**Mr. Shulman:** That is exactly what I inferred.

**Hon. Mr. Gomme:** Oh no, it is not.

**Mr. Shulman:** And I will tell you something else, Mr. Chairman: 500 people have signed a petition about this matter and it is being forwarded down now, because they were not able to get action through the Minister. They could not even get to see the Minister of Health. Their member could not help them.

**Mr. MacDonald:** The Minister's conscience is speaking loudly at this point.

**Mr. Shulman:** All right, what is the background? Let me just tell you the horror of this story, the true horror of it, it is not just this one nursing home. There are many cases, it shows the horrible way this department is run.

I go back to July 14, 1969, Mr. Chairman, and I have a letter here addressed to the administrator of the Stone Haven nursing home, and it is signed to by "Matthew Dymond, Minister of Health". And I quote:

This is to advise you that the provisional nursing home licence No. 860 for Stone Haven Nursing Home expires on July 31, 1969. It is proposed not to renew the licence for the following reasons—

And let me interject there, Mr. Speaker, The Nursing Homes Act, which I have here, An



Act to provide for the licensing and regulations of nursing homes, was set up very nicely; there are all sorts of steps that have to be taken in order to cancel a nursing home's licence, but they never do it, they never give the owner a chance for an appeal, they just do not renew the licence when it comes up. They evade the intention of their own Act and that is what they have done here, that is what they have done in other cases we have brought up here. I continue with my quotation:

. . . the licence for the following reasons:

1. An automatic fire alarm detection system has not been completely installed.
2. A certificate of electrical inspection from the Hydro-Electric Power Commission of Ontario certifying that all electrical installations and wiring in the nursing home conformed to the Ontario electrical code has not been submitted.
3. All hot-water radiators are not provided with protective coverings.
4. A call system is not provided from each bed.
5. Individual lighting has not been provided.
6. All windows have not been provided with draft deflectors.
7. Beds overlap unprotected windows and doors.
8. Sufficient sitting-room space has not been provided on the second floor.
9. Housekeeping is not maintained at an acceptable level.

Upon receipt of this notice, you have 15 days within which to request a hearing before the nursing homes advisory committee. You may make such representations as you desire respecting your licence at this hearing and you may be represented by counsel.

Yours very truly,  
Matthew Dymond.

Well, the owner of the home was a little mystified to receive this letter.

**Hon. Mr. Wells:** The member just said he did not have any appeal proceeding.

**Mr. Shulman:** Well, if the Minister will be patient, we will see what the appeal proceeding amounted to.

The owner was a little amazed to receive this letter because he had been notified somewhat earlier, a little earlier, that he

should make all these changes and all had been ordered and were in the process of being done. So he hired a lawyer and he appealed. He went to the nursing home advisory committee and he won his appeal. Subsequent to the appeal, he received a letter from one "Thomas L. Wells, Minister" and I will read that, too.

**Hon. Mr. Gomme:** What date is that?

**Mr. Shulman:** The date of that is September 3, 1969.

**Hon. Mr. Gomme:** He still had his licence?

**Mr. Shulman:** Yes, he still had his licence, and listen to what happened. He had done everything. Now, let me just read the letter:

Dear Mr. Folkes:

Re: Stone Haven Nursing Home.

This is to advise you that I have had an opportunity to review the report submitted by the nursing homes advisory committee of a hearing held August 7, 1969 respecting the matter of renewal or non-renewal of the provisional licence for the above-mentioned nursing home.

I concur with the recommendations of the committee that the provisional licence be temporarily extended and am setting November 1, 1969 for this purpose providing the following conditions are met:

1. Certificates of electrical inspection for all the electrical systems in the nursing home by the Hydro-Electric Power Commission of Ontario, be provided the physician in charge of the chronic care section of The Department of Health by October 1st.

2. That the fire alarm system and the call system be tested and found acceptable to the appropriate specialist on the staff of The Department of Health, Province of Ontario, by October 1st.

3. That the housekeeping systems in the nursing home be revised by the owner with particular changes to be effected in the matter of bed pan service and cleaning. It is assumed this will require plumbing changes for bed pan washing. This is to be completed by October 1st, 1969, to the satisfaction of the medical officer of health.

4. That employee time records be made available to the medical officer of health or his representatives at all reasonable times. Inspections will take place at the

appropriate time to see whether or not the work has been completed.

Yours sincerely,  
Thomas L. Wells

He did every one of those things. No. 1: "certificates of electrical inspections and you have to have that in by October 1"—he had it in September 27. No. 2: "the fire alarm system be checked and found acceptable"—done by Mr. D. Birdsill, Ontario fire department, at the end of September. "House-keeping systems be revised"—done, immediately. And, finally, "employees' time records be made available"—and that, of course, was done the very same day.

Mr. Folkes was delighted to have won his appeal and he wrote back to the "Hon. Thomas Wells" on September 26 as follows:

Dear Mr. Wells:

I am delighted that you have decided to temporarily extend the provisional licence of my nursing home.

In reply to your letter:

1. A certificate of electrical inspection is enclosed.

2. Fire alarm and the call bell system—both have been completed and tested by the field service representative for Edwards of Canada Manufacturer. To my knowledge, the inspector of the staff of The Department of Health has not as yet made his inspection; he may come at any time.

3. Housekeeping systems with particular changes to bed pan service and cleaning by part-time maintenance man—Mr. Kenneth Baird becomes a full-time maintenance cleaning employee as of October 1st, 1969, as requested by nursing home inspector, Mrs. Shirley Lipcoe. A utility sink has now been installed in the lower level of the home in the location she requested. Also a pressure hose to facilitate bed pan cleaning has been installed in the toilet room in our bed-patient area as requested.

4. Availability of employees' time records—Enclosed are copies of the time sheets, which have always been posted several weeks in advance. The medical officer of health's representatives see these sheets each time they are in the home. In addition to this, our medical officer of health has devised another set of time sheets to be forwarded monthly. A sample is enclosed here. The Department of Health has also devised an experimental set to be done monthly, also enclosed. This was

seen to create an unnecessary amount of paper work. I have completed the request of the committee and will await the confirmation of the extension of my licences.

He did everything they asked, and what was the outcome? On October 31, he got another letter from the Minister. Let me read that one:

Dear Mr. Folkes:

On September 3, 1969, I advised you that the licence for Stone Haven Nursing Home was extended to November 1, providing certain conditions were met. These conditions have not been satisfied and therefore your licence will not be renewed. When you have met the requirements of the medical officer of health, you may wish to reapply for a nursing home licence. Consideration will then be given to your application. The onus for special care patients will be transferred from your home and the welfare authorities and next of kin of your patients will be notified that your home is unlicensed. I hope that you will assist in making the transfers as smooth as possible for the patients.

That was October 31. On November 1 he closed, the patients were moved out. The 30 people who were involved were all put out to work and they are short of nursing homes in Carleton Place.

Mr. Folkes wrote the Minister of Health, Mr. Wells, again on November 8, expressing his bewilderment. I have his letter, here, saying he had done everything that had been asked and asking for an appointment to try and find out what it was that they wanted. If there was something they wanted that they had not told him about, he would do it. He had done everything they asked and they still cancelled his licence; what could he do? Could he have an appointment? There was no answer to that letter.

Hon. Mr. Wells: The hon. Minister from Lanark (Mr. Gomme) has been working on this as long ago as about a week ago.

Mr. MacDonald: That is three weeks ago.

Hon. Mr. Wells: Yes.

Mr. Shulman: As the nursing home is now closed, the patients are all dispersed and the families are all unhappy; I have letters from the family. The people of Carleton Place are so fed up they are going to vote Liberal next time.

Mr. M. Gaunt (Huron-Bruce): Good.

**Mr. Shulman:** They are. I hate to say it. It is not an area where, unfortunately, we are strong and in desperation they are going to Liberals. But imagine the human harm that has been done to all the people involved while Tom Wells is spending three weeks trying to arrange an appointment. He has not given a reason for the cancellation; he has not even answered the letters.

**Mr. Gisborn:** When they do not get another home, they will come with us.

**Mr. Shulman:** I have here a letter—well, I have a number of letters—but I have here a letter from Mrs. Evelyn McGregor, receptionist to Wells, on November 24. She was one of the persons who was familiar with the nursing home and he had written about Stone Haven Nursing Home. It is a long letter but I want to read one paragraph here:

Whenever I entered my mother's room (her mother was in the home) it was spotless. The patient was quite content, clean and dry. The atmosphere was that of one happy family. A staff member was always close by in the event I wished to enquire about my mother's diet, which proved well, and also her health condition and her attitude while I was not there. The other patients were neat and clean and most times occupied by their own doing and enjoyed a short chat. I feel that actions in this case were completely unnecessary. In closing, I feel that Stone Haven Nursing Home is an excellent nursing home and I recommend sincerely that it be re-opened and in full operation as soon as possible.

Of course, she has not as yet received a reply.

I have here the paper from Carleton Place. These are good, conservative, decent human beings; what do they think of all this? On the front page of *The Canadian*, which is the Carleton Place paper, for Wednesday, November 19, is an article in the centre of the page which reads, 'Mayor Seeks Toronto Help For Nursing Home!'

With the closing of the Stone Haven Nursing Home on Mills Street, Mayor J. A. Julian has appealed to Toronto for more consideration:

Mr. Thomas A. Wells,  
Minister of Health,  
Parliament Buildings, Queen's Park

Dear Sir:

In the past two years five nursing homes have been closed in Carleton Place and area. I would like to know what alternate facilities you are providing to take care of the persons requiring nursing care in our

locality. It would appear to me, although not being an expert on nursing homes or their requirements which must be met by your department, that when we think of the average daily bed rate in hospital is \$42, how can private enterprises who receive from The Department of Welfare the sum of \$9.50 per day, be expected to meet the requirements as laid down by the Act pertaining to nursing homes when there is such great difference in moneys received. My main concern is for the welfare of our senior citizens residing in our area who may require nursing home care, that something be done to have available these very necessary beds.

This is the problem that our local physicians and hospitals are also faced with. Anything that your department or representatives of your department can do to assist us in this matter will be very greatly appreciated.

James A. Julian, Mayor.

James A. Julian, Mayor did not receive any more explanation than anyone else. It still is a mystery as to why that nursing home has been shut down. Just look what they have done to Mr. Folkes. They said come and do all these things, spend all these thousands of dollars He did it. They said "If you do that we will extend your licence;" he did it and then they cancelled the licence. What a terrible department. You should be ashamed to sit here with that smirk on your face.

**Hon. Mr. Wells:** I am ashamed of you.

**Mr. Shulman:** You are ashamed of me? Well, Mr. Chairman—

**Hon. Mr. Wells:** I will give you the whole story.

**Mr. Shulman:** Mr. Chairman, it will be nice if you would give us the whole story. It would be nice if you told the people of Carleton Place—they would like to know, too—instead of just shutting the nursing home down with no reason given. Mr. Chairman, let me just remind you, I know that you are aware of who should be ashamed in this House. I know you to be a compassionate, kind man. And I know very well if you were the Minister what the situation would be.

Let me say this to you. We have gone through this once before, Mr. Chairman, with another nursing home and the government then made a number of claims of horrible things that were happening in that nursing home. They said we will prove it, we will lay

charges against them. The charges were thrown out of court and when those charges were thrown out of court, they did not have the grace even then to apologize or to try and make up the damage they had done.

Yes, I am ashamed. I am ashamed to be a member of this House while you sit here in this House.

Hon. Mr. Wells: And I am ashamed while you are here.

Mr. Shulman: Mr. Chairman, that sums up the difference between the two of us and I believe in justice for these people. I believe that you must do something; you must give an explanation. I do not believe in telling a man you must spend thousands of dollars and after he has done everything, you say, "You are out business!" That is what you do.

Hon. Mr. Wells: Your form of justice is very strange.

Interjections by hon. members.

Mr. Gisbom: The Minister is pretty defenceless right now.

Mr. E. W. Sopha (Sudbury): I hope *Hansard* is picking up those comments.

Mr. Shulman: I would be glad to yield to the Minister if he wishes to make any comment on the case.

An hon. member: He is at a loss for words.

Mr. Shulman: Mr. Chairman, I would like to turn now to another matter. In the preliminary remarks which were made by the Minister of Health, on the introduction of the estimates, he painted a beautiful picture in 35 pages. There is only one thing wrong with it. Like so much else in this department, on paper it looks great but in practice it just does not happen. I am not just going to tell you today, I am also going to show you.

This is the fourth department for which I have had the honour to lead off the estimates debate for my party. I feel, as the representative for this party, it is my responsibility—

Mr. J. W. Snow (Halton East): You will soon be the leader.

Mr. Shulman: I may soon be the House leader. It is my responsibility to do a careful examination of the various departmental estimates—

Mr. MacDonald: That melts your snow.

Mr. Shulman: —to make suggestions to improve the working of the department.

Let me say this, my views of politics and politicians are a little different, perhaps, from the Minister of Health's. I think that the critic in health should be making his suggestions not for political gain but primarily to assist the running of the department.

I am sure the member for Humber will agree with me on this. This should be our function. The things that we argue in public should be matters such as he brought up before OHSIP, the way premiums are raised. We should not have to do this type of thing in the House. What I have done now and what I am about to do is because we cannot get through to this department. In order to do a proper examination of the department—

Hon. Mr. Wells: That is not true. You cannot prove that.

Mr. Shulman: I am about to—

Mr. Snow: You have not proven anything yet.

Mr. Shulman: It is not proper. It is not possible for the member for Humber or myself or any of the other members in this House who are interested in health to do a proper job in any department if we cannot get the facts. The Minister of Health, the present Minister of Health, and his predecessor have issued instructions that members of this House may no longer visit their institutions except on pre-arranged conducted tours.

Hon. Mr. Wells: That is not true.

Mr. Shulman: That is true and I have it in writing from you and from your predecessor. I have been thrown out of three institutions and so has the member for Lakeshore. We can take anyone else with us and we still cannot get in. Everyone in this House is aware of why members are allowed to visit the mental institutions only on these pre-arranged, white-washed tours. It is because of the glaring inadequacies which were exposed when, together with the member for Lakeshore, I toured a number of the mental institutions discovering inadequacies, neglect, abuse, inter-patient violence, understaffing and low patient morale.

The department has two courses available; they could have tried to improve conditions or they could have tried to hide conditions. We know what course they took. In the other three departments which I have had

the duty to criticize, although the Ministers have many inadequacies, at least the facts were available so that this House and the public were aware of the situations and could make recommendations to improve them.

The Department of Health has placed a medical curtain around its institutions. It is afraid to let the public see because it would recoil at the sight. The government's activities in this field have gone so far as to completely ban from showing anywhere in this province the documentary film, "Titicut Follies", which was made in a Massachusetts' mental institution and which indicates the hopeless conditions which prevail, many of them duplicated in this Minister's institutions.

The government has so little sense of responsibility that when one of the staff at the Smiths Falls Hospital for the Retarded supplied me with samples of the shoddy clothing given to the patients, instead of inquiring why the clothing was so bad, they called in the Ontario Provincial Police to try to find the name of the public-spirited staff member so that he could be fired.

I pledge to the people of Ontario, through you, Mr. Chairman, that after the next election one of the first areas that will receive our attention and our help will be that of The Department of Health. It needs it so very badly.

Because it is no longer possible to enter the institutions themselves, what I will say this afternoon is largely the result of information from patients and staff and liberal borrowings from material prepared by the President's Committee on Mental Retardation in Washington. This group, formed six years ago, has done outstanding work in the field of mental retardation. What a pity that this government has no such imagination.

To give you an idea of conditions in Ontario mental institutions, I had these pictures taken in the Ontario Hospital at 999 Queen Street last week by one of my informants. This is ward 4A of the Ontario Hospital at 999 Queen Street last Thursday. There are 55 men in this ward. This is not a ward for chronic patients; this is a ward for new patients who hope to get out fairly quickly. There are 11 beds in this room, if we can call them beds.

This is what the patient first sees; this is taken from one bed, there are at least four down this side also, and then beds at either end. Is it a prison? Is it a barrack? Is this where you would want to put a mentally ill person? What do you think would be the

effect on someone who was mentally ill or perhaps a little mentally ill, going in and living in that?

Mr. Sopha: That is like the hospital Florence Nightingale started.

Mr. Shulman: It is indeed; it is exactly like the hospital Florence Nightingale started. But this is not a hospital for general, physically ill patients. This is a hospital for mentally ill patients. If you have an old building—and you have and you cannot do much about it—at least you could put in some amenities. Is there any reason you cannot put partitions in and put in patients, two or three or one in a room?

Do you have to stuff them in like sardines in these awful, 100-year-old beds with mattresses so thin you can feel the spring beneath? What dignity do those patients have? There are four toilets for 55 patients; no doors on those toilets. This is a picture of the toilets in that ward. They are lined up in a row, no doors. The doors were taken off years ago and they have never been replaced. This is the dignity we give these people who are supposedly mentally ill.

Everything in the hospital is so old, it could be sold actually in some of our rural areas in the antique sales. Try the Aberfoyle; I am sure it would pay well for the bathtub.

There are two bathtubs for 55 men. This bathtub is over 100 years old. It is on a piece of wood, the wood block under here is to hold it up. The base collapsed years ago and nothing has been done. What do those patients see when they look out the windows? They see only one thing from that ward and again, I stress, this is not a chronic ward, this is for new patients. This is what they see. I am sorry I did not have a chance to get this to the blow-up shop. It was just taken yesterday. This is what they see when they look out that window. What a sight, what a great help for the mentally ill.

And the Minister sits over there and says he is not ashamed. In fact, he says in here, he is proud of the great progress they have made and of the great progress his predecessor made in the ten years he was in there.

Hon. Mr. Wells: Did you real that whole statement?

Mr. Shulman: I read it and I listened to it and I was embarrassed for you and I was embarrassed for everyone else in this House.

Hon. Mr. Wells: You have got a closed mind.

**Mr. Shulman:** You have no mind, this is the problem. Go down and look. How can you go down and look at things like that and be tolerated in this House? How can you tolerate things like that?

**Hon. Mr. Wells:** Will you come down with me tonight?

**Mr. Shulman:** I will be glad to come with you tonight or any other night; at the time of your choice. I will be glad—

**Mr. Makarchuk:** Let us take the whole House.

**Hon. Mr. Wells:** All right. At 10.30 tonight, I will take you down.

**Mr. Shulman:** All right, at 10.30 tonight, I will be here and we will go down and I will show you those things.

Interjections by hon. members.

**Hon. Mr. Wells:** Just you and I, no newspapers or anything.

**Mr. Shulman:** You have a date, Mr. Minister.

**Mr. Ben:** Will you promise to bring him back?

Interjections by hon. members.

**Mr. Shulman:** One of my colleagues suggests it may not be safe for me to go there, but I will take the chance, Mr. Chairman.

Why have the facilities in this province in connection with retardation lagged so far behind those other areas in which advancement has been considerable? The facilities have been plagued by a triple problem—overcrowding, understaffing and underfinancing. To complicate matters further, the public, long accustomed to knowing little about mental retardation, often held inaccurate information. There was a mystique about the retarded involving feelings of hopelessness, repulsion and fear.

Gradually, a change in attitude has been occurring due to the efforts of private groups run by parents of the retarded. But despite their efforts, due to the little attention given them by the Conservative government, our provincial facilities for the retarded remain in their medieval state. The troubles far antedated the coming of this government; they are not to blame for the original facilities. Back in the mid-nineteenth century, there was a wave of optimism about the care of the mentally retarded.

The belief developed at that time that through educational efforts, the retarded could be helped and that most of them could be made self-sufficient citizens. When this concept, so noble in its beginnings, appeared to have failed, decision makers became committed to locating institutions away from the population centres of the province. This unfortunate decision seems to have been motivated, in part, by the conviction that mentally retarded persons were best cared for in a bucolic setting; in part by the fear that the retarded, being a scourge to society, should be removed as far from it as possible; and in part to satisfy demands to locate employment opportunities in under-developed areas in order to provide jobs and income for the surrounding communities.

For whatever reason or combination of reasons, most of the province's residential facilities for the retarded are located in out-of-the-way communities. Being so located has caused ever-increasing difficulty in obtaining qualified professional staff who frequently, like the rest of us, prefer to live in larger population centres. Similarly, the core of any institution, that is the ward or cottage personnel, have been increasingly difficult to recruit as the population has shifted from rural to metropolitan areas.

**Mr. MacDonald:** Mr. Chairman, on a point of order, while the hon. member is catching his breath, I am sure the House would like to know that we have in the gallery a distinguished visitor, the hon. Sid Green, who is Minister of Health, Social Services and Northern Development from the province of Manitoba. He is in the east gallery. He came at the appropriate moment.

**Mr. Shulman:** I wish we had him here in Ontario.

**Hon. Mr. Wells:** He thinks we have some pretty good ideas.

**Mr. Shulman:** I would like to hear him say it. As a matter of fact, Mr. Chairman, I must say to the Minister, he has a great public relations department. If I was sitting in Manitoba or Alberta or anywhere else outside Ontario and read this book, I would think what a great province, what a great programme, what a great Minister. The truth is, what a great public relations department. He has a great public relations department; he puts out a beautiful book. It looks lovely on paper—there is only one thing wrong, it is all useless.

**Mr. S. Lewis (Scarborough West):** And you need PR, my friend; more than any other member in this House, you need PR.

**Mr. Shulman:** There is so much in there that is trust. There is so much in there that is good feelings. We are going to do this, we are going to do that; I have great intentions, we are good people; we will improve; Ontario is the best. It is rather intriguing, Mr. Chairman; I am very glad that this interjection came up.

I am going to digress for a minute, if you will, it is rather interesting. The United States Department of Health, Education and Welfare sent some people up to Canada to do a survey. It is rather intriguing to compare Ontario with the rest of Canada because their survey showed, strangely enough, that the administration expenses of hospital insurance was two-thirds higher in Ontario than in all the rest of Canada. This so well sums up this department. It is 88 cents per capita in Ontario; 52 cents for the rest of Canada.

This so well sums up waste. And where do they waste it? They waste it on printing little books like this saying what a great job we are doing. They waste it in the Minister running around making great speeches on what a great job he is doing. They waste it on television advertisements, full page ads in the paper. But they do not hire the staff they need; they do not pay the living wages, and we find the money going in waste. I bet the Minister was not even aware of this study.

**Hon. Mr. Wells:** I was.

**Mr. Shulman:** Sure he was aware of this study. I would like to ask what has he done about it? Nothing.

**Hon. Mr. Wells:** We have got a whole task force on the health care department.

**Mr. Shulman:** The Minister has a task force for everything from VD to the morals of his department. The task forces go out and I do not know what they do. I presume they study and they send in the report; he does not receive it or he does not read it and nothing happens. We have had a series of task forces in this department for years.

**Mr. Lewis:** Look at the possibilities of a task force to analyze the Minister.

**Mr. Shulman:** It will keep them busy for years.

**Mr. Chairman,** this the problem. If, instead of sending out his task force to define

problems which we already know about, to repeat studies which have been made time and time again, he could do a simple obvious thing. He has people coming in here, like Dr. Kyle who was running a VD clinic, but the Minister would not give her the drugs to cure VD.

Did he give her the drugs? No. He got up instead and he made a great speech of the great progress we are making in VD and if only reporting was done, we could cure it. Actually you could cure it if you would co-operate with your civil servants. You do not know what is going on in your own department. When someone tries to tell you, you get up in the House and say "She is not co-operative".

**Hon. Mr. Wells:** You are going to have a heart attack or something. Just calm down. Take a tranquilizer.

**Mr. J. L. Brown (Beaches-Woodbine):** That is just what you are about.

**Mr. Shulman:** It is quite true, Mr. Chairman.

**Mr. Sopha:** Is there a doctor in the House?

**Mr. Shulman:** When we look at the estimates of this department, anyone who reads them needs a tranquilizer, Mr. Chairman. And this unfortunate giving of tranquilizers is the way that this Minister handles his problems. Instead of taking action, he passes out palliatives.

He passes out little yellow books saying everything is great. He does not do anything for the Ontario Hospital. The men are still sleeping in those God-awful beds; they are still packed in like sardines; they are still sitting in open toilets. They are not treated like human beings, and there are still riots in the wards there because they are not staffed properly. You still get violent patients from Penetang being sent to places like 999 Queen Street where they should not go. Because you are not doing your job, you are giving out tranquilizers. We expect better from the Minister of Health.

**Mr. MacDonald:** Somebody should get excited.

**Hon. Mr. Wells:** Do not get excited.

**Mr. Lewis:** You are the most cynical and impossible man. You really are.

**Hon. Mr. Wells:** Look at who is talking.

**Mr. Shulman:** You have had this before you for year after year. Mr. Chairman, I

can understand the interjection from the various members because the attitude of this Minister and the way he handles his department is enough to make anyone's blood boil. This does not involve dollars and cents; this involves human beings—their lives and their health. And for the Minister to sit here and say "take a tranquilizer" is shameful.

Hon. Mr. Wells: I am thinking of your health.

Mr. Shulman: You should think of the health of the people of this province, since you are responsible for them. If you do something for their health, it will improve my state of well-being.

Hon. Mr. Wells: I would doubt that.

Mr. Shulman: We have other members in this Cabinet whom, I know, care. There were two or three in the House and there is one, I think, who is sitting besides you; to your right, let me make that very clear. It frightens us. It amazes us to have you come in with this attitude of "everything is okay. Take a tranquilizer." We want you to admit the problem.

Hon. Mr. Wells: Mr. Chairman, on a point of order. There is nobody more concerned about people in this House than I and there is nothing in that report that says I said, "Everything is okay." I said there were lots of problems and I resent the implication that I have no feeling for these people. I certainly would not even be in politics or in this department, if I did not care about people. That is the only thing I care about—people.

Interjections by hon. members.

Mr. Shulman: Mr. Chairman, I am glad we had that interjection. I am going to read a note taken off the bulletin board in Ward 2A at the Ontario Hospital at 999 Queen Street—

Mr. A. Carruthers (Durham): His spies are working.

Mr. Shulman: —this morning at 9 o'clock. I quote:

Any patient suspected of not swallowing his medicine is to be left until last and the nurse is to devote her time individually to this patient—

And the next sentence is underlined—

He is to be subjected to the indignity of having his mouth checked with a flashlight and tongue depressor. Thank you.

The name of the supervisor is below it. And this is the attitude.

Hon. Mr. Wells: Why do you not apply for a job in that department?

Mr. Shulman: I am applying for that job. I am going to the people of Ontario when I apply for that job and I am going to continue to go around the province and apply for that job and when I sit over there and have that job I am going to clean up the mess that you have created.

Mr. MacDonald: He applied in Middlesex South and the voters accepted the application.

Interjections by hon. members.

Mr. Shulman: Mr. Chairman, I believe the Minister when he says he cares about people. I believe he is telling the truth. But what bothers me is that his care is not translated into action. He comes here and he gives us his little homilies that he cares about people as much as anyone else, but he does not do anything. We still have these horrible conditions and until he proves that the homilies he gives us are what he really means or that he intends to do something about it, we are going to look upon him with a very jaundiced eye. So let me return to the care of the retarded and the fact that the facilities are all set up in out of the way places and I will explain the reasons for that.

For whatever reasons or combination of reasons, most of the province's residential facilities for the retarded are located in out-of-the-way communities. Being so located has caused ever-increasing difficulty in obtaining qualified professional staff who frequently prefer to live in larger population centres. Similarly, the core of any institution, that is, the ward or cottage personnel, has been increasingly difficult to recruit as the population has shifted from rural to metropolitan areas.

To visit institutions, exemplary or otherwise, citizens in the past had to make a great effort, and then they often went only once. In part, this is so because of the distance involved for many, but also because they were repulsed by what they saw. Many legislators have appropriated large sums of money to support their public facilities, but have never visited a single institution for the retarded, either to see the need first hand, or to ascertain how the money was spent.

There are physicians who refer families to these residential facilities but who have



never seen the facility, and do not know the professional personnel caring for the clients whom they refer.

This is an odd paradox since one cannot imagine a physician referring a patient to a hospital for an operation if he knew nothing about the place and the people involved and I confess right now that I was no different from any other doctor. I made this very same error. I was blind. I went to look at the general hospital where I referred patients but I did not go to the Ontario Hospitals and I do not really know why. Perhaps it was an aversion to this. Perhaps we all feel its aversion.

I know when I was allowed to visit the institutions for the retarded and—I always went with someone—I used to go with the member for Lakeshore and when he was busy, my assistant, Mrs. Hill, went with me—and our first visits there were frightening because of the revulsion—a revulsion tends to arise in spite of ourselves at some of the things there.

There is a disease called “clover” and I had never seen this disease before and the first time I saw a child with clover which was in Orillia, and he came tottering towards me and wanted to put his arms around me and I had to fight myself not to run. Therefore, I can understand why people do not want to go there and it is because of this that families desert these children and it is because of this that we, as members of this Legislature, have a duty to go to these places and see that the patients are being properly looked after because so many of them are deserted by families who just cannot bear the sight. I can understand this. The Minister as a first step—if he truly believes what he has said—should say to us: “I want your help. You on the other side of the House. Starting tomorrow, you may go into the institutions at any reasonable hour to look at them and see what can be done and advise us and help.”

We are not going to harm anyone by going in there. We are not going to embarrass you; we are going to help and I ask this across the floor. Let us go into your institutions. I will give you my personal pledge nothing I find there I will take to the press. I will bring it to you. Make that step and we will believe you mean what you say, but if you continue to keep the medical curtain down, we will not believe you. We do not believe you.

If the Minister will say that, it will save us a great deal of time today, but the Minister's silence speaks for itself.

**Hon. Mr. Wells:** I will speak when you are finished.

**Mr. Shulman:** All you have to do now is say, “Yes, you can go in. Yes, I accept your word; yes, let us co-operate.” But you do not say it.

**Hon. Mr. Wells:** I will make a statement at the end when my time comes.

**Mr. Shulman:** You just have to say one word and you will solve all of these problems, or many of them. You will have our help, you will not be fighting us in here, we can get down to the business of the province. We should be working together on this, not fighting each other.

**Hon. Mr. Wells:** I am not fighting, you are fighting.

**Mr. Shulman:** Because you will not understand the problem. Mr. Chairman, how can we manage with such a Minister. He does not understand we are trying to help him, we would like to help him, we would like to take this completely out of the realm of politics. We cannot do that while he puts the curtain up and says you cannot know what goes on in those institutions.

**Hon. Mr. Wells:** We have seen some of your kinds of help in other areas.

**Mr. Shulman:** You are unwilling to try. Well you may see, look at some of the other departments which co-operate. Look at The Department of Lands and Forests, the Minister is sitting here, he has co-operated with us and we have co-operated with him and you will find no member of the Opposition getting up and speaking to him in an acerbic way. It is because he is a sensible, intelligent man, and that is what we need in your job. I hope I have not embarrassed him over much.

**Hon. Mr. Wells:** Some people would say that is like blackmail.

**Mr. Shulman:** It is a reasonable offer to do something of benefit to the people of this province. It is not blackmail, it is an offer, an open-handed offer.

I will return now to the institutions for the retarded—the underfinancing of most public institutions is a tremendous problem. The 1966-67 per diem cost in this province—and I am sorry I do not have more recent figures—range from about \$7.50 to \$10; in contrast the Toronto zoo years ago spent an average

of over \$7.50 daily for their large animals. While capital construction outlay and total operating budgets of institutions involve vast sums of money, budget increases, especially increases in per capita expenditures, have often been so token, that very little help was given to the beleaguered institutional superintendent and his staff.

This underfinancing pertains to all aspects of residential care; it contributes, of course, to the understaffing. Salaries have often been at shockingly low levels. In many areas professional salaries have been so low as to attract no one of competence, and the non-professional salaries for attendant personnel have in several cases been below the U.S. national poverty level. Physical therapists are frequently lacking altogether. Speech therapists may consist only of untrained individuals. Occupational therapists may be totally unknown. While the children and adults may be kept clean—and let me stress they are not kept clean in all these institutions; I visited one where the stench could be smelled two doors away—while they may be kept clean they often have no programmes for daily living other than the meaningless blare of the television set, or the completely empty, fenced-in court. In so many places they are not even taken outside. I mentioned two institutions in Orillia which I visited—private institutions for the retarded—where they are literally not taken outside, there is no staff to do it. Can anyone doubt that such practices have interfered severely with effective programming?

Many institutions have been so hard put to attract capable medical personnel that they have relied heavily on foreign-trained physicians, some of whom were unable to secure regular licences, and hence are only able to work in a facility which would waive certain requirements, such as is possible in a provincially operated facility. Unable to go elsewhere, and being the only ones willing to accept the poor salaries, these men and women find themselves in virtual bondage, and the salary situation remains terrible; we saw that at Brockville, it was oh, so obvious.

On the basis of rough calculations which were supplied to us through the people that

appeared in front of the health committee, it was estimated that about 30 per cent of all the budgeted positions in these facilities are now vacant.

The use of residents to perform work necessary to keep the institution running constitutes another problem which arises from underfinancing and which is sometimes referred to as "institutional peonage". Although it is highly desirable that residents be productively employed, continued and inappropriate retention of residents in work situations has often been the only way the daily work could get done. And of course, they immediately think of Whitby, where as an inducement they started paying them a few pennies an hour—from two to eight cents an hour—and then they cut that off; what a blow to someone who is mentally ill, who is earning the princely sum of a nickel an hour, to say, "Gee, we are over our budget, we are going to have to cut that out. Too bad about you, too bad; cannot do anything about it, we have to build an extra highway".

And this is where the priorities are so wrong. Some of the important services in the wards, infirmaries, maintenance, laundry and kitchen areas would collapse if it were not for reliance on resident help. In addition, absence of adequate community resources, workshops, group living facilities, community supervision, has meant that even if residents were to be released there is often no place for them to live and no job for them to have. To rehabilitate the retarded person who has lived the better part of his life in an institution is most difficult since he is ill-prepared to cope with the social requirements of the normal community.

Mr. Chairman, I am about to enter a different portion which is a fairly lengthy matter of my address, and I wonder if we could adjourn until 8 o'clock?

Mr. Chairman: Would three minutes get you into it?

Mr. Shulman: It would get me into the first long paragraph.

It being 6 o'clock, the House took recess.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, November 27, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, NOVEMBER 27, 1969

The House resumed at 8.00 o'clock, p.m.

## ESTIMATES, THE DEPARTMENT OF HEALTH (continued)

Mr. Chairman: I will recognize the hon. member as soon as the Minister arrives.

Mr. M. Shulman (High Park): If he arrives! He may be down cleaning up 999 in preparation for my visit.

Mr. Chairman: The hon. member may proceed if he wishes. I leave it up to him if he wants to wait a few moments.

Mr. Shulman: Perhaps he should be here, but I am not sure he is of any value when he is here.

Mr. R. F. Nixon (Leader of the Opposition): It is taken down verbatim and the Minister will read it.

Mr. Shulman: But can he read, that is the question?

Mr. Chairman: The hon. member may proceed if he wishes.

Mr. Shulman: I am glad to proceed.

Just for the record, I wish to point out for *Hansard* the Minister of Health is not here in his own estimates. He is supposed to be here for the benefit of our advice, so he can improve the mess he is working in.

However, we will pretend he is here. The Minister of Revenue (Mr. White) is here and perhaps he will pass on some of the suggestions to him. The Minister of Revenue is going to be so busy lecturing the various—

Mr. Chairman: Order!

Mr. Nixon: The hon. member has four colleagues to listen to him. Surely that is enough.

Mr. Shulman: I would like, for a moment, to go back to this picture which was taken last week in the Ontario Hospital, Mr. Chairman. Because the man who took the picture waited until all of the patients had been removed in mid-morning to group therapy.

When he first came on duty at 8 o'clock in the morning, he tells me, he was shocked to see the four toilet seats filled and a lineup standing in front of them. Now, I would like to remind you, this is not a prison. These are not people who are there to be punished. They are, presumably, sick people who are there to be helped.

I well recall during the war, one of the first things that was done was to remove all privacy, in toilets and everywhere else, as a deliberate dehumanizing agent—

Mr. G. Ben (Humber): Oh, come on, the member is not old enough to know that. What is he talking about?

Mr. Shulman: But I want to stress again, this is supposed to be a hospital.

The mental stress on these mentally ill people, who are suddenly thrown into these 18th century type conditions—people who are basically used to normal privacy, are used to be able to go to the toilet without 20 men staring at them. They suddenly find, as so many of them do, that they develop constipation as well as mental stress as a result of this.

If they were normal, there would be a certain ludicrous aspect to it; but these were sick, mentally ill people, who are forced to undergo this humiliation.

And why? Why? To save the \$10 it would cost to put on a door? To save the few hundred dollars it would cost to put in a sufficient number of toilets? For no reason whatsoever. It is just not simple humanity.

One of the orderlies on duty in the ward, in this particular ward, tells me, "I want you to come down at night"—and I am glad the Minister is taking me down there at night, because, he says, "people cannot sleep in these wards." The reason they cannot sleep is because there are 11 beds and when one man is disturbed—and when you have 11 mentally ill people it is not uncommon for one man to be disturbed in the night—he will toss and make noises, and disturb the others.

He said it is not like somewhere where people can rest. The only way they rest is under sedatives.

I am glad the Minister of Health has decided to return to his estimates. Welcome back!

It is literally torture. It is not physical torture, it is mental torture; and we really deserve better in this rich province, in this rich city.

Now that the Minister is back, I would like to go back to the matter I was discussing before. I would like to mention one thing.

I discussed the problem of the Stone Haven Nursing Home down in Carleton East and I want to make it very clear that it is just not my judgment which I gave today. The Associated Nursing Homes of Ontario have investigated this matter. They feel a serious mistake was made and this is one of the reasons why they have been trying so desperately and unsuccessfully, to get an appointment with the Minister.

Perhaps if the Minister would be kind enough to answer their requests, he might learn of what is happening.

**Hon. T. L. Wells (Minister of Health):** It was answered.

**Mr. Shulman:** When are you going to see them?

**Hon. Mr. Wells:** I have told them what they have known all along, that I will see them when the estimates are over, in late December or early in January.

**Mr. Shulman:** Well, they told me—and I would be curious to find out where the truth lies—that they had been trying for two months to get an appointment. Surely, for two months you have not been waiting till your estimates are over?

If that is the answer, I fear for everything that is happening in your department. Well, all right. Things move slowly in this department. Two months for an appointment.

**Hon. Mr. Wells:** They move fast.

**Mr. Shulman:** They will, they will; you are sliding fast.

I would like to go back to the homes for retarded. As you recall, Mr. Chairman, I had been discussing the staff shortage problems, as a result of which the patients have been put to work to do the various menial labours.

In addition to being short-staffed, many of the institutions are grossly overcrowded, being anywhere from 25 to 50 per cent above their rated bed capacity. Consequently, there are often large, bleak wards where physically handicapped individuals are confined to

bed, provided with minimal care, but given little in the way of stimulation to make their lives the least bit meaningful. Many will end their days in these drab surroundings. There is still an additional factor: Increasingly, severely handicapped residents with multiple problems are being admitted because many such individuals who would have died a generation ago, are now saved as a result of the physical medical advances.

Smiths Falls is an outstanding example. When I was down there last summer with the member for Lakeshore (Mr. Lawlor), we were shocked at the wards—not with 11 beds, like this picture I have shown you, but some of them with 30 and 35 beds. Sometimes with 30 and 40 patients and two or three attendants, and nothing to do, and not going outside, and just sitting and looking at the television set in those wards that have television.

Many Canadians have the impression that poor residential facilities are something inevitable which must be endured along with the other evils of our times. But this is not true. One can visit several European countries, particularly in Scandinavia, to find imaginative and unusual programmes of care. All the visiting experts are impressed to find that many residential facilities are located close to population centres.

In Copenhagen there is a residential facility, the children's hospital at Vangede, which is in a suburban setting served by the city's rapid transit system. Many of these facilities have no more than 150 to 200 residents, and some are no larger than a large household. Staff-to-resident ratios are frequently one to one, one to one, Mr. Chairman, where here in Ontario there are places where it is 30 to one. And the care provided is exemplary. In addition, the physical surroundings are pleasant, abounding in bright colours. Fixtures and furnishings are attractively designed, and not the clumsy institutional furniture found in this country. Everything is meant to be attractive and to have appeal to those who must reside in such a facility.

Compare this with what we have here in the Ontario Hospitals. Compare this—we can come closer to home, go to Chicago. I went down to Chicago last year and I went through the Lambs. What a model that could be for Ontario. There is nowhere in Ontario, no institution in Ontario run by this government, that can come close to that. We lag behind everywhere.

The problems of our overcrowded institutions can be solved only by giving simultaneous attention to community resources. It



has been pointed out on many occasions that the galaxy of services needed should include diagnostic centres, special education, day care, vocational training, sheltered workshops, residential schools group-living homes and so forth. I maintain that residential facilities will not be what we want them to be unless simultaneous efforts are made to rectify the situation in both the institution and the community.

As one major effort towards accomplishing the desired objectives, massive re-education is required. There is nothing to be gained by hiding the fact that our residential facilities are in a deplorable state; their buildings are crumbling, the staff is overworked, underpaid and often undertrained, and the programmes provide only minimal care and rehabilitation. We must develop a greater public education effort to bring to the attention of the citizens this blot on our province.

It should be our wish and intent to try to rehabilitate residents to the community, rather than to segregate them off somewhere where we do not have to see them. This re-orientation in thinking will require considerable effort, as public officials, administrators of institutions, professional workers, and the lay public all come to understand that the handicapped and the retarded do not need to be shoved aside but rather should be a part of the ongoing community process.

I would just like to return again to the Lambs near Chicago. There they have taken these people out and put them in jobs they can handle as waitresses and looking after animals and in pet shops; they manage and they manage well.

Group homes, nursing homes and respite centres which provide short-term residence in an effort to help families and to meet temporary needs should all be part of the services available in the community. Even severely retarded individuals with extensive physical handicaps can be handled in the community. At the Lambs they have children with IQs as low as 55 serving food, acting as general waitresses.

Great Britain some years ago pioneered with the idea that the physically handicapped, as well as the person with other handicapping conditions, can and should be maintained in the community. But to do this, the concept was developed that even the most severe form of handicapping condition requiring prolonged nursing care could be cared for in the community as part of a regular nursing unit; such services need not be separated, segregated or removed from society.

One might well ask the question, should not all such persons be maintained in the community? Why should they be removed? Should not society's aim be to try to help when mental retardation or physical handicap has occurred? One does not say to the parent of the child with leukaemia that the child should be put away, although everyone knows that the child will ultimately die. We understand the human tragedy which has occurred. Rather, all forces are mobilized to help and to sustain the child in the community even though he may need periodic hospitalization. Surely the same approach could be used for the mentally retarded in this province. We should not have places like Smiths Falls, places where children are deserted and no one visits.

In the easing of understaffing two United States programmes are worthy of note, and I hope the Minister will listen to this because we could do this here so very easily and without great expenditure.

The foster grandparent programme, under which the United States government pays retired citizens to engage in one-to-one work with retarded persons for a few hours a week, has been successful in helping to cope with the manpower problem. It meets the needs not only of the handicapped persons but also the elderly who are looking for a constructive role in our society, where they can be of help and assistance and not regarded as misfits, relegated to a shelf.

I have seen this in action and it is so impressive.

They take older people who cannot get jobs, who have been retired, who have nothing to do; and they pay them a very small amount of money. You have to pay very little to the people who are anxious to do this.

They assign to each one of these elderly persons one retarded child; and wonders occur. The elderly people get younger, they are doing something worthwhile; the retarded are drawn out, they make progress which does not occur in years and years in these institutions.

It is a great programme. We could do it here. It does not need a lot of money.

SWEAT: Student Work And Experienced Training programme in the United States, has been another successful device in attracting people, in this case the youth, to work on mental retardation. Under this federally supported programme, high school and college students are paid a stipend for working during

the summer in a facility of service for the retarded. In many such programmes conducted across the country, the students have received didactic instructions along with the work experience. SWEAT has been one of those imaginative, as well as economical and apparently successful, projects attracting young people to careers in this field.

And this is what we need. We need young people to come into this field, for there is such a shortage of people coming up. The ones who get there are largely the ones who get there by mischance, because they have not been able to find something else. With an imaginative programme, we could change that. We have a small programme now so that some students are brought in to help out in the mental institutions in the summer, but it is not this type of programme. What they are doing is taking regular jobs, so that other persons can go on holiday. There is no programme like SWEAT; there is no programme like the foster grandparent programme in this province.

In Scandinavia, one is impressed by the number of young, eager, well-informed men and women one finds working with the retarded. It is such a different contrast from our hospitals.

A training programme in Denmark for primary workers in mental retardation is of great interest. The programme is divided in two; it is half theoretical and half practical. The students, many of whom are what we would call school drop-outs in this country, are recruited for such training from among the drop-outs. They are subsidized during training and afterwards provided with good situations at reasonable pay in which to work.

A similar programme has been in existence in England in one area for some years now.

What a great idea. What a way of preventing lives from being wasted among the drop-outs and what a great way to get help into our mental institutions and those for the retarded.

In addition, there is another side to this programme. Most of these young people will go on to be parents themselves and having learned something about the handicaps, as well as something about child development, they are more understanding of the handicapped. They are also in a better position to manage their own families. It is very interesting that these ingenious training and recruitment programmes have solved the personnel shortage in those countries.

The desirability of having large facilities of a thousand or more is still very controversial.

Many of our facilities in Ontario are of this size. The evidence is not convincing as to why large residential facilities need to be built.

The argument often runs that large facilities cost less to operate. I do not believe this. Currently, the present committee on mental retardation in the U.S. is in the process of having a study conducted concerning what is known about costs of large versus small facilities.

The preliminary evidence which has come in, and which I have seen, suggests that small facilities for 150 to 250 can be constructed and operated at no more than the cost now being utilized in the larger facilities and perhaps at less cost. It is even possible that the hospital concept of placing small groups of retarded persons into existing rented, leased or purchased homes and facilities, rather than newly constructed ones, will prove the most economical and the best alternative for many retarded needing residential care.

Existing facilities are often cheaper than new construction, and rentals and leases preserve the flexibility of locating and using facilities as needed—a flexibility that has drastically reduced the new purpose-built construction.

Cost analysis can be deceptive, however, if one is not comparing similar commodities. This study will shed a great deal of important light on the entire matter of cost accounting and as to what type of facility we should have.

An additional point to be made about the size of the institution certainly relates to one sense of human values. In today's world, where many of us are becoming numbers and IBM cards, we feel reluctance to bid farewell to the concept of a more individualistic approach to human services.

Increasingly people express preference for a return to small units and systems, whether in the university, a city, or residential facilities. These human values must not be permitted to be overshadowed by too much architectural efficiency and the engineering consideration of locating buildings at the point closest to the steam plant or the cheapest piece of land.

Surely we have seen the problems of regimentation so as to ever be on guard in all sectors lest we increase or even perpetuate this problem, particularly in this field where it is so very bad now.

Facilities close to where people live should be the watchword. At the same time we must attend to the condition of our existing

facilities. We must improve the pay scale. We must reduce the number of patients in each residence. And we must restructure the mission of residential facilities in ways which will return residents to the community.

To conclude tonight, I would like to make four suggestions which would improve the situation tremendously and these are four recommendations for institutional reform:

1. A board of institutional visitors should be appointed by the government. This board would be responsible for reporting directly to the Minister. Appointments to this board would be made irrespective of political party affiliation, and these appointments should be contingent on both knowledge of the broad field of human welfare and demonstrated public service.

Members of this board of visitors would not be concurrently members of any particular institution staff or board of trustees. It would be their responsibility to bring to the attention of the Minister poor facilities or any problems in those institutions. They would go about constantly. It would be their duty; they would have no political axe to grind. They would come directly to him so he would know, because I am sure he does not know what is going on in many of the institutions. He cannot know, it is not physically possible.

2. Within each institution for the mentally retarded, each department—medical, psychological, educational, nursing—should have a board of advisors. This board of advisors, through periodic visits and consultation, would know the institution and its problems intimately, and thus be in a position to advise, and assist in the resolution of difficulties.

In effect, in essence, the advisory board would be organized for a direct consultation and assistance to the institutional staff. As this board would not be responsible for rating institutional personnel or recommending their salary increments or promotions, it is more likely that members of the board would become involved with the more pressing and severe problems of the institution without endangering the position of the staff that trusts them, and this is very important. Staff is afraid. They are afraid their promotion will get lost if they complain.

In this way it would be possible for problems currently secreted from the outside world to be given the exposure and ventilation within the department—and let me stress that—needed for satisfactory solutions to them.

Then let me stress again the way that they are getting the ventilation now is not the best. It is not good for me to have to send someone in to take pictures like that. It is not good for the morale of the staff; it is not good for the patients; it is not good for anyone. There should be a better way of doing it.

3. Can one any longer ignore the needed relationship between the institutions for the mentally retarded and the universities? In each area of the province, a university should be given responsibility and resources to provide comprehensive in-service training and consultation for all institutional employees, from the chief administrative officer to the rawest recruit. Let us upgrade it, and we can.

4. One institution for the mentally retarded in this province should be designated as a centre for the in-service training of all personnel to be employed for service in institutions and clinics for the mentally retarded. As a condition for employment as institutional superintendent, psychologist, teacher, nurse, or attendant, the candidate would have to spend a specified period of time at the training centre. His preparation programme would range from a few weeks to one year, depending upon his background and experiences, and the nature of the position he intends to assume. During this training programme the candidate would be involved in clinical experiences that relate directly to his future employment and would participate in seminars, talks, and other instructional experiences designed to prepare him for the sensitive and demanding activities of work with the mentally retarded.

At the end of the candidate's training programme the director of this facility, and his staff, would rate the candidate and recommend him, or not recommend him, for employment with the retarded. To the degree that this programme is workable with currently employed staff, every inducement and encouragement should be provided to permit them to complete this preparation.

Just contrast that with what is done now. Now there is such a tremendous staff shortage when someone is hired they go right into the institution and what they learn they learn on the spot, and it is catch as catch can, and this is bad for their morale, it is bad for their training. Their training is not good enough.

There is cause for shame in Ontario, Mr. Chairman. Countless human beings are suffering needlessly. Countless more families of

these unfortunate victims of society's irresponsibility are in anguish, for they know, or suspect, the truth. Unwittingly, or unwillingly, they have been forced to institutionalize their loved ones into a life of degradation and horror. Surely we can do better in this province.

Thank you.

**Hon. Mr. Wells:** Well, Mr. Chairman, to deal with some of the points that were raised first from the hon. member for Humber's talk about the task force's report. He very kindly pointed out to us that many of these were suggestions which his party had put forward already. I recognize this. I think that many of the suggestions in there are things that a lot of people in this province, and a lot of people in our own party, and a lot of people in our department have suggested.

They are improvements in the delivery of health care. This task force report—the federal-provincial one—of course—is made up of the wisdom of people from Ontario, and from the other provinces, and these recommendations reflect the kind of things that they think should be done. And I think that is not any reason that we should agree or disagree with them. The point is that they have done a good service for all of us by tabulating them, and putting them in good form, and also making them known to everyone across Canada, so that the benefits and the knowledge of what we do in Ontario is now available in the other provinces.

Now insofar as what I tried to explain out here, what are we going to do with this? Which really is the important thing. When the task force report was presented to us at our meeting on Tuesday morning, it was presented merely for discussion. But, of course, because we had it a few weeks ahead we already had a chance to review it and we find that many of the things in it are things that we already have in the works, that our task forces had been considering. The real question is, not what are we going to do about them, but when are we going to implement them? And this is the task that we handed, as I said earlier, to our five task forces on health care cost.

They are now preparing a report that will be ready in January, showing how we can implement the parts of that task force report which apply. Of course, a lot of the things that are in that report are being done. The hon. member for Humber surely knows that there are experiments in central purchasing. We indeed are centrally purchasing all our

drugs and various supplies in the department for our own institutions, the hospitals in Toronto are centrally purchasing various things.

There are not many registered nurses now used in the kind of menial task that this report suggests they should not be used in. Most of our hospitals got away from this a long time ago. We now have different levels of people.

**Mr. M. Makarchuk (Brantford):** That is a lot of nonsense, and you know it.

**Hon. Mr. Wells:** No, it is not a lot of nonsense.

**Mr. Makarchuk:** Oh, yes it is.

**Hon. Mr. Wells:** You may be able to take the isolated hospitals; but there are a lot of hospitals in this province.

**Mr. J. Renwick (Riverdale):** You will be involved in this later on.

**Mr. Makarchuk:** In the general hospitals, you may find the isolated hospital—

**Hon. Mr. Wells:** Oh no. We have got all kinds of registered nursing assistants, we have got various degrees of people who are doing various jobs; the task is being broken down. It is not nearly as bad as this task force said.

I want to make one other point, and this is a point in which I found some common ground with my friend from Manitoba, whom you introduced earlier. He pointed out, and I think I agreed with him, that we had to be careful when we considered a report such as this, on the cost of health services, and what appeared to be excessive cost. We had to be careful to find out whether they really were excessive at the present time, because we were very sure and I am sure, and I know many of the hon. members of this House are sure, that there had been many people, for instance, in the health field, whose salaries had been very low, and they needed to be brought up. This kind of thing has been going on in the past few years and this has caused quite a phenomenal increase, say, in the *per diem* cost in hospitals and so forth, the bringing up to a decent wage of many personnel who did not get this wage before.

Coupled with this there is the general problem of inflation that is present in all our economy; and this, of course, is having its effect on labour costs which are a big part of the whole—

**Mr. J. Renwick:** Oh, sure, and this government cannot do anything about it. We have heard that before. So skip that part of your remarks.

**Hon. Mr. Wells:** —delivery of health services. All I am saying is that we have to be careful in considering this as we look at it. What this task force is really looking at is spiralling health costs in the future, and ways that we can control without jeopardizing the delivery of health services, the quality of health services, so that we can make them more efficient. That is the kind of thing that we are going to do here, and that is what we are going to do with all these task forces.

I want to thank the hon. member for Humber for his comments and for presenting to us again, the Liberal position on OHSIP. We are happy to have his suggestions as to how this plan could be changed. I might tell him that his suggestions are not new. I have got a file, about so big, of people and groups in this province who have written to me suggesting ways that the medical services insurance plan could be changed. There really is not anything new in anything that you have said or the members of the third party have said. They are all—

Interjections by hon. members.

**Mr. J. Renwick:** There is a great deal that is new—

**Hon. Mr. Wells:** No, all I am saying is though, that it is not exclusive with you. Because you stir up—

**Mr. J. Renwick:** I am not saying it is exclusive with us, I am saying it is different from yours.

**Hon. Mr. Wells:** No, you see the member missed my point completely. I am merely trying to point out to him that just because they happened to say it yesterday it is not new, I have had it said to me by different people than the third party.

**Mr. D. C. MacDonald (York South):** What is the Minister doing about it?

**Hon. Mr. Wells:** All right, that is what I am telling you.

**Mr. J. Renwick:** It is neither new nor right.

**Hon. Mr. Wells:** Do not get so excited about it.

**Mr. J. Renwick:** I certainly will get excited, you are doing a disservice to the people of this province—

**Hon. Mr. Wells:** I have suggested, I have said many times in this House—and we have all these suggestions. We have had suggestions from the official Opposition and from the third party, we are happy—

**Mr. J. Renwick:** And we are not happy to have your solution to the problem.

**Hon. Mr. Wells:** I do not care what you are happy about.

Interjections by hon. members.

**Hon. Mr. Wells:** I am just saying that we have these suggestions here.

**Mr. Makarchuk:** We proved that in Middlesex South, with water pollution. We came out and presented it—

**Hon. Mr. Wells:** We have these suggestions here and—

An hon. member: I would like to hear him.

**Mr. D. A. Paterson (Essex South):** Would you fellows listen for a while? We will get—

**Hon. Mr. Wells:** This is a momentous—

Interjections by hon. members.

**Mr. Chairman:** Order! Order!

**Hon. A. F. Lawrence (Minister of Mines):** What an arrogant minority!

**Hon. Mr. Wells:** This is a momentous programme, and whether you like it the way we have done it or not, it has been instituted in a certain way now and it needs—

**Mr. J. Renwick:** It is not momentous. It is 20 years behind the times.

**Hon. Mr. Wells:** —and it needs to settle itself in. As I have told this—

**Mr. Makarchuk:** What you do is, you—

**Hon. Mr. Wells:** —House many times, we are taking all the suggestions and are analysing them. And as I said, and the hon. member for Humber referred to it in his speech—

**Mr. Makarchuk:** Well, why do you not hire a baboon to analyse it?

**Mr. Chairman:** Will the hon. member for Brantford please wait until it is his turn to speak?

Hon. Mr. Wells: Well, you know, this is the first time I have seen the hon. member for Brantford so animated in all his time in this House, I guess—

Interjections by hon. members.

Mr. J. Renwick: He is disenchanted with you. So are people of the province.

Hon. Mr. Wells: What I have said, Mr. Chairman, is, as I have said many times—

Interjections by hon. members.

Hon. Mr. Wells: —we are taking all these suggestions and they are being carefully studied.

Mr. J. Renwick: We are not prepared to wait. Let us go to the country tomorrow on the issues.

Mr. Chairman: Order!

Hon. Mr. Wells: As I said down in the Royal York last week—

Interjections by hon. members.

Hon. Mr. Wells: When we are finished our assessment, we will have the best Medicare plan in Canada.

Mr. J. Renwick: We will fight you tomorrow on the hustings of this province—

Mr. Chairman: Order! Order!

Hon. Mr. Wells: Let us get back to the estimates.

Mr. V. M. Singer (Downsview): Jim; do not take that nonsense from him, you tell him. You are doing very well tonight.

An hon. member: Mr. Chairman, is this a private fight?

Mr. Chairman: Sounds like it.

Mr. E. W. Sopha (Sudbury): Can anybody get in it?

Mr. D. Jackson (Timiskaming): The member for Ontario (Mr. Dymond) was an honest person. He got up and said, "We are not going to do it."

Interjections by hon. members.

Hon. Mr. Wells: I have said what we are going to do in this and I am sure we will have a chance to discuss it in more detail in the estimate.

Mr. Singer: You tell him, Jim.

Hon. Mr. Wells: Mr. Chairman, in regard to the comments of the hon. member for Humber about the banning of DDT and the pesticides advisory board. I just want to again reiterate that while we appreciate the work that Pollution Probe is doing and so forth, they were not the prime movers to encourage us or to cause us to take this action.

The action was taken because of this report of which I have a limited number of copies and will be happy to now make available to the leader of the Opposition and the leader of the ND Party.

Mr. Jackson: On a point of clarification, Mr. Chairman. How long have you had your report?

Hon. Mr. Wells: How long have I had this report? I have had this report since last week. And, although you may find it strange—

Mr. Jackson: On a further point of clarification, Mr. Chairman. How long had the report been commissioned?

Hon. Mr. Wells: The report was commissioned by my predecessor some time last spring.

Mr. MacDonald: You took action before you got a report?

Interjections by hon. members.

Hon. Mr. Wells: The point is that as the pesticides—

Interjections by hon. members.

Mr. Shulman: Just a minute. Will the Minister accept a question?

An hon. member: No, no!

Mr. Chairman: Order! Order! The usual procedure is for the two Opposition parties to have their lead-off speaker and for the Minister to reply. Then we have ample opportunity for debate.

Interjections by hon. members.

Hon. Mr. Wells: I think I anticipate what the hon. member is going to say. I am going to explain it to him.

The pesticides advisory board is a group of responsible people who advise the government and myself on these matters. It includes scientists and people who are knowledgeable in this field. They were asked some time last spring or early summer to look into the whole matter of DDT in this province.

They carried out their study, they prepared their draft report and they came to me and said, "Look, this is what our study shows." They presented—

**Mr. Jackson:** It has been before you for four years at least.

**Hon. Mr. Wells:**—and they presented the report to me and showed me what they had done and what they recommended.

**Mr. F. A. Burr (Sandwich-Riverside):** This is what the government is doing.

**Mr. E. Dunlop (York-Forest Hill)** Extend a courtesy to a fellow member.

**Hon. Mr. Wells:** I said that we will accept the recommendations that you have got. I think that this is such an important problem that we will take the recommendations and implement them right away. You do the editorial work now on the report, get it ready.

**Mr. J. Renwick:** You mean you are giving us a report after you have implemented all the recommendations?

**Hon. Mr. Wells:** Yes, that is a new—

**Mr. J. Renwick:** That is exactly the time we get most of the reports from the Tory government.

**Hon. Mr. Wells:** This is just a little bit — we are just about two steps ahead of you.

Interjections by hon. members.

**Hon. Mr. Wells:** Anyway, the fact is, Mr. Chairman, that—

**Mr. Chairman:** Order! Order!

**Hon. Mr. Wells:** The fact is, Mr. Chairman, that we implemented and put into regulation form, the recommendations.

I felt the report was a valuable document and should be prepared in edited form for publication, which is now being done; it will be available to everyone.

**Mr. Makarchuk:** To remove the damning part about it.

**Mr. Jackson:** Maybe you would like to talk about it.

**Mr. J. Renwick:** It will probably get headlines in the *Telegram*.

**Hon. Mr. Wells:** Well you see, our friends over there—nothing would make them happy. If you do the right thing they object. If you do not do the right thing they object. So the

only thing I say is, just do not worry about them.

Now, Mr. Chairman, dealing with remarks of the hon. member for High Park.

First he referred to the Associated Nursing Homes of Ontario. My office has had contact with Dr. Wong. I have explained to him that we would have a meeting with him as soon as it was possible. A meeting was set up and was cancelled. I cannot remember whether it was their group that had to cancel it or I had to cancel it, but it was set up and had to be cancelled for legitimate reasons. It was then explained to him that we would have a meeting some time as soon as these estimates were finished.

Somehow this group felt they had to have a meeting before these estimates, but I tried to impress upon them that the subject-matter which I felt they wished to discuss with us did not require being discussed with us before the estimates.

We also had a very informative meeting with members from the Metropolitan Toronto committee on welfare, who, I think, were echoing the same kind of feelings that the associated nursing homes wished to present to us. Of course, the hon. member knows that this really did not have to do with licensing of homes and so forth, but it concerns the *per diem* rate.

As I explained in the House two weeks ago, or a week ago, in answer to one of the member's questions, we are well aware of the position of the association of nursing homes. We know what their requests are, these were presented to us by the Metro commissioner of welfare. We are studying them in the light that they were studied in past years with the background consultants who did the job before, and the whole matter is under very active consideration for a decision in the very near future.

**Mr. J. Renwick:** Does the Minister think \$9.50 a day required a lot of study?

**Mr. Shulman:** What about \$4 a day?

**Hon. Mr. Wells:** So that all I can say is that I am sorry if Dr. Wong feels we could not see him soon enough, but we certainly have his interests at heart.

Now in regard to the Stonehaven Nursing Home, this has been a very difficult situation. In reviewing the file over the supper hour, I find that perhaps the problem area here has been a difference of opinion on what has been done, or what has not been

done in the home between the medical officer of health and the owner of the home.

**Mr. Shulman:** The department has all the certificates.

**Hon. Mr. Wells:** The medical officer of health, according to my reports and the reports in our department, has not recommended to us that the licence be carried on.

**Mr. Shulman:** Of course. That is what the whole problem is. The medical officer of health down there is incompetent.

**Hon. Mr. Wells:** All right. So anyway, the point is that the medical officer of health has made this recommendation to us and our people have felt that, based on his recommendation, the licence should not be continued.

I realize there may be many facets to this whole problem and, as I say, my friend, the Minister of Highways (Mr. Gomme), has discussed it with me over the past few weeks. We are going to take steps to set up a meeting with Mr. Folkes and the various people and see if we cannot get to the bottom of this.

**Mr. J. Renwick:** Why would the Minister have to take all that long to set up a meeting?

**Mr. MacDonald:** You created confusion for all the families involved, and wrecked a business.

**Mr. S. Lewis (Scarborough West):** You left that nursing home in tatters and your answer is that the medical officer of health said, "no."

**Hon. Mr. Wells:** I might say, Mr. Chairman, in answer to that question, the hon. member for Scarborough West used to get up in this House and tell us that we had to have standards for nursing homes and we brought in standards for nursing homes.

**Mr. J. Renwick:** We are talking about this instance.

**Mr. Lewis:** And you supposedly implemented standards—

Interjections by hon. members.

**Hon. Mr. Wells:** And when somebody comes along, the medical officer of health in this case, and says that this fellow has not fulfilled some of those standards—

**Mr. MacDonald:** He fulfilled what was asked for.

**Mr. Lewis:** And when they meet your standards, you close them down.

**Hon. Mr. Wells:** We do not. The medical officer of health is part of the whole health scheme. You see it is the same old story; you want it both ways. You want to criticize us if we do not have standards; and when we have standards, then we implement them—

Interjections by many hon. members.

**Mr. Lewis:** You crack down on what? What is it in the medical officer's report that was not satisfactory? Give us one instance now. What did he say?

**Hon. Mr. Wells:** The medical officer of health says some of the things that were asked for were not done.

**Mr. Lewis:** Which things? Can the Minister name one?

**Hon. Mr. Wells:** We will get to that later in the estimates.

**Mr. J. Renwick:** We are not prepared to accept the bland generalities of the Minister of Health any longer.

**Hon. Mr. Wells:** What I am saying is—

**Hon. A. Grossman (Minister of Correctional Services):** Well that will kill him.

**Mr. J. Renwick:** It will kill him!

**Hon. Mr. Wells:** What I am saying is it is the same old story from the third party; they want things one way and they want them another.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Hon. Mr. Wells:** Contrary to what the hon. member for Scarborough West and the hon. member for High Park think, I have very serious concern about people; and as Minister of Health in this province I do not want to be Minister of Health when some nursing home burns down because it has not fulfilled some of the fire regulations or something like that. I want to be sure.

**Mr. Shulman:** But it did fulfill them.

**Mr. Nixon:** Mr. Chairman, on a point of order!

I am very interested in hearing what the hon. Minister of Health has to say in reply to



the statement made by the member for Humber and others; and I would ask you, sir, if you could not persuade the other members of the House to give him a bit of a hearing so that we can continue with the first vote.

Now I do not know whether it was discussions with His Honour, the Lieutenant-Governor, that have brought on this exuberance, but surely we can have an opportunity to hear what the hon. Minister has to say.

**Mr. Lewis:** I did not spend a minute with the Lieutenant-Governor.

**Hon. Mr. Grossman:** The member insulted the Lieutenant-Governor by not attending?

**Mr. Lewis:** Could the Minister name a specific in the report of the medical officer of health which would appease the anxiety of the Opposition?

**Mr. Nixon:** We are not on the first vote.

**Hon. Mr. Wells:** When we get on the vote, I will be glad to answer.

**Mr. Chairman:** I might say the hon. members are being very discourteous.

**Hon. Mr. Wells:** I have explained to the hon. members that the hon. Minister of Highways and myself are going to arrange a meeting and get into this problem.

Interjections by hon. members.

**Hon. Mr. Wells:** I thought I outlined our position very clearly in my opening statement on mental health. I think perhaps we can get into some of the details when the hon. member and I get into the vote on mental health. Certainly I have a very serious concern about mental health and about the people in this province.

**Mr. Sopha:** Well the Minister has said that about four times.

**Hon. Mr. Wells:** Well all right, they do not seem to believe it.

Interjections by hon. members.

**Hon. Mr. Wells:** What I am saying is; the hon. member showed us some pictures taken at Queen Street. We are going down to visit it later on and the hon. member for Humber is welcome to come along with us.

I do want to point out, however, that as the hon. member knows—I answered a question a while ago—Queen Street is going to be rebuilt. We are going to call for tenders

this summer, the summer of 1970, for Queen Street; it is going to be rebuilt.

**Mr. Makarchuk:** I do not believe it.

**Hon. Mr. Wells:** But it is. I am telling the House.

**Mr. Shulman:** But regardless, can the department not look after people decently now?

**Mr. Lewis:** That was said in 1964.

**Hon. Mr. Wells:** It is going to be rebuilt and tenders are going to be called. On so many of these things, as I say, this is an ongoing programme. These pictures here are perhaps some of the worst situations—

**Mr. Shulman:** That is the best ward, you will see tonight.

**Hon. Mr. Wells:** No, there are situations in this province that are equal to any to be found in this country.

**Mr. J. Renwick:** I do not care, neither does anyone else in this House—

**Hon. Mr. Wells:** If the hon. member for Riverdale, who did attend the Lieutenant-Governor's reception, will let me continue, I would like to move on—

**Mr. J. E. Stokes (Thunder Bay):** The Minister was there too.

**Hon. Mr. Wells:** Yes, I left early though.

**Hon. Mr. Grossman:** It does not seem to have done him any harm, though.

**Mr. Stokes:** Maybe that is why the Minister was late.

**Hon. Mr. Wells:** I would like to say that I explained to the members of this House that when I came into this portfolio I wanted to review several of the various matters, and this I have been doing over the months, and one of them was visits to the institutions. I wanted to go around and see the institutions myself, which I have done in some cases. I wanted to see just exactly what went on.

One thing I was impressed with was that these institutions are anything but closed, that there are many, many people going in and out of the institutions all the time. There are women's auxiliaries, there are visitors, there are families of the patients; in fact, in some of them there were more people wandering up and down the halls who were not patients in the institutions or staff, than there were staff and patients.

**Mr. Shulman:** Mr. Chairman, would the Minister permit a question? Can I go into one of the institutions without—

**Hon. Mr. Wells:** If the member will just sit down and listen, perhaps we can—

Interjections by hon. members.

**Mr. Chairman:** Order!

**Hon. Mr. Wells:** This impressed me, that there were many people visiting these institutions.

I was also impressed that we have a dedicated and hard working staff, who are trying; and their primary concern is to look after patients.

**Mr. J. Renwick:** It is the inadequacy of the government.

**Hon. Mr. Wells:** The concern of each one of us here is with patient care, and with the patient's privacy and his rights. However, I feel that it would be very helpful; and indeed I have talked to many members of this House, incidentally, who have had no problem going into any of the institutions.

**Mr. Shulman:** Like who? Name one.

**Hon. Mr. Wells:** There seems to be some kind of problem that has built up. I do not know what the problem has been—

**Mr. Shulman:** Name one!

**Hon. Mr. Wells:** Well there are many of the members on my side here.

**Mr. Shulman:** On the Minister's side, but nobody on this side.

**Mr. J. Renwick:** Has the Minister issued any instructions—

**Hon. Mr. Wells:** The member for Kingston and the Islands (Mr. Apps) tells me he goes in and out of the Kingston hospital with no problem at all.

And this is what I propose; I would propose that because so many people go in there is no reason why the members of this House should not go in. I think they should make suitable arrangements with the administrator—

**Mr. Shulman:** Then you do not see it as it is, you see it as they want you to see it.

**Hon. Mr. Wells:** Would the member listen to my statement?

**Mr. J. Renwick:** No.

**Hon. Mr. Wells:** I am suggesting that they make suitable arrangements with the administrator or the superintendent, if they can, so they will be able to show them the activities and the programmes that are being provided. And if we can help the members do this, we will. But I am not suggesting—you do not have to have any okay from my office to go into any of the institutions.

**Mr. Shulman:** We can go in unannounced?

**Hon. Mr. Wells:** Now I can also appreciate that the members may want to take advantage of an opportunity to visit some of our facilities when they happen to be in an area. Under such circumstances I would think that they should be able to do this; I would hope, however, they would be guided by the judgment of the superintendent or the administrator of the hospital; that they would ask, that they would visit him first before going into the institution. I think this is only fair and right, and that this should be done at reasonable hours.

I am going to suggest to our superintendents and our administrators, I am going to send them a copy of these remarks, and suggest that I am leaving the judgment of what are reasonable hours and whether or not arrangements can be worked out for a visit, up to them. There may be some particular reason, at that time, that they cannot arrange for visits. I would hope the members can live within the spirit of this so that all interests can be served.

Now as I said, we will make sure that all hospitals get copies of these remarks, and let us see how these suggestions work out.

**Mr. MacDonald:** I am not certain whether you have given them permission to go or not.

**Hon. Mr. Wells:** I have given them permission, provided they will work through the administrator if they happen to be there.

**Mr. J. Renwick:** Do we have to have permission? What are you talking about?

**Hon. Mr. Wells:** I am just suggesting—

**Mr. J. Renwick:** If we are prepared to go and leave flowers!

**Hon. Mr. Wells:** I have made my statement, I do not—

**Mr. Shulman:** Nobody knows what it means.

**Mr. Chairman:** Order!

**Hon. Mr. Wells:** Well, I have suggested—

**Hon. Mr. Grossman:** If you do not know what it means, what are you applauding for?

**Hon. Mr. Wells:** If you want to go up to a hospital, either make arrangements with the administrator ahead of time; or when you get there go and see the administrator or superintendent, and then go from there.

**Mr. J. Renwick:** We are prepared to go at reasonable hours.

**Hon. Mr. Wells:** Now the point is—

**Mr. Shulman:** Will we be allowed in if the superintendent is not there?

**Mr. J. Renwick:** Are we going by virtue of a privilege or is it our right?

**Hon. Mr. Wells:** Well listen, I am telling you now, sir, and we have checked all along, that there is no historical right or any right of members of this Legislature to visit any of the institutions. I am just saying, let us work together. You say let us work together; that is all I hear from you, let us work together and make this thing work.

**Mr. Shulman:** Will the Minister accept a question?

**Hon. Mr. Wells:** Sure.

**Mr. Shulman:** Just for clarification. It has been the custom of the member for Lakeshore and myself to visit these institutions on weekends. We normally find when we arrive that the superintendent is not there. Will you pass the word along that the acting superintendent, or whoever is in charge at the time we arrive there—and we always ask for whoever is in charge—will let us in if the titular superintendent is not?

**Hon. Mr. Wells:** This is a reasonable suggestion. This will be left to the superintendent. If he is not there, somebody will be in charge of that institution.

**Mr. J. Renwick:** You mean members of Parliament can make the trip and then be turned away? Nonsense!

**Hon. Mr. Wells:** The superintendent will be in charge of the institution. If he is not there he will tell the person—

**Mr. J. Renwick:** We do not buy the Tory version of our rights.

**Mr. Lewis:** We will try it tomorrow morning at nine.

**Hon. A. F. Lawrence:** With the member for Lakeshore!

**Hon. Mr. Wells:** Let me just finish by saying that I appreciated the hon. member outlining some of the programmes that he had knowledge of in the United States. I think that it is useful for us to hear about some of these programmes because, certainly, they are good and we can learn from them. I think that we also have to realize that they are specific programmes, not a general situation in each of those jurisdictions. I just think that we should also realize that we do have, in this province, some special programmes that are probably the envy of many jurisdictions in the United States.

**Mr. Shulman:** Private.

**Hon. Mr. Wells:** Not private, I am talking about integrated, community programmes; and I of course would refer to the one in my own jurisdiction, Scarborough.

We have an integrated, community-based, mental health programme in Scarborough, using the facilities of the beds in the general hospital, the Scarborough General, and the psychiatric facilities. It is tied in with the halfway house, it is tied in with involvement of myriad community organizations so that the patient can come in, can be treated very quickly, can leave, can go out and be sure that he is going to have community involvement, community help and so forth. It is a model programme.

**Mr. Ben:** A point of order. I do find this extremely interesting, but here is a situation. If I start interjecting I am, in fact, breaking the rules, because this was supposed to be the opening statement, this discussion is coming under subsequent votes. Either we start going right now and we all take part or we do not.

**Hon. Mr. Wells:** I am answering a question.

**Mr. Chairman:** I think that there have been a lot of interjections during the Minister's replies to the opening speeches. The Minister is simply replying to the points raised, which is the usual procedure in every department, and we will call the votes as soon as he has finished.

**Hon. Mr. Wells:** Mr. Chairman, anyway, I merely point out that we do have some model facilities.

**Mr. Lewis:** Do you know any others?

**Hon. Mr. Wells:** I might tell you that we are going to, on a consulting basis. Dr. Appleton is going to help out part-time with our department to establish these in other areas across Metropolitan Toronto.

**Mr. Lewis:** I agree with the Scarborough programme, but can you name one other community mental health programme in Ontario beyond that one?

**Hon. Mr. Wells:** There has got to be a first.

**Mr. Lewis:** That is your model, is it?

**Hon. Mr. Wells:** Perhaps those you have outlined are only one—

**Mr. Lewis:** One community health programme in a province—

**Mr. Shulman:** We are not saying there is only one.

**Hon. Mr. Wells:** From this will come a development of more of these, I am sure, because this is an excellent programme.

**Hon. A. F. Lawrence:** They say "name one." You do it, and then they say, "name two".

**Hon. Mr. Wells:** I think with that, Mr. Chairman, I will carry on with the votes.

**Mr. R. T. Potter (Quinte):** Mr. Chairman, before you start the votes, I wonder if I may have a few minutes to speak on the standing committee of health in this Legislature.

**Mr. Chairman:** I must say that it is, perhaps, a little unusual but if the House gives its consent—does the House agree?

Agreed.

**Mr. Potter:** In addition to dealing with matters specifically referred to in our committee, it is now meeting on a weekly basis for the purpose of hearing from those who are experienced and qualified in the various sections of the health field. At these meetings we have heard from general surgeons, from psychiatrists, nursing home operators, chiropractors, dentists, pharmacists, orthopedic surgeons, OHSC officials, and a director of a special treatment clinic.

Today, for the information of the members of the Legislature, I would like to table a report on these matters with the hope that the Minister and his staff will give serious consideration to the point that the committee wishes to make.

It is the conclusion of this committee, Mr. Chairman, that there is an urgent need for a review and revision of the health care of our province. It is our opinion that only a total health care programme would sufficiently satisfy our needs. We appreciate the tremendous cost of such a programme, and at the same time we recognize the needs with the realization that it can only be instituted in a gradual manner. We feel that the most immediate need is in the field of nursing homes, and in addition to badly needed changes in the regulations governing the operation of these homes, we feel that they must be covered under the Ontario hospital services programme.

The next area of urgency is in the development of an efficient rehabilitation programme; and here again, it is the opinion of this committee that consideration should be given to the establishment of a rehabilitation wing in each active treatment hospital in the province.

We feel that we must expand our out-patients facilities by licensing more and better qualified physiotherapists to operate independently of hospitals. It is understood that there is an abuse of this particular programme at the present time, stressing the need for more efficient supervision.

It should be obvious to the department that the department should further encourage the home care programme throughout the province, and despite the statements of OHSC officials to the contrary, it is our opinion that there is an urgent need for chronic-care facilities in the province, a point which was repeatedly made by those appearing before our committee.

**Mr. Lewis:** Take them apart there.

**Mr. Potter:** In further developing this programme, Mr. Chairman, the committee recognizes that a role does exist for chiropractors, that their duties and responsibilities should be clearly defined and that they should be included.

It is our further feeling that to complete the plan, consideration must be given to the inclusion of the cost of drugs and dental care. Your committee recognizes the ever-increasing need for more doctors and dentists and we urge the department to utilize all its resources to ensure an adequate supply and to devise means of providing their services to outlying areas of the province.

While the time of the committee was limited and we were unable to devote as much time as we would have liked to this subject, the committee wishes to stress that a further

review of mental care in this province should be initiated, such a review to include, in addition to the mentally ill, the mentally retarded and the emotionally disturbed, an area which is becoming more serious every day.

The need for a review of procedures and practices in special treatment clinics was recognized by the committee and we understand that a study of this problem is already under way by the department.

I would like to table that report, Mr. Chairman.

**Mr. Chairman:** Before we proceed, perhaps we should discuss the matter of the order of dealing with the various votes. Vote 801, which is the departmental administration, it seems to me, should be taken as a total vote. Is that agreed? Does the hon. Minister agree to that?

**Hon. Mr. Wells:** Yes.

**Mr. Chairman:** Vote 802 seems to be broken down fairly well in programmes of activity, on pages 75 and 76, and perhaps we could deal with that specifically in programmes.

Agreed?

Vote 803, I think, is one that must be taken in total.

Agreed?

**Mr. Shulman:** Taken in what?

**Mr. Chairman:** Taken in total.

**Mr. Shulman:** Yes.

**Mr. Chairman:** Now of the last votes: 804 is the OHSIP, 806 and 807 is the hospital and 805 in the middle is HIRB. You cannot talk about OHSIP without talking about HIRB and vice versa. I am wondering if we could perhaps deal with OHSIP, which is 804, and HIRB at the same time, pass the OHSIP vote and then go to 806 and 807 which is hospital, and leave the HIRB to the end, so that we can refer to it.

**Mr. MacDonald:** I am wondering, Mr. Chairman, whether it would not be a feasible proposition to take the last three together, medical, HIRB and OHSC?

**Mr. Chairman:** Well, one can speak about hospital without the—I mean I am just trying to separate this medical from hospital.

**Mr. MacDonald:** I think it is all one package.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, may I seek some direction? On what vote can I talk about chiropractors?

**Mr. Nixon:** Vote 801!

**Mr. Chairman:** I would like to get some concurrence on this.

**Hon. Mr. Wells:** I have no objection to discussing the last three votes but the hospital service commission is distinct from the other groups and that—

**Mr. Chairman:** That is what I was trying to get across—

**Hon. Mr. Wells:** It is a commission, and perhaps should be dealt with separately.

**Mr. Chairman:** Could we not deal with medical insurance, medical services insurance and refer to HIRB at the same time and get that cleared up; and then refer to hospital and leave the HIRB so that there is no restriction in debate on it? Is that satisfactory?

**Hon. Mr. Wells:** That is agreeable—

**Mr. Chairman:** Very good. Now—

**Mr. Gaunt:** Mr. Chairman, my remarks would be in direct reference to vote 804, if it is permissible. I can either deal with it on the first vote or under 804. I leave it to your direction.

**Mr. Chairman:** If it has to do with 804, which is the OHSIP programme, you should deal with it under OHSIP. The first vote is departmental administration.

**Mr. Gaunt:** As long as I can be assured that I can raise it at that point. I have had some difficulty in former years talking about chiropractors under The Department of Health estimates, but I presume that in view of the report which the hon. member for Quinte has just read to the House, I would be able to do that. I suggest perhaps the most appropriate vote would be 804.

**Mr. Chairman:** I do not recall specifically what was done last year, but I would think the reference could be made under the OHSIP programme to chiropractic—the fact that it may or not, or should or should not be included. I will not restrict the hon. member.

On vote 801.

**Mr. Ben:** Mr. Chairman, under this vote we are discussing, among other things, alcoholism and drug addiction research and also the committee on healing arts.

I should like to deal first with the latter, the Ontario committee on the healing arts. We can only, of course, Mr. Chairman, applaud the work that this committee is doing. However, it is interesting to note that in the statement by the chairman of the Ontario committee of the healing arts, Mr. Ian B. Dowey, at the inaugural meeting of the committee in September, 1966, he had this to say:

The expression "healing arts" was new to most of us when we first heard of this committee and I have found since then that it is new to a great many people. The definition that we have adopted is that it means all the professions and occupations in the health field.

There are an astonishing number of them and we have made a list to which we are still adding. It numbers 42 and includes the following—

And this is what makes it interesting, Mr. Chairman. I am going to read the list and make comments as I go along, because it is my submission that, if all these professions do, in fact, cover the field of all occupations in the health field called the healing arts, then the services that they provide should be included in the health services provided under OHSIP.

Now many of them already are, but it is interesting that many are not. The committee looks upon these particular occupations as being in the health field.

Chiropractors—which my friend was referring to and wants to be called later. The committee on healing arts included these as professions or occupations in the health field, yet their services are not taken in, or are not covered, by OHSIP.

Healing through the Christian Science—I do not know how we are going to work them into the health scheme, but perhaps we leave that to somebody else.

Child-care workers dealing with retarded children. Obviously their services should be covered by OHSIP.

Dentists, dental mechanics, dental technicians and dental hygienists. We can all look forward to the day when all dental services will be covered by a scheme, as I said during the initial address. I think all health services should come under a Ontario health services commission.

Hydrotherapists; one of the complaints that was made by the operators of nursing homes was that they no longer can even have physiotherapists and charge that service to OHSIP.

Here, the committee, on healing arts includes hydrotherapists, hypnotists, and subsequently occupational therapists.

Then there are medical laboratory technicians and medical laboratory technologists. I am frankly at a loss to understand the difference. Perhaps somebody could enlighten me there.

Blood-bank technicians, masseurs — this committee looks even upon masseurs as being engaged in the field of health and yet I could just see us trying to have OHSIP pay for the services of a masseur for, say, somebody who is paralyzed.

Naturopaths — I mentioned occupational therapists—ophthalmic dispensers, opticians, optometrists, osteopaths and physicians, of course.

Then pharmacists — there is an indication that drugs should be included in our scheme. I have mentioned physiotherapists, physicians, psychologists, radiological technicians, registered nurses, registered nursing assistants, nursing aides, medical social workers, psychiatric social workers, and speech therapists.

Remedial gymnasts, dieticians, medical librarians—well, I imagine they should come under hospitals—medical record librarians, such as cardiographing technicians, inhalation therapy technicians—I guess that is where respirant comes in. I guess that is why the predecessor of this Minister has taken unto himself a new job. I imagine he has become now an inhalation therapy technician, with an MD behind his name.

Operating room technicians, electroencephalographic technicians, intravenous therapists, administrators.

The reason I read this list, Mr. Chairman, is that I firmly believe that all these occupations and professions which the committee of the healing arts acknowledged as being in the health field, should be covered by one comprehensive medical services scheme, not only in this province but in this country.

How the Minister and his predecessor could have ignored the recommendations that come down from these committees and either refuse to bring these occupations and professions into OHSIP, or OMSIP as it was, and even today delay so doing, is beyond my comprehension. To me it is just simply setting up these committees for no reason except to postpone the day of reckoning.

I think the trouble with this government, Mr. Chairman, and the trouble with this ministry is that it is always reading from reports from task forces, or Royal commis-

sions, or standing committees, or inter-departmental meetings. I was amazed that the Minister had the gall to get up here and in referring to the report of the task force reporting on the cost of health services in Canada, tell this House that there is now a task force looking into how the recommendations of the task force looking into the cost of health services in Canada can be implemented. This borders on the sublime.

Report after report after report. And the strange thing is the Minister admitted that this was a compendium of much that was already known. It seems to be a passion with this government not to do anything until a compendium has been made by somebody.

Prior to the McRuer report coming down, all of the Opposition parties and many people in this province and elsewhere concerned with civil rights had been trying to get this government to listen and implement certain legislation touching on civil rights. They had to wait until the McRuer report came down and, all of a sudden they start implementing some of the things.

They had a commission, a select committee, to deal with the problems of youth. This particular select committee again prepared what might be a compendium of the knowledge touching on youth and the recommendations that had been made over a long, long period of time. The Minister was a member of that committee. Again, after the report came in nothing has been done.

I imagine that what we shall hear next is some Minister of the Crown—perhaps the Prime Minister himself—getting up and saying that they have just appointed a task force or a select committee to find ways and means of implementing the report of the youth committee. That was just one of them.

Then we had another select committee of this Legislature dealing with the problems of the aged.

**Mr. S. Apps** (Kingston and the Islands): Can I make a comment on this, Mr. Chairman, just for a moment?

**Mr. Nixon:** There is the young man himself.

**Mr. Ben:** There is the young chairman himself. He is getting younger looking every day.

**Mr. Apps:** I would just like to point out, although all the recommendations of the select committee on youth have not been approved as yet, there are a great number

of them that have been implemented. I would not want the House to be misled to the extent that none of them have been implemented. Many of them have. I must admit that the odd important one has not been, but a great many of them have.

**Mr. Ben:** I am sure if they did not implement at least one, the hon. member who just sat down would throw the whole government benches against the boards. They would have to do something just to keep him pacified and peaceful there for a while. All of us admit over here that the hon. member—and I think I should identify him, from Kingston and the Islands—has a real, sincere and abiding concern for the youth of this country, and we applaud him in that.

I must also say that I think it must be rather galling for him to have chaired the committee that brought down such a splendid report and find that almost no action is being taken on it. Yes, we will admit that some of the things have been implemented, but good grief, they were implemented by having been fallen into them rather than deliberately, but most of them still are not implemented.

This is the trouble with this government: Task force after task force, after special committee, after select committee, after Royal commission. If we only spent one-tenth of the time implementing things that we do writing reports, and only a fraction of the money we pay for all these commissions in implementing their findings, this province would be a Valhalla.

**Hon. Mr. Grossman:** The Opposition is always asking for Royal commissions.

**Mr. Ben:** The Opposition does not ask for Royal commissions, it asks for action.

**Hon. J. R. Simonett** (Minister of Public Works): Better read *Hansard*.

**Mr. Ben:** We know the reason you appoint Royal commissions is because you do not like the Hoover people. You would rather sweep it under the rug than clean it up. So what we would like to see, Mr. Chairman, is these people, this government, implement some of these suggestions that come down. They cry that things cannot be done. Eventually they have to be done, so what happens—Minister after Minister has to resign because staring him in the face is a *fait accompli* in some other province. What he said cannot be done is being done day after day in some other jurisdiction, and the result is that you are going to run out of people to sit in your front

benches. Everybody is resigning in embarrassment. That is what happened to this Minister's predecessor. He conned us into believing that he could use the money coming from Ottawa for Medicare for the expansion of the services in the reduction of premiums and then he found out he had to use it to build hospitals or train nurses.

**Mr. Sopha:** All the old timers are going.

**Mr. Ben:** All the old timers are going. They just could not face having to see their statements backfire and slap them in the face like a custard pie in a Mack Sennett movie. This is what is happening to these individuals here.

Now the Minister was speaking on the Drug and Alcohol Addiction Foundation and it is very interesting reading what has been done in these different regional boards that are set up—the Lake Erie region, the St. Clair region, Niagara County region, etc., but I would remind the hon. Minister that in his speech which announced the establishment of the foundation—as a matter of fact it was when the first spade full of dirt was turned—the Prime Minister pointed out there were three phases in the Foundation's existence or intent: (a) research; (b) treatment; (c) education.

Well I am not going to deny that there has been a lot of research to date but I am going to question whether there is very much treatment. As a matter of fact, we had the shocking situation in Toronto not too long ago where a drug addict could not get treatment because he went up to the research centre at night and evidently they work on a 9 to 5 basis there. They take the position that the addict knows when he has to take his next or final shot and he ought to take it at hours suitable to them. The result was that he could not get any help anywhere, this addict who wanted to take the cure, and instead of being a possible candidate for rehabilitation he had to take another shot, after most of the hospitals turned him away.

Now since the Prime Minister said treatment would be one of the services offered, perhaps the Minister will answer this question. Will the foundation offer treatment on an emergency basis? Does the foundation provide assistance in the form of grants and/or consultation services to such organizations as the Digger House and Oolagen? The latter is run by James Wake. It started as a private endeavour and has grown and is now supported by small grants from personal contributors. It takes kids until they can be re-

ferred to the proper agencies. Some stay and attend school. But what grants are given to these organizations?

There is another problem that arose that is covered by this vote and this is the drug quality and therapeutics committee. We had this particular committee before our own health committee and frankly it was laughable. Mr. Minister, if I may have your attention for a moment. Your people profess that they are going to reduce the price of drugs by publishing tables consisting of graphs which would indicate the prices of drugs of equal strength, or similar strength, and similar purpose—that is comparable drugs.

Well, I will tell the Minister this: They are not going to lower the price of drugs. They are going to increase the price of drugs, and for them to have tried to lead us to believe that because one manufacturer of tranquilizers lowers his price by 15 per cent, and that this is an example of what is going to happen with all the other drugs, was asinine because all this committee is going to do after it publishes the graphs showing the different prices is that those manufacturers, or wholesalers, whose drugs are being sold at less than the mean or average price are going to see they are charging less than the traffic is bearing and they are going to increase their prices.

There is no doubt, Mr. Minister, that some of the manufacturers who are charging the highest prices will lower their prices. They will be extremely grateful that this committee is doing a survey for them to let them know what comparable drugs are being sold for. So they undoubtedly will lower their drug prices. But the fact is that many people are now going to be deprived of drugs at the lowest prices, because the manufacturers of those drugs are going to increase their prices knowing that they could sell them for considerably more than what they have been charging. And that is what is going to happen, because that happens to be the law of the commercial jungle. So all you have done is set up a committee that has led a lot of people to believe they are going to get drugs cheaper when, in fact, the poor will have to end up paying more for them, and they are the ones that suffer the most.

You talked about the Ontario Council of Health and I would also ask the Minister to tell us what special facilities have been set up to train many of the European doctors who have come over here. I should not say European doctors. Let us say doctors from outside North America who have come here



and cannot qualify. Have you set up any course whereby they can be articulated to Ontario doctors for a specified period to get a certain type of training which will be a little more comprehensive than perhaps internship? What have you done in this line? I would suggest very little. But I do await an answer on that.

Your grants covered by this vote are to the Canadian Red Cross Society, the College of Nurses and the Registered Nurses Association of Ontario. I suspect that there will be a place to discuss them under further votes and for that reason I am going to leave that. I notice legal services comes under this vote and I will leave that for a while.

**Mr. Lewis:** You are having a little chat with yourself, are you, George?

**Mr. Ben:** No, I am not having a little chat with myself.

**Mr. Lewis:** Sort of a *tête-à-tête* with your own *alter ego*?

**Mr. Ben:** I do not have an altering ego. I am not like the hon. member over there—

Interjections by hon. members.

**Mr. Ben:** Oh, he is always shuffling his feet; he is trying to avoid all the barbs that have been thrown at him, that is all.

Interjections by hon. members.

**Mr. Ben:** Would the Minister answer those questions for the time being?

**Mr. Chairman:** Does the hon. Minister wish to reply now?

**Mr. Ben:** I would ask him to give a reply now to those questions.

**Hon. Mr. Wells:** The questions may be duplicated Mr. Chairman, I think I would like to—

**Mr. Ben:** If you answer them they won't be.

**Hon. Mr. Wells:** Let us hear what some of the other members have to say.

**Mr. Ben:** You mean you are not going to answer the questions?

**Hon. Mr. Wells:** As soon as we listen to this—the hon. member for Middlesex South wants to make a statement, I think.

**Mr. Chairman:** Has the member for Humber any further questions at this time?

**Mr. Ben:** I have lots of questions, but if that is all he wants, if he is going to wait to go all the way through before he answers them, we will go on for hours.

Interjections by hon. members.

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

Interjections by hon. members.

**Mr. K. C. Bolton (Middlesex South):** Mr. Chairman, later in these estimates I plan to be obnoxious, I plan to say many adverse things, but in the mellow glow of our conviviality before 8 o'clock this evening, may I say something that I think in justice should be said in connection with vote 801? My reference is to the alcohol and drug research foundation.

**An hon. member:** Very appropriate!

**Mr. Bolton:** Perhaps I am very proud to belong to the province of Ontario, because of its very enviable record in this field. Some years ago I took a course at Yale in alcohol studies, and again and again in the course of our lectures, illustrations came from Ontario. This is a province that is very highly regarded throughout this whole continent for the work that is done in that area. Furthermore, in my capacity as Professor of Pastoral Theology at Huron College, I gave a seminar in alcohol research studies and had most excellent co-operation from that department in London, and when I was elected—

Interjection by an hon. member.

**Mr. Bolton:** I missed the observation but I doubt I missed much—

**Hon. Mr. Grossman:** The member wanted to know if you made reference to this great work during your election campaign.

**Mr. Bolton:** No, I did not—I had other things which will come up later in these estimates, with reference to the election in Middlesex South. I say that when I was elected on September 18—as some of you may recall—my resignation from the college became automatic; but it had been anticipated and so arrangements were made that when I had to give up this course of lectures, the alcohol research foundation in London was approached. I want to report that they very kindly took on this responsibility, they are doing an excellent job. We can be very proud, quite apart from party consideration, of the work done by the alcohol and drug research

foundation in this province. I want to record that.

Hon. Mr. Grossman: Do not spoil it by becoming obnoxious.

Mr. Bolton: I rather kid myself I have an obnoxious side.

Mr. Apps: Mr. Chairman, I think this comes under vote 801.

I am rather concerned at getting some correspondence indicating the difficulties that some people are having when they leave the employ of our psychiatric hospitals to receive their pension or their backpay or their vacation pay in a reasonable length of time. I realize that the Minister may not have had an opportunity to look into this, because he has not been in his office for very long. But I would suggest to him that one of the things he should investigate is this inordinate length of time that it takes to get the pay that is coming to those people who leave the employ of the hospitals.

For many of them it creates a financial hardship to wait so long, and although I realize that the Treasury is involved in this, yet I would ask the Minister if he would look into it and try to hurry up this long time that it takes to receive the pay that is coming to these people and which, in an ordinary commercial enterprise, would be forthcoming in a week or two. In many cases it takes several months. So, Mr. Chairman, may I ask through you to the Minister that he would take the time to look into this and try to hurry this up.

Mr. A. W. Downer (Dufferin-Simcoe): Mr. Chairman, I am sure that all of us from this side of the House appreciate the kind words of the member for Middlesex South, regarding the alcoholism and drug addiction foundation—

Mr. Nixon: Britishers stick together well.

Mr. Downer: I would just like to say a few words about that particular foundation tonight. Over the years this government has many times demonstrated its progressiveness and its wisdom—

Mr. MacDonald: Let's be factual.

Mr. Downer: —and its vision.

Mr. Gisborn: Tell us what you think about the foundation.

Mr. Downer: One of the areas in which this far-thinking leadership has been particularly evident is—

Mr. Nixon: How many pages have you got there?

Mr. Downer: —its approach to the investigation and planning to overcome the wide and costly programme for problems resulting from the irresponsible, excessive use of alcohol and other drugs. In the creation of the alcoholism and drug addiction foundation by an Act of the Legislature in 1949, this government established its leadership in this field. And the foundation of which I would like to speak now, was the first official agency dealing with alcoholism in Canada.

In the 20 years since its founding, this growing organization, under the leadership of Mr. David Archibald, who sits at the table tonight, its executive director, has become widely known not only in Canada, but throughout the world. The organization is known for its research work, its clinical operations, its far-reaching pioneering programmes of public and professional education. Now it is a very easy thing for me to observe the development of the foundation's progress over the years—and I do it from my vantage point as a member of the Legislature.

We have seen it grow from a small beginning with a very small budget. We have seen only at the beginning a handful of dedicated individuals. They had only one out-patient clinic in the city of Toronto. Today the foundation is operating on a budget of over \$7 million. It conducts a programme of clinical, biological, psychological, and social research across this province, and we now have 31 treatment and clinical centres in 31 different municipalities in the province of Ontario.

Now, sometimes there are isolated incidents that invite misunderstanding and sometimes these isolated incidents invite or create criticism of the foundation. Such things as the member for Humber was mentioning, such things as the practical impossibility of providing round-the-clock, instantaneous service to alcoholics and drug addicts whenever and wherever they need help. I like to point out that there are somewhat more than 115,000 such individuals in this province right now. They are in various stages of their disorder and they are located in every community in the province of Ontario.

It would be manifestly ridiculous for the foundation to attempt to provide the kind of treatment necessary in all these locations which would assure an open door and a help-

ing hand whenever and wherever the occasion demands. To me, and I am sure to you when you consider the matter, it makes a great deal more sense for our foundation to follow a plan under which the available treatment and helping professions which exist in every community of this province are trained and encouraged to take on a fair share of the task of dealing with the alcohol and drug addiction.

Indeed, the very involvement of greater numbers of people in this day and in this way, will inevitably bring about a greater awareness of the need for caution, and for knowledge, in handling and using the hundreds of drugs and chemicals which have in them a real potential for creating dangerous and injurious patterns of use.

Now alcoholism is a problem. Up to this year, we were holding the line, but it is moving out again, and the rate is going up. But that is not the only problem that we have to deal with. There is a more alarming problem, and it is the problem of drugs and drug addiction.

With the studies that have taken place, we find that 16 per cent of all the students that are in the secondary schools of Ontario have something to do with drugs. They have tried them out, experimented with them, used them and you know 16 per cent of the boys and girls in the secondary schools creates a tremendous number; a tremendous problem!

This is one of the great problems that the foundation is trying to cope with at this particular time. Now I am quite sure that the foundation will come up with an answer. I am quite sure that the foundation, with their great experience and with all the people they have on the staff, will find an answer to this problem.

Now take this matter of family involvement—in alcoholism, for example. The foundation is soon to publish, and I think that perhaps it already has, an extensive examination of the impact of parental alcoholism on children. I am confident that this will bear out something I have personally observed and felt for many years, namely, that the alcoholism of the father, or the mother, or both, is frequently visited upon the next generation.

Certainly a home in which alcohol is destroying harmony and creating conflict, and hardship, and suffering will not be able to produce children of robust emotional health and spirit. And one would expect that such emotionally vulnerable young people would be prime products, prime targets for alcohol and drug dependence in the future.

I am looking forward to reading the forthcoming foundation report again—and I hope that it will serve to focus the attention of doctors and social workers on the treatment of the total family unit, not just the treatment of the drug addict and the alcoholic member.

Right here might be a good place to clear up a point about the philosophy and purpose of the alcoholism and drug addiction research foundation, which may sometimes get in the way of public understanding.

I have just been talking about upset families, in which the excessive use of alcohol has become a problem, a real problem. And I have not spoken of families which have been broken up by alcohol alone.

Someone has said that you have to see alcohol as a solution before you can understand it as a problem. I take this to mean that, in many cases, a family situation is already at a desperate stage of conflict and antagonism before the consumption of alcohol leads to the final straw that breaks the camel's back.

In many cases of alcoholism, the alcoholic has been all but overcome by other insurmountable problems, and he or she has turned to the comfort and temporary relief of alcoholic intoxication as a temporary seeming solution—only to find out that when he sobers up the bad situation has been worsened.

The government, in setting up the alcoholism and drug addiction research foundation, did not start from the mistaken position that alcohol itself is the root of all evil. It was fully aware, however, that alcohol, irresponsibly used, is a significant component in many social problems confronting our people.

The foundation is not dedicated to the total removal of alcohol from our society. That would be futile. The foundation is dedicated to finding out how our society can manage to live in the presence of alcohol, and in the presence of other addicting substances, and not become the victim of inappropriate and irresponsible use of these substances.

I know, and I know you know, that there are still people in this province who feel that our government should take steps to eliminate all alcohol, and all other comforting drugs.

History shows that this has been proved over and over again to be impossible. And one would expect today, in the presence of hundreds of new substances with addiction potential, it would prove to be even more

futile to attempt to put one chemical or drug after another out of reach of the public.

Far better, it seems to me, to research the question of why people of all ages and all stations in life feel a strong attraction to chemically comforting or exciting drugs. This research has to look at the individual, and the society in which the individual functions or fails, as well as investigating the drugs themselves.

Well I think that one of the answers is education. And when one thinks of education about these matters, it is helpful to think in terms of goals and targets.

In the matter of goals, we may think of preventing problems in people who are as yet encountering no alcohol or drug problems. And we think also of alleviating problems that already exist, and preventing people from getting in any deeper. Public health people tell me that the former might be described as primary prevention, and the latter secondary prevention.

The prime target for primary prevention must surely be young people, and I believe that all of us here would agree that to keep young people free of trouble, free of trouble arising out of the unwise, unsound use of alcohol and drugs of various kinds, is a worthy purpose to which we should commit as much money as we can.

Of course, there is a great deal more to education about alcohol and drugs than merely putting the words in front of the public and into the courses of study in our schools. We must remember that the research has now shown that the strongest influence of our young people in learning about drinking and using drugs comes from the way they see their parents and older people using these things. All of us, every one of us in this House and everyone outside, are responsible for teaching the younger people and younger generation by example. This is an inescapable fact of life. And I would submit to you that we should never lose sight of the fact about the way we use alcohol or drugs ourselves and in the way we serve it to others, will influence a young person.

Some good friends of mine, successfully recovered alcoholics, lay great stress on one point; they say that whenever and wherever alcoholic beverages are offered to guests, there should be alternative beverages offered as a matter of free choice. I think that is a good move, that would be a good suggestion.

As far as the drugs are concerned—and I was listening to the member for Humber the other night saying that poor housing and bad

housing and poverty had a lot to do with the use of drugs by these young people—I do not think it makes any difference what class you are in or what group, you find drug users in the finest areas in the city and the finest areas of the country. You will find drug users and alcoholics in the poorest slum areas in the province. It does not have anything to do with where you live, but it has to do with how you think.

In ending up this little talk, I commend to you the alcoholism and drug addiction foundation, an organization that this Legislature can be very proud of. On its behalf, I bespeak the continuing support you have given it over the years and I would urge the government to make provision for increased financial support for the important work that it is doing and the important work that it will be called upon to do in the years to come.

Mr. Nixon: Mr. Chairman, I think we can assure the hon. member for Dufferin-Simcoe of our continuing support to the efforts of the foundation.

I want to refer to it specifically and particularly in some of its programmes that are under way recently.

I read, I think, every word that comes out publicly from the foundation that is available to me and I would begin by saying that I miss the publication of the booklet called *Addictions* which used to, I think, come out quarterly. I do not recall receiving it in the mail recently. There may be some reason for this, but I think this was a valuable vehicle by which the foundation put before the citizens of this province up-to-date views based on science and not prejudice, based on research and not just hand-me-down information upon which thoughtful people could base their own judgments.

I well recall reading *Addictions* three or four years ago when the articles pertaining to the threat of marijuana pointed out very clearly in repeated articles that had come from other jurisdictions that there was ample scientific evidence to at least say it was no worse and, in fact, not nearly so great as the threat posed by alcohol.

This particular booklet I think was a very valuable one and I hope that no one in the foundation is under the impression that it was not widely read. And I do not know whether it has been discontinued or whether my name has fallen off the mailing list because I did not send in a subscription, but I believe it is an important addition to the work that this organization does.

We are prepared to be sarcastic about the publication programme of almost any other commission, the OWRC and so on, but not this commission. Its publication programme is the most important thing it does. In recent days, maybe weeks, but days, there have been substantial ads, paid for by the foundation, in all of the dailies with a factual approach to what happens to human physiology when alcohol is imbibed.

If the hon. member for Sudbury were here, he would be able to tell us about C<sub>2</sub>H<sub>5</sub>OH—he usually refers to it that way—but I can tell you, in my limited experience dealing with young people as a teacher, that one of the most effective ways to get their attention to the problems of alcoholism was to talk about it in a factual, scientific way, and this is precisely what the ads, brought out in the last few days by the foundation, have done.

I have a son aged 15 and I said, "Did you have a look at this?" He said he saw it, but he did not read it. This is too bad, I read it, and I asked him to read it also and I believe he did. But somehow or other I believe that there might be just a bit of an improvement in the presentation in the public press. Young people, between the ages of 13 and 15, I think, are perhaps the most impressionable. While there are many people here expert in the subject, who are prepared to recount instances of the young people in the elementary schools and so on, you have to train them there or give them the facts there, I think it is in the early teen-age period that they can be impressed with the factual information associated with the use of alcohol; and not put forward any attempt to frighten them, but just so that when they make a decision on the use of alcohol it is based on factual knowledge and not prejudice.

About a year ago, perhaps two years ago, the foundation had another series of ads which were not so impressive in their textual content, but the attractiveness was better, there were pictures of teen-agers that had a real impact for me and I think for young people. As they turned to the paper, coming to the sports page or perhaps the cartoon on the editorial page or the funnies, a picture of an attractive adolescent will centre their eyes on this—and I am no advertising authority obviously—but I believe that this is one of the most essential, the most essential thing that foundation can do.

Their work with alcoholics, of course, is commendable. It almost seems, though, it is practically impossible to gain much in this endeavour. Where we can gain is impressing

the early teen-agers in what decision still lies with them. And I commend the foundation, along with the Anglican clerics who have spoken previously, in the really impressive features of the work they have accomplished.

As far as drugs are concerned, I think for the last two sessions there have been impassioned speeches on this vote, about the threat and the spread and the general use of drugs. I think perhaps for the first time this is having great impact in the community on a realistic basis. Where the hon. member for Dufferin-Simcoe gave us some statistics, something like under 20 per cent of young people who have experimented with drugs, my own feeling is that this experimentation is expanding very rapidly and that if government policy is really to retain and repress this, that perhaps they have to look at this very carefully.

There are two things which concern me in this. The first is the expenditure of this \$6 million—according to page 72 of the estimates—is to be in amounts as may be authorized by the Minister. And the second is that in his House, about three weeks ago, the Minister made a statement which shook me to the core, and I feel that it reflected a closed mind in his attitude to experiments and research with marijuana which he may have attempted to correct in statements since.

It was either in response to perhaps unreal political pressures, or a statement that I feel is as benighted as any that J. Edgar Hoover has made over the last 40 years, and if, in fact, he personally controls—as it is indicated specifically here in these estimates—the expenditure of the \$6 million that we are asked to vote tonight, I am worried.

It means really that the hands of the foundation are tied, or else there is a general attitude that the Minister may be displeased if the foundation moves beyond the periphery of the most restrained, perhaps "responsible" approach to this problem, because I think that the community awareness of the use of marijuana particularly and some other drugs is expanding much more rapidly than either the member for Dufferin-Simcoe or perhaps the representatives of the foundation, and certainly the Minister, are aware.

I have a daughter age 14 and she was playing a Beatle record, one of the more catchy songs which is called "Lucy in the Sky with Diamonds". And she said, "Do you know what that means Daddy? It is LSD—Lucy in the Sky with Diamonds—and it means that the Beatles take LSD". I said

"Oh, that is very interesting". I had read this somewhere else as well, and I believe that it is true. The Beatles are talking to my daughter in code and I have no particular objection to this, she thinks that is great—

Mr. Lewis: And they are communicating.

Mr. Nixon: Yes, real communication. And this foundation—

Mr. J. Renwick: And you are not?

Mr. Nixon: Oh no; I would not say that. I can communicate with them better than I can with you.

But this foundation still has great respect and will continue to have great respect as expressed on all sides of the House; I believe that the respect is there. I think they are doing a great job. I like their publications.

I am afraid that the policies of the government may tend to inhibit them and I would say to you, Mr. Chairman, in the presence of the people from the foundation, that they should not be inhibited this way; that I think there will be other pressures on the Minister—I hope I am not being unfair when I say this—that will change his attitude in a hurry so that it will be abundantly clear that the community does not want prejudice to be exerted. They want to know the facts, and surely this is precisely the attitude that all of us must take at this time. We may have very different attitudes when more facts are known.

It was in this connection that I wanted to refer to the alcoholism and drug addiction research foundation. In many respects, perhaps, their work in alcohol is going to fade into insignificance in the next few years because one of the other things associated with a new approach to the drugs and alcohol is that according to reading that I have done, and I suppose some of it has been in the publications of the foundation itself, these young people who are experimenting with drugs are not nearly so interested in experimenting with the booze that they get out of daddy's liquor cabinet, because daddy has been left behind in this. I think it is up to the foundation to determine whether, in fact, this is a considerable boon to the community or not.

So we follow their work with great care and I can say that they have general support on all sides. There is no quibbling about money spent for their buildings or anything like that. The people who make pronouncements from the foundation have respect on all sides and this important, and we are

counting on them for great things in the immediate future.

Mr. Burr: Mr. Chairman, in his opening remarks, the Minister praised the government's pesticides advisory board for issuing the partial ban on DDT. This occurred some time after the middle of September. Back in the spring session of the Legislature, my colleague from High Park repeatedly urged the government to take this action on the basis of the evidence then available, and the Minister might have given him a little bit of the credit for speeding up the action.

I should like to ask a question about the pesticides advisory board. It has been represented to me that this board consists entirely of government experts and commercial representatives. Now one question, is this so, and if so, why are there no representatives from the universities on this board? There is perhaps a natural tendency for government—

Hon. Mr. Wells: Mr. Chairman, I am sorry to interrupt but I think that matter is under vote 802, the public health vote.

Mr. Chairman: I am sorry, I was not paying that close attention.

Hon. Mr. Wells: This pesticides advisory board comes under the environmental health branch, which is part of the public health programme, Mr. Chairman, so I think that in fairness we should discuss it there.

Mr. Chairman: Well, that is quite right. If it is not under the first vote perhaps the hon. member would—he has not been speaking very long, perhaps he could repeat his remarks—bring them up under the proper programme under 802, environmental health service, on page 76.

Mr. Burr: Well okay, Mr. Chairman.

Mr. Chairman: Vote 801?

Mr. J. P. Spence (Kent): Mr. Chairman, may I, under this vote, ask a question of the Minister? What is the policy of the mental institutions or general hospitals for maybe 30 years?

Mr. Chairman: Would that be the mental health section?

Mr. Spence: In regards to your policy—

Mr. Chairman: That is under vote 803, mental health division.

Mr. Spence: Right!

**Mr. J. Renwick:** Mr. Chairman, I want to comment simply about the Alcoholism and Drug Addiction Research Foundation of Ontario. I have the greatest respect for the member for Dufferin-Simcoe; indeed, I have the greatest respect for the work which is being undertaken by the foundation.

I want to suggest, however, that what is fundamentally wrong is the misunderstanding of the problem, and I do not pretend for one moment to know exactly what the problem may be, but I want to suggest to the Ministry and to this Minister and to the foundation that the basic problem is to treat the use of drugs of any kind, whether it is alcohol or any other kind of drugs, as though it were some superficial part of our society; as though it were some aberration of society.

The view which certainly has come through very clearly to me in my limited experience in this particular area, personal and otherwise, is that in fact it is society which creates the need for the use of drugs. And it is very simple, if you take that particular view of it; because then to the extent that you deal with and solve the pathologies of society and the pathologies of the individuals within society, who find great difficulty in coping with society, you tend to solve part of the problem of the dependency on drugs, whether it be alcohol or otherwise.

I want the Ministry to be very, very clear on this, that they are not expending the number of dollars which are required to cope with the problem involved in alcoholism, let alone in the problem which may ultimately be involved in the question of the use of marijuana, and the reason is—and I have come to this reluctant conclusion—that you have isolated the foundation out from all other elements of the community responsibility for health care.

The foundation reflects the kind of reaction against a guilt complex in society which derives one of its major sources of revenue from the consumption of alcohol and from the use of cigarettes. That reflects a reaction against the puritan ethic, and that in addition the puritan ethic is a part of or a product of industrial society which degraded many men and women and created this immense dependence upon alcohol.

And that immense dependence upon alcohol is reflected in the province of Ontario by upwards of at least 100,000 people and maybe more. My guess is that if it were well known in terms of the male and female population of the province of Ontario that have an alcoholic problem, which is a sickness

problem, which is a medical problem, you would find that it is in the neighbourhood of at least 200,000.

What I am saying to the Minister is that he has got to re-think the whole of the philosophy under which this foundation was established. My guess is that the foundation performs what the leader of the Opposition has indicated is a very valuable function, a very real educational function. It is very much like sex education in the schools. I, as a parent, am not qualified or capable of transmitting accurate information about sex education, and I doubt very much whether other parents are.

**Mr. J. B. Trotter (Parkdale):** Why are you not qualified?

**Mr. J. Renwick:** I just do not happen to have the expert knowledge which is required for that kind of transmission of accurate information, and in the field of alcoholism I think that is perfectly true about what the leader of the Opposition had to say. He was asking that the foundation continue its programme of transmitting accurate, medical information about the use of chloroform in society, about the use of other forms of drugs in society, and that is a very valuable function. It may well be, in fact, that the educational system of the province is about ready to absorb that part of the responsibility of the foundation, and I am suggesting, from my own experience in my own riding, from my own brief life experience, I am saying to the Minister that he must re-think whether or not he should not now dissolve into a community approach to the problem of medical care, the responsibility about this particular aspect of the medical requirements of the community.

Because my guess is that the members of the foundation will be the first ones to say that in every instance in which alcoholism is a problem, apart from those limited number of instances where it can be traced to a natural physiological requirement—and my suggestion is that that is a limited number of cases, but a very real number of cases—in substance what you are talking about are the ills of your society. And the ills of your society are all the things which are involved in the areas which create a sense of indignity in the individual.

When you begin to remove those and when you recognize the place of the drug in our society in that context, I think you will make very real progress.

But our tendency has been to isolate, as we used to isolate in the social and family services area, particular categories of people. In fact, the alcoholic or the drug addict cannot be isolated into a specific category. The alcoholic or the drug addict has got his own particular life style which has resulted in that dependency. It has been affected a great deal by the environment in which the person has been brought up, for any number of reasons. It is a highly individualistic problem, but its basis and its importance rests within society as such.

I am suggesting to the Minister that certainly I can attack the alcoholism and drug addiction research foundation from the point of view of the government and the scarcity of the number of dollars. And I would say, even when I entered the House, that on that basis I would have attacked it, in terms of the number of dollars which the government derives by way of revenue from the sale of the very beverages which create the problem that the government is faced with.

But that is no longer a solution. I discarded it because I do not think it is viable; I do not think it was viable at any time. What you have got to do, in my view, is to take this problem back into the general area of the overall responsibility for the health care of the citizens of the province.

This is only one aspect of it, and it has its pathology deeply embedded in the economic circumstances, the background, hereditary circumstances, the social circumstances, all of the areas within which people live in society. It is an outcropping and a very real outcropping of that society. And until we recognize it as such, and not as an aberration within our society as we have constituted it—and I emphasize, in the way which we have constituted it—then you have got a situation where people will continue to resort to the use of drugs. At some point in the lifetime of most people, there will come a point where he may or may not be a person who passes beyond the limit in which he can contain or control or tolerate the use of drugs; and he becomes a medical problem.

Until we do that, until we absorb it, what I am saying to the Minister is: He should, with his expert knowledge, with the knowledge of the people in the foundation, seriously consider dissolving the foundation back into the general area of the community health problem, because until we do that, we cannot effectively deal with the question which we have raised year in and year out in the estimates of the Minister of Justice (Mr. Wishart).

We cannot deal with the question effectively, of why you treat a person who is a drunk or an alcoholic in a criminal way, in a criminal court. That is the first thing. We are inhibited because we have categorized the affliction. We have treated this particular form of social behaviour beyond a certain limit as a criminal offence, or at least as an offence which is punishable. And I am not going to get hung up on the technical question of whether it happens to be within the Criminal Code of Canada or prohibited by the laws of this province. It is, and the government has got to recognize it, in most of its aspects a medical problem. There is absolutely no excuse in our society why people should be charged under the provisions of our penal code, or the penal provisions of our statutes, as if it merited that kind of punishment.

Now there is nothing that the foundation can do about this problem because the foundation is a creature hived off by this government to deal with a problem which is the government's responsibility. I would hope that this Minister would say, "While I am Minister I am going to see to it that in this province of Ontario no one who is charged with something called drunkenness is, in fact, simply another person who is put through the revolving door or the treadmill or the traditional jail treatment, because that is not adequate."

I am not suggesting for one single moment that it is within the competence of either this government or any medical practitioner or any skilled person to rescue anyone from the affliction of alcoholism. But it is quite obvious that the present treatment of alcoholism in this province is totally wrong. And I am saying to the Minister that he must dissolve the foundation—at least that is my view that I put forward—and absorb it within the general health requirements of the province on a community basis. Then I am saying to the Minister that he cannot isolate himself from the place which I have referred to before—and some people will say that it happens to be a hobby of mine because I have been there once—Moosonee.

You cannot isolate yourself nor can the foundation, and I would hope that basically the Minister of Health will deal with it. In three months in Moosonee there were 90 charges laid; 90 charges. At least 95 per cent of them were involved with liquor offences and derivative offences. I am simply saying to the Minister that it is not adequate if he allows this particular categorization of people to continue with the agreement of the Minister of Justice, to permit people to be con-



stantly charged for offences related to drunkenness. And that is what it is, the undue consumption of alcohol.

I am saying, and I repeat, and I simply leave that particular problem at that point, that you have to seriously consider re-absorbing drug addiction and alcoholism into the general health care atmosphere of the province. If there is an educational function to be performed, the Minister of Education (Mr. Davis) is quite competent for most people to perform that particular function. I want to say also, Mr. Chairman, that so far as marijuana is concerned, I expressed the grave concern that we here felt about the rather adamant attitude which the Minister of Health adopted in the House just a few days ago. I do not think it is an attitude which the Minister of Health can afford to adopt.

Again, I share the rudiments of the thoughts of the leader of the Opposition. My guess is that, in fact, a generation is appearing which is not prepared to accept the drinking of chloroform as a solution to the problems of society. And it is a very much interrelated problem. I think we may be the tag generation that thinks that is in some way a solution, even on a short-term basis, of anybody's problems.

What shocks me about the Minister of Health is that he is not prepared to give total and complete backing to the kind of experimentation, the kind of study, which will decide, so far as it is within our capability of making a decision, that marijuana is or is not harmful.

I am simply saying it requires a Minister of Health with considerable courage to suggest it may well be a good thing for this society to provide another avenue for people to solve their particular difficulties of accommodation, rather than just alcohol or just tobacco. These are the two traditionally accepted drugs which, by the way, were introduced into our society without any great scientific study.

I would suggest that if this Minister was determined to do so, within four or five years he could come up with a definitive study about the effects of marijuana. If that was a report which indicated that it was equally or less offensive, or less debilitating, than the use of alcohol or the use of tobacco, then he should authorize the use of marijuana or take steps to make this province's voice heard about it.

**Mr. Nixon:** If it were equal in harm to alcohol, it should not be permitted.

**Mr. J. Renwick:** I would agree with that. But if it is a different character of drug, and if it is a response of our society to the world in which we live, then I say to the Minister, that he cannot stop it without falling into the same trap of those persons who were temperance advocates.

All that I have said—and I have not said it as well as anyone would like to say something which is of basic importance to us—is that you have got to re-think. My guess is that within the alcoholism and drug addiction foundation there are men and women who would agree with the approach which I am suggesting. The government has got to re-think the fact that it is the pathologies of society over many centuries, and particularly since the industrial revolution, which have produced in this society people who require the use of alcohol or tobacco in order to make the life which they live relatively tolerable.

I am not, in those terms, categorizing people according to their economic level in society. I am simply saying that in my view and my attitude towards the problem and my recommendation is that you should absorb back into the general area of community health care, this area of alcoholism and drug addiction. Because if we do that, I think that we may begin to be able to deal with the basic and fundamental problems which are involved in the so-called non-medical use of drugs, including chloroform, in our society.

**Mr. W. Newman (Ontario South):** Mr. Chairman, on this particular subject which we are discussing tonight, I am a little concerned about another aspect which maybe has not been brought forward.

I had the occasion this morning to sit in one of our juvenile family courts at the request of one of our juvenile judges, to listen in on a couple of drug cases. I had the occasion to talk to someone from The Ontario Department of Justice regarding drugs and the problems that we are faced with in our courts today—not only in our juvenile and family courts, but in our provincial courts.

One of the things that does concern me greatly is that many of our young people, or juveniles, have to be held over from court to court until such time that an analysis can be made of the various drugs they are using and handling. The same in our provincial courts. Many people have been held in jail up to one month awaiting testing of certain drugs to see what the analysis is.

I understand, from this person to whom I talked this morning, that The Ontario Department of Justice and The Ontario Department of Health have only about a five-man laboratory in Ottawa to test all the drugs that come in from court cases throughout the Dominion of Canada. I would point out also—

**Mr. Ben:** May I ask a question? Is that true that in Ontario county they keep youngsters in jail for certain drug offences until they can get a report from the drug laboratory? Is that what he is telling us?

**Mr. W. Newman:** If you will listen. I have just finished saying that in many of the juvenile court cases, young lads are held over on probation until such time as they can be heard, because they do not have analysis of the drugs that they have been dealing with. And, in other cases in our provincial courts, people have been kept in jail for up to one month because they have not had analysis of certain drugs that had been handled.

**Mr. Ben:** Kept in jail—just awaiting a report? Not for any other reason? I do not think they were refused bail for that reason.

**Mr. W. Newman:** In order to press charges properly, they cannot be charged until these drugs are analysed by the federal authorities. It takes about one month to analyse LSD, and about three weeks for marijuana. And for other drugs, it sometimes takes even longer. Unless there is a fuss raised at the time. They are brought in sometimes in an even shorter period of time if a certain fuss has been raised.

What I am saying here tonight, is that I am asking our Minister of Health—

**Mr. Lewis:** Are these juveniles or adults?

**Mr. W. Newman:** I am talking about both.

**Mr. Lewis:** A detention centre for a month, awaiting analysis? You must be joking.

**Hon. Mr. Grossman:** It is a federal case.

**Mr. W. Newman:** I will explain it to you again, if you do not understand, I said there are many cases—

**Mr. Trotter:** We are getting the picture.

**Mr. W. Newman:** There is a case in question this morning where a boy was brought before a juvenile court and the justice man from the federal Department of Justice asked for an adjournment until January because he did not have the analysis of the drug involved.

**Mr. Lewis:** Did that adjournment involve detention of the boy?

**Mr. W. Newman:** In this particular case, no.

**Mr. Lewis:** No. Well surely that is what happens?

**Mr. W. Newman:** I am saying in provincial courts. I am talking about older people who have been held in jail until such times as the analysis has been available, and because of inadequate facilities in the laboratories in Ottawa it takes about a month to get many of our drugs analysed.

What I am asking tonight is, would our Minister of Health's department intercede with the federal authorities to establish adequate facilities for much faster testing of these drugs?

This is why I would like him to intercede—because I think it is wrong that people have to wait around for a month to six weeks to get an analysis of drugs that have been used.

**Mr. Ben:** Why does the hon. member not ask the Attorney General to make sure that they were released on their bail instead of keeping them in jail? Are you more interested in the report, or of people sitting in jail?

**Mr. W. Newman:** I beg your pardon?

**Mr. Ben:** Should you not be demanding that they not be kept in jail pending a report, rather than demanding that they get an earlier report? Let them take six months if they want to, providing the person does not have to sit in jail. That is the important thing—not having to sit in jail. Besides there are laboratories here in Toronto for the RCMP to—

**Mr. D. M. De Monte (Dovercourt):** That is correct. Are not the analysis laboratories in Toronto—not in Ottawa—under the jurisdiction of the Attorney General?

**Hon. A. A. Wishart (Minister of Justice):** Surely, Mr. Chairman, the hon. members know that all narcotic cases are conducted by the federal authorities. That is the first thing to get into your minds—the federal Department of Justice pursues all narcotic cases. The second thing that I am sure the hon. members are aware of, is that bail, bail procedures are set forth in the Criminal Code, which is a federal statute and we have the administration of them, and that bail procedures and the principles by which judges

set bail, are set out also in the Criminal Code and the discretion as to whether a person may be let go on his own recognizance or whether he shall be granted his bail—the amount of the bail—is in the discretion of the court. Now I have said many times in this House that the Attorney General will not instruct a judge as to how he shall conduct his court.

**Mr. Sopha:** What about bail?

**Hon. Mr. Wishart:** We do, from time to time, and frequently, have our judges together. We instruct our Crown Attorneys on the principles regarding bail. We have seminars of our judges and we try to inculcate in their minds the principles which should be followed regarding bail. I think there is—

**Mr. Ben:** You have not been successful in Ontario county.

Interjections by hon. members.

**Hon. Mr. Wishart:** We have the judges meet three or four times a year in what we call seminars in which—

**Mr. Sopha:** Seminar—well that makes all the difference. Is it a seminar?

Interjection by an hon. member.

**Mr. Sopha:** He is communicating and relating.

**Mr. Lewis:** Mr. Attorney General, the real question is have you had any real incidents in Ontario county brought to your attention of people remaining in jail for an extended period of time, say, a month without bail waiting for a report on analysis of a drug? No, right?

**Hon. Mr. Wishart:** Let me finish my statement, please, because the question of bail is raised here. We do have our judges meet in seminars and we have them discuss. We have them addressed—we have lectures made to them as to the principles of sentencing and the principles of bail. But I want to make it ultimately and finally clear, that the Attorney General does not tell a judge how he will conduct his court or what bail he shall grant.

Interjections by hon. members.

**Mr. Sopha:** May I ask the hon. member a question? I would like to understand, are you alleging that in the light of the delay in getting the analysis, that these people are unreasonably held in jail pending their trial?

**Mr. W. Newman:** Mr. Chairman, may I say this—and first on a point of clarification to the member for Scarborough West—I was not referring to Ontario county. I was in a court in Toronto this morning and I was told by this man from the federal Department of Justice that the people are held in jail on charges because they have not had the analysis of the drugs back in sufficient time to deal with the matter.

**Mr. Sopha:** Well, did they apply for bail?

**Mr. W. Newman:** Well, he was talking about many cases, and he said that in some cases they are held in jail because they do not have the results back on the tests from these drugs; and it takes anywhere from three to six weeks to get them back.

**Mr. Ben:** Oh, I have to get up and defend Toronto. It is not Toronto judges, maybe Ontario judges—

**Mr. W. Newman:** I did not say—

**Mr. Ben:** Toronto would not act like that and I am not trying to defend them, but we have so many drug cases going through the Toronto courts, it is a most shocking thing.

**Mr. W. Newman:** Mr. Chairman, that was what I was trying to tell the hon. member.

**Mr. Chairman:** Order! Only one member may have the floor at one time.

Interjections by hon. members.

**Mr. W. Newman:** This is the problem I put to the Minister of Health, that we do not have adequate facilities in the federal labs in Ottawa to deal with this growing problem.

**Mr. Lewis:** That is an indictment of the foundation, certainly.

**Mr. Shulman:** I want to thank the Minister of Health for giving me a raise today, since he has now opened the institutions to normal inspection again. I have just been out to the phone and he will be getting two resignations with two weeks' notice with'n the next few days from two of my employees.

**Mr. Lewis:** But no one else in the Cabinet should take succour from that.

**Mr. Chairman:** Any further discussion on vote 801?

Hon. A. F. Lawrence moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, in moving the adjournment of a rather raucous House tonight, I would like

to point out that on Friday, tomorrow, we will return to estimates; and on Monday, estimates again; on Tuesday, legislation; on Wednesday, legislation and estimates; on Thursday we will deal with the report of the committee on estimates of both education and highways; and on Friday return to the Budget.

At any time, now that we are getting down to the end, we should be ready to rely on the Budget and also the order paper.

Hon. A. F. Lawrence moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock, p.m.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, November 28, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, NOVEMBER 28, 1969

The House met at 9.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** Statements by the Ministry.  
The hon. Provincial Treasurer.

**Hon. C. S. MacNaughton** (Provincial Treasurer): It is with pleasure that I submit to you, Mr. Speaker, and to the members of this Legislature, the 1969 financial report of the province of Ontario. The reports will be distributed to the members shortly and I hope it would be appropriate for me to read the brief résumé of our financial operations which appears on page 3.

In the 1968-1969 fiscal year, the government was under heavy pressure for major expenditure increases over the previous year in a number of high priority areas, such as education, health and aid to local governments. This was the fiscal year when the residential property tax reduction grants were introduced, the administration of justice was taken over from local authorities, and major increases were made in the government's assistance to school boards and universities. As a result of the government's emphasis on greater efficiency, and restraint wherever possible and realistic, it was possible to stay well within the original Budget estimates with total net general expenditure some \$44 million below the Budget forecast.

Total government revenue was significantly higher than anticipated in the Budget. While tax revenue was about one per cent above the original estimate, liquor revenues jumped sharply because of a prolonged strike in Quebec and the federal government made a catch-up payment of about \$35 million for post-secondary education spending in 1967-1968. Consequently, net general revenue was about \$90 million higher than originally anticipated.

These buoyant revenues and spending restraints combined to keep the government's budgetary deficit down to about \$141 million compared to the Budget forecast of \$275 million. This budgetary deficit is the equivalent of the increase in the government's net debt, which rose to \$1,591 million by the end of the fiscal year. This level of debt remains

well within the Ontario committee on taxation's guideline of nine per cent of provincial domestic product.

**Mr. R. F. Nixon** (Leader of the Opposition): Surely that net is \$1.5 billion.

**Hon. Mr. MacNaughton:** I said \$1,591 million—one thousand, five hundred and ninety-one million, to say it another way; one and a half billion dollars.

Proceeds of Canada Pension Plan loans and other non-public debenture issues combined with non-budgetary receipts were adequate to finance the budgetary deficit and a high level of lending by the province for purposes such as school, university, hospital and public housing construction. In addition, these funds enabled the government to finance its debt retirements during the year.

This year's financial report contains a summary of departmental services, beginning on page 23, which are intended to give the reader some insight into the various programmes and services provided by each department in the provincial government.

Again, and as I have indicated in the report, I would welcome any comments that the members of this House or the general public may wish to make about the financial presentation.

The members may be interested in a general comment at this time on the outlook for the current fiscal year. You will recall, Mr. Speaker, that in my March Budget I indicated that the government hoped to achieve a modest surplus from 1969-1970 operations. This was a formidable objective, considering the deficit of the previous year and the normal cost increases that we are obliged to meet. While some tax adjustments were required, we placed the primary emphasis on expenditure restraint in our budgetary plan to reach a surplus position.

With four months to go, it is too early to be precise about the current fiscal year. However, our internal financial reports indicate that our current Budget objective will still be met, notwithstanding some unexpected expenditures. The Budget control process,

particularly on the expenditure side, is being applied on a day-to-day basis.

**Mr. M. Shulman (High Park):** On a point of order, sir, last week I raised the problem of an electric car which is being manufactured by the Eldon Company, with a sulphuric acid battery. On Wednesday, the Minister of Financial and Commercial Affairs (Mr. Rowntree) stated in the House that there had been 200,000 such units sold without an accident. I am sure, sir, he did not deliberately wish to misinform us but just to correct the record, I wish to inform you and through you, the House, sir, that on Tuesday, on the front page of the *Montreal Star* an accident that occurred with just such an automobile was reported.

**Mr. Speaker:** Oral questions.

**Mr. Nixon:** Mr. Speaker, a question of the Treasurer, based on his announcement this morning. Am I to gather that his predictions from a year ago of \$134 million were, let us say, on the pessimistic side; that the situation has improved by that amount since his original forecast for the fiscal year that is reported in this booklet?

**Hon. Mr. MacNaughton:** Mr. Speaker, we are talking about the Budget year that ended last March 31, not the current Budget.

**Mr. Nixon:** Not this year?

**Hon. Mr. MacNaughton:** That is correct. The forecast deficit was \$275 million. The actual deficit turned out to be \$144 million, and I just cited in my statement the reasons how that came about: Revenue more buoyant by one per cent than was forecast, a catch-up payment of \$35 million for education from the federal government, which was owed prior to the end of the year but was not paid until after, so it had the effect of increasing revenues although it was a debt by Canada to Ontario in the previous year that could not be included for Budget purposes; and then I mentioned, of course, the rather significant increase in liquor revenues due to a prolonged strike in Quebec, which is not the best way to balance the Budget, I might say, or to reduce the deficit, but it helped quite materially.

**Mr. Nixon:** As a supplementary question, the first one—there are two of them—the one per cent increase in net revenues over and above what was expected must reflect an improvement in the economy of the province substantially beyond what the Minister's advisory predicted 18 months ago. Perhaps the

Minister could tell us what the growth of the province was that reflected in this increased revenue.

And, secondly, if my memory serves me correctly, pessimistic forecasts followed by optimistic figures seem to be a policy of the government. This is a good political policy, but is it normally the Minister's view to predict as accurately as possible, or to use things like "fiscal nightmares" to tide them over a difficult Budget presentation, which reflects in a silver lining a few months later?

**Hon. Mr. MacNaughton:** Well that—

**Mr. D. C. MacDonald (York South):** Wade your way through those words.

**Hon. Mr. MacNaughton:** Yes, that will not be too difficult to do; that will not be too difficult to do at all, Mr. Speaker.

**Mr. R. F. Ruston (Essex-Kent):** Stick handling—

**Hon. Mr. MacNaughton:** I can assure you, Mr. Speaker, and all members of the House, that the economic forecasting tools that are at our disposal are used wisely and well. At the time of the formation of any budget, the forecasting is based on financial, fiscal and economic indicators, the same as they are in any jurisdiction, and they are applied to such things as projected growth in the gross provincial product. Projected growth in the gross provincial product then lends itself to a determination of related revenues that will accrue to that growth. When that growth exceeds the forecast based on the best indicators that we can employ, then of course revenues are going to exceed the forecast.

These are changing times in the economic field, I draw to the attention of you, Mr. Speaker, and the hon. members of the House, that it is an absolute impossibility, I think, and it should be accepted as such to forecast with any greater degree of accuracy in these days. But let me say to you again, Mr. Speaker, that I think if you are going to err, to the greatest extent possible, it is prudent to err on the side that we appear to have erred on in the Budget for the preceding year that I have just described to you.

**Mr. Nixon:** And every one, I would think, for many years.

**Hon. Mr. MacNaughton:** Well, let us say I think it is prudent to do that. I think it is prudent to protect your reserve positions to the greatest extent possible and—



**Hon. J. P. Robarts (Prime Minister):** Conservative government—

**Mr. Nixon:** Tell us about the growth rate.

**Hon. Mr. Robarts:** Why does not the Minister just answer the question in his own way?

**Hon. Mr. MacNaughton:** I might say I do not propose to do it any other way.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** So, we would like, Mr. Speaker, to be able to forecast with a greater degree of accuracy than has been done in the Budget that I have been dealing with today. I would like to be able to forecast with a greater degree of accuracy in the current Budget or in any Budget, but I can assure the House as long as we are custodians of this particular government process, we are going to be conservative, as has been said, and to the greatest extent possible. References—

**Mr. J. E. Bullbrook (Sarnia):** The Minister should get off his soapbox and answer the question for a change.

**Hon. Mr. MacNaughton:** Oh, Mr. Speaker, there is the great noise from Sarnia with the long finger; the great noise with the long finger.

**Hon. Mr. Robarts:** Well, in the back row.

**Mr. Bullbrook:** Say something. The Minister has said nothing for five minutes.

**Hon. Mr. MacNaughton:** I am answering the questions.

**Mr. Bullbrook:** A year ago he was saying—

**Hon. S. J. Randall (Minister of Trade and Development):** Is the member mad about it?

**Hon. Mr. Robarts:** Do not get angry, now.

**Hon. Mr. Randall:** Just because we have prosperity, do not get mad.

**Hon. Mr. MacNaughton:** I was about to say there is still a financial and fiscal nightmare in this country of ours and there is likely to be until the problems of all three levels of government are recognized as components of this picture.

I am not saying that in a critical sense, but I have said it before and I will keep saying it. There are three taxing jurisdictions in this country of ours, federal, provincial

and municipal. I hope we can bring them together more meaningfully.

That is what I mean by a fiscal nightmare. It has got nothing to do with changes from the forecast of the Budget, at the time a Budget is brought down. It has nothing to do with that.

**Mr. Bullbrook:** Why did not the Minister explain that to the people of Ontario when—

**Hon. Mr. Randall:** We did.

**Hon. Mr. MacNaughton:** Oh, the member was not there. He was not at the places where we were explaining it or he would have heard it.

**Mr. MacDonald:** We were in Strathroy when it was said.

**Mr. Nixon:** If the Minister would answer my question and give us some indication about the actual growth of the provincial product upon which the extra one per cent is based—

**Hon. Mr. Randall:** Straight up?

**Hon. Mr. MacNaughton:** Does the hon. leader of the Opposition want me to detail—

**Mr. Nixon:** No. What was the average growth of the provincial product or the growth of the provincial product, over the last year. It must surely have been much larger than predicted by the—

**Hon. Mr. MacNaughton:** Yes. Well, the forecast growth of provincial product was, in that year, I believe, based on 7.5 per cent. Something on the order of four per cent real and 3.5 per cent inflation or cost.

Now, as well as I can remember from a year ago, it was exceeded by something on the order of one per cent. The gross national product was exceeded by that much. The growth rate was, shall we say, something between eight and nine per cent.

**Mr. H. Peacock (Windsor West):** Eight point seven!

**Hon. Mr. MacNaughton:** Eight point seven.

**Mr. Nixon:** Is that for Ontario?

**Hon. Mr. MacNaughton:** That is for Ontario; I said something between eight and nine per cent.

I might say, Mr. Speaker—and I make no bones about it—the current year has been characterized by a similar excess in the growth of the gross provincial product. So

that at the moment—and I have said this publicly, as a matter of fact, the hon. leader of the Opposition was at a meeting in England when he heard me say this—we, up to the moment, appear to be enjoying a growth rate of something in excess of nine per cent.

So these factors do lend themselves and translate themselves into increased revenue.

**Mr. Nixon:** That is the factor that does it.

**Hon. Mr. MacNaughton:** It is the factor.

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

**Mr. MacDonald:** A further supplementary question. Were the final remarks in the statement that the Provincial Treasurer gave about maintaining a more favourable situation despite added expenditures in reference to this year or the year that concluded on March 31, 1969?

**Hon. Mr. MacNaughton:** The member is alluding to the observations I made at the meeting I have referred to?

**Mr. MacDonald:** No, no, no. The observations which were made in the final paragraphs of this morning's statement—was the reference made to the year concluding March 31 last, or to the current year?

**Hon. Mr. MacNaughton:** No, everything I have said was about last year, until we reached the last paragraph—

**Mr. MacDonald:** That is what I am referring to.

**Hon. Mr. MacNaughton:** I said with four months to go it is too early to be precise about the current fiscal year.

**Mr. MacDonald:** Well, will we be getting the details of how the Minister has maintained a balanced Budget in spite of expenditures of close to \$70 million or \$100 million more during consideration, for example, of the supplementary estimates?

**Hon. Mr. MacNaughton:** I do not think that is possible.

**Mr. MacDonald:** We will have to wait until next year, will we?

**Hon. Mr. MacNaughton:** Well, maybe by Budget time we will be in a better position to do it.

**Mr. MacDonald:** We like to get these explanations of how the Minister keeps things balanced when he spends \$100 million more.

**Hon. Mr. MacNaughton:** Mr. Speaker, I can assure the House it will get these figures as soon as I am in a position to give them accurately and properly.

**Mr. Nixon:** Mr. Speaker, I have a question of the Premier. As I recall, the amendments to the Criminal Code permit provinces to make arrangements to have lotteries under the jurisdiction of the province. Also, there are some indications of more extensive controls of lotteries on a small scale which are very much a part of the community from this time onward over the Christmas season. Has any study been made of a change in provincial policy with regard to the control of lotteries on a small scale, which are in the community as of now?

**Hon. Mr. Roberts:** Yes, Mr. Speaker, the changes in the Criminal Code will come into effect on January 10. At that time, the legislation provides that provinces may license—and there are various classes of lotteries, and so on—provincial lotteries, and may license other bodies for charitable purposes to operate lotteries.

The question that faces the government, of course, is just how are we going to do this? First of all, are we going to do it at all, because it is permissive? If you do not wish lotteries in your province, you do not have them. If you do, there are methods—or the power is there—for the province to license.

What we are studying at the moment is just how this is to be done, the various alternate ways in which it might be done. But it will not become effective until January 1. That is in reference to the member's comment on the Christmas season.

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

**Mr. E. W. Sopha (Sudbury):** I should like to ask the Minister of Municipal Affairs, if he may inform the citizens of—

**Mr. Shulman:** What is going on?

**Mr. MacDonald:** Can we have the rules?

**Mr. Speaker:** I am sorry, I had forgotten that the hon. member for York South had taken a supplementary. He is entitled now to his questions.

**Mr. Sopha:** I offer the penitent apologies requisite for interfering with the pecking order.

**Mr. MacDonald:** In view of the inconsistencies in the pecking order from the

Liberals, I am glad to see consistency on the part of the hon. member for Sudbury.

**Mr. Sopha:** He was raised 100 per cent. He is sensible.

**Mr. MacDonald:** Mr. Speaker, in view of the statement of the president of Chrysler Corporation that the increase in nickel prices is going to result in an increase in car prices, and in view of the more than 100 per cent jump in the profits of Falconbridge for the first nine months of this year, from \$15 million to \$35 million, will the Prime Minister reconsider his decision and investigate the validity of the increase in nickel prices?

**Hon. Mr. Robarts:** No, I do not think that we propose to institute an investigation of the nickel prices. The whole question of price increases is under study and consideration at the national level. There is a committee or commission to go into these matters and to look at price increases on a very broad basis.

The Prime Minister of Canada has indicated that he might wish to place the same question on the agenda of a federal-provincial conference early in the new year. So I do not think much would be served by us, as a government, starting to examine particular incidents at this stage.

It is my own opinion that it is a very broad question. And I do not think we can go at it in a piecemeal way. I think we need, perhaps, to be looking at the question of price increase *per se*—not in the nickel industry, or the food industry, or in any one particular industry. As I have said many times before, I do not know how you can separate that type of investigation from an investigation into wage and salary increases. I do not think that we will start investigating specific price increases.

**Mr. MacDonald:** By way of a supplementary, Mr. Speaker, I would acknowledge the validity of the Prime Minister's contention that it can best be done at the federal level. Has this government made representations to encourage others to move with vigour on some of these important prices within the economy, such as nickel and steel?

**Hon. Mr. Robarts:** No, we have not. I have not communicated with the Prime Minister of Canada to urge him to do this and that and other things. I do not think that this is really a proper function for me. I see what is happening and I see how, in due course, we are going to make a co-operative attack on it,

if the long-term restraints are not effective. I think he is fully aware of the problem and I think his financial advisers are fully aware of the problem, so I do not think he needs any urging from the provincial Premiers.

**Mr. MacDonald:** I have a question of the Minister of Energy and Resources Management. Is it accurate that the provincial government has provided a sizeable grant to an American company to study the problem of pollution in the Metro area? If so, what is the grant and which is the company?

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): Mr. Speaker, I am not aware of any branch of my department, or my department, providing a grant to an American company. I will look into this and I will be happy to communicate with the hon. member about this.

**Mr. MacDonald:** May I make it more specific then? What department of the government has made money available to Travellers Insurance Company to study the pollution problem in the Metro area?

**Mr. Sopha:** Why did the member not ask that in the first place?

**Mr. MacDonald:** I gave him an opportunity to—

**Mr. Bullbrook:** Hang himself.

**Hon. Mr. Kerr:** I assume that the hon. member is asking whether or not my department has made a grant. I do not know what goes on entirely in other departments. As I indicated, Mr. Speaker, I am not aware of such a grant at this time, however I will make some enquiries and report to the hon. member.

**Mr. MacDonald:** I wonder if I might not pursue it with the Prime Minister immediately. Can the Prime Minister inform us if any department that he is aware of has made moneys available to the Travellers Insurance Company to study the pollution problem in Toronto, and if so, how does he explain or rationalize the fact that the Travellers Insurance Company is studying pollution in Toronto?

**Hon. Mr. Robarts:** It sounds rather peculiar to me. I know nothing about it. That has not been brought to my attention. Once again, I do not think that I could be expected to know, so I will have to take the same attitude as the Minister. The member brought it to my attention, and I will find out.

**Hon. J. Yaremko** (Minister of Social and Family Services): Is the member suggesting that they did get a grant?

**Mr. MacDonald:** I am asking because I am informed that they have, and I am a little puzzled, as I am sure everybody will be puzzled, as to why the Travellers Insurance Company, an American company, is studying pollution in Toronto. We do not know why they are, but I have reason to believe that there is something in—

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Give us the details.

**Mr. Sopha:** I would like to ask the Minister of Municipal Affairs, if he might be able to inform the elected representatives of the municipal councils of the various Sudbury municipalities and the citizen body generally, if he has received the report of the study of regional government by Mr. Kennedy, and if not, when he might, and if he expects that it will be received at an early time?

**Hon. Mr. McKeough:** I have not received it. Of course, the holdup has been the assessing of the smelters, so that Mr. Kennedy could be provided with the dollars and cents figures which we are all eagerly awaiting. This was held up because of the strikes, both of which are now settled, and I am informed that the assessment is proceeding and is practically finished now. After that, I imagine the figures will be available to Mr. Kennedy very quickly. How soon after that he would be able to prepare a report and present it, I do not know. I will undertake to find out.

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

**Mr. Shulman:** I have a question of the Minister of Public Works, Mr. Speaker. What is the reason for the rapid rise in the costs of accidents in his department, which has now reached the figure of \$295,916.36 in the last six months, according to a survey which has just been completed by his department?

**Hon. J. R. Simonett** (Minister of Public Works): What type of accidents?

**Mr. Shulman:** Accidents under workmen's compensation.

**Hon. Mr. Simonett:** Mr. Speaker, I am sorry I cannot answer the member's question this morning. I will get the information, but as far as actually stating what caused them to increase, I would think that would be

very difficult for anyone to answer. Whether they had not been following safety rules, I do not know. I have personally not heard from any of our people that there has been any abnormal increase in accidents or claims as far as workmen's compensation is concerned.

**Mr. Shulman:** Let me then ask as a supplementary, Mr. Speaker. Does this sum in excess of \$250,000 for six months as the cost of accidents not appear excessive to the Minister considering the number of employees that he has?

**Hon. Mr. Simonett:** Yes, it does seem that it might be higher than normal and I will check it out. Does the member know whether it includes just our employees?

**Mr. Shulman:** Just the Minister's.

**Hon. Mr. Simonett:** And it is over \$250,000?

**Mr. Shulman:** \$295,916.36.

**Hon. Mr. Simonett:** Very good, sir, I will check it out and see if there is an answer that I can give to the member and the House.

**Hon. Mr. Randall:** Thank operative number 42 for us.

**Mr. MacDonald:** Training course for new Ministers.

**Hon. Mr. Randall:** Quisling operative 42; thank him.

**Mr. D. M. Deacon** (York Centre): Mr. Speaker, a question of the Provincial Treasurer: When is the Treasurer going to give the taxpayers of Ontario the same privilege in regard to reports, as The Department of Financial and Commercial Affairs requires the corporations to give shareholders? In other words, when are we going to get a report on the operations of the province within the six months as is required of any corporation in this province, regardless of size; when are we going to have a report that has the auditor's statement in it at the same time; when are we going to have the reports of all the corporations—in other words the departments that make up this report—within the six months' time, and have it on a basis that we can all compare instead of having reports from each department in overlapping periods that give us no basis for really giving a true analysis of what we have here?

**Hon. Mr. MacNaughton:** Mr. Speaker, it should be recalled, I think, that three years ago we indicated that we were going to

change the form of reporting entirely. This we have done. We have made some changes every year to the point of considerable refinement. This report provides much more disclosure and in a much more meaningful and understandable way than it previously did.

The report is now on a cash-flow basis rather than the form that was used previously, and the process of refinement was undertaken even more this year. While I had hoped to have this report available for tabling either in August or September I just simply have to tell you that the accounting people required more time. There is more detail in here as far as departments are concerned, in terms of revenue and expenditure, than ever before. If the hon. member studies it and compares it with the abridged reports of three or four years ago I think he will find a substantial improvement.

I can assure the House that we are going to continue to improve this so that it is a document that is much more meaningful to the people in disclosure terms.

**Mr. MacDonald:** Progress comes slowly.

**Hon. Mr. MacNaughton:** Mr. Speaker, sound progress does come slowly sometimes, indeed it does. I might say, Mr. Speaker, these criticisms would almost imply that someone from the other side would impose immediate changes, revolutionary changes, overnight.

**Mr. MacDonald:** Oh no, we would move with vigour and determination.

**Hon. Mr. MacNaughton:** Well, vigour and determination—I am getting away from answering the question here, Mr. Speaker, because of these interjections.

**Mr. Speaker:** Order.

**Hon. Mr. MacNaughton:** I simply just want to say to the hon. member who raised the question that this has caused a little more delay because of refinements. At the point in time when we hoped to publish the report we went on to refine it even more. That is the cause of the delay.

**Mr. Deacon:** A supplementary, Mr. Speaker: Would the Minister consider that a corporation should be given three or four years, if it had a problem in meeting requirements to fulfill proper reporting practice, or would he feel that they should do it in one year? I cannot see why we have to put up with this long—

**Mr. Speaker:** Order. I have some doubt that the question actually is supplementary to the first question. The hon. Minister of Transport.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, on Wednesday afternoon the hon. member for Wellington South (Mr. Worton) raised a question and asked me if I would care to comment on a newspaper article in which my Deputy Minister, Mr. Walter MacNee, was quoted as having said something with respect to damage caused to Highway 401 as a result of overloading, and the inference of the question was whether we are now allowing overloading that was causing that kind of damage to our highways.

My Deputy Minister was speaking to the Automotive Transport Association convention and dealing with the matter of overloading. He was dealing with the increased penalties that were introduced in the amendment to The Highway Traffic Act last spring, I think, expressing the hope that they would result in considerable reduction in the amount of damage caused by overloading. He went on to speak of the emphasis that would be placed in the future on the loading of individual or groups of axles.

I think it was in that context that he was pointing out that in this one stretch of Highway 401—the east lanes from Highway 25 to Highway 10—there had been a very intensive loading of the highway so that it showed through there. As a result that piece of the highway required a major repair job in only a fraction of what was considered to be its normal life, and he was making a very good point to the trucking people that individual and group axle loading would be given more attention in the future than it had in the past. Normally a truck is weighed against its maximum registered weight, and not too much attention had been paid in the past to the distribution of the load as against the spacing of the axles.

**Mr. MacDonald:** Mr. Speaker, by way of supplementary question: Is the Minister saying that the individual or group axle road regulations have been altered, or is he considering altering them, or what?

**Hon. Mr. Haskett:** Mr. Speaker, that is exactly what my Deputy was emphasizing before the trucking association—that more emphasis is going to be placed on the distribution of loads on individual axles.

**Mr. MacDonald:** Then, Mr. Speaker, the Minister has admitted, has he not—

**Mr. Speaker:** Order! A question?

**Mr. MacDonald:** —that the responsibility rests with this department and not with the overloading, because the regulations have been wrong and he has been beating the highways up as a result?

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

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I have a question of the Minister of Agriculture and Food.

In view of the information given to the standing committee on health, would the Minister consider withdrawing Bill 194 and using the Christmas recess to discuss the matter with the contending parties and bring in a new bill?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, there are many suggestions that have been made before the standing committee on health concerning proposed amendments to Bill 194, and yesterday I undertook to suggest to the committee that all of these proposed amendments would be given very serious consideration before implementation.

I would point out, however, Mr. Speaker, with great respect, that there has been a great deal of discussion on the principles that are inculcated in that bill. These discussions have been going on, as was indicated yesterday, and as I indicated, since 1962 by various people and by various committees, many working together, some working separately. The bill has been introduced as a way of, we think, resolving the issue. We appreciate the suggestions that have been made concerning amendments. I would suggest, Mr. Speaker, that if we are to inculcate the amendments that were proposed, we simply emasculate the bill, and make it virtually useless. Now I think we have to take that into consideration when we are talking about amendments to that bill and as far as I am concerned, I see no justification for any Royal commission to be established. That would take a long time—maybe a year or two years or whatever it may take. I think that with the amount of work that is being done by our staff and others in seeing how some of those amendments can be made—and some were quite valid—we intend to try to put them in. Then I would at least hope to have some type of a progress report to make that might wind these hearings up to the satisfaction of all concerned. I would hope to be able to do that.

**Mr. Trotter:** A supplementary question, Mr. Speaker. In view of the fact that there seems to be some agreement by the main contending parties, could the Minister not get them together and stop the great hassle over Bill 194? I am not asking for a Royal commission. It never occurred to me that I was asking that.

**Hon. Mr. Stewart:** Mr. Speaker, that is a fine suggestion that has been made by the member for Parkdale. I appreciate the sincerity with which he has made it, but let me say that the presentation which was made yesterday by the general manager of the humane society indicates clearly that the position of the humane society has not changed one iota since 1962.

**Mr. Trotter:** Oh, that is wrong.

**Hon. Mr. Stewart:** No, it is not wrong.

**Mr. MacDonald:** A supplementary question. In view of the fact that at one point the humane society said, "No matter what amendments are made we will never accept Bill 194," and now Tom Hughes has said, "Here are specific amendments, accept them and we will support Bill 194," how can the Minister pronounce such an intransigent position? The Minister is the problem—

Interjections by hon. members.

**Mr. Speaker:** Order.

**Hon. Mr. Stewart:** Oh no, oh no. That is not the position at all.

**Hon. A. Grossman (Minister of Correctional Services):** Why does the member not show some courage over there?

**Mr. MacDonald:** We are showing some courage. Why does the Minister not show some flexibility?

Interjections by hon. members.

**Mr. Speaker:** Order. I must point out to the hon. members that if they wish a reply to the supplementary question, the time has expired. I will permit the hon. Minister to reply if he so wishes.

**Mr. G. Ben (Humber):** That Minister wants dogs and cats to lead the lives of pregnant mares.

**Hon. Mr. Stewart:** Mr. Speaker, there is no one more interested than I am in getting this matter resolved, and resolved satisfactorily, and we hope to be able to do this. I was concerned that the president of the

organization said that regardless of the changes that we would make, they would not accept the bill.

**Mr. MacDonald:** But he changed that. He—

**Mr. Trotter:** They got him on tape.

**Hon. Mr. Stewart:** Now just a moment, just a moment. The president said one thing. The general manager said another. This is what happened yesterday and we are wondering just where the position really lies. But when you study the amendments—

Interjections by hon. members.

**Hon. Mr. Stewart:** Mr. Speaker, will my hon. friends just desist long enough to listen?

**Hon. Mr. Randall:** They do not want the facts.

**Hon. Mr. Stewart:** If they really want to make those amendments that were proposed yesterday we simply emasculate the bill.

**Mr. MacDonald:** We will examine that.

**Hon. Mr. Stewart:** There are some things in that brief we can do. We intend to try to do them. But let us not forget that we have a purpose in mind and we want to fulfill that purpose which is our objective, nothing else.

**Mr. Speaker:** The time for the question period has now expired.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

#### THE SEPARATE SCHOOLS ACT

**Hon. W. G. Davis** (Minister of Education) moves first reading of bill intituled, An Act to amend The Separate Schools Act.

Motion agreed to; first reading of the bill.

#### THE PUBLIC SCHOOLS ACT

**Hon. Mr. Davis** moves first reading of bill intituled, An Act to amend The Public Schools Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Davis:** Mr. Speaker, both of these Acts are, I think, very non-controversial; basically some clarification of definitions, some housekeeping. In The Separate Schools Act there is an extension to the transportation

provisions that the boards will have the right to pay fees or moneys to the parents for board and lodging as well as transportation. There is nothing controversial, I think, in either bill.

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, before the orders of the day, may one enquire how it comes about that The Landlord and Tenant Act, which is Bill 234, was introduced on Tuesday of this week; today is Friday and the bill is still not yet printed? Surely there must be a great many people in the province who are anxious to examine the terms of this statute.

**Mr. Speaker:** I am informed that the bill is actually printed, it is available and will be on the paper on Monday, in the books.

Orders of the day.

**Clerk of the House:** The 26th order, House in committee of supply; Mr. R. D. Rowe in the chair.

#### ESTIMATES, THE DEPARTMENT OF HEALTH (continued)

On vote 801:

**Mr. Sopha:** Mr. Chairman, at the conclusion of the proceedings last night, the member for Riverdale (Mr. J. Renwick) was advocating a new approach to the problem of alcoholism and drug addiction. He was far from clear in respect of the implementation of what he called the necessity of the absorption of this important branch of The Department of Health into the total framework of health services in the province.

We on this side of the House have consistently, at least for a decade, taken the position that it is completely wrong in coping with this very grave social problem, to adopt an attitude that has implicit in it a heavy element of punitiveness. When I was saying that, my mind went back to the former member for Dovercourt, when that constituency consisted—Joe Gould—

**Mr. J. B. Trotter** (Parkdale): It still exists, it was Bracondale.

**Mr. Sopha:** Bracondale. Joe Gould. I can well recall his very tenacious fight in this House about certain amendments to The Liquor Control Act which would have imposed very severe penalties in respect of the offences of being intoxicated in a public place. Indeed, it was one of the few occasions during my time in this House that a member, by

reason of perseverance, compelled or intimidated the Attorney General at times to change the provisions of the bill.

We have always had wide agreement on the Treasury benches, and certainly from certain prestigious and sophisticated individuals over there, about the rationale of the approach. To name one, the Minister of Correctional Services (Mr. Grossman) has perennially agreed with us about the distasteful aspect of the revolving-door policy. And he has said, in so many words, quite bluntly and frankly—that quality for which he is noted—that he would just as soon not have the responsibility in his institutions for the care of the many thousands of people for whom he must assume responsibility during the course of a year. Indeed, Mr. Chairman, many of them come to visit him on different occasions during the course of any one calendar year.

I do not want to belabour that. The member for Riverdale picked a figure out of the air, which he alleged had some validity, that there were some 90 cases that he saw in Moosonee. Of course, a great preponderance of those would probably, because of the ethnological quality of that community, be from our Indian brethren there. I say through you, Mr. Chairman, to the member for Riverdale, if he reads these remarks—and the Minister of Health (Mr. Wells)—that if you wanted to get 90 people in any community under charge before the justices for being intoxicated in a public place, you could have the police forces station themselves at almost any social setting where alcohol is consumed.

In the city of Toronto they could stand outside the private clubs and pick up 90 in a relatively short period; they could go to the lobbies of the major hotels, certainly the one I stay in, and they could get all sort of candidates who infringe that statute. I have always condemned the punitive approach which must at least have the tacit support of The Department of Health. The Minister of Health must at least be complacent about it in that he permits his Cabinet colleagues responsible for these things to perpetuate the approach. I have always condemned it because it is so terribly and wrongly discriminatory against the poor. If you go to the magistrates' courts and the provincial judges' courts, the people in the dock, the prisoners who are there to answer to the charge of intoxication are invariably people from the lower economic strata of the society. You do not get the well-heeled drunks there, you get those who are largely without abode;

they do not have a fixed place of residence, they are transient, they are wanderers, and particularly wandering at night. And the force of the law comes down on them indiscriminately. They are haled into court and go through the revolving-door process.

There is a breath of fresh air on the horizon. We have said these things many times in this House, but I want to ask something of the Minister of Health—I had hoped the Attorney General (Mr. Wishart) would be here so that I could ask him, especially since this matter I am going to refer to arose in his constituency. The ray of light that I advert to is the remarks made by Provincial Judge James Greco a week or so ago in Sault Ste. Marie. I know that Judge Greco, a very able, alert, intelligent man, one of the younger of the provincial judges, has not been a long time on the bench, so he has not developed that staleness and sometimes that cynicism that one sees among occupants of the bench who have been there for a number of years.

I observed in the press—and, like my friend from York South (Mr. MacDonald) I do not clip these things out, I cannot quote verbatim into the records—but I saw in the press a week or so ago, where Judge Greco adverted from the judicial bench that it was terribly wrong to make drunkenness an offence at all. That it ought not even to be an offence. That is a more extreme position than we ever took on this side of the House. I cannot recall any of my colleagues and myself, though we talked about this perennial question, ever saying that the offence ought to be eliminated altogether. Now Judge Greco has said that we ought not even to have these people in the court, we ought not to condemn them from the point of making the vice a prohibited one. Now, perhaps—

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Chairman, may I ask the hon. member a question? Is it an offence to be "drunk" or is it an offence to be "drunk in a public place"?

**Mr. Sopha**: It is the latter, of course. But Judge Greco has said that we ought not to descend upon the element of the public place. We ought not to select that. In other words, and I think he went on—I wish the newspaper report had been longer than it was—but he appeared, to say that a person in this permissive society has the right to get drunk if he wants to get drunk. Well, of course that is true. You, Mr. Chairman, although you would not think of doing it, if you wanted to



go out this afternoon and become intoxicated, you are perfectly free to do so; you just must not flounder around the lobby of the Royal York Hotel when you are doing it.

Judge Greco poses a very good question. If the Ontario government, which surely must be among the world's biggest bootleggers—there must be few in the world that are involved in the whisky business to the extent of this government—puts in the hands of people this potable substance, this anaesthetic, then there must be an element of hypocrisy about it. It singles out this one aspect and says: Here is conduct that is proscribed if you over-indulge in it, in a public place. Then your conduct is of the type that society wants to render you an apostate.

Well, it may be that this Judge Greco has given the Minister of Health, and those officials who serve under him in the alcoholism and drug addiction research foundation, some food for thought. And we might begin to think in terms of sponging this discriminatory provision from the statutes of the province altogether. Surely we cannot pass this over without again referring to the fact that, of that vast amount of money the Minister of Correctional Services spends, a very substantial proportion of it must be spent on the custody of those who have infringed that specific statute.

I, for one, will not rest, as long as I am a member of this House, from declaiming against this discriminatory provision in the statute as it discriminates against the poor. I must be very careful and choose my words with great solicitude—but it discriminates, as I observed with my own eyes, very seriously against the Indian population. Daily, when I go to the provincial judges' court, a heavy proportion of those in custody for being drunk in a public place are of Canada's first citizens. I suspect that is because they are away from the reserve. They are away from their normal home. They are visiting in the community. They have not got a fixed place of abode in the community, so they come under the surveillance of the police. The police see them.

But I have never been able to understand why the police forces do not see with the same perspicuity the well heeled people who have overindulged. The answer is plain. Another element to that discrimination is that they do not see them because, if they know the individual that is a bit under the weather, they either take him home, or call him a cab, or suggest that he gets home, or call his wife.

Calling the wife, of course, is the most therapeutic device ever designed by man. She brings to the problem far more effective measures than the alcoholism or drug addiction research foundation could ever dream up—and puts them into operation with great dispatch. That is what some of my married friends have told me.

Interjections by hon. members.

Mr. Sopha: That is what they told me. Well, maybe Judge Greco has something, and I would like to hear from the Minister of Health—the new Minister of Health, said to have young and progressive ideas; certainly a man of great human compassion. I cannot recall that he ever spoke in the House on this subject before.

I would like to hear whether he intends to pursue, or his people are going to pursue that area of what Judge Greco has opened up. I only wish that the Attorney General had been here. I should have spoken to him last night, as I was anxious to do—he was in his seat, and I am not criticizing him at all—but I especially wanted to hear him, because he is responsible for Judge Greco. That is his community and he appointed the judge, and he knows him well. Maybe the Attorney General has had an opportunity to discuss this with Judge Greco at greater length? Well, I just hope that there are a great many more of the younger provincial judges who will speak out fearlessly along these lines, in order to achieve some justice and equity toward these unfortunate members of our society.

Before I sit down, I was bothered by the remarks made by the member for Riverdale. He appeared to be telling us in terms that his leader, the member for York South would call "simplistic"—that word is not in any dictionary of course—he appeared to be saying that people take drugs because they seek escape, because the society is what it is, because it is structured in the manner it is.

That, of course, is not new. I think Thomas Hobbs said that, in the mid-seventeenth century or at least that was implicit in his remarks. Max Weber said it in a different way. Of course society as it is presently structured creates many hangups, many frustrations, many stimuli for the seeking of releases.

I am depressed, because I am quite sure that among my 117 colleagues there are a great many who do not yet understand that it is an aspect of the society about which many of our young are complaining, and they are complaining in two major ways. I am sure a great many do not understand just

how forceful is the assault upon the values of this society by many of our young people. They are showing their opposition to its structural form by withdrawal, and the characteristics of contempt. And a great many of them, of course, are seeking escape by use of the drugs that organized society seeks to limit.

Those are two major facets of the attack upon the values of this society. They say that the structure of this society must change very radically in order to evolve something—like a phoenix from the ashes. Where you do not have to keep building bigger and better mental hospitals to care for those who are unable to cope with the society, who can no longer adjust themselves to it, which is precisely what this society is doing.

**Mr. D. C. MacDonald (York South):** That is what the hon. member for Riverdale says, and you dismissed it as simplistic.

**Mr. Sopha:** Yes, because he did not tell us. I would have been delighted to hear how you—

**Hon. Mr. Grossman:** Of course it is simplistic.

**Mr. MacDonald:** It is not. It is guidelines.

**Mr. Sopha:**—propose the alcoholism and drug addiction foundation must alter its ways of conducting its business in order to cope with the total structural picture of the society.

Unfortunately, we do not know what characteristics the new Utopia might have that would lessen dependence upon these release mechanisms in the form of addictive drugs. We will have to wait a decade or two in order to see just what changes are effected.

In the meantime, the member for Riverdale was perfectly correct that the drug addiction, the alcoholism foundation, is part of our guilt complex. That, of course, is the old idea of the indulgences. That is, the purchase of indulgences. We make \$150 million, or perhaps more—the profits keep going up. This is one of the biggest businesses in Canada. We spend six of it. I am no good at mathematics—six over 150, how many per cent is that?

**Mr. MacDonald:** Four per cent.

**Hon. Mr. Grossman:** Approximately.

**Mr. Sopha:** Four per cent. We put four per cent back into corrective and research measures. The justification of the limit of that expenditure is that we have the largest operation in research on the continent—or at least

they continue to proclaim. Well, who am I to complain? I recall when I came into the House the expenditure, I believe, was something like \$700,000. I can remember the day that Leslie Frost stood up in that inimitable way and put his palms up—and you knew when he put the palms up that was a real blooper—and he said, “We are spending \$700,000, the most on the continent, the highest expenditure on the continent.” Well, it has become ten times that amount now, but maybe it is not enough.

I am one of those who share the enthusiasm and high regard of the leader of the Opposition (Mr. Nixon), as he so correctly said, for the operations of his branch, but notwithstanding that, it appears that the total number of alcoholics in our society keeps increasing. The curve is an endless one, a Mount Everest, a 45-degree perhaps. It is cause for some pessimism that we do not achieve a situation where we have some form of check upon it. Maybe Judge Greco has the answer in the permissiveness. If you take away the sting of it being proscribed conduct then it becomes less attractive to do it.

Believe me, I have said this before, those are just not idle words, and I do not like to talk in generalizations, but I know, among many of our Indian friends, that they will take a bottle of wine and drink the whole thing down in a couple of gulps, because they are so accustomed to the policeman being at their elbow and taking it away from them when that very objectionable law was on the books that an Indian could not have alcohol in any form. They were so afraid of losing it that it was safer to have it within the stomach than run the risk of the policeman taking the bottle. That is a cultural problem, of course, and you can imagine my delight when the other day the Supreme Court of Canada finally declared *ultra vires* that objectionable feature of The Indian Act in respect of Indians not having possession off the reservation.

I notice the man from Prince Albert got up and said, “All this is a tremendous victory for the Bill of Rights,” and yet he was Prime Minister of Canada for how many years—five years?—and it was open to him when he led the government to change that provision. He never did. He never took that provision out of The Indian Act, and certainly his statement of last week must have some taste of ashes. But he is a strange man, he is a unique man, and you never know, he might say anything from day to day. He has arrived at that point where—

**Hon. Mr. Grossman:** A great man.

**Mr. Sopha:** Well, in some ways.

**Mr. MacDonald:** Some people reach it early, some people reach it late.

**Mr. Sopha:** In some ways.

**Hon. Mr. Grossman:** Even the hon. member for Sudbury is great in some ways, but I do not know which.

**Mr. Sopha:** In some ways. What I do not care for particularly, is the trail of French Canadians that he has left behind him.

**Mr. MacDonald:** What vote are we on now?

**Mr. Sopha:** I would be delighted to hear the Minister of Health in respect of Judge Greco's observations.

**Mr. MacDonald:** Does the Minister wish to deal with this topic before we move on to others?

**Hon. T. L. Wells (Minister of Health):** Yes, Mr. Chairman, I would like to thank the members who have spoken about this, particularly about the alcoholism and drug addiction research foundation. I think the member for Middlesex South (Mr. Bolton), the member for Dufferin-Simcoe (Mr. Downer), the leader of the Opposition, the member for Riverdale and now my friend from Sudbury have presented some very good and very interesting and very valid points about the work of this foundation, because I think we all realize that it is a very difficult problem. It is a problem that society as a whole faces—the problem of addiction to various substances, such as tobacco, alcohol and drugs, and the like. It is one that quite a few people feel they are experts in, and about which they want to impose their views on the rest of us. I think it is an area where perhaps we know far too little.

**Mr. MacDonald:** Put the mirror away.

**Hon. Mr. Wells:** Oh, just sit and listen. I sat here and listened, so just listen to what I have to say.

**Mr. MacDonald:** But you are closed-minded on one of them.

**Hon. Mr. Wells:** I am not closed-minded. Listen to hear what I have to say.

Dealing with some of the specific points that have been raised, first I want to say to the hon. member for Sudbury that I do not think I am going to comment on Judge

Greco's remarks as such in their context, because I think perhaps the Attorney General should comment on those, but on basic philosophy I certainly would agree with the position that has been put that a person who is picked up drunk should not be put in jail. I agree with this basic philosophy and I agree that we have got to work toward some other method of treatment. These people should not be considered as a legal problem; they should be a medical problem, and this certainly is my philosophy on this matter.

The question then remains, what do we do about it? I immediately wanted to find out what we, in our department, were doing about it because it is not a single department's responsibility, it is an inter-departmental responsibility of this government. I found out that we had set up a detoxication centre in Toronto, here, on Harbord Street. This is a pilot project. It has 23 beds in it. This is a centre where people who have been picked up as drunks can be brought and can be treated rather than taken to jail. I understand that about 1,000 patients have gone through this detoxication centre in the last year.

From this project we have been able to establish guidelines to see how this thing can operate, to see the kind of staff that is necessary, to begin to come to grips with the handling of this problem of the chronic, drunken offender. The results of this work and the recommendations that are coming out of the work of the detoxication centre have been formulated and they are presently being studied by the officials of our department, The Department of the Attorney General and the department of my friend on my left here, the Minister of Correctional Services. I am not at liberty to discuss the complete recommendations at the present time because we have not had a complete opportunity to study these. I just want to assure the House that my philosophy is such as I stated it, and I am going to do everything possible to see that based on the recommendations and the studies we have from the detoxication centre that is being operated by the addiction foundation, we are going to press toward a policy of making this thing a medical treatment problem and not a legal problem.

I am sure my friend from Sudbury is aware that we do have a centre in Kenora also run by the foundation. It may not be the perfect answer there, but it is operating in a manner particularly for the Indian population and I am told that it has had a help and an effect there. Perhaps when we have the general

recommendations from this centre here, we will be able to improve that, but it will also provide us with input on this whole problem which I think will be useful.

I would like to go on and deal with the remarks of the member for Riverdale and in so doing I want to say that while I appreciate his remarks, I think that his suggestion that the foundation be abolished and be taken into the mainstream of the department and other services of government in the community, is another case—as the member for Sudbury said—of oversimplifying a solution to a problem. Basically, I would say that we have been discussing with the addiction and research foundation over the last few months, its future role, trying to work out a statement of policy as to where it fits into this whole picture in this province. We have been working together toward the development of a comprehensive network of treatment services for alcoholism, but we have realized, and we realize this very definitely, these kind of things should not be operated by the addiction research foundation.

It is not its role to operate the treatment facilities. The treatment facilities must be part of the general health stream; they must be part of the general health services in the community. Therefore, the treatment facilities that the foundation operates—and I think you can make a valid case for its operating some of them—are those that will assist it in its research function. Therefore, it is a 100-bed hospital connected with its new centre down on Spadina Avenue, because into that it will be able to bring people who will be used for research and, of course, this will all be tied in with the medical science centre at the University of Toronto.

In planning such services, it is recognized by our department and by government, as I said earlier, that alcoholism is a complex problem involving physical, mental and social components, and it follows therefore that effective treatment services require attention of all these factors which go to make up this syndrome. Therefore, they have to call upon the general resources of the whole community and we have to use the general hospital system, we have to use the social service agencies, we have to use other agencies in the community to assist in the treatment of drug and alcohol problems.

The second component of treatment requires attention to problems of family life, employment, associations and social behaviour. In some cases, it requires extended contact with patients over a long period of

rehabilitation. This range of treatment services requires skills and abilities available again through other community groups—social service agencies, the church, the Alcoholics Anonymous group, and other community facilities. These have to become part of the total picture of looking after the alcoholism and drug dependence problem. The experience of the foundation is that government must support the rationale of comprehensive treatment if efforts to deal with this problem are to prove successful. In other words, we are not suggesting that it be isolated as we did in the past with tuberculosis control; we are saying that the foundation here is a catalyst and that the treatment facilities, the treatment of the total problem, rests with the total health services and the social services of the community.

I think it has to be made very clear that there is a role for the foundation in this overall picture. The budget of the foundation, in the estimates that are presented here, is \$7,325,000. There is the one vote, and then there is the research money. This, of course—and my friend from Sudbury was quoting percentages—is only the money that is spent directly by the foundation and their grants for treatment services, their grants in aid and so forth. There is, of course, much more spent in the general health stream on treatment of this problem than shows in this actual vote. A very simple percentage. I suppose the member for Sudbury might say—what is his term—simplistic?

**Mr. MacDonald:** Simplistic. He says it is not in the dictionary.

**Hon. Mr. Wells:** Well, he is probably going to write a new dictionary one of these days, so we may as well all use his terms now.

Anyway, he has been a little simplistic in quoting that percentage because of course there are many more—

**Mr. MacDonald:** Do not accuse him of being simplistic! Thank God he has gone out.

**Hon. Mr. Wells:** —there are many more dollars being spent on treatment for those suffering from alcoholism and drug dependence and so forth, that do not show in the budget of the addiction research foundation.

I would like for the benefit of the members of the House, to outline what we think and what the foundation and the department have agreed. We have agreed on the approach that the treatment shall be part of the general

health stream and that The Department of Health is the responsible agency, with our bodies and groups, for co-ordinating all these treatment facilities in the community settings where they would normally be found. The role of the foundation is this:

First, it has the research role, the further development of programmes, clinical, biological, pharmacological, physiological, social and legal research and investigation into problems of alcohol and drug dependence, and methods of control and prevention.

Secondly, it has the responsibility for the operation of a limited number of high-quality, comprehensive treatment programmes, as I mentioned before. These programmes will serve the purpose of further developing and refining the techniques of treatment, providing a base for programmes of clinical investigation and evaluation and for providing an environment for training programmes for the wide variety of professionals who must become involved in treatment.

Thirdly, the development of programmes directed toward the prevention of alcoholism and drug programmes both within the school system and the general community. For this purpose, the foundation will extend and intensify its co-operative programmes with the various departments of government concerned with abuse of alcohol.

Fourthly, to provide advice and consultation to government and its various departments on the nature and number of programmes required in various areas, and on ways of improving the quality of treatment, education and prevention.

As I said in my opening statement, the foundation is the catalyst and the social conscience for this problem in this province. And as the hon. member for Middlesex South has said, many of us find it is like all kinds of things; you are not appreciated in your own community or your own province; you go outside this province, as I do to the federal Health Ministers' conferences; you go down to the United States, as the hon. member did, and you hear this group quoted as one of the ideals in the way to handle this problem, the kind of body that many jurisdictions could set up. I think that within these general guidelines is what I called the philosophy and future approach of this body. I think we will find it will give an even greater service to this province in the years ahead.

I would like to assure the hon. leader of the Opposition that he will be continuing to receive his copy of *Addiction*. We have not quite found out—

Mr. D. M. De Monte (Dovercourt): I have not been getting mine either.

Hon. Mr. Wells: The hon. member for Dovercourt has not been getting his, either? All the members of this House should be getting them. I have been getting mine—

Mr. L. M. Reilly (Eglinton): I have been receiving mine.

Hon. Mr. Wells: You have? The member for Eglinton has been receiving his. Anyway, it is published quarterly and it is mailed to approximately 20,000 individuals, and I am sure we all agree with the sentiments of the hon. leader of the Opposition; it is a valuable publication and it adds much to our knowledge in this field.

It is only one, of course, of many programmes that are of an educational nature, planned and carried out by the foundation. They have several approaches in their educational thrust. They are trying for educational programmes to reach young people, through schools, teachers and parents. They work closely with The Department of Education and with other groups who are planning programmes on this whole matter for young people. There are special educational programmes for employed people and the literature about these programmes, and so forth, that is prepared, is distributed to all levels of management and labour. There are professional information services for professional people directed to those who are responsible for providing treatment for alcohol and drug dependence problems. Then there is the general programme to provide information for parents.

I would just like to show the hon. members one example. These fact sheets that we have mentioned—I have asked that they be sent to all the hon. members, if they have not got them now. We have sent out over 1.5 million copies. They are very inexpensively prepared so that they can be changed to keep pace with changing developments in each of these fields. These were issued in October 1969 and they can be quickly revised if new information is needed. There is one on amphetamines, on LSD, on cannabis, and on solvents; and these are available. As I say, over 1.5 million of them have been distributed already. I thank the hon. leader of the Opposition for his comments about our advertising programme. We have had many comments about it, and I think that the information that it conveys, which is much the same as that found in these pamphlets on these various

subjects, has been very helpful to many people.

I appreciate his comments that they are perhaps being a little more attractive to young people. And a little more—being in the advertising business I know exactly what he means. You cannot always encourage a person to read an ad that is completely typed. You have to have something to draw him in and keep him interested, and I am told that the foundation is planning a special series of ads for *Canadian High News* which will contain much of the same information as these ads but will be presented in a manner that we hope will attract the attention of the young people who read this newspaper which goes out to high school students.

We also, as I say, are planning an approach that may be used on television, and this is in the active planning stage. The hon. member for Humber (Mr. Ben), in his remarks referred to grants to various treatment centres and so forth. I just want to tell him that in Metropolitan Toronto, there is a 24-hour, seven-days-a-week information and referral service operated by the foundation. From 9.00 a.m. to 11.00 p.m. this is staffed by trained staff at foundation headquarters, and from 11.00 in the evening until 9.00, they have commercial answering service at present, with very specific instructions to refer calls requiring assistance to the professional staff at the foundation. And I am told that many of them get up at 2.00 and 3.00 in the morning and go out to a specific call to take that person to one of the treatment centres and help him out, to find out if hospitalization is required for any of these calls. The calls sometimes are just informational with the caller wanting to know something. Others of the calls are a specific request for assistance. And I think they have about 150 calls—a week is it?—150 calls per day has been the average that has been coming in on this service.

Now for the benefit of the members of this House, I will give you the phone number if anybody might want to use it at any time. The number is 365-6801. This phone number is listed in the phone book under the Alcoholism and Drug Addiction Research Foundation of Ontario. But I am also told that it is well known in the areas where it is determined that the drug sub-culture exists—those who perhaps have had some contact with it, that this number is well known there—and they know that they can get assistance and help by phoning this number.

Now, the member for Humber also referred to some specific treatment centres—

places where they had programmes to help drug users and so forth. I would like him to know that Street Haven in Toronto receives \$10,000 as a grant in aid from the foundation; the Distress Centre in Toronto receives \$2,000; Community Services Organization receives \$5,000; Yorkville Diggers Incorporated which runs the digger house receives \$12,000; the Logan Centre in Toronto receives \$6,000; the Jewish Family and Child Service group in Toronto, which operates a trailer, I believe, receives \$12,000. And there are many grants similar to this, made in other centres in this province.

I would like to say a few words about marijuana and some remarks that have been made about my statements in this regard. I made these statements in this House, because I was expressing, as I said at that time, a personal opinion, and I think that there is no member of this House who would suggest that any member cannot have a personal opinion on any particular problem. I want to assure the House that this in no way affects my attitude towards the work of this foundation, or the job that they have to do. I still feel, as I said then, that I am not in favour of the general legalization of marijuana as some people tend to portray this. I talked to people who say that marijuana should be legalized so that it can be sold just as cigarettes are being sold today, and to this proposition I am just as opposed.

**Mr. R. F. Nixon (Leader of the Opposition):** What about your quote on research, though?

**Hon. Mr. Wells:** That is my position and I think that there are not really too many people, even those who say “legalize marijuana,” in a simplified manner, who really mean this. They do not really mean that they want to start having huge advertising campaigns and the cigarette companies switching over and selling packages of marijuana in every corner drug store. I do not think that this is what they mean. But this is the kind of simplified approach that they use, and I merely used the other approach to say that my personal opinion is opposed to this. But I want to assure the members that I am in no way opposed to any of the research activities of the alcoholism and drug addiction research foundation. I feel that this is certainly a subject that needs a considerable amount of research, and more research, on it. And certainly I am pleased with the kind of programmes that have been proposed by the foundation.

I also would like to say that in my assessment of the situation, I think that this is an area we need more research in. We do not only need research as to whether marijuana is medically harmful or not. This is not really the complete problem. The complete problem is what about the social effects of legalization of marijuana? The hon. member for Riverdale said: "If it is shown to be about the same, or less danger, or to present less hazards or less trouble than alcohol or tobacco, would you not be in favour of legalizing it?" I would just have to say again: personally, I would not. Because, and this is a personal opinion, why should we inflict on society a substance which is going to necessitate in 25, 30 or 50 years huge expenditures of money to pick up the pieces, as we are now doing with tobacco and with alcohol? We really see this as an overall public health problem.

The legalization of marijuana on a very general basis could present a very great public health problem in the years ahead. I am saying "it could" because we do not have any research on this. This is what we have got to find out.

We are going to carry out studies at the research foundation, to find, for instance, how you can actually measure the amount of cannabis or the actual drug in the bloodstream and so forth. It may be, while we have breathalyzer tests to test for alcoholism now, we may have to have some particular test to find out if a person can drive safely if he has been smoking five or six or a pack of marijuana cigarettes. We do not know anything about this yet. This is what we have to find out. We do not know whether a person will be fit to drive if he has been smoking marijuana.

This is one of the things that I say really are the social problems. It may not do any physical damage to him, perhaps at once, but we have got to find out the answers to a lot of these things.

**Mr. De Monte:** Has the Minister, Mr. Chairman, checked into the incidence of people who start taking marijuana as a kick or something and ultimately end up with the heavier and more dangerous drugs?

**Hon. Mr. Wells:** Well, I think the hon. member realizes that that of course is another problem. There are many conflicting reports and stories about this.

**Mr. M. Shulman (High Park):** Will the Minister accept a question?

**Hon. Mr. Wells:** Sure.

**Mr. Shulman:** While the Minister is doing that, will he also check on the number of people who take cigarettes and ultimately end up taking stronger drugs?

**Hon. Mr. Wells:** These are perhaps valid points, and really, what they suggest is that we need a lot more research. Now, let me just state this point: I accept this fact and as I said, my personal view in no way contradicts the activities of this foundation. They are going ahead. Indeed, I would be dismayed if they did not go ahead and carry out the kind of research that needs to be done in this whole area. And they are going ahead to do it within the limits of how they legally can do it. And this is what we are working on. Now, I accept the position, that for instance marijuana is not a narcotic.

**Mr. De Monte:** Neither is LSD.

**Hon. Mr. Wells:** Marijuana is a hallucinogenic. It is in the category with LSD and others. It is a type of hallucinogenic. So I think that it perhaps does not belong in The Narcotics Act, and should be switched to The Food and Drug Act and this is a position which I stated yesterday in my opening remarks. This, of course, is something that again is continually being worked on. And I want to tell the members of this House that we discussed this subject at our Ministers' conference in Ottawa on Wednesday, and we discussed it with Mr. Munro, and he gave us an outline of how he expected the format of the LeDain commission to operate. In other words, he suggested that they would perhaps be bringing in some type of interim report. And he agreed with the suggestion of this government. We made the suggestion—as a matter of fact my predecessor, the member for Ontario (Mr. Dymond), made this suggestion—last spring, that a federal-provincial committee on drug dependency be established as an adjunct, as a working group, to the federal-provincial Ministers' conference.

You see, we do not really have any backup secretariat, but it is co-ordinated down there. We have to set them up especially. Mr. Munro agreed to this and he is setting up a federal-provincial advisory committee on drug dependency. The undertaking was given to us that this committee would be called in to consider the recommendations of the commission of enquiry into the non-medical use of drugs—in other words, the LeDain commission. So as we understand it, the terms of reference

he gave to us were that this federal-provincial committee will be set up, and Mr. Archibald will be our representative on that committee. They will consider the interim report of the LeDain commission and we are hopeful that they will report to the council of Ministers on this matter, which will be another step in bringing all the resources in this country to focus on this very important matter.

I hope that clarifies my position on this, Mr. Chairman, and I think perhaps the other subject that the hon. member for Humber referred to was the committee on the healing arts. I am as sorry I do not have that report here as he is, it is always with regret to me that these reports seem to take about twice as long as anybody ever envisages that they will take when they are commissioned. But I am assured by the chairman of the committee on the healing arts that his report will be ready by mid-February. And I need it, we need it, we want it, and he has guaranteed me he will do everything possible to get it ready. It is just about ready for printing now.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order. I had the floor before and therefore I think I can make my point of order. I am not saying this so much in criticism as just to make a point.

We spent an hour and a half, or two hours, last night on the alcoholic research foundation and now another hour this morning. I could take an hour—I would be delighted to take an hour—and perhaps I should take an hour, but the fact of the matter is that on Monday night these estimates end. I submit that those of us who have other topics on vote 801 should have the right to go ahead to them. We will leave some time for public health, for mental health, for OHSIP, for OMSIP—for the whole department.

If we are doing to spend another two or three hours on this, it is obviously a very senseless apportioning of the time. So, Mr. Chairman, I have risen to take my place on the pecking order, if I may get back to your list, to move to other topics.

**Hon. Mr. Wells:** Mr. Chairman, could I just say that I appreciate what the leader of the New Democratic Party has said. That is why I have refrained from sort of hopping up and answering questions each time, because I realize in our new format we do not have time to continue on endlessly. If we could get all the questions together, I will do everything possible to make my remarks short and brief.

**Mr. Chairman:** I think the comments are very appropriate. Unless there is some pressing question in connection with alcoholism and drug addiction, we really should move on to another point.

**Mr. G. Ben (Humber):** With all due respect, Mr. Chairman, I have sat here quietly. Yesterday we had a disgraceful performance with interjections flying back and forth between the hon. Minister and the NDP. We sat here silent.

**Mr. MacDonald:** Just ask the questions.

**Mr. Ben:** The member for Riverdale got up and made a long talk on this subject. And before the Minister got up I indicated to you I had something to say on this topic and if the Minister wanted to proceed, fine, but I had something to say on alcoholism. I am going to say it, Mr. Chairman.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order. I got the floor at the beginning of this sitting; I conceded it to the hon. member for Sudbury. I respectfully suggest to you that some time before 1.00 o'clock, having conceded it to one man, I do not have to concede it to everybody who gets up and makes an excuse.

**Mr. Ben:** I would point out, Mr. Chairman, it is the practice of this House to ask, "Is there anybody else on this topic?"

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** Not under the new format.

**Mr. Chairman:** The member for York South did defer to the member for Humber a moment ago to pursue the same topic. Now, if it is a very brief discussion, I think it would be in order to carry on with that.

**Mr. Ben:** On a point of order. First of all, I would point out, Mr. Chairman, that the previous discussion was on the topic of alcoholism and then the Minister went into marijuana. I just want to point out, with reference to the discussion on marijuana, that it is not quite the way the Minister and others here have indicated. There is a body of research on the effects of marijuana. Perhaps it is not as clinical as some people desire, but there is not only a body of research but there is a body of literature on this particular topic.

For example, here in Toronto Dr. Sherwood Appleton, chief of psychiatry at Scarborough General Hospital, warned of one of



the effects of marijuana. He said: "It can happen, even though they may not have been smoking pot just before getting into the driver's seat."

What was this with reference to? He was linking marijuana to killer drivers. He said that this is because regular smokers are continually subject to aimless drifting and often their smoking symptoms can occur spontaneously, at any time. That is, they may not have taken marijuana immediately before driving, but if they are continuous users the symptoms can return.

**Mr. Shulman:** That is not true.

**Mr. Ben:** All right. That is a symptom. It is a recorded symptom and is something that has been brought to the attention of the public by a doctor and therefore it is one reason why the use of marijuana is dangerous.

The hon. member for High Park shakes his head. His argument is this; some people have said that you should not use marijuana because it is a narcotic.

**Mr. Shulman:** It is not a narcotic.

**Mr. Ben:** The member for High Park says it is not a narcotic, therefore people can use it.

Then the hon. member for Dovercourt asked the Minister a question about the relation between the use of marijuana and the subsequent use of hard drugs. Facetiously and sarcastically, the member for High Park gets up and asks about the relationship of smoking ordinary cigarettes and hard drugs.

In other words, what he was going to say was if you could find one person who used marijuana and did not end up on hard drugs, that establishes the theory or the principle that people who do use marijuana do not go to hard drugs.

The findings of the United States commission on crime indicated that an overwhelming majority of those people who were on hard drugs had started on marijuana.

**Mr. Shulman:** They started on mother's milk.

**Mr. Ben:** All right. There he goes. They started on mother's milk too.

So what he is saying is this: Although most of the people who are on hard drugs started on marijuana, not everybody who started on marijuana has so far gone to hard drugs. Therefore, nobody should say that you go from marijuana to hard drugs. That is his

philosophy in life. Let him live with it, it is not mine.

I will read an article here from Ann Landers. A lot of people read Ann Landers; maybe more people read Ann Landers than read what the hon. member for High Park has to say. The headline is, "She smoked marijuana and learned a lesson." If you need a letter from a 19-year-old girl who has smoked marijuana and can tell the world what it is like, here it is:

For months my friends talked about pot parties. They insist that marijuana is harmless, that it is less damaging than liquor, is not habit forming, has no withdrawal symptoms, no hangover, and is cheaper. I decided to try it.

At first we smoked in groups and everybody got high. Each of us paid the host, who bought the stuff from a pusher. Then we began to smoke in pairs. After a few weeks I started to smoke alone. I bought the stuff by the ounce from a friend.

After a while I had trouble making simple decisions. I had to ask my sister which dress to wear to work. I found myself asking a girl at the next desk how to spell simple words. I began putting things off because I could not make up my mind about anything. I lost my appetite and could not sleep. I used to read a lot but suddenly I could not concentrate long enough to finish a magazine article.

I had trouble getting up in the morning. My supervisor told me if I was late again I had better look for another job. It was then I decided to get off the junk.

The first day was fine, the next I was jittery, the third day all the problems I had been running from hit me in the face. I knew then that I was in worse shape than I had ever been in before. I was determined to kick the habit. I have gone through hell but, thank God, I have licked it.

And then she goes on.

Then here is an article from perhaps a more reliable source, since the hon. member for High Park does not think highly of Ann Landers. It says:

#### DROP THAT POT

Marijuana, said the advocates of legalizing its use, is safer than liquor.

And that, I imagine, is the hon. member for High Park.

As evidence to support this position they cite that 20,000 deaths that occur in the

U.S. each year from cirrhosis, heart disease and other disorders, were related to alcoholism, but a report issued at the American Medical Association meeting seriously questioned the logic of the pro-pot argument and flatly declared that marijuana is a dangerous drug and as such is a public health concern.

The statement, the strongest yet to come from the medical profession on the marijuana question, was issued jointly by the American Medical Association's committee on mental health and alcoholism and drug dependence, and the committee on problems of drug dependence of the National Research Council after a two-year study.

The trouble with the pot-versus-alcohol argument, said the committee, is that proponents of legalizing the use of marijuana—

Our friend from High Park:

—are comparing the relatively slight effects of low doses of marijuana with the disastrous results of high doses of alcohol.

When high doses of marijuana and alcohol are compared, said the report, the effects upon the individual in society are highly deleterious in both cases.

In reaching a conclusion, the committee drew heavily on research conducted by Dr. Harris Isbell, of the University of Kentucky medical centre, on prisoner volunteers at the United States public health service addiction research centre in Lexington, Kentucky. Isbell gave the volunteers varying doses of tetra-cannabinol, one of the active ingredients in marijuana. At high doses he found the drug produced psychotic symptoms, including delusions and hallucinations, in most of the volunteers.

The fact that psychotic reactions among typical pot smokers in the U.S. seemed to be rare, both Isbell and the AMA-NRC committees concluded, is due to the low potency of the marijuana available here. However, serious antisocial behaviour has long been associated with such potent forms of the cannabis plant as hashish used in the near east.

Should pot be legalized, the committee warned, potent forms of marijuana might eventually dominate the legal market, even as they are now beginning to appear on the illicit market. Even weak marijuana preparations, the report added, can cause behaviour disorders with serious consequences.

The AMA-NRC committee concurred with the growing number of medical groups in its view that pot smoking should not

be placed in the same category as a narcotic use. Although favouring a severe penalty for marijuana selling, the committee regarded punishment for possession as harsh and unrealistic.

That is, I trust, a little more of an authority than Landers. I read Landers because it was a young 19-year-old that was presenting a view as to what happened with her, and, frankly, I would accept that 19-year-old's opinion perhaps more than I would medical research, because this is factual. This is what happened to this young girl. As the police themselves say, they are going to have 100,000 instead of 3,500 addicts if marijuana is legalized.

Then there is another one:

#### TESTS PROVE MARIJUANA HARMFUL

Proof that marijuana is harmful began unfolding here today. A physician of the National Institute of Mental Health said the active ingredient in marijuana, recently isolated, had produced psychotic-like states resembling that produced by LSD.

Dr. Donald R. Jasinsky told a national conference on psychedelic drugs that a patient developed visual hallucinations, distortions of sensory perception, loss of insight, muscle rigidity, and muteness. He later related that he felt detached from his body, saw himself shrivelled down to a doll, and witnessed his own funeral.

The damaging new evidence comes as an answer to those who justify use of marijuana on the ground that no hazards have been proven. One study has shown up to 20 per cent of college and high school students have tried marijuana.

Then, further on, he said:

A sufficiently high dose can cause psychotic reaction in almost any individual.

They say there is no research. They say there is no evidence. There is no one so blind as he who will not see, and this is what those people over there will do—I say.

I do not know when they are going to be satisfied. I would suggest never, because they do not want to accept this. They would prefer that this state exists and that children continue to get themselves into difficulty.

**Mr. S. Lewis (Scarborough West):** Are you talking about us?

**Mr. Ben:** I am talking about the hon. members over there.

Now, Mr. Chairman, with regard to both marijuana and alcoholism. There was a most

interesting article on addiction a couple of years ago—I think it was in 1968—by Dr. Charles Aharan.

**Mr. Lewis:** Charron!

**Mr. Ben:** It is Aharan, not Charron. It was printed in the United Church *Observer* and said: "Let us stop fooling ourselves about alcoholism." I am only going to read parts of it, because the Minister mentioned all the different social units that are going to be involved, or should be involved, in working with the alcoholism and drug research clinic, but he missed the most important one of them all—ourselves perhaps, and the churches.

**Mr. Chairman:** Before the hon. member proceeds would he permit the Chairman a brief interruption?

When the House opened this morning there were no guests with us, but we do have some very special visitors at this particular moment. They are from the great county of Waterloo. Not only the great county of Waterloo, the greatest part of that county, Waterloo South. Not only Waterloo South, but from the high school of the town of Preston.

**Mr. Ben:** To that I have to yield.

The article starts off:

Alcoholism is a disease. We have all heard that a great many times in the last 20 years—often enough that most of us believe it. It has been a useful idea in some ways because it has made it respectable to do something to help the alcoholic. "After all," we say, "he is sick. He cannot help it."

It is useful, but, unfortunately, in my opinion it is not true.

This is Dr. Charles Aharan.

On the basis of a good deal of experience with alcohol I no longer believe it is appropriate to consider alcoholism as a disease, at least not in the traditional sense. I believe that by calling it that we may ignore other important issues and we may also encourage the alcoholic to avoid his responsibility for his condition.

One difficulty with considering alcoholism a disease, like any other disease, though not the major one, is that treatment programmes narrowly based on a medical model are not merely wasteful, but often downright harmful when applied to the management of alcoholism.

By far the most widely prescribed medicine in the treatment of the alcoholic, the tranquilizer, is aimed at alleviating the discomfort. It has little or nothing at all to do with curing his disorder. The alcoholic is almost by definition a person who has dedicated himself to the avoidances of discomfort through reliance on the effects of a chemical.

Where the alcoholic receives medication over a long period of time—a treatment service—it is communicating to him its agreement with his philosophy that discomfort is not to be endured. The only difference is in the choice of the chemicals used.

Then he goes on:

To excuse the alcoholic for his conduct is potentially harmful, for it reinforces his already well-developed tendency to rationalize his conduct and avoid responsibility. If I were pressed to use one word to describe the alcoholic's behaviour I could think of no better word than "irresponsible."

The alcoholic tries to avoid making choices. When he does make choices, he makes them recklessly and on impulse and refuses wherever possible to accept its consequences. Recovery for the alcoholic depends on his gaining control over his behaviour and becoming responsible.

He goes on to say—and this is the important part—that perhaps there is a moral issue involved. He says:

I personally believe that the moral aspect is a central issue in alcoholism and that it cannot be ignored in any successful treatment programme.

Further:

To avoid the moral issue of alcoholism is at best stupid or at worst cowardly.

He goes on:

I believe that alcoholism in the individual is a symbol of a serious—

**Mr. J. L. Brown (Beaches-Woodbine):** Must he go on? Is it necessary, really?

**Mr. Ben:** Obviously. This is an article that was—

**Mr. MacDonald:** You are breaking the agreement we made with regard to the use of the time.

**Mr. Ben:** I am breaking no such agreement.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order.

**Mr. Chairman:** Point of order.

**Mr. MacDonald:** The hon. gentleman is saying that he is not breaking an agreement. Then I think it is time for the deputy leader of the Liberal Party, in the absence of the leader of the Liberal Party, to face up to the issue. We have not five days to deal with these estimates, we have five periods. And if one member is going to re-hash this issue for the umpteenth time, then I think, Mr. Chairman, we have got to cut it out and sit down and take a look at the agreement again.

**Mr. Ben:** On a point of order. If the hon. member would just shut his mouth for a while, we could get on with the business of this House. This has not been brought up in these estimates, it is something new.

There was an agreement with the hon. member for High Park that he would speak only for as long as I spoke, but he went on twice as long.

All right, this is the kind of agreement they make. The hon. member for Riverdale took an hour yesterday, and judging by the cackle that came out of those headless chickens there, you would think it was something amazing. Now just shut up and let other people carry on. We sat here quietly all evening while you rattled, you prattled like a couple of old ladies who had nothing else to do. Now just shut up. One cannot make a gentleman's agreement with you people, because there are no gentlemen there.

Interjections by hon. members.

**Mr. Chairman:** Order please. The hon. member had—order. Order. Order.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order. Can you bring this person into order?

**Mr. Chairman:** I am attempting to.

**Mr. MacDonald:** Such slanderous comments, irresponsible—let us deal with the issue, Mr. Chairman.

**Mr. Chairman:** I am attempting to do—

Interjections by hon. members.

**Mr. Lewis:** The member for Humber is publicly losing control, and you should bring him to order for the good of this House, Mr. Chairman.

**Mr. MacDonald:** Exactly, exactly.

**Mr. Chairman:** I shall attempt to do so. The hon. member is—

Interjections by hon. members.

**Mr. Chairman:** Order, order. Will the hon. member for Humber please take his seat? He rose first on a point of order which turned out to be a speech.

**Mr. MacDonald:** Right.

**Mr. Chairman:** I might say that the agreement was, to my knowledge, under the new procedures, that there would be a total of 75 hours allotted to this debate on the estimates in the House—an additional 15 hours for the three departments that had gone to the standing committee.

I might inform the members that as of the completion of the previous departmental estimates, we had consumed 65 hours and 9 minutes, which would have left 9 hours and 51 minutes. At this point we had yesterday consumed 4 hours and 53 minutes, which leaves less than five hours including this morning.

**Mr. Lewis:** And the Minister would like to get to OHSIP.

**Hon. Mr. Wells:** Sure.

**Mr. Chairman:** How in the world the committee is going to complete five sittings in the remaining hours, I fail to see. I must point out that if everyone is going to stick to the agreement as per the rule, they should proceed, because we have not passed even one vote.

The hon. member for Humber.

**Mr. Ben:** Thank you, Mr. Chairman. I was on my feet. By the way, the agreement was that five sittings are allocated to the consideration of the estimates of the Minister of Health—

**Mr. Lewis:** And we are well through the third.

**Mr. Ben:** We are on the third one and I point out that in The Attorney General's Department we used up most of our time considering the first two estimates. Then the rest of them were just approved.

An hon. member: You used up all the time.

**Mr. Ben:** The time is used up by the interjections of the NDP, not by this member.

I stated to say—

**Mr. Lewis:** Reading articles from *Addiction*.

**Mr. Ben:**—I believe that alcoholism in the individual is a symptom of a sickness underlying a personal disorder—

**Mr. K. C. Bolton** (Middlesex South): Point of order.

**Mr. Ben:**—characterized by an—

**Mr. Chairman:** Point of order.

**Mr. Ben:**—in the absence of—

**Mr. Chairman:** Point of order.

**Mr. Bolton:** On a point of order, Mr. Chairman. Lest silence should appear to give consent, may I reject the statement of the previous speaker that we are all atheists in this party.

**Mr. Ben:** First of all, I do not believe that the cloth—the collar reversed—necessarily means that a man is not an atheist. I recall in the early church—

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, how long is this going to be tolerated?

**Mr. Ben:** It is going to be tolerated as long as you keep yattering.

**Mr. Chairman:** This is not a point of order. The hon. member—

**Mr. Ben:** I am on my feet.

**Mr. Lewis:** That was a legitimate point.

**Mr. Chairman:** The hon. member should take his seat because a point of order has been raised.

**Mr. Ben:** He sat down.

**Mr. Chairman:** He directed a point of order to the Chair—

**Mr. Ben:** But he sat down after he made it.

**Mr. Chairman:** I would ask the hon. member to please be seated.

A point of order has been raised by the hon. member for Middlesex South in which he took objection to the allegation that members of the New Democratic Party were all atheists. I think at the least it is an uncalled-for remark and I do not believe it should have to be accepted by the members of the New Democratic Party in view of the objection. I would put it to the hon. member for Humber that he withdraw the statement to

the effect that all New Democratic members are atheists.

**Mr. Ben:** Well, let us put it this way: I am entitled to express my opinion in this House. If anybody wants to get up and say things about me, that is fine. I will accept it.

Interjections by hon. members.

**Mr. Chairman:** Order. The hon. member is entitled to his opinion. He did not state it as a fact, he stated it as a matter of opinion.

**Mr. Ben:** That is right.

**Mr. Chairman:** We are all entitled to our opinions.

**Mr. Lewis:** Mr. Chairman, we are going to move the adjournment of the House unless you pull this member into line.

**Mr. Ben:** Oh, go ahead and move it.

**Mr. Lewis:** This is ridiculous.

**Mr. Chairman:** I would ask the hon. member—

**Mr. Lewis:** He has now descended to approach us with—

**Mr. Ben:** I have not.

**Mr. Chairman:** I think the hon. member should—

**Mr. Lewis:** We have been listening to articles from *Addiction* which could be read by an adolescent three years ago. The time of the House is going, we have five periods for the Health estimates. We have mental health and OHSIP to debate and you allow this kind of travesty to persist.

**Mr. Chairman:** I think the hon. member should take cognizance of the fact as stated by the persons who have opposed his procedures.

**Mr. Ben:** Is it not something, Mr. Chairman? Do you remember how you tried to keep in line the hon. member for Scarborough Centre when she read letter after letter after letter after letter?

Interjections by hon. members.

**Mr. Ben:** Last night the hon. member for High Park was reading and reading, and reading. All I do is read excerpts, not whole letters; I just read excerpts which show that the wrong attitude is being taken toward alcoholism and all of a sudden—

**Mr. Chairman:** Perhaps the hon. member would try to keep his remarks brief—

**Mr. Ben:** I just cannot count the words that were read over there—

**Mr. Chairman:** Would the hon. member please permit the Chair to conduct the proceedings? I would ask the hon. member to please try to observe the courtesies and the agreed-upon procedures, however informal they may have been, because all members of the committee are anxious to get to the remainder of these departmental estimates. I am sure the hon. member for Humber does not want to purposely waste the time of the House, so perhaps he would observe the courtesies and privileges attributed to all members.

**Mr. Ben:** I would suggest that you keep order over there, will you?

**Mrs. M. Renwick (Scarborough Centre):** On a point of order, Mr. Chairman. What was the reference that was made by the hon. member for Humber to the member for Scarborough Centre? I heard reference to the member for Scarborough Centre. Does the member for Humber mean the member for Scarborough West?

**Mr. Lewis:** No, alas no.

**Mr. Chairman:** I am sorry, I heard no reference to the hon. member for Scarborough Centre.

**Mr. Ben:** I did make a reference, Mr. Chairman—

**Mr. Chairman:** Is the member for Scarborough Centre objecting to whatever the reference may have been?

**Mrs. M. Renwick:** I want to know what it was, Mr. Chairman.

Interjections by hon. members.

**Mr. Sopha:** I think it was complimentary.

**Mr. Chairman:** Perhaps the member for Humber would—

Interjections by hon. members.

**Mr. Lewis:** Mr. Chairman, will you allow the member to continue this agnostic fundamentalism?

**Mr. Chairman:** I am quite willing to do that if all other hon. members are agreeable. The hon. member for Humber.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, on a point of order.

**Mr. Chairman:** Point of order.

**Mr. Martel:** Are you going to allow him to continue without withdrawing that statement or not?

**Mr. Chairman:** Which statement was that?

**Mr. Martel:** The statement about all of us being atheists.

**Mr. Chairman:** The hon. member said, "in his opinion" and any member is entitled to his opinion—

**Mr. Martel:** I do not think the guy has an opinion.

**Mr. Chairman:** He did not say that they were—

**Mr. Lewis:** What do you mean, "in his opinion"? Would you like to know my opinion?

Interjections by hon. members.

**Mr. Chairman:** The hon. member may express his opinions. He did not state it as a fact.

**Mr. MacDonald:** He was slandering other members of the House.

**Mr. Chairman:** If the members of the New Democratic Party wish to make an issue of the thing—

**Mr. Lewis:** In my opinion, the man is a fool.

**Mr. Chairman:** —they may so proceed.

**Mr. G. Bukator (Niagara Falls):** I demand that you withdraw that remark.

**Mr. Chairman:** Does the hon. member wish to make any statement regarding the objections raised to his suggestion that the—

**Mr. Ben:** Oh, I believe he is entitled to his opinion. I have always stated that, during the four years I have been in this House.

**Mr. Martel:** You should take the fool's part in "King Lear."

**Mr. Ben:** I have always said I will listen to the hon. member for Scarborough West.

**Mr. Chairman:** I think perhaps we should proceed with the estimates, we are wasting time.

**Mr. Ben:** Mr. Chairman—

**Mr. Martel:** Can the Minister provide a headshrinker for him?

Interjections by hon. members.

**Mr. Chairman:** Order. The hon. member for Humber has the floor.

**Mr. Ben:** Mr. Chairman, Dr. Aharon of the Alcoholism and Drug Addiction Research Foundation of Ontario stated that he believed that, "Alcoholism in the individual is a symptom of a serious underlying personality disorder, characterized by inner emptiness and an absence of purpose and meaning in the individual's life. As a social problem," he believes, "alcoholism is a symptom of society's failure to inculcate values that challenge the individual and provide meaning to his existence".

Mr. Chairman, it is striking that when I try to bring this to the attention of this House and through this House to society, the necessity for inculcating values that challenge the individual and provide means to his existence—that is, bringing morality into people's lives—most of the interjections come from a party that professes to have more members of the clergy in it than any other party, and I fail to understand why.

It is fine to have an addiction research foundation, and an alcohol research foundation, but what one of the leading doctors of that foundation says, basically, is this: That perhaps we are wrong in treating these people as having a disease or referring to them as diseased—that what, in essence, is the basic fault is that they have not had inculcated in them principles on which our society was based.

It may be fine to have psychiatrists, psychologists, and all these other research directors. But what we need more than anything else, is perhaps a plain word which is losing very much style these days. And that one word is religion.

So I would just suggest that we might assist people who are carrying on this research by supplying whatever they are lacking, or unable to supply, and there are moral principles which should be inculcated in our young people. If we do that, we are getting down to the cause, the basic root, of this evil that has possessed our society today, rather than just trying to cover up the evils with talcum powder.

**Mr. Brown:** Mr. Chairman, I would like to raise a question referred to earlier by the

Minister of Health in reporting on the specific grants to private institutions that are providing care and shelter for young drug addicts. The question is simply this: That the figures, while they indicate a general support of these programmes, do not go far enough to make any substantial financial difference to the programmes; I am wondering whether the health department—or this particular section of the health department, the drug addiction section—can think of the possibility of giving some real substantial support to these programmes by, wherever possible, providing service for a child, or a young addict, or a young person who is struggling to deal with the drug problem, that cannot be served elsewhere? That they be funded, person by person, so that the programmes have some basis for operation? It is fine to give \$10,000 once, but if it represents one fifty-secondth of the total cost per year, it does not stabilize the programme.

We are far past the time when we can count on the charity of the community, or of private welfare, to take care of these important tasks. If the programmes merit a grant at all, then I would suggest, why not a grant that has to do with a *per diem* cost for serving these children?

**Hon. Mr. Wells:** Answering specifically to that, Mr. Chairman, these are, of course, grants in aid to show our support of a programme, where these people have come to us and said: We feel that these groups are all serving a valuable purpose.

I do not know whether in the overall research that is done, we may not find which is the best way to treat these problems. There may be many ways.

Now we do have the regular facilities which are completely publicly supported in the hospitals, in the various places such as this. It is a suggestion and we will take a look at it. But I just want to assure the House that, at this time, these are not intended in any way to cover all the treatments. They are merely a showing on the part of the foundation of an interest and support of this programme—to let us see what these groups can do.

**Mr. Brown:** I think my point was that the programmes are in danger of financially collapsing, and they are continually struggling for funds. If they have enough value to have a grant, then the grant should be in terms of specific service that they give to an individual child. Whether or not they have

been proven, I think the fact is that there may be a need for a great many approaches.

I would not agree with all the approaches that all of these programmes have. I would have considerable difference with some of them. Nevertheless, I think they should have a right—and I think it is to our advantage that they do have the right—to get proper financing so that it can be tried.

They are going to keep on draining off a certain amount of the resources available in the community privately; whether or not they are the proper form we wish to use, they exist. They are there; they are draining off some of that resource. I think they should have, at least, a proper opportunity to operate until it is demonstrated one way or the other.

**Hon. Mr. Wells:** Well, I would say, Mr. Chairman, that we think this should be part of the on-going programme of the foundation—that they will look at this. If they are giving a grant in aid they are, of course, interested in what is going on in that body. And if real problems exist, and they feel there is a real beneficial programme, and something that should be supported, I am sure that they will look at it. That is part of their work.

**Mr. Brown:** Thank you, Mr. Minister.

**Mr. Chairman:** The hon. member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, I would ask the Minister—I do not have my last year's book here—is there an increase in the budgetary amount for the foundation in the 1969-1970 period, from the \$6.5 million last year?

**Hon. Mr. Wells:** In the vote for the alcoholism and drug addiction research foundation, yes. The estimate has been increased by \$1 million.

**Mr. Gisborn:** I want to raise a question with the Minister, and I will not take too much time. I want him to keep track of the situation for me. I was interested in the remarks of the Minister regarding the programme, and the anticipated progress of the work of the foundation, and also of the remarks of the member for Dufferin-Simcoe. But I think that the member has got to play a stronger role so that we can get a stronger position of his opinion of the work of the foundation. Because, regardless of what we say, I have found some gaps that are not satisfactory—satisfactory to myself.

There must be a breakdown, some place, in the work of the foundation, and the work of those interested in reducing the alcoholic problem in this province. First, I am aware that in the local branches—and I have listened to about four in the past two years—their main complaint is that they are not getting enough money to carry on the work at the local level. I will leave that point there for the Minister's perusal.

I want to raise a specific case and I will send the information over to the Minister, and I would like the department to answer me as to the outcome of this particular individual, and this is the case of one Douglas Harvey, who was sentenced to seven months in Guelph, in approximately October 1968, because of six convictions for drinking under age.

I will make it brief. The defence counsel said the chap was unfortunate. He was caught six times, and the fines ranged from \$50 on upwards. He was given time to pay the fines and was unemployed and could not pay them.

On the sixth conviction he was sentenced to seven months and a fine of \$1,750. The defence counsel says the boy was not alcoholic. There was no evidence that he was ever under the influence, impaired or drunk. The defence counsel in his plea said that he was just an unfortunate, that when he had a drink with the boys, or at a party, or at a social function, a policeman was there to put the hand on him.

But the judge says: "Alcohol is a problem with you, you owe money, a substantial amount of money. I am told that you do not have an alcoholic problem; but you do. You are an alcoholic", said the judge. But he still sent him for six months to Guelph Reformatory. Now there is some gap somewhere in our programme if this happened. The boy was not there long before an allegation by his mother generated a story in the *Hamilton Spectator*. It was headed "Son Beaten In Reformatory—Mother".

He was subsequently transferred to the Burtch Rehabilitation Farm in Brantford. Now, there are two things. If he was an alcoholic, or had an alcoholic problem, this was—without any reasoning—the wrong thing to do. If he was not an alcoholic, and he was a victim of circumstances, that some particular policeman had the finger out for him, then the drinking age should be reduced.

To send him there for that purpose—there is a complete gap in our programme someplace.



This is only one of the several cases I have watched in the past two or three years. I would ask the Minister—I will send copies of the clippings over to his office—to follow this case, and I would like an answer as to outcome of this particular situation. Something is wrong with our whole system when this sort of thing happens.

**Hon. Mr. Wells:** We will look into that. Perhaps you should send it to the Attorney General, too—or I will. Because I think it perhaps comes under—

**Mr. Shulman:** I will be one minute exactly.

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

**Mr. Shulman:** Mr. Chairman, I would just like to draw to the attention of the Minister, through you, sir, a bill which was introduced in the United States Senate this year, Bill S1816, and this is The Drug Abuse Prevention Rehabilitation Act of 1969. I will send him my copy, because there is some good material in here which I think we could incorporate into Ontario which will be a benefit to all of us.

The second point I would like to make is not directly under this vote, sir, but it is an emergency. I have just received a phone call that 20 more patients have just been stricken at Whitby and they urgently need some help there.

**Mr. Chairman:** The hon. member for York South.

**Mr. MacDonald:** Mr. Chairman, there are two points I would like to raise on this first vote. The first one has to do with the college of nurses, one of the items for which there is a grant given. May I just confirm one point, Mr. Minister? As I recall, your predecessor indicated on one occasion in the debate in the House the Minister of Health is automatically a member of the council of the college of nurses.

**Hon. Mr. Wells:** I have a representative on the college of nurses. I do not sit there myself—

**Mr. Ben:** Do not cover the mike, please.

**Hon. Mr. Wells:** A member of our research and planning division sits there as my representative on the council.

**Mr. MacDonald:** Well, I want to raise with the Minister the general proposition of the relationship to a professional body which has

self-regulatory powers roughly comparable to those, I suppose, of doctors and lawyers. I want to raise in that context a specific issue which was raised before the orders of the day a week or two ago. Namely, the regulations the council has imposed on Grace Hospital nursing graduates as they seek to upgrade their accreditation by writing an RN exam. The problem of these professional bodies is a perplexing one, for protocol has to be observed, or at least we have been told that this is the case. We pass an Act giving them certain powers to run their own affairs, but it seems to me at some point, Mr. Chairman, there is an obligation on the part of somebody—and I presume it is the Minister—to move, if we come to the conclusion that public welfare is not being served as fully as it might be. We can change the Act, that is certain. But without even changing the Act, in the instance of the college of nurses, you are in an even stronger position, because you have just confirmed that you have a representative right on the council.

Now, admittedly that representative may be outvoted, or she may be outvoted in this instance, but the theoretical point that I am raising still exists. To come to the specifics: We are desperately short of nurses in this province. Rightly or wrongly, the college of nurses came to the conclusion that the standards of Grace Hospital graduates were not high enough and that they would be given an opportunity to prove, that through experience or otherwise, they had upgraded their standings and could qualify for an RN by writing exams.

The interesting thing is that the council stipulated that if a person had not been practising continuously in the last five years in the province of Ontario that they would not even have the opportunity to write the exams. It seems to me that this is—if the term is not too inappropriate—sort of a dog-in-the-manger approach. An RN that has not been practising for 25 years can come back into the profession and start practising and there is no requirement to re-check her skills and qualifications.

If the council came to the conclusion that an exam must be written, why isn't the writing of examinations stripped of all these other restrictions. There are instances where women have been out of the country with their husbands on overseas duty in the armed forces. They have perhaps been married and had family obligations, so they have not been practising for the last five years and they, in effect, are denied an opportunity to upgrade themselves. There is another example of an

ostensibly picayune attitude but rather it is indicative of the kind of approach—they do not have an opportunity to write the exams a second time, if, perchance, they failed the first time. In short, there are definite restrictions and barriers. If a person writes an exam and passes, fine. If they write an exam and fail, good, those the the rules. But why each of the other restrictions that have been injected into the picture?

I put this question to the Minister in terms of what he can and is going to do about it. In my experience, as I talk to doctors, Grace Hospital graduates are generally regarded by doctors as perhaps as good, if not the best maternity nurses in the hospitals. This is the specialization that is well known of the Grace Hospital graduates and their training. If we have a shortage of nurses, why, can you not in the staffing of hospitals—assuming this is an accurate judgment—why can you not put Grace Hospital graduates on the maternity wards and use the other nurses elsewhere, so that their specialized skill will be used as fully as possible?

But the proposition of forcing them out of the picture in effect, so that they cannot practise at all, or forcing them to take nursing aid status—with the lower income and the lower status sometimes after they have been acknowledged as nurses, and maybe have practised for 15, 20 or 30 years—it seems to me to be a pretty indefensible kind of proposition.

So I ask the Minister what his present view is on this question. More important, since it is obvious that the council of nurses has dug in on this issue and has given no indication that they are going to change their minds, what power he thinks he has to intervene to see that when the exams are written the results of the exams without any other restrictions, are accepted—in short to stop this effort to keep these women out of the nursing profession. Does the hon. Minister wish to deal with that before I go to my second point?

**Hon. Mr. Wells:** Yes, I would be happy to comment on that, Mr. Chairman. I am a little more familiar with the whole subject than I was when it was brought up in a question several weeks ago. I can appreciate very much the comments of the hon. member for York South and I really cannot find too much wrong with a lot of his reasoning, except that perhaps the general statement that we have a great shortage of nurses is perhaps not exactly accurate at this time. I find there are many

registered nurses in the Metropolitan area coming to me and telling me they cannot get jobs. I made a few comments at the opening of the Credit Valley Regional School of Nursing last week about this. I am not ready to say anything definitively on this. I suspect that some of the problem is that the hospitals are not willing to adjust their traditional methods of employing nurses to take advantage of these skilled people who are skilled registered nurses and who want to work on a certain part-time basis. But I also recognize, of course, that you cannot expect to have the cream of the jobs and not take the tough shifts, which of course some do. But I do find there are more registered nurses, particularly married women, who have raised their families, who have taken the refresher course and now tell me they cannot get jobs in Metropolitan Toronto as registered nurses. I was surprised at this, but it is something I am looking into.

**Mr. MacDonald:** The Minister has company.

**Hon. Mr. Wells:** But I think the other point, of course, that I made in this general situation, is that we in this province in regard to nurses are in a pretty good position because we have so many nurses coming in from other jurisdictions. The thing that worries me is that if this supply from other jurisdictions was ever to be cut off, we could be in a more difficult position. But, of course, we are taking the necessary steps to make sure our training programmes advance, as they are doing.

In regard to this specific one, the Grace Hospital situation, I cannot give any definite answer on it. I have had contact with Mrs. Mathers who, I understand, is one of the leaders of the group that is concerned about this. I am trying to make arrangements to see her. I realize there is a deadline some time later in December. I thought we could meet her about December 15, but I asked my secretary yesterday to move that meeting up so that we can meet probably next week, if we can get the meeting going, so that I can get to talk to them specifically about this and meet with Miss Black and our people at the college and try to see if there is a way to resolve this.

That is all I can tell members, that we are going to look at it very carefully. I can appreciate the problem the nurses have; I also think the hon. members can appreciate the problems we have when you appoint these regulatory bodies for the professions and you

give them a certain leeway to operate under regulations, and they decide to operate that way but you do not like what they do; then it again becomes a problem that has to be considered.

**Mr. MacDonald:** I appreciate the Minister pursuing the Grace Hospital question. As to the general proposition, I, along with him, and a lot of other people, would like to have some definitive assessment as to whether or not we have a shortage of nurses at the present time.

**Hon. Mr. Wells:** I suspect it is trying to fit these married women who want to come back into the field.

**Mr. MacDonald:** I cannot think of any reason why there should be a greater flow of married women back into the profession than any given year over the last 20 years. So why has that altered the picture? They did not all get married at the same time and all get their families to a point where they were free to return to the profession this past year. However, I do not want to spend any more time on it, I want to go on to a final point.

I think the first estimate is an appropriate point to take a look at the general approach of the government and this department. I was fascinated by the report that came back from the standing committee on health yesterday. If I may make a comment in passing, this committee, in my view, has operated as a standing committee should operate and as very few of them normally have operated in past years around this Legislature. And that is—providing a forum to acquaint both the members of the committee and the government with the inadequacies, or at least the facts of all the various aspects of the fields that happen to fall under its jurisdiction.

However, without dwelling on the general conduct of the committee, which deserves commendation, it is the report that attracted me. I do not think we can stand pat where we are, in providing health care in the province of Ontario, when all we have provided, basically, are two of the major components after some 25 years of talking about the issue: namely, hospital coverage and medical coverage. Let me set the context, not in my own words, but in the words of one paragraph in this report from the standing committee:

It is the conclusion of this committee that there is an urgent need for review and revision of the health care of our province.

It is our opinion that only a total health

care programme will sufficiently satisfy our needs. We appreciate the tremendous cost of such a programme and at the same time we recognize the need, with the realization that it can only be instituted in a gradual manner.

We feel that the most important need is in the field—

And I am going to stop right there. They began to express their views as to what were the next steps. The significance of that comment is the assertion that we cannot stand where we are, that we must move forward and that we can move forward. The thing that delights me about that report is that, in its own way, it underlines precisely what I said in a press conference this week when we announced our new approach to the financing of OHSIP and OHSC. The Liberals immediately said that it is impossible, it is not credible, we cannot go forward any more—essentially the Conservative stand.

**Mr. Nixon:** Oh, we did not say that!

**Mr. MacDonald:** Read what the hon. member for Humber said. He says we are doing all that we can do at the present time—

**Mr. Ben:** Bosh!

**Mr. MacDonald:** Well, I thought, when the hon. member for Humber was speaking for the Liberals in the lead-off, he was speaking for the Liberal Party.

**Mr. Ben:** The member did not listen to all I said; he is so far off.

**Mr. MacDonald:** He said it was not credible; this was all we could pay for at the present time. And I repeat, Mr. Chairman, that is essentially the Tory position. If the Liberals are in the process of changing, that is interesting, but their previous position was enunciated as of yesterday.

**Mr. Trotter:** The member should get his ears blown out and listen.

**Mr. MacDonald:** However, the point I want to draw attention to, Mr. Chairman—there will be an opportunity in later estimates to go into detail—is that there are three urgent areas where we can move immediately. We can and we should move to the coverage of drugs. Otherwise, medical coverage is, to a degree, ineffectual. What is the point of going to a doctor and getting a prescription if you cannot, in effect, pay for the prescription? You may have wasted both your time and the time of the doctor.

Secondly, I think there is no reason why we cannot move forward to the inclusion of chiropractic services in the paramedical field. And thirdly, as has been argued by many people in this House, including the chairman of the standing committee, it is just nonsense, economically and socially and from the point of view of human conduct to other fellow human beings, that we should not move immediately to the inclusion of nursing homes under the hospital plan. And that is precisely what we have put in our package. As to the cost of it, I will deal with that at a later period, but I just sum it all up in a nutshell.

**Mr. Ben:** Mr. Chairman, on a point of order, would you please indicate to me what item we are on?

**Mr. Chairman:** Yes—

**Mr. MacDonald:** We are under the first item, Mr. Chairman, on which I am presenting a different approach to delivering health services.

**Mr. Ben:** We are discussing item No. 1; would you please tell me, Mr. Chairman, under what item of that vote are we?

**Mr. Chairman:** We are not taking the first vote under items; we are taking vote 801, which is departmental administration and policy, but it seems to me that the remarks are in order.

**Mr. Ben:** Is this an opening address?

**Mr. MacDonald:** Particularly, Mr. Chairman, since I am commenting directly on what was presented to us on the first vote regarding the general approach of the government to health care, in the report of the standing committee on health.

**Mr. Chairman:** I was relating the hon. member's remarks to those remarks of the hon. member for Quinte (Mr. Potter), which I thought were permitted with the consent of the House, and therefore it cannot be out of order.

**Mr. MacDonald:** That is right.

**Mr. Ben:** On a point of order, Mr. Chairman, I do not mind if you refer to this report, but I would point out this was not brought down as part of the estimates. What happened was that the hon. member for Quinte was not present in the House when he intended to have it tabled as a report of the committee. In fact, it should have been

tabled in the House, not in the committee stage. And he asked for the concurrence of the hon. member for High Park and myself for permission to bring it forward in committee, but it is a report of the committee and ought to have been tabled in the House.

**Mr. Chairman:** I would point out to the hon. member for Humber that last evening when the hon. member requested that he be permitted before the votes were called, I asked for the concurrence of the House and I did get that concurrence. It has now been brought in as part of the remarks prior to dealing with the votes, and I think that the hon. member for York South has made brief reference to the content of the report. I cannot see that it should be out of order at this moment.

**Mr. R. G. Hodgson (Victoria-Haliburton):** Mr. Chairman, perhaps on a point of clarification, did the member for Quinte say that was the report of the committee on health, or was it the Chairman's reflections?

**Mr. MacDonald:** No, he said it was the report of the standing committee.

**Mr. Chairman:** The hon. member for Quinte has told the committee that it was the report of the committee on health.

**Mr. De Monte:** May I say that all members of the committee studied the report and accepted its contents. I, as a member of the standing committee on health accepted the contents as did everybody.

Interjections by hon. members.

**Mr. MacDonald:** I hope we do not waste any more time. I do not plan to take more than two or three minutes to wrap up my comments that got a little scattered with these interruptions. I think the report from the standing committee of this Legislature, representative of all parties, places the correct context for our approach, namely, that what we have is inadequate and is not financed equitably.

Secondly, we have to move forward on major gaps in our health care coverage. Admittedly we cannot provide the whole health package at the present time. There may be arguments as to which elements we add to the package, but we cannot stand still.

That, in essence, is not only what we believe in—that, in essence, is what we have done, as far as the New Democratic Party is concerned—in a presentation a couple of days

ago. We have picked out for immediate inclusion chiropractic services, drugs and nursing homes.

Indeed, it can be done as we pointed out—and I can deal with it in a later estimate—by reducing the cost of present expenditures for health for every average family of four below \$13,000, even though you add to the health package drugs, chiropractic services and nursing homes. With that kind of a practical possibility I would hope that even the hon. member for Humber would be persuaded and that the government would move immediately.

**Mr. Chairman:** Does the hon. Minister wish to reply?

**Hon. Mr. Wells:** Yes, Mr. Chairman, I had hoped that I had perhaps conveyed the general impression of what this department and this government is doing in my opening remarks. But perhaps this was missed on some of the members.

As I indicated, we have a unique body in this province, the Ontario Council of Health, which is an advisory body to this department and to this government on health matters. It was set up under statutory authority in The Department of Health Act, and we gave it this task of preparing for us, as people have said many times, a total health plan—an outline against which you can operate. And all the expertise of the health service fields have been drawn together in this.

I was very amazed to see the kind of work they are doing, to meet the personnel that have been taking part in all the operations of the council of health, and to see the kind of things that they are drawing together.

**Mr. Trotter:** How long have they been at it now?

**Hon. Mr. Wells:** They have been at it about a year and a half. About two years.

Now they have taken all these various problems and they have drawn them together in various sub-committee reports—which I said to this House would be ready with a general statement in January. Now this represents a total approach to health care in this province against which all these things must then be put in perspective.

**Mr. MacDonald:** Are you talking about the committee on healing arts?

**Hon. Mr. Wells:** No, I am talking about the council on health. This is not the committee on the healing arts. The committee on

the healing arts has prepared basically by bringing in recommendations about the various professional groups, and their licensing, and regulations and their relationship. In fact, the very things that the hon. member was talking about—relationships, for instance, with the council of nurses, and the various councils of the healing arts, the chiropractic councils, and so forth.

But this is the council on health—dealing with the whole broad spectrum of health services in this province. Out of this, we think will come a plan against which can be placed all these programmes.

Our view is that you just do not do these things. You do not just take isolated things, and say you add this, and you do this and you do this. You look at it, and you do this in the total context. I think that a good point to be made here is, for instance—and I am sure the hon. member for York South realizes that the approach is not as simple, or “simplistic”—as the member for Sudbury would say—as just saying you include nursing homes under OHSC.

It has to be related to the total, not to the cost, but to the total picture—to the number of acute beds and to the moving of patients from acute beds to convalescent beds, to nursing home, to home care. And there has got to be a total policy worked out so that you just do not add costs at one end. Because I am firmly convinced that, with a total approach in a total programme, we can do these kinds of things without really adding much cost, with better utilization of all the facilities in the community. And this is the kind of thing we are looking for.

In this very regard, there is a Cabinet committee presently working very actively in developing this approach to the nursing home problem, and I hope we will have an answer to that very soon. That is one area that is being looked at in that total approach manner. Not just as a question of adding it as another benefit, because that is not the answer.

I say this because I just want the House to know that the department, and the council on health, which represents all those people in the province who have to do with total health picture, are working on a plan for this province. I am hopeful that as we get that plan, we can then fit these other components, and take those that are of highest priority, and work towards—as we all want to do—the best health care for this province.

Mr. Chairman: Shall vote 801 carry? The hon. member for High Park.

Mr. Shulman: Mr. Chairman, last night one of the members—I think it was the member for Humber—spoke of the new pharmacy drug plan which was presumably to lower the cost of drugs. I hold in my hand the minutes of the meeting of the Council of the Ontario College of Pharmacy for April 14, 15 and 16, 1969, and there is something in here I wish to draw to the attention of the Minister, because it is of great importance.

Moved by D. L. McInnes, seconded by W. R. Foltas that council approve the seeking of an amendment to the Act which would give the Council of the Ontario College of Pharmacy, subject to the approval of the Lieutenant-Governor-in-Council, power to make regulations defining improper conduct in a professional respect for the purposes of the Act.

It sounds quite innocuous, but let me warn the Minister now of the reason for this, and what the meaning is behind it. The purpose of this will eventually result in higher prices for drugs. Let me urge you now: Do not pass this amendment. I will read the next paragraph, that will explain everything:

“Speaking to the motion, Mr. McInnes explained the motion was part of a two-pronged attack which was planned to make on (1)—” which is irrelevant, and—“(2) advertising in the province”. And it goes on: “This will allow the college to take action in the matter of advertising.”

In the discussion that followed, the whole point of it was: “We will be able to crack down on places like Vanguard Pharmacy and other cutrate drug stores that are advertising low prices.”

If you allow this amendment to pass, if you bring in this amendment in the House, you will have higher drug prices in this province. Let me strongly urge you: Resist.

Hon. Mr. Wells: I thank the hon. member for drawing this to our attention. I am quite aware, you know, of what is going on within that profession. I know that there are two sides to the thing. On one side are those who want to advertise as they do. There are others who want to have the same kind of regulations that the other professions have, so that they can control it in a very professional manner. Now, as far as I am concerned, I have not had any new regulations or amendments to the Act presented to me as Minister yet. They may have been working

with our department on it, but they have not been presented yet. They will all have to come to us, and we will be looking at them very carefully.

Mr. Shulman: Well, let me warn you that you are apparently unaware that someone in your department has promised this group that they will get this amendment. If they get the amendment you are going to find before election day that drug prices are going to be higher in this province than they were at the time you went into office. So you have been warned.

One other brief matter on this vote, Mr. Chairman. I want to draw to the Minister's attention a model bill which has been drawn up by the council of state in the United States for a birth defect institute. This is a bill which I would like to have introduced here as a private bill, but I could not because it involved the expenditure of funds.

I would ask the Minister to get a copy of this bill because this is a great thing, and it is being done in a number of the American states. It has not yet been done in any provinces in Canada, and we would do well to lead in this particular field.

It has a number of points in it, but basically it is for the conducting of scientific investigations and surveys of the causes, mortality and methods of treatment, prevention and cure of birth defects. This is an area which is relatively untouched in the medical field. It would cost very little money, surprisingly little. I commend it to the Minister, and I tell you, if you bring in this particular bill, you will be remembered many years after all your other foibles, both good and bad, have been forgotten.

Hon. Mr. Wells: Mr. Chairman, I would be happy to see that bill. It might just fit into the study that this group on perinatal deaths is doing, and they might take a look at it in their work.

Mr. Chairman: Shall vote 801 carry? The hon. member for Scarborough Centre.

Mrs. M. Renwick: A question of the Minister. Would he please table the names of the Ontario Council of Health, and the areas that they have been pursuing in the last year and a half?

Hon. Mr. Wells: Do you wish me to read them into the record now, or would you just like to have them?

Mrs. M. Renwick: We just need to have it.

**Mr. Shulman:** Just send it across.

**Mrs. M. Renwick:** I would like it put in the record, but not necessarily read in the House, Mr. Chairman. How is that arranged?

**Hon. Mr. Wells:** Well, I can read them quickly. I do not have the—did you say you wanted the background?

**Mrs. M. Renwick:** The areas in which they have been working in the last year and a half. You said they had been working in several areas. Just give us a rough description of the areas in which they have been working.

**Hon. Mr. Wells:** I will give you the names of the members: K. C. Charron, MD, Deputy Minister of Health, chairman of council; S. W. Martin, FCIS, FACHA, chairman, Ontario Hospital Services Commission; Miss C. Aikin, RN, BA, BN, MA, London; R. M. Anderson, BA, MD, CM, Kingston; R. Auld, Toronto; E. H. Botterell, OBE, MD, FRCS(C), Kingston; W. J. Dunn, DDS, London; Mrs. J. P. Forrester, BA, Belleville (appointed June, 1968); Rev. R. Guindon, OMI, BA, BPh, LPh, STB, STL, STD, Ottawa; G. E. Hall, MSA, MD, PhD, DSc, LLD, FRCS, Orillia; Oswald Hall, BA, MA, PhD, Toronto; T. L. Jones, DVM, MSc, DMV, Guelph; J. D. Lovering, MD, Toronto (appointed June, 1968); R. I. MacDonald, BA, MD, CM, FRCP (London), FRCP(C), FACP, Toronto; J. F. Mustard, MD, PhD, Hamilton; G. W. Phelps, BSc, Orillia; H. Simon, Toronto; Mrs. R. E. Smart, Brockville (resigned April, 1968); F. A. Wilson, PhmB, Hamilton; W. F. J. Anderson, BA, MPH, executive secretary.

The committees that these people have been working on are: the committee on priorities and phasing, the committee on health manpower, the committee on education and the health disciplines, committee on physical resources, the committee on regional organization of health services, the committee on health research, the committee on health statistics, the committee on library services, the committee on certain health services requiring special attention. These are people who sit on the main Ontario Council of Health, of course. There are many others who come on these committees. They will be on one of these committees and other people are co-opted to work on each of these special committees.

**Mr. Chairman:** Shall vote 801 carry?

**Mr. Nixon:** Mr. Chairman—

**Hon. Mr. Wells:** Mr. Chairman, I would say that there are at least 200 people working on the whole process.

**Mr. Chairman:** The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, the Minister has not given much of a report of the meeting of the federal-provincial conference last week, but one of the things that did come out as a news item was that John Munro is going to undertake a committee on nutrition for Canada and I understand that there is going to be research made in each of the provinces as to the level of nutrition.

This sounds like a fairly pedestrian approach to the matter until we realize what a similar committee in the United States turned up about three years ago. Unfortunately it often happens that we are two or three years behind them, perhaps longer, in realizing what problems we do face and the Minister, no doubt, is aware that as a result of the research in the United States, programmes to improve the nutritional level of large areas—geographic areas and groups in the population—have been undertaken, with moderate success, particularly among those who literally were starving to death, either through ignorance of basic nutritional facts or simply through poverty. Is the Minister going to take a specific role in this research in the province or will it be done exclusively by the federal department? If he is going to be involved in it, surely the emphasis would have to come in some of those communities in the heart of our major centres and also in the northern Indian communities, particularly.

There, I personally am positive that the results would indicate the same thing that has been turned up in some American communities—a startling level of malnutrition which could be corrected if a co-ordinated policy of this government, or the federal government, made use of some of the food surpluses that are presently waiting to find suitable sales. I think particularly of the surpluses of powdered milk that are available, which could be put at the disposal of these people if we find that, in fact, they are suffering from malnutrition. This would be an appropriate project for this government, or this government in conjunction with the government of Canada.

Programmes to combat poverty are important, but if we were to determine that the problem is as acute as it might be and as it has shown to be in some other somewhat similar jurisdictions, then I would suggest that

we should be gearing ourselves to using public funds to improve the nutritional level, in certain areas of this province, of groups in our community.

**Hon. Mr. Wells:** I thank the hon. leader of the Opposition for those comments. We, of course, will be co-operating very actively with the study. This is why it was announced and we discussed it at our federal-provincial meeting. In many of the undertakings, the survey will be done in this province. I understand that the survey that they are going to do is scheduled to begin in October 1970, and carry over a two-year period. The Ontario survey will take place in the winter season of 1970-71. But, I think I would agree with the leader of the Opposition. This, of course, is helpful and it is a good thing to have this survey done, but that will not stop our efforts in this whole area of going ahead either; the efforts of our department to find out and to assist in the whole field of nutrition in various areas of this province. I think that the need for this survey was amply demonstrated and supported by the Federal Minister at our meeting and we are happy to co-operate with them in it.

Vote 801 agreed to.

On vote 802:

**Mr. Chairman:** I believe it was decided earlier to explore this programme by the various activities. So, under the first activity, programme administration, the operation of schools for registered nursing assistants. Anything on that particular activity?

**Mr. Ben:** Yes, Mr. Chairman. At this juncture, I want to say a few words about the qualified nurse and how we misuse her services in Ontario. It seems to me that we forget the nurse is a true professional, and we ought to pay her like a professional and we ought to treat her the way business treats all its high-priced help, by not letting her waste her time on menial chores that can be done by nursing aides, or assistants.

I was reading Yvonne Crittenden's interesting report in the Toronto *Telegram* last Friday in which she tells how fulfilling the work of the registered nursing assistant is for older people like widows and grandmothers, who have the qualities necessary to give unskilled, but tender care and love to patients. These people find real satisfaction in a job which is reasonably well paid and it is clear that we have to do a big job of advertising if this second career does, in fact, exist for suitable people.

I think, also, that we have to make a special effort to recruit nursing orderlies of both sexes to take the burden of the chores from the qualified nurses. Then as soon as it can be done, and I realize it may take five, six or seven years before it is possible, we have to start putting the pressure on nurses to obtain full degrees.

The ambitious plan announced in 1965 by the then Minister of Health to have 5,000 new nurses by 1970 has fallen short of its target and the present enrolment indicated that there is no way that target can now be met. The answer, as I see it, is to couple greater status with more pay and make nursing a real profession. For example: Are we still in the two-years-plus-one transitional stage where the nurse must slave for the third year on a fraction of her eventual pay just so that the province can recoup some of the cost of training?

**Hon. Mr. Wells:** I just might point out that a lot of this discussion comes under the Ontario Hospital Services Commission vote. Unfortunately, we do not even have the staff from that commission here with us this morning. A lot of these training programmes, and hospital matters—however, there is a section. Certainly part of nursing pertains to this vote.

**Mr. Chairman:** Registered nursing assistance.

**Mr. Ben:** I thought it was registered nursing assistants?

**Hon. Mr. Wells:** Yes.

**Mr. Chairman:** General nursing comes under the other vote.

**Mr. Ben:** Oh, yes, that is right. The course would have to tie in, too, why you need—

**Hon. Mr. Wells:** The course for nursing assistants.

**Mr. Ben:** Perhaps they should have been together, I agree, but unless we want to discuss that here—

**Mr. Chairman:** Just the registered nursing assistants part of it, if you could wait until the proper staff is here. If it is general nursing training then it should come under the later vote.

**Mr. Ben:** I do not think you can, Mr. Chairman. If you brought in registered nursing assistants because we could not get registered nurses, you have to tie in the two occupations. One works with the other.



**Mr. Chairman:** It is not that. I do not know much about it.

**Mr. Ben:** I am convinced that the large turnover among Ontario nurses has a good deal to do with the small-mindedness of—

**Hon. Mr. Wells:** Mr. Chairman, the hon. member is in order if he is talking about the training programme. There is a section of this vote for the programme run by our department directly, and that is the schools and they are in here in this vote.

**Mr. Chairman:** If it is general nursing, you could.

**Mr. Lewis:** An ominous portent passes through the gallery, Mr. Chairman.

**Mr. Chairman:** General nursing, as I understand it, is different from nursing assistants.

**Mr. Ben:** I understand the difference, Mr. Chairman, but, pray tell me, how can you discuss the function of one without referring to the function of the other? After all, we got registered nursing assistants because we did not have enough registered nurses. We got in registered nursing assistants to do some of the jobs which we discussed earlier as having been—

**Mr. Chairman:** Carry on with your remarks, Mr. Minister—

**Mr. Ben:** Well, why interrupt me when obviously you cannot divorce the two?

**Mr. Chairman:** Will you carry on please. Thank you.

**Mr. Ben:** Good grief.

**Mr. J. E. Stokes (Thunder Bay):** Come on, let us not waste time.

**Mr. Ben:** It is getting beyond belief. I am convinced the large turnover among Ontario nurses has a good deal to do with the small-mindedness of our hospital administration as a whole.

**Mr. Shulman:** Order. You are out of order.

**Mr. Ben:** Granted there are exceptions, but by and large, your Canadian hospital administrator is one of a kind. No wonder the brain drain has reached down to the nursing profession—and the nursing profession includes registered nursing assistants.

Anyone these days who is treated as though this was still the Crimean War and every girl Florence Nightingale, is not going to stomach it. The next thing after graduation

will see the spirited girl chasing after the sun and adventure and romance and a better climate, not only in a meteorological sense but also the climate of human relations. So I say, let us treat all our nurses or registered nursing assistants like the professionals they are.

Let us not fight over every penny of their remuneration but let us reward them generously. In return, we can then expect professional pride, competence and the realization that there is a worthwhile career to build in Ontario. At least we ought to try it. I suggest the reason we have to have registered nursing assistants is because we ran out of nurses, because they were doing, as even the Minister admitted, menial tasks. He stated that this is being tied up, and "hallelujah" is all I can say. The fact is that there are still many of them having to do menial tasks.

I spent 14 days observing the operation of a ward in the hospital with a ringside seat. In fact, some of the things that they have to do were demeaning. There was a complete waste of talent. For example, registered nurses were required to make the beds of non-ambulatory patients. Do not ask me why. Ordinary staff, not even nursing aides, were making the beds of ambulatory patients. But if the powers that be were not notified that patient "A" was now ambulatory, the staff that came in would make all the beds in that ward except the bed of that ambulatory patient even though he was not in it. You asked them, "Why do you not make that bed?" They said, "Our instructions are that this bed has to be made by a nurse".

Now, Mr. Chairman, I am not saying that that is the case in every hospital but it does indicate a very, very big breakdown of communication. Surely, surely nursing assistants could make those beds and surely there should be better communication. Since obviously you are not going to get your 5,000 nurses, what you have to do is really expand the registered nursing assistants programme and you have to drive after older people to come into this programme. Not only older people, but the males also.

This is the important thing. Everybody seems to have a stereotype of what a nurse or nursing assistant is. They think a student nurse or nursing assistant is some young girl fresh out of high school. There are many others in higher age brackets that can do these tasks which we assign to nursing assistants, not even just as well as, but even better than the younger ones. They are more mature, they stop to think, they have more

patience, more understanding. I suggest, Mr. Chairman, to the Minister, that these training schools should look for their nursing assistants among the 40-year-olds and up. I think they would find a great number of them there and they would really cut down on the cost of operating a hospital.

Since we are under this, are we not going to be discussing special health services here, Mr. Chairman, under this item?

**Mr. Chairman:** Just for a few moments.

**Mr. Ben:** Just for a few moments? All right.

**Mr. Chairman:** Is there anything else under the first part of vote 802, administration and the registered nursing assistants? Any comment from the Minister before we move on?

**Mrs. M. Renwick:** Mr. Chairman, a point of clarification: Are you dealing item by item under—

**Mr. Chairman:** This was what was decided last evening, I understand. Yes.

**Mrs. M. Renwick:** What item did you just ask about?

**Mr. Chairman:** We have been discussing the programme of administration, the operation of schools for registered nursing assistants, top of page 75.

Is the Minister going to reply to the last speaker?

**Hon. Mr. Wells:** Yes, if there are no other comments on this programme. Of course, I am happy to have the comments of the hon. member. As I told him yesterday, you can go into any hospital in this province and you will find certain things, approve certain points and so forth. We are certainly working towards the proper position of having the total health stream with certain defined responsibilities, the registered nurses doing the jobs for which they are professionally trained, and very well trained; the registered nursing assistants fitting into their picture, and others who are doing orderly assistants' jobs, the technicians' job, and so forth.

Now, our programme here, Mr. Chairman, in this vote covers the registered nursing assistants schools which we operate directly. About 43 to 44 per cent of the registered nursing assistants that are graduated in this province come from the schools that are operated in this programme, which runs for 35 weeks. We think it is a very effective programme.

Incidentally, I think in our six schools there are about 197—just for the information of the hon. member—that are over 26 years of age. I have noticed from going to some of these graduates, that there are in fact, a lot of people coming in as registered nursing assistants, women who have decided to come out and take part in the community in another career. They have taken this particular avenue and this course. Unless the members have any other questions, I do not think there is anything else on that, Mr. Chairman.

**Mr. Chairman:** Programme of administration carried? Special health services then. The member for Thunder Bay.

**Mr. Stokes:** Mr. Chairman, before I get into the remarks that I would like to make under special health services, I would like to know whether this particular item covers the health services provided by the northern Ontario health service operation. I am referring to the district health units and the provision of mobile dental clinics for the people of northern Ontario.

**Hon. Mr. Wells:** Mr. Chairman, the last item is under local health services.

**Mr. Chairman:** Anything under the special health services which are listed on page 75? The member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister about the committee that he has assigned for venereal disease control.

**Hon. Mr. Wells:** What would the hon. member like to know about it?

**Mrs. M. Renwick:** I would like to know about the committee, what it is doing, where it is doing it? Who is on that committee? Was it recently formed? I would like to know what has happened since recent facts have come out about the increase in venereal disease in the province of Ontario.

**Hon. Mr. Wells:** Mr. Chairman, in following the guidelines which the leader of the New Democratic Party put before us, rather than repeat all this again—I said all this yesterday in my opening remarks. I outlined what I felt about this, I named the committee and told you their guidelines, and they are now going forward.

If the House would like me to repeat it all, I will be happy, Mr. Chairman, but if the hon. member looks in *Hansard* of yesterday—I named the committee, I told you what

their guidelines were, and I told you why we were doing this, and so forth.

**Mrs. M. Renwick:** I guess, Mr. Chairman, what I really wanted to know is exactly what they are doing. The guidelines, of course, are probably something which depend on how well they are followed and how widely they are expended. That makes the difference.

**Hon. Mr. Wells:** Well, Mr. Chairman, of course the guidelines will be followed. The committee has just been named in the last couple of weeks. They have not had a meeting yet, but they are going to be meeting soon, the hon. member will see that it includes a good cross-section of people who are widely interested in this field, including a doctor who appeared before your committee to talk about this problem and who has agreed to take part on that task force, Dr. Keyl, I think.

**Mrs. M. Renwick:** Could I ask the Minister, Mr. Chairman, briefly, is this what prompted the committee being formed or the appearance of Dr. Anna Keyl before the health committee?

**Hon. Mr. Wells:** No, no, it was not, Mr. Speaker. As a matter of fact, I had the memo for my consideration on this, much before that matter came up in this House, or before Dr. Keyl appeared before the committee.

There were recommendations made in the past year by the Ontario Public Health Association, and indeed I think parts of the Ontario Medical Association, that suggested to us that they were aware of the kinds of problems that we had pointed out, and I think that the hon. member for Scarborough Centre pointed out.

It is quite obvious, for instance, apart from the methods of treatment in the kind of drugs that we are providing, that the method of notification—as I pointed out in my statement, we are not being notified about a lot of cases, for many various reasons.

The hon. member mentioned a suggestion in the House, I think a few weeks ago, about perhaps we should consider identifying by number rather than by name and things like this. Well, it was a medical association which made this known to us over the past year, and these kinds of things prompted the setting up of this committee to look into it and find out what is the best way.

A task force like this really has a two-fold purpose, and I realize that it is always very easy from one side to criticize setting up

task forces all the time. But you know, apart from the recommendations that they present, they serve a very useful educational purpose. Because the various groups who are on them, and are represented on them, share together their concerns about the problem.

They see the other person's side, and sometimes out of that comes an appreciation of what should be done. And they are ready to accept the recommendations when they come along. That is why it is very nice to involve all these groups who are not members of our department, in the evolving of a new venereal disease control programme in this province.

Mr. Chairman, that is exactly what we are doing, and I am hopeful that out of this will come some improvements—and some real improvements—in the way that we are handling the whole programme, because we have got to. The hon. member knows that the incidence has been rising in this province, and we have got to come to grips with the problem.

I am told that the first meeting of the task force will be at 9.30 on December 3.

**Mrs. M. Renwick:** Mr. Chairman, would the Minister survey the doctors in the province of Ontario, as has been done in other countries wanting to bring in better reporting to The Department of Public Health?

Will he survey doctors most likely to be treating venereal diseases, twice a year, and general practising physicians once a year? It would appear that what is happening is they are not reporting the way they should be reporting, and they are not going to do so unless this department gets right out at the doctors' level and instigates that wish to report.

It would, of course, require that the Minister would have to set up a VD reporting centre. That should not be too difficult. And make certain that the doctors report.

When the OMA talked about the things that it would like to see, as recently reported in the *Ontario Medical Review* of July 1969, it asked:

That the present venereal disease report be simplified, to encourage complete reporting; that the OMA recommend all persons infected with venereal diseases be interviewed by the physician, or the public health authority, with his permission to obtain the names of contacts; that the reports of positive serologies and positive gonococcal specimens be followed up as in above, to obtain better reporting in

cases and of contacts; that the OMA cooperate with The Department of Health in conducting a survey of all physicians in Ontario, in an attempt to determine the true incidence of a venereal disease; that a tabulated schedule of up-to-date approved treatment, as described in Dr. F. R. Manuel's paper, "Gonorrhoea today, a résumé of epidemiology diagnosis and treatment," Ontario Medical Review of February 1969, be furnished to the emergency and out-patient departments of all hospitals and all doctors' offices.

Mr. Chairman, the Minister of Health is new, we realize this, but the problems of venereology in Ontario is not. I have journals here dated right back to 1962, 1963 and 1964, where pressure has been placed on The Department of Public Health to do something about the increases in venereal diseases.

I would say to the Minister: Will he undertake to follow at least the request of such a body as the Ontario Medical Association, and get right out over the problems within his own department, and take those requests and institute them in the province of Ontario, because the doctors who want those programmes instituted are desperate?

Hon. Mr. Wells: To sort of accept these suggestions—which are some of many that have been made—while this task force is going to work would not, I do not think, be very prudent on my part.

The setting up of this task force, and the fact that I want to get a new and definitive programme in this area, was motivated partly by those comments of the Ontario Medical Association and their request that we do something about this. As I pointed out to the public health association, they may be valid from the medical point of view. The public health people, however, may have some modifications.

As I said, we are trying to get them all together, so that out of the task force will come recommendations in which all have participated. All will have taken part in an educational process of getting the best methods. For me to do something unilaterally would not, I think, be right at this time. I do not know what more I can do, Mr. Chairman, for the hon. member.

I have expressed my own concern, as I told the hon. members before in this House. I worked for a year in the venereal disease control branch of this department, back in 1949, so I was aware of the kind of things that were—

Mr. Lewis: You know, you are the Horatio Alger of venereal diseases?

Hon. Mr. Wells: In fact, I worked for one of the gentlemen who is sitting in front of me here, Mr. Nichols, in those days.

Mr. Lewis: I do not know what that says for him.

Hon. Mr. Wells: All I can say is that he has done very well since then. I do not know about me. But I am well aware of many of these things, these problems that are concerned with reporting, and many other things associated with this problem. That is why we are having these people come in. We think that we have got some of the best people here. Let us get them going on it, rather than us trying to decide whether the answer is right here at this point.

Mrs. M. Renwick: Mr. Chairman, I would say, with all due respect to the Minister, that the plight of the doctors at this point, is desperate and the things that they are asking for, are reasonable requests.

For years and years, the department under the Minister has known of this problem, but there has not been the kind of action that now brings this *tour-de-force* from the Ontario Medical Association. The medical association has asked simply that you do get the reporting. That you do not continue any longer with this haphazard manner of having some physicians reporting, some not; some reporting 11 per cent of what they really see, and so on. They are asking that you make a non-identifiable process for reporting which might help the physician to report more easily to you.

They are asking for something like a number for identification purposes. There are clinics in some parts of the world at which women who are possibly infected but do not have any apparent symptoms of gonorrhoea can go and be examined, yet not written into any medical record whatsoever.

If the Minister wants to have a conversation with his staff, I will sit down and wait while he finishes the conversation, Mr. Chairman.

Hon. Mr. Wells: Carry on. I have to chat with my officials.

Hon. A. F. Lawrence (Minister of Mines): Has the hon. member for Scarborough Centre never talked when someone else was making a speech in the Legislature?

Mrs. M. Renwick: Mr. Chairman, I would not talk if I were the Minister of Health, and someone was trying to speak to me about the problems in Ontario.

Mr. Chairman, as far back as 1963, a national survey of treatments was carried out in the United States, similar to the one that the doctors in Ontario are asking for now. The dramatic decrease in reported cases from 1947 to 1957 was a success story in the field of public health against venereal disease. And then doctors in the United States, Mr. Chairman, became as concerned as the doctors are in the OMA in Ontario that they were not getting true reports from the medical profession—from their own people, from their own profession.

They are asking that a survey be made, and I would say to the Minister that he might well consider the type of survey that is reported here in this national survey of venereal disease in JAMA—the *Journal of the American Medical Association* October 5, 1963. Because at the same time, Mr. Chairman, in Ontario, in 1964, in our own *Canadian Journal of Public Health*, February, 1964, there appeared an article "The Resurgence of Venereal Diseases." This is not something that the Minister can sort of pretend became suddenly important in the last little while.

In a survey in the United States, the task force committee was particularly disturbed by the fact that effective techniques of control and therapy to stop the spread of syphilis were available, but not applied widely enough. The committee recommended that an intensive effort be inaugurated to enlist private physicians in a syphilis control effort, and that health departments foster the establishment of a full partnership with private medicine. The task force specifically recommended that at least two visits per year by a qualified health worker be made to the 100,000 general practitioners in the U.S. and one visit per year be made to the remaining 130,000 physicians. During these visits the importance of case reporting and the need for adequate interviewing of infectious patients for sex contact were to be stressed. A necessary first step in carrying out the recommendation of the task force was to ascertain how many physicians encountered syphilis and gonorrhoea in their private practice and how many cases they diagnosed and treated during a given period. To answer those questions, the American Social Health Association, through co-operation with the AMA, the American Osteopathic Association and the National Medical Society conducted

a mail survey—"mail" being m-a-i-l, Mr. Chairman—of all physicians in general practice and in medical specialties in the United States. The survey questionnaire was a brief three-question form, requesting the number of new cases, of primary or secondary syphilis, of other stages of syphilis, of gonorrhoea treated in the three-month period from April 1 to June 30, 1962. The specialty of the physician was also requested. They did the same thing in 1962 with a questionnaire mailed to 184,500 physicians, 172,000 medical physicians and 12,500 osteopaths. With a follow-up questionnaire and replies to those letters, the total response to those letters was an amazing rate of 71 per cent. I would feel, Mr. Chairman, that until this Minister gets some sort of personal contact with the physicians in Ontario, we are not going to get a 71 per cent report back from physicians. We are getting reports back that when the doctors speak about them publicly, they speak about them in a way that they cannot even use the figures that they are having to quote from in the Minister's own department.

Mr. Chairman, I would like to come back up to 1969 in the *Ontario Medical Review* where F. Russell Manuel, MD, DPH, DTM & H (Eng.), who was on the staff of the Minister's department at this time, gave a résumé of epidemiology diagnosis and treatment. And his introduction began—and I will make it very brief, Mr. Chairman:

—that worldwide increase in the reported cases of gonorrhoea has been observed in the past few years. This increase has also been seen in Ontario. Some physicians working in the field of VD control feel that with the present tools we can do very little to control the spread of gonorrhoea. Today we hope to demonstrate, by concentrating our efforts on certain aspects of the gonorrhoea problem, we can at least halt the present increase in cases and possibly make some headway in reducing the number of cases.

But he winds this introduction up, Mr. Chairman, by saying:

We would, however, agree that any talk of eradicating gonorrhoea using our present tools is premature.

Dr. Manuel was addressing the OMA in Toronto on May 8, 1968, when he presented this paper and at that time he was the medical officer in charge of venereal disease control section, epidemiology service, Ontario Department of Health.

I would like to ask the Minister, where is Dr. Manuel now?

**Hon. Mr. Wells:** He is at the University of the British West Indies on an exchange programme.

**Mrs. M. Renwick:** Had he been here for some time? Is it likely he might return?

**Hon. Mr. Wells:** He is on a two-year leave. We are expecting that he may return, yes.

**Mr. Lewis:** Was he the public health man and the MOH in one of the counties?

**Hon. Mr. Wells:** Yes, he was the medical officer of health in Owen Sound.

**Mr. Lewis:** Yes, a superb fellow, as I recall him.

**Hon. Mr. Wells:** He is an old friend of mine. We went to the same church together when we were kids.

**Mr. Lewis:** I was not trying to cast aspersions on the Minister's character.

**Hon. Mr. Grossman:** Apparently not an atheist.

**Mrs. M. Renwick:** Well, Mr. Chairman, Dr. Manuel spoke about statistics and he said:

Statistically, the incidence of gonorrhoea may be hidden because an apparently high incidence of reported cases may indicate either many cases, or good reporting of a moderate number of cases. On the contrary, a low reported incidence may indicate few cases or poor reporting. For example, in 1967, the reported cases of gonorrhoea per 100,000 in some areas of Canada were as follows: Maritimes, 65; Quebec, 56; Ontario, 49; Prairies, 242; British Columbia, 245.

And beside those figures in Dr. Manuel's address is written:

The apparent low rate for Ontario most likely represents poor reporting and not fewer cases of gonorrhoea.

**Mr. Chairman,** I would say to the Minister that some of this may be new to the Minister, but this is certainly not new to the doctors who are in the public health department, in the department of venereal disease control.

**Hon. Mr. Wells:** On a point of order, Mr. Chairman, may I ask the hon. member, did she hear my remarks yesterday?

**Mr. Ben:** She was not here. She did not hear the Minister.

**Hon. Mr. Wells:** If she was not here yesterday, I said exactly those words, that I

realized there was not good reporting. I do not know how many times I have to say it.

**Mrs. M. Renwick:** Mr. Chairman, I was here yesterday, I listened to the remarks. I did not feel his remarks had any teeth in them whatsoever regarding the serious problem of venereal disease control. I felt that the proposed committee is simply another stall over the number of years that this sort of thing has been pressured from outside. You can go back very briefly, Mr. Chairman, to this Minister's predecessor saying years ago—the member for Ontario, June, 1966, from the *Ontario Medical Review*, published by the OMA, page 468:

Following criticism of the poor reporting of venereal disease by the province's doctors, Dr. M. B. Dymond, Minister of Health, told the Legislature that his department would consider the feasibility of using the cluster method of reporting, for which physicians would report VD cases and contacts directly to the medical officer of health rather than to the provincial department.

What about that, then, Mr. Minister? Let us go back to June 1966. You have taken over the reins from someone who said in 1966 that he recognized that there was a problem. We cannot see what you are going to do when we cannot see what he did. Would you mind telling us how different your approach to this problem is going to be from the approach of the former Minister? Did he ever go into the cluster method of reporting, reporting in areas, or reporting to local MOHs? Is there an onus on private doctors to follow up contacts of cases? What happens to the contacts of a case that a private doctor treats and has no knowledge or does not want any knowledge, does not want to bring in—and in some areas people are brought in by law—does not want to bring in people who have been contacts? Where did the former Minister go from his statement?

**Hon. Mr. Wells:** Mr. Chairman, I am not sure what he did in those matters. I know that in my statement yesterday I dealt with this matter. I said up to the present time, it appeared that central reporting was the best way because there were certain problems that arose in the cluster reporting method. If the contacts were in different municipalities, it entailed certain co-operative efforts that perhaps did not always work out. There were advantages and disadvantages to both methods but I just cannot seem to get across to the

hon. member that I have been in this portfolio for about three months now. I am concerned about this problem and I have indicated what we are going to do and we have some of the best people in this province on that committee—people like Anna Keyl and others. If they cannot come up with a new system for us that we can put in—I think really that we have stated the problem and we are just repeating and repeating in this House. I think there are other matters that perhaps we would like to get on and talk about.

**Mrs. M. Renwick:** I was listening to the Minister's address very closely, I believed, but also I did not hear the names of the committee. Would the Minister quickly run over the names of that committee?

**Hon. Mr. Wells:** Mr. Chairman, they are in *Hansard* but for the benefit of the member I will read them over. I said the task force was composed of individuals with expert knowledge and experience in various aspects of venereal disease and they represent those groups with particular interest in involvement, and indeed the Ontario Medical Association and the Ontario Public Health Association were asked to name people. Dr. Frank Adderley, GP, Scarborough; Dr. Harry Brown, GP, Sarnia; Dr. Anna Keyl, clinic director, Toronto; Miss Ella Beardmore, director of public health nursing, Scarborough; Dr. W. T. R. Linton, dermatologist, Toronto; Dr. G. W. Moss, associate medical officer of health, Toronto; Dr. W. E. Page, medical officer of health, Brantford; Dr. Charles Boden, GP, Toronto; and the chairman of the committee is Dr. J. Stewart Bell, the chief of our epidemiology service.

**Hon. Mr. Grossman:** The hon. member for Humber was given a hard time for repetition.

**Mr. Ben:** That is right. I was given a hard time.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister—

Interjections by hon. members.

**Mr. Chairman:** Order, please. Would the member for Scarborough Centre please complete her presentation?

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister under the present system, what onus is placed on medical doctors to report contacts of the patient whom they treat?

**Mr. Ben:** Pride cometh before a fall.

**Hon. Mr. Wells:** Under The Venereal Disease Prevention Act, he is required to report contacts. I might also tell the hon. member that members of the department's staff have been calling on doctors in this province for the past 25 years acquainting them with the programme and encouraging them to report.

**Mrs. M. Renwick:** Mr. Chairman, I would ask how many doctors these people have called?

**Hon. Mr. Wells:** I would not have that statistic here, Mr. Chairman.

**Mrs. M. Renwick:** Would the Minister undertake to get that statistic because this is where this department is falling down on the whole problem, Mr. Chairman. It is that we are not getting the facts from the department of public health. If the Minister can say that doctors have visited physicians with this in mind—of acquainting them with their need, the need of the department of public health, to have these statistics, and to have these contacts given to them, so that The Department of Health can even go out after the contacts—and if the private physician does not wish to do so, then the Minister, I would say, must be able to tell us how many doctors these people have been calling on. It is not good enough for the Minister's department to say: "We have been calling on doctors in Ontario." They could mean six doctors.

**Hon. Mr. Wells:** They have been making regular calls in the province over the years to acquaint them with what they should do under this programme, to make available the literature to them and so forth. As I said earlier, though, Mr. Chairman, the point of this committee is that the task force has got to bring them on. There are certain reasons why some of them do not want to report and this is what we have got to get at, and this is what we are going to get at through this process, and when maybe they realize some of these problems and we come to grips with a new method of reporting, we will get better reporting. Indeed, we have to, and this is what the task force is going to do. But I do not think I can emphasize more strongly—I cannot seem to convince the member—that action is being taken.

I might also say that I recall signing, and I cannot remember the exact details, a research grant under our public health research programme, for a study—I think at

the University of Waterloo, although I cannot recall that for sure—where a group is setting up a computer system approach to the treatment and the reporting and the methods of venereal disease control into which new methods of control can be put, to test their effectiveness. This, of course, is an on-going thing of using the new technological systems that are available and putting them to work in the public health field and this, I think, is a very interesting thing. Of course, this task force will be looking at it because this will be a very useful tool for them in their work.

**Mrs. M. Renwick:** Mr. Chairman, I would like to clarify for the Minister that it is not that I have not accepted that something is being done. I have accepted that something is being done, Mr. Chairman, and I am asking the Minister how much—where, with whom, by whom, and most particularly how much is being done. You see, Mr. Chairman, the problem of medical doctors not reporting venereal disease is nothing new. I quote that from a medical journal where the question of the week was “How can medical doctors reporting a venereal disease be improved?” I am trying to read which journal I took this out of. I will have to let the hon. Minister know if he is at all interested and I suspect he is.

Dr. James Scooley, obstetrician, gynecologist, in Fresno, California, said that in California a physician must, according to law, report any case of venereal disease he treats, or is made aware of in a medical capacity. His reports must be submitted to the state health department which, in turn, is committed to track down the person who gave the disease to the doctor's patient.

**Hon. Mr. Wells:** With the indulgence of the House, if we are going to close this part off, because this has to be done today, if the House would agree, I would just like to tell them that we have, over in Room M-258-I of the Macdonald Block, all the samples of the summer and spring clothing that will be used in our mental institutions.

This is a display. I think it is about the third time it has been displayed over there. This is where the people from the various

institutions come in—the purchasing agents and the administrators—and choose the clothing from these samples that are in this room. The question of clothing has been brought up in this House under the other vote a couple of times and I would just like to invite all the members of the House to come over and see the quality, style, colour, and so on, of the various garments that are provided for patients—

**Mrs. M. Renwick:** I will be there.

**Mr. Lewis:** Was your colleague, the Minister of Correctional Services, the cutter?

**Hon. Mr. Wells:** —in hospitals, schools and our facilities for the retarded. The press is welcome to come along. It is in Room M-258-I, which is over in the new block.

**Hon. Mr. Grossman:** If you find it, that is better than I do over there.

**Mrs. M. Renwick:** Mr. Chairman, I relinquished the floor to the Minister because he said he had a statement which had to be read today. I fear for our operation here if it was not read. I presume I still have the floor.

**Mr. Chairman:** Time has run out anyway.

**Mrs. M. Renwick:** It being 1.00 of the clock, Mr. Chairman, I adjourn the debate.

**Mr. Chairman:** Oh, no, no.

**Hon. A. F. Lawrence** moves the committee of supply rise and report a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

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

Report agreed to.

**Hon. A. F. Lawrence** (Minister of Mines) moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.05 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

**OFFICIAL REPORT — DAILY EDITION**

**Second Session of the Twenty-Eighth Legislature**

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**Monday, December 1, 1969**

**Afternoon Session**

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 1, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon in the west gallery we have students from Hermon Public School, in Hermon; and we also have representatives from across Ontario from 18 homes for special care and approved homes under The Mental Health Act.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I have supplementary estimates from the Honourable, the Lieutenant-Governor signed by his own hand.

**Mr. Speaker:** The Honourable, the Lieutenant-Governor, transmits supplementary estimates of certain additional sums required for the services of the province for the year ending March 31, 1970, and recommends them to the legislative assembly. Dated, Toronto, December 1, 1969.

Referred to committee of supply.

Statements by the Ministry.

Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, perhaps this question should be referred to the Minister of Agriculture and Food first, having to do with the report of the standing committee on health with regard to Bill 194.

Is it the Minister's intention to bring a bill forward for second reading even if there are those who feel they have not had a sufficient opportunity to express their views to the committee? If not, would the Minister consider allowing the committee to extend its hearings sufficiently so that all those who wish to put forward their views may have such an opportunity as the Minister undertook to give them even though the bill might then have to be postponed for introduction in the session which we expect will begin in February?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, there are many ways this matter could be handled. I have no idea as to how many people wish to appear before the committee. I have nothing

to do with it. It has been left with the secretary of the committee, I understand, to make the arrangements for any to appear before the committee. As far as I am concerned there is something new to be offered. I think the chairman quite wisely suggested early in the hearings that he and the committee would welcome any new suggestions that might be made but he did not feel that much could be gained, if I interpreted it the right way, in having repetitive presentations made, where nothing new could come out.

This is the situation as far as I am concerned and I have not any idea how many are scheduled to appear at this time.

**Mr. Nixon:** Mr. Speaker, a supplementary question. Even though it appears there is a real shortage of animals for experimental purposes, would the Minister consider the presentation of a new bill in the session in 1970, based on fuller consultation than has been undertaken so far, in an effort to reach agreement among those concerned about the principle and subject matter of the bill the Minister has submitted so far this year?

**Hon. Mr. Stewart:** Mr. Speaker, I am afraid that as far as this bill is concerned we have attempted in every possible means to give as wide consideration as possible to all presentations that have been made, both in the committee as well as in the many letters and briefs that have been submitted to me personally. I can assure you that they have been given very careful consideration.

Basically, there has been very little change in the position that has been taken by various organizations and individuals. I feel that we should, if it is at all possible, pursue this legislation in view of the fact, as my hon. friend, the leader of the Opposition has said, of there being a very serious shortage of animals which has developed in several of the teaching schools, in fact classes have had to be withdrawn.

So, it would seem to me that we should get on with the legislation and try to bring about a correction of these things, and by the same token provide for the very humane care and treatment of the animals so used.

**Mr. Nixon:** A further supplementary question. Has the Minister given any further consideration of a suggestion by the member for Parkdale (Mr. Trotter) that without infringing in any way on the rights of any individual to make a presentation to the committee, that he, the Minister, undertake to speak to the chairman of the delegation representing the medical schools and the chairman of the delegation representing the humane societies, in an effort to perhaps bring this thing to a point where there would be better agreement on all sides?

**Hon. Mr. Stewart:** Mr. Speaker, I am afraid I have missed the suggestion.

**Mr. Nixon:** He made it on Friday, I believe.

**Hon. Mr. Stewart:** I have the copy of *Hansard* before me. I have not read it yet, and if it was made there, I did not understand it. He asked me if I would withdraw the bill. The question asked by the member for Parkdale is outlined here:

In view of the information given to the standing committee on health, would the Minister consider withdrawing Bill 194, and using the Christmas recess to discuss the matter with the contending parties and bring in a new bill?

I did not interpret it in quite that way. I have answered the hon. member, the leader of the Opposition as to my feelings about withdrawing the bill. There have been a very great number of discussions that have taken place between the humane societies and the deans of medicine. Certainly I sat in on several of these discussions myself. I know that some have taken place between them since that time. As far as I know, there has been no basic change in the position that was taken by either party.

**Mr. Nixon:** Mr. Speaker, if I might, and I do not want to pursue this—and you—I am sure you would bring me to order, but is not the hon. Minister aware of the fact that the positions expressed by the two opposing views do appear to be able to be reconciled by someone like the Minister in a position of responsibility before the bill is brought forward?

Is the Minister prepared to confirm that these views can be reconciled and that he, himself, has indicated there will be some change, minor or major, in the bill before it becomes law?

**Hon. Mr. Stewart:** Mr. Speaker, it seems a better time to debate this issue would be when the bill comes up for second reading.

At the present time we have listened with great attention and studied quite carefully the recommendations that have been made for amendments to the bill.

As I indicated earlier, last Friday at least, I could not determine any basic difference in the position by the Ontario Humane Society to the bill. I think when one studies the brief that was submitted last Thursday, in detail, that situation remains very much the same as it has for a number of years. We just do not think it can be reconciled. We just do not think that there will ever be a reconciliation of that position.

Every possible means I know of as to how to reconcile that situation has been dealt with, and apparently it is just not reconcilable, so it would seem to me that the committee on health would have to hear whoever they decide in their wisdom to hear, and then make their own decisions.

Frankly, I have gone as far as I can in doing everything that is humanly possible to provide for the care and welfare of the animals that would be destroyed anyway. However, if we are to do as we were asked to do in the brief that was presented last Thursday, that would simply mean exempting all existing humane societies from the terms of the bill, and then only using animals from municipal pounds for non-survival experimentation or teaching purposes.

That simply emasculates the bill to the place where, in my humble opinion, it is virtually useless other than to regulate animals that would be used in teaching and research institutions. But the problem is this, that while we recognize that regulation should be established by legislation if we possibly can do it, by the same token, we feel that a source of animals must be provided for these teaching and research facilities. If we are to dry up this source of animals completely from the municipal pounds or from the humane society pounds then, in my opinion, we so emasculate the bill that we do not provide a source of animals in any way, shape or form.

**Mr. Speaker:** Is there a supplementary question from some other member on this matter? After that I would suggest that since the committee on health is meeting again tomorrow on this bill, perhaps the leader of the Opposition's question might be better answered then. The member for Grey South.

**Mr. E. A. Winkler (Grey South):** I would like to ask the Minister if he would once more make an appeal to the public, even on

an individual basis, to send in written submissions in this regard so that no one will be precluded from having consideration given to individual positions and these can be considered even though the committee may not be sitting at that time.

**Hon. Mr. Stewart:** Mr. Speaker, I would say that the hon. member's suggestion has considerable merit. I would think that most people already know about the legislation and the hearings that have gone on through the excellent coverage that has been provided by the press. I would doubt very much if there were those who felt that they had anything to contribute to the bill who have not already done so or indicated they so wish to do.

**Mr. Speaker:** Does the hon. leader of the Opposition have another question?

**Mr. Nixon:** Mr. Speaker, I have a question of the Attorney General concerning the charges made by Constable Peter Lott that superior officers in the police force have interfered with prosecutions of prominent businessmen, arrested for impaired driving. Is he considering an investigation from the level of the Attorney General into this matter, or what disposition does he feel should be taken?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, I have not heard of this matter, having just arrived in the office this morning. I will look into it and give the hon. member an answer very shortly.

**Mr. M. Shulman (High Park):** Mr. Speaker, I would like to ask the Attorney General if he would also look into the question of making any hearing public. There is a private hearing going on at the present time; it has been going on for a month, and I think it is quite important to all. Will the Attorney General agree that it is extremely important in the matter of subversion of justice that these matters be made public?

**Hon. Mr. Wishart:** No, Mr. Speaker, I do not agree that in every case this is so. There may be reasons in the public interest why this should not be made public, but generally I would think that the hon. member is correct. Not in every case, however, could I agree.

**Mr. Nixon:** Mr. Speaker, a supplementary question. You usually do not allow supplementaries when the Minister does not answer, but in this case he has undertaken to give some further information. In view of the somewhat disappointing investigation by the

Toronto authorities into the matter pertaining to Mrs. Shirley Hunter, and the other matter pertaining to a Mr. Bennett, in which the Attorney General had indicated to this House that he had felt there should be further investigations, would he not feel, perhaps under his direction—that is, a somewhat more objective point of view—that there should be an examination into the charges made?

**Mr. Speaker:** I would think this question could only be answered when the Minister answers the first question, when he has looked into it.

**Hon. Mr. Wishart:** Mr. Speaker, if I may, I would say when I examine the matter I will answer both the original question and the supplementary.

**Mr. Nixon:** Mr. Speaker, I have a question of the Prime Minister: He has made no announcement as yet to the House as to the agenda for the federal-provincial conference next week. I wonder if he could tell the House if there will be an item under which the possibility of federal assistance to the cities, either direct or through the agency of the province, would be considered?

**Hon. Mr. Robarts:** I do not think there is anything which would deal with that specifically, but there is no doubt, particularly in view of the meeting that is to follow the federal-provincial conference, that discussion will be considered. The tax structure committee, if you recall, previously did the forecasting of all debt—that is, all government debt; municipal, provincial and federal—is working in the same field, and I have no doubt that the situation regarding the municipalities will be covered in its work. That committee is going to meet following the meeting of the conference itself.

While I am on the subject, Mr. Speaker, there will be provision for the leader of the Opposition and the hon. member for York South to attend and sit in on all the meetings next week.

**Mr. Nixon:** As a supplementary, in view of the fact that this matter might come forward for discussion, does the Premier feel that it would be possible, without regard to the constitutional requirements, that federal assistance might be forthcoming directly payable to certain urban agencies rather than payable to the provincial authority and then passed on?

**Hon. Mr. Robarts:** Mr. Speaker, I think we would take the attitude that we would want

payments made to the province in order that all the machinery existing would not be bypassed. I do not think we want to face the situation where the federal government leapfrogs—if I may put it that way—over the provincial government dealing directly with the municipalities, because there are all manner of arrangements and controls between the province and the cities now. I do not think there is any difficulty in working this thing out. I propose to have some representatives of municipal associations in the delegation from the province so that our municipal people will be aware of what is going on. I do not really anticipate any difficulty, but I do not think I would be particularly happy at the thought of the federal government dealing directly with the cities and not coming through the provincial government.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, my first question is of the Prime Minister: In view of the fact that representatives of the homes for special care have been seeking an interview with the government to discuss their problems since last June, without success, would the Prime Minister intervene with the Minister of Health (Mr. Wells), or such other Ministers as he deems appropriate, to give these people a hearing?

**Hon. Mr. Robarts:** Well, yes, I would be quite happy to do that. We see most delegations, most people, who ask to see the government. I do not know just where this particular request is, but I would be happy to look into it.

**Mr. Shulman:** As a supplementary, Mr. Speaker, inasmuch as there are a number of representatives who came from all parts of Ontario to be here today, would it be possible for someone from The Department of Health to see them today?

**Hon. Mr. Robarts:** Well, I am not aware that they are here or why.

**Mr. Shulman:** It was announced by the Speaker.

**Hon. Mr. Robarts:** Perhaps I was thinking of something else where the Speaker listed who was here this afternoon. The Minister of Health is finishing his estimates today. I will see what I can do to arrange that they see somebody if that is what they wish.

**Mr. MacDonald:** I thank the Prime Minister. After six months I am sure that will be appreciated.

**Mr. Speaker:** Order. The hon. member is asking questions.

**Mr. MacDonald:** Thank you, Mr. Speaker. A question of the Minister of Lands and Forests.

In view of the new proposals with respect to the Niagara Parks Commission, could the Minister indicate whether or not consideration of the Parks Integration Board involving the use of redundant land from the Welland Canal will be co-ordinated with this proposed expansion of the Niagara Parks Commission?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, I would say to the hon. member that this matter will be discussed at one of the future meetings of the Parks Integration Board and I will be pleased to keep the hon. member informed.

**Mr. MacDonald:** By way of supplementary question: Could the Minister indicate to me whether the proposed expansion of the Niagara Parks Commission is a topic that the Parks Integration Board has any jurisdiction over, or is the Niagara Parks Commission more or less autonomous? What is the working relationship between these two bodies?

**Hon. Mr. Brunelle:** The Parks Integration Board is a liaison committee. I am just wondering whether the chairman of the Niagara Parks Commission wishes to comment on this matter because he is a lot more conversant than I am.

**Mr. MacDonald:** I will be glad to put the question, if the Speaker will permit, to the hon. member for Haldimand-Norfolk, who is the chairman of the Niagara Parks Commission.

Do the proposals that were announced this morning with regard to expansion of the Niagara Parks Commission involve any consideration of the use of the land in Welland along the Welland Canal, land that is now becoming redundant, in an expanded provincial park set-up?

**Mr. J. N. Allan (Haldimand-Norfolk):** Mr. Speaker, the answer would be no. The plans that were outlined on Saturday, are not the plans of the commission, the studies that are carried out, have to do only with the present park land. Due to the fact that the parks commission does not receive government grants or government assistance by way of grants, there would have to be a good deal

of spade work done before they could undertake to extend their activities to that part of the canal land that you speak of.

**Mr. MacDonald:** By way of a supplementary question then, if this land along the old Welland Canal is going to be used for a provincial park, would I be accurate in assuming that it will be a new and separate provincial park, and not part of the Niagara Parks Commission?

**Mr. Allan:** Mr. Speaker, I would suggest that that would be a matter of government policy and I do not think I am in a position to answer.

**Mr. Speaker:** The member for Yorkview, a supplementary?

**Mr. F. Young (Yorkview):** Mr. Speaker, a question of the member for Haldimand-Norfolk: Did the examination of this new concept announced today include co-operation with the authorities of New York State across the river in their development plans?

**Mr. Allan:** Mr. Speaker, no, it did not include co-operation with them. We develop our areas entirely independently although we have a very friendly arrangement, and have friendly discussions.

**Mr. Young:** A further supplementary: Is the member aware that there are committees working in the two cities across the border at Niagara Falls, in connection with development plans, and it seems to me that these ought to be brought into consideration.

**Mr. Allan:** Mr. Speaker, I am aware of those committees, but there has been no direct contact between the committees and our commission.

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

**Mr. MacDonald:** Mr. Speaker, I have a question of the Provincial Treasurer.

Is the Provincial Treasurer aware of it, and if so, what are his comments, on the proposals of the Ontario Economic Council with regard to tax restructuring involving opposition to a capital gains tax, opposition to any increase in a corporation tax, and in favour of further commodity taxes?

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, I am just very barely aware of the matters under consideration or proposed by the economic council. They are being studied by the economics branch of The Department of Treasury and Economics

and at the moment it has not gone any further than that.

**Mr. MacDonald:** Mr. Speaker, a supplementary question to the Provincial Treasurer or to the government as a whole—what is the purpose of having a body that comes in with reactionary policies that are out of step, even with the policies of this government?

Interjections by hon. members.

**Hon. Mr. MacNaughton:** I think, Mr. Speaker, it is quite appropriate to say that whether these proposals are in tune or in harmony with policies of the government is beside the point; they are being studied at the moment.

Interjections by hon. members.

**Mr. MacDonald:** I have a question of the Minister of Financial and Commercial Affairs. Representations were made to the securities commission by Pat Sheridan on October 30. At this date, more than a month later, is the Minister in a position to indicate what, if any, reaction the securities commission is going to make to his critical propositions?

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Yes, Mr. Speaker, I have looked into that matter and the Sheridan evidence before the commission was where Mr. Sheridan indicated his views with respect to certain policies and requirements of the stock exchange. That case was dealt with on a fairly broad basis of principle and judgment. The decision was reserved and has not been handed down as yet. As soon as it does, it will indicate the commission's attitude in the matter.

**Mr. MacDonald:** By way of a supplementary question to the Minister: Since these proposals involved the accusation that the Toronto Stock Exchange is acting beyond its powers as laid down in its charter and is usurpation of the powers laid down in The Corporations Act, is this not a matter for the Minister's immediate consideration?

**Hon. Mr. Rowntree:** These were allegations made by Mr. Sheridan and I think they are being dealt with appropriately in this hearing before the commission.

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

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, a question of the Minister of Financial and Commercial Affairs. Has the Minister or his department enquired into the source of funds used by the relatively new real estate

firm of J. D. Franciotti Real Estate Limited of 6 Adelaide Street East, for the purchase of three substantial downtown buildings within the first six months of this year—namely 170 Bay Street, 34 Adelaide Street West and the Lumsden Building?

**Hon. Mr. Rowntree:** I have no knowledge of that particular business transactions in the city of Toronto, but I would be pleased to look into it. I do not know that we would have any knowledge in our department of the source of funds. If it was simply a real estate transaction, it would not go through the real estate division, and if it was a promotion of a stock or accomplished through a securities issue, then it would have been cleared with the securities commission. Was there an issue of securities to the public involved in this matter?

**Mr. Deacon:** I understand the purchase was as principal of these three buildings and there has been no public—

**Mr. Speaker:** We are back in the old position where the Minister asks the question and the question period is for private members. If the hon. member wishes to ask a supplementary question and give such information as he has, it will be in order.

**Mr. Deacon:** A further question of the Minister, Mr. Speaker. Has the Minister requested the federal government to negotiate with the government of Switzerland an agreement whereby tax and security offences by parties in either country will be recognized by the other in order to reduce means whereby illegal groups can hide transactions?

**Mr. Shulman:** That is not a supplementary question.

**Mr. Deacon:** I did not ask a supplementary. It is a new question.

**Mr. Shulman:** I have a question, Mr. Speaker.

**Mr. Speaker:** Just a minute. Mr. Speaker is looking after the question period, not the member for High Park. I believe the member for York Centre is in the position to ask a further question—not necessarily a supplementary question—and if he has done so, the Minister may answer. If he has not done so, he now has the right to do so.

**Hon. Mr. Rowntree:** I have no knowledge of the accomplishment of any such international tax agreement.

**Mr. J. E. Stokes (Thunder Bay):** Why does the Minister not be consistent?

**Mr. Deacon:** Mr. Speaker, a supplementary. In other words, has the Minister requested Ottawa to negotiate such an agreement whereby we can follow up transactions which are hidden behind Swiss banks?

**Hon. Mr. Rowntree:** No, I have not made any such proposal to the federal government.

**Mr. Deacon:** May I ask the Minister—

**Mr. Speaker:** The hon. member has pursued this matter to the point where it has become almost a debate now.

**Mr. Deacon:** I wanted to ask the Minister—

**Mr. Speaker:** Further supplementary questions are out of order from that member. The member for High Park.

**Mr. Shulman:** A question of the same Minister, Mr. Speaker. In view of the fact of the accident with the Eldon electric car last week and in view of the fact that Eaton's has now withdrawn that car for sale because of safety reasons, would the Minister care to revise his earlier remarks and take steps to see that that car is withdrawn from sale everywhere in this province?

**Hon. Mr. Rowntree:** Yes, I would be glad to comment on that matter.

It was last Friday, on a point of order, that the hon. member for High Park referred to an accident in Montreal involving a toy electric car, the sales of which have been referred to in this House..

The incident in Montreal involved a father who got a drop of sulphuric acid on his sweater. His child did not come in contact with sulphuric acid in any way. Our consumer protection division has been in contact with the Ottawa authorities, namely, the federal department, which is responsible for The Hazardous Products Act. It advised that while they do not give approval of toys, they do give their view regarding whether a particular toy is hazardous. They do not consider that the toy in question is hazardous.

The toy automobile is powered by a six-volt motorcycle battery which is completely enclosed. The battery is installed under the seat of the toy automobile and the seat itself is screwed down by means of a counter-sunk screw which requires a special screwdriver to remove. The caps of the battery itself are very tightly secured in place and a tool is required to remove those caps.



**Mr. Shulman:** As a supplementary question, Mr. Speaker, is the Minister aware that on Friday last, Eaton's withdrew these from sale because acid was leaking out of the batteries?

**Hon. Mr. Rowntree:** No, I am not aware at all.

**Mr. S. Lewis (Scarborough West):** The Minister cannot defend that toy.

**Hon. A. Grossman (Minister of Correctional Services):** It is only dangerous to fathers.

**Hon. Mr. Rowntree:** As a matter of fact, I think we might just lay all of the information before the House about these cars. In the *Globe and Mail* of November 28 it was pointed out that the safety division of the town of Mississauga police force is using these automobiles to teach children the rules of traffic safety, and think they are a desirable thing.

**Mr. Shulman:** Three-year-olds?

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

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management: Would the Minister clarify for the House the present position of the hearing before the Ontario Energy Board by Consumers' Gas for the purpose of acquiring control of Union Gas; and will the Minister comment about the statement made by Mr. Jones, the president of Consumers' Gas, that in the event the acquisition is not approved by the Ontario Energy Board, there will be an increase in Consumers' Gas rates for customers of that company?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Chairman, the hearings have been adjourned *sine die*. There is an appeal from the Supreme Court decision handed down last Thursday. I believe that it is to be heard tomorrow. So on Friday the board adjourned *sine die* pending the disposition of that appeal.

Regarding Mr. Jones' comment, I would not really want to say whether or not what he said is a fact. I think this is one of the things that would be revealed from the hearings before the energy board. He may well be in a position to make a statement like that, which could very well be true, but I do not have enough information to really comment on it.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question: Does the Minister have any idea when the hearings will reconvene and what steps are required to be taken

by Consumers' Gas in order to have the hearings recommence?

**Hon. Mr. Kerr:** Assuming, Mr. Speaker, that the appeal will be heard tomorrow and that it would be completed tomorrow and a decision handed down this week, I would assume that the hearings would be heard again immediately after that decision was handed down. If, however, the appeal is successful and a long adjournment is allowed as a result of the appeal, the date could be some time after the first of the year. However, if the appeal is not successful, I would assume that the hearings will be resumed immediately. As far as reconvening, either the board or the applicant can have the hearings reconvened.

**Mr. Speaker:** Are there any further questions? The member for Scarborough West.

**Mr. Lewis:** Mr. Speaker, I have a question of the Minister of Trade and Development. Is the Minister aware that Courtalds Canada Limited in Cornwall, I believe, has received grants from government, EIO grants, I think, verging on \$200,000, and has just laid off 600 men? Has he any comment on this process?

**Hon. S. J. Randall (Minister of Trade and Development):** Yes, Mr. Speaker. Courtalds are going through a very difficult economic situation in Cornwall due to the fact that most of the goods they are producing are being imported from the far east, particularly linings. The last layoff is due to the fact that the linings you have in the inside of your suits are being imported and that is doing away with a major part of their business. These 600 people are involved in that.

The company came to us during the summer and said: "We are going to have to close this end of the plant down. But we have tried to get our parent company to let us manufacture another product here, which will take roughly about 136 to 150 people and put them to work on a new product, if we can get it into Cornwall. Could we make an application for another EIO loan?" We said: "Yes, as long as it is a new business. As long as you can bring people back on the payroll, we are quite prepared to look at any new business." And I was aware they were going to have this layoff. In fact, there is another company there which may be doing the same thing in a different line of business. Cornwall, at the present time, has about 1,600 people unemployed, as you can appreciate. We have put into Cornwall since the EIO loan started, ten loans totalling \$2 million,

giving employment to about 300 people. But it seems every time we get one plant started, we have a difficult situation with another one.

However, I am of the opinion that we are going to continue with our programme at Cornwall and if Courtalds can come back in with a new product, a new plant, new machinery and invest their own money to put these people back to work, we are quite prepared to listen to them.

**Mr. Lewis:** By way of supplementary: Is the Minister saying that an investment of \$2 million resulting in a net deficit of 300 jobs lost makes good economic planning?

**Hon. Mr. Randall:** No, I did not say the net deficit—I said we saved 300 jobs already in Cornwall and there will be another 300. There will be a total of 600 jobs over the next five years in these new businesses they have started. Now, if they lay 600 people off, we are not going to be able to place those 600 people tomorrow. But I just told the hon. member that we hope to put back 135 or 150 of them if they start this new business. The others will have to come on as they can find new jobs there for them. If we can create other operations those people will be employed in there, but I do not think they are all going to go back to Courtalds. I can assure you of that.

**Mr. Lewis:** One final supplementary, Mr. Speaker. In the giving of loans or grants in this situation, is the Minister in contact with his colleagues in The Department of Labour about the retraining of men, because the understanding in Cornwall at the moment is that only 34 of the 600 or more that are laid off will be re-employable by the EIO loans.

**Hon. Mr. Randall:** Superannuation has taken care of some of them. I know the Minister of Labour (Mr. Bales) is very much interested in retraining people down there because, as I think the member is aware, the welfare roll is something like \$1.7 million a year—

**Mr. Lewis:** Right.

**Hon. Mr. Randall:** —and it pays to get these people retrained and back on the job. But first of all, we have to create the jobs and that is what EIO is trying to do.

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

**Mr. D. Jackson (Timiskaming):** I have a question of the Minister of Transport: Is the

Minister aware that on a PCV licence for a vehicle of less than 5,000 pounds it is \$2 more on a half-yearly rate than if it is purchased on the quarterly rate? In other words, if you purchase on a three-month basis, it is cheaper on the half-yearly basis by \$2.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I do not know the particulars of each and every weight of PCV licensing, but the principle is to provide quarterly licensing where it is convenient for the operator and where the operator is prepared to pay a little more for the quarterly licensing than for the half or whole year.

**Mr. Jackson:** Mr. Speaker, on a supplementary, is he aware that it is, in fact, true, that if you purchase on a quarterly basis you pay \$16 for the half year, whereas if you purchase on the half yearly basis it costs you \$18? Can the Minister explain the thinking on that?

**Hon. Mr. Haskett:** Mr. Speaker, that confuses me just as much as it does the member.

**Mr. Jackson:** Will the Minister look into it? Mr. Speaker, I have a question of the Minister of—

**Mr. Speaker:** The member for High Park has been trying to get the floor.

**Mr. Shulman:** I have a question of the Prime Minister, Mr. Speaker. In view of the fact that he has been kind enough to agree to see the delegation from the homes for special care, and in view of the extreme emergency that has arisen in those homes because they cannot manage on the pay they are receiving of \$4 a day, will the Prime Minister use his good offices to have a rapid revision of this rate, because otherwise there is going to be an emergency in the province?

**Mr. Speaker:** I would think that is a question which the Prime Minister, or whoever sees the delegation, will be able to answer later. The member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** My question, Mr. Speaker, is of the Minister of Lands and Forests. Subsequent to the Minister's department stating they would reconsider acquiring land for the development of a provincial park in Saltfleet and Grimsby townships known as Fifty Mile Point, has any progress taken place, or any action as to the acquisition of land for a provincial park at that point?

**Hon. Mr. Brunelle:** Mr. Speaker, in reply to the hon. member, I have not received any new information lately. I believe the matter rests in this way: We will agree, provided that a recommendable price can be submitted to us. As the hon. member knows, the price of the land per acre is away beyond our acceptance level.

**Mr. Gisborn:** A supplementary: Would the Minister advise as to whose responsibility it is now to initiate such a programme in face of the fact that the Niagara Regional Development Association has continually urged action at this point, and, as far as anyone knows, has not yet dropped its proposition that this is the proper area for a site.

**Hon. Mr. Brunelle:** Mr. Speaker, I would say to the hon. member that the matter is certainly not a dead issue, but at the present time it is just not possible for us to purchase at that high price.

**Mr. Speaker:** The member for Timiskaming has another question.

**Mr. Jackson:** The Minister to whom the question would be directed, has just left the House.

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

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Education and University Affairs. Does the Minister agree with the decision of Ryerson Polytechnical Institute to suspend one of its teachers, Mr. David Humphries, pending an appeal of convictions which were registered against him with relation to marijuana?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, this matter, of course, is one that relates to the internal administration of the institution, as I understand it. My information comes from the same source, I guess—the press report. The president of Ryerson has suspended the faculty member on the conviction, pending the appeal.

I think, Mr. Speaker, with the kind of institution that Ryerson is—an educational institution—that probably the president was acting with what he thought was the best interests of the institution in mind. Certainly I have no criticisms to offer as to his conduct in this matter. I recognize the point that may be made by the hon. member for Riverdale that with the pending appeal, there might be some inequity. Perhaps, in certain situations there would be, but with an educational institution, Mr. Speaker, I think that one can

recognize the desire on the part of the president to deal with this the way he has.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question, in any other of the educational institutions under the direct control of the Minister of Education, does he have any similar policy?

**Hon. Mr. Davis:** Mr. Speaker, I do not have the specific Acts here. There is some statutory provision related to this with the question of certification of teachers. The policy has been that if the person has been convicted of a criminal offence—depending on the nature of the offence—generally, his certificate is suspended. In those situations where conviction has been registered, and appeal has been made, the question of the suspension of the certificate has been held up until such time as the appeal has been heard. I believe this has been our custom but it is also customary in many instances, for the teacher not to continue teaching in the classroom until the appeal is heard, but the certificate itself has remained.

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

**Mr. Jackson:** Mr. Speaker, I have a question of the Minister of Mines. Does Falconbridge nickel mine enjoy an exemption from the terms of The Mining Act which require the processing of Ontario ores in Canada, in that it ships ore to Norway? If so, what percentage of full production is represented in that exemption?

**Hon. A. F. Lawrence (Minister of Mines):** No, this matter is being considered by the government at the moment. The amendment to section 106, to which I think the member is referring, does not take effect until January 1 of next year. No order-in-council exempting the Falconbridge ores has yet been approved.

**Mr. Shulman:** A supplementary, Mr. Speaker. Is it the intention of the Minister to exempt Falconbridge—

**Mr. Speaker:** I would think that that is not a proper question for the oral question period under the rules under which we operate. The member for Nipissing.

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management with regard to the hiring practices on the construction sites of the Lower Notch of Ontario Hydro. He was to provide me with the information, but I have not received it yet.

**Mr. Speaker:** Perhaps while the Minister is finding that we might allow the Minister of Public Works to reply to a question that was asked of him by the member for High Park last Friday.

**Hon. J. R. Simonett** (Minister of Public Works): Mr. Speaker, I wish to point out that it is only since April 1 of this fiscal year that we have developed methods in this department of analyzing and recording accidents and their costs. Our accidents, though I cannot substantiate them by figures at this time, are on the decrease and not on the increase.

Since April 1 until the end of September we had, in the department, a total of 149 injuries. Of these, 68 were lost-time injuries and the other 113 required only first aid and did not involve lost time. Of the 68 lost-time injuries, 59 occurred in the Metropolitan area, and the vast majority of these were among our cleaning staff.

As to costs, the total cost of accidents to the department since April 1, 1969, amounts to \$73,979.09. These costs are made up from compensation, medical aid, pensions and salary in lieu. I do wish to point out the cost that I have just quoted does include cost of accidents that could have happened two or three years ago, and the compensation for those accidents is still going on, and thus is shown in our present-day costs.

Our system of accounting and records does not permit us to show the costs of these accidents that happened since April 1 of this year, though it could be made available if required. It would take a good deal of work and manhours of our staff to break these figures down further. The figure quoted by the member for High Park for the cost of accidents in the last six months—\$259,916.36—is, therefore, not correct.

**Mr. Shulman:** Two supplementaries, if I may, Mr. Speaker. The first one is, if the accidents are falling, why is it that the last month of accidents shows an all-time high figure since the department has been compiling figures? That is my first supplementary.

**Hon. Mr. Simonett:** Mr. Speaker, I suppose the hon. member is taking the year's accumulated figures, and of course, as I explained in my answer, this includes all accidents in the department, those receiving compensation and those receiving wages in lieu of compensation. As they accumulate, they would increase, but the total figure so far this year is, as I have quoted it, not over \$250,000,

as the member tried to make the House believe last Friday.

**Mr. Shulman:** Mr. Speaker, I ask permission to table the report from his department showing the cost of \$295,000, sir.

**Hon. Mr. Simonett:** Mr. Speaker, I would be very happy to table the report. The member has a copy of that report?

**Mr. Shulman:** I have.

**Hon. Mr. Simonett:** The only problem he has is that he cannot read reports. He cannot read reports and he tries to mislead the House.

**Mr. Speaker:** Order. There is no provision that I know of for tabling reports as part of an oral question. If the hon. member has already incorporated it in his question of last Friday, then of course, that is on the record of the House. He indicated he had another supplementary question.

**Mr. Shulman:** His statement made that unnecessary, sir.

**Mr. Speaker:** Has the Minister of Energy and Resources Management found his materials?

**Hon. Mr. Kerr:** It is my information that Ontario Hydro is not the prime contractor for the Lower Notch project. H. G. Acres and Company is responsible for the design, management and supervision of the construction. Apparently the strike involved some union workers engaged by Pitts, McNamara and Atlas, who are the general contractors of the project.

The strike was triggered when men in the local teamsters union walked off the job, contending that Ontario workers were being laid off the project while workers from Quebec were being retained. A picket line was set up and I understand that line has now been withdrawn on the grounds that the strike would be illegal.

As far as Ontario Hydro is concerned, Mr. Speaker, under our agreement with Acres, we have specified that local Ontario workers must be given full and appropriate consideration when labour is being recruited for the project.

Apparently some of the applicants from other provinces were giving a local address. This guideline also applies to Pitts, McNamara and Atlas, and these provisions are written into the agreement with these contractors.

Also, in recruiting people, the contractor relies upon the local offices of Canada Manpower services. So under those circumstances, it should be recognized that many people come from other jurisdictions to obtain employment in our province and it is not always possible to distinguish between these people.

**Mr. R. S. Smith:** As a supplementary, Mr. Speaker, since full and appropriate consideration is not being given to the local people by the construction company, what steps has Ontario Hydro taken to make sure that this is done in the future? That is the whole question.

**Hon. Mr. Kerr:** Mr. Speaker, Ontario Hydro, in view of the trouble that developed there, has insisted that the terms of the agreement be adhered to.

**Mr. R. S. Smith:** The trouble has been going on for a year and a half and there have been a great number of workers—

**Mr. Speaker:** Is the hon. member asking a question?

**Mr. R. S. Smith:** Yes. Why did Ontario Hydro not intervene a year and a half ago, when this problem started?

**Mr. Speaker:** I am not sure that the Minister can answer that. The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you, Mr. Speaker. I have a question of the Attorney General. I would like to ask the Attorney General whether there is some consideration being given to dropping the charges against Domtar Newsprint Limited at Red Rock, in view of the company's announcement on Thursday or Friday, that it would launch into an \$18 million expansion programme which would include the installation of pollution abatement equipment? I am just wondering whether there would be some change in the administration of justice in this case, since the company has obviously reacted in a most admirable way?

**Hon. Mr. Wishart:** Mr. Speaker, the charges in that case were initiated by the Ontario Water Resources Commission. It was on their study of the matter and their initiative that charges were laid. Our duty would be confined to prosecuting the charge through the Crown attorney. The conduct of a person following a charge would be a matter for the judge to take into account.

**Mr. J. Renwick:** The Minister got his fingers burned once.

**Mr. Knight:** Mr. Speaker, could I address a supplementary question, then, to the Minister of Energy and Resources Management, in relation to the same subject since the OWRC falls under his jurisdiction?

**Mr. Speaker:** It is quite proper to pass from one Minister to another and this supplementary may be asked.

**Mr. Knight:** I would like to ask the Minister whether he feels that his department and the actions of the OWRC have been responsible. He has the inside story on this of course, but would it be responsible to prosecute this company which has decided to spend \$18.3 million in pollution abatement? Would the Minister find here that he has—

**Mr. Speaker:** This is not the supplementary question the member indicated he was going to ask. The member is now questioning the withdrawal or the laying of certain charges. If the member wishes to ask a supplementary on that basis, it is allowable; if not, he is out of order.

**Mr. Knight:** Thank you, Mr. Speaker, that will be fine. Would the Minister tell the House whether the OWRC would not perhaps consider dropping those charges in view of the action of the company?

**Hon. Mr. Kerr:** Is that a loaded question, Mr. Speaker? In answer to the intent of his question, all I can say is that because of our action the result is this announcement from Domtar. Although the figures quoted indicated a certain amount of plant expansion, at the same time, they did indicate the acquiring of approximately \$7 million worth of pollution abatement equipment. As far as the charges are concerned, Mr. Speaker, they are in the hands of the local Crown attorney and certainly we do not intend to interfere with those.

**Mr. Shulman:** On a point of order, sir, a few moments ago the Minister of Public Works made certain statements here which were incorrect. He stated first of all that his department has only been able to collect the statistics on accidents since April 1, of this year. Secondly, he stated that the number of accidents has fallen. I wish to inform you, sir, that I have here in my hand a report dated October 31, 1969, comparing this October with October of last year, which shows they were collecting such statistics last

year, and it shows that the number of accidents last year for this month were 70 while this year it was 88.

**Hon. Mr. Simonett:** Mr. Speaker, I do not think I said the number of accidents had declined; I said that the figures, in amount paid out, were on the decrease and not on the increase. Many of our accidents with the cleaning staff in this building require only a bandage or something like that, although they are reported and they are in that report. These things will happen and we do not consider those as accidents where compensation is paid.

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

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, a question of the Attorney General. When the new Landlord and Tenant Act was introduced, it prompted two headlines in the *Toronto Daily Star*: "Security deposits to be Abolished; Rents Could Rise", and "Rentals Will Rise Tremendously, Landlords Say".

Would the Minister consider introducing a moratorium on rents until the bill is passed and becomes effective here in the province of Ontario?

**Hon. Mr. Wishart:** Mr. Speaker, that would be a matter for the government to take under consideration as a matter of policy and I could not answer that. But I would say that I am hopeful the bill might be called for second reading this week, the day after tomorrow or the following day.

I would also hope that perhaps, since it has had such study before the law reform commission, and since we have met with many delegations of landlord and tenant groups and construction people in the drafting of the bill, and have taken some ten or 12 months to draft it, that we could deal with it in committee of the House without taking further time to go to committee, and that we could pass it this week. So, if we were able to do that, more time would not be necessary.

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, I would like to ask a question of the Minister of Agriculture and Food. If the provisions of the new assessment Act no longer require assessors to take a canine census, will the Minister consider making the provisions of The Sheep, Livestock and Poultry Protection Act, permissive, instead of mandatory?

**Hon. Mr. Stewart:** Mr. Speaker, that is a question that we could take under consideration. I would not want to give the hon. member a positive answer one way or the other at this time.

**Mr. M. Gaunt (Huron-Bruce):** Supplementary, Mr. Speaker. May I ask the Minister of Municipal Affairs if he has had any representation from municipalities that are concerned with the loss of revenue in respect to the question raised by my hon. friend?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** I do not think so, Mr. Speaker. There may have been some, I do not recall them. But there is a resolution making the rounds at the present time, and I think it will either be going to the municipal associations or perhaps come directly to government, suggesting what the hon. member for Waterloo North has suggested that The Dog Tax and Livestock and Poultry Protection Act be made permissive rather than mandatory insofar as the levying of a dog tax by a municipality is concerned.

**Mr. Gaunt:** Is the Minister aware that this will mean a loss to some municipalities of roughly \$3,000, if the dogs come off the roll?

**Hon. Mr. McKeough:** There is nothing to prevent the municipalities from hiring someone to do this, we think.

The reason behind taking it out of The Assessment Act, is that it is a dreadful waste of qualified people's time, to be taking the census of dogs.

**Mr. Speaker:** Does the member for Thunder Bay have a question not yet answered? The member for High Park.

**Mr. Shulman:** I have a question of the Minister of Public Works, Mr. Speaker. Inasmuch as the report prepared in his department at the beginning of November, showed that lost-time injuries for the month of October were up 30 per cent from the same period last year, would the Minister care to change the answer he gave us a few minutes ago?

**Hon. Mr. Simonett:** No, Mr. Speaker, I am not going to change any answer. The answer I gave was correct. We were talking about moneys being paid out, and I stated that it was improving; that it was not on the increase. As far as individual accidents are concerned—getting a Band-Aid on your finger, or if there is a scratch or—

**Mr. Shulman:** Lost-time injuries!

**Hon. Mr. Simonett:** —or something like that, I am not going to discuss it in this House.

**Mr. Gisborn:** Indefensible!

**Mr. Speaker:** It would appear to me that any further questions along these lines would not be in order. They are matters which are not of great urgency, and I think could be decided between the member and the Minister privately, or by correspondence.

Any further questions? The leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, of the Minister of Education.

Is he aware of the problem faced by the committees of arbitrators that are established by county school boards to deal with financial matters between townships that were taken over by the county board?

Is he further aware that the chairman of the arbitration board in Brant county resigned because he said he could not get sufficient guidance from the Minister, and is he aware that the amendments which were designed to assist in this have been before the House since December 19 last year and are still before the House?

**Hon. Mr. Davis:** Mr. Speaker, I do not know that the chairman of the Brant county arbitration group actually asked for my personal guidance. There are some who are having difficulty. I think the majority of them are sorting it out really rather well. The amendments will help somewhat but do not solve the problems entirely because that is what arbitrations are all about.

I hope they will be considered and finalized by the education committee tomorrow at which time, of course, they will be forwarded, but the arbitrators are really fully aware of the legislation that is being proposed, and as I say, there have been some difficulties, but not nearly to the extent that we had anticipated.

**Mr. Nixon:** A supplementary question. Would the Minister agree that the postponement of the passage of that bill for a full year has increased the difficulties that might otherwise have been ironed out?

**Hon. Mr. Davis:** Mr. Speaker, I think those who are involved in it know roughly the clarifications in the bill and I do not think the passage or non-passage of this has really

had any effect whatsoever. There are some difficulties in these arbitrations. They are fairly complicated but, by and large, they are going quite well.

**Mr. Nixon:** A supplementary question. Would the Minister consider that the bill, when passed and given Royal assent, will relieve these boards of the difficulties that they presently experience to the extent that some of them feel that they could not take any action, and many have not taken any action, for a full year—a wasted year?

**Hon. Mr. Davis:** Mr. Speaker, I am not aware of any board that has not taken any action. Most of them are well along with the work; there is no doubt about this. It will not relieve them of some of the judgment decisions that have to be made. This is where some of the complexities are; there are certain judgment or value decisions that will have to be made and this is what arbitration is all about.

**Mr. Nixon:** The original bill was not permitted to make those judgments.

**Hon. Mr. Davis:** Oh yes.

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

**Mr. Stokes:** I would like to direct a question to the Minister of Social and Family Services.

Has the Minister been approached by the Union of Ontario Indians with a view to the construction of an old people's home for elderly Indian people who do not wish to take advantage of the services provided by the regular homes for the aged, and is the Minister aware that they have started a fund of close to \$6,000 expressly for this purpose?

Has the Minister given that particular project any thought or any endorsement?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, I have not been approached directly by the union with respect to any specific project. Last June, on a visit to northern Ontario, I mentioned our homes for the aged programme to those whom I met and that we had amended The Homes for the Aged Act in order to make this type of institution available. I do know that there has been interest on the part of certain groups.

Interest was shown one time on Manitoulin Island. We made a survey there. There is interest now shown in northern Ontario. The problem will be in what machinery can we

develop to create an institution which will not just serve one small community, but perhaps serve a much larger community, because in order to have a base of support and a base to draw residents from, you need a pretty broad base. We were up there over the week-end, as the hon. member knows, and I discussed with our homes for the aged director the practical way in which we should meet the need.

I was very much interested in meeting, at the opening of the Grandview Lodge extension, one of the elderly residents who was of Indian origin. I am aware of the desirability, from the point of view of the residents, of having a home environment which is more suitable to their personal needs. This is one of the things we hope to deal with very extensively in the coming year.

**Mr. Stokes:** Do I take it from the Minister's remarks that he will give favourable consideration?

**Mr. Speaker:** The oral question period has now expired.

Petitions.

Presenting reports.

**Mr. Evans,** in the absence of **Mr. Demers,** presents the report of the standing legal and municipal committee and moves its adoption as follows:

The committee begs to report the following bills with certain amendments:

Bill 205, The Assessment Act, 1968-1969.

Bill 222, An Act to amend The Municipal Act.

Resolution agreed to.

**Mr. Speaker:** Is it the pleasure of the House that Bill 205, The Assessment Act, be ordered for third reading?

**Mr. Nixon:** Mr. Speaker, I think we had better have it go to committee—

**Mr. Speaker:** Committee of the whole House? The House must decide whether it goes direct to third reading, as the member for York South knows, or to the committee of the whole House. The committee of the whole House? Agreed.

Bill 222, An Act to amend The Municipal Act—is it the pleasure of the House that this be ordered for third reading? Committee of the whole House?

Agreed.

Motions.

**Mr. D. A. Evans (Simcoe Centre):** Mr. Speaker, I move that the standing health committee be authorized to sit concurrently with the House tomorrow, Tuesday, December 2.

**Mr. Nixon:** Mr. Speaker, this resolution will permit the health committee to continue and expand its hearing of briefs in connection with the animal bill that was discussed in the question period today. The only difficulty in extending its hours would be that those people who might otherwise have intended to present their views on Thursday, when I believe the committee intended to meet in the morning, might find that this opportunity is not available.

The chairman is not present in the House right now but I wonder, Mr. Speaker, if there is some way we can have assurance that everyone who intends to present his views will have an opportunity to do so.

**Hon. Mr. Stewart:** May I reply to that, Mr. Speaker?

**Mr. Speaker:** The hon. member for High Park is speaking to the same matter. Perhaps he might speak first and then the Minister can reply.

**Mr. Shulman:** I would just like to know before we agree with this, what is coming up in the House tomorrow? We cannot be in both places at the same time and if we have to be over there, we want to know what we will miss here.

**Mr. MacDonald:** Can I have another point of clarification before the Minister speaks? Do I correctly assume that this extension is for tomorrow alone?

**Mr. Speaker:** The motion reads, "concurrently with the House tomorrow, Tuesday, December 2."

**Mr. MacDonald:** Do you interpret that, Mr. Speaker, as being henceforth?

**Mr. Speaker:** Only for tomorrow.

**Mr. J. Renwick:** Mr. Speaker, if I may just ask one further question about it—on whose decision is this kind of motion brought before the House? Is this the decision of the health committee to make this request, or is it a unilateral request by the chairman of the committee?

**Mr. Speaker:** The hon. member will realize that the motion is not seen by Mr. Speaker until it reaches him on the floor of the House, so I cannot answer this. Perhaps the Minister



of Agriculture and Food, or the House leader, or the Minister of Health, may have the answer to that. Would the Minister of Agriculture and Food wish to speak to this matter?

**Hon. Mr. Stewart:** Mr. Speaker, I can only say that the chairman of the health committee asked me if it would be acceptable to pursue these hearings because on Tuesday afternoon and evening they looked as though they were going to involve many days. Inasmuch as there were some who wished to present themselves on Thursday, we undertook to advise them or have the secretary advise them, that they would be received tomorrow at the committee. If that met with the approval of the House, the hearings could continue tomorrow afternoon and, I believe, tomorrow evening. I am sorry I cannot answer the hon. member for High Park as to what is taking place in the House tomorrow; I do not know. I simply assume that normal business of the House will proceed.

Interjections by hon. members.

**Hon. Mr. Robarts:** Mr. Speaker, the only business tomorrow would be to deal with legislation on the order paper.

**Mr. Speaker:** Has the member for Scarborough Centre a question with respect to this or wish to speak to the motion?

**Mr. M. Renwick (Scarborough Centre):** Mr. Speaker, on November 20, the chairman announced publicly that the hearings would continue on Tuesday and Thursday morning until all persons were heard and that there were some 50-odd briefs to be heard. The people who have talked to me and are slated for Thursday, have been asked to move up to Tuesday. Some are ready, Mr. Speaker, and others are not prepared because they were told they would come late on the list, meaning late on the bottom of 50 briefs. The problem that I see, is that we are being asked to judge the authenticity of Bill 194 although we do not have the proper public hearings, as the Minister promised on November 6. In *Hansard* he said that we would have an opportunity as members of the committee for full review and examinations so that a complete and full discussion could be held in a public forum where all members of the public would be welcome to come and present their side of the case and their position with regard to the bill and to the whole matter of providing animals for research purposes.

Mr. Speaker, it puts the people in the health committee in a very difficult position, if what is happening is that we are now

moving the Thursday people to Tuesday—those who are ready—leaving those who are not ready in abeyance. The people beyond Thursday's hearing do not know, Mr. Speaker, when they are going to be heard or in fact if they are going to be heard. As a member of that health committee, I object to this type of operation for public hearings, which I understood were to be fair and open hearings.

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

**Mr. G. Ben (Humber):** Mr. Speaker, it goes deeper than just whether or not people who wish to make representations before the standing committee on health can be notified and then be present to make their presentation. We may find ourselves, Mr. Speaker, with the standing committee on health studying the plight of our animals, while in the House another group is studying the plight of human beings who are tenants.

What is a member of this Legislature supposed to do? Is he supposed to go and listen to the people presenting their briefs on the plights of dogs and cats and ignore the plights of human beings when the landlord and tenant bill comes in—or vice versa? This is the invidious position that you are putting people into.

If the members of the standing committee carry out their responsibility to sit on a health committee and listen to the presentations being made with reference to the dogs and cats, they could very well be accused of ignoring the plight of human beings—who are being exploited by the landlords—in that they were not present when the landlord and tenant bill was being discussed. I would suggest that the hon. Prime Minister let us know what is going to be the business up before the House—

**Hon. Mr. Robarts:** Obviously we are not going to pass this motion. If there is any objection to this procedure we will not follow it; it is just that simple. I think really what the chairman of the committee is attempting to do and what the Ministers are attempting to do is to devise a better means of dealing with this. But, if this is not going to be better, the committee will sit Tuesday and Thursday mornings as planned and we will withdraw this motion. It is only an effort to—

**Mr. Ben:** Tell us what the order of business will be tomorrow.

**Hon. Mr. Robarts:** We have committee meetings, but if the member feels this way

about it, it is perfectly all right with the government.

**Hon. Mr. Grossman:** The Opposition members just hate to make up their minds.

**Mr. Nixon:** I think the Premier has made a very wise contribution here, because surely the meeting of the committee taking place at the same time is going to be inconvenient and I think it should not be permitted.

**Mr. Speaker:** I would just like to point out to the members that I was endeavouring to watch it, but I thought that this was about to finish off. The debate on this motion is a debate in the House, and any member is only entitled to speak once in that particular debate. I would have interrupted the leader of the Opposition had I not thought that the motion was being withdrawn. Do I understand from the Prime Minister that this motion is being withdrawn?

**Hon. Mr. Grossman:** Now, they will have to make up their minds.

**Mr. Shulman:** Not till next year.

**Mr. MacDonald:** Our minds are made up.

**Mr. Speaker:** Introduction of bills.

#### THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

**Hon. Mr. Davis** moves first reading of bill intituled, An Act to amend The Secondary Schools and Boards of Education Act.

Motion agreed to; first reading of the bill.

#### THE SCHOOLS ADMINISTRATION ACT

**Hon. Mr. Davis** moves first reading of bill intituled, An Act to amend The Schools Administration Act.

**Mr. Speaker:** There is important legislation coming before the House and I would ask the members at least to give a hearing while it is introduced. It is particularly noisy on my right.

Motion agreed to; first reading of the bill.

**Hon. Mr. Davis:** Mr. Speaker, both those Acts are basically administrative housekeeping and re-organization. There are two or three interesting amendments. One relates to the establishment of an advisory committee to the boards on a permissive basis—which has been mentioned here in some of our

discussions. There are provisions, once again, to extend the board and lodging provision in the basically northern areas of the province. There are provisions contained in the bill for the payment of those funds requisitioned by the school boards from the municipalities in four payments at four specified times during the year.

I anticipate, Mr. Speaker, that with the consent of the House, we will be discussing these matters in the committee on education. Do not be overwhelmed by the number of pages. Most of the material, Mr. Speaker, relates to repeals because of the obsolescence of certain sections.

#### SCHOLARSHIPS FOR OSGOODE HALL LAW SCHOOL OF YORK UNIVERSITY

**Hon. Mr. Davis** moves first reading of bill intituled, An Act respecting scholarships for Osgoode Hall Law School of York University.

Motion agreed to; first reading of the bill.

**Mr. Nixon:** These have been on the order paper since March.

**Hon. Mr. Davis:** Mr. Speaker, they have all been altered within the last three days. I would just point out very briefly that this—

**Mr. Nixon:** They have been what?

**Hon. Mr. Davis:** I am sorry, five days. This Act refers to the scholarships that have existed or still exist at Osgoode Hall as related to the Law Society of Upper Canada. With the affiliation now of Osgoode Hall with York University, the scholarship provisions are now being transferred and put in trust in the responsibility of York University. It is fairly complicated, but I think the principle of the bill itself is relatively simple.

**Mr. Gisborn:** Mr. Speaker, before the orders of the day, may I, on a point of order ask for clarification of your ruling as to the corrections or the proper procedure for one of the House, including the Prime Minister, to withdraw a bill or, a report, or carry instructions to the House made by the member for Dufferin-Simcoe (Mr. Downer) on behalf of the chairman of the committee. Is it correct that one other than the one introducing the motion can withdraw the motion?

**Hon. J. H. White** (Minister of Revenue): What tiny minds they have.

**Mr. J. Renwick:** We believe in proper procedure.

**Mr. Speaker:** I understood that the member who introduced the motion also gave his approval. At least, I looked down his way and as far as I am concerned it was withdrawn on his volition—

**Mr. MacDonald:** I wonder what option he had.

**Mr. Speaker:** —presumably with some direction from the House leader.

**Mr. Evans:** Anyway, Mr. Speaker, it is not the member for Dufferin-Simcoe, it is the member for Simcoe Centre.

**Hon. Mr. McKeough:** Anyway, the members had better be here tomorrow.

**Hon. Mr. Grossman:** They had better get something right.

Interjections by hon. members.

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

**Clerk of the House:** The 28th order, House in committee of supply; Mr. A. E. Reuter in the chair.

**Mr. Chairman:** I wonder if the House leader would call the order of business.

**Hon. A. Grossman (Minister of Correctional Services):** Estimates of The Department of Health.

#### ESTIMATES, DEPARTMENT OF HEALTH (continued)

On vote 802.

**Mr. Chairman:** If the hon. member would just wait, I would like to look at the official book and see how far we have gone on this.

I believe we had passed the first programme under vote 802, which was the programme on administration and the operation of schools for registered nursing assistants. Does the committee concur?

**Mrs. M. Renwick (Scarborough Centre):** Mr. Chairman, we were on vote 802 under public health services, discussing the VD clinics, when we adjourned.

**Mr. Chairman:** The special health services programme.

**Mrs. M. Renwick:** Special health services programme, venereal disease clinics.

**Mr. Chairman:** Yes, the hon. member for Scarborough Centre may proceed.

**Mrs. M. Renwick:** Thank you, Mr. Chairman.

I will try to make this brief, Mr. Chairman, because all of us are hoping for enough time in which to discuss the important issues at the end of the health estimates.

When we finished our last discussion with the Minister (Mr. Wells), Mr. Chairman, we were talking about not having some sort of casual slipshod conversation with isolated doctors throughout the province with regard to the reporting of venereal diseases. I was asking the Minister to contemplate a comprehensive data system set-up where doctors would be encouraged to report more accurately than they are doing now.

In the Minister's comments about his department in the area of venereal disease control, the Minister did verify that there was not as much control in the department in Ontario as there should be. And I think this is to be a compliment to the Minister, really, because part of our frustration as members of the Opposition with The Health Department heretofore has been that they would never say to us that something is wrong and they are going to do something about it.

I accept that the Minister is sincerely interested in this and I would ask the Minister: Does he accept from the Ontario Medical Association the low percentage of cases they say are being reported? Will he personally take an interest in having the type of reporting done that I spoke about, in the *Journal of the American Medical Association*, where they reported in 1967 how their survey had gone in 1963. When I finished speaking to the Minister, Mr. Chairman, I finished on the point that when the American Medical Association mailed out reports requesting returns from physicians, they got back as high a percentage as 71 per cent.

In the same journal, years later, they refer to the fact that those were the kind of results they got when they worked on the problem where they only had 11 per cent reporting in the original reports on syphilis and 38 per cent reporting in cases of other syphilis and 11 per cent on gonorrhoea. Does the Minister accept OMA's statement that only about 11 per cent of gonorrhoea cases have been reported? If he does, then we have an understanding and we can go from there about how they are going to treat this particular type of disease.

**Hon. T. L. Wells (Minister of Health):** I have some figures on the Toronto area here which show that the percentage of positive

smears compared with the number of reported cases by private physicians is about 61.5 per cent in the Toronto area.

**Mrs. M. Renwick:** Mr. Chairman, I asked the Minister, does he accept the MOH figures? Does he have figures to show the MOH report of 11 per cent of gonorrhoea cases were being reported? Does he have any other figures that would show that these figures are not correct? Is that what the Minister is saying, that 25 per cent—

**Hon. Mr. Wells:** The MOHs do not report the cases.

**Mr. G. Ben (Humber):** Would the Minister take his hand off the microphone, please.

**Hon. Mr. Wells:** I am sorry, the MOHs do not report the cases. The doctors report.

**Mrs. M. Renwick:** Sorry, did I say MOH? It is the OMA figures. Does the Minister accept the OMA figures of 11 per cent of cases being reported of gonorrhoea?

**Hon. Mr. Wells:** I do not know whether we accept them or not. We realize that there could be some validity to them and they are part of the total input that causes us to take the study which we are going to do.

**Mrs. M. Renwick:** The Minister has said that an important reason for the failure to control the spread of venereal disease within the province is that the interviewing either was not done, or has not been successful, in obtaining the names of contacts and that the doctor relationship to The Department of Health has not been good enough.

**Mr. Chairman,** I do not want to spend too much time on this, but I want to ask the Minister whether he really does embrace the fact that that is the problem, because away back in 1966 in one of the reports from the department, it stated that:

Efforts will be made to improve reporting by physicians, contact with physicians will be increased.

This is from the 42nd annual report of The Ontario Department of Health. That was for the year 1966. How has that work been increased and improved through contact with the doctors?

**Hon. Mr. Wells:** Perhaps the hon. member would like to deal with the whole subject, then I can tie everything up into a package. We just seem to be going around in circles, Mr. Chairman. I have indicated that I have

a great concern with this. I have been in this portfolio for only a few months. We are getting this task force going; we are really going to get down to business on this problem. I do not know what else she wants me to do.

**Mrs. M. Renwick:** Mr. Chairman, I am simply asking the Minister to tell me how they have stepped up their programme with contacting doctors in Ontario since 1966. The Minister, when we closed off on Friday, said that there were people from The Department of Health contacting doctors in the province, urging them to make more accurate reports on venereal diseases. I asked the Minister on Friday, Mr. Chairman, how many had been contacted and by whom? Could the Minister give me the answer to Friday's question, and then I will continue with the summarization of the treatment?

**Hon. Mr. Wells:** Mr. Chairman, I would be happy to read into the record about a three-page report on what has been happening in the department if this is the wish of the hon. member, to give her a bit of a background. However, as I said, I feel this is perhaps an unnecessary waste of our time now because we have acknowledged the problem and we have said what we are going to do about it. But if you would like that, I would be happy to do it.

**Mrs. M. Renwick:** Mr. Chairman, I think, in view of some of the statements of the Minister in his opening remarks, that we do not really have to have that sort of report read into the record. I think what we really need to know is: Does the Minister recognize that very little was being done in this respect under the previous Minister?

The challenge now rests with this particular Minister—not so much with The Department of Health, because The Department of Health has had report upon report. It has had Dr. C. R. Amies and his seven-year study on sensitivity to penicillin and so on, and this department has not moved in any direction, and it has not, obviously, moved in any direction on more accurate reporting, or the Minister would have an answer to Friday's question.

Not to waste too much time on trying to get the answers until the Minister can go through the text and provide the House with them, would the Minister consider recommending to his committee, or discussing with his committee, a system that is in effect at the Royal Adelaide Hospital—I presume that is in

Australia, Mr. Chairman—where The Department of Public Health conducts a female investigation clinic, so that women may be examined without their personal particulars being entered in hospital records.

That is where I ended up with the Minister on Friday. It was asking him, for a form for the doctors to use that has a number on it, instead of a name, to encourage reporting, so that the contact can be followed up by the department through the doctor without a record in a central file of the name of the patient.

Would the Minister seriously think about some type of clinic service for women. The symptoms do not show, although they can be carrying this disease for some time, apparently, and it is not accompanied by pain as it is in the male venereal diseases. Would the Minister try to have a clinic where women can come, have an examination and not be entered into clinical records, at least to get a certain degree of work done in that area as well as the area of pushing for contacts and getting all contacts and prosecuting them.

I would say, Mr. Chairman, it is not in opposition to the other system, not in opposition to tracking down contacts but as an ancillary type of service.

I am very concerned, Mr. Chairman, and maybe the Minister would comment. In the legislative assembly on November 6, the Minister said that the clinics, to quote from page 8097:

I am told by our people that in most of the clinics we operate in this province these drugs are the ones that are being prescribed.

The drugs that the hon. Minister was referring to were the two drugs which the member for High Park (Mr. Shulman) asked about the Minister's allowing doctors to use—drugs of their own choice—other than penicillin and tetracycline in the treatment of venereal diseases.

But, does the Minister not realize that the reason the people in the clinics are using only two drugs is that the directives that come from The Department of Health, the people whom he lauds so highly, have been set out very clearly, and have said—in capital letters, on one of them—that tetracycline, even provided by The Ontario Department of Health, may only be used when a culture has been taken at the first visit, and must not be used for the initial treatment of gonorrhoea patients unless they are hypersensitive to penicillin. It says that tetracycline will not be provided for a treatment of non-specific urethritis and non-gonococcal infections.

Mr. Chairman, this is a little technical, but the non-specific urethritis is a subject which bears looking into by the Minister separately from the diseases which are required to be reported now. There is work by lab people who were associated with the department, pointing out the need for an understanding by the health department of the amount of this type of infection, how it is a contagious disease that should probably be listed with the other diseases which the Minister has already got under the VD control section.

In this directive, that came from the VD control section epidemiology service—

Hon. M. Wells: Mr. Chairman, can I ask the hon. member, is she suggesting that non-specific urethritis should be listed as a venereal disease?

Mr. M. Renwick: I would suggest, Mr. Chairman, that the Minister should take a look at a report which points out reasons why perhaps it should—perhaps, Mr. Chairman—and the Minister will have it in his hands as Minister of Health; it is not my decision. I am trying to say to the Minister that—

Hon. Mr. Wells: I am just—

Mrs. M. Renwick: Fine. Perhaps this Minister might bring new luck to this department, I do not know. We seem to see a couple of things coming along that surprised me, I have been so used to this department being such a dead-end street. I think what the Minister might like to know is that the directives to the—

Mr. Ben: Point of order, Mr. Chairman.

Mr. Chairman: Point of order!

Mr. Ben: On a point of order, Mr. Chairman, I do not dispute the right of the member who is on her feet to discuss these estimates. I would draw to your attention, however, Mr. Chairman, we had a considerable debate here on Thursday and Friday, led by the leader of the NDP, stressing some kind of an agreement which was supposed to have been made by the party Whips to the effect that we were supposed to get on to the hospital debate.

They took strong objection to my pursuing a particular item. Now, Mr. Chairman, the NDP Whip came and said that this speaker was going to finish her remarks at twenty-five minutes to three. She was on most of Friday. If there is an agreement, all I am asking is

this: Would the NDP please practise what they preach?

**Mr. R. Gisborn (Hamilton East):** On the point of order, Mr. Chairman, I understood there was some agreement also, but I think if the member is going to be fair he would have had his Whip here to lay the complaint. I understand that they have agreed that tonight, at 6.00 o'clock, is the close of everything except the OHSIP estimate.

**Mr. Ben:** I am sorry, Mr. Chairman, I want it noted that that particular agreement was abrogated by the NDP three minutes ago.

**Mrs. M. Renwick:** Mr. Chairman, on a point of order, is the member for Humber on a further point of order or did he rise to debate?

**Mr. Chairman:** The hon. member for Humber was speaking to the point of order raised by the hon. member for Hamilton East. I might say, actually, that strictly speaking there really was no point of order. The informal arrangement was something certainly that should be abided by by all parties entering into such an arrangement. It is not, strictly speaking, a point of order for the Chair to decide. I believe the Whips should get together and if there is any agreement it should certainly be adhered to. Unfortunately, I cannot rule on any such matters.

**Mr. Gisborn:** Might I ask, Mr. Chairman, have you any specific note from the Whips outlining the schedule for this afternoon? If not, I will try and get one from our Whip.

**Mr. Chairman:** I would say to the hon. member and perhaps it might be opportune at this time to point out to the committee that the order changing the rules of procedure for the remainder of the estimates indicated that there would be a total of 36 sittings to deal with supply, 15 hours of which, or six sittings, would be in the standing committees' reports as they came back to the House. This would be 75 hours for discussion in the committee of supply.

Up until we commenced this afternoon a total of 72 hours and 47 minutes had gone by which, under that provision, would leave two hours and 13 minutes of the 75 hours to discuss the remaining items in The Department of Health. I just put this forward to the committee at this point.

**Hon. Mr. Wells:** Mr. Chairman, I do not want to let that point about non-specific urethritis go by, lest people who are not as

familiar with some of the terms, as we in the House, might be led to believe—

**Mrs. M. Renwick:** I am just asking you to look at it.

**Hon. Mr. Wells:** I just think it has to be made clear that non-specific urethritis is not caused in the same manner as venereal disease and catheterization. Cystoscopic examination and various things like that can cause the development of non-specific urethritis in a person, which, of course, is not a venereal disease condition. I would not want anyone to get the impression that it was connected with venereal disease.

**Mr. Chairman:** Perhaps the hon. member for Scarborough Centre would pursue her discussion on the special health service programme, bearing in mind the points of orders raised by other members.

**Mrs. M. Renwick:** Might I ask you what time you began these estimates?

**Mr. Chairman:** Yes, at exactly 3.23.

**Mrs. M. Renwick:** Three twenty-three. We have spent, how many minutes on this point of order?

**Mr. Chairman:** Three twenty-three was the time we started. We have spent about four minutes on the point of order.

**Mrs. M. Renwick:** Very well, thank you. Mr. Chairman, I was trying to engage the Minister of Health in the problem that doctors face in the clinics with only two drugs with which to treat patients of venereal disease—only two free drugs prescribed by The Department of Health. The Minister has outlined in his committee a plan to study the problem of the use of free drugs. Is the Minister contemplating the use of whatever drugs the doctors in those clinics feel they require? Could I please ask that?

**Hon. Mr. Wells:** Mr. Chairman, it is our intention to let the clinic directors and the others on the task force come up with a recommendation for us on this—I do not want to prejudice their work. Certainly, my aim is to let them use the most effective method of treatment that is possible and I want them to come up with it.

I think it should be pointed out that we suggested some of the clinics could engage in private projects with some of the newer drugs, such as canamycine and so forth, and most of

the clinics have not come up with any suggestions as to pilot projects even on this, so that we are just at a little loss.

Most of them are using the two drugs we suggested, but we realize that it is an area for discussion and concern and we want them to come up with something. That is why we have the clinic directors.

**Mrs. M. Renwick:** So, Mr. Chairman, I ask the Minister briefly, how soon were you aware of the fact that Women's College Hospital, obviously in the presentation of the health committee here, was not satisfied with having only B2 drugs because of the sensitivities of penicillin?

**Hon. Mr. Wells:** Our people tell us they really have made no representation to us asking for other drugs than the ones that we have been supplying.

**Mr. J. B. Trotter (Parkdale):** I rather doubt that.

**Mrs. M. Renwick:** Mr. Chairman, Dr. Amies worked for The Department of Health—is that not right, Mr. Minister? Dr. C. R. Amies worked in the public health laboratory?

**Hon. Mr. Wells:** Yes, I am told that is right.

**Mrs. M. Renwick:** Dr. Amies discussed with The Department of Health, sir, the sensitivity of penicillin in his rather startling figures that he came up with—I believe it was about 40 per cent. I would just like, Mr. Chairman, to state briefly the summary of Dr. Amies, because this was a very important work, which discovered that the sensitivity of penicillin to the disease was rising in such proportions that it was going to become totally ineffective.

**Mr. Ben:** That has been known for 25 years.

**Mrs. M. Renwick:** Mr. Chairman, I would ask for order from the member for Humber, please.

**Mr. Ben:** I would just point out, on a point of order, that the hon. member is misleading the House as to the effect of penicillin and people becoming accustomed to. That is something that has been known for 25 years and it is absolutely nothing new.

**An hon. member:** Is that a point of order?

**Mr. Ben:** It may be new to her—yes, that is right.

**Mrs. M. Renwick:** Mr. Chairman, we have had penicillin in our use for very little more than 25 years.

From the *British Journal of Venereal Diseases*, Dr. C. R. Amies, who is still in Toronto and who at that time was with the public health laboratory in The Department of Health for Ontario, wrote on the sensitivity of *Neisseria gonorrhoea* to penicillin and other antibiotics, and he referred to studies carried out in Toronto during the period 1961 to 1968.

I just want to make sure of the right reference here. I do not wish to go into the figures, Mr. Chairman, but Dr. Amies said in his summary that in 1959 in Toronto only three per cent of the currently circulating strains of *Neisseria gonorrhoea* were resistant to .1 units of penicillin. This figure has gradually been increased until it now stands at 50 per cent.

At present, 30 per cent of the strains are resistant to .3 units of penicillin. This drug will soon be useless for the treatment of gonorrhoea. It is now advisable to isolate the infecting organisms in every case and to determine that sensitivity, not to penicillin, but also to tetracycline, which you will note Mr. Chairman, if I might interrupt for a moment, is the only other drug that these clinics have the use of at this time.

To go back to the text; with tetracycline and sulfanilamide, in this way a choice of treatment becomes possible. Resistance to penicillin is never abating. Only a few strains are insensitive to a concentration of one unit. To obtain this concentration in the body however, a heavy dosage, variably estimated at a total of two to ten million units, must be administered intramuscularly. The results of sensitivity tests in VETRO with ten different antibiotics are presented in detail. Tetracycline appears to be a satisfactory drug at present but resistance to it will eventually develop if it is widely used—

**Mr. Ben:** Point of order.

**Mrs. M. Renwick:**—particularly if treatment is inadequate.

**Mr. Chairman:** Order. Would the hon. member for Scarborough Centre please be seated while I listen to the point of order?

**Mr. Ben:** Mr. Chairman, on Thursday umbrage was taken by the leader of the NDP and the hon. member for High Park

(Mr. Shulman) and the hon. member for Scarborough West (Mr. Lewis) because I read some excerpts from a report which was mentioned in this House—an addiction report. This hon. member has been reading and reading and reading. Mr. Chairman, we have some kind of an agreement even though you say it is an informal agreement. I have suggested that this agreement has been abrogated by this member but are you going to call her to order on her continuously reading, reading, reading? I would refer you to the rules in that regard.

Mr. Chairman: I think the hon. member is quite correct in that there was some objection raised to reading of reports during the last two days when these estimates were considered. Objection was raised by certain members. I think perhaps the hon. member for Scarborough Centre may take those objections into consideration if she has any considerable amount of additional material to read into the record at his point. It might be well if she could condense it.

Mrs. M. Renwick: Mr. Chairman, I was on the last line of the paragraph and I would point out to you that I spent some time over this weekend condensing this material so that it could be presented in a concise fashion which would have been completed by now, if I had not had interjections from the hon. member for Humber. Dr. Amies The Department of Health knows well. The Department of Health cannot plead ignorance to Dr. Amies' recommendations, because Dr. Amies presented them to The Department of Health. I would like to know what the Minister has to say about no one in The Department of Health paying any attention to them. And are they going to pay any attention to Dr. Amies' recommendations that they use penicillin administered in intramuscularly. Intramuscular type of treatment is not obviously the most pleasant type of treatment, but when the disease is on the increase such as it is, obviously the Minister might have to go to something that will not be pleasant.

Hon. Mr. Wells: Could I ask the hon. member a question, Mr. Chairman? I presume the hon. member is aware that chlora-phenocol has some very adverse side reactions and chlora-phenocol, I would say—I suppose I should not say it as a non-medical person—but I think chlora-phenocol should be resorted to after other things have been tried, because it can have adverse side effects in contrary indications.

Mrs. M. Renwick: Is the Minister considering the work of Dr. Amies—Dr. Amies is no longer, Mr. Chairman, with The Department of Health and also the work of Dr. Manuel, no longer with The Department of Health—who wrote his "Symposium on Gonorrhoea Today"? Does the Minister place any value in these two reports? Is he saying that these two doctors, in particular, Dr. Amies, do not know what they are saying? Will the Minister make himself quite clear about these two reports, because they went into that department quite recently? Dr. Manuel is 69, Dr. Amies is 69 also.

Hon. Mr. Wells: Yes, Mr. Chairman. First we paid attention to these reports. Any reports such as this are considered very carefully. In fact, I guess it was on the receipt of reports such as that one—I am not sure whether it would be exactly that one—that tetracycline was added to the programme. I am also—

Mrs. M. Renwick: It is a seven-year-long report. Mr. Minister, it is not a fly-by-night—

Hon. Mr. Wells: It is perhaps rather strange that two non-medical people should spend all this time discussing treatment methods, Mr. Chairman, when I have indicated that we are quite willing to look into this in the task force. We have asked them to go to work on this problem, but I just should tell the hon. member that the United States public health service still says that the treatment of choice in gonorrhoea is aqueous penicillin in a sufficiently large number of doses.

Also, the United States public health service still recommends this as the treatment of choice yet still recognizes there are resistant strains. But I should also tell the hon. member that our figures for this October show that 69 per cent of the gonococcal bacteria that was isolated at our lab is actually still sensitive to penicillin, so that there are still an adequate number of cases that can be treated with penicillin.

What we have got to do is just find out what other drugs should be added to the schedule and then do it, and this is what we have asked the task force to do, so I really do not think we need to take all this time discussing it because we agree with the hon. member that there is certainly—we recognize—

Mrs. M. Renwick: I would say, Mr. Chairman, that we agreed pretty well until a moment ago on the fact that the Minister was probably going to do something about this situation.



I would like to refer briefly to the archives of environmental health, Vol. 13, No. 3, September, 1966. The American Medical Association arranged a national symposium on venereal disease control, and in the covering of that symposium, Mr. Chairman, there is the sixth line saying—

**Mr. Chairman:** Is the hon. member still on special health services? She is mentioning environmental health which is the next programme.

**Mrs. M. Renwick:** No, that just happens to be the title of this journal, Mr. Chairman. I was referring to the Minister's statement that in the United States penicillin was still effective in the treatment of venereal diseases.

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

**Mrs. M. Renwick:** I would like to say, Mr. Chairman, that in this particular volume it states:

Problems in gonorrhoea control today include the problem of penicillin resistance and the need for better diagnostic as well as treatment tool.

It has the financial support to go ahead with what the Minister already knows, Mr. Chairman, about the crux of the problem. I would like to ask the Minister—he has got a \$40,000 budget here—what does that cover? I am wondering if it covers services for the clinics or services for the doctors? What exactly does that \$40,000 cover? Is that an honorarium that the doctors receive, or is it for the use of the clinics?

**Hon. Mr. Wells:** That is the grant to clinics—the public health clinics, not the ones that are in the hospitals—because they get grants, as I understand it, under the Ontario Hospital Services Commission as an outpatient service.

**Mrs. M. Renwick:** It is such a small sum, Mr. Chairman, could the Minister break down where the \$40,000 goes and what he is going to do with that?

**Hon. Mr. Wells:** The \$40,000 goes as special grants to personnel in the hospitals and that is broken down here—\$23,000 to those clinics; \$9,996 to the boards of health in Ottawa, Sudbury and Windsor-Essex; and then payments were made from item 3, maintenance, to boards of health based upon treatments given in Ottawa, Sudbury and Windsor, amounting to about \$13,000. Some of that is paid by OHSC to hospitals.

**Mrs. M. Renwick:** Mr. Chairman, that is what I wanted to get from the Minister—whether some of that amount is paid under OHSC, or, in fact, the amount that The Department of Health is prepared to put out into the field to doctors as honorariums or clinics in operation.

I would say that he has written to hospitals saying that now that OHSC will accept the cost of the operation of the clinics, this grant is now for the honorarium for the doctors, and if so, it is pitifully small. This particular one is about \$4,000.

**Hon. Mr. Wells:** Yes, but you have to remember that the people who come into the clinic and have medical insurance will be handled on a regular fee for service basis.

**Mrs. M. Renwick:** Mr. Chairman, as a wind-up to my remarks, in the 43rd annual report for 1967 the department referred to staff additions and it referred to the fact that:

Some of the services and programmes in the branch were not developing during the year because of the scarcity of experts in the field concerned. Despite this chronic defect, however, considerable success was achieved in adding qualified staff to some programmes during 1967. In mid-year a physician was placed in charge of venereal disease control on a full-time basis.

I ask the Minister: Who was that?

**Hon. Mr. Wells:** Which report are you reading from? The latest report?

**Mrs. M. Renwick:** No, that was 1967—you were going to put somebody in charge then.

**Hon. Mr. Wells:** 1967—that was Dr. Russell Manuel.

**Mrs. M. Renwick:** That was Dr. Manuel, who is no longer there. Mr. Chairman, could I ask the Minister who heads that department now? It would appear, Mr. Chairman, that there has been a shortage of staff—a shortage of qualified staff, the department said in that 1967 report. I would like to know who is there now if Dr. Manuel is gone.

**Hon. Mr. Wells:** Dr. Bell is the head of the epidemiology section and Dr. Persad, and I believe there is one position vacant at the present time. We are looking for another person for this staff.

**Mrs. M. Renwick:** What is Dr. Persad's title? Is he head of venereal disease control?

**Hon. Mr. Wells:** Officer in charge of the epidemiology section, venereal disease control.

**Mrs. M. Renwick:** Who is the director of VD control that the Act calls for, Mr. Chairman? The Act calls for a director. It says, "the director is the director of VD control in Ontario." Who is that person?

**Hon. Mr. Wells:** Dr. Jim Bell.

**Mrs. M. Renwick:** Or is Dr. Bell head of epidemiology?

**Hon. Mr. Wells:** As head of epidemiology he is also head of the venereal disease control section.

**Mrs. M. Renwick:** Mr. Chairman, to make it brief, I would like to ask the Minister: Did you plan at one time to open a clinic in Toronto, a central clinic, for venereal disease, and did you bring over from England a Dr. Hutfield to head up that work, and was he not fired recently from The Department of Health, and if so, why?

Was he fired, Mr. Chairman, because he spoke to the press about the shortage? Was he fired for inefficiency? Was he fired for not being able to get along with the people? What was the reason that Dr. Hutfield was fired last month from this particular department?

**Hon. Mr. Wells:** Mr. Chairman, the reason Dr. Hutfield was fired—he was employed here for about three months—was that he did not seem to be getting along and people were not getting along with him. Things were not working out in staff relations, and it was a case of personalities and so forth.

**Mrs. M. Renwick:** Fine, Mr. Chairman. I would suggest to the Minister he see that when they have an enquiry on the proposed push for a resignation of a staff member, that the enquiry is required to direct to the staff member the reason for their not being satisfied with him, or for his not being satisfied with them. I have the letters and the correspondence to Dr. Hutfield which simply say that it would seem that he does not really want to be around there, and we do not know to this day exactly why he was fired. The gentleman has numerous references from hospitals in London, in Britain, that make one wonder if his qualifications were not more expert than those around him in that particular department.

When he called for a 24-hour clinic, and for more drugs and reported a 55 per cent increase of venereal disease in Ontario for five years, he did so, Mr. Chairman, in the belief that money is always short in hospitals where he has worked. This was not to hurt The

Department of Health; it was to create an interest by The Department of Health in giving him the kind of material to treat the problem.

Does the Minister see what I am saying? We have had trouble with The Department of Health keeping members of Parliament out of mental institutions. I am glad to see that ban is lifted. Notices went up to the staff in the Lakeshore institution not to talk to any visitors, not to talk to the press. Then we get a firing in the department because the man refused to resign, because he did not see any reason to resign, and we do not get a proper understanding of why the man was fired. I believe he was hired in England, he was hired at a higher position than he was paid for here, during the time he was employed.

I understand that retroactivity is being made up now, that this is a professional man whose career stands to be in some form of jeopardy. Part of his concern, in this Department of Health, was that The Department of Health was not going to go ahead and use this serum that was offered to this department by Dr. Greenburg in Ottawa in The Department of National Health and Welfare. If the Minister will check this file, he will find, probably that Dr. Greenburg, as he assured me, has not even received a reply from The Department of Health with his request to use vaccine in the province of Ontario. He has now gone to another source to use the vaccine.

**Mr. Gisborn:** Some kind of a purge, all right.

**Mr. S. Lewis (Scarborough West):** Are you purging all these former civil servants?

**Mr. M. Shulman (High Park):** I wish to speak, sir, if I may, for 30 seconds. There is a group here who are leaving and it is a matter of interest to them, if I might. Less than one minute. I just want to draw the Minister's attention to the people who are in the gallery. They are all representatives of the homes for special care and other nursing homes under The Metro Health Act. It is a matter of extreme urgency and I want to draw to the Minister's attention they cannot subsist on the \$4 a day and I hope that some action can be taken before the end of this month. Otherwise you are going to have homes closing and people being forced out into the street.

**Hon. Mr. Wells:** Mr. Chairman, let me just say, as I said the other day to the hon. member, I have this matter under very active consideration. We know the problem and I am

happy to see that these people are here today, and we are going to take a look at it.

**Mrs. M. Renwick:** Mr. Chairman, I would just like to raise one point with the Minister. Would the Minister look at an inter-office memo dated August 1—

**Mr. Ben:** We cannot get into your problems.

**Mrs. M. Renwick:**—and see that that sort of activity is not pursued any further. Instead of dealing with the problem of putting Dr. Persad in the place of Dr. Hutfield, a memo simply went out from Mrs. Pearson saying: "Re telephone calls, answer 'VD control' and your name, and unless specific request for Dr. Hutfield, refer to Dr. Persad for the present. Re personal calls: These must be limited, etc."

I think, Mr. Minister, if you want to do something in that department, you make sure that they have their hands up on top of the table on operations within their own staff. I understand in Brookfield, we now have an administrator in the Brookfield psychiatric hospital. The Department of Health or the Minister or the Prime Minister (Mr. Robarts)—somewhere in there—is to be complimented for that changeover, to bring some action in that area.

Now I would ask the Minister to take a look at his own shop in the Hepburn Block.

**Hon. Mr. Wells:** I just want to assure the House, Mr. Chairman, that the doctor referred to was not fired nor was it in any way suggested that he resign because of what he said to the press or for anything of that nature. He was a probationary employee and it was just one of those staff situations that did not work out.

**Mr. Chairman:** The hon. member for Humber.

**Mr. Ben:** Patience has its rewards. I want to apologize to the people up in the gallery. It looks as if we are never going to get to their problems.

**Mr. I. Deans (Wentworth):** You do not have to apologize.

**Mr. Ben:** The hon. member who just sat down is some kind of an expert on VD. I should ask the hon. Minister: Is penicillin still a valid remedy for running mouth disease?

**Mr. Lewis:** To the hon. member. Patience has its time. Some of us do not consider you rewarding.

**Mr. Ben:** I trust that we are finished with that particular vote and we are now on the next one, that is, special health services.

**Mr. Chairman:** We had been discussing special health services.

**Mr. Ben:** We have—no, by Jove, I—

**Mr. Chairman:** The first programme has been carried.

**Mr. Ben:** I was certain that we were covering the item higher up, but, anyway, I do want to talk this little bit about home care.

Mr. Chairman, it is going to be very short and sweet. I am just going to resort to two letters and I am not going to read them in total. One letter was received, not by myself, but my colleague here who sits next to me, the hon. member for Algoma-Manitoulin (Mr. Farquhar). He received a letter from Dr. Jean Pigeon, B.A., M.D., M.R.S.H., from Blind River.

He was telling my colleague here that a couple of weeks ago, in October, he was at the OMA district 9 convention and heard a Dr. G. Guay of Hull, Quebec, describe the operation of a home care plan.

He was pointing out to the member for Algoma-Manitoulin the benefits that flow from a good home care plan. He stated patients who do not require all the services of our general hospitals, which are established a very high standard can be treated at home, provided that nursing, housekeeping and other ancillary services are available to them.

They were shown people who were in hospitals, who ought not to have been in hospitals, who could have been at home had there been a very good and comprehensive home care programme. He pointed out that the cost averages \$5 a day, in comparison with hospital services costing \$40.

I might point out that in the city of Toronto at the Toronto General Hospital they will not think that your \$40 is enough, so that home care—even nursing home care—runs only a fraction of what hospital care does when people use active treatment beds or acute treatment beds when there is no reason for it.

He offered, Mr. Chairman, through the Minister of Health, to set up a pilot home care programme in Blind River, and I can only be led to believe from this remark from such a prominent doctor as this Dr. Pigeon, that they do not have a home care programme in Blind River.

He offered to set up a pilot programme and I would suggest that perhaps the Minister ought to give consideration to that. And in so doing, I think he should listen to a short letter. It is going to take me about three minutes. It was received from someone who was subjected to home care here in the city of Toronto. It is addressed to me and it is from Robert M. Campbell, and he states:

I appreciate your interest in my complaint about the services provided me by the Ontario hospital commission and I am, as you suggested, outlining the circumstances.

Three weeks ago, Friday, March 14, I broke my leg and was admitted by ambulance to the Owen Sound General and Marine Hospital. My leg was encased, and still is encased, in a cast extending from my groin to my toes. I cannot put on my sock nor will I be able to until the cast is removed, probably in three weeks.

I was discharged from hospital on March 22 at my request as I assumed—and so did the hospital people—that OHSIP would care for me at home until such time as I could cope.

For the first week at home, in Toronto, I was visited daily by a VON nurse who washed my back and got my clothes on. Concurrently, I was provided a homemaker who came in daily from 9:00 to 1:00 and who made my bed, emptied the urinal, washed my dishes, put my clothes where the laundry could get them, put out the garbage, made me a hot meal at noon and prepared a cold plate for the evening meal. Last week, I trained myself to dress alone and so did without the nurse. The homemaker got my sock on the difficult foot.

Monday of this week I called a taxi, hopped to it on my crutches, and was taxied to work. Same yesterday. I taxied home in the afternoon and ate my cold plate.

This morning the homemaker did not show. There was no warning. She just did not show at 9:00 a.m. I waited until 10:00 and called the homemaker service to be told I was cut off because I was going to work and because—actually through self-negotiation in an effort to relieve the service—I did not have a daily nursing visit.

I have just talked to my doctor who is helpless to do anything about it.

Right here, I should mention that I have paid for Ontario hospital, for Blue Cross,

for PSI for—through my firm—major medical. I am not a charity case. I am owed service.

I would point out to you that there is no change whatever in my need for service between now and the day I was discharged from hospital. I was on crutches then, I am on crutches now. On crutches it is impossible to empty urinals, carry pots and pans around, make beds, carry food parcels home, put out laundry, put out and take in garbage cans and all the other things. As long as I am on crutches, I am helpless. The fact I sit in my office all day or part of a day instead of at home has nothing to do with the problem.

The homemaker service people—a service provided by OHSIP—have constantly tried to shirk. They wanted me to get friends or relatives to care for me over weekends so their people could have holidays. Their attitude is that they are a welfare outfit and that I should try to relieve them. I told them they had a choice in giving me the service my insurance pays for—either cope or put me back in hospital and let them pay the \$60 plus per day. I resent their implication that I should try to impose on my friends or relatives to relieve them of what I am paying them to do.

One other thing about OHSIP. Sunday morning a VON appeared unannounced—I had already suspended nursing service—and told me I was going to get a hypodermic. I am not slated medically for a hypodermic. I refused to have a hypodermic. She went away. Later the dispatcher called to try to get her because “someone needs a hypo”. This is a shocking menace to public health. In this my doctor concurs. I might have been given the wrong needle while obviously someone who needed it was suffering.

Although there is, I feel, a need for a correction of the slack and cavalier attitude of this monster of the present government. Bringing this to the attention of the public will not help me. By that time I hope to be out of my cast. But it may help others who lack the connection I have in you. God bless him for that.

I suggest you hand Dr. Dymond a pair of crutches and slip a straight leg brace on him and then tell him to carry a full urinal down the hall and ask him if it would make any difference whether he sat in his office or his home.

I am enclosing a copy of “Home Care Programme”. You will note the copier does

not pick up the blue print headings but they are non-significant. As for Ontario Hospital, as you know we have no contract. It is an Act of the Legislature and we pay as billed.

Thank you for your interest, Mr. Ben. I hope my squawk may help others.

Yours sincerely,

Robert M. Campbell.

Mr. Chairman, through you to the Minister, I believe that the content of this letter has a very legitimate complaint. He voluntarily left the hospital in order to relieve the hospital of the cost of keeping him there when there was no need for him to be kept there under the circumstances. He felt that he had paid for coverage through many different plans and, as he states, he is not a charity case. He feels he is owed service. But, anyway, being concerned with saving the service money, he felt that he could be at home just as well with the limited service that would be provided him by home care. And because he ostensibly went to work where he did not need any kind of help, except to perhaps have his swivel chair swung in place for him, he was cut off from home care.

What he said in here was true: "If you do not want to give me home care, fine, put me back in the hospital and pay your \$60," but he is entitled to have care. He was entitled to have care, I should say.

It does not matter as far as Mr. Campbell is concerned, but I am sure this prevails with many other people in this province who also are not getting adequate home care because of the silly notion that once they can move out of the house, they no longer need home care. I would suppose a paraplegic who had an electrically operated cart which took him outside the house, would have been cut off too.

Now, something should be done about that. The department advertises home care and says:

Home care programme arranges service to existing community agencies. The patient must require at least one professional service in addition to the services of a physician.

Obviously he needed one professional service.

A patient in need of homemaking service only would not qualify for admission.

And:

The following range of services are available without charge to the patient:

nursing visits by a registered nurse; physical, occupational, and speech therapy; homemaking service on a part-time basis—the home care programmes assumes the right to determine the need for this service—diagnostic and laboratory service; medication and medical supplies; hospital and sickroom equipment; transportation, provided on the judgement of the home care programme.

This patient did not get it. There is nothing that can be done for him at the present time, but the fact is, I am sure, that he is right in his assumption that many, many other people fail to get the service to which they are entitled and the doctors knowing this prefer to keep them in acute treatment beds and active treatment beds rather than to send them home or rather than to send them to a nursing home where they cannot afford to keep the patients because the department is niggardly in the attitude adopted toward them.

The department expects the operators to keep them on peanuts and does not even give them the shells to see if they can sell them and get some money that way.

So let us hear the Minister's answers on this. When is the department going to do something about giving adequate treatment for non-active treatment bed patients in this province?

**Hon. Mr. Wells:** Mr. Chairman, I thought we started out with the home care programme, which of course is what we are talking about under this vote. I feel that the home care programme has been a very effective one and one which has to be continued. Now, in respect of the particular case to which the hon. member referred, I understand we also got that letter, so he must have favoured us with it too, and it is being looked into in our department—his specific case. Was that person in Metropolitan Toronto?

**Mr. Ben:** The person's home is in Metropolitan Toronto.

**Hon. Mr. Wells:** Yes; well we do have a home care programme operating, of course, in Metropolitan Toronto.

**Mr. Ben:** He is referring to the home care programme in Metropolitan Toronto. The accident happened in Owen Sound but he was transferred to Toronto.

**Hon. Mr. Wells:** If he left an active treatment hospital in Metropolitan Toronto, there

is, of course, a home care programme available here now. The reason why it did not take him into it I do not have at this particular time. But certainly he is entitled to it if his doctor and the director of the plan agreed.

We must remember that in the home care programme you are referred by your doctor, because it is to do exactly what the hon. member suggested. It is to take people who do not need to take up an active treatment bed, who really are being kept there and need services that could be supplied in their home. They could go into their home and these services are supplied. If the doctor agrees on this, this is what is done, and the services are supplied.

As far as the home care programmes are concerned, we are looking forward to extending this throughout the province. There are about 15 of them in the province right now and the majority of them are operating under the aegis of the VON to a great degree, but we are looking forward to making home care part of the operation of the district health unit and getting them into this, so that they become community centred plans that can be of help.

I would just like to assure the hon. member that part of our complete thinking is a total health programme that will make the best utilization of all the facilities and not have people in the active treatment beds when they do not have to be there—home care where necessary and nursing homes where necessary. As I said, we are working toward this and I hope in the near future we will have a policy to put forward.

**Mr. Ben:** Mr. Chairman, I just want to finish this off. I believe this vote also takes in the foster home programme for patients of psychiatric hospitals, is that not so, Mr. Chairman?

I have a very short statement to make; while they are looking, I could probably make it. I believe these homes are chosen and inspected in the same way that the children's aid society picks foster homes for children. I believe the people in charge of these homes for patients of psychiatric hospitals admit that these homes are not of the calibre they would like them to be, and I think it is because what they pay them is piddling. Sometimes it works out to about \$10 a week. Perhaps what should be done is to make arrangements with some of the nursing homes to care for these people at a decent remuneration rather than pawning them off, so to

speak, into the hands of some well-intentioned citizen—of whom some could be not-so-well-intentioned.

Some people may be just looking for the money it brings in or they may be just neurotic do-gooders. It is hard to say. Everybody you can get to do these jobs is not the best person. This applies to foster homes for children and I am sure it would apply to these people also. I think the principle that these out-patients will adjust more rapidly in a home environment than they would in a hospital environment is very sound but I think some more action should be taken by this government to set up proper foster homes for patients of psychiatric hospitals and pay the people who look after them a decent remuneration so that the patients receive proper care at all times.

**Mr. Chairman:** The member for York North.

**Mr. W. Hodgson (York North):** Mr. Chairman, as a backbencher in the government I am most concerned about the homes for special care. I have a large group of them in my own riding in the Newmarket area, which are doing an excellent and very fine job for their patients. But I do not want to leave the impression that I have done nothing for these people.

I had a request from Mrs. Sedore and her group a few months back at the time the member for Ontario (Mr. Dymond) was vacating his portfolio as Minister of Health, and I requested a meeting on behalf of Mrs. Sedore and the group from Newmarket at that time which he promised to give. But, as I say, he left the portfolio and the hon. Minister now has taken over and I have written him on two different occasions asking for this and he said that his estimates are coming up and immediately at such time as his estimates are over—I wrote him again on Thursday on behalf of Mrs. Sedore and requested that meeting and I am sure the information I get from him now, is that he will give it immediately as soon as the estimates are over—and I am asking the hon. Minister to give it as immediately as possible and also to give the fullest consideration at that time on the needs as far as the pay increase is concerned. Thank you.

**Hon. Mr. Wells:** Mr. Chairman, I had many discussions with the hon. member for York North about these people in his riding and as we have indicated, within the next couple of weeks we will be arranging a meeting with these people. I am sorry I did not have the

opportunity to see them earlier but, as I stated, I did want them and him and others in this House to know that the matter of the *per diem* rates are under active consideration with us right now.

I thought I might just point out to the House that they will see that there is a considerable increase in this particular item. The \$21,647,000 that is being voted this year is comparable to \$12,100,000 in the 1968-69 budget. Now this is because, as the members will realize, we moved from \$8.50 to \$9.50 *per diem* charges.

That, of course, does not account for the bulk of the increase. The fact is that we now have increased the patients being placed into this programme. We have moved from 3,479 for those that are in the institutions where they require nursing care up to about 5,300 this year. In the ambulatory patients, or those requiring only residential care, we have moved from about 892 up to about 1,600 patients and this accounts for the increase in the budget. I think that it is a programme that we are happy with and we are certainly evaluating placement of these people into the community and into this type of setting very carefully.

**Mr. Chairman:** Is there anything further under the special health services? The hon. member for High Park.

**Mr. Shulman:** Very briefly, Mr. Chairman, under laboratory services, I want to just—

**Mr. Chairman:** Excuse me, I am calling the special health services programme, which is two programmes before laboratory services.

**Mr. Shulman:** Sorry, under tuberculosis prevention extension, I would just like to draw to the Minister's attention a serious public health problem which is developing. A number of doctors, I for one, give BCG routinely to all newborn children and I have been doing this for some 20 years now. We have now run into a serious problem when you are doing tuberculin testing and find these people tuberculin positive, which, of course, they are. They are started on therapy. This happened to one of your employees, to my great embarrassment, who was a patient of mine and they were all for rushing her off to the san and starting her off on umpteen pills a day.

This is, of course, a very serious error and I would suggest you should have someone take a look at your whole tuberculosis prevention programme again, because what we should be doing here is what is done in so

many European countries; routine BCG vaccinations and forget your tuberculin testing.

**Mr. Chairman:** The hon. member for Huron-Bruce.

**Mr. Shulman:** I just wonder, is the Minister going to make any comment?

**Hon. Mr. Wells:** As I say, Mr. Chairman, I am not a professional in this area. Our people tell us that they do not recommend a routine vaccination to all newborns but only when there is a good indication that it should be given. I would be happy to look into what the hon. member suggested and take a look at it. But that is what our stance—

**Mr. Shulman:** I would suggest you do so because if he does, that is the end of TB in this country, the end of your sanitariums, your tuberculin testing, your mass x-rays and everything else. In the long run, I mean over a period of 10 or 20 years—and this has been suggested for 10 or 20 years in this House—you would be much further ahead of this system which you have now.

The problem is that enough doctors have recognized this and are now using BCG and I personally, within the last three months, have had two patients who went down to the Sick Children's emergency for accidents and were routinely tuberculin tested. The parents were then notified that their children had tuberculosis, and they wished to ship the child off to the sanitarium. Only after a great deal of excitement and running around and great mental turmoil to the parents, did I get that stopped. Let me suggest that this is one programme that needs further looking into.

**Mr. Chairman:** The hon. member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** My comments are going to be very brief, Mr. Chairman. I know that you want to move on to the next vote. But I could not let this particular vote go by without saying a word in respect to nursing homes, *vis-à-vis* the rates that have been discussed here today and the other areas which affect very greatly the total role of nursing homes in the entire health care field.

It seems to me that the department, up until now, has not really given full recognition to the role that nursing homes can play in the health care field. I think had they done so, they would have moved in a number of directions. I have been one of those people who have spoken many times in this House in respect to the fact that OHSC coverage should

be extended to nursing homes which are licensed and which are in good standing. I still maintain that stance.

I do not see any reason in the world why the department cannot move toward that type of coverage. There are many older people in this province who have undergone real hardship because this is not being done. Now, it seems to me, Mr. Chairman, that if the department fully recognized and appreciated the role of the nursing homes in the whole gamut of the health care field, they would certainly move very quickly to adjust the \$9.50 per day rate.

I do not think this is—in any way, shape or form—fair. I think the Minister would agree with that and I hope that he would take steps immediately to rectify it. It seems to me that there is no reason in the world why a person who is of a type—

**Mr. Ben:** I should point out, so that the other party does not start going on nursing homes, that nursing homes are not under this vote. I have to rise so that we will not start going on something that is out of order.

Interjections by hon. members.

**Mr. Deans:** With friends like that, who needs enemies?

**Mr. Gaunt:** Mr. Chairman, I appreciate—

**Mr. Ben:** I have to be fair about it—

**Hon. Mr. Wells:** In fairness, Mr. Chairman, the rates that the hon. member is talking about though, are under this vote insofar as they apply to our homes for special care which—

**Mr. Shulman:** Four dollars a day.

**Mr. Gaunt:** Four dollars a day, yes.

**Mr. Chairman:** I was concerned that perhaps the hon. member was speaking under the wrong programme in this vote. I wanted to give him the benefit of the doubt because I felt there was some area within this programme—

**Mr. Gaunt:** Right, right, Mr. Chairman, I recognize—

**Mrs. M. Renwick:** You all have our sympathies.

**Mr. Gaunt:** Mr. Chairman, I was in and out of the vote, I recognize that, but I just want to conclude by saying that surely to goodness The Department of Health can give

the type of recognition to the nursing homes which I have suggested.

**Mr. Chairman:** Anything further under the special health services programme?

**Mr. Ben:** Under the next vote, then, Mr. Chairman—

**Mr. Chairman:** Special health services is carried then. We will move on to the environmental health services.

**Mr. Ben:** Yes, Mr. Chairman, one of the new factors that is creeping into the environmental health picture is the fact that what used to be local exposure to toxic materials, gases, particles and the like, can no longer be so defined or so confined because it is a characteristic of the new materials, the new processes and the new operational procedures that the entire environment tends to be contaminated.

Workers who would not normally be expected to receive exposure do, in fact, come down with illnesses that the workmen's compensation board will not recognize as being directly attributable to their working conditions, but which are, indeed, proving to be attributable to their working environment. Now, Mr. Chairman, I want to stress that I am only talking about a workmen's compensation claim to illustrate an environmental health point, so please, Mr. Chairman, do not rule me out of order.

I should like to raise once more the case of Mr. Nelson Davison, aged 66, of R.R. 1, Port Colborne, who was treated at the Hamilton clinic of the Ontario Cancer Foundation for carcinoma of the middle turbinate, in plain language—cancer of the nasal passage—at the beginning of this year. His workmen's compensation claim #S7805085 was disallowed on the grounds that the departments of the International Nickel Company in Port Colborne, where he worked, were not those where he would have been exposed to cancer-causing agents or carcinogens as they are called.

Dr. R. G. C. MacLaren of the Hamilton clinic, wrote to the medical officer at the claims department of the workmen's compensation board, Toronto, on April 3 and his remarks are interesting in the light of our new concern with environmental health.

First, let me tie this in by reading from the annual report of The Department of Health, under the heading, environmental health and the sub-heading industrial studies:

Previous studies has shown an increase in lung cancer in certain occupations in the



refining of nickel, in a silver and cobalt refinery and in the production of gas from coal. Though exposure in these occupations was eliminated some years ago, cases of lung cancer have continued to develop among men who were exposed. Follow-up is being maintained on these men, and other occupations in the nickel industry are being studied to determine whether the increased risk of lung cancer extends to them. A study of chronic bronchitis and emphysema in relation to sulphur dioxide exposure is also being conducted on four occupational groups in the nickel industry. Other studies in progress include assessments of the risk of bladder cancer in six companies in the rubber industry and of lung cancer in coke oven workers in the steel industry. Investigations in other countries have shown an increased risk of lung cancer and mesothelioma in some occupations entailing exposure to certain kinds of asbestos. A study of these conditions in asbestos workers in Ontario, is presently being planned in co-operation with our occupational health service. In view of reports of increased mortality from lung cancer among uranium miners in the United States, arrangements are being made for a study of mortality among active and former uranium miners in Ontario.

So you see, Mr. Chairman, the fact that this is a workmen's compensation case is incidental so far as this discussion and this vote are concerned. What I want to establish is the fact that environmental health is blurring the boundary between what used to be the clearly defined limits of work and play.

To get back to the doctor. Dr. MacLaren goes on in his letter of April 3:

I know nothing of the details of the processes of refining nickel, but I do know that this type of tumor is unusual in the general population. This clinic sees patients from Hamilton, Burlington, Guelph, Galt, Brantford and the Niagara peninsula, and between 1958 and 1967 we have records of nine cases in males. Their towns of origin are: Port Colborne 6, Fort Erie 1, Welland 1, and Wellandport 1.

I have no way of knowing that these nine cases all worked at the International Nickel Company, although some certainly did. We have other cases of women who are scattered on a more random basis and I am surprised that we have no other cases of males from the rest of our area, as we should have one or two cases from large cities like Hamilton.

As this patient has worked at the International Nickel plant for many years and as the disease from which he suffers seems to be uncommon elsewhere, I think it would probably be advisable to review the decision regarding his claim.

Perhaps members would care to turn to page 6292 of *Hansard* and examine the answers to questions about this topic addressed both to the Minister of Labour (Mr. Bales) and the Minister of Health, particularly the latter, on page 6293. New chemicals are not tested to see if they are cancer-causing unless it is previously suspected that they are likely to be. Whoever thought that cyclamates and Accent would be suspect, but now we see that they are.

It should be realized, says the Minister of Health in his answer, that the response in humans does not necessarily parallel that in animals. Why then send a monkey up to study the effects of weightlessness? Surely we cannot have one philosophy when it suits, and another one when it does not.

Publication is on a voluntary basis in the learned journals. How much information is suppressed because publication is not compulsory? Would a research worker for INCO risk prejudicing his job by publishing against the will of his masters?

The Department of Health does not undertake to test new materials to see if they are cancer-causing agents. Why not? What is that beautiful new laboratory for, up on the 401 Highway, if not for this? It is beneath the dignity of the addiction research foundation to treat people, and now it is beneath the dignity of the departmental laboratory to test materials to see if they are cancer-causing agents. What nonsense this is. What are we coming to?

Why are the special studies of morbidity and mortality undertaken by the health study services confined to specific occupational groups? It almost looks as though, in today's atmosphere of general pollution, the geographic approach would be more fruitful. Anyone who is in a certain locality, for example Port Maitland, is obviously in greater danger than anyone who is away from the source. So why confine it to the occupations?

Everybody who is around the process regardless of whether he is a clerk or furnace man is breathing the same air and surely the criteria are the length of exposure, the frequency of exposure, and so on, rather than who has a specific union card.

The results of industrial hygiene investigations by The Department of Health are only reported to the workmen's compensation board "where applicable" the Minister says on page 6293 of *Hansard*. Who decides when a finding is applicable? Are there any rules or guidelines? Should not all cases be reported to the workmen's compensation board? After all, who knows what the long-term consequences of lack of hygiene are in relation to subsequent compensation cases? Must the board begin from ignorance every time?

To return to the case of the late Mr. Nelson Davison, who died of his cancer on June 13. He was the one man out of six whose case was disallowed because it was said that in his 36 years and nine months of employment with INCO he had only been employed in the electrolytic department and not in the cupola, calcining or sintering operations, where a statistical relationship had been established between occupation and health.

The board took these findings as gospel and Mr. Davison, after 36 years and nine months with INCO, all in the environment of the operation, got no compensation for the cancer in his nose. He died a bitter man.

Now does the Minister mean to tell this House that had Mr. Davison spent his days fishing on Lake Nipigon, he would have contracted this disease? No, the plain fact is that anyone working in the INCO operation at Port Colborne or in a similar environment anywhere in the province, is much more likely to get cancer than someone who is away from the immediate location of such nasty and unpleasant inhalations and vapours and airborne dust and acid and all the other factors that go to make the operation what we would call heavy industry. The plain fact is that Mr. Davison died of cancer because he worked at INCO, in that atmosphere, and for no other reason.

We are coming to the point in time where we have to broaden the public liability toward those we expose in the front line regardless of the narrow findings of scientists who are only looking for specific correlations to suit their own research ends. We have to admit a collective guilt in the matter of personal health in subnormal and subnatural environments. The cost of this will of course not be negligible. But neither will any of the debt settlements that must now be made as the unpaid bill for progress is totalled. Our fathers and grandfathers left us a legacy that we could well do without, and certainly industrial disease, looked at in a much broader sense than ever before, is part of the price we

must pay for their philosophy of man conquering nature rather than abiding with it in harmony and peace.

The time is over when we can approach these matters on the basis of insignificant statistics. I have always been suspicious of this approach but it hits the reader forcibly on page 6294 at the top, where the fact that Mr. Nelson Davison got cancer in his nose is said to be not statistically significant. To him, it was everything. He died of the thing, did he not?

How local then are local effects? What constitutes exposure? In the smog of Toronto, where are the boundaries? Obviously, Milton is clearer than Etobicoke and Whitchurch township is fairer than the junction of the Don Valley Parkway and the Gardiner Expressway. But the extremes merge and build imperceptibly.

This, I think, is why the case of the late Mr. Nelson Davison—which we have purposely documented so well in the *Hansard* record, from page 6291 onward, in the issue dated June 26—is a milestone. We have made it such a milestone by building it into the record for posterity to see and to ask the question: Is this the first case of a legion of cases—the new generation of environmental health cases which will not answer to any present workmen's compensation code but which are nevertheless the fruit of people having to work in generally polluted, rather than specifically polluted, environments? What does society owe such people and how can we discharge this debt?

Mr. Nelson Davison lies in his grave and he has left a widow 56 years old, who fortunately owns her own small home. But all she has to live on today is \$86.99 a month, the USW negotiated pension that INCO pays. It is a non-contributory pension but because of this, Mrs. Davison has been told that as soon as she gets a cheque from any other source the rules of the agreement say that her INCO pension will cease. Certainly, Mr. Savelle, INCO's claims officer, told Mrs. Davison: "If you are lucky enough to get a workmen's compensation board cheque, however small, we shall immediately stop your INCO payment."

In another nine years, Mrs. Davison will qualify for a \$78-a-month old age pension and she asks: "What will happen then?" We cannot tell her the answer. She is at INCO's mercy.

Now, Mr. Chairman, that deals with Mr. Davison but I want to just tie in again the principle that I was making that you do not

know where the two fields merge—immediate local pollution and long-range, long-distance pollution. Mr. Chairman, I want to draw to the Minister's attention the report in the *Toronto Daily Star* of Friday last entitled "No Need to Panic Over Air Pollution, Ontario Expert Says." Mr. Chairman, I say categorically that the so-called expert who made that statement is talking through his stack. The fact that this man is head of the provincial government's meteorology and air quality section makes his gaffe inexcusable. Louis Shenfield's complacency could have us all in our graves.

High stacks will only dilute the concentration of toxic gases and will only reduce the human peril in the immediate vicinity. I think it was my leader who said that dilution is no solution to pollution. Anyway, whether he did or not, I say it. The elevation of toxic waste matter into the stratosphere, where it can be acted on by ultra-violet light, is nothing to be proud of. Studies now going on in Los Angeles suggest that far from the sun's rays having a sterilizing effect on the uppermost layers of smog, they have just the opposite effect. They make simple elements join together and become more complicated ones, until finally we may produce life itself in the soup, in the form of viruses.

The broth of smog is like the primordial seas. It has every ingredient that photosynthesis needs to build with. And that, Mr. Chairman, is exactly what happens when we build high stacks. We turn simple poisons into viruses, and we replace bronchial poisoning with epidemics of new varieties of flu and similar virus-carried diseases. Since cancer is now thought to be caused primarily by viruses, it will be interesting to see if, in fact, high stacks do not produce greater and more irreparable damage than the damage they are supposed to alleviate.

Our research into this is hampered because most of the findings are U.S. Air Force property and still classified. But we know enough to see that high stacks are not the answer to our problem. Again, I repeat, dilution is not the solution to pollution.

**Mr. Gisborn:** What are you quoting from? What paper?

**Mr. Ben:** I am quoting from the *Toronto Daily Star* of Friday last. The caption is: "No Need to Panic Over Air Pollution, Ontario Expert Says." The *Toronto Daily Star*—a good NDP paper.

Interjections by hon. members.

**Mr. Ben:** May I have some answers from the hon. Minister?

Interjections by hon. members.

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

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman, I began to ask a question on Thursday evening concerning the pesticide advisory board. It has been represented to me that this board consists entirely of government and commercial representatives. I would like to know whether this is so, and if so, why there are no representatives of the universities on this board. There is a tendency—perhaps natural, perhaps unintentional—for government representatives to protect the government party and there is a similar inclination for the commercial representatives to favour the business aspect.

Why is there no representative of the public itself, whose interest presumably might be protected by some independent university scientist, for example Dr. D. A. Chant, whose interest in this subject is well known.

The first chairman of this less than two-year-old board, Mr. G. F. Manson, resigned. Now, what difference of opinion did he have with the rest of the board, or was it with the government? Was it over the narrow reference terms given to this board? Was it that the advisory board was not going to be asked to do any advising?

If so, has this policy now been definitely and permanently changed so that it is now in a position to give advice and not merely issue licences?

A few remarks about the disposal of DDT: For several days, I had a question waiting on my desk for the Minister of Health. I intended to ask him whether any kind of incineration of DDT was possible without creating any equally disastrous pollution of the air. The Minister answered this question in the House the other day—on Thursday afternoon—and in giving an answer, he indicated that this is a possibility, but that the only suitable incinerating equipment was in the United States. Many months ago, Mr. Chairman, I drew to the attention of the then Minister of Energy and Resources Management, a device for eliminating liquid industrial waste without—according to the manufacturer's claims—creating odour, smoke or air pollution. This is manufactured in Cleveland, costs about \$18,000 and, if it works as advertised, seems to be the answer to many problems of waste disposal.

Although they asked for the details of this device, the only answer I have been able to get from the pollution control people is that their department does not endorse or test such devices. I believe that is the way they phrased it. The Ministers of Health and of anti-pollution have had over two months to devise a method for collecting and destroying—or rendering harmless—the unused stocks of DDT.

On October 20, I asked what was being done and on October 23, I suggested that there be designated immediately collection points to which people could take unused stocks of DDT. The Minister of Health assured me that plans were being made and would be made known soon. Yet, even today, we are still waiting. Why does it take this government so long to do anything, Mr. Chairman?

It took the Minister of Revenue (Mr. White) many months to come up with the idea, after consulting with the restaurant association and all kinds of people, that it was all right for a waitress to list several meals on one bill. It took many months to reach that complicated decision and now we have two Ministers taking two months to figure out a way merely to collect unused stocks of DDT.

The destruction of DDT is a much more difficult problem. But while the Minister shelved the collection problem, how many ordinary citizens decided that it was too dangerous to keep quantities of DDT in their garages or in their sheds or their basements and having weighed the danger to their small children and their neighbour's small children against the danger to the earth's total environment, made an understandable decision and threw the DDT down the toilet? How many, Mr. Chairman?

Nobody knows, of course, how many times this has happened in October; how many times it has happened in November and how many times it is going to happen in December. The collection of DDT must begin at once. It has already been delayed far too long. My question is: Have you and the Minister of Energy considered the possibility of incinerating DDT in the Superprencio device that I referred to before? If so, what steps has the Minister taken to test the feasibility of doing this?

I want to speak for about two minutes on the occupational health branch work in the matter of asbestosis. Recent studies have shown that asbestosis is present as a serious environmental hazard, although hitherto it was unsuspected. In London, England, 76 consecutive cases of death from mesothelioma,

a disease characterized by tumors of the lining of the lung and of the abdominal cavities, were studied. Thirty-one had been asbestos workers, 11 had lived within one-half mile of an asbestos plant and nine had lived merely—and this is the important part, Mr. Chairman—nine had lived merely in the household of an asbestos worker.

Subsequent studies of asbestos workers' homes in New York showed that asbestos particles present both in the air and in the settled dust were in great supply. The 44th annual report of The Ontario Department of Health in 1968 tells of examinations of almost 3,000 asbestos workers in Ontario.

My question is regarding them: What steps are being taken to protect these workers at their work? For example, is any kind of mask feasible? And what steps are being taken to protect those who live in the homes of asbestos workers and are adversely affected by the dust or the particles of asbestos carried home on the clothing of the workers?

For example: Are asbestos workers required to wear special overalls or clothing which they put on when they arrive at work and take off and leave before they return home? Are there public health measures of this kind or of a similar nature being implemented?

Mr. Chairman: Any other speakers on this, until the Minister replies?

Mr. Ben: Yes, I just want to speak on The Department of Health and it is very short, Mr. Speaker. It has to do with radiation as it affects our environment. The state of Minnesota wants a higher degree of control in the United States federal government in the matter of low level nuclear radiation and I believe that Ontario should have the same attitude. I think it is nonsense for the Minister of Energy and Resources Management to say that he is satisfied with the standard set by Dr. C. G. Lawrence and the federal Atomic Energy Control Board.

This is just not good enough in the light of the increasing all-round health hazard produced by our environment. To add to smog and chemicals, the further danger of radiation, which will affect our unborn children more than it will affect ourselves, is asking too much.

We have to have a provincial environmental authority and if we are not sure that we have the constitutional authority to establish one, we should pass an Act and then refer it to the Supreme Court of Canada, who can rule on whether or not it is *ultra vires* of this

jurisdiction. At any rate let us make the attempt.

I say that Ontario is gambling over \$1 billion already on nuclear power, and there is little doubt that the irradiation of fruits and vegetables will increase as well as the medical uses of radioactive materials. A week or so ago, a box of radioactive material fell off a truck between Toronto and Hamilton, and all the Minister of Transport (Mr. Haskett) could say was that the matter fell outside his jurisdiction. The people are fed up with answers like this. They want action.

Minnesota has recognized this, and Vermont is also ready to press for higher standards than those by the U.S. federal agency. I do not believe that a major user of radioactive materials like Ontario can continue to rely upon standards set by a federal agency, particularly one which has already made a \$1 billion mistake in the location of the Bruce plant. Now, how far do we have to go to get this thing into the thick heads of those who think everything in the garden is lovely?

Will the Minister reply?

Mr. Deans: Mr. Chairman, I just want to ask the Minister in regard to what the member for Humber has raised, and that is radioactive material. Exactly what control has the Minister at this point over the transportation of radioactive material, if any?

Hon. Mr. Wells: This is a federal matter, we do not get into that. They exercise the control over the transportation of radioactive materials.

Mr. Deans: As I understand it at the moment, radioactive material, provided it is in a lead-clad box, can be transported in any kind of automobile, train, flat truck, bicycle. Any method of transportation is suitable, and it seems to me in the light of the incident in the Hamilton area this has proven to be very unsatisfactory.

This particular box that I raised with the Minister of Transport some two weeks ago, has not yet been found, and it was potentially very dangerous. I do not believe it is enough to say that provided it is in a lead-clad box that any method of moving it from one point to another is adequate. At the present moment this particular box could well be in the hands of some person who is ill, it could be in the hands of some child, and it could be potentially very dangerous to the residents of the area.

I wonder if the Minister would consider taking some action to ensure that a much

more stringent regulation is placed on the transportation between two points rather than just the method of carrying in terms of the kind of box that it must be carried in?

Hon. Mr. Wells: Mr. Chariman, on that particular point, we would be happy to look into it. It seems to be that the Federal Radiation Protection Division has the authority, and I am sure that they are as concerned as all of us in this House are about making sure there is adequate protection and our people would be happy to work with them to look into this.

I believe in the case that the hon. member is referring to—if my memory serves me right—the Ontario Provincial Police and others have co-operated to the fullest in trying to recover that, which while it is a certain radioactive substance, I understand there is not a really potentially dangerous radiation hazard from that particular substance that fell off the truck.

I would like to refer to a couple of the other questions which have been put forward. First, about the pesticides advisory board. It seems that this particular advisory board of the government has been the subject of quite a bit of abuse in the press and from certain people because of their so-called bias. I, of course, reject this, and I think it is doing a real disservice to the members on that board.

It is very nice to stand up and say that if there were some people from the universities on they would be better than the people we already have on, because they have built-in biases. But I think university people probably have as many biases as the present people and it is a question of deciding the make-up of your board.

I am telling you that because I do not think the board is biased. I think we can make a point and we will certainly be looking into adding other people to it as it evolves, and as our discussions about it evolve. But we have to look at the history of the board and the board was originally set up as a licensing body, in which case its primary function was to be expected in the area of licensing people to handle pesticides, and so therefore, it did have people from those areas which used the materials most and the government departments using them the most.

But, several changes were made and at the present time we have a board that I think, from the advisory job they have done for me since they have been there, show they have

fair competence and, therefore indeed, as I say have been subjected to unfair criticism.

The chairman of the board is Dr. Harold E. Grey, an entomologist. He holds a BA, a BSc, a master of science and a PhD. He was with the federal Department of Agriculture but has now retired. One of the other members, is a Dr. George S. Hooper, who has a BA, a BSc, a master of science and also a PhD, and who is with Cyanamid of Canada. He is also an entomologist and he works with, of course, the company which produces these products, but is a very competent scientist.

Another board member is Mr. Kenneth B. Turner, a biologist with The Ontario Department of Lands and Forests. Then there is Mr. B. E. Beeler, an agricultural scientist with The Ontario Department of Agriculture and Food. Mr. Beeler also has a master of science degree.

Representing industry on this board—industry was represented because this was, in its original instance, primarily a licensing board—is Mr. Frank Scott Pierce, from Agro Spray; Mr. Alfred H. Gartner from PCO Services; and Mr. Keith Laver, whom, I believe, is in the nursery business. Also on the board are Mr. Murray Wood, a public health inspector with The Ontario Department of Health and Mr. Douglas Wilson, who is an agricultural scientist with The Ontario Department of Health and acting as an advisor to the board, Dr. R. Frank, who is with The Ontario Department of Agriculture and Food.

These gentlemen, as I say, have been subjected to unfair criticism because I found, since I took over this portfolio and had dealings with them, we have here a group of very competent, informed people on this whole subject of pesticides and the potential danger of pesticides to our environment.

As I said, we have their report on DDT which we are presently having run off and made available to you. It is a very good study. They have done some good studies on dieldrin and heptachlor. They did some very fine work in looking into the diazinon situation at the Toronto islands which resulted in the other inquiry now being done.

They are doing an on-going job in this whole area of advising this government on pesticides. Now, I have in mind, perhaps, some slight changes in the composition of the board and some revamping of their general authority under which they operate and I hope we will have that ready early in the next session.

The other matter which was raised with regard to the industrial section, I would like

to say to this House that I think that we have in this department two of the perhaps most outstanding industrial toxicologists in the country, if not in North America, in Dr. Mastromatteo and Dr. Sutherland, and that the reputation of this department in this whole area has been one that has been of the very highest order over the past 20 or 25 years.

They have been looked upon from all the jurisdictions in North America as an outstanding example of programmes of industrial hygiene. I would like to tell the hon. members just what is going on at the present time. Previous studies have shown an increase in lung cancer in certain occupations in the refining of nickel, in the silver and cobalt refinery and in the production of gas from coal. Though exposure in these occupations was eliminated some years ago, cases of lung cancer—

**Mr. Ben:** Excuse me, Mr. Chairman, I read that.

**Hon. Mr. Wells:** I did not hear the member read that.

**Mr. Ben:** I read that.

**Hon. Mr. Wells:** Well, the member reads so much, I cannot keep up with him.

**Mr. Ben:** I read that part for the Minister, it is from the report.

**Hon. Mr. Wells:** Yes, but did you read all the studies we are doing?

**Mr. Ben:** No, I just read two or three paragraphs.

**Hon. Mr. Wells:** All right, well, I am going to read on then just to say that follow-up is being maintained on these men, and other occupations in the nickel industry are being studied to determine whether the increased risk of lung cancer extends to them.

This is one of the studies that is presently under way under Dr. Sutherland's aegis. A study of chronic bronchitis and emphysema in relation to sulphur dioxide exposure is also being conducted on four occupational groups in the nickel industry. Other studies in progress include assessment of the risk of bladder cancer in six companies in the rubber industry and of lung cancer in coke oven workers in the steel industry.

Investigations in other countries have shown an increased risk of lung cancer and mesothelioma in some occupations entailing exposure to certain kinds of asbestos. A study of these

conditions in asbestos workers in Ontario is presently being planned in co-operation with our occupational health services. In view of the reports of increased mortality from lung cancer among uranium workers in the United States, arrangements are being made for a study of mortality among active and former uranium miners in Ontario. And I think we also have a study going on of the possible health effects of air pollution in the Detroit-Windsor-St. Clair River area.

**Mr. Ben:** I read to that point, Mr. Chairman, it was kind of you to repeat it.

**Mr. Deans:** May I ask the Minister a question in regard to the study that is going on?

I was interested in knowing whether at the present time there is any studying going on in the area of heart disease and lung disease among firefighters?

**Hon. Mr. Wells:** I am told that a study was done a number of years ago on this particular thing. Is the member suggesting perhaps this would be another area that we should be looking at?

**Mr. Deans:** Yes, I am. I am suggesting that heart and lung disease among firefighters is a definite hazard and as far as I can see, from my close association with the occupation, it is necessary now to establish this. I think if the Minister would undertake some form of study in that area it would be very helpful.

**Hon. Mr. Wells:** We will certainly undertake to look at that.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, under this vote I would like to bring to the Minister's attention—

**Mr. Burr:** On a point of order, Mr. Chairman, is the Minister going to give me an answer about the asbestos?

**Mr. Ben:** He just did.

**Mr. Burr:** I did not hear the details.

**Hon. Mr. Wells:** What was the hon. member's exact question about asbestos? I indicated we have a study going on that.

**Mr. Burr:** I wondered if the Minister required the workers to use special clothing which they leave at work and do not carry home, as that presumably takes the disease into the home.

**Hon. Mr. Wells:** Perhaps if the hon. member would let the other member continue for a minute, I will get that answer for him.

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

**Mr. B. Newman:** Thank you, Mr. Chairman. I wanted to bring to the attention of the Minister the occupational hazard of customs and immigration officers who work in an area where a lot of vehicles pass. The officers must stop the vehicle, examine the vehicle, and as a result are exposed to carbon monoxide fumes from the automobiles. I can mention one area specifically and that is the tunnel at the Windsor exit where a building prevents good circulation of air and as a result it could have, and from what I understand does have, a harmful effect on a lot of the customs and immigration officers. In fact, at one time there seemed to have been quite a few heart conditions as a result of this type of occupational hazard.

Has the Minister's department undertaken any studies concerning the potential hazard of this type of employment at such spots as I have mentioned, a bridge, a tunnel? It could be in the city of Windsor, it could be at Niagara Falls, it could be in any one of the international border points.

**Hon. Mr. Wells:** Mr. Chairman, I understand that we have been co-operating with the federal government on a study in this matter as it pertains to tunnels. I am not sure that this, particularly, is the exact problem that the hon. member, as I understand, was sketching for us, and that was the hazard to customs inspectors as the cars stop at the points outside the tunnel for checking and so forth, and the carbon monoxide.

We would be happy to look into that. I do know we do have a study going on in regard to actually inside tunnels and carbon monoxide, but we will look into the other aspect as well.

**Mr. B. Newman:** I could also mention another, Mr. Chairman, employees working in industries that are manufacturing colour television sets. There has been the talk of the hazard or the potential hazard of exposure to various rays from colour TV, from an individual watching a colour television at a close range. The individual who would be working in the manufacture of the colour TV sets might be subject to a greater hazard as a result of his proximity to a working set.

I am wondering if there are any studies that have been conducted by the department in relation to that?

Then I have one other question of the Minister.

**Hon. Mr. Wells:** I am not aware of just what we are doing in the field of workers working in plants. I presume, except when they are testing, that the sets are not on so the hazard is not there, but I will also look into that.

**Mr. B. Newman:** And the last is the new modern methods of cooking which entail the use of a range that uses electronic ultra-high frequency waves. I think they refer to it as a radiant oven.

I understand from my reading of American newspapers that there is a potential health hazard to individuals who are exposed to the use of this range for long periods of time. I am just wondering if the Minister could inform the House as to whether the comments I have made are correct or as to whether there is no danger whatsoever? I can foresee the day when this would be or could be a very popular type of kitchen facility, something that would enable the housewife to cook meals in one fraction of the time that she takes today in the preparation of foods. Would the Minister care to comment on that?

**Hon. Mr. Wells:** I understand, Mr. Chairman, that in this regard, as with the situation which the member referred to earlier—the workers working in plants where colour TV sets are made and I think we have mentioned here the laser beams that are now being used in schools for demonstrations, our people have been working with the federal people to work out standards and controls of such radiation.

We felt in this country it should be a federal standard and to decide safe limits. And we are working with the federal officials on all these things, anything that would have to do with public exposure to radiation. We are hoping that in the very near future we will have some agreement and something worked out on this.

**Mr. B. Newman:** Mr. Chairman, the Minister did not answer if there was any health danger at all from the use of radiant ovens. Is the department aware of any at all?

**Hon. Mr. Wells:** I do not really know whether there is a health hazard, we would have to check on that for the member. I do not have that information. I would hope that

basically they would not have been allowed for sale in the country with the various checks they have, if there was a health hazard from them, but we will check that out.

**Mr. B. Newman:** We thought the same of colour television up to the time it was exposed as a result of some type of faulty construction that there was a health hazard with colour TV or certain types of colour TV. There are thousands of colour television sets manufactured years ago in operation today that might expose the viewer to some type of physical hazard. I know the Minister's department probably does not have any way of checking on this or warning the public but that is a thing that maybe will be taken care of with the length of the use of the set and would eventually phase itself out of operation. I wanted to ask of the Minister if there are regulations at all concerning the installation of x-ray machines in doctors' offices so that an occupant of an office below the location of an x-ray machine is not exposed to any type of dangers from x-ray emissions?

**Hon. Mr. Wells:** We have a whole set of regulations that control the installation, and how all kinds of medical x-ray equipment is to be handled, in this province.

**Mr. Chairman:** Anything further under environmental health? The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you, Mr. Chairman. I would like to bring up the matter of noise pollution in this modern day and age and its effect, especially on teenagers. Recently, I was talking to a Beltone hearing-aid salesman and he tells me that the number of customers of 18 years of age and under are increasing by leaps and bounds and that in effect, a large number of our young people are deaf, at least in one ear. He said, to use his words: "These transistor radios with the ear-plugs are just murder on the ear-drum." I was wondering what kind of research is being conducted into the health hazard, certainly the hazard to the hearing of our young, from the use of transistor radios with the ear-plugs.

And, whether directions are being set out to the schools, for example, from this department; to our young people, how to use noise and especially how to respect noise, how to respect music because a lot of them like their music at a very high volume, as parents of teenagers all know. And, I wonder if the Minister could acquaint the House with whatever research is being done in his department.



into this whole subject of loud noise and its effect on the hearing, especially of our young.

**Hon. Mr. Wells:** Mr. Chairman, in answer to the hon. member's question, I would say that actually most of our work to date, has been in the area of industrial noise. We have not studied the teen-agers with the transistor radios and hearing-aids. But, I think this is something that we will be getting into. We discussed this as one of the items on the federal-provincial Health Ministers' conference last week: noise pollution because it is a term that is being used along with all the other terms of pollution of the environment, and it is one that perhaps we have not realized or paid too much attention to up till now. We will certainly, I think, be looking at the various things and moving into certain studies in this whole area.

The federal Minister indicated that they were going to prepare some background papers on this, to present at one of our future conferences. They made a statement on this without too many other considerations at this time. But, I think that it is something we certainly will be hearing a lot more about, if I can use that term, in the next little while and we will certainly be undertaking various studies in this area.

**Mr. Chairman:** Anything further under environmental health?

**Hon. Mr. Wells:** Yes, I was going to reply to the hon. member who asked about the asbestos. I understand that worker protection in these cases is subject to the provisions of The Industrial Safety Act and our department says that if exposure was severe, we would recommend respirators and special clothing which would be left at work. If the exposure was severe enough, The Department of Labour, apparently, has primary jurisdiction in this area, under The Industrial Safety Act. They also tell us that as far as our people are concerned, they have no knowledge of asbestosis being reported from any members of the general public who might have got it from washing worker's clothes. We do not have any knowledge of that.

**Mr. Chairman:** Anything further under environmental health? Shall the programme carry?

Agreed to.

We move on to laboratory services. Shall that programme carry?

Agreed to.

Local health services; the hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, I would like to raise with the Minister, the inadequacy of the health services in northern Ontario. Before I do it in detail, I would like to draw the Minister's attention to two articles that appeared in newspapers in the last six months. One appeared in the *Globe and Mail* of April 18, 1969 and the other appeared in the magazine section of the *Detroit News*, on Wednesday, November 5, 1969, extolling the virtues of the northern Ontario mobile dental unit operated by the Ontario Department of Health. I hope the Minister is aware, in his young career as the Minister of Health, of the importance of these mobile dental clinics.

Dr. Toll, who operates the one on the Canadian Pacific Railway, is doing a magnificent job looking after the dental needs of the young people, particularly along the line of the Canadian Pacific Railway. I understand that Dr. Quest does wonderful work in that area along the north line of the CNR and that you also have three mobile trailers that go throughout northern Ontario, although I have never seen them.

In understand that Dr. Toll got notice a short time ago that his services would be no longer required because of his age. I discussed this with your predecessor and with the member for Quinte (Mr. Potter) who is chairman of the health committee, and they agreed with me wholeheartedly, that it would be absolutely ludicrous to retire the gentlemen who are providing the much needed dental services in northern communities where it is impossible to attract full-time resident dentists.

I would like to prevail upon the Minister to see that those two elderly gentlemen—they are considered elderly by your standards, although if you had an opportunity to speak to Dr. Toll, you would realize that he is younger in spirit and in action than many of the members of this House—I would prevail upon the Minister to see that nothing is done to interrupt the wonderful work that those two dentists are doing in their two mobile dental cars. I would just like to have the Minister assure the people of northern Ontario that this service will not only be continued but would be expanded. Because they are so overworked, the dentists only get to a place about once every five years. I have drawn it to the attention of authorities in The Department of Health, how vitally important it is that this work not only go on but be extended so

that someone who does not have access to the vital dental services will be given an opportunity to avail themselves of this service much more often than five years.

Dr. Toll has told me that he had been putting partial plates in the mouths of grade eight students because they had never seen a dentist. A good many of them had never even seen a toothbrush; did not know what it was for. That is why it is so important that this department not only perpetuate their work, but expand it so that these people will be able to get around and be able to attend the children, in particular. They need health services much more often and much more frequently than a five-year visit from a mobile dental clinic.

I would like to expand further on the announcement made recently by the Minister in which he says that Ontario is to provide MDs and dentists for many communities in the province where they find it impossible to attract medical practitioners and dentists. He did state that the population within these areas should be sufficient to support two or more physicians, two or more dentists, and home nursing services. During the north-western Ontario Development Conference held recently in Port Arthur we discussed this with Dr. Young, of the Northern Ontario Health Services. I hope that he has brought the message back to the department of the vital need for an extension of services into those areas that enjoy no level of health services at the present time.

When you consider places like Nakina, Armstrong, Savant Lake, Pickle Lake, White River and Schreiber-Schreiber is the only one of all of those towns that has a doctor—the facilities that a doctor is expected to work in and work with are completely inadequate. That is why it is so very difficult for small communities to attract and to retain doctors when the opportunities, the facilities, and the amenities are so much better in other areas.

The Minister has a letter—I sent him a copy of two letters recently from a northern doctor—explaining how inadequate the services are, particularly in the municipality of Schreiber. Unless we get some kind of assistance through this department, I think it is going to be impossible for northern communities to attract trained personnel to provide for health services. I would like to draw the Minister's attention to the fact that most of the people in the north are covered by some form of medical plan, and I suppose a good portion of them would be covered by OHSIP at the present time. But when you

consider that they have to go 200 or 250 miles to either a doctor or to a hospital to get the necessary medical treatment, I think that it would be safe to say that the cost of transportation to these services should be considered a part of medical treatment. When you have people, say in the highly urbanized areas where you have got one doctor for every 1,000 of population, it is much easier for them to have access to the kind of medical personnel that they enjoy in the heavily urbanized areas.

We realize that you cannot build a hospital every 25 or 30 miles and have it adequately staffed so that the services would be available to everybody across the province. But certainly there should be some thought given to subsidizing the cost of transportation for many of those people who do not get the necessary medical attention for the simple reason that distances are so great and they just do not have access to them. I would like to read into the record a letter that the Minister received from the chamber of commerce in Nakina about this very thing. It is addressed to the hon. Thomas L. Wells, Minister of Health:

Dear sir:

With reference to your October 24, 1969, letter addressed to Jack Stokes, we, the Nakina chamber of commerce, would like to take issue with some of your statements, mainly the last paragraph which stated that all things considered, everything is being done to provide Nakina with adequate medical service. We believe the inclusion of Nakina into the Thunder Bay health unit is essential, although an infrequent visit by the public health nurse will not satisfy all our health needs.

We also need a doctor for Nakina and the surrounding area as there are at least 2,235 persons that would be using his services. Nakina has a population of 605; Aroland, 15 miles away, has 225 persons. West of here, on the CNR main line, are Ferland and Auden with a population of 105 and 150 respectively. To the north, and almost entirely dependent upon Nakina for their fly-in services, are Fort Hope, Lansdowne House, Weboquie and Ogoki Post, with populations of 450, 300, 250 and 150. Armstrong, 112 miles west, has an RCAF base which has a doctor making his services available to the townspeople for minor problems.

It is quite conceivable some of the Armstrong populace which number 475 would also make use of a doctor's services,

if available. It is our understanding, while talking to Dr. Thoman at the northern conference in Thunder Bay, that a minimum of 1,000 persons would have to be served to get a doctor under your plan.

We wish to indicate that presently we have many more than that number in the Nakina area. There are many good reasons for having a doctor in Nakina. Patients arrive by air from northern points and must still undergo an additional one hour drive by taxi at a cost of \$15 to have a consultation lasting perhaps no more than ten minutes. Previous to September 1 of this year we had the Indian health nurse stationed here and in an emergency she graciously assisted. Now we have lost even that and she has now retired and her office has been moved to Geraldton.

Last summer I personally directed an American fisherman to Geraldton for medical attention as he had had a fish hook through two of his fingers. No doubt it was a very painful trip.

You say there will soon be five doctors in Geraldton area. Perhaps so, but a large portion of their clientele must make long pilgrimages to gain an appointment with one of them.

The Nakina chamber of commerce believes that a doctor is needed for our area. Thank you for any assistance you can give us.

I say to the Minister that this is only pinpointing the problem that is so prevalent in so many of the northern communities, some of them with populations of up to 2,500, which are not able to attract a doctor. The reason they cannot attract a doctor is that we do not have the amenities that many of the doctors enjoy in the highly urbanized areas.

Even if they did like the living conditions of the north, the wilderness area, the good clean air, and the good clean water, we do not have the necessary resources to provide them with, say, a clinical surrounding where they would have the facilities to be able to practise like most doctors—the kind of procedures. We do have doctors who do not even have access to a hospital. They have a little two-by-four office where they try to do diagnostic work and they have to refer them to a hospital maybe 50 or 100 miles away. I think that this is the thing that this department should do, and do successfully, to assist local communities and small town doctors in constructing clinics with possibly two or three beds where they could give

them overnight care as a stop-over place, maybe, to a hospital, or some place where they could stop over for observation, rather than to have to make a 200-mile trip by air or by rail or by ambulance under sometimes very adverse weather conditions. I hope that the Minister, in this plan that he announced a short while ago, will implement these recommendations, that he is not only going to subsidize the salaries of doctors to make it attractive not only for them to practise there, but assist the municipalities in providing the kind of facilities—a doctor's office, possibly a small clinic, with two or three small beds—where he could provide temporary service, health service, to these people even if for no other reason than to make them comfortable until they can possibly fly out to a hospital where they could get much better medical treatment.

I hope the Minister will take the things I have said under advisement, not only to assure the people in the north that the dental facilities that they have at the present time will be expanded upon. It is very much appreciated by the people of the north, and I would like to say the wonderful job of public relations that these two dentists are doing. I do not think they get enough credit for all that they do. They pull teeth while on the move and they are really just wonderful and I cannot be complimentary enough to them for the wonderful work they are doing. I hope the Minister will assure us that they will be kept on and if possible these facilities and these services will be increased to provide the much needed dental care. I hope that he will take under advisement to assist small-town doctors and these small municipalities to get the kind of clinics or doctors' offices that will attract the much needed personnel in that area. I hope the Minister will comment on it.

**Hon. Mr. Wells:** Mr. Chairman, can I just make a comment on this because I think that we all appreciate very much the statements that the member for Thunder Bay has made. He has a very keen knowledge of these problems in the north and he always makes a very sincere statement about them. I appreciate hearing his remarks about them because I am afraid I do not get up to the north as often as I should. I want to tell him though that I do feel that I have some kind of kinship with the dental programme because one of the dentists, Dr. Eddie Guest, is an acquaintance of mine from 'way back and you may not be aware of it but he probably—and perhaps you would hold this against him or

against me—but he is probably one of those who influenced me to join this party and to become active in this party. As you may or may not be aware, he was the president of the Conservative Association in Metro Toronto and—

**Mr. Stokes:** All I know is that he is a good dentist and I insist that you leave him there.

**Hon. Mr. Wells:** That is right. Well, that is right; he is. What I am really saying is that he, to my way of thinking, exemplifies the kind of things, that if a lot more people did, we would perhaps be a lot better off in society.

**Mr. D. C. MacDonald (York South):** Then why are you going to retire them when you have not a replacement?

**Hon. Mr. Wells:** Wait until I just talk about Dr. Guest for a minute. He is a fellow who had a thriving dental practice in Metropolitan Toronto here and gave it up to enjoy the life in northern Ontario and, as you say, is giving very fine service. I think this is an excellent thing and I have been very much impressed with the fact that he did this. As to the other gentleman, I was not aware of the situation which you indicated. However, I will look into it although I suppose in all of our lives the time arrives when it is time to sort of throw in the towel and quit working and I understand—

**Mr. Stokes:** It certainly is not so in this case.

**Mr. MacDonald:** Not without a replacement.

**Hon. Mr. Wells:** I agree. We will have to find a replacement but it may be that this gentleman has arrived at the point where his advanced years make it impossible to operate in the—

**Mr. MacDonald:** He will beat you in a run around Queen's Park.

**Hon. Mr. Wells:** He would not have any trouble in that. But I would like to say this to the member that our bursary support programme applies to the railway cars so that it will now be possible for those dental students who will be getting the bursary support, and in return giving us so many years of service in a designated area, can choose one of the railway cars. So we see this is another matter, that is getting staff into those railway cars.

I would like to tell you that at the present time there are 43 areas designated as under-

serviced for physicians and there are about 30 more under consideration. I have the list of them here. I am sure the hon. member is aware that Nakina which he mentioned is one, there are many others—Schreiber, South Porcupine and so forth—all designated. Now our job is to get the physicians either under the bursary programme or under the guaranteed wage programme—get them into these areas.

We have the areas designated, we have the programme out now. We have had about 80 applicants for medical service under our programme and the selection boards are sitting about December 9 to look into this. There are about 26 areas designated for dental service in the north. They are different again than those for medical service. We have had about 42 applicants for undergraduate dental bursaries and today 24 have been approved by the selection board and have been so advised. Four of these 24 are final-year students so that they will join the 16 Czech dentists whom we have in the special programme in London and they will be ready to go into these areas in June, 1970. So we will have about 24 dentists to go into some of these designated areas for at least a year beginning in 1970.

If the hon. member would like the list, I am sure if he writes us from time to time we will keep him up to date as to what areas are designated in northern Ontario. This, of course, as he is well aware, is part of the benefits under OHSIP. I could not have written a better speech as to why we should have these as benefits under OHSIP than the member just gave, because, as he has just said, you cannot provide an insurance service or payment for the bills without providing the service and this is what we are trying to do here. It is part of the health resources development plan to provide and get these dentists and doctors to go into designated areas.

On the area that he mentioned about clinics. This of course is another thing we are looking at and what we are going to try and do is set up demonstration programmes because I think we see in the changing concept of delivery of health services that the idea of one doctor in one place by himself may be very hard to sell to a lot of the graduates who are coming out. We also have to try and develop areas where there can be sort of a community of these people, as we said—two doctors, a couple of dentists serving an area. We recognize that in some parts of the north this would be very difficult but there may be

areas where demonstration projects could be set up in this manner to serve an area within a certain radius and, as you said, there may be some beds there where they could come in for services overnight.

This is also the kind of thing we are looking at under this whole health resources development programme and I would just like to thank the member for his remarks and for bringing these to our attention and assure him that they are uppermost in our minds in trying to provide the kind of dental and medical services, in fact, total health services that the north indeed deserves and is going to get.

**Mr. Stokes:** I just might get—

**Mr. Chairman:** I must point out to the committee the 75 hours allotted to debate on the estimates in committee of supply have elapsed, as of this present moment. Seventy-five hours have been completely taken up. Now we still have the remaining votes in The Department of Health which include OHSIP and hospital services and HIRB. We also have the supplementary estimates. In view of the fact that the 75 hours has elapsed I would ask for the direction of the committee.

**Mr. Stokes:** If I might make a comment on that, Mr. Chairman. It has been unanimously agreed by the three Whips and the government House leader that we would complete the estimates of The Department of Health by 10:30 this evening and that was by unanimous consent.

**Mr. MacDonald:** And one further note that perhaps should be added if you are not aware of it. It was understood in some discussions from the Opposition side that we would finish this vote and the mental health vote so that we would have at least this evening's session to deal with OHSIP, HIRB and OHSC.

**Mr. Chairman:** I have asked the committee simply for direction. I must point out to them, however, that the additional sitting which would be available to the committee, I presume, would be on the basis that there was only one sitting taken up for the debate in the House and Agriculture and Food instead of the allotted two sittings.

There is only available to us, then, the 20 minutes remaining plus the 2½ hours this evening to complete these estimates, and I must point out to the committee that we also have the supplementary estimates which will

have to be worked in some manner in the same time.

**Mr. Nixon:** Oh, that can be arranged.

**Mr. Stokes:** If I might—

**Mr. Chairman:** That is based on my direction at this moment.

**Mr. Stokes:** If I might comment on that? In that 15 hours we are allocated for the reporting back of the three departmental estimates that went into committee, we have only used one of those so we have four of them left, so on the total picture we are well within time allotted for estimates.

With regards to the supplemental estimates that the Chairman made reference to, this was something that was not in the total package and this will not be, I understand, will not be taken from the total time allotted for estimates. This is something that was never anticipated.

**Mr. Chairman:** No, I have to disagree with the hon. member because the order says the "business of supply" and certainly the supplementary estimates are part of it.

**Mr. MacDonald:** Mr. Chairman, I do not want to get into an argument. I think we are wasting precious time but in the discussion I had last Thursday night with the government House leader, he indicated in his normal, affable and congenial way that we would find some solution to the problem of the supplemental estimates and I think it is envisaged that it will be beyond the original allotment for strictly departmental estimates. However, let us not waste time on that now. It is under consideration by those who are the powers that be in this Legislature and I trust that we will have a congenial solution to it.

**Mr. Chairman:** I am sure the hon. member for York South is quite right. At the moment I am the power that is in this Chair and I must be guided properly and I think it should be properly understood whether or not we proceed with the supplementary estimates tonight.

**Mr. MacDonald:** Sufficient unto the day is the agenda thereof?

**Mr. Chairman:** Do I have the concurrence of the committee that we allot the remaining time between now and 6.00 and this evening to The Department of Health? Agreed?

Agreed.

**Mr. Stokes:** There is only one further comment that I would like to make with regard

to the statement made by the Minister of Health. Can I take from what the Minister has said that there will be no curtailment of existing services as a result of forced retirement by the two gentlemen we have just spoken of so highly? It is my understanding that your department has suggested they should be retired. I understand they are about 62 years of age. I do not think that in this case age has anything to do with it. I defy any member in this House to follow those two dentists around and work in such a dedicated manner as they have been and are doing at the present time, I think it would be an awful travesty if, by some regulation within the department, they should be forced to take a retirement much before they should be retired. And I would just like the assurance of the Minister that this will not be the case unless you have some young doctor who is going to be denied the right to practice if you did not do so.

**Hon. Mr. Wells:** Oh, I would be happy to assure the member that we would not retire someone and cancel the service. We would only impose the retirement if there was someone to take over. I think that the gentleman in question is a little older than 62.

**Mr. Stokes:** Well, this is Dr. Toll I am speaking of. You indicated you did not know him. I know him quite well. You see a picture of him there.

**Hon. Mr. Wells:** That is right. I just looked at it. He is a little older than 62, is he not?

**Mr. Stokes:** No, he is not.

**Hon. Mr. Wells:** He is not? Oh.

**Mr. D. A. Paterson (Essex South):** Mr. Chairman, on that same point: the Minister's programme giving financial assistance to those doctors or medical practitioners who will serve in remote areas of the province. The member for Thunder Bay has dealt with it quite well for the far north, but I would like to put a small plea in for the very far south of Ontario, that is, Pelee Island, the remote community out in Lake Erie.

As of about the tenth of this month they will be severed from the mainland, except through air service, which means, in many cases, a cost of \$100 for people to fly over, visit a personal or family doctor in Leamington, return to Windsor, stay overnight and go back to their island. This is something that they cannot bear and there was a delegation down here last week to meet one of your senior officials, requesting financial assistance.

As probably the Minister is aware, the island does have a residence, a clinic, and has appropriated funds for years to subsidize a doctor on that island. Now, I would just ask, at this time, if you would review a letter which should be on your desk, or will be in a day or so, putting in a special request on behalf of the residents of this island for some financial assistance in this regard.

I might ask further: Is there a list of communities in southern Ontario where financial assistance is now being given? If so, I would very much appreciate receiving this. Further, can the Minister's department give me any assistance in making available certain medicines in the local grocery store on Pelee Island? I received a phone call after the House sat this afternoon that certain medicines that I would term "patent medicines" are not allowed to be sold in the grocery store so I would appreciate assistance here.

**Hon. Mr. Wells:** I thank the hon. member, Mr. Chairman. I realize that he had been asking about Pelee Island just a little before, and we will look into that and see what we can do. I have the list here. For instance, the one I notice is a place called Harrow, in Essex county. It is a designated area. The others, in western Ontario, seem to all be in Wellington county, Perth county, and one in Lambton.

**Mr. Paterson:** May I ask what subsidy Harrow receives? I know they have two resident doctors there.

**Hon. Mr. Wells:** I do not have that here.

**Mr. Paterson:** Perhaps the Minister could arrange to send me a note on that.

**Hon. Mr. Wells:** I think the best thing would be if any hon. member who has any concern about this programme, perhaps, would like to come over and talk to the people in our department who are looking after the programme of designation and getting the requests from the committees and deciding whether they are or are not eligible for doctors under this programme. Dr. Copeman looks after the medical—the doctor situation—and Dr. Feasby looks after the dental designation and placement. They tell me that Dr. Toll is 71.

**Mr. Stokes:** You would never know to look at him.

Vote 802 agreed to.

On vote 803.

**Mr. Trotter:** Mr. Chairman, on this vote 803, mental health, I just regret that the

time is going to be so short on this particular subject. It not only involves a lot of money—\$137 million—but it involves one of the most important, not only health issues, but social issues that faces the government of the province of Ontario and of this country. Some efforts have been made over the past years in the treatment of the mentally ill, but the general situation of the treatment of the mentally ill is a scandal in this province.

I know we have a new Minister, he is going to come along and say: "Well, I have only been at this portfolio for two months." I want to remind the Minister that the government has been in power since 1943 and despite the tremendous amount of knowledge that has been made available to governments and to the people in general, we have done frightfully little in trying to help the people that are in our mental institutions.

There is no question in my mind that the programme of having psychiatric wings in the general hospitals was a good idea, but what has happened is, that in large part, they have completely ignored these huge, ancient bastilles that we call the provincial hospitals where people are piled in like sardines. I give all due credit for most of the superintendents of our Ontario Hospitals. I have said on many occasions that I think they are good men. I am amazed how some of the better men have managed to stay on and put up with the lack of public interest and the lack of leadership shown by the government of the province of Ontario.

We have been told in the opening remarks, Mr. Chairman, of the Minister of Health, that 999 Queen Street is going to be rebuilt. I would ask him, and I do not intend to be on my feet very long Mr. Chairman, to give us some idea of what they intend to do at 999 Queen. We have been promised, year in and year out, that 999 Queen Street would be rebuilt.

It would no longer just be a mental hospital, but it would be a mental health centre. Certainly all of us, on this side of the House, would agree that it should be a mental health centre. There should be expanded out-patient services because it is in a central area of the city of Toronto where it has a tremendous number of demands made upon it.

But, I would hope that the Minister is going to tell us that they are going to tear down the ancient part of that building. After all, the main part of 999 Queen Street was built in 1847, Mr. Chairman, 1847. And despite all the things we have been able to build

in this province during the intervening years, that old, stinking building is still standing.

The Minister of Trade and Development (Mr. Randall) can find a few million to put up a new building in the waterfront of the CNE. Well, we are glad to see it go up, but how can you continue to ignore, year in and year out, 999 Queen Street.

So, I would ask the Minister—and I have three other questions—are they actually going to put up that new mental health centre and when? I hope it is in a period of 12 months, not stretched over the next 12 years. The promises that it has been going to go up have been stretched almost over a period of 12 years. The two other questions regard the situation for the treatment of retarded children.

Despite the efforts of Dr. Zarfes, who I give all due credit as being a very able man, there is no question in my mind that this government has not been providing the proper facilities for retarded children or retarded adults in the province of Ontario. People are still crammed in at the Orillia Hospital. I dare say the waiting list is still two or three years. I would like to know from the Minister how long do parents who have a retarded child that should be put in an institution, have to wait?

I know, Mr. Chairman, the former Minister of Health used to like to say: "We are encouraging people to keep the children at home." This is a good thing, if it can be done but the Minister must know, as most of us in this House should know, that there are many children that are simply going to have to be institutionalized and it is a shocking situation that there is the waiting list that there is now.

And the third question is, Mr. Chairman: Have any changes taken place at the hospital for retarded adults at Aurora? People are packed in there in a shocking manner. I know, I went there about three years ago and found in one of the wards the beds were placed so closely together that they were as far as the width of my hand—and I have a relatively small hand.

Each year I ask if any change has been made in that building at Aurora or in the number of patients allowed in. And as far as I know, it is still the same stinking situation, and I would like to know if the Minister has done anything to clean that up. This is why I ask these things about 999 Queen Street, about the waiting list of retarded children in the province of Ontario to get into

the hospital system and what is the situation for the retarded adults at Aurora?

**Mr. Deans:** Mr. Chairman, I want to talk to the Minister for a couple of minutes about the programme in the psychiatric hospitals, where at the present moment you are going through all of the patients and moving out into society the ones that you feel are capable of coping for themselves.

In the Hamilton area, we are moving out a good number of people and what is happening to them, as far as I can ascertain, is that they are coming from the environment of a psychiatric hospital, an environment where they had been protected and where they have been for a number of years, and from what I can see, being released into a society for which they are not ready and that is not ready for them.

They are becoming worries of the welfare department instead of becoming productive or having some employment opportunity available to them before they are moved out, or some method by which they might take care of themselves. They are being moved out of the protection of the Ontario Hospital and just into the welfare section of society, into small rooms in the downtown core, where they are really not any better off, in fact in many instances, much worse off than they were before.

At the present moment there is one case in Hamilton that concerns me and this is why I raised it.

There is a lady in the Hamilton psychiatric hospital who has been in and out of her own volition, a great many times. She wanders out any time she feels like it, and she is a burden to society, in this way, that she is a danger, not potentially to other people, but to herself. And that is quite often. No longer is that the case, she just wanders away, she tends to pick things up in stores and then she is brought back to the hospital.

The police in the area have become fed up with having to pick her up. And a week ago, I was contacted by her family who informed me that she was, once again, out of the hospital wandering the back roads of the township. That evening she was found by the police, lying in the driveway of the municipal building. It was a freezing cold night, and she could have died had she not been noticed at that time. What concerns me is that the very next day she was slated to be released from the hospital, the very next day, and when I spoke to the hospital about it,

I was informed that she was, even at that point, going to be released from the hospital.

At that particular moment she was in the general hospital, by that time, because she was suffering from the effects of the cold, plus some injuries she had suffered when she fell. It seems to me that there is something wrong with this programme. I cannot pin it down, I do not know what it is, but there is something drastically wrong with the programme.

Is a person who obviously cannot cope for themselves going to be trusted out into society? Her family did not want her, so she was obviously going to end fighting for herself. And I am very concerned about her. I think that we have got to take another serious look at whether or not this programme has been properly administrated.

I do not know if the Minister is familiar with what is going on or not—I suspect that perhaps not, since he has not been long in the portfolio—but I am really astounded, that even after having shown that this person was incapable of taking care of herself, after having shown that the family did not want her, after having shown that the police had become reluctant, the hospital even refused to take her back in at one point, when she wandered away. Having shown that she had certain tendencies to pick things up that did not belong to her, and having shown that she was unable to understand the difference between right and wrong, she, as I say, had injured herself in the process of wandering around the back streets. The very best that can possibly happen to this person is that she is going to be released, which she inevitably will be and she is going to end up in jail.

And this is just of no benefit at all. And I want the Minister to tell me, what is going on in the psychiatric hospitals that people can be put out on the street who are unable to take care of themselves?

**Hon. Mr. Wells:** Mr. Chairman, of course, that is probably one of the most difficult types of problems to deal with and a little hard to generalize when you do not know the specific case, but I have had people phone me at 3.00 o'clock in the morning and speak to me.

A woman phoned me and said her daughter had been discharged from the hospital and would we take her back in. And I said, "Why will you not take her in?" She answered, "I do not want her here." In other words, the hospital has said that medically she does not have to be there, that she is ready for discharge, but the family does not



want her, and this puts a different light on the whole situation.

**Mr. Deans:** The Minister would agree, though, that this is an important part of any release.

**Hon. Mr. Wells:** That is right. And this is why it is very difficult. What I am really trying to say is it is hard to generalize on each of the specific incidents which the member and I have indicated, but I do know that our programme is geared primarily to try and keep people in the community environment.

In other words, even the form that is filled out by the doctor to admit them to the hospital, asks them if they have tried every other method of treatment or facility that is available in the community.

I talked the other day about the Scarborough programme, and this, of course, is why our community health facilities are good, as the hon. member for Parkdale pointed out, because we have a community mental health programme in Scarborough which is a demonstration pilot project, but it involves the whole community. You know when a person comes into the hospital, the community resource in the Scarborough General and the Scarborough Centenary, when they do go out they will not be left to fend for themselves because it is community based, all the services of the community will then take part, they will know this person is going out. This is the kind of thing we have to work towards.

**Mr. Deans:** May I ask the Minister a question?

**Hon. Mr. Wells:** Yes.

**Mr. Deans:** At the present moment when they are moved out, even though they become part of the sort of social obligation of the community programme, whatever that may be—in Hamilton I do not think that exists, but that is beside the point—why can you not take these people whom the families do not want and start them into society from the hospital? I know this has been done, where you take the people and get employment for them, you get them into a regular work pattern before you finally let them go.

**Hon. Mr. Wells:** This is part of what I am saying, it is part of this demonstration we have. For instance, one idea is to have a half-

way house. I think that is what we have in Scarborough, where they can move out of the hospital into this halfway house where there are concerned people or social workers and people who work with them, to try and develop these contacts for them so they will eventually be able to move out.

After all, our object now is not to keep them in the hospital permanently, we want to try and make the mental hospitals, as much as possible, a resource that is used for active treatment of mental disease, and then move back out into the community to get rid of this idea of these institutions as places where people are put forever and locked up. But I just want to assure the member it is a problem we are well aware of and we are trying to come to grips with.

Because the time is limited I would just like to tell the member for Parkdale that I personally looked over the plans for the new Queen Street mental health centre and it will be a community mental health centre. It impressed me very much and it will probably be one of the finest institutions or projects of its type in North America.

It will consist of small treatment buildings, active treatment buildings, about 152 patients in each; it will have a large central complex which will be a community mental health clinic, community involvement centre where the community will come in and it will have day patient facilities, it will completely throw out the old idea of an institution where people come in and you lock them up.

**Mr. Trotter:** When?

**Hon. Mr. Wells:** The tenders are to be let next summer. The plans are all—

**Mr. Trotter:** Next summer?

**Hon. Mr. Wells:** It is a scheduled programme that involves ripping down some of those old wings that jut out. They can build the first stage without ripping anything down. When those are finished they rip down some of the wings, they build some more, and then they rip the rest down and build. It is scheduled over about 30 to 36 months.

Vote 803 agreed to.

It being 6.00 o'clock, p.m., the House took recess.









# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 1, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 1, 1969

The House resumed at 8 o'clock, p.m.

## ESTIMATES, THE DEPARTMENT OF HEALTH (continued)

Mr. Chairman: Votes 804, 805, 806, 807, I understand, are to be considered together for the rest of the evening.

Hon. T. L. Wells (Minister of Health): If I might make one comment on that, Mr. Chairman, the only thing is that with the OHSC vote for specifics on certain details, certain of the people from OHSC will not be out here. So perhaps the specific questions that I would not be expected to know the answers to can be left until the end.

Mr. D. C. MacDonald (York South): I am sure we will be glad to let them bring up the reserves when they are required.

On votes 804 to 807, inclusive:

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, the attractive part in discussing the votes together is that a good many people, including supporters of the Minister, feel that our two important insurance programmes should be dealt with by the Minister as a unit, and that in fact we should have health insurance, which includes the medical insurance for doctors as well as hospitalization.

This has been said on previous occasions. I well recall the Minister's predecessor saying that he was moving in that direction. The understanding when the Health Insurance Registration Board was first appointed was that this was a body which was going to coordinate the efforts of OHSIP and hospitalization, so that employers and individuals with the responsibility to send forward premium payments would not necessarily have to do so for two separate programmes, but could deal with the government through one particular board.

That board in turn would have the overall responsibility for governing the two kinds of insurance and, more important, putting on an

efficient basis the billing of those citizens of the province—now close to 97 or 98 per cent—who take advantage of the services rendered. But unfortunately this is still not the case. We still pay four times a year to the Hospital Services Commission, our \$33 quarterly payment. This is paid to the Health Insurance Registration Board. The premium for OHSIP, or the health insurance, is payable to the Treasurer of Ontario in the amount of \$177 per family per year.

The Minister is aware of the general deep dissatisfaction with the administration of the programme. It is not necessary for me to recall the government's change in policy which resulted in the acceptance of the federal Medicare programme in June of this year, and the debates in this House which saw the implementation of the programme, and the problem that the Minister's predecessor experienced in getting the administration into gear for the beginning of OHSIP on a formal basis on October 1.

It will be interesting to find out later in the discussion on these estimates just what the programme amounted to in the listing of new individuals and families to be insured as we got close to our deadline date; how many, in fact, got their coverage after they had been informed by the Minister this would be permissible on a date later than the October 1 deadline.

The problems revolve around three areas. The first is the high premiums that are charged in the province.

The Minister knows that at the time that the bill was before the Legislature in June, the premiums were not set, but certainly we were made abundantly aware of the fact that they would be high; that they would be as high as they were for OMSIP with the same assistance to those individuals who do not pay and did not pay income tax, or had a taxable income at a level that under the government programme for OMSIP entitled them to assistance from the Treasury.

In addition to that is the \$132 payable for hospitalization. So we find ourselves in Ontario definitely in a high cost province as far

as individual payments for health insurance is concerned.

As far as the basis of the federal Medicare programme, we on this side supported it in June and we support it now in that it approaches universality. The Minister's figures indicate that we are now above 97 per cent coverage.

It is government-operated to some extent, and the reason we were able to accept the extent to which private enterprise and private insurance businesses were left in this industry in the spring, was because we felt that the government was not in a position to extend what was formerly OMSIP coverage with two million people covered, to OHSIP with seven million people covered, in the four months that they had to expand the administration.

I now find that this excuse, if in fact it is an excuse, is echoed by the Premier (Mr. Robarts) in a letter that he wrote to the readers of the Conservative organ called *Consensus* in which he said that the private insurance carriers were being kept on on a limited time basis simply because it was not possible for the OMSIP coverage and the facilities—the administrative facilities—to be expanded rapidly enough to make it completely government-operated.

This is a matter that I believe the Minister should comment on, if, in fact, the private carriers are there on a limited time basis only. This is certainly the basis upon which we supported the bill in January, and in an amendment during the committee stage, the Minister will recall that we tried to place a one-year time limit on the participation of private insurance carriers for those very reasons.

But it is a government-operated programme. Its costs are unnecessarily high. Particularly, the costs of administration, I believe, are more than should be supported by the taxpayers and premium payers of this province.

In my view, since it is fully government-operated, or at least that is the goal, and that we are approaching universality in coverage, we should move away from the direct payment of premiums. What we, as Liberals, are putting forward, is by no means anything that can be called free Medicare.

The figures available for the cost of Medicare vary from the Minister's original prediction of about \$408 million to the Premier's comment in the letter in *Consensus* which said it will actually be \$508 million. That, I understand includes the cost for medical

facilities, doctor training and medical research in this province.

So, while the one is a minimal figure, the Premier's \$508 million is medical care in the general sense, covering many other projects that the government has and did have before medical insurance began.

Interjection by an hon. member.

Mr. Nixon: I am sorry I have not been able to fascinate the front bench of the Cabinet there, but that is quite all right. From time to time when I pause I can hear their conversation, probably better than they can hear mine.

Hon. S. J. Randall (Minister of Trade and Development): You are not making much contribution.

Mr. Nixon: So, Mr. Chairman, I feel that the cost of the administration must be and certainly can be, reduced to a considerable degree if the approach to the payment of premium is transferred from direct personal payments at the very high level that they presently are to a system that we, as Liberals, have put forward and was described to the House in the introductory remarks by my hon. friend from Bracondale.

Mr. MacDonald: Humber (Mr. Ben)

Mr. Nixon: Humber, I am sorry. We believe that the payment for medical insurance costs can be met very progressively and fairly by the use of the personal income tax base and we are proposing an increase of one per cent across the board which, if it were to be translated into percentage points, would be less than five percentage points on the agreement for tax collection that we have with the government of Canada.

Now this, admittedly, would be across the board, but it would be progressive in that those people who have little or no taxable income would have the same assistance on a graduated scale as they have presently. And those people with a high income—taxable income—would pay proportionately more for the same service. But it has certainly been a tradition in this province that employers pay a share of the cost of medical insurance. Quite often this was arrived at after lengthy bargaining over a number of years and sometimes arrived at rather easily as it became the pattern for employers, industrial and otherwise, to pay at least a part of the cost of medical insurance, so that this would be continued in a thorough and progressive pro-



gramme of meeting premium costs without direct payment from individuals.

We have proposed a .8 per cent tax on payroll of the province. Now, the payroll amounts to \$17.5 billion and a .8 per cent tax, which would be deducted by the employers, would net about \$140 million, and under our programme this would amount to about 35 per cent of the overall costs.

This is actually a fairly neat solution in that it would be possible to deduct these payments based on the same sort of bookkeeping required by employers at the present time to keep a running account of the monthly employee wages and services in lieu of wages. This also would be deductible as a cost of doing business, which means that it would not be as an ordinary part of the corporation income tax but, in fact, it would be a new tax for this purpose.

Of course, the third source of income is that which we already have which comes to us from the government of Canada and once again there is some confusion as to the actual amount that would be payable to Ontario during the first year.

The figure that is normally used and has been used by the Minister of Health is \$168 million. I noticed the Premier in his letter in *Consensus* refers to the figure of 168. I guess you use 178 million? Yes, and the Premier used 168 million, so this is a little slippage of \$10 million that perhaps should be accounted for before the evening is up.

By putting together these three sources based on taxation of different forms, we would find that the individual through his own taxation in the province would be paying 26 per cent; about a 33 per cent would be made by industry and just over 40 per cent would be met by the government of Canada, which of course is another tax source. We feel that this would be a fair distribution of the costs and it would have this advantage:

As the costs of medical insurance rise, and I believe they must, it would be possible for the cost to be met without any great changes in the premium structure, since it would be assumed that the same things that require the medical insurance cost to rise would be reflected in the incomes and the payrolls of the province.

So I think that this in fact is what the government must be heading for. At the present time we have more than 3 million individual billings and surely this is an inefficient way to pay for a programme which is, and should be, government-operated; which is almost universal and must be made universal so that all

citizens of the province have the advantages of medical insurance and must share the responsibilities for its costs.

So, I would say to you, Mr. Chairman, that there should be a movement on the part of this government toward the reduction of premiums, which is surely something that we can expect in the next Budget, but that the goal of these reductions should be a transference away from individual payment of premium on a basis of direct billing to a responsibility that is based on the income tax itself.

The Minister of Revenue (Mr. White) is much enamoured of the system of tax credits, which, particularly if we have a more modern agreement with Ottawa in the collection of our provincial tax, would lend itself to the payment of these taxes on a progressive, fair and equitable basis, and one that we on this side of the House, certainly in the Liberal Party, put forward as the only alternative and the best alternative at least to what the government has proposed and what they have, in fact, put into the administration of OHSIP in Ontario.

Now, the efficiency of the programme certainly would be improved on this basis. How the government, with its productivity improvement programmes and the kind of research that is associated with the efficient use of taxpayers' dollars for administration, can continue with the separate billings for hospitalization and medical insurance is incredible.

Surely, to begin with, the government can move toward an amalgamation of these two insurance services and it is something that must come about in a much more efficient way than ever has been put forward by anyone on the government benches or in support of the government.

I have proposed on more than one occasion that the membership card that is available to all of us—and I hope the Minister finally receives his; I received mine—which is what we present to the doctors which allow them to treat us and then bill the plan for payment, could be established on a better basis. I have suggested that it be in the form of a plastic card, very similar to those which many of us use for gasoline credit and so on, which the nurse in the doctor's office or the admission official in the hospital could make use of very readily. It would not be necessary to write very much information down. We would be sure that the correct numbers and the information would be available and I am thinking of

prompt payments to the hospitals and the doctors, which is certainly not the rule at the present time.

I think, probably, I have had as many complaints from doctors as I have from citizens about the slowness of the payments, and perhaps the doctors are trying to point out to me, their member, that the plan is perhaps less efficient than all of us would hope. If that is their purpose they have done it very effectively. As a matter of fact, I had a letter from one very highly trained doctor—he happened to be a psychiatrist—who indicated that in order to keep his office open he has had to borrow funds while waiting for the payment to come through from OHSIP. Now, I suppose this will be cleared up and once these channels get opened up the flood of payments will be something to behold.

**Mr. MacDonald:** Once the computer gets unclogged.

**Mr. Nixon:** That brings me to something further, and that is the amount of the billing. Now, our law in this province pays the doctors 90 per cent of the approved medical association fee schedule, and more and more there is evidence that many of the doctors are billing directly for the additional ten per cent.

**Mr. Chairman,** I can tell you very frankly that I am disappointed that this has come about. If the Minister thinks that anybody on this side is pleased that this is one of the most bothersome problems he is faced with, then he is incorrect. Frankly, I have always thought that the extra convenience associated with billing one source OHSIP, or at the most, two—that is the patient and OHSIP—would be well worth the acceptance of a 90 per cent fee in place of the full schedule. Unfortunately it appears that the medical profession is moving more and more towards the extra billing of this ten per cent.

I believe all the anaesthetists, as one profession, have decided that they will bill for the extra ten per cent. According to facts and figures that have been made available in the press, and to some extent by the Minister, it appears that more and more general practitioners, and others, are presenting the patient with a bill for this additional ten per cent.

Some of them, of course, bill more than that, because they feel that their services are worth more than the basic fee schedule of the OMA. But we are talking about the ten per cent inconvenience that more and more citizens have to put up with. Since an office call is \$5.50 normally, I hear of more and more cases, by letter and telephone, where citizens

say the first thing the doctor wants is the 55 cents payment.

This is surely just an inconvenience as far as everyone is concerned. It simply points up, on the part of the doctor, that this is what "socialized" medicine is—that maybe the citizen should be aware of it.

Perhaps this is just a problem associated with the early months of Medicare, but I, for one, am afraid that this problem is going to grow and that the citizens, who are already paying through federal taxation, through provincial taxation, and very high premiums, are going to have to open up their pocket books for additional payments every time they want professional services.

I think this is a bad thing. I hope the Minister is seriously considering amending the bill so that we will pay 100 per cent of the costs. The other side of that balance would be the agreement that the doctors would enter into with the government that they must justify any changes in the schedule before the standing committee on health, or some other appropriate body. And that the administration would put forward, as a basic policy position with regard to this, that they are not prepared to accept changes in the schedule except those that are recommended after consultation with the standing committee, or whatever other body is so designated.

**Mr. M. Shulman (High Park):** Doctors have offered to freeze their fees until 1972 if they will do that.

**Mr. Nixon:** Well, the doctors themselves, of course, I believe, have been afraid for years that, with the advent of Medicare, as they understand it, they will simply become employees of the state.

They point with quivering fingers to the example in the United Kingdom, where doctors are simply employees of the state. They are assigned a panel of patients and they must give them standard treatment. There is considerable complaint about the way that is worked out.

I do not believe that is liable to become a part of the tradition in this province—that the doctors can work as hard or as little as they choose, that they are not going to be assigned a definite panel of individuals that they must care for and that this aspect of the doctor-patient relationship would be maintained.

It is interesting, Mr. Chairman, that the emphasis on the doctor-patient relationship has changed quite dramatically. Doctors find,

for their own peace of mind, and the efficiency of the practice that they are engaging in, that it is better if they band together in groups, in clinics. So that an individual going in there to be treated by a doctor will take the doctor who is on duty, rather than the one whose bedside manner he finds most attractive. So the doctors are not playing up this doctor-patient relationship to quite the same extent as they were, because it has obviously become something that is very difficult for both the doctors and the patients to maintain.

But the real fear, of course, is that once the doctors get into a position where some government body, or some body appointed by government, has the last say in what their fees shall be, that they will have lost the old free enterprise prerogatives of setting their fees as they choose and the responsibility of the profession would be weakened.

I, for one, feel this has to come about. I believe if we are prepared to meet 100 per cent of the schedule, then the medical profession should be prepared, on their part, to enter into meaningful negotiations with some emanation of government. I have always said this should be the standing committee on health, which is going to be upgraded and I believe has been upgraded in recent months.

The doctors are very sensitive, of course, about their income. I made the gross error, apparently, of dividing the amount of money available for the doctors by the number of doctors who would have access to it in this province, using the figures that the Minister gave us. He said there would be \$428 million available to the doctors in the first fiscal year of full operation and that the number of doctors sharing in this fund would be between 8,000 and 9,000, about 8,600, I believe. At a flat average, each doctor would receive \$48,000.

I must admit I have had a couple of letters from doctors saying "You're crazy if you think we make \$48,000", to which I replied that the people who are commenting on salary increases do not often talk about the expenses of members of the Legislature. They say we are jumping from \$12,000 to \$18,000. I suppose it works both ways because we are quick to justify changes in our indemnity, perhaps, by talking about all the hours we work and our heavy expenses.

The doctors are in the same boat. But when we talk about the funds available on a flat average, each doctor has available to him, \$48,000. Undoubtedly, they have large

expenses. Undoubtedly some doctors will make at a gross level much less than this and by the same reasoning some doctors will make much more. But the fund available for the payment of doctors is well in excess of \$400 million. Certainly the costs of administration are computed and always referred to separately and in excess of that fund.

I think we should know what we are doing when we place such a fund at the availability of the people, those insured in this province, for the payment of their medical costs. I do not believe there would be undue regimentation of the medical profession; we do rely on their professional approach to the provision of these services. I believe that the government is lax in not moving in a more definite way to cope with the problem of over-billing and in view of the fact that there is no public review, or certainly any public control, of the funds that must be made available to doctors.

I think we can surely satisfy the doctors that we are not going to take over their profession and dictate the method of their practice. We are prepared to accept changes in the fee schedule from time to time as it can be justified, and as these various requirements of the medical profession change.

But I, for one, cannot support a bill any longer which simply leaves it to the doctors to set their schedule and leaves the responsibility to the members of this House to provide funds that will pay 90 per cent of it. It does not seem to be working. I hope the Minister is prepared to take the steps necessary to improve that particular unfortunate situation.

The various other costs associated with the programme have been referred to on many occasions. The Minister gets very sensitive when we talk about the costs that we may be paying to the private insurance companies being in excess of 10 per cent, perhaps 12 per cent. The point is that we, as private members of the House, are not aware of any specific guidelines that the Minister has issued to the private insurance companies. While they are subject to audit, still the requirement of that audit simply is that we, as the Legislature voting funds in support of this programme, provide funds to pay the cost of their services and there is no limit on those costs. We do know that a well-run public insurance agency, that is a government agency, can reduce the cost below six per cent. For these reasons we on this side certainly do believe that the overall costs for the administration of OHSIP should be, in the first year, substantially below six per cent.

Anything other than that would certainly be construed a wastage of the premium payers' and the taxpayers' funds.

Mr. Chairman, there are a number of complaints across the province with the way this government has introduced the administration of medical insurance in Ontario. The citizens feel that they are paying too much for the service; too much out of their own pockets. The citizens feel the government and particularly the Minister of Health has not taken a strong enough stand to see that these payments are made from the insurance fund and need not be added to out of the pocket of the patient or the doctor. We know that the doctors, to some extent, are dissatisfied but frankly I do not know what can be done about that. It will probably take two or three years before it is generally as well accepted as hospitalization has been for a great number of years.

To reflect the disapproval that we on this side feel with government policy—and we reflect the complaints that have come to us from the community of Ontario at large—we believe that this House should be divided on this vote, or at least all members have an opportunity to show by their vote that there is widespread disapproval in the functioning of the OHSIP administration, and the general level of efficiency or lack of efficiency.

Now I have wracked my brain to find out how this might be done in a more meaningful way than is usually available to us on the provision of money as we are asked to do in vote 804; and we come down to the old stand-by that there is only one person who is in fact responsible for the administration of the programme.

If we have serious complaint about the administration, the Minister is the person to whom we must complain and around whom we must focus this complaint. I would say that there have been a number of areas where the Minister and his predecessor have come under some severe criticism for lack of progressive policy. But it is in this part of the vote that we feel the Minister most severely shows the lack of progressive policy, the lack of a programme which would gain general acceptance of the people of this province. And for this reason, Mr. Chairman, that we feel we can give point to this, and we can give an opportunity to every member in the House to show their support for the disapproval that I have voiced here tonight, with the basis of the programme and with the way that the Minister has brought it forward and is administering it, by moving that vote 804

be reduced by a sum of \$12,000. If this were going to be done a little later in the week we would have to amend that sum as well, but, Mr. Chairman, I move that vote 804 be reduced by a sum of \$12,000 that is associated with the Minister's salary, and nothing else, as a token of our disapproval of the way he has maladministered this particular programme and his reluctance to improve it, when in fact he has had ample opportunity so to do.

Interjections by hon. members.

Mr. Chairman: Order please.

An hon. member: You never had it so good, when—

Mr. Chairman: Mr. Nixon has moved that vote 804 be reduced by the amount of \$12,000.

The member for York-South.

Mr. MacDonald: Mr. Chairman, before I commence my remarks perhaps you will permit me to draw the attention of the House to the fact that we have a number of guests this evening in the east gallery. They are all members of the steelworkers area council in Hamilton. They have had two schools in which they have been studying some of the basic elements of politics, and the icing on the cake of their efforts is to come down to the Legislature tonight. I trust that they find that this icing is sweet and not sour.

Interjection by an hon. member.

Mr. MacDonald: What was that the Minister wanted to say?

Hon. Mr. Wells: Do you favour Canadian unions?

Mr. MacDonald: No, they do not need to be persuaded on that point.

Hon. Mr. Randall: There is a little problem then!

Mr. MacDonald: Mr. Chairman, let me at the very outset make a comment on the amendment that is before the House.

We shall support it, but we have expressed our unhappiness with regard to this clumsy kind of vehicle to express our opposition to the maladministration of a department. In spite of the fact that all previous votes, we thought, were seriously representative of maladministration, none of them can really match this one; so we will support it.

But I must add, Mr. Chairman, we do not feel impelled to get a vote of non-confidence on the floor on the issue of OHSIP because, may I remind you, when OHSIP was before the House we voted against it then. We did not need the experience of six months to discover that this was a bureaucratic monstrosity that was going to be difficult to administer, and indeed inequitable as far as the people of the province of Ontario were concerned.

At that time there was great derision from both the government and the Liberal benches; but what was at that time regarded as an affront became a badge of honour during the Middlesex South by-election—that fact that we were the only party that saw the issue clear enough to oppose OHSIP when it was first brought into this House.

**Mr. J. A. Belanger** (Prescott and Russell): Politicking!

**Mr. MacDonald:** Somebody over here accuses me of politicking. I wonder what game of tiddley-winks he is engaged in.

Now Mr. Chairman, I too am glad that we are dealing with these three votes together—OHSIP, HIRB, and the Ontario Hospital Services Commission—because I want to make my initial remarks in terms of the desperate need in this province, in this country, to get total health services. We have been talking about this for years, we are still miles away from achieving it, and perhaps I can best set the context for my remarks by quoting from that most thorough study that was done of health services in this country, the Hall Royal Commission. On page 18, the following brief paragraph:

We have given careful consideration to the question of health services costs and, as we see it, the problem facing the Canadian people is not solely the financing of physicians' services but the full range of essential services — mental, medical, dental, hospital, pharmaceutical, nursing, prosthetic, home care and optical. On the basis of evidence before us, we believe that government action is imperative and that the nation's resources should be mustered to establish universal comprehensive health services programmes in the ten provinces, the Yukon and the Northwest Territories.

In the province of Ontario, our health services in that context are grossly inadequate.

We provide no coverage for such major needs as drugs and dental care. In addition, there are many paramedical services, such as

chiropractic, which are not covered; they remain outside the government scheme.

We do not include nurses, physiotherapists, nursing homes. Vital appliances are not ensured.

In short, in view of the recommendation of the Royal Commission, what we have in the province of Ontario might accurately be described as nothing more than rudimentary—only the beginning—not even the three or four major cornerstones for health services. We have only two of those four cornerstones and such major health needs as drugs and dental coverage, for example, simply are not in the picture at this stage.

There is a second point that I think should be made. Even on the coverage that we have, there is a bureaucratic monstrosity in the administration of OHSIP. There is not an equitable raising of the moneys for the financing of it.

There are serious gaps, such as, for example, nursing homes so that people find that they are discharged from hospitals, they have not the facilities at home to provide the necessary services, and we have not some intermediate levels of care that are available for them.

In short, we have a double-barrelled objective. We have to bring up to date and fill the gaps in the existing coverage, and we have to move immediately towards an extension of that coverage—move in the direction of the kind of total health services that the people of the province of Ontario are entitled to. We do not have that with the programme that this government has presented to us.

We have, in hospital insurance, for example, a programme for which a year or so ago the premiums were increased to \$132 a year for a family—costs that are far beyond the means of many people, particularly older people and people who are on a limited income. In spite of the fact that the government had recognized the need for subsidizing premiums at the lower end of the income brackets for OMSIP, and now OHSIP, they have never seen fit to extend that kind of subsidy to hospitalization, though heaven knows, if a person has not got the coverage the need is even greater on the hospitalization side.

If you go to a doctor your bill may be \$10 or \$15. If you are one day without coverage in a hospital, your bill can be \$50, \$60 or \$70. So the refusal to move in terms of providing an equitable kind of coverage, equitable in terms of its financing, by this government has just been shameful.

Second, as far as OHSIP is concerned, we have talked a great deal about this, and I am not going to spend much more time on it. The leader of the Opposition has put some of the major criticisms of the OHSIP programme on the record again here tonight. The people of this province are in protest across party lines—Tories and Liberals, as well as New Democrats—on this issue to a greater extent than they have been on any other single issue for quite some time. There is no doubt about it, where the people have had an opportunity to raise their voice, they have upset the political applecart in the province of Ontario as we saw in the instance of Middlesex South.

It is not simply that we New Democrats are making this kind of protest. I repeat, without going into great length, that I found it very significant that when a group of all representatives of all parties met in the standing committee of health in this Legislature and began to reflect this sense of protest across the province of Ontario, the report of that standing committee pointed to the gross inadequacies of our health services in the province of Ontario.

That one paragraph I put on the record last week, I think deserves to be put on again:

It is the conclusion of this committee that there is an urgent need for a review and revision of the health care of our province. It is our opinion that only a total health care programme will sufficiently satisfy our needs. We appreciate the tremendous cost of such a plan and at the same time we recognize the need with the realization that it can only be instituted in a gradual manner. We feel that the most important need is in the field of—

And then they go on to list nursing homes, and drugs, and a few of the items which this committee—unanimously representative of all parties—felt that the government should be moving towards immediately.

We in the New Democratic Party agree. Because of that, last week we presented what we describe as a "health package" which, on the one hand, is going to introduce equity into the financing of what we now have. It will also eliminate some of the most offensive administrative features; for example, by getting private insurance companies out of the field altogether, so that you do not have this kind of bureaucratic monstrosity—the problem of doctors today, with OHSIP in operation for two months, suddenly discovering that they are going to have to make claims to no fewer than 33 agencies in the province of

Ontario. This is a point that is driving home what a bureaucratic monstrosity we have. When you combine that with premiums of \$309 a year for a family for both medical and hospital coverage, obviously this is not the kind of plan that should be tolerated any longer.

So we came in with a health package. On the one hand we feel that we should move immediately to combining OHSIP and OHSC now that we have these two kinds of insurance. There is no point in having a duplication of administration. We should reduce our administrative costs as much as possible.

We think that the subsidization available for OHSIP should be extended for hospital coverage and we would move immediately to do so without going into great detail on this most aggravating feature of the coverage of 90 per cent of cost; until we have worked out a mechanism for fee schedule changes and have the assurance that it is going to work with the medical profession, we feel that we should amend the OHSIP legislation to say that 90 per cent payment is going to represent full payment. I suggest to you, Mr. Chairman, that if the Minister thinks that this is an intolerable kind of idea, he should take a look at what was done by the Conservative government in Manitoba when they first introduced Medicare a year or so ago. Indeed, they made, not 90 per cent full payment, but 85 per cent of the scheduled fees as full payment.

Interjection by an hon. member.

**Mr. MacDonald:** In reply to the Minister's interjection, there were a lot of other things that took them down the drain. What happened in Manitoba is precisely what is going to happen here, and I would think that you—

**Hon. Mr. Wells:** What happened in Saskatchewan, too?

**Hon. J. R. Simonett (Minister of Public Works):** What happened in B.C.?

**Mr. MacDonald:** Indeed, what happened in Middlesex South was a duplicate of Manitoba. The party in third place went to first place, so you have already had a preview of what is going to happen here. I find it passing strange that a man who is young and presumably has not yet got hardening of the mental arteries, would not have recognized this and done something about it. But obviously he is in here to maintain the status quo. That is the reason why he was put in this position.

**Mr. C. G. Pilkey (Oshawa):** After they are in Cabinet two weeks their brain calcifies.

**Mr. MacDonald:** As point one in our package, the premiums can be reduced and they should be reduced, from the \$309 a year for an average family of four to \$120 a year—a maximum of \$10 a month. Second, we must move immediately in the direction of a fuller kind of health service.

Our proposal is that we should move immediately to the coverage of drugs. We had a submission before the standing committee of health this fall which gave us some indication of the costs. It is our belief that with the kind of action that governments have talked about, but not moved with any great vigour in implementing, that we can reduce the cost of drugs, and in so doing we can provide full coverage across the province of Ontario for something like \$128 million a year.

Secondly, we have talked for a long time, with regard to paramedical services, particularly chiropractic services, which can be included because the cost is a marginal item. Most of the money that is spent on chiropractic services is an alternative expenditure rather than an additional or initial expenditure to the medical profession. Finally, with the voices coming with greater frequency and strength from even the back benches of the Conservative Party, claiming that nursing homes should be brought under hospitalization, we feel that we should move in that direction immediately to provide a complex of hospital services—the general hospital for active treatment, the convalescent hospital and the nursing home—so that we do not have with such frequency, patients who were in a general hospital at \$50 or \$60 a day when they could be in a convalescent home at half that cost; or in turn even people who are in a convalescent home who could be in a nursing home and get all the kinds of care that they need for half the cost again.

We feel that the necessary revenue can be secured by continuing the expenditures that the federal and provincial governments are now putting into health services and then raising the remainder, some \$433 million, by a combination of the premium of \$10 a month, or \$120 for a family or \$60 for an individual, supplemented by a personal income tax which is raised in accordance with ability to pay. A two per cent personal income tax and three per cent corporation tax will raise the total amount of money that is required to cover not only these existing services, but the extension of the services that

I have been talking about—drugs, chiropractic services and nursing homes.

Indeed when that is done—this is a remarkable thing about it, Mr. Chairman—when you have reorganized the financing of what the government is now providing and added these three new additions to health services, you can still come out with a total expenditure on health which will be less for every family of four with incomes of less than \$13,000 a year. In short, every family of four below \$13,300, every individual under \$6,700 a year income will be paying less than he is now paying. It is a wholly credible and sensible kind of reorganization of the financing.

So far, I have been directing most of my comments to the inadequacies of the government programme. For one moment I want to take a look at the alternative that has been presented to the House by the Liberal Party. I made some references to the earlier comments of the lead-off spokesman for the Liberal Party in these estimates last Thursday night, and there were interjections claiming that I was misrepresenting him. So that I might not be guilty of misrepresentation, let me quote from *Hansard*, first transcript of last Thursday night. Between the hours of 5.00 and 5.10.

**Mr. G. Ben (Humber):** Point of order, Mr. Chairman. The hon. member is not permitted to quote from that transcript, he is only permitted to quote from the official records which are *Hansard*.

**Mr. MacDonald:** Well that is a rather novel idea.

**Mr. Ben:** Well I am sorry these are the rules.

**Mr. MacDonald:** With respect, Mr. Chairman, there are no such rules; and I intend to quote it in spite of the obstructionist tactic. I can quite understand why the hon. member does not want this on the records, but listen to this, Mr. Chairman.

**Mr. Chairman:** Despite objections in the House, the member should continue.

**Mr. MacDonald:** I quote some two or three paragraphs rather briefly, but they sum it up very neatly.

Frankly, we think the NDP proposal bites off more than Ontario can chew in one mouthful. It is a matter of practical politics rather than principles that guides us here. We certainly have no objection

in principle to hospitalization being integrated with health care and it is difficult to see how anybody could have such an objection. But politics is the art of the possible, and since we believe we have to present a responsible alternative, and a credible one, we do not advocate the impossible.

The NDP knows that they would have to backtrack from their proposal somewhat or, at least stretch it out in time, but we have no such fears. We know that Ontario can afford what Liberals propose. This then is the difference between our plan and the NDP plan. The question of credibility must always be raised, and I hope that this will happen in the union halls across Ontario where the pressure for the total package is said to have risen.

In other words, he is opposed to the total package. He is blaming the union halls who are pressuring us unduly—

**Mr. Ben:** Just read it!

**Mr. MacDonald:** I continue:

Let us take this one step at a time, and let us do each step properly, fairly and equitably.

It sounds like a description of the Liberals, who started to talk about health insurance in 1919 and we have not got it yet all across Canada. "Let us take this one step at a time," they say.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. MacDonald:** Continuing again:

Let us do each step properly, fairly and equitably, and we will be worthy of greater respect from the people of Ontario, than those who would irresponsibly reach for the moon. Let us leave that to NASA.

The strength of the Liberal Medicare arises from it being closely tied—

I want to draw your attention to this, Mr. Chairman.

The strength of the Liberal Medicare arises from it being closely tied to a rapidly growing tax base. This means that the increasing sums needed for health costs, so graphically detailed in the report made available today, would come from the dynamic ability of the province to continue to grow. It would no longer be necessary to maintain a surplus to control premiums, as the present government is forced to do.

We could eliminate that \$18 million stabilization fund and put the money to work.

**Mr. Ben:** The Liberal Party said what you read, and nothing else.

**Mr. MacDonald:** To declare that the proposal of the NDP for the inclusion of drugs, chiropractic services and nursing homes—

Interjections by hon. members.

**Mr. MacDonald:** —are steps that are some way on the way to the moon!

Interjections by hon. members.

**Mr. MacDonald:** Why have we got to wait, Mr. Chairman? It sounds like a Tory plea—

Interjections by hon. members.

**Mr. MacDonald:** Obviously this is getting to them.

What we have got to wait for is this Tory plea that "We must expand our wealth base before we can provide any more health services to the people of Ontario."

We say, no! We say that at the present time we can introduce savings in the current expenditures; we can, indeed, put the raising of funds for health services on an equitable basis, so that everybody who has less than \$13,300 for a family, or \$6,700 for an individual can get the present health package, plus the immediate inclusion of drugs, plus the immediate inclusion of chiropractic services, plus the immediate inclusion of nursing homes—and we do not have to sit and wait for the expansion of the wealth base.

That is the kind of excuse that the Liberal Party has used for 50 years—"We have to wait until we have the money to do it." We agree with the Hall Royal Commission that we can—and we should move now; that the people are willing, on an equitable basis, to provide the money to get as vital a need as health services. It can be done now; not completely, but we have passed the time when we should stand pat.

Interjections by hon. members.

**Mr. MacDonald:** Of course, it is not complete. In our health package we have included drugs and chiropractic and nursing homes—which the Liberals have not included—and we have indicated how it can be paid for. We have not indicated the inclusion of dental services as yet. There are other



major items which we will include, in the fullness of time. But I will tell you how full health services can be achieved.

**Hon. Mr. Randall:** You do not have the money.

**Mr. MacDonald:** I will tell you how it can be done, Mr. Chairman. Instead of sitting and waiting—which is the rationalization of the old parties, Liberal and Tory—until the tax base and the wealth of the nation develops to be able to finance it, we should move towards the reorganization of the provision of health services so that there will be adequate savings to permit us to move immediately toward some of these major new services; and I will indicate how it can be done.

**Mr. Nixon:** You had better stick with premiums.

**Mr. MacDonald:** Oh no!

For example, in the Saskatoon clinic—we will give you a copy of our proposal and what it is going to cost. We have worked it out in detail.

**Hon. Mr. Randall:** Eight per cent.

**Mr. MacDonald:** In the Saskatoon community clinic they have moved towards the provision of group health services for the people of Saskatchewan; as indeed the people in Sault Ste. Marie have done under the direction of the steelworkers, and as the people of St. Catharines are doing under the direction of the autoworkers.

**Mr. Pilkey:** Great unions!

**Mr. MacDonald:** Great unions, leaders in this field.

While you are sitting and stalling on the implementation of greater health services, they are providing group health services which integrate the full panoply of health services. They have the rehabilitative and the preventive aspects of medicine.

Because they have all that, what happens? Let me remind the House of some of the dazzling statistics. The Saskatoon community clinic reported 655 hospital days per practitioner in 1967, compared to 1,667 days for other doctors in general practice in the city.

In short, where you have group practice, you not only have better medical services, but 655 hospital days as compared with 1,667 across the boards in individual practice.

That is not a new kind of development. The Kaiser Foundation Health Plan in the United States, covering over 200,000 people,

provided high quality medical care for 20 to 30 per cent less than comparable care outside the plan, and its members have hospitalization user rates at 30 per cent below non-members.

The proof of the kind of thing that is happening in the group practice provided in the Soo and in St. Catharines today is that both of those clinics have said to this government, "If you will give us a lump sum for the number of people for whom we are providing a service, you can give us 80 per cent of the average payout for the rest of the people in the province. We will accept that lump sum and use it for rehabilitative, preventive medicine."

In short, these clinics are now offering the government an opportunity immediately insofar as the few thousands of families that are involved in those two clinics for a saving of 20 per cent. They know that this can be done.

I repeat, that is the way in which we can save money and move as quickly as possible towards those elements of a total health package which are now still outside even the package that the New Democratic Party has offered in the last week or so.

I repeat, in conclusion, Mr. Chairman, that there is no need to wait any longer. We can rationalize and bring equity into the financing of what this government is doing at the moment. We can move to the provision of drugs, of paramedical services such as chiropractic and nursing homes; and we can do it at a cost, for all families below \$13,000 income, for less than they are now paying, and for individuals of below \$6,700 for less than they are now paying.

Let it not be said by anybody, whether it be a Liberal or a Conservative, that this is not a credible proposal. This is a realistic proposition and a New Democratic government will move in 1971 to implement it.

**Mr. Chairman:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Chairman, I plan, of course, to vote on this motion; and I think I should place my position.

I think that both the leader of the official Opposition and the leader of the New Democratic Party have put the case very well. This government has had to face many very contentious issues in the past year, but there is not any that has bred the disfavour of the populace of this province more than the wishy-washy manner in which OHSIP has been brought into effect.

We call this the "land of opportunity." If it is going to be a land of opportunity it must start with health, because if you do not have health then it does not matter how much opportunity there is, you cannot take advantage of it.

**Hon. Mr. Randall:** You have the opportunity, but no money to pay for it.

**Mr. Knight:** Mr. Chairman, I find it unfortunate that the leader of the New Democratic Party has converted such a vital issue as the health of the people into a sort of a political football in lambasting the official Opposition. I do not think there is any need for that at this particular time.

I thought that the position put forth by the leader of the official Opposition party (Mr. Nixon) was very well put, but I do not agree with the vehicle. The leader of the Opposition party said that this was an antiquated vehicle, this motion to reduce the vote by \$12,000 and centering it around the Minister, and I understand that is the custom of the House. But it puts me in a very bad position, I say very honestly.

**Mr. R. Gisborn (Hamilton East):** You put yourself in that position.

**Mr. Knight:** Well I can speak for myself too.

I just happen to like the way this new young Minister has conducted himself during the course of the discussion of these estimates until now. We all know the manner in which OHSIP has been brought about is the responsibility of the entire Cabinet and not just this Minister.

I would like to see this Minister have a chance to go forward. He has demonstrated some vigour, some keen interest and a lot of hard work and I think he is going to do a good job. I honestly believe that before the next year is out, that there will be some changes in OHSIP.

And because I think this particular type of amendment is an antiquated vehicle, because I am expecting the Minister to say, "We hear the people screaming, we know that there is trouble, we know that there is not acceptance. We are going to review it and see how we can work it." I expect him to get up and say, "We are reviewing it and we are going to do something about it."

If he does that then I am going to vote against the amendment, because the one thing that the leader of the official Opposition and the leader of the New Democratic Party

have not pointed out is that it does not matter what programme you put in, the people are still going to pay for it. It is going to come out of them in the form of taxes if it does not come out of them in the form of premiums. This is the problem that any government must face in deciding such a programme.

**Hon. A. Grossman (Minister of Correctional Services):** The most sensible thing that has been said so far!

**Mr. Knight:** There is not any question whatsoever—

**Hon. Mr. Randall:** He thinks it grows on trees.

**Mr. MacDonald:** He is the new Tory candidate.

**Hon. Mr. Simonett:** You will never be.

**Hon. Mr. Grossman:** He could do a lot worse.

**Mr. Knight:** There is not any question whatsoever that the feelings put forward by the leaders of these two parties to my left, the positions they have put forward, are a true reflection of the feelings of the the people of this province. If this government continues with the same programme in OHSIP, it is going to go down at the next election, primarily on the basis of this one thing.

So there has got to be a change, there is no question about it. But I do not think the way to do it is by pulling the rug out from under this new Minister at this particular time. I seek to encourage him to do a good job so that we are going to get the programme that we all want and that we all know is necessary, and nobody is kidding anybody.

**An hon. member:** You may be able to fool the *Globe and Mail*, but you cannot fool us.

**Mr. Knight:** And providing I get the assurance from this Minister that what I have suggested is going to be done, then I am going to vote against this amendment.

I would like to say one more thing while I am speaking straightforward, off the shoulder. I would like to say that the government can learn an awful lot on OHSIP, Medicare—OMSIP, call it whatever you want—from the party to the left. They are the experts in Medicare, as far as I am concerned.

I think the leader of the New Democratic Party has a lot of excellent points and I hope that the Minister, when he is reconsidering,

will take all of this into consideration because I think that he made an awful lot of sense—

Interjections by hon. members.

**Hon. Mr. Randall:** You have to raise the money.

**An hon. member:** You fooled the people this morning, now let it go at that, eh!

Interjections by hon. members.

**Mr. Knight:** In short, Mr. Chairman, let us get this vital issue out of the realm of the political football and get it back into the vital area where it belongs.

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

**Mr. K. C. Bolton (Middlesex South):** Mr. Chairman, the cry I hear from the other side of the House is, "Where is the money coming from?" I want to suggest this as my thesis, that good health is not a consumer commodity, but a basic human right.

**An hon. member:** How about that, Stan Randall?

**Mr. Gisborn:** That goes for housing too!

**Hon. Mr. Randall:** I have always said that.

**Mr. Bolton:** My invitation to enter this debate came from the last speaker across the way, who stated that we confused the voters in Middlesex South on Medicare, he was speaking in response to a little needling perhaps from someone who is usually urbane—I refer to the member for Scarborough West (Mr. Lewis). You may recall the occasion, it is recorded on page 6886 of *Hansard*.

That is why, and I am not trying to put it through provocatively, that is why the government got 19 per cent of the vote in the urban polls of Middlesex South in East London, because you have not the slightest comprehension of what urban needs are.

The reply of the Minister of Trade and Development was:

You confused them on Medicare.

Interjections by hon. members.

**Mr. P. D. Lawlor (Lakeshore):** He is the one who is confused.

**Mr. Pilkey:** Not saying very much for the electors in Middlesex South.

**Mr. Bolton:** I challenge—

Interjections by hon. members.

**Mr. Bolton:** I challenge anyone in this House to produce one statement that was made by myself or on my behalf in Middlesex South, that could be called confusing people about Medicare.

Interjections by hon. members.

**Mr. Ben:** Now this is confusing.

**Mr. Bolton:** The people in Middlesex South, I say to my friend to the right, are not easily confused.

Interjections by hon. members.

**Hon. Mr. Randall:** Not any more they are not.

Interjections by hon. members.

**Mr. Bolton:** Speaking of confusion, may I—

Interjections by hon. members.

**Mr. Bolton:** May I continue?

Interjections by hon. members.

**Mr. Bolton:** Sir William Osler said that medicine arose out of primal sympathy of man with man, out of a desire to help those in sorrow, need and sickness. I spent far too much of my life, from the year 1932 until now, at various bedsides and various hospitals and at gravesides to enjoy cheap comment about the health of our people. I, too, regret the nature of some of this debate that has arisen about Medicare. This is a matter that concerns the dignity of human beings and the basic issues of their life. It does not sit well that we should debate this in any light, frivolous or cheap terms.

And yet, we have to remember that economics does enter into this picture so we find Dr. Norman Cohen of the Manitoba Medical Services, president thereof, saying, "We need to modify our health care system in such a way to be more responsive to the checks and balances of the market-place. I wish I could share with the last speaker, to my extreme right, his conviction that the new Minister of Health has read the message that came from Middlesex South and indeed from across the whole of Ontario. I wish this were so, but I must say I read with grave concern a statement attributed to him, November 13, CP press release, headlines:

WELLS URGES STAND AGAINST SOCIALISM

Ontario's Health Minister, Thomas Wells, Wednesday, defended adoption of the federal Medical Health Insurance Plan and

called on all Conservative members to back that decision against the socialists. He called on about 500 party members attending the Conservative Businessmen's Club luncheon not to fall into the hands of those "who seek to divide us into the hands of the socialists."

And so on; and I will read from a paper which I think is not notably pro-NDP. November 14 *Globe and Mail*, headed

#### QUITE THE WRONG FISH

Even a red herring should at least be a herring in the first place. In his flailing attempts to defend the Ontario Health Services Insurance Plan, Health Minister Thomas Wells lumped its critics together as socialists. He urged Conservatives to unite behind the government's version of Medicare and not to fall into the hands of those, "who seek to divide us into the hands of the socialists."

Reaching back 26 years—

the length of time the government was in Middlesex South:

—he asserted that the Conservatives had come to power by fighting off "an attempt by socialists to take over this province. Today we are facing the same challenge. I do not want to lead this province down the road of state-socialistic medicine!"

But what has all that got to do with OHSIP?

Is it being socialistic to object to being required to pay the highest Medicare premiums in Canada? We would have thought it was rather the opposite, that here is a free-enterprise bellow if ever there was one.

Is it being socialistic to be angry because OHSIP protects the Ontario people against only 90 per cent of their medical costs, where before—under private free-enterprise plans—they were able to enjoy 100 per cent protection?

I was disappointed.

I believe that health care can, and should supersede partisan politics. It is a principle that all doctors recognize that in all these things the patient comes first, and the patient is a person, not merely a vote, not merely a legal entity or political football. The patient should be regarded as a total person and health programmes should be total programmes. That has been said already by the leader of the Opposition, and by our

own leader. I need not elaborate on that except to say that you cannot separate people into sections, you see their total need, and one of the greatest things I have noticed of recent years, is the high recovery rate, or the rapid recovery rate of those who are freed from economic concern.

I remember in my earlier days, as a parish priest, when people were really very worried about finances, how this held back their recovery. They lay in bed worrying about their finances, how their families were getting along and the measure of help that they were given has helped in their more rapid recovery. I urge that we recognize that fact in a wealthy country like Canada a wealthy province like Ontario can afford the things for which we are asking. It can be done, the money is here and when you start talking about what it is going to cost, I ask you to remember, "What does it cost to allow people to evade their health responsibilities?"

We need preventive medicine, we need nothing to discourage a person from going to a doctor in the first place, even this miserable 50 cents they have to put on a plate in the doctor's office, can be to some people a deterrent. Ah, but you say, "We provide for the poor. We give them a chance, if they are in trouble, to make a special petition to be relieved." This hurts the dignity of our people.

We do not say that this can be free, what we do say is this, there is a better way of paying—and I include myself—those who can afford to pay, should pay and pay gladly through progressive taxation, not the regressive forms we have. This provides for the dignity of our people—it can be done, it should be done. Hall said a long time ago it could be done, there is no reason to deny it. A universal, comprehensive programme is feasible, practicable, economical to administer and immediately effective for the total population. The device of tax payments to achieve universal coverage is acceptable to a great majority of Canadians.

I wish I had more time, there are many more interesting things on this subject. I want to say in conclusion that I firmly believe that this province is saying to the government "reform this decision". I was accused of confusing the people of Middlesex South. The people in Middlesex South are not very easily confused. What has happened is this, they have begun to see clearly what is involved and they, along with the rest of Ontario, are demanding a change.

It may be just a change in Medicare, it may be a change in government.

The term "red herring" reminds me of an experience in my undergraduate days when a group of people in Manitoba, weary of a rather starchy weekly paper called, *The Manitoban*, produced a document of their own called "The Red Herring". The authors were never discovered; I can tell you now, 30 years or so later, one became an ambassador for Canada, another became the head of the biggest United Church in Canada, so he recovered from this particular issue. It was called *The Red Herring*, the first issue and the only one—it was suppressed afterwards—was called "Case 1, Tin 1" and the slogan was, "It smells, but it sells". The red herring drawn across the Medicare programme may smell but it certainly is not going to sell, it will not be bought.

**Mr. Chairman:** The hon. member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I rise to support my leader's motion that the salary of the Minister be reduced by \$12,000. Of course, we are all aware this is more or less a manner of expressing our opinion as to government's policy. One might ask: "Why do this to a Minister who has only held the portfolio for two months?" The main reason is this, that the reason why OHSIP and our medical and hospital costs are so high in this province is simply because the Minister is representing a portfolio that has not taken the necessary action over a long number of years.

We on this side of the House, despite the things the member for York South has said, have believed that medical insurance or Medicare, whatever you want to call it, has been on its way for some considerable time. A number of us have believed it has been long overdue. And I do not want to get into any political hassle with the member for York South because a lot of the things he has said are now ancient history and some of his history is completely inaccurate. There are too many members I have known over a long period of time in the Liberal party sitting as members and working with the Liberal party who have advocated hospital insurance and medical insurance for a great many years.

And just in passing I say to the member for York South, through you, Mr. Chairman, that the hon. Paul Martin is the man who made hospital insurance possible throughout all of Canada.

I know as I became active as a young Liberal in this party that I had an opportunity to watch the work that was being done and it is true when he began it took him three years in organizing the manner hospitalization should be brought in, but because they knew what they wanted and they knew what to do, they never let hospitalization get into the administrative chaos that medical insurance is in at the present time. One of the main reasons why this province has had so much difficulty with the administration of medical insurance is that in its heart and in its mind it has fought it all the way down the line.

The other provinces, whether they had Social Credit governments, Conservative governments or what-have-you, never got into the mess that medical insurance is in in the province of Ontario at the present time.

**An hon. member:** They have a mental block.

**Mr. Trotter:** A member in my own party says this government has a mental block and so it has. I know the former Minister of Health (Mr. Dymond), the man who, incidentally, despite the criticisms that he has undergone, has a number of personal qualities that I admire. The former Minister of Health and I have disagreed on this subject vehemently over a long number of years and I remember when he campaigned for the leadership of the Progressive Conservative Party, he said there would never be medical insurance, that he would always be opposed to government medical insurance in the province of Ontario.

Well, of course, circumstances forced him to change his mind and we gradually have come about to a point where we have a government scheme—admittedly from pressure, you might say, put on this government by the federal government. I am glad such pressure was brought, because we have to realize that medical insurance, that health insurance—I prefer the term "health insurance"—is an absolute necessity for all of the people of Canada.

And when we advocate these schemes in the province of Ontario, we know it is costing the people of Ontario more money. We quite frankly admit that a greater burden of the cost is borne by the taxpayer of Ontario than any other part of Canada, and the reason for it is that we as a whole can afford it. We may have our problems in this province but as you look at the rest of Canada, we are mighty lucky that we are in this province, and we have a responsibility to the other parts of the country.

Well now, there is no question that the high cost has become chaotic, it has become difficult for patients, it is becoming difficult for the doctors. I know of one young doctor—I know we all think of doctors having money and I know once they get established they do quite well—but I know of one young doctor who started to practise four months ago and he was trying to stick as loyally as he could to billing the government directly. He has not received a single cheque over a period of four months, and he sent in a number of billings.

Now, that is four months, and that particular doctor's father called me and he said, "Well, you assume all these doctors have money, maybe the older men have, but certainly the young fellows don't." Well now, how can the medical profession—

Hon. Mr. Crossman: How long has he waited?

Mr. Trotter: Four months!

Hon. Mr. Crossman: How long has OHSIP been in effect?

Mr. Trotter: Well, he was billing OMSIP beforehand. He started four months ago and this was when OMSIP was in effect and he was billing the government directly.

Hon. Mr. Wells: And he has not received a cent?

Mr. Trotter: He has never received a cent.

Hon. Mr. Wells: Can we check him out?

Mr. Trotter: I will be glad to give the Minister the information privately. I do not wish to use his name.

Hon. Mr. Wells: That is fine.

Mr. Trotter: But when you know things like this go on, how can you expect the medical profession to have confidence in a system whose administration is in such a chaotic state? When we know that over a period of time the private plans, the non-profit plans, have been able to operate at a six to seven per cent administrative cost, and yet we know that this present scheme is somehow going to cost between 10 and 12 per cent of the total premiums that are gathered in, then there is something wrong with the whole government planning behind the scheme. And as far as I can gather, Mr. Chairman, the other provinces have not had the same difficulty that this particular government has had.

Of course, one of the main reasons is that you have far too many carriers, you have far too many private carriers, the private carriers should be taken out completely and the profit in health care eliminated.

I know some of the members in the NDP said, "Why did you support the bill that the government introduced this spring?" And, Mr. Chairman, to enlighten some of the members, it is this: we believed in the principle of medical insurance. This is the overall thing and many of us in this party over the years have advocated medical insurance and have advocated health insurance and I have gone on record on numerous occasions as saying health insurance across the board. Even one item the member for York South, I believe, left out—he did not cover sickness insurance, and the only reason why we have not advocated sickness insurance immediately is in truth what the hon. member for Humber said in his opening remarks on the estimates of this department, in that you have to depend to a certain extent on your economic base as to how fast and how far you can move. It is merely a matter of common sense. So let there be no question, Mr. Chairman, where this party stands now and where it has stood in the past; we believe in health insurance literally across the board for the people of Ontario and for the people of Canada.

Well now, my leader and this party have advocated one particular segment that I believe is extremely important in the payment of health costs. In our first statement, brought out when OHSIP first came in, we applied the theory primarily to the cost of OHSIP—to the medical costs—in that the premium system should be done away with and that progressive taxation should be the means by which we decide how much people should pay.

Today it is ridiculous that a married man with two children, earning \$4,000 or in the area between \$4,000 and \$4,500, should be paying the same premium as a man who earns \$10,000 or \$15,000. We believe that the system should be the same used in the manner that we pay for the Canada Pension Plan, in that it is added to income and it would do away with all the premium payments. You would pay for it as you file your income tax. If you were not taxable, if you were not earning enough money to pay taxes, you did not pay a premium. I know that, technically, a premium is not a tax but for all intents and purposes the premium and the tax are the same thing. It comes out of

your pocket and there is no question in my mind, as I believe there is not in the minds of my fellow members in the Liberal Party, that the premium system must inevitably be done away with. We are going to pay for these costs tied to the income of the individual and family concerned.

This is a much needed reform, Mr. Chairman, in the system of paying for health costs in this province and in this country. I cannot advocate too strongly the great need for the change in order to help carry the high costs.

There is no question that the doctors simply must be brought into line. I have said on many occasions that the average doctor is all right but they are poorly represented by the Ontario Medical Association. The Ontario Medical Association, to me, has always been an extremely narrow-minded group strictly out for their own interests, and interests that represent the medical profession most unfairly.

The average doctor is a pretty decent type; but the Ontario Medical Association, from what I have seen over the years, has got a blocked mind. I think the theory is utterly stupid when they claim that because government is in medical insurance it is interfering with the doctor-patient relationship.

I know perfectly well that lawyers who operate under the legal aid system in no way are interfered with when they consult with their own clients. The theory put forth by the Ontario Medical Association is nonsense and it is about time they quit giving the picture to the public that the doctors are a greedy, mean group.

I would hope that this government would accept the suggestion made by the leader of this party that no raise in the doctors' fees be made unless such a raise has the approval of the standing committee on health.

Surely, even the public exposure before such a group would help bring the doctors in line. Finally, Mr. Chairman, because I know that time is limited in this debate, I would urge the members to read again, if you have not already, the report of the standing committee on health that was tabled in this House by the hon. member for Quinte (Mr. Potter).

It has the support of all the parties in this House. It made many worthwhile suggestions. As well as mentioning the need for total care, it did emphasize the matter that would come under this vote and that is the important point that nursing care should be covered by our hospitalization. I have known so many cases over a period of time—and they seem to increase as time goes

by—where patients, particularly people who require chronic care, are literally thrown out on their own because they cannot afford the cost of a nursing home.

Once they are removed from a hospital, where they are supposedly getting medical treatment, they simply cannot afford to carry the heavy cost of living in a nursing home. It is no satisfaction to a person who requires chronic care to be told "You do not need a doctor's care any more; you are free to go." There are patients who are told they are free to leave such a hospital as the Queen Elizabeth Hospital, who cannot walk. They have to be carried out. Where do they go? Unless their families can take care of them, they have nothing; or if they have a few dollars, the government does nothing until they are reduced to being a welfare patient. Many of the older persons hope they can save enough money so they do not have a pauper's grave.

This is a real fear among many of the older people who require nursing care—that their money is going so rapidly—the money that they have saved at a time when the dollar was worth a dollar. They fear they will not have enough money on hand to pay for their own funeral expenses.

It has been recommended by the standing committee that the hospital—at least the nursing care costs and the nursing home costs—be covered by the hospital premium.

These are tremendously needed reforms, Mr. Chairman. And there is no indication shown by the present Minister who is the youngest old Tory on the government side of the House—and I repeat that, he is the youngest old Tory on that side of the House—I rather despair that the much needed reforms will be brought about by the new Minister.

Interjections by hon. member.

Mr. Trotter: I hope I am wrong, but I underline again that there are tremendous changes that need to be made, not only in extending health care but certainly in the improvement in the administration, in order to cut the high cost of health care.

Mr. Chairman: I must point out to the committee that I do have a list of speakers but we have a motion before us which deals only with Vote 804. Is it the intention of the committee that we should deal with this motion on 804 now, so there will be additional time left for the remaining votes, or do they wish this vote to be carried to

the end? You see the motion deals only with one vote.

**Mr. Nixon:** Mr. Chairman, my understanding was that we would put the votes together for the discussions. I think if the hon. Minister can accommodate any questions that are put, it would be most convenient if you would accept discussion on all these votes. Perhaps it could be settled with the division of the House at an appropriate time.

**Hon. Mr. Grossman:** In the meantime, the Minister will be on his present salary.

**Mr. Chairman:** Is it the decision of the committee that this motion, which reads simply that Vote 804 be reduced by \$12,000, should deal with Votes 804, 805, 806 and 807 at the same time?

**Mr. Gisborn:** Mr. Chairman, would it not be acceptable, I think we have arranged this before, that we deal with the three votes? Then we take the division as only applying to 804 and carry the other two votes immediately.

**Mr. T. P. Reid (Rainy River):** Mr. Chairman, it is my understanding, from the select committee and the recommendations that were adopted, that we would pass these votes at the end of the estimates. Would it not be possible to put each vote at the one time when the division bells have been rung at 10.30?

**Mr. Chairman:** This is what I had in mind. If I take a voice vote on 804, then the actual division need not take place until the debate on all of the votes has been completed. In that manner we will not restrict debate on the hospital services commission. But I want to point out that there is one hour left, or less, so I will now place the motion before the committee on Vote 804. It is not a division; it is a voice vote.

**Mr. T. P. Reid:** Mr. Chairman, does this mean that discussion is cut off on 804?

**Mr. Chairman:** No, not at all. It simply means we will defer it for the actual division bells to be rung until the end of the debate; all right!

Mr. Nixon has moved that Vote 804 be reduced by \$12,000.

Those in favour please say "aye".

Those opposed please say "nay".

In my opinion the "nays" have it.

If the members will rise. All right now, do I have the consent of the committee to defer this division until the end of the debate?

Agreed.

The hon. member for High Park.

**Mr. Shulman:** Mr. Chairman, everyone in this province is aware of the difficulties that individuals and subscribers to OHSIP and Ontario hospitalization have run into in this last year.

What the public is not aware of is the nightmare of paper work that the doctors have run into. I would like to tell you in the few minutes I have available to me just exactly what has happened to one doctor, and that is myself, and I have a relatively small practice as compared to most general practitioners.

OHSIP has now been in effect for two months. There are two ways that you can manage the paper work that is necessary. You can either prepare the cards with each patient as they come in daily, or you can wait until the end of the month and prepare them all at that time. I have tried both systems each for a month and each case is literally a nightmare; that is the only way to describe it.

During the month of October we waited until the end of the month. We carried on as normal, took the numbers of the patients each day and all the data that is necessary, then, at the end of the month, went back and prepared a card for every patient who had come in. We sorted those cards as we did them into the various piles for all the insurance companies and mailed them out.

It took three people working an entire weekend to get this done. You can multiply this by every doctor across the province and the number of man-hours of medical time that went into paper work that should have gone into looking after patients can be imagined.

In the old system a patient would come in, the information would go on his card, and, at the end of the month, the girl would type out the bills. It would take a few hours and out they would go.

This is no longer possible. The doctor must sign every card. The doctor must supply information for each card as to the diagnosis, and it means medical time is taken.

For the month of November I tried a different system. We tried filling a card out each time the patient came in, which slows down



the rate of patient care somewhat, but it does not give you this tremendous problem at the end. We filed them in an index alphabetically. Then, I had two people come in on Sunday morning to take out all the cards and sort them out for the various insurance companies and send them out to the various companies. Total time elapsed, three hours. This is three hours on top of all the time that we took every day.

The reason for all this wasted time is pure and simple. It is because we have got these 30-odd insurance companies, all of whom have to be sent the bills. Now, if you had not put in this—and the only way to describe it is—this bastard scheme, if you had put in a sensible scheme where all bills go to OHSIP, where you eliminate the insurance companies, in addition to all the things that have been brought out by the other members, the waste of money and the tremendous waste of doctors' time which we have now would be avoided.

So, I strongly commend this to you, sir. You have already lost the votes of most of the public, if you wish to still save the doctors' vote, for whatever that is worth, I strongly suggest that before the next election you eliminate these private insurance companies.

If you cannot eliminate the private insurance companies, if you are too indebted to them, at least allow the doctors to send all the cards to OHSIP and let OHSIP sort them out. Otherwise your doctors are going to be so involved with paper work and so fed up with the nonsense that this OHSIP scheme has brought in that you could lose every one of them too. They are going to be tied up looking after paper when they should be looking after people.

**Mr. Chairman:** The hon. member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, I want to say a word about the report which was issued by the chairman of the standing committee on health. In the report it was indicated, of course, that the committee felt that the government should move towards a total health care programme.

I would certainly subscribe to that philosophy and to that thought. I think that the committee is to be commended for the stance which it has taken in this regard.

I want to deal with one particular aspect of the committee's report, that is to say, chiropractic inclusion in OHSIP. I have talked a number of times and I have sponsored resolu-

tions a number of times, in this House, dealing with the possibility and the desirability of extending OHSC coverage to nursing homes which are licensed. I believe that is a programme that the government could embark upon tomorrow.

You have your inspections; you have your regulations; you have your machinery all set up. Surely to goodness you can move in this area, because it has been indicated to me, time and time again, that great hardship is placed upon many of the older people in this province because you do not do it. I suggest to you that you should be moving in this area.

Then we come to the chiropractic. It seems to me that this is another very logical extension of the OHSIP programme. I say that for one reason. I think it is very conceivable that much of the cost incurred by including chiropractic in OHSIP would be a transfer payment. That is to say, it would not be an additional new cost, it would be a transfer payment.

I think this is borne out by the experience which has been indicated in the other provinces which have included chiropractic in their Medicare plans. I refer, of course, to British Columbia, Alberta and Manitoba.

These provinces have included chiropractic in their Medicare plans as an optional service, and I think it was recognized by them that people do not go to the two practitioners—they do not go to a chiropractor and a medical doctor. They either go to one or the other. And so, when a province does not include chiropractic in its Medicare programme, it simply means that you are legislating people out of one office into another.

I think this is discrimination, and certainly most unfair, because it seems to me that there is a place in the total health service field for chiropractic, for nursing homes, for drugs and so on. I think the government should be taking some positive steps to move in this direction.

Of course, we are always confronted with the task of coming up with a cost figure. Having come up with a cost figure, we are always confronted with the reality of having to pay for it. I want to indicate to you some of the costing figures which were done in the province of Alberta, for instance, which has had some experience with chiropractic as an option under their plan.

At the end of the first six-month period, the figures were as follows: premiums received, \$368,000; the claims paid out for chiropractic

services, \$213,000. Mr. Chairman, this leaves a surplus of \$155,000. I think those figures are rather remarkable and worthy of some study.

The recommendations of the Ontario Chiropractic Association in this regard, it seems to me, are very realistic. They have indicated, on an initial basis, an initial minimum basis, the chiropractors could be included under OHSIP on the following basis.

First of all, \$125 per person per year maximum, which would include a payment of \$10 for an initial visit and \$6 per subsequent office visits. The second point they bring out in the brief which they have presented to the Minister is the \$25 maximum per person per year for radiographic examination. Those two things.

They have suggested to the Minister that this would be a good place to start. I suggest to him that if this were provided as an optional service under the OHSIP plan, the cost would be very minimal indeed. The chiropractors have estimated that, at the very most, the cost of inclusion would be \$8 million in the province of Ontario.

Now if the Minister wants to accept the Alberta plan, or the B.C. plan, and provide it as an optional service, at least it is a start. It is a move in the right direction.

If the Minister's actuaries say, "Well, we agree, we think it is going to cost \$8 million"; then perhaps if the chiropractic services are included in OHSIP as an optional plan, a premium can be levied to take care of that extra inclusion. It would be optional for the people to decide whether or not they want that coverage.

I am indicating to the Minister that I think this is an important area. I think it is an area that could relieve, to an extent, the pressure on medical doctors across this province.

It seems to me, and I have felt this way and I feel it very strongly, I have felt this way for many years, I think a great deal can be achieved by co-operation of the medical doctors and the chiropractors across this province. I think there is a great area for co-operation here. I would hope that eventually the medical profession would see this and come to accept it and take steps to co-operate on that basis.

So I would be interested to listen to the Minister's reaction. I hope he feels as I do. I know he has to convince his Cabinet colleagues. I know there is always a problem insofar as convincing one's colleagues on any

particular matter, but I suggest the Minister can make a very, very strong case for the inclusion of the chiropractic under the OHSIP plan at this time.

Mr. Chairman: The member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Chairman, in the five minutes allotted to me I want to say first of all I concur with what the member for Huron-Bruce has said. I have, on occasions, spoken in exactly the same tone about the same subject.

I want to deal with two matters, one concerning the lack of communication between the department and the citizens of the area I represent.

I have tried, as has the member for Hamilton Centre (Mr. Davison), to bring to the Minister's attention the fact that the office that was set up to cover what was previously OMSIP and what is now OHSIP is totally inadequate; that it has never satisfied any need in that area in regard to assuring that the citizens of the area are able to ascertain where they stand in regard to their OMSIP and their OHSIP coverage.

We have asked the Minister repeatedly that he do something to beef up the staff in that office—I do not mean individually but in general terms—so that they might be able to meet the needs of the 300,000 to 500,000 people who have to make use of the services in the areas around Hamilton.

The Minister made a grand pronouncement through the member for Hamilton Mountain (Mr. J. R. Smith) that there was going to be a zenith line installed about four or five weeks ago—even longer, I guess. To date absolutely nothing has happened.

I read in the weekend *Hamilton Spectator* that they are going to put an additional telephone into that office at some time in the future. We are getting sick and tired of it.

The manner in which this was brought in was deplorable, to say the least. The lack of communication between the department and the citizens cannot be condoned by anyone, and to completely ignore an area such as Hamilton in terms of trying to get information to them—to make staff available to assist them—we on this side of the House just will not tolerate it.

The other area I want to talk about is the area of subsidizing benefits. It is time that we got away from the feeling that hospitalization is somehow different from medical coverage. It is time that we recognized that a person who cannot afford to

pay his medical coverage, obviously cannot afford to pay his hospitalization.

I have so many people coming to me who are able, through the subsidization programme in OHSIP or previously in OMSIP, to get a form of subsidization up to full payment because of their inability to meet their commitment. Yet they are still required to pay the full shot for Ontario hospital services.

This is ridiculous and I do not know how the Minister could stand in this House and justify it.

As far as I am concerned, the department has to bring this programme together, to dovetail it in such a way that when it is decided that a person cannot afford to pay for their OHSIP payments, that the Ontario hospital coverage is also provided free of charge or in a reduced fashion depending on what their income is.

There is no point in us saying that people are able to go to the doctor if when the doctor sends them to the hospital they are stuck with bills they just cannot possibly afford to pay.

That is four minutes and that is what I want to say, and I want to ask the Minister to take it into consideration.

As far as the Hamilton office is concerned, if he does not do something about it pretty soon, it will be too late to do anything anyway.

**Mr. Chairman:** The member for Rainy River.

**Mr. T. P. Reid:** Mr. Chairman, I am going to be very brief. I just want to make a couple of points that have already been well made by the member for Parkdale, especially in regard to the first point made by the leader of the NDP when this bill was first brought forward and they voted against it.

I am sure the leader of the NDP has been around long enough to know that when we voted for that bill, we were voting for the principle of Medicare. We were entirely consistent in our approach, and certainly they were entirely inconsistent in theirs.

The important part of the Medicare bill and the situation as it stands now is that there are more people covered under the Medicare scheme, some five to six per cent of the population of Ontario, who were not covered before. To me, this is the principle of the bill and the important part of the whole issue.

I wish the leader of the NDP was here, because I had a few other things to say to him about that, but I will save them.

**Mr. Deans:** How about the leader of the Opposition?

**Mr. J. Renwick (Riverdale):** He is not here either.

**Mr. T. P. Reid:** Maybe they are having a cup of coffee.

**Mr. M. Makarchuk (Brantford):** They are probably wondering what happened to Clarkson.

**Mr. T. P. Reid:** Mr. Chairman, I just wanted to bring to the Minister of Health the objections of the people of my riding, especially the formal objections I had from the United Steelworkers at Atikokan and the International Brotherhood of Pulp, Sulphite and Paper Mill workers in Fort Frances in Ontario.

I am sure the Minister is aware of a letter that has been sent to the Prime Minister in this regard, but I think the letter from the pulp, sulphite and paper mill workers sums it up very well.

They say, "Our people are in favour of a Medicare plan, but certainly not one that is costing the citizen more than he is presently paying under private plans and yet receiving less coverage." If legislation has the power to tell the private citizen and taxpayer that he no longer has the privilege to paramedical coverage under separate insurance plans, then legislation should also see fit that full coverage is enacted under the Medicare plan.

**Mr. Chairman,** as I stated at the outset, we as Liberals supported the principle of Medicare, and as the party of reform we would like to see this reformed.

Surely this party is the one that has offered the solution that is most equitable, that is by having the Medicare premiums paid for as part of the general income tax, which was certainly the most progressive step of solving this retrogressive payment plan of the present government.

**Mr. Chairman:** The hon. member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, I rise to support the motion to reduce this estimate by \$12,000 and to express, in about four minutes, my views.

I certainly cannot go along with the friendly appeal of my friend from Port Arthur

inasmuch as we should not make a political football out of the Medicare issue, that in fact we should give the young new Minister our support on this issue and give him time to work toward a decent Medicare programme.

The New Democratic Party's programme has been consistent for many years as far as where we stand for a national comprehensive Medicare programme, and the CCF before that. If anyone has played politics with the health of the people in this province it has been the federal Liberals, the provincial Tories aided and abetted by the provincial Liberals, and every other reactionary party in this province. You just have to look at the record.

**Mr. Ben:** You just lost all credibility.

Interjections by hon. members.

**Mr. Gisborn:** Let me say that if there is a Liberal around for 100 years they will never make me believe that in June when we dealt with the second reading of the Ontario Health Insurance Plan, that they were voting for anything else but what was implicit in that bill; that there would be an extraordinarily high premium, and that there would be 90 per cent only paid to the doctors and that the industries under industrial programmes would have a mish-mash of a problem to iron out. It is only after the flak and the well of public opinion that the Liberals in the House pushed the panic button and moved into the twilight zone and came up with the programme they came in with in September, three months after, and the record shows just that.

**Mr. D. A. Paterson (Essex South):** You voted against the principle of Medicare.

**Mr. Gaunt:** Now we are trying to copy your programme.

**Mr. Ben:** Do you think they are absolutely ignorant and they believe this con job that you are giving them?

**Mr. Gisborn:** Well, you might have conned the people in Saskatchewan for a little while and in Newfoundland, but you are not going to con them in Ontario with that kind of a jump-off onto this position in three months.

**Mr. R. F. Ruston (Essex-Kent):** What are you fellows doing in Ottawa?

**Mr. Gisborn:** Mr. Chairman, I want to get to one particular issue. The leader of our party has in a brief, general form put our position clearly—

**Mr. Ben:** Which leader?

**Mr. Gisborn:** It is well documented, in well readable form, as to its financial soundness.

**Mr. Ben:** You have not got any leader there today, have you?

**Mr. Gisborn:** There is one point that might have been missed. It is that we do intend, in the fullness of time, as a government, to move to a no-premium Medicare health insurance programme in this province, and there is a—

**Hon. J. H. White (Minister of Revenue):** That is not what your leader said.

**Mr. Gisborn:**—fundamental reason for that. Because when we say that we have a national health programme, we mean that at no time should any individual, or any group, be without coverage for any reason. The only way that can be brought about is when you have a no-premium programme, paid for on the basis of ability to pay on a progressive tax basis.

I want the Minister to listen carefully to my next remark, because I dealt with this area at a previous time. That is, the position of organized workers when they have a strike situation, and they are bound by a fixed premium, a mandatory premium, under any kind of a programme. I think that we have got to think about the type of coverage they will have when it is necessary to go on a legal strike. That should be arrived at either by the government establishing mandatory payments by the industry in which the employee works, until he goes back to work after the strike, or else a government sponsored and financed moratorium on those premiums.

We no longer can let this kind of a progressive programme in this province develop and establish another strong lever for industry in the collective bargaining field. Because the moment that an industry goes on strike, and they have this kind of coverage, they must come up with a premium that is beyond some of the local unions' ability to pay.

**Hon. Mr. Wells:** The industry has to pay!

**Mr. Gisborn:** They do not under our present system. The steelworkers' union had to come up with something like \$125,000 cold cash the day after the strike started and something in the field of \$250,000 the first of the next month.

**Hon. Mr. Wells:** That was before OHSIP.

**Mr. Gisborn:** They will have to do it now unless—is the Minister giving me some assurance that the situation is going to be changed?

**Hon. Mr. Wells:** The Act says, Mr. Chairman, that the employer of a mandatory group must collect these premiums. Even if they are on strike they are still employees; he has got to send in the premiums for all his employees in that group, whether they are on strike or not.

**Mr. Gisborn:** I thank the Minister for the statement. I think the air is a little clearer. I was not sure and could not arrive at any assurance up to this point. I will close off with that, because I think we have made some progress.

**Hon. Mr. Wells:** That is my understanding of the Act.

**Mr. Gisborn:** I hope you are right.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I rise to support the motion of my leader in recommending that this vote be cut by \$12,000, which would be the present indemnity allotted to the Minister.

I regret very much that this is the only vehicle by which we can express the inadequacies of the government Medicare plan. My leader most eloquently placed the position of the Liberal Party in a very carefully thought-out Medicare scheme.

I regret very much, Mr. Chairman, that the government, in their Medicare plan, see fit to be paying 90 per cent of Medicare premiums, and, as a result, many people are billed for the balance, ten per cent. In fact, just recently I received a telephone call at home from a party who refused to identify himself who said that on the desk in the doctor's office was a box asking for the 60 cents for the office visit.

I do not believe that any doctor would do a thing like that—would stoop that low, to sort of hint that another 60 cents is due for a \$6 visit to the office. I think the doctors are a little bigger, so to speak, than stooping to request 60 cents of a \$6 medical fee.

In my own case, Mr. Chairman, we have had a medical plan in the city of Windsor that has been in operation from back in the early 1930's. In fact, I would say that it was the original Medicare plan for Canada.

It was the first in the Dominion of Canada. It was studied intensively by various govern-

ments—provincial and state governments—and I really think that possibly The Department of National Health and Welfare of the federal government, with the hon. Paul Martin at that time, now Senator Martin, got the idea of the hospital plan for the Dominion from the Windsor medical services plan that was in operation in the said city. That, in connection with the hospital plan—that is, the medical plan with the hospital plan—would have meant fairly well a complete medical or a health coverage for the individual.

I understand, too, that the doctors are the only big business in which the ultimate consumer has no control over what he buys; that is, the fees charged by the medical profession. There should be some type of control, Mr. Chairman, otherwise the fee structure may eventually get completely out of hand. Under the Windsor medical care plan, the doctors have accepted as low as 75 per cent of their recognized fee schedule. Yet, as soon as we changed over to the Ontario medical plan, many of them have insisted—or some of them, I should say, have insisted—on a full 100 per cent, rather than being willing to accept the 90 per cent fee schedule.

I received numerous phone calls as a result of this additional ten per cent. The open line radio programme that is, in my own community, conducted over station CKWW, in which the public have an opportunity to express their feelings concerning the plan, very frequently has nothing but condemnation from listeners expressing their opinions concerning this added 10 per cent that the person on a medical plan must pay to the practitioner.

The place where this really hits and hits very severely is the senior citizen. Under the Windsor medical plan, we had an ideal plan. There were 100 per cent of the medical bills paid for by the plan. The holder of the insurance under this plan was not obliged to make any additional payment. As soon as this plan was taken over by the Ontario medical services, the individual finds himself quite often stuck with an additional fee.

The Windsor medical plan was cheaper for a single person and it was also cheaper for a married couple. It is only the families who have a cheaper plan under the OMSIP plan. And it is unfortunate that many of these married couples are senior citizens. They find themselves very hard pressed in an attempt to pay the premiums to carry the hospital and medical services.

My own city council was very much concerned over the fact that the Windsor medical plan was going to be supplanted by the government plan. On November 12 they passed the following resolution, which originated in the city of Kitchener and was endorsed by the Windsor city council. I will not read the whole resolution, because, more than likely the Minister has it; I will read the concluding paragraph.

**Hon. Mr. Wells:** Mr. Chairman, could I just ask the hon. member, did he say that the Windsor medical plan paid 100 per cent?

**Mr. B. Newman:** Windsor medical paid 100 per cent, they did not bill the patient.

**Hon. Mr. Wells:** It is my understanding, although perhaps the member has some information we do not have, that up until they switched over to OHSIP they were paying 90 per cent of the OMAC schedule.

**Mr. B. Newman:** They may have paid 90 per cent, but the patient was never billed.

The patient's bill was completely assumed by the Windsor medical service. There was no additional billing to them.

**Hon. Mr. Wells:** We appreciate that, but let us make it clear that, in other words, what the member means is that the doctors were accepting 90 per cent of full payment.

**Mr. B. Newman:** Yes, I made mention of that earlier in my comments. The thing is, the patients now under the Minister's plan, find themselves billed for the additional 10 per cent occasionally.

**Hon. Mr. Wells:** Who is to blame for that? Not us.

**Mr. B. Newman:** You people. Had you assumed 100 per cent of the fee schedule set by the medical services or by the Ontario Medical Association, these people would not be billed for that additional 10 per cent. They were not billed for it under the Windsor medical plan, but they are being billed for it under this plan.

**Hon. Mr. Wells:** But you see, Mr. Chairman, the point here is this, and this is what I was saying to a group on Friday, this has nothing to do with us. Those same doctors before OHSIP came in, were happily accepting 90 per cent. When OHSIP came in they decided to bill the extra 10 per cent. There is no reason why they should have done that.

**Mr. B. Newman:** Regardless of what the hon. Minister may say, the patient is the

individual who eventually is concerned and he finds himself today billed an additional 10 per cent which he was not billed before under the plan that was in existence and operated very, very well, the best plan, we could say, we had in Canada.

**Hon. Mr. Wells:** Blame the doctors in Windsor, not us.

**Mr. B. Newman:** The Minister can blame the doctors, I do not blame them, I blame the plan.

**Mr. E. R. Good (Waterloo North):** The government provoked all the doctors in the province to charge it.

**Hon. Mr. Wells:** Oh no, we did not.

**Mr. B. Newman:** Mr. Chairman, I was going on to the resolution that was passed by the city of Windsor council. The concluding paragraph is, and that is concerning the 90 per cent of Ontario Medical Association schedule of tariffs:

Be it resolved that the council of the corporation of the city of Kitchener make the strongest possible representation to the government of the province of Ontario to review and amend the Ontario Health Services Insurance Plan legislation to provide 100 per cent coverage for all available health and medical services.

That was originally passed by the city of Kitchener and endorsed by the city of Windsor.

**Mr. Chairman:** If I may just interrupt for a moment.

**Mr. B. Newman:** Yes.

**Mr. Chairman:** If there is to be a vote at 10:15, as I understand was arranged, I have three more speakers; and if the Minister is to reply, that leaves about two minutes for each remaining speaker.

**Mr. B. Newman:** I will speak just one more minute, Mr. Chairman, and curtail my remarks.

May I conclude my remarks by saying, Mr. Chairman, that the subject of chiropractors, likewise, was endorsed by the council of the city of Windsor. The original resolution came from the city of Chatham. The Liberal Party itself would do away with all premiums eventually, we would prefer to have premiums at the present rate tied to income rather than the way the government scheme is.

One of the things that I do regret is the fact that in the medical services you have a three-fee structure, but when it comes to the hospital services plan there is only a two-fee structure. Consideration should be given to having both plans the same, preferably with a three-fee structure and likewise with a subsidy to the hospital services plan, the same as the medical plan.

**Mr. Chairman:** The hon. member for Oshawa.

**Mr. Pilkey:** Mr. Chairman, I want to touch on two subjects; one, when we discussed the question of collective bargaining agreements as related to Medicare, we were assured that this plan in no way would affect collective bargaining agreements. And, lo and behold, the collective bargaining agreements that call for 100 per cent of premiums and 100 per cent coverage under a medical plan, have now been negated under this government's legislation. The doctors are now saying that they are not prepared to accept 90 per cent as equivalent to 100 per cent, and this party urged the government to legislate in this area, thus protecting the collective bargaining agreements in this province. I only have to refer to the headlines in the *Star*, "Doctor Poll Finds 75 per cent Charge Over OHSIP Rate." When this matter was raised—I recall very vividly when the Premier of this province said that this would not happen and he had great faith in the doctors of this province. I am sure that his faith must be shattered now as a result of the doctors over-billing in this province.

As a matter of fact, I have a document here that was sent out to a number of patients of one doctor, and I just want to read it into the record. Here is a note that is given to every patient, and it says:

We do not accept direct payment from any insuring agency, government or otherwise. You are directly responsible to us for payment of the services rendered and you will be reimbursed by your insuring agency of 90 per cent of the OMA tariff. Our minimum—

Get that.

—our minimum is 100 per cent of the OMA tariff and for certain surgical procedures somewhat higher than the OMA tariff.

**Mr. J. R. Smith (Hamilton Mountain):** Who is he?

**Mr. Pilkey:** I will name him if the members want his name. Dr. S. H. Wetzill, MD, and associates, in Oshawa. There are a number

of doctors giving out these kind of notices to their patients, and they are not even prepared to participate, and the member from Windsor pointed out under Windsor medical that they did accept 90 per cent. But why are the doctors refusing to accept 90 per cent of your schedule, or your new plan? PSI paid 100 per cent, PSI paid 100 per cent of the OMA schedule of fees, and there were some millions of workers in this province covered under the PSI plan.

I want to touch on one other point and that is the guidelines that this government has set up under the Ontario Hospital Commission in regard to hospital workers. We had Bill 41 and Bill 90 that provided compulsory arbitration for the hospital workers in this province, and I want to suggest, again, that if the Ontario Hospital Commission are going to set guidelines for hospital workers in this province, effectively killing free collective bargaining, then I would want to suggest to the Minister that they come to the bargaining table, they come to the bargaining table if they are going to set the guidelines.

**Hon. Mr. Wells:** You cannot say that.

**Mr. Pilkey:** I am saying it.

**Mr. Chairman:** Order please! It seems to me that the time has expired.

**Mr. Pilkey:** I just want to conclude by making one statement, that compulsory arbitration is widening the gap between the private sector and the hospital workers that are negotiating in the public sector under compulsory arbitration, and there has just got to be funds provided that give these workers the same kind of equity that the workers can get in the private sector.

**Mr. Chairman:** The Minister has three minutes to reply then, we would have to pass votes 805, 806 and 807 before we sound the division bells and put vote 804. Shall we pass these votes before the Minister replies?

The hon. Minister; three minutes.

**Hon. Mr. Wells:** Well Mr. Chairman, of course, it is very, very difficult to do justice to this important subject in three minutes.

**Mr. Chairman:** The time for adjournment is 10.30 I must point out.

**Hon. Mr. Wells:** I think that what I want to say first is this: I am happy to hear all the suggestions from the hon. members of this House, because as I indicated here . . .

**Mr. Lawlor:** Are you really the oldest young Tory of them all?

Mr. Ben: Well welcome back! Where has the member been?

Hon. Mr. Wells: We are looking at every aspect of this programme and all the suggestions that have been made here will go into the input as we look at it.

My hon. friend over here referred to chiropractors. I met with the chiropractors recently, and the pediatricists. I am very interested in what they propose and we are looking very seriously at what they suggested.

The report on the standing committee on health has been mentioned many, many times. I would say that the only trouble with this report is that they did not come and ask the Minister of Health what his department is doing.

As I explained here the other day, we have had a group of over 200 people working on a total health plan for this province which will be unveiled in late January, and it is in this context that a health package, future health planning for the whole of this province in all its areas, will be able to be set against, and will carry on. I think that when the hon. members see this they will see the kind of things that we are doing.

Now, I would like to refer to the hon. leader of the Opposition's mention about the health clinic. I would just like to say, because I think this is a very important subject, that we are very happy at the way our relationship has worked out with these health clinics. We think that they will provide a good demonstration project, to show another way of delivering health services. We are going to be signing an agreement with them very shortly to pay them on a capitation basis, something which the task force on the cost of health services in Canada suggested should be done under Medicare plans.

Also we are going to carry on research studies through the school of hygiene at the University of Toronto and the University of Michigan school of public health to find out a lot of things about how these clinics are operating, and whether they are bringing about savings in areas such as use of active treatment beds.

It means that instead of a fee for service basis, they will be paid a sum for each member on the rolls of the clinic per year. It is an entirely different way of paying and is instead of paying on a fee for service basis.

Mr. Nixon: Not just guaranteeing them a minimum?

Hon. Mr. Wells: Oh no; also do not forget that for instance in the St. Catharines clinic anyone in St. Catharines is, as I understand it, free to join. You do not have to be a member of the union, anyone can join.

Because I think that this is very significant, I would like to read this statement. It should also be pointed out that when our arrangements with the health centre were concluded, we were advised by senior officials of the centres that this was the most progressive province or government agency with which they ever dealt at any time.

Hon. W. D. McKeough (Minister of Municipal Affairs): Hear, hear.

Hon. Mr. Wells: In fact, Ontario is the first area in the world where the union-sponsored health centres have been able to conclude a capitation arrangement. So I hope that our hon. members will remember that when they talk about our demonstration projects. In regard to the administration arrangements that the hon. member for High Park and others have referred to, we realize that these arrangements are presenting some difficulties and these are being looked into. We are going to do everything possible to correct them. In the matter of arrangements for information services in the city of Hamilton, we are going to expand the office there when we know exactly what the level of calls is going to be once we get out of the crisis period. We are going to expand it to make it a full public information office as we are going to do in London and Ottawa.

Mr. Deans: Is that instead of the zenith line?

Hon. Mr. Wells: Yes. We have found out that the zenith line would not be practical because it would overload our Toronto switchboard. It would not adequately serve Hamilton.

Mr. Deans: Can I make this arrangement instead of the member for Hamilton Mountain?

Hon. Mr. Wells: Five weeks ago we thought this would work, but the Bell Telephone Company now tells us we would be better off if we did not do this and instead expand our office over there. We have taken this advice.

Mr. Chairman, I realize that I do not have any further time to deal with a lot of these things. I do want to say that I think the major area of concern of the people of this



province has been with the 90 per cent payment of the OMA fee schedule. I think that we had hoped that many doctors would accept this. We still do not know exactly how many are; even the survey that was referred to in the *Daily Star* on Saturday was taken among doctors that were at a certain meeting. We are doing studies to find out just exactly what the picture is.

It was reported at a meeting in Burlington that doctors told me that they had not been paid and yet we got a printout from the computers and found that, in fact, they had received or been sent cheques from OHSIP. One in the middle of November. I guess they just forget. People get kind of worked up in their emotional concern with this matter, but I do want to remind the members what we have said.

**Mr. Makarchuk:** The payments on the swimming pools were probably due.

**Hon. Mr. Wells:** We did propose under the original OMSIP legislation to pay 100 per cent of the OMA fee schedule. I believe all our friends on the other side of the House argued at great length against this section and voted against it. Then eventually we decided we would have to change our legislation and pay 90 per cent of the OMA fee schedule, which of course—

Interjections by hon. members.

**Mr. Chairman:** Order!

**Hon. Mr. Wells:** This is, of course, why we moved to pay 90 per cent when we brought OHSIP in.

**Mr. Chairman:** Order!

**Hon. Mr. Wells:** These are the facts. The record shows that you voted against it. If you just listen to my whole story, which if taken in its total context, of course is that there is no province in Canada that is paying the full 100 per cent of the fee schedule. So when we think about this, you realize that if we are to change, it would be something different from what has been instituted in the other provinces.

**Mr. F. Young (Yorkview):** Except the other provinces say the doctors must accept.

**Hon. Mr. Wells:** No they do not. They say that if you work within the plan, you must accept, which is a little different.

**Mr. Ben:** You know if you play bridge you should keep in mind that you play best when you pass.

**Hon. Mr. Wells:** When we know what the situation is in this province, then we will be able to take the appropriate steps. As I told this House before, and I have told many groups around this province when we have spoken about OHSIP, everything concerned with this plan is under consideration and when we are finished, we will have the best health care plan in Canada.

**Mr. Chairman:** Shall the votes carry?

Votes 805 to 807, inclusive, agreed to.

On vote 804:

**Mr. Chairman:** Mr. Nixon has moved that vote 804 be reduced by the sum of \$12,000. Those in favour of Mr. Nixon's motion will please rise.

Those opposed to Mr. Nixon's motion will please rise.

Call in the members.

**Clerk of the House:** Mr. Chairman, the "ayes" are 30, the "nays" 47.

**Mr. Chairman:** I declare the motion lost.

Vote 804 agreed too.

**Mr. Chairman:** This completes the estimates of The Department of Health.

**Hon. Mr. Welch** moves the committee rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** The committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, tomorrow we will take second readings and other matters that are on the order paper. At eight o'clock we will consider order number 26, that is, concurrence in the supply for The Department of Education.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:45 o'clock p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 2, 1969  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 2, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon in our galleries we have as guests, students from Humber College in Toronto in the east gallery; and in the west gallery students from Mayfield Secondary School, Brampton, and St. Joseph's Commercial School, Toronto.

Later this afternoon in the east gallery we will have students from St. Martin de Porres Separate School, West Hill.

Statements by the Ministry.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I would like to tell the House that the commissioner of the Royal commission on Atlantic Acceptance delivered to me yesterday the first copy of his report. It is a four volume document and it will be some time before I will have a sufficient number of copies for distribution to all the members here and to all those who are interested in it, so it appears it will take another week or so. I would hope that we will be able to release it a week from tomorrow; that would be December 10. We will make arrangements for the necessary briefings and so on at that time.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, a leading authority in the field of pulmonary diseases will conduct a complete review and study of silicosis in Ontario mines. Dr. John F. Paterson, head of the department of medicine at Sunnybrook Hospital, will make a thorough study of the incidence of silicosis among miners, the efficacy of present preventative measures and methods of diagnosis and treatment.

This will, in effect, be an updating of Dr. Paterson's previous study conducted in 1958, and a review of the resultant developments in the prevention and treatment of silicosis, sir, since his findings were reported in The Department of Mines bulletin No. 158, published in December of 1959. Dr. Paterson is expected to have a new report of his findings and recommendations for delivery to me by June of 1971.

Dr. Paterson will be given a completely free hand in carrying out his investigations and he will have the complete co-operation of The Department of Mines and the mining industry in our efforts to further improve the miners' environment.

Silicosis, a lung condition arising from the inhalation of silica dust particles, has been of continuing concern to the mining industry and to the government. In his 1959 report, Dr. Paterson found that in the years immediately preceding his investigation, there had been a dramatic drop in the incidence of the disease among Ontario miners. He stated that adequate dust control and ventilation provided the most effective preventative measures. The purpose of this new study is to report and review material, statistics and development in the intervening years.

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

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I rise on a matter of personal privilege.

Yesterday I had occasion to direct two questions to the hon. Minister of Financial and Commercial Affairs. The first question had to do with the source of funds in connection with the acquisition of certain real estate property in the city of Toronto by J. V. Franciotti Real Estate Limited, Toronto.

Subsequently, and without any intention on my part to connect it with the previous question, I questioned the same Minister as to the possibility of agreement with Switzerland for an exchange of information on tax and security offences. I wish to make it absolutely clear to all members of the House that there was no intention, on my part, to connect J. V. Franciotti Real Estate Limited with my enquiry as to information relative to tax and security offences.

I wish to make it amply clear also, and to confirm, that the source of funds has since been disclosed to me and that there is no evidence or suggestion of illegal or foreign funds involved. If this has caused any embarrassment to Mr. Franciotti or his associates, I wish to set the record straight.

**Mr. Speaker:** Oral questions.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, I rise on a point of urgent public importance.

**Mr. Speaker:** Then perhaps we will not start the oral question period until this matter has been settled.

**Mr. Sargent:** Regarding an amendment to The Highway Traffic Act that came into effect yesterday—the mandatory breathalyzer tests.

This bill, as it stand today, Mr. Speaker, means that anyone who fails to comply—

**Mr. Speaker:** Just a minute.

**Mr. Sargent:** —could have a charge against them—

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

**Mr. Sargent:** —and could not be bonded—

**Mr. Speaker:** Order! The hon. member will resume his seat.

If the hon. member is of the opinion that he would like to move that the House adjourn to debate a matter of urgent public importance under the rules of the House, which in that respect have not been amended, then perhaps the hon. member will make his intention known to Mr. Speaker, so that Mr. Speaker may deal with it. This is not the opportunity for the hon. member to make a speech.

**Mr. Sargent:** I apologize for that, Mr. Speaker. I would like to adjourn to debate this very important issue. Anyone who fails to comply can never get a passport, can never be bonded, can never get a government job. All the rest of their lives they will have a criminal record against them, and I think this is a bad piece of law. We should debate that today.

**Mr. Speaker:** I would point to the hon. member that the rules have not changed with respect to these matters. The practice and procedure in this Legislature heretofore is that such a motion be submitted in writing to Mr. Speaker in the morning, and this has not been done. At seven minutes to two the hon. member acquainted me with his intention of making this motion.

However, that is not the important problem at the moment. The rules of the House provide that any bill, or any matter that has been considered and decided by the Legislature at the same session may not be raised again.

My understanding is that the hon. member wishes to debate a bill which has been passed by this House and is now in force. My observation to him would be that the only way that could be done, of course, would be by introducing a bill, if he were so inclined, to repeal this bill. So, therefore, the hon. member and his motion are quite out of order.

Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I would like to ask the Premier what significance the overwhelming support expressed by the citizens of Toronto for lotteries and for amalgamation might have on government policy and what reaction the government will make to the results of the referendum.

**Hon. Mr. Robarts:** Mr. Speaker, we will take note of the opinion expressed by those citizens who cast their ballots yesterday.

**Mr. Nixon:** A supplementary question: Regarding the policy review pertaining to lotteries that the Premier indicated a few days ago was underway, does that include the possibility of arranging legal requirements for municipal lotteries?

**Hon. Mr. Robarts:** Yes, it would, Mr. Speaker. It really embodies the examination of the means by which we can, if we decide to, have them implement the powers that are given to the province under the amendments to the Criminal Code of Canada.

**Mr. Nixon:** A further supplementary. Is this review being undertaken by a Cabinet committee or a committee of people in the administration? If so, would this group be receiving submissions from those people in the community that might be interested either way?

**Hon. Mr. Robarts:** No, I do not think so. The legislation does not come into effect until January 1. It is an examination by the government as to what action might be appropriate.

There is no question of receiving submissions from the public in that matter. The amendments to the Criminal Code have been made and we are simply looking at how we are going to handle it; that is all.

**Mr. Nixon:** A supplementary question. Would not the Premier consider it advisable, before embarking on new policy in this matter, to get the views of those people in the community that might have some significant



contribution to make in the formation of this policy?

**Hon. Mr. Robarts:** We have had, Mr. Speaker, an expression of opinion in this regard. The matter has been debated in the House of Commons because the legislation had to be passed there. I think that this was a pretty fair public examination.

**Mr. Nixon:** Mr. Speaker, I have a further question of the Premier, following his announcement that the Royal commission report pertaining to Atlantic Acceptance would be available soon. I have checked this with the hon. member for Downsview (Mr. Singer) who is infallible in these matters and he said that this commission has been sitting for four years.

Does the Premier think it might be advisable in these cases, as they come forward, to give the responsibility of the investigation to a Royal commission which can, let us say, give attention to it on a more immediate basis? In other words the commission might not have to share its responsibilities with other activities in the community. It seems to me that after four years the commission findings would be of great importance, but in fact it is reporting on something that is becoming ancient history.

**Hon. Mr. Robarts:** One can submit this to the Legislature and the government can, I suppose, impose any limitation they want on it. We have had some commissions with time limitation, and we have had select committees with time limitations within which they have to report, but this was a very involved matter. I think when members see the report they will understand that it could not be limited. I do not know; it may have been possible to do it in somewhat less time. I believe the report itself was completed last summer and it has taken this long to put it into the form in which it now is. I do not know that I particularly want to substitute my judgement for that of the commissioner, as to how much time he should take to carry out the terms of his commission.

I recognize that this has been going on a long time, but as I said it is a very complex matter. We asked the commissioner to make recommendations as to what might be done to see that matters like this did not happen again, and I suppose really he took the time that he considered necessary to do the job that he was asked to do.

Under the circumstances it might have been proper to put a time limit on the report

as we did with the select committee that was dealing with the Smith report, but in any event it is much too late now. The hon. member is asking me a theoretical question. The report is there and I am quite sure it will prove to be valuable.

**Mr. Nixon:** I wonder if the Premier could tell me, as a supplementary question, if the chairman of the commission devoted his full time to it; or did he in fact undertake other responsibilities as a judge during that period?

**Hon. Mr. Robarts:** I will ask him.

**Mr. Nixon:** The Premier does not know?

**Hon. Mr. Robarts:** No, I do not. I rather doubt that he gave up all his other activities. On the other hand, in discussing the question of Royal commissions with judges, what really happens is that the judge is detached from his court room to serve as Royal commissioner and his fellow judges simply have to double up and do his work.

I have no idea as to the percentage of the working hours Mr. Justice Hughes devoted to this report, and how many were devoted to his normal duties, but I am quite certain that a great deal of his working time was taken up with it. The hearings continued on for months and months; that was the only way he could get at the facts. It is the most tangled web that one could imagine and it took a very very long time to sort it all out and I think the hon. member will perhaps be appreciative of the effort that went into it when he sees the report.

**Mr. Nixon:** Mr. Speaker, I have a question of the Attorney General: Yesterday he indicated that he might have something further to say about the charges made by Peter Lott as far as the Metropolitan—or I believe the city of Toronto—police force is concerned.

Is the Attorney General now prepared to give some further information as to whether or not he, in his capacity as Attorney General, may undertake an investigation into the charges made by Constable Lott?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, I can offer this further. It is not what I consider would be the answer I would propose to give perhaps tomorrow or the next day—but yesterday, when the hon. member asked his question, I had arranged at that time a meeting with the board of commissioners for police of Metropolitan Toronto. I met them this morning at nine o'clock and spent an hour and a half with the whole board.

Among the things which we reviewed was this particular case. I think the hon. member is aware from the newspaper reports that the chief will be filing a report and that they will be conducting an investigation.

I would say generally with respect to an investigation of this kind, that I feel that the board has a responsibility of its own to review in public these matters; many of them that are their duty and their responsibility. Yesterday when the hon. member asked the question of me, he referred to the Bennett case. Now I had spoken about the investigation of the Bennett matter and made some statement about it in the House. And he also referred to the Shirley Hunter case. In that case, I have been in correspondence with the board of police commissioners—I indicated that my views were they should conduct the enquiry, that they should not be reviewed by the Ontario Police Commission—and the thought of the citizens review board, this is something I do not accept as a sensible way to go.

I am making my statement that extensive at this time, but I just want to assure the hon. member that before he asked the question, I had yesterday arranged for discussion with the board and I have had that discussion. The investigation will be carried on by them and I will have something more to say a little later in the question period.

**Mr. V. M. Singer (Downsview):** They finally answered your letter of October 12—right?

**Hon. Mr. Wishart:** We had no difficulty communicating.

**Mr. Nixon:** Mr. Speaker, a supplementary question about the difficulty in communications. I understood the Attorney General to say in this House some weeks ago that he felt the Police Commission should undertake certain investigations and he informed them of this, but that they have not undertaken the investigation.

**Hon. Mr. Wishart:** I should perhaps have made it clear; the Hunter case, which the hon. member seems to assume was finished—that is not the case.

**Mr. Nixon:** Is it being investigated now?

**Hon. Mr. Wishart:** That is one of the matters we also discussed this morning.

**Mr. Nixon:** What did they say about that?

**Hon. Mr. Wishart:** I will tell the hon. member that later if he will ask the proper question.

**Mr. Speaker:** The member for High Park; a supplementary question.

**Mr. Singer:** Six weeks later.

**Hon. Mr. Wishart:** It takes time to get the facts.

**Mr. M. Shulman (High Park):** A supplementary question to the Attorney General: In light of the wide concern on the part of the public, with the traffic courts, would the Attorney General assure us that the Lott report will be made public?

**Hon. Mr. Wishart:** I will report on that matter when I give my answers to the questions that were asked yesterday, including that of the hon. member.

**Mr. S. Lewis (Scarborough West):** The Attorney General is very circumspect today.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, in the absence of the Minister of Municipal Affairs (Mr. McKeough), could I put this question to the Prime Minister? Is it the government's intention to bring amendments to The Assessment Act, now before the House, to incorporate or at least to reflect the recommendations of the report of the committee on farm assessment and taxation?

**Hon. Mr. Roberts:** Mr. Speaker, might I ask that this question be held for the Minister of Municipal Affairs? If the Minister does not turn up later, before the question period is over, I will find out and let the hon. member know.

**Mr. MacDonald:** A question to the Attorney General: In view of the news dispatches this morning that the new section to the Criminal Code, with regard to breathalyzer tests, is not being implemented in some areas because of the lack of equipment and in other areas because the policemen have not yet received instructions, would the Attorney General indicate exactly what the situation is with regard to the adequacy of equipment across the province to enforce it; and what conceivably is meant by the proposition that they are waiting instructions to enforce the law?

**Hon. Mr. Wishart:** Mr. Speaker, I think I can answer very fully. I have some notes before me and perhaps I might use those and expand upon them.

At the present time in Ontario there are 92 breathalyzer units; 55 are located in provincial police detachments and 37 in municipal police departments. We have conducted

courses through the centre of forensic science to train police officers and technicians to operate these units.

With the proclamation of sections 223 and 224 of the code we have designated 394 persons as qualified technicians and 23 persons as analysts, that is 394 qualified technicians to take the tests and 23 persons as analysts. That is in compliance with section 224, subsection 6(a) and 224A, subsection 6(a).

These units—that is the 92 units—are located in the Ontario provincial police district headquarters and also in many of the Ontario provincial police detachments in the 17 districts, as well as within selected municipal police departments. I have a list of those placements.

There are, in the north part of Ontario, some areas which do not have units readily available. However, every provincial police detachment does have the containers which will enable the samples to be taken so that a prisoner does not have to be transported to the machine. To this extent there is full compliance with the proclamation.

The sections to which I refer have not been proclaimed—that is sections 224A, 1(c) 1, and 224A, 1(f) 3; they have not been proclaimed as the federal Attorney General has not as yet designated an approved container. Therefore, there is no requirement at this time to provide the accused with a sample of his breath. The law was designed in its thinking so that the accused might demand and receive a sample of the breath at the same time as the one was taken, yet they have not proclaimed this at the federal level.

On November 7 we forwarded a memorandum to all breathalyzer units outlining the provisions of the new Act, namely, that the impaired section still exists—that is section 222; that there is a new section 223—which enables the police officer to demand a sample of breath, and if the sample is refused, he can lay a charge for such refusal.

Section 224 makes it an offence to operate a motor vehicle with a blood alcohol count level in excess of 80 milligrams.

To continue further, we asked all police forces some time ago to send in the names of those persons whom we trained of that 394—those that they wished to be named as technicians—so that they could give them a formal appointment. Some municipal forces have not done this yet, however, they are coming in. I signed some certificates two weeks ago, or thereabouts, qualifying 394 per-

sons as technicians, many of them OPP and many of them members of municipal police forces. I think we have quite fully prepared for the proclamation of this law. There may be one or two areas where there is a little difficulty and some police forces have not responded as quickly as we thought they would. But if they have not—

**Mr. Speaker:** The member for Grey-Bruce was on his feet for a supplementary.

**Hon. Mr. Wishart:** I perhaps should add this, if they have not they are perhaps not in a position to demand the test; they have not qualified to do it.

**Mr. Sargent:** Mr. Speaker, in a supplementary manner, may I ask—

**Mr. Speaker:** The hon. member for York South asked the original question, I think he should have the right to ask the next supplementary.

**Mr. MacDonald:** The Attorney General did not reply to that part of my question in which I asked him for an explanation of the news broadcast to the effect that in some instances the police forces are awaiting instructions. My query was, what conceivable instructions are they awaiting when it is their responsibility to enforce the law?

Secondly, if I may by way of supplementary question, how exactly is the situation operating? It may be that each OPP detachment has the necessary equipment to be able to record a breathalyzer test, but does that mean there is one piece of equipment in each detachment and the detachment may be covering 40, 50, 60 or 70 miles? Anybody who is suspected and wants to have a test will have to be brought back to the police headquarters to have a test taken? Am I correct in that?

**Hon. Mr. Wishart:** The breath sample may have to be brought a distance if the person is stopped on the highway, but there are 92; as I pointed out, there are 17 provincial police districts within which there are a number of detachments. Every detachment has a breathalyzer as well as many of the municipal forces.

I think we are fairly well equipped with the mechanical means to carry this out. However, I can conceive of the situation, as I am sure all members can, where a person is in such a state that you have to do more than just take samples of his breath for the protection of himself and the protection of the public.

The instruction went out to all police forces as to how this change in the Act was to be carried out and we have been busy for months in training police personnel through our centre of forensic science; we have then asked the head of the force to name those personnel whom he wished to have qualified as qualified technicians, in accordance with the Act. Some of those police forces, as of today—only a few of them—have not responded. But, as I say, 394 persons were certified over my signature.

**Hon. A. Grossman** (Minister of Correctional Services): They are the fellows who take your breath away.

**Mr. Speaker:** The member for Grey-Bruce has a supplementary?

**Mr. Sargent:** Mr. Speaker, I would like to ask the Attorney General if, when he leaves the Chamber tonight, and he is driving home and he has had a touch before he goes, if the officer does not know he is the Attorney General and he insists he take the breathalyzer test and he refuses, does the Attorney General think he should be charged with a criminal offence for the rest of his life? And secondly, I would ask if he thinks this is good law?

**Hon. Mr. Wishart:** Mr. Speaker, the federal government passed the law—and made it part of the Criminal Code—the law which says a policeman now may require of a person whom he suspects to be under the influence of drink or narcotic or alcohol, to stop and give a sample of his breath for analysis. Procedures are laid down for the analysis and for the quantity of alcohol—80 milligrams per thousand—which determines impairment.

The next section goes on to say that if the request to supply the sample is refused, the person is guilty of an offence for refusing and subject to the same penalty as if he were—

**Mr. Sargent:** Is this good law?

**Hon. Mr. Wishart:** The hon. member asks, "Is this good law?" This was passed by our federal Parliament.

**Hon. Mr. Grossman:** The Liberals, you know.

**Mr. Sargent:** Since when did they start passing "good laws?"

**Hon. Mr. Wishart:** The law, which is now part of our Criminal Code, is very similar in terms to that which has been in use in Britain for some time, and which has had the effect of reducing, to a very great extent,

fatality and injury on the highways. I think it would be fair to say it is good law. We have had our Highway Traffic Act conform to it so that we have the right to lift or suspend a licence in connection with one of these offences.

**Mr. Sargent:** As a supplementary, I would like to ask the Attorney General for the record if he does not believe, in view of the fact there is no defence on these two points, that this is an invasion of privacy of a citizen of this province. It is an invasion of their personal life?

**Hon. Mr. Wishart:** This is a question of opinion, but I would be glad to answer it. Every law one passes—the law to keep you to the right side of the road, the law which makes you stop at a stoplight—every law takes away some privilege which without law everybody might exercise.

But every law, in curbing rights, extends generally and enlarges the rights of the public. For the safety and protection of the public it becomes necessary to impose certain restrictions. But that in effect widens the enjoyment and freedom and safety by which you go.

**Mr. Sargent:** I think it is pretty weak to accept that law.

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

**Mr. Singer:** Mr. Speaker, the first question: The Attorney General mentioned that he has signed 394 certificates of qualification; on what basis are those determined, by local tests or by province-wide tests?

**Hon. Mr. Wishart:** These were people who had been given training in the use of the breathalyzer—the taking of the sample that has to be sent in for analysis.

**Mr. Singer:** Yes, but by whom?

**Hon. Mr. Wishart:** By our centre of forensic sciences generally—

**Mr. Singer:** They are brought in?

**Hon. Mr. Wishart:**—and certain information and material given to the forces.

**Mr. Singer:** Well, are these students, these qualified persons brought in to a central location for this course of instruction.

**Hon. Mr. Wishart:** I am not sure that all of them are. I could check that for the hon. member.

**Mr. Singer:** By way of further supplementary, I noticed in the press that the Metropolitan Toronto police said they were only going to enforce that section of the code if the reading was .1 or higher. And the OPP said that they were going to enforce the code if the reading was .08 or higher.

Does the Attorney General agree that it is logical to have two police forces in the province operating on different bases?

**Hon. Mr. Wishart:** I think the practice will be that two samples will be taken. I think it is required to take two samples, 15 minutes apart. The lower one is to be the one to be relied upon, as I understand the procedure. Now, it is very new and we have not got it completely cleared, but I think, generally, that while 80 milligrams is .08 per cent, I would think that the police force should not set its own standards but should follow the law. I am told that if it is very close to .08 per cent there might be some discretion exercised—

**Mr. Singer:** The Metro police are going to be a bit more generous.

**Hon. Mr. Wishart:** A discretion is exercised. That is all I know at the moment.

**Mr. Sargent:** A further supplementary.

**Mr. Speaker:** There is a member toward the rear of the Opposition. The member for York Centre has a supplementary?

**Mr. Deacon:** A supplementary, Mr. Speaker. Has the Minister studied the feasibility of using alternative means of breath measurement, such as the glass capsule breathalyzer that is now on the market?

**Hon. Mr. Wishart:** I have studied them in the sense that I have read about them, but this is the method that has been adopted generally across Canada and we have not contemplated another system at the present time.

**Mr. Deacon:** A further supplementary. Would the Minister study the feasibility of these as they would not require the same expertise in training on the part of individuals having to use them?

**Hon. Mr. Wishart:** We are considering them, Mr. Speaker, in the sense that we have been looking at the various methods which can be used, and those which are most feasible.

The main object is accuracy in the test. If you have a system which does not give

accurate results, then it could result in great injustice.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** Could I ask the Attorney General, Mr. Speaker, how does he equate the difference of tolerance in different people—a 100 pound man and a 250 pound man?

The member for High Park and the member for Welland, I mean, have different tolerances. How does he equate that?

Interjection by an hon. member.

**Mr. Sargent:** I know neither one of them takes a drink, that is why I bring them up.

**Hon. Mr. Wishart:** I think if they were over .08 per cent we would have to treat them both the same.

**Mr. Speaker:** The hon. member for Sarnia has a supplementary.

**Mr. J. E. Bullbrook (Sarnia):** Do I understand the Attorney General correctly that his instructions to the police are they are to give a test and wait 15 minutes and give a second test?

**Hon. Mr. Wishart:** No, that is not in the instructions.

**Mr. Bullbrook:** Could the Minister clarify what he said previously in connection with a second test?

**Mr. MacDonald:** Two samples, 15 minutes apart.

**Mr. Bullbrook:** That is what I understood.

**Hon. Mr. Wishart:** Mr. Speaker, since the hon. members seem particularly interested in this matter, perhaps I might read a memorandum which went out to all breathalyzer units under date of November 7. That is the memo I referred to. This is what was sent forward.

It is directed to all breathalyzer units, dated November 7, and is headed, "Re Amendments to the Criminal Code Pertaining to Drinking and Driving".

Information available at present indicates that the relevant amendments to the Criminal Code may be proclaimed as early as December 1, 1969.

The following is forwarded as a guide to those parts of the new sections which may require some explanation from a

technical point of view. For advice and points of law you should consult your Crown attorney. The recommended procedure for the use of the breathalyzer is included, so that there will be uniformity throughout the province.

Section 222: This section is identical to the present section 223, and therefore requires no explanation. Presumably the evidence required for this section from a breathalyzer operator will be the same as it is at present.

That is, impairment.

Section 223: This section allows a police officer to demand a sample of breath for analysis, and provides a penalty for the refusal to provide such a sample without reasonable excuse.

It must be stressed that this section only applies where the officer has reasonable and probable grounds to believe that the offence of impaired driving has been committed.

Presumably information received by a breathalyzer operator from another police officer constitutes reasonable and probable grounds.

A sample of his breath suitable to enable an analysis to be made is the requirement of the section.

And we go on to say—

A proper and complete breath test consists of the analysis of two, separate, deep lung specimens. The first specimen must not be collected until the accused has been in the breathalyzer operator's presence for at least 15 minutes.

The specimens should be collected about 15 minutes apart and the results of the analysis should agree within .02 per cent, or a third specimen should be taken.

**Mr. MacDonald:** It is a half-hour then.

**Mr. Bullbrook:** That sounds like a half hour to me.

**Hon. Mr. Wishart:** To continue:

Failure by an accused to provide a proper sample should constitute a refusal to comply with the demand except in cases where the accused is physically unable to give a deep lung sample. In such cases the operator should analyze the sample and record a proper description of the quality of the specimen collected along with the result. An offer by the accused to provide

a blood sample may constitute reasonable excuse for refusal to provide a breath sample.

We go on to section 224.

This section makes it an offence for a person to operate a motor vehicle or have the care or control of a motor vehicle when his or her blood alcohol level exceeds 80 milligrams in 100 millilitres. All breathalyzer results should be expressed in terms of milligrams of alcohol in 100 millilitres. A conversion chart for per cent parts per thousand and milligrams in 100 millilitres is attached.

Breathalyzer readings should be taken to two decimal places and then expressed as milligrams in 100 millilitres. For example, a reading such as .088 per cent would be taken as .08 per cent and reported as 80 milligrams of alcohol in 100 millilitres of blood.

It should be noted that the offence requires that the blood alcohol level exceed 80 milligrams in 100 millilitres.

Thus the minimum, practical offence level is 90 milligrams of alcohol in 100 millilitres of blood, otherwise you have to take it out to a part decimal point. So we take it as 90.

Considering the accuracy—

And this has always become the question that the hon. member for Downsview asks—

Considering the accuracy and the instrumental tolerance of the breathalyzer, an additional ten milligrams per 100 millilitres should be allowed. It is therefore recommended that the minimum enforcement level be 100 milligrams of alcohol in 100 millilitres of blood.

**Mr. Singer:** Point one.

**Hon. Mr. Wishart:** Point one.

When two breathalyzer tests are conducted 15 minutes apart, the results could vary by .01 per cent—that is 10 milligrams per 100 millilitres. Due to a normal variation in the quality of the two breath specimens, it is recommended that the lower result be reported on the certificate of analysis.

The lower one, not the higher one.

Then there were two pages of further technical directions with respect to this matter which I do not think I need to read. They dealt with the containers, how they would be sent in for analysis and so on.

We gave these instructions as I pointed out on November 7, and, I think, quite thoroughly.

**Mr. Bullbrook:** Do I understand correctly from what has been read to us by the Attorney General, that the accused will be taken into the presence of the person performing the necessary operation of the equipment, be held for 15 minutes and that a sample of his breath will be taken? He will then be held for another 15 minutes and another sample of the breath will be taken? I would like to clarify that; is that correct?

And if that is correct, I would like to ask the Attorney General on what legal basis the police have the right to hold an accused person without charge for the additional 15 minutes, for the second sample?

**Hon. Mr. Wishart:** I do not think it will be necessary, as the hon. member states, or how rightly, Mr. Speaker, that the person stopped will be taken to a station or kept in custody if necessary. But what we point out is that the sample should not be taken unless the person has been in the presence of the officer for 15 minutes.

**Mr. Bullbrook:** In answer to my question, perhaps the hon. Minister intended to answer it—am I correct in assuming that he is held after the initial sample is given for an additional 15 minutes? And a second sample is taken? I ask the Attorney General what legal right the police have to hold the man without charge for the additional 15 minutes for the taking of the second sample.

**Hon. Mr. Wishart:** I will have to check, Mr. Speaker, to get the authority for that but there is authority for it. I cannot be specific at the moment.

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

**Mr. Singer:** By way of supplementary arising out of what the Attorney General said. Do I understand correctly that those instructions that he read recommended that no charge be laid unless the reading is 0.1? Is that the last part he read?

**Hon. Mr. Wishart:** Not exactly in those words. We pointed out the variation in the mechanical exactitude of this testing equipment, and the tolerance that should be allowed. This was a matter of tolerance and what we said was that it should be noted that the offence required that the blood alcohol level must exceed 80 milligrams. It would

have to be more than 80. Thus the minimum practical offence level is 90 milligrams.

Then we said, considering the accuracy and the instrumental tolerance of the breathalyzer an additional 10 milligrams per 100 millilitres should be allowed; therefore we recommended that the minimum enforcement level be 100 milligrams of alcohol in the 100 millilitres of blood.

**Mr. Singer:** Would the Attorney General please bring that last sentence to the attention of the commissioner of the Ontario Provincial Police? By way of a further supplementary question, Mr. Speaker. I understand—

**Hon. Mr. Wishart:** He has got it. They all have got that. Everyone concerned got that memorandum.

**Mr. Singer:** I understand that it is going to be the common practice of police forces, where a person has a reading of higher than .08, which is now a criminal offence, to charge them not only with that offence but also with the offence of driving while their ability is impaired. Has the Attorney General issued any instructions about the duplicity of this kind of charge, recognizing that they are two separate charges and perhaps would be two separate offences? Does the Attorney General not agree that this double charging would be unfair?

**Hon. Mr. Wishart:** The sections are still in the code. The offence of driving while impaired is there and then there is the provision for the taking of the test and then the further offence of refusing. I did not quite get from the hon. member—there would be the offence of impaired driving; what other offence does he say is being charged?

**Mr. Singer:** The amendment to the code has created a new offence of having a blood alcohol content of higher than .08; that by itself is an offence. Now it has been indicated by certain police departments and by certain Crown attorneys that it will be their intention to charge a person found in this condition with two offences—the offence of having a higher blood alcohol content than the code allows and, secondly, with the offence of driving while the ability is impaired. I was shocked when I read that and I wonder if the Attorney General has any views on it and has given any instructions to enforcement authorities about this.

**Hon. Mr. Wishart:** I have not seen any such suggestion. I would be a bit shocked to find

out if that were followed. But let me point out, it is not an offence for me to stand here and have .1 parts of alcohol in my blood. It is only an offence when connected with the control or operation of a vehicle. That is the impaired driving charge right there.

**Mr. Singer:** But the charge of ability impaired still continues. It is still there. It is an old one.

**Hon. Mr. Wishart:** Only if it is related to the care, operation or control of a vehicle.

**Mr. Singer:** I know—they both relate.

**Hon. Mr. Wishart:** But if you pick up a person he must be at the wheel of a vehicle. If his blood content is over the permitted amount, then he is charged with operating a vehicle, if they are driving. I cannot see how you could charge two offences. It has got to be related to the vehicle.

**Hon. S. J. Randall (Minister of Trade and Development):** If you are going to drink and drive, make sure you have a car.

**Mr. Speaker:** I would think the academic legal problem raised here might be better decided by the courts at a later time. I think that we have had a very full discussion of this matter, therefore I would rule out of order further supplementaries on it.

Interjections by hon. members.

**Mr. MacDonald:** After our extended pre-occupation on this issue, I wonder if I might go back to my original question and put it to the Minister of Municipal Affairs? Is it the intention of the Minister to bring in amendments to The Assessment Act now before the House to incorporate, or at least to reflect, the import of the recommendations of the committee on farm assessment and taxation?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** No, Mr. Speaker. I indicated before that it would not be possible at this session. We have, I believe, commenced testing recommendations of a report in a county. It will take a month or so to do that. Presumably, when we have the results of the testing and know what the implications of the report are on a whole county, or perhaps two counties, or parts of another county, then we will be in a position to move to amendments. I would hope early in the year.

**Mr. Speaker:** Has the member for Huron-Bruce a supplementary?

**Mr. M. Gaunt (Huron-Bruce):** A supplementary, Mr. Speaker. On that point, is the Minister still intending to send the report to the agriculture committee?

**Hon. Mr. McKeough:** We seem to be having great trouble, Mr. Speaker, in arranging a meeting of the agricultural committee to do this. I understand that there are several committees meeting with the same personnel. The Minister of Agriculture and Food (Mr. Stewart) hoped to be there. I understand he is somewhat preoccupied with another committee at this point. The chairman's office was in touch with me this morning as to when a time could be arranged, and I do not think a time has been arranged as yet.

**Mr. Speaker:** Has the member for York South completed his questions? The member for Grey-Bruce has a question.

**Mr. Sargent:** Mr. Speaker, a two-point question for the Provincial Treasurer. Can the hon. Treasurer advise the House of the millions of dollars he hopes to save this year by central purchasing? Secondly, why is The Department of Highways not included in central purchasing?

**Hon. C. S. MacNaughton (Treasurer):** I seem to recall answering a similar question the other day.

**Mr. Sargent:** Mr. Speaker, that is not answering my question at all.

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

**Hon. Mr. MacNaughton:** Mr. Speaker, I am trying to remember what I said.

**Mr. Sargent:** If he told the truth the first time—

**Hon. Mr. MacNaughton:** I always tell the truth; you know that.

**Hon. Mr. Randall:** He talks fast; just listen fast!

**Hon. Mr. MacNaughton:** The Department of Highways is not excluded. That is rather a negative way to say it, but to the best of my information, The Department of Highways is involved in the central purchasing function.

**Mr. Sargent:** But they say not—

**Hon. Mr. MacNaughton:** As a matter of fact, I may be wrong. But for a time at least, the Deputy Minister of Highways was a member of the central purchasing board. I am not in a position to tell you how much has



been saved yet. I do not think that the central purchasing committee could tell us yet what has been saved, but they will. When they do we will be happy to tell the House.

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

**Mr. J. E. Stokes (Thunder Bay):** Thank you, Mr. Speaker. I would like to ask a question of the Prime Minister. Would the Prime Minister look into the possibility of extending GO-Transit north from Metro Toronto to include places like Newmarket, Aurora and up as far as Barrie by the use of dayliners on the Canadian National Railways? It operates there on the weekend, but could be utilized to provide an extension of GO on weekdays with a stopover at Barrie overnight and coming southward the next morning from Monday to Friday?

**Hon. Mr. Roberts:** Mr. Speaker, I have no doubt that this possibility has been examined by the technical people who have been working on this whole question for some considerable time. I will check and find out. I do not know how feasible it is to set up a rail service that operates only on certain days of the week. However, I would be happy to check with the GO-Transit people.

I think I will find that they have looked into this possibility because they examined all possibilities as far as utilization of track is concerned, and other modes of transportation which was the basis of the report I gave the House last week.

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question of the Minister of Education.

Has the Minister been in communication with the city of Hamilton board of education with regard to the pending resignations of some 80 per cent of the teachers in that area due to an inability to reach a satisfactory contract?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I believe there was some communication to my office this morning from the Hamilton board of education wishing to bring officially to my attention the situation as it exists in the city of Hamilton. I anticipate we will be meeting with them some time next week.

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

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

Did the Minister meet with the hon. Gerard Pelletier today to discuss the educational television arrangements, and if so, what were the results of the discussions?

**Hon. Mr. Davis:** Mr. Speaker, the council of Ministers of Education have been meeting yesterday and today here in the city of Toronto. Mr. Pelletier joined us for discussions this morning related to educational television, its definition, and one or two related matters, such as finance. The meetings were still going on, Mr. Speaker, when I returned here. I hope to eventually join them again later on this afternoon.

I would say with respect to the definition, we have made very substantial progress.

**Mr. T. Reid:** A supplementary question, Mr. Speaker, could the Minister tell us whether this government or the federal government will be paying for the over-\$500,000 worth of capital equipment?

**Hon. Mr. Davis:** Mr. Speaker, in spite of the discussions and the rather awkward position that the Opposition placed the Minister of Education in at the education committee, our position is still the same with the federal government. We believe that the transmission should be paid for by the federal government. There has been no decision yet as to whether they will or not.

**Mr. T. Reid:** A second supplementary—

**Hon. Mr. Randall:** Tune in to channel 8 at 10.00 o'clock tonight.

**Mr. T. Reid:** The Minister might as well know that we support his request in this regard.

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

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I have a question for the Minister of Health.

In view of the growing concern in north-eastern Ontario about the delay in renewing the contract of the medical director of the northeastern psychiatric hospital, will the Minister inform the House if the doctor's contract will be renewed? If so, when will it be, and if not, why not?

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, I thank the hon. member for that

question. It is certainly the kind of question that I will have to take under advisement and get the answer for him.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of Health.

In view of the concern expressed in response to a statement coming from a high official in OHSC when he said that the private ambulance operators across the province would all be out of business in two years' time, does this represent government policy? If so, when was this change in policy made?

**Hon. Mr. Wells:** Mr. Speaker, I am not aware of that statement. Is this something the hon. member has read in the paper recently? Certainly it does not represent government policy. It is not the policy of this government to put the private ambulance operators out of business.

It is our policy to provide an effective ambulance network for the province using private sources, public sources, and under various arrangements.

**Mr. Gaunt:** Would the Minister like to communicate with OHSC and transmit that message to them?

**Mr. Speaker:** Has the member for High Park a supplementary?

Then the member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

Is the Minister making any presentation to the International Joint Commission meeting in Toronto today, other than the advertisement in the morning press?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, representatives of my department, particularly OWRC, will be attending the meetings today in Toronto.

**Mr. Burr:** As a supplementary, could the Minister explain how water pollution is being reduced or eliminated in Ontario through the publication of such expensive and self-laudatory advertisements as this one appearing today?

**Hon. Mr. Kerr:** Mr. Speaker, this is part of a campaign to make people aware of what the Ontario Water Resources Commission is doing. They had a certain amount of funds, as the hon. member knows, set aside in their

current budget for this, and the advertisement in this morning's newspaper was part of this expenditure.

**Mr. Speaker:** The member for Rainy River has a supplementary?

**Mr. T. P. Reid (Rainy River):** A supplementary, Mr. Speaker. Could the Minister inform the House, of the some 19 recommendations of the report, which ones the OWRC were recommending be adopted by the IJC?

**Hon. Mr. Kerr:** You are talking about the preliminary report of the commission? Well, as far as the reports dealing with the Great Lakes are concerned in respect to detergents and matters such as that, the commission will be making submissions.

Rather than picking specific recommendations, the commission will be dealing with the whole sphere of the original presentation of IJC, and at the same time indicating to the International Joint Commission what we feel the standards should be in the lakes in order to prevent the further deterioration of those bodies of water.

**Mr. Speaker:** A supplementary question?

**Mr. Burr:** The Minister missed my last supplementary. Could he give me the cost of the ad in today's paper, and how many papers it was placed in?

**Hon. Mr. Kerr:** I understand the cost, Mr. Speaker, is approximately \$10,000 and it will appear in 13 dailies.

**Mr. M. Makarchuk (Brantford):** A supplementary to the same question, Mr. Speaker. Will the presentations made by the OWRC today to the International Joint Commission consider the pollution in the St. Mary's River at the Soo?

**Hon. Mr. Burr:** Well, Mr. Speaker, this could be considered although the commission hearing today will deal mainly with waters that are international, where more than one jurisdiction borders on these waters, particularly the lakes. In view of the location of the St. Mary's River I would assume that this would be included.

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

**Mr. Shulman:** I have a question of the Minister of Health, Mr. Speaker: Has the hon. Minister investigated the report that administrative expenses of hospital insurance are two-thirds higher in Ontario than in the rest of Canada, which report was prepared by

the research and statistics branch of the U.S. Department of Health, Education and Welfare? If the hon. Minister has, what is the reason for this excessive cost in Ontario?

**Hon. Mr. Wells:** Mr. Speaker, I have not seen this report from the United States source, and not having seen it I do not know what they base it on. If they have done a survey it must have been in regard to our OMSIP operation—

**Mr. Shulman:** Hospital insurance administration.

**Hon. Mr. Wells:** Oh I am sorry. Hospital administration. I will look into it and see. I have not seen the report.

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, a question to the Attorney General: Due to the fact that many people across Ontario in business and commerce and industry are concerned about their privacy, will the Attorney General level with the House and tell us, is he or is he not going to give us a report on the extent of the electronic devices used by the police and by other people in this province? Is it forthcoming or not?

**Hon. Mr. Wishart:** I think the hon. member, Mr. Speaker, is referring to a question he asked as to the amount of money in my estimates. We have that information fairly well completed. We have had to check with the detachments of the force and our estimates. I will have that answer for him very shortly. It is practically complete now.

**Mr. Sargent:** Thank you, Mr. Speaker.

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

**Mr. D. Jackson (Timiskaming):** A question of the Minister of Mines.

Am I correct in believing that Dr. Pater-son's study into the incidence of silicosis will include a study into the possibility of improving detection methods of silicosis and like diseases?

**Hon. A. F. Lawrence:** Yes.

**Mr. Ferrier:** May I ask a supplementary, Mr. Speaker? Will the study also include the relationship of such things as emphysema and cancer and TB in miners through their dust exposure and silica dust exposure?

**Hon. A. F. Lawrence:** No, I do not believe so, Mr. Speaker.

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

**Mr. Lewis:** I have a question, Mr. Speaker, of the Minister without Portfolio, from Stormont.

What has the Minister without Portfolio done within the Cabinet to provide jobs and retraining for the 600 workers who have been displaced from Courtaulds Canada Limited?

**Mr. Speaker:** I am sure the member will realize that the way the question is worded, it is not a proper question because proceedings in the executive council are, I presume, *in camera*. If the hon. member wishes to rephrase his question, I am sure the Minister would answer it.

**Mr. Lewis:** Would the Minister without Portfolio indicate what measures the government is undertaking to provide jobs for the 600 workers displaced at Courtaulds Canada Limited, Cornwall?

**Hon. F. Guindon (Minister without Portfolio):** Mr. Speaker, in reply to the hon. member, I first want to say my department has nothing to do with it.

**Mr. Lewis:** But the Minister will admit that he does?

**Hon. Mr. Guindon:** I as a member did employ a few of these workers at Courtaulds who were laid off on November 1. I think the Minister of Trade and Development could give the hon. member some answers as to what we have done to save the jobs of many hundreds of people in Courtaulds.

**Hon. Mr. Grossman:** What is the NDP doing for them, except shedding crocodile tears?

**Mr. Lewis:** May I direct another question to the Minister?

**Mr. Speaker:** Yes, if it is on this same matter, it can be transferred to another Minister.

**Mr. Lewis:** Well, I prefer to refer to the Minister of Labour, if that is permissible on this question.

To the Minister of Labour: in what way has the retraining programme in the Cornwall area been expanded to accommodate 600 new members of the unemployed work force?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, it has not been expanded as yet. We are working with Canada Manpower to assess the needs of those people, including retraining needs and the possibility of employment in the other industries.

**Mr. Lewis:** By way of supplementary: is the Minister saying that with 1,600 people unemployed now and another 600 added, there is no expansion of the retraining programme?

**Hon. Mr. Bales:** Mr. Speaker, I did not say that at all.

**Mr. Lewis:** Well, the figure came from the Minister's colleague yesterday. Is he saying that in the face of that, there is no guaranteed expansion at the moment?

**Hon. Mr. Bales:** Mr. Speaker, regretfully I was not in the House yesterday and I did not hear those figures.

**Mr. Lewis:** By way of supplementary, has the Minister no definite policies about the 600 people who have been thrown into unemployment by virtue of the lay off, in fact by virtue of termination?

**Hon. Mr. Bales:** Mr. Speaker, initially I believe that this matter is being assessed, along with the Canada Manpower centres there, as to the needs of those people and the opportunities now present for employment.

**Mr. Lewis:** There are no opportunities.

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

**Mr. Jackson:** Actually by way of a supplementary to the Minister of Mines: will he include in his study, or request Dr. Paterson to include in his study, the relationship of emphysema and other diseases to the dust exposure in mines?

**Hon. A. F. Lawrence:** No, Mr. Speaker. This is a subject matter that is receiving consideration for perhaps a further study at the moment.

**Mr. Speaker:** Are there any further questions?

Petitions.

Presenting reports.

**Mr. J. R. Smith,** from the standing education and university affairs committee, pre-

sented a report from the committee which was read as follows and adopted: Your committee begs to report the following bill without amendment:

Bill 41, The Ontario College of Art Act, 1968-1969.

Your committee begs to report the following bills with certain amendments:

Bill 45, An Act to amend The Schools Administration Act.

Bill 46, An Act to amend The Secondary Schools and Boards of Education Act.

**Mr. Speaker:** Now, we must deal with the disposition of the bills. The first one is Bill 41, The Ontario College of Art Act, 1968-1969. Shall it be ordered for third reading?

Agreed to.

**Mr. Speaker:** The next one is Bill 45, An Act to amend The Schools Administration Act. Shall it be ordered for third reading?

Agreed to.

**Mr. Speaker:** The next one is Bill 46, An Act to amend The Secondary Schools and Boards of Education Act. Shall it be ordered for third reading?

Agreed to.

**Mr. Speaker:** Presenting reports.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, I beg leave to present to the House the following reports:

The annual report of the Settlers Loan Commissioner for the year ended March 31, 1969.

The annual report of the Commission of Agricultural Loans for the year ended March 31, 1969.

Motions.

Introduction of bills.

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, I would ask the permission of the House to introduce a bill without having given notice thereof. It is The Child Welfare Amendment Act, 1968-1969, No. 2, which has to do with the adoption case which was handed down recently by the Supreme Court of Canada.

**Mr. Speaker:** Do I have the unanimous consent of the House?

The Minister will proceed.

### THE CHILD WELFARE ACT, 1965

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The Child Welfare Act, 1965.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, as Minister of The Department of Social and Family Services, I am concerned for the welfare of the children who, through due process of law, find themselves wards of the Crown committed to the care of our children's aid societies.

A recent decision of the Supreme Court of Canada brought forcibly to our attention the need for clarification of our Child Welfare Act in order to fully protect such Crown wards as are placed on adoption.

Though the language of the bill is somewhat technical, the amendment that is proposed will make it clear that once a child has been made a Crown ward and placed in a home with parents who wish to adopt him, nothing should upset that placement if it is in the interests of the child to remain there.

We felt it of such importance to clarify the position of Crown wards in adoption homes that this amendment is introduced today without having been placed on the order paper in the knowledge that all members of the House will appreciate our desire to protect all parties concerned.

**Mr. Speaker:** Introduction of bills.

Orders of the day.

**Clerk of the House:** Eleventh order, House in committee of the whole; Mr. A. E. Reuter in the chair.

The Honourable, the Lieutenant-Governor recommends the following:

*That,*

an income tax shall be paid by every individual who was resident in or had income earned in Ontario, being 28 per cent of the tax payable under The Income Tax Act (Canada) in respect of the 1970 taxation year,

as provided in Bill 223, An Act to amend The Income Tax Act, 1961-1962.

Resolution concurred in.

Hon. Mr. Welch moves the committee rise and report a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report a certain resolution, and asks for leave to sit again.

Report agreed to.

### THIRD READINGS

The following bills were given third reading upon motion:

Bill 223, An Act to amend The Income Tax Act, 1961-1962.

Bill 224, An Act to amend The Teaching Profession Act.

Bill 225, An Act to amend The Ontario School Trustees' Council Act.

Bill 226, An Act to amend The Trade Schools Regulation Act.

Bill 227, An Act to amend The Teachers' Superannuation Act.

Bill 228, An Act to amend The Department of Education Act.

Bill 231, An Act to amend The Ontario Municipal Board Act.

Bill 232, An Act to amend The Municipal Franchises Act.

Bill 233, An Act to amend The Highway Traffic Act.

Bill 41, The Ontario College of Art Act, 1968-1969.

Bill 45, An Act to amend The Schools Administration Act.

Bill 46, An Act to amend The Secondary Schools and Boards of Education Act.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, the Honourable the Lieutenant-Governor is standing by to give Royal assent.

The Honourable, the Lieutenant-Governor of Ontario entered the Chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. Ross Macdonald** (Lieutenant-Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed several bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 41, The Ontario College of Art Act, 1968-1969.

Bill 45, An Act to amend The Schools Administration Act.

Bill 46, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 125, An Act to amend The Regulations Act.

Bill 134, An Act to amend The Day Nurseries Act, 1966.

Bill 144, An Act to amend The Homes for the Aged and Rest Homes Act.

Bill 189, An Act to amend The Moosonee Development Area Board Act, 1966.

Bill 192, An Act to amend The Public Services Superannuation Act.

Bill 196, An Act to regulate farms on which pregnant mares are kept for the collection of urine.

Bill 197, An Act to amend The Veterinarians Act.

Bill 198, An Act to amend The Territorial Division Act.

Bill 217, The Election Act, 1968-1969.

Bill 218, An Act to amend The Voters' List Act.

Bill 219, An Act to amend The Drainage Act, 1962-1963.

Bill 220, An Act to amend The Local Improvement Act.

Bill 221, An Act to amend The Municipality of Metropolitan Toronto Act.

Bill 223, An Act to amend The Income Tax Act, 1961-1962.

Bill 224, An Act to amend The Teaching Profession Act.

Bill 225, An Act to amend The Ontario School Trustees' Council Act.

Bill 226, An Act to amend The Trade Schools Regulation Act.

Bill 227, An Act to amend The Teachers' Superannuation Act.

Bill 228, An Act to amend The Department of Education Act.

Bill 231, An Act to amend The Ontario Municipal Board Act.

Bill 232, An Act to amend The Municipal Franchises Act.

Bill 233, An Act to amend The Highway Traffic Act.

**Clerk of the House:** In Her Majesty's name, the Honourable, the Lieutenant-Governor doth assent to these bills.

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

#### THE LEGISLATIVE ASSEMBLY ACT

**Hon. J. P. Robarts** (Prime Minister) moves second reading of Bill 236, An Act to amend The Legislative Assembly Act.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, when the bill was introduced by the Premier last week, he undertook to give quite an extensive list of reasons for the increase in indemnity and allowances of the members of the House and pertaining to the bill which I expect, sir, will be called next, The Executive Council Act.

I feel, as leader of the Opposition, I want to take part in this discussion which was initiated at the time of first reading by recalling the fact that this being December 2 we are halfway through the thirteenth month of this session, making it the longest session in the history of this Legislature, and one which has occupied our time quite completely for more than a year.

The extension of time is an interesting thing to examine. I recall a story around my home when the indemnity, I understand, was less than \$1,000 a year, that The Legislative Assembly Act required the House to sit 30 days before even that indemnity was collected and when the period of time was less, that a *per diem* of, I think, \$6 was payable.

The members of the then House, some years previously, had completed their business and to their surprise and perhaps horror, they found that the full 30 days had not elapsed. But I suppose the story is apocryphal. Still it is told that the Legislature passed a resolution to include Saturdays, which was, of course, a travelling day for members in those times, in the total list of days and they reached the required 30 days so that the indemnity was payable.

I think we have to discuss this matter as openly as we can. I do not know whether it is possible to justify any particular amount of indemnity because there is no doubt in our minds, Mr. Speaker, that many members of the House have their time more fully occupied with business here and business in their constituencies than others. There is nothing in The Election Act, or any other law that I know of, that makes the responsibilities of

all members identical and you, sir, coming from a rural area must surely agree with me that the responsibilities pertaining to that sort of representation are responsibilities far different from those experienced by members from urban constituencies. But the time required for the consideration of the work of the Legislature, as well as the time required in the constituency, to deal with individual requirements of our constituents—often complaints, but often just simply calls for assistance and further information—have grown enormously in recent months and years as well.

I know that some of the members who have had the responsibility to sit in this House for far longer than I have told me that they can recall periods of time when perhaps the calls from their constituents would be numbered at two or three a week, whereas now if they are not at home their wives or someone helping them in their business will be receiving perhaps 10 or 12 calls a day, and my hon. friend from Huron-Bruce who really knows about these things says sometimes 30 calls. But the business has expanded in every way.

The second thing I want to bring to your attention, sir, is the fact that the new rules that were used experimentally for the last three weeks and up until the end of this session, seem to be working very well indeed. I would predict that in fact the next session of the Legislature will not be longer than this one, but will be shorter. Of course it would have to be, if we are going to have a session in which we do the work of the province in less than one year, and of course the yearly business must be done in less than a year. This is a very special circumstance; when the deliberations have extended beyond the 12 months.

I have often thought even before the session has got this long, that we were far too long here at the Legislature. On the other side of the coin, we were far too long away from the Legislature. When the session began, as it has customarily in recent years, in January or early February, and we sit right through into July and sometimes August in order to accomplish the business in one fell swoop, our connections with our constituencies grow very thin. We grow tired of the public business, and then when the work is completed, we are back at home in the constituency for perhaps six or seven months which is really a poor distribution of the time.

I look forward to a full year session, but a session that is divided into three sections of work: winter, spring and fall sessions, so that we are looking forward to the session

when we are at home, doing the work of a constituency and when we are here, we realize that after two to three months of continuous work in the consideration of the estimates, the committee work and the consideration of legislation, that it has become and can become a more orderly job than it has been under the rules for the last five or six years.

The new rules, I believe, can accomplish this. They will bring a more orderly atmosphere if not, perhaps, more orderly debate into the consideration of the business of Ontario.

The third thing, sir, that I want to refer to are the travel requirements which are considered, of course, in the bill that is before us with 30 round trips to our constituencies paid for at ten cents a mile. This appears to be reasonably generous, but my feeling is that a member of the Legislature should have the right, at public expense, to travel between the capital and his constituency at any time that he judges it is in the interest of the constituency so to do.

People concerning themselves with this aspect of meeting members' requirements have laboured for a long time over the possibility of making better use of air travel. I am sure you will agree that while the use of trains is still quite convenient for a few of the members, for a good many of our fellow members the train is no longer a means of travel to consider. It is simply too long a time occupied and beyond that the restrictions of the train facilities themselves mean that far fewer of the communities are served by rail travel.

The pass on the train that has been historically given to the members and is still available to us is far less useful than it once was. I recall taking my father to the train in years gone by when he was the member for Brant before me. When he left for Toronto, he was gone for the week and would return Friday evening or Saturday morning. Things have changed. I can drive back and forth the 60 miles every day without too much inconvenience. Of course, if the requirements of my responsibilities are such that I should be here in town or some other town in the province, this can be much more easily managed than it had been in years gone by.

But I think, essentially, we should be looking to a time when travel requirements have no restrictions. The members should travel between their constituencies and the Parliament buildings when it is in their judgment useful and suitable for them to do so,

and the availability of air transportation should be made use of at every opportunity.

The members' facilities are something that should be considered in conjunction with the change in the indemnity. We feel that these facilities have been improved but still, Mr. Speaker, you must be aware that members have legitimate complaints. Their offices are not adequate for the increased burden of work, pertaining to their presence here in the Legislature almost year around and the fact that our connections with the constituencies, I think, are much closer than they had been in the past.

We have more delegations; we have many more constituents calling on us here in the Legislature. The mail which comes to us on a number of issues is much heavier than it had been in the past. As I talk to you, sir, my eyes fall on the stack of letters on the desk of the hon. member for Downsview. He tells me this is the mail he has got today; I do not know how many letters are in my grasp, but there is quite a bunch of them. Mind you, he has served his constituency adequately and, as a matter of fact, very well indeed, so that he, like so many other members, finds that his connections with the constituency are becoming much more enormous as far as the use of the mail and the telephone is concerned. The job is increasing in its complexity and the time that it requires at a very rapid rate.

I think that this whole aspect of the close touch with the electorate is reflected in the indemnity and the assistance that is payable to members to meet their obligations. We have had some discussions in other places about the fact that many members for rural areas are put to considerable amounts of expense and time in travelling about their constituencies. There is no particular complaint about this until you get to the constituencies, perhaps in the far north, north-east and north-western Ontario, where the hon. members often are put to the expense of chartering aircraft or perhaps hitching a lift with the government aircraft in order to visit all parts of far ranging constituencies which would require many hundreds of miles of travel, often at their own expense.

The opposite side to that, of course, is in the heavily urbanized constituencies where many members have undertaken to provide offices or at least a special phone line so that the concentration of people requiring assistance and advice from their members or who wish to contact their members with complaints, or advice running in the other direc-

tion, would be able to do so conveniently. It will be well known and publicly well known how they might contact the member.

There is another matter that I want to bring to your attention, sir, and that is the disparity in costs that members must meet to travel some considerable distance to the Legislature. I was comparing those costs of the members in the immediate vicinity of these buildings, particularly in Metropolitan Toronto, and in the immediate constituencies around Toronto. We made an attempt in the last indemnity bill to make up for this disparity by including a \$1,000 allowance that was payable to those members outside Toronto.

There were arguments both ways. I have heard members from Toronto say that their costs are equally high by the time they provided for their constituencies through offices and so on. But I am still, perhaps, a bit biased, being a member from outside of town. I would say to you, sir, that in my opinion there are more expenses associated with a constituency removed from Toronto, compared with those that are payable by a Toronto member.

These have not been accounted for in the bill, other than for the provision of the travel allowance which, at least in part, makes up for this difference in cost responsibility. I do not know what the answer to the problem would be. I know many people considered the possibility of some differences in indemnity or expenses, but still this bill gives a flat indemnity and the same expense allowance to members whatever their constituency or wherever their constituency is located.

Mr. Speaker, I find it difficult to justify any particular amount. It is true, when you look around at your friends in this Chamber, you can see many people have not accepted the responsibility of contesting a seat in a provincial election; and, being successful and coming here as members, they would have been earning far more, particularly if they are professional people back in their own areas. But I think one has to look at the other side of the coin. I do not think that all of us here as members of the House are giving up any great opportunities to earn princely sums in our private endeavours.

If I were not here as the member for Brant, I suppose I would be teaching school in one of the collegiates of the province, even though, from time to time, we are critical of the high salaries that are paid by boards of education, I can tell you that if I were head



of the science department in the collegiate that I left back in 1961, I would be not earning \$18,000 as I will if this bill successfully passes the House. I would probably be earning about \$13,000 or \$14,000.

I cannot say that if I were back in my own responsibilities as teacher that I would be doing better. But still the argument is kept up, and a very wide argument it is, that many members of this House have sacrificed a considerable amount of their earning ability over a number of years in order to take on the responsibility of the representation of a constituency.

It is true that when we run for election we know what the indemnities are that are to be paid. Still, over a period of three to four years, these things do change. I believe that we must be aware of the responsibility that all of us have to our families, to ourselves, certainly, and to our constituents. We have accepted a big responsibility. Part of that responsibility is rather unfortunately that we have to discuss among ourselves and decide what our pay and indemnity and expenses will be. We, on this side, as have other members, have undertaken this responsibility to discuss it among ourselves.

We have had some lengthy discussions and I put the thoughts that have come out of our caucus before you, sir. Certainly I want to conclude my remarks by saying that we support the two bills that are before us at the present time.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I would like to associate myself with what the leader of the Opposition has said in speaking to second reading of these two bills. Indeed, with a very great proportion of what he has said I would be in such complete agreement that I am not going to take the time of the House to repeat it. There are just three or four points that I would like to add, by way of further consideration of the principle of these bills.

In the minds of some—and heading that list I can think of a gentleman by the name of Gordon Sinclair—I did not hear him, but I have heard some of the things he has supposed to have said—an increase in wages, or a reasonable income at this time, should be questioned because, presumably, it falls into the category of being inflationary.

Now, we in the New Democratic Party do not get caught on that hang-up. We have never opposed reasonable wages. And we refuse to accept the proposition that reason-

able wages are the main thrust to inflation in this country.

Authorities are slowly moving to recognizing that, while wages may play a part, managed prices and profits play an even greater part. We do not accept for one moment the proposition that reasonable wages should be denied as a check on inflation when, up until now, government simply had refused to move effectively in coping with the other major contributors to inflation in this country. So, on the anti-inflationary kick, I simply just do not agree with it.

However, it brings up the very legitimate point—is \$12,000 indemnity and \$6,000 expenses a legitimate income, a reasonable income, for members of this Legislature?

I have no hesitation in saying here, as I shall say when the question is raised outside of this House, that the proposition of \$12,000 for a person engaged in, what in my view, is the most important calling in this province—representatives of the people, duly chosen by the electorate, to represent them in the Legislature—that the calling is worth \$12,000.

If one views today the kind of income that has been won, and I congratulate them for winning it—by certain crafts in the work world; if one takes a look at professional salaries, I venture to suggest that \$12,000 is going to put you pretty close to the bottom of the list. And, therefore, I do not think one needs to hesitate in terms of saying that \$12,000 is a fair amount, or wage if you will.

Now we come to the proposition of the \$6,000 expenses. Sometimes an educational job has got to be done here. I am going to say a word in a moment or so on what can and should be done in educating the public and informing the public as to the nature of the expenses that a member of the Legislature has.

Very often we slip into the easy pattern of saying, "It is like a businessman's expenses." No businessman has expenses comparable to the kind of expenses that an elected representative of the people has, although they may have some expenses in common such as travel, and lodging, and eating. In addition, persisting claims are made, not only in terms of keeping one's potential organization going, the local riding association going, but also responding to the myriad appeals of a charity nature—sometimes not quite of a charity nature—to which one comes to the conclusion he must respond.

All of that certainly adds up—I am convinced that it is a very rare member of the Legislature at the end of the year, who does

not find that that \$6,000—and, indeed, often more—has gone.

Therefore one should look not at the \$18,000 figure as income, because the \$6,000 is an expense. Just as the doctors wrote to the leader of the Opposition and objected to \$48,000 being credited as their income, because they said they had expenses. True they had expenses, but their net income was \$31,000 on an average.

Out of the \$18,000 you have expenses, leaving a net of \$12,000. On any assessment in the work world, or in the professional world, I think that \$12,000 can be defended.

There are two further comments that I want to make. They are, in one sense, of a critical nature, with regard to how we have handled this issue, but I hope that they will be taken in the spirit that they are given.

We have failed, once again, in handling this issue, as I think it should be handled—through an independent commission of competent persons to judge what is the reasonable income and expenditures of a member of the Legislature.

I know that there was some sort of a body, some sort of consultant, some sort of experts, who were asked to express an opinion. Those of us who were involved in discussions before this matter got to the House never saw that report. Indeed, I am inclined to suggest to the Prime Minister that, in the full context of things, I think the report should be made available for public observation.

I know of one or two points in it—and I know one reason why the government may be hesitant—but I think it underlines that the people who did the study were not competent. Anybody who comes back with a proposal that the members of the Legislature should be divided into junior and senior members just does not have a clue as to how a Legislature operates.

I can see that that kind of a study was made by people familiar with civil servants, but I defy anybody to categorize members of the Legislature as junior and senior. So, with respect—

**Hon. J. H. White** (Minister of Finance): I do not know—

**Mr. MacDonald:** As a matter of fact, I do not know whether the hon. Minister is junior or senior. He is the man who perplexes me most, so he should not intervene at this point.

**Hon. Mr. White:** I can size you fellows up pretty quickly.

**Mr. MacDonald:** I have been derailed from my train of thought, but I can get back to the main point that I wanted to make.

I suggest the public appointment of an independent body—so that everybody knows who is on the body. They should hold public hearings, so that anybody who wants to can make representation, including the members of the Legislature, or collectively through their party. Indeed, all the people who think that we are being paid too much, let them come and make representation.

Let it be done openly and publicly. Let the report be made publicly so that everybody knows exactly what has gone on. May I suggest, Mr. Speaker, to the Prime Minister, that that might be part of the educational process of letting the public know exactly what are the costs and therefore the legitimate remuneration of people who are the elected representatives of the people.

I think I am accurate in saying that the Prime Minister intended to handle the issue that way this time. Perhaps the particular body to which the issue was referred was just a bad choice. However, I hope that for the guidance of others, as well as for ours, that in the future it is done in a genuinely independent fashion.

The second point I want to make is that, in one respect, this bill is a step back rather than a step forward. This is in terms of acknowledging the fact that certain members of the Legislature who are not what I would describe as commuting members, living either in Metro or close enough that they can drive, those members of the Legislature obviously have higher expenses than those of us who are commuting members.

I know one can make a case that urban members have particular kinds of costs and particular kinds of problems that counterbalance, but I am not going to enter into that. I think the people who live at a distance obviously have higher expenditures.

In the last amendments to The Legislative Assembly Act, we made a gesture in the direction of acknowledging this—the difference between \$4,000 and \$3,000 for expenses for the out-of-town members and the metropolitan members. There were offensive features to that and I do not think one needs to detail them. Therefore, they have been dropped altogether.

But it simply means, Mr. Speaker, that we have admitted to ourselves and to the public that we have been incapable of coming up

with some sort of a formula that acknowledges the greater costs of those who are non-commuting members. I would hope that, in the years that lie ahead, in Ottawa and here, that some of the best brains of the nation might be put to this matter. I think one has to concede, Mr. Speaker, that at Ottawa this has not been dealt with either.

If you are a member who represents Ottawa East, or if you are a member who represents the Northwest Territories, you get the same income, apart from the travel allowances that are met. The basic income and expenses are the same.

So our failure is unique, but I am a little sorry in this bill that, having at least acknowledged in principle that there was an inequity before, we have now stepped back from even acknowledging the principle, and the inadequate and perhaps questionable way in which we implemented that principle in the last amendments to The Legislative Assembly Act.

As I look at the Provincial Secretary, he is obviously an intelligent fellow. I think, in his spare time driving between here and St. Catharines for the next four, five, six or eight years, he should ponder this matter. I am sure he will come up with some sort of a formula that will acknowledge both the inequity in the same kind of a payment and, secondly, come up with some sort of a mechanism to cope with it.

Those are the comments I would like to make in expressing our support for second reading of this bill.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** As one who was party to being critical of the hon. Prime Minister in this regard, I would like to say it was a tough job for him to get up in the Legislature and make this type of legislation law. He has done some things before, and I think this was one of the toughest things any Prime Minister can do.

I want to say for my part that I have no apologies for the fact I was party to encouraging that. I was very critical of him for not moving along these lines. I think there is a no more sincere group in this province than the members, regardless of our criticisms.

I think in the years to come that we will regard our Prime Minister as one having guts to do what he thought was right.

There is an old saying that there are a lot of high people rattling around in high

places because good men cannot afford to, and I think this is very true in this Legislature. In the years to come, we will be able to attract better men to serve our people because of this, and I for one have no apologies in saying I am 100 per cent behind the Prime Minister.

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

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I want to deal briefly with one problem which is involved in the bill which is before us for second reading, and that is related to the fashionable talk which is around today that there is something invidious in the amount of the allowance which is non-taxable in the content of the bill.

I think, having been on the periphery and only on the periphery of the discussions related to this question, that it requires the attention of the government in the future to isolate exactly what the problem is which leads many people to believe that there should be no tax exempt content to the number of dollars which a member of a legislative assembly receives.

It is on this particular occasion, I think, appropriate to point out the problem which is involved in The Income Tax Act, and perhaps suggest some area in which the solution can be sought.

The Income Tax Act of Canada, under which all of us in Canada pay income tax, provides in substance that if you earn income from an office or an employment you fall within one category of persons who are subject to income tax. The other two categories do not apply to members of the assembly as such, that is, if you earn income from property or if you earn income from a business.

If one does earn income from a business, one can deduct reasonable expenses incurred for the purpose of producing that income. But since the office of a member of the Legislature is not a business, there is no provision within The Income Tax Act by which such expenses can be deducted and similarly, in the case of personal and living allowances which are not generally deductible and for very good reason, it is not possible for a member of the Legislature to bring within the ambit of his deductions, personal and living expenses which he might incur by virtue of his office and which could be categorized as reasonable and legitimate expenses for the purpose of discharging the duties of his office.

Having said that very briefly about the provisions of The Income Tax Act relating to

income from property or income from a business, and having distinguished it from income arising from an office or employment, you then immediately have the problem that a member of the Legislature who holds an office is not a person who is an employee, and he does not hold an employment as such.

As an elected member of an assembly and an elected member of any democratic institution of representative government, in no sense can the person be said to have an employer. Therefore, those provisions of The Income Tax Act which restrict, rightly or wrongly, the expenses which could be deducted by a person who is an employee, are not applicable to members of the assembly.

It would appear that in the course of the last many years, the only solution which has been found to this problem of a person who holds an office, as distinct from an employment, is to provide for this non-taxable content of the income, or the number of dollars which an elected member receives.

That is reflected both in the English language and in The Income Tax Act, because the exemption to which we, as members of this assembly, will be entitled to in respect of the \$6,000, as we have in the past been entitled to the exemption for either \$3,000 or \$4,000, depends upon the express provision of The Income Tax Act, which reads in substance that it is not necessary to include in computing your income "an allowance for expenses incident to the discharge of his duties as a member of a legislative assembly."

It seems to me, Mr. Speaker, that the problem which the government is going to have to face up to, both at the provincial level and at the federal level, because of this fashionable talk which is current these days about this problem, is whether or not it is possible to so distinguish an office, which is the position of an elected member of the assembly, from an employment so that provision can adequately be made in The Income Tax Act for a person who holds an office to be able to deduct those reasonable expenses which are incurred by him incident to the discharge of his duties as a member.

Now it should be possible within the framework of The Income Tax Act, and within the administrative machinery of the tax revenue collecting departments of government, intelligently to appreciate and recognize—and in my view this can only be done if there is some adequate public study made of the problem—there are, in fact, reasonable expenses incident to the discharge of the duties of a member of the assembly.

These are quite separate and distinct from the considerations which may enter into what is a reasonable deduction from the income of a person who is employed and are quite separate and distinct from the kind of expenses which may be reasonable for deduction from a person who earns his income from property, and are quite separate and distinct from the kind of expenses which could be deducted by a person who earns his income from a business.

I would suggest that, in my view, it is quite likely possible to so amend The Income Tax Act to provide that all the dollars which a member of the assembly receives by way of income to him should be included in income for tax purposes provided there is some flexible, intelligent, administration of that vexed and very difficult area of determining what exactly are those expenses which are incident to the discharge of the duties of a duly elected member of a representative body in the democratic institutions of this society.

Somehow or other that problem has got to be solved. I do not think it is possible, other than by being arbitrary, to do other than we have done at the present time, namely, to specify a specific number of dollars which categorically is stated to be not included in income.

I wanted to make these remarks because I do not take as necessarily accurate or clearly reflecting the terms of The Income Tax of Canada, that in some way or other, a person holding an office as an elected member, is simply an employee on the one hand or, on the other hand, earns his income from carrying on a business. He does neither, and I think The Income Tax Act, at some point in time, after appropriate study, should reflect that particular difference and distinction and make provision for a person holding an office to be able to deduct from his income those expenses incident to the discharge of his duties as a member.

I think it is an important element of the kind of problem which has come to the surface in the course of these discussions.

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

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, the member for High Park (Mr. Shulman) had to leave the chamber so he requested me to inform the House of his support of this bill in the light of the financial problems of many of the members of this Legislature.

However, prior to the last election, the member for High Park assured his constituents that he would serve the term of this Legislature at the then stated indemnity, and therefore, it is intention to turn the increase over to charity.

**An hon. member:** Cheap politics.

**Hon. A. Grossman** (Minister of Correctional Services): I wish we were all millionaires.

**Mr. Speaker:** Does any other member wish to speak on the bill? If not, does the hon. Prime Minister wish to reply to any of the remarks?

**Hon. Mr. Robarts:** Mr. Speaker, the comments I made on first reading are my comments until this time.

**Mr. Speaker:** The motion is for second reading of Bill 236.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill stand referred to third reading?

Agreed to.

#### THE EXECUTIVE COUNCIL ACT

**Hon. Mr. Robarts** moves second reading of Bill 237, An Act to amend The Executive Council Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this be referred to third reading?

Agreed to.

#### TORONTO HOSPITALS' STEAM CORPORATION

**Hon. T. L. Wells** (Minister of Health) moves second reading of Bill 230, An Act to incorporate the Toronto Hospitals' Steam Corporation.

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

**Mr. G. Ben** (Humber): Mr. Speaker, I would just like to say a few words on this bill.

It is understood by all members of this House that the purpose for introducing this bill is to enable the various downtown hospitals in this hospital complex which we have south of us to unite in a money-saving en-

deavour to lower the cost of providing their linen. This project of theirs engendered a lot of heated discussion, probably more heat than their whole furnaces are going to, in the city council. The reason is that while on the one hand we try to fight pollution, on the other hand we take steps to permit people to generate it. Of course, it has been suggested by the people seeking this incorporation, that the height of the chimney is going to in itself, control the emission of pollution. I suggest, Mr. Speaker, that we are working at odds with ourselves.

As I pointed out yesterday, it is established that dilution is no solution to pollution, and this is exactly the solution that these people are trying to bring about through this bill. It is agreed that this stack, when compared to others that have been erected in the city and elsewhere, does have some aesthetic—I would not use the word taste—style, some aesthetic style, and perhaps it could become famous if they were to put a restaurant or something on it, but the fact is it is still going to be polluting the air.

I think the solution would have been to try to buy either power from the Hydro—and this is striking at Hydro for Ontario. Hydro has its offices directly across the road from this plant—but I think the purpose could have been served if they had bought their power from Hydro since Hydro does sell industrial power at less than it sells domestic power and we would have carried out the principles in this bill, and at the same time have cut down on pollution.

I do, however, consider it indeed strange that this Minister introduces a bill into this House which is going to have the effect of increasing the pollution in the downtown area, and, Mr. Speaker, I do hope that the hon. Minister will not get up and say to us that if it was not for this one stack they are putting up we would have two or three stacks as every hospital would probably have its own laundry. I do not think that would make a solid argument.

We are entering into an age of science when fossil fuels or gas derived from fossil fuels is not necessarily the only or the best source of power or even the cheapest source of power. I think that where we have the necessity of putting an industry or a laundry of this type in the core of the city—

**An hon. member:** Steam plant.

**Mr. Ben:** Steam plant, all right, it is a steam plant, it is a laundry—a steam plant.

But the fact is if we have to put a steam plant in the heart of the city then I would suggest that under those circumstances we ought to look into the future and try to keep our downtown clean—the core of the city, the heart of the city, clean. And under those circumstances this plant should have been powered, or the steam should have been generated, by electricity and not fossil fuel, or gas.

**Mr. Speaker:** Does any other member wish to speak to this bill before the Minister replies?

If not, the hon. Minister.

**Hon. Mr. Wells:** Mr. Speaker, in reply to the comments of the hon. member which I am happy to have, we are, of course, concerned about the pollution effects of this installation.

The installation was approved by the air pollution control section. They approved the height of the stack. Their concern also was with the fuels to be burned, and I think that it should be emphasized that the fuels that will be burned in this steam plant are not the same kind of fuels that will be burned at the Hydro plants, for instance.

The fuel to be used is what they call interruptible gas, so that it is a gas operation. There is going to be no coal burned at all of any type. As a stand-by fuel they will use number two oil. As I understand it, this will perhaps only be used for one month of the year. So basically gas is going to be burned most of the time in the plant.

Insofar as the Toronto Hydro supplying the steam for this installation, this matter was gone into very extensively with the hospitals, with all concerned. It was found that Hydro could not provide the kind of service or the assurances that it could be provided completely as a hospital would need and so forth. So it became obvious that the hospitals would have to join together and build their own plant, which they are doing.

Incidentally, the operation of this is a joint facility, I understand, which will provide for a saving in excess of \$75,000 per year in staffing and operation, and perhaps about half a million dollars in construction costs, rather than letting each hospital take care of their own needs.

**Mr. Ben:** May I ask the Minister a question, Mr. Speaker, before he goes on with his statement?

**Mr. Speaker:** Well, it is not in accordance with the procedures. If it is a very brief question and the Minister is agreeable?

**Mr. Ben:** Will the Minister file before third reading of this bill the sulphur dioxide emission from the burning of the gas and the burning of the fuel oil that they will use?

**Hon. Mr. Wells:** Well, I would have to look into that, Mr. Speaker. I do not know whether we have this information. I will check with the air pollution control people and see what information I can get.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be referred to third reading?

Agreed to.

#### THE REGIONAL MUNICIPALITY OF NIAGARA ACT, 1968-1969

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves second reading of Bill 235, An Act to amend The Regional Municipality of Niagara Act, 1968-1969.

**Mr. Speaker:** The hon. member for Niagara Falls.

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, I would like to make a few comments on this bill. The Minister did say the other day that this is just a housekeeping group of amendments—some ten amendments—to the bill that has not as yet taken effect but will on January 1.

I would like to say to this Minister that I do not want to add any fuel to the argument that will be coming up with this group of intelligent men who have been elected to the new regional council, that this bill will eventually govern their procedure and the way they conduct their affairs in the next three years.

I do not want to be—and I say this most sincerely—political about this bill at this time. I think I could make many comments on the ten sections and keep the ball rolling, so to speak, but I believe that he has found that there are problems coming up.

He did admit, Mr. Speaker, that there will be differences of opinion and problems to wrestle with, and I do not want to make any more statements at this time pertaining to these things that will happen.

I know that he will hear loud and clear from the council when they get into operation, and as they will be governed by this bill, and housekeeping amendments were apparently required—I cannot dispute that at this time because I do not want anybody to believe that I was one to want to hinder the progress of this type of administration—but I do believe that he should be forewarned.

The battle is just starting. It will be most interesting to see how this bill is implemented and how well it works, because it strikes me that from this bill you are going to be establishing other regional areas.

I must say that I can see from what I have heard and what has been told to me in my riding, that there will be sufficient problems to wrestle with without my adding any more problems to this Minister's position at this time.

I would like to make one more point since I heard the Minister of Education chuckle a bit across the floor. Pertaining to the two school boards' names that I made reference to the other day, I think the point was well taken by a member of the riding that I represent. If you are going to have the two counties and you are going to make reference in the regional areas about the Lincoln county area, Lincoln south and Lincoln east or west, I think it would be good business for the Minister to have similar names for the two school boards so they would coincide.

I say again to you that my turn at bat will be much better in the next sitting of Parliament. I will be practising all winter after attending some of these council meetings to put this Minister exactly where he belongs—

**Mr. Nixon:** Oh, surely not.

**Mr. Bukator:** If credit is due I will be the first to give it to him.

**Mr. Speaker:** Does any other member wish to enter the debate? If not, does the hon. Minister wish to reply?

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

**Hon. Mr. McKeough:** Mr. Speaker, there is a small amendment coming through from legislative counsel which we would add in at the committee stage, so if it can be referred to the committee of the whole, so much the better.

**Mr. Speaker:** Does the committee concur that the bill should go to the committee of the whole House before third reading?

Agreed to.

#### THE SEPARATE SCHOOLS ACT (1)

**Hon. W. G. Davis** (Minister of Education) moves second reading of Bill 47, An Act to amend The Separate Schools Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be reported for third reading?

**Mr. Nixon:** Does the Minister not want it to go to committee?

**Hon. Mr. Davis:** Mr. Speaker, there was some discussion with the members for Peterborough and from Scarborough that both amendments to The Separate Schools Act would go to the standing committee.

**Mr. Speaker:** Is it agreed that this bill go to the standing committee?

Agreed to.

#### THE SEPARATE SCHOOLS ACT(2)

**Hon. Mr. Davis** moves second reading of Bill 238, An Act to amend The Separate Schools Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill also go to the standing committee?

Agreed to.

#### THE PUBLIC SCHOOLS ACT

**Hon. Mr. Davis** moves second reading of Bill 239, An Act to amend The Public Schools Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be reported for third reading?

**Mr. Nixon:** Does the Minister want that to be considered by the committee?

**Hon. Mr. Davis:** Mr. Speaker, it was my understanding in discussing it with the two

critics that it was all housekeeping and we would go right to third reading.

Mr. Speaker: Agreed for third reading?

Agreed to.

### THE LANDLORD AND TENANT ACT

Hon. A. A. Wishart (Minister of Justice) moves second reading of Bill 234, An Act to amend The Landlord and Tenant Act.

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Mr. Speaker, Bill 234 is an outstanding achievement, I think, by this Legislature. I think there should be, and there has to be recognition from the government. I am sorry it did not come when the bill was introduced or on the number of occasions on which this matter was introduced by Opposition members, and particularly by Liberal members—by my colleague from Parkdale (Mr. Trotter), and by myself, over a long period of time.

It has been somewhat like drawing teeth really to get the government to take action. The difficulties which ensued and the pain with which this statute primarily arrived, when it was primarily produced in this world! It is difficult, Mr. Speaker, to understand why it has taken the government quite so long to bring in this statute. However, it is here and as I said at the beginning of my remarks, this is, to my mind, a substantial step forward. On the other hand, it is fascinating to go through this statute, Mr. Speaker, and to look at some of the inconsistencies.

The debates in the Cabinet and the debates in the government caucus must have been very fascinating as compromises were made on one side and the other. It would seem to me that some of the compromises have rendered some of the main objectives of this statute almost impotent. For instance, one of the main suggestions, both in the debates in this Legislature over the years and in the comments and the recommendations of the law reform commission, was that there be a review board.

That suggestion has been really rendered mandatory by this provision for a landlord and tenant advisory bureau. The suggestion has been made it is a worthless pact when you try to figure out if and how it is going to work. Let us look for a moment, Mr.

Speaker, at the latter provisions of this statute relating to the tenant advisory bureau.

It is fascinating and included only in one comparatively short section; the section says that a municipality may, by bylaw, establish a landlord and tenant advisory bureau. Nobody suggests, Mr. Speaker, whether it will have 50 or five or one member; nobody suggests whether the landlord and tenant advisory bureau is going to consist of elected persons or appointed persons. Nobody suggests, whether or not the municipalities are going to have the power to pay the landlord and tenant advisory bureau.

You are aware, Mr. Speaker, as I am, that when responsibilities are given to municipalities, in relation to the spending of money, somebody has to bring in the necessary amendment to The Municipal Act. One must conclude, I would think, Mr. Speaker, that the landlord and tenant advisory bureau, if it does not consist of municipal civil servants or members of the council who do this without any remuneration, it must be a group of citizen volunteers who cannot get any money for it.

That is a fascinating thought and perhaps it might work. I am more than a little skeptical about it, but it might be of some value—until you read the other section. The other sub-sections of section 108 set out what the bureau's duties are to advise landlords on received complaints. There is no authorization for any bureaucracy or any secretariat; nor any permission to spend money to prepare forms, to set up offices. It seems to be the kind of an idea that somebody said, "We do not like a rental review board, because of some of the ramifications"—and I am going to deal with some of those in a little while. That somebody said, "But let us put in something that we call a landlord and tenant advisory bureau. It does not matter just as long as we have something in there that somebody might go to".

What initiative is given to the municipalities to set up this board? What instructions are they given? What powers really are given? There are no powers here, Mr. Speaker, for the advisory bureau to *subpoena* a witness. There is no power, really, that would allow them to *subpoena* documents. There is no power for them to do anything other than to shout about their appointed meeting place and determine, if anybody happens to come before them, really what that person's complaint is.

There is no right, Mr. Speaker, for the person going there to appear with counsel or



without counsel. It is not mentioned. I do not know whether it is intended to be as delightfully vague as this but, really, as you listen to tenants' complaints about landlords and landlords' complaints about tenants, very often one has to believe that there are two sides to every story. Without any powers of investigation, or to hire a new staff, or to compel attendance, or to examine documents. It seems to me that the government could have not conceived a more useless body to set up in answer to the great concern that exists amongst tenants who want some form of mediation of their complaints.

It may be that is the idea of the board. One of the ideas is to receive complaints and to seek to mediate in disputes between the landlord and tenant. How can you mediate anything if you have got only one side of the argument before you, and you cannot possibly compel the other side to come before you. I would think mediation, even the thought of mediation, is ridiculous. Now to advise landlords and tenants in tenancy matters, I think there must be a substantial intelligence if that function is going to be properly carried out.

However, it would seem to me, Mr. Speaker, that if the landlords and tenants are going to be advised about tenancy matters and about their rights, surely there should be some indications as to who is going to advise them? It would seem reasonable and logical to me, in any event, that you provide for this since you have some knowledge of the law, particularly the law of landlord and tenant. Perhaps you have some knowledge of other provincial statutes which might effect landlords' rights and tenants' rights.

Where are you going to find these people and again who is going to pay them? It would seem to me that if the government feels that this is an important function of the landlord and tenant advisory bureau, rather than throwing the burden on to the municipality of providing this kind of a service, properly this burden lies at the door of the provincial government. Surely, the government should do this, at least in our big cities, Mr. Speaker. It should provide this kind of service and set up government advisory boards that can advise tenants about disputes with landlords, and advise landlords about disputes with tenants. While they are at it—and this is another idea that we have put forward on many occasions—they can advise people in Ontario about their various rights in relation to welfare and housing and family allowances and all the other things that people are con-

cerned about. Because problems are not isolated insofar as they concern the people who live in this province.

When you get someone who wants to seek some kind of independent advice as to their rights, surely they should be able to ask additional questions about their rights under various provincial statutes. It would seem to me that the time is here when all those Ministers of the Crown who are concerned about providing sufficient information to our people who have problems affecting various departments of government, should form some sort of an agreement whereby provincial advice bureaux are going to be set up. Only in this way can this kind of a provision in a statute be made meaningful.

There is no provision even in this section that the hearings of this advice bureau are going to have to be held in public.

One of the main ideas about the rental review board was that, in the event that it became apparent to the public that a rent being requested was exorbitant and out of line, there would be some kind of sanction in public opinion brought down on the landlord who is demanding or insisting upon an exorbitant kind of a rent. There is no provision here at all that the meetings, if they can take place and if they can be called meetings—must be held in public. There is no provision for any rules of procedure for these boards. In fact, I do not know why they bothered at all.

If the government was afraid of rental review boards—and my suspicion is that they were substantially afraid of them. Certainly, there was ample gossip around these corridors, Mr. Speaker, to indicate to anyone who had his ear at all close to the ground, that the reason the bill took so long in coming in after the Attorney General told us it was just about ready, was because Cabinet was split over the whole recommendation about rental review boards. Those who were opposed to it, I gather, had their way because we have not got any rental review boards.

We have some useless body called a landlord and tenant advisory bureau which has no power to advise anybody about anything because it has not even got power to bring anybody before it. There is no ability, apparently, to spend any money; there are no ground rules for its establishment; there is no ability to force attendance; there is no ability to subpoena papers.

I think that is enough for that, Mr. Speaker. It is not enough to destroy the bill. Certainly, when we get into committee, we are going

to vote against the inclusion of section 108 and suggest that the original recommendation about rental review boards be included.

A second provision that I am disappointed is lacking—the Attorney General pointed it out in his original remarks—was the failure to provide for a standard form of lease. I would have thought that it would have been a comparatively simple matter in the time the government has had this bill under consideration, to bring forward some kind of standard form of lease. And to make that mandatory as a major part of all of the leases providing that if additional clauses were to be added to the lease they be written in reasonable size in ink, so they can be read easily by the tenants. They should be drawn particularly to the tenants' attention to ensure some fairness about this whole leasing process.

You may recall, Mr. Speaker, a couple of years ago, when I had occasion to refer at some length to a lease that was being used by the Ontario Housing Corporation. It did not take them really long after they were embarrassed, to bring in a new form of lease for the Ontario Housing Corporation. If they were able to move with that dispatch—and I will not say that they moved that quickly but certainly they moved more quickly than they are moving now—when they were embarrassed and when their faces were red; that is when the hon. Minister of Correctional Services lost his QC. You will remember that debate very carefully.

If they were able to bring in a revised form of lease for the Ontario Housing Corporation, it would seem to me, as we take this comparatively giant step forward in changing the common law of the province of Ontario, that they could have brought in some better standard form of lease than is presently contained in The Short Form of Leases Act.

Those are some of the comments, Mr. Speaker, that we are going to expand upon when the bill gets into committee. I think those are the major criticisms. There is one more that I wanted to make as well as those two criticisms. I also wanted to say a word about sub-letting. The Attorney General has worked out a marvellous formula about sub-letting. He says no longer will you be allowed to put in the lease, once you use the word sub-let, that the permission to sub-let can be arbitrarily withheld. Fair enough.

But then he goes on to say, "If you are astute enough not to use the word sub-let in your lease—that is it—end, period—you cannot sub-let." By the exclusion of the phrase, Mr. Speaker, the disease the Attorney

General is seeking to cure is reinstated. If, by not using the word sub-let at all, you can arbitrarily withhold permission to sub-let that is what in fact happens. What have you really changed is you are putting some window-dressing on something and pretending that you are giving some great benefit when, in fact, you are giving no benefit at all. Because the landlord, and landlords, really, Mr. Speaker, as a group, are not ill-informed and are not unable to get legal advice. What I am saying certainly is telling no secret out of school; I am quite certain that as this bill is proceeding through this Legislature, landlords' lawyers are reading it very carefully and they are advising their clients, as they should, as they are retained to do, about how they can provide new forms of leases that are going to give the landlords every benefit that they are able, legally, to assert.

There is nothing wrong with that. But I am suggesting, Mr. Speaker, that if the government intends to do something about sub-letting there has to be something far better than is in this Act now. What the Attorney General suggests is merely a play with words that fools nobody. Certainly it should not have fooled the Attorney General if he was serious in the remarks that he was putting forward that he was bringing in some great reform.

With those remarks, Mr. Speaker, I will say that we are going to support the principle of this bill; we think that we need a new landlord and tenant law. These are three of the very serious defects that are contained in it and I would hope that the Attorney General will be able to bring a little muscle to some of the things he became very weak-kneed about.

Let us have a rental review board that is going to be meaningful or, if you do not believe in it, and you are concerned about what might follow in the form of rent control, do not pretend that you are doing something by creating these meaningless landlord and tenant advisory bureaus.

**Hon. Mr. Grossman:** Why do you pretend to support it? You must have had some conflict in your caucus.

**Mr. Singer:** I do not think so. The hon. Minister is concerned about conflict; I guess I must have struck a tender cord. I am sorry that I have embarrassed the hon. Minister, Mr. Speaker, because I would think that if you are going to compromise, at least compromise in a meaningful way. I would think that you and your colleagues should have had

enough intelligence to recognize this really was not going to fool anybody. The second thing, as I say, is the standard form of lease. The third thing—in the sub-letting provision—for goodness sakes, put them in a form where they do, in fact, make sense. What you have done is to turn the thing upside down and the situation is exactly the same as it was before.

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I want to deal with a number of matters related to the principle of the bill before us. I think we must not lose sight of the fact which is mirrored in one sentence in the law reform commission's report that has led to the introduction of this bill. I quote that particular sentence:

The greatest single obstacle to stability and fair dealing in this area of the law is the acute shortage of housing accommodation.

That is not appropriate in the amendments to the law of landlord and tenant which the Attorney General has introduced but it is the context within which these changes are being made.

We reiterate the proposition that regardless of what the Minister of Justice or Attorney General may do, until the government is prepared to deal with that question of acute housing shortage in the province of Ontario, we cannot expect very much from this bill.

I think, Mr. Speaker, I must refer very briefly to the history of the bill. It is interesting to note that from the time the law of landlord and tenant was passed in 1911 there has not been a single amendment of any kind to that Act. I had occasion to look at the microfilm of the *Mail and Empire* which at that time, carried a *Hansard* synopsis. It is very interesting to note that there was no debate when the present law of landlord and tenant was introduced in 1911, on second reading. The headline of the newspaper column of the day, which dealt with the statute law revisions, including the law of landlord and tenant when they were in committee, referred to the drowsy session in which some 23 or 24 members happened to be in attendance. No comments were made about it in committee.

I mention that to point out to the Minister that we have passed into a period of time when the law cannot be allowed to become as anachronistic and so out of date for such a long period of time; and that when anachronistic provisions of the bill are removed,

we must hail it as a great achievement by the government. We do not.

We think it is absolutely essential that the law, if I may use a trite phrase, keep pace with the economic relationships which affect the quality of life of the people of the province. The basic amendments which the Minister of Justice has introduced into the law of landlord and tenant are simply the elimination of anachronistic provisions or, if not the elimination of them, the amelioration of certain of them in ways which should have been done many years ago.

Again there has been reference to the antiquity of the law of landlord and tenant and its total inappropriateness to the province of Ontario and it is interesting to note that the predecessor of the 1911 bill, which has stood without amendment to this date, was set out in the revised statutes of Ontario for 1897.

In chapter 342 of those particular revised statutes, we have the notations which indicate the antiquity again of many of the phrases which were actually carried forward into the so-called revision of the law of landlord and tenant made in 1911. It is interesting to note there are various provisions that refer to the following reigns of the following monarchs of England, the fourth year of the reign of George II, the eighth year of the reign of Ann, the thirty-second year of the reign of Henry VIII, the fifty-second year of the reign of Henry III.

**Mr. P. D. Lawlor (Lakeshore):** It was 1267.

**Mr. J. Renwick:** The second year of the reign of William and Mary. The eleventh year of George II, the fifty-second year of the reign, again of Henry III. The fifty-first year of the reign of Henry III, and so it goes on. The third year of the reign of Edward I, which I assume is probably the earliest date contained in the law.

**Mr. Lawlor:** Oh no, it is 1275, still earlier.

**Hon. Mr. Grossman:** Henry VIII must have had trouble with accommodation.

**Mr. J. Renwick:** Mr. Speaker, I want to say that I recognize what the law reform commission has said, that there are other areas of the law of landlord and tenant which, perhaps in another report, will deal with parts I, II and III, which still carry forward the phraseology and the words from those ancient statutes which have little if any application to modern life in the province of Ontario. I want in that sense to be fair. My

remarks are not going to be directed, with one exception, to the area which the law reform commission and the Minister of Justice have on other occasions stated will be dealt with in a subsequent report.

I think it is too late or much too slow, but at least I am not going to try to deal with those areas which are going to be dealt with in the subsequent report of the law reform commission. I make the one exception and that is in the question of the standard form of lease. I think it could have been done and can well now be done without awaiting dealing with the rest of the law of landlord and tenant, if the law reform commission were commissioned directly, now, by the Minister of Justice, to produce in the shortest possible time a standard form of residential lease in simple language which can be clearly understood, which would enable a person to read his lease, to understand what it means, to understand the obligations which he is incurring, and the obligations which the landlord is incurring, in executing the lease.

And I think it could then be quite permissible that any variations in that language would be required by law to be printed either in a distinguishing form of type or in a different coloured type. This would enable a person who was entering into a lease for a short period of time—a relatively short-term lease, as most residential tenancies are, one year, two years, six months—to see quite clearly and distinctly the areas within which the landlord had seen fit to present him with the lease which did not accord with the standard lease, which was available for inspection in the statutes of the province of Ontario.

I do not think it is necessary for that standard form of residential lease to await the dealing with and the elimination of the strange antiquities which remain in parts I, II and III of the law of landlord and tenant.

Again, Mr. Speaker, I reiterate, I stay within the context of what the law reform commission has said, and I will not further encroach upon what we will await in the second or further report of the law reform commission in those areas.

The most important part of the report, Mr. Speaker, of the law reform commission, and it is the part which in my judgment the Attorney General has totally missed, is contained in certain paragraphs in chapter I of the report. The other chapters of the report deal with the specific areas which the law reform commission is dealing with and can be itemized and substantially, with some

variations which we will deal with in committee, are dealt with in the specific clauses of the bill which is before us. They are listed in the index, they are covered individually by chapter, they are listed in the introductory area of chapter 1, but the gut part of the law reform commission report which the Attorney General has chosen to ignore—and I assume the government has chosen to ignore in presenting this bill—is covered in pages 9 to 13 of the report of the commission.

I commend the reading of those particular pages to the Attorney General, I think he must have skipped them when he first saw the report or perhaps they were missing from the copy which came to his hand. I only recite a couple of sentences to point out what the law reform commission was saying. The law reform commission pointed out very clearly that the equitable principles of the courts and the equitable remedial legislation of the legislative assembly of the province of Ontario have dealt with what the law reform commission refers to as the "vital interests" of the relationship between mortgagor and mortgagee. It then goes on very clearly to point out that what has never been done in the law of landlord and tenant is to recognize the vital interest of the landlord on the one hand and the tenant on the other in that relationship.

In connection with the relationship of the mortgagor and the mortgagee, the law reform commission states that,

The courts in the exercise of their equitable jurisdiction and the Legislature, in keeping with the equitable principles developed by the courts, have necessarily made value judgments concerning the essential rights of mortgagors and mortgagees.

and I end that particular quotation.

It goes on to say that,

The common law of landlord and tenant, over the centuries, has not developed any legal philosophy based on a theory of vital interests.

And it goes on a few phrases later to say,

In a sense, the common law of landlord and tenant is mechanical in that its conclusions as to the rights of the parties, are not based on any realistic standard of vital interests which the law will endeavour to protect.

What I am saying, Mr. Speaker, to the Attorney General and the reason we will propose a reasoned amendment on the second reading

of this bill, is that until the government recognizes that you are talking about an economic relationship of significant importance to large numbers of people in the province of Ontario and of growing importance directly to the quality of the lives of the people of the province, then it will not be possible for us adequately to recast and rephrase the law of landlord and tenant, and we will continue to be faced by the Attorney General with what the Ontario Law Reform Commission refers to as mechanical adjustment in a traditional legal sense, divorced entirely from the vital interests of the persons who are involved in it.

We will be faced with these mechanical amendments from time to time of the law of landlord and tenant.

I happen to conceive of the relationship as being one which is so vital that it is not possible to have the so-called private contract as the sole method by which the landlord, as owner of multiple accommodation, many times administered through a trust company or estate management concern, is going to deal with the individual tenant, the ordinary citizen of the province.

Again, the Ontario Law Reform Commission comments about that particular relationship:

In each of these latter cases, statutory protection recognizes inequality of bargaining positions and the absence of freedom of contract in any real sense.

Remedial legislation in such cases is admittedly based on value judgments concerning the basic interests of the parties which must be protected. The principle of freedom of contract must be flexible enough to yield where experience has shown it to be a pious hope and an unrealistic assumption.

And in the previous instances to which they referred they were speaking about consumer contracts and personal property security contracts. A fact which the member for Downsview has pointed out from time to time, is that the landlord often presents a lease, the tenant does not read it, he is then faced with the proposition that he did, in fact, sign it.

He knows very well that had he read it he would not have understood it in the first place; he cannot afford the expense of consulting a lawyer to explain the meaning of the clauses to him in the second place; and in the third place he knows very well that if he went through that particular exercise the landlord would not vary one of the

clauses one single iota. So that a tenant, being a sensible person, simply signs the document and is then faced, from time to time, with the fact that he signed it. And under the guise of some kind of principle of the equality of bargaining positions and the freedom of contract, we make a fool out of the law which is supposed to govern and provide the kind of basic stability and security and fair dealing which we are anxious to achieve in this particular area of the law as well as in many others.

I am going to suggest, Mr. Speaker, that the time has come when the Attorney General is going to have to think about other than property and money relationships. The Attorney General and the government have no difficulty in coping, as they did many years ago, with remedial legislation relating to the law of mortgagor and mortgagee, because that, in many cases, was involved with property and money. When the Attorney General comes to dealing with the relationship of landlord and tenant, it is certain that he is talking about property and the use of premises by one party which are owned by the other party; he is also talking about an economic factor of the payment of rent. However, in this society he is talking, in fact, about the basic economic relationship which determines the quality of life of a growing and a substantial number of people.

I said that earlier, Mr. Speaker. I repeat it because it is the guts of the argument that I try to place before the Attorney General at this time. And you notice that when he introduced the law of condominiums, he had no problem. He has no problem because it was so tied up with something called ownership of property that he provided, Yes, everyone can own their particular apartment in the condominium, whether it is a multiple high-rise development or a multiple horizontal development; everyone could own their particular few rooms or their apartment. But to the extent that there were common facilities to be shared and maintained, the statute provides an obligatory corporation without share capital to which each person in the condominium must, whether he likes it or not, be a member; and that that condominium corporation without share capital will collectively determine the upkeep the maintenance and the use of the areas which are owned in common, the services which are available in common, and the kind of caretaking and other upkeep facilities which will be required in order to maintain that condominium.

I am suggesting, Mr. Speaker, to the Attorney General, that it is not so far

removed from a condominium to say that in a building owned by a landlord which provides multiple accommodation, it should not be difficult for him to envisage that the tenants in that building constitute a corporation without share capital, and that that corporation, without share capital, run as a members' organization of the tenants, should have certain collective bargaining arrangements with the landlord who owns the building.

That is one alternative. I happen to think it is one of the methods by which we can improve distinctly and clearly the relationship of landlord and tenant. I think we can so change the relationship that we will begin to deal with what the Law Reform Commission refers to as "the vital interests of landlord and tenant", because of the economic relationship and because of the need to provide an adequate method by which the tenants on the one hand, in an association of members as a corporation without share capital, could bargain in good faith with the landlord, and where the law of this province will require the landlord to bargain in good faith with such an association.

I said, Mr. Speaker, that the Minister of Justice and Attorney General had no difficulty whatsoever in dealing with that in terms of the law of condominium and he made it obligatory that everybody within the condominium must be a member of that particular corporation without share capital. I am not even asking the Attorney General to go that far in the relationship between the landlord and the tenant. I am suggesting to the Attorney General that he leave it to the tenant, and that if 51 per cent of the tenants in a particular multiple-dwelling accommodation decide to do so, that they can, and for want of a better facility, apply to the Ontario Labour Relations Board to be certified as the collective bargaining agent for all the tenants in that building in their relationship with the landlord.

Indeed, it may well be that at that particular point the law could provide that on being so certified it became a corporation without share capital, simply by law, so that then, looking at The Corporations Act, in that particular section dealing with members' associations, they would have a code of governance that would permit them to move easily and efficiently and effectively into a collective bargaining posture with their landlord. Then, it would seem to me that if that kind of arrangement is made, in many ways we leave it within the framework of collective bargaining to find out whether or not the landlord is justified in good faith in

increasing the rents; whether the landlord could request that association of tenants to make certain that it as the certified collective bargaining agent was maintaining his property so that it was not subjected to unnecessary wear.

That kind of collective bargaining arrangement, I think, from the point of view of the community of people, would have very many real advantages, because I suggest that part of the deterioration of apartment buildings to the extent that tenants cause that deterioration is because of something called an "I am all right Jack" attitude. Nobody looks after the common facilities except one poor superintendent in a building who cannot possibly cope with the work which is involved in it, and each tenant thinks only about shutting his own apartment door, and he makes his way through varying degrees of debris each morning in order to get out to the garage and get out on the street and drive downtown to his place of employment.

I have not expressed it very well but there seems to me, Mr. Speaker, to be a very real, vital, growing area which is available to the government if they will grasp it, to deal with this kind of a problem. I do not believe that solutions to problems are exclusive and that there is any one road to the final solution, but this may be one possible road in addition to other methods which are available for beginning to solve the kind of problem which is of the essence of the life which we lead, particularly in the urban centres of the province of Ontario.

I leave that particular point there, Mr. Speaker. At an appropriate time we will hope that we will have an opportunity to introduce an amendment which will at least convey the idea in legal language of what we are attempting to propose in terms of providing for this kind of collective bargaining arrangement between a landlord on the one hand and the tenants in a multiple accommodation dwelling on the other hand.

There is another area I note in the bill where the Attorney General has not dealt with the gut relationship. There is, I understand, no provision by which, from the point of view of a Conservative government, the tenant may withhold the sacrosanct payment of his rent, in order to enforce the correlative obligations of the landlord.

Certainly the bill makes a gesture towards providing, at least for the dependency of the mutual covenants which are involved. But still there is no provision that I could find in

the bill which permits a tenant, on the failure of the landlord to comply with his obligations, to immediately say, "All right, I am now going to withhold the rent." Or, "I am now going to deposit the rent in trust with some appropriate official," say, of the court, in order to make the landlord begin to comply with the obligations which the landlord has assumed in that relationship.

Mr. Speaker, I only have one other area that I want to deal with. I think again the Attorney General has misunderstood the bill.

He has misunderstood it for the same reasons that he did not understand the kind of basic change of legal philosophy which the law reform commission was referring to in the early parts of chapter 1 of the report. That part of the report where I referred to one, two or three of the sentences, in order to illustrate what the law reform commission was talking about. In no specific place is this more evident than in the way in which the Minister of Justice has emasculated the provisions of the bill related to rent control.

I think the Attorney General has got to look again and realize that it is a single chapter that the law reform commission dealt with when it referred to rent control, just as it was a single chapter that they dealt with when they dealt with, for example, distress or security deposits and all the rest of it. They dealt with the legal advisory bureaus in one chapter and they immediately followed it with a rent control chapter and it was all of one piece.

The legal advisory bureau was the body which was to endeavour, in this atomized way in which the Attorney General looks at this relationship, to mediate disputes. But it then went on to provide, in the chapter dealing with rent control, with rental review officers and for the establishment of rental review boards.

I am going to take the time to put on the record exactly what the law reform commission recommended in terms of rent control, because of the emasculation which has taken place in the hands of the Minister of Justice. These recommendations are nine in number and the first eight are very pertinent and number nine is the conclusion. The Attorney General has taken the very first one only.

The first one—and these are from page 71 of the law reform commission's report:

1. Municipalities shall be empowered to appoint rent review officers within the organization—

Excuse me, Mr. Speaker, the Attorney General did not deal with any of these recommendations. He dealt with the recommendations of establishing leasehold advisory bureaus, recommended in the previous chapter of the report and the first one is:

1. Municipalities should be empowered to appoint rent review officers within the organization of leasehold advisory bureaus.

2. Rent review officers shall be authorized to investigate complaints of unreasonable rent increases brought to them; to mediate between the parties in an effort to obtain a proper settlement of the dispute, and to recommend to the parties what increase of rent, if any, is justifiable in a given situation.

3. Municipalities should be empowered to establish rent review boards.

4. Rent review boards should be authorized, on the application of a rent review officer, a landlord or a tenant, to reinvestigate a case where the rent review officer's recommendations have not been followed or where any party is dissatisfied with the officer's disposition of the case.

5. After making its investigation, the rent review board shall send a copy of its findings and its recommendations as to what would constitute a joint resolution of the case to all parties in the form of a written report.

6. Where a landlord fails to act in accordance with the rent review board's recommendations, the board shall be under a duty to send a copy of its findings and recommendations, together with the landlord's response to them, to the local municipal council.

7. The local municipal council shall be empowered to publish the report of the board.

8. Either the Attorney General or the Minister of Financial and Commercial Affairs should exercise a general supervisory role over the entire scheme.

Mr. Speaker, I pause, before referring to recommendation number 9, to make two points. One is that this may appear to be a long drawn out and cumbersome procedure. It may well be so long drawn out and so protracted that a tenant is exhausted by the time he has endeavoured to obtain any adequate hearing on even those recommendations.

But, even given that defect, the Attorney General has got to recognize that the legal advisory bureaus have nothing to do with

rental review or rental control in the terms in which the law reform commission is dealing with it.

The main point is the last recommendation, which illustrates conclusively that the law reform commission was not endeavouring to deal with the economic factors of rents within the province of Ontario. They quite recognize that they had not done the studies which would support that kind of intrusion by the law reform commission into an area of the economics of the relationship which existed.

What they did realize is that they had done all that they could do to recommend what could be done, without intruding on the economics of the relationship, in order to introduce into the law of the province a viable method by which a tenant could deal with his landlord on all matters related to the lease. Particularly in matters related to this question of the level of rents within the province, because that is where there is no basic stability in the relationship which exists. That is why it is a continuous contribution to the unsettling of the economic security of the relationship of people within the Metropolitan area. This government must deal with it because it is a matter solely, conclusively and entirely within the jurisdiction of this government.

The law reform commission ended up with its ninth recommendation,

If these measures do not prove sufficient—

And that is not only the legal advisory bureau, but all the eight previous recommendations which I have enumerated verbatim in the purposes of the records—it said that:

If these measures do not prove sufficient to secure just rents, the introduction of a more stringent and compulsory system of control should be considered. Such control should be considered after a careful study of the economic factors involved and the effect that it may have on them and on provision for future housing accommodation.

Mr. Speaker, the law reform commission recognized better than the government what the gut problem is in this relationship and the limited area which was available to effect changes in the law of landlord or tenant. But within those restrictive requirements of the law reform they devised a system which was directed toward dealing with rents, a basic social need.

What has the Attorney General done? The Attorney General has totally ignored that section of their report. And when he totally ignored that section of their report and those eight recommendations, he did not leave him-

self an area where, ultimately, he can say, "Well, that did not work, I am now going to look at recommendation No. 9." He has emasculated it in such a way that he has seriously and grievously affected the validity of the other measures which he has introduced.

Certainly, for example, the Urban Development Institute came right into the proposition very, very quickly. This is why the bill is flawed in principle. They have said that, because the Minister of Justice was fool enough to omit the provisions of the law reform commission dealing with rent control, we are going to let him know that even the elimination of distress; and even the elimination of security deposits is something which he should not do because it is going to raise the rent.

Interjections by hon. members.

**Mr. J. Renwick:** Let us be perfectly clear about it, Mr. Speaker, the bill is flawed in principle. The Attorney General has not dealt with the basic change in legal philosophy which the Law Reform Commission was putting in front of him on pages 9, 10 and 12 of their report.

He has not absorbed what they were talking about. Because of that, he has thought that it is possible to get the rest of the report adopted and leave out the gut relationship that deals with the economic relationship of most people which affects the quality of their lives in the province, the kind of housing which they are going to have. The substitution which he has provided is to simply provide for an increase in rent for people in this city, and in the other urban centres across the province that the people cannot afford.

Mr. Speaker, I am going to say to the Minister that I do not accept the proposition that this bill should now go to committee of the whole House. This bill has got to go to the legal and municipal bills committee which will provide adequate opportunity for the landlords, certainly—mind you, they always have the ear of the government—and for the tenants of the city, individually and collectively, and the tenants associations in the province to come before the committee. They can put their case, let the members of this assembly understand what the problems are, and try to convey to the government what is wrong with the bill.

I think that has got to take place before this session adjourns, so the bill can be amended where amendments are appropriate and required. And that this law, adequately amended to incorporate the balance of the



recommendations of the Law Reform Commission can be passed before this House recesses for the Christmas vacation. Therefore, Mr. Speaker, I move, seconded by my colleague, the member for Lakeshore, that the motion for second reading of Bill 234, intituled, An Act to amend The Landlord and Tenant Act be amended by deleting all the words after "that" and substituting therefor the words:

This House is of the opinion that the bill is fundamentally defective in principle in that; (1) it fails to make provision for rental review officers and for rental review boards to control the rise and level of rents in the province;

(2) it fails to confront or to deal with the present disparity between available housing units and the needs of the population at rentals which people can afford to pay or to provide adequate organs for the redress of grievances;

and this House is further of the opinion that Bill 234 should be withdrawn and a new bill meeting the objections in principle listed above be introduced forthwith.

Thank you, Mr. Speaker.

Mr. Speaker: I think that this can be accepted as a reasoned amendment.

The Minister from St. George.

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, I am very glad to have the opportunity of speaking on what I thought was going to be the motion for second reading. However, the debate is now on a motion introduced by the deputy leader of the New Democratic Party, which essentially is negative in character and for all practical purposes would have the result of killing this legislation, certainly for this session. It would have the result that we would be further delayed in bringing about much needed reforms, in landlord-tenant relationships in this province.

Mr. R. Gisborn (Hamilton East): Not possible under that bill.

Mr. J. Renwick: It could be done overnight.

Hon. A. F. Lawrence: I am very pleased, as I say, to have the opportunity to speak to the bill in view of the fact that ever since my first election to this House, in May, 1958, I have been a strong advocate of many of the reforms which the bill contains. As a matter of fact, prior to the 1967 election, on at least two occasions in this House, I was the

initiator of debate in this House respecting abuses that now exist and existed at that time in respect to landlord-tenant relationships. Although I have not checked with the Minister of Justice about it, I strongly suspect that the public pressures engendered both within and without this House, as a result of a private member's notice of motion, which I had the honour of moving in this House late in spring, 1967, helped to convince the government of the day and the then Attorney General, the present Minister of Justice, to commission or have the law reform commission—

Mr. Gisborn: You cannot just blame the Attorney General for the bill.

Hon. A. F. Lawrence: —commission the particular report which has resulted in this bill before us today.

Mr. S. Lewis (Scarborough West): And you did a poor job.

Hon. A. F. Lawrence: During the 1967 election campaign, I made a promise, one of several to my constituents in St. George, that I would not seek another term of office unless legislation was passed by this government to guarantee the rights of tenants in the province of Ontario. I am happy and rather relieved to see that the bill has been moved by the government.

Mr. Lewis: When is the Minister stepping down then?

Hon. A. F. Lawrence: In the past, there has been much justifiable criticism of the state of the law of landlord and tenant in Ontario. But with the enactment of this bill, I think we will be able to look with pride upon this area of our law in the knowledge that it is one of the most modern and progressive anywhere. The beneficial effects of these reforms will be felt by many citizens in many parts of the province. But, nowhere, Mr. Speaker, will they carry more significance than they do in the downtown area of the city of Toronto and in particular, in the constituency of St. George which I represent.

Mr. Lewis: All of those people will pay higher rent as a result of this bill.

An hon. member: You represent them well.

Hon. A. F. Lawrence: At the present time, I would estimate that some 70 per cent of the people who live in St. George occupy apartments. If the present trend continues, and I have no doubt that it will continue, that

figure will, in all likelihood, rise to over 90 per cent within the next five to ten years. The members of this House, if they have their eyes about them instead of other bodily functions which they now appear to be using on that side, will merely look out the window, they can see the great increase in apartment structures that are taking place in this area, particularly to the east of the building, day by day today. This is the area of St. George riding. I think that this trend will be reflected in the downtown areas of all our major cities in the future.

**Mr. Lawlor:** Is this bill the last rags of your radicalism?

**Hon. A. F. Lawrence:** All of these people will benefit directly as a result of this legislation.

**Mr. M. Makarchuk (Brantford):** Wait until the rent goes up.

**Mr. Lewis:** You will lose your deposit on this bill; and I do not mean security deposit.

**Hon. A. F. Lawrence:** As I said, in July of 1967, the commission began its investigation of the whole field of landlord and tenant law in Ontario, and in December of the same year the commission presented a report and recommendations to the Attorney General.

**Mrs. M. Renwick (Scarborough Centre):** With a review board.

**Hon. A. F. Lawrence:** The commission's recommendations formed the basis of this legislation, in fact the government has adopted their recommendations almost in their entirety. The body of law governing the relationship between a landlord and his tenant was probably best described as feudal in origin.

In spite of some modifications it has perpetuated a relationship in which the landlord ruled like a medieval baron over his tenant. The rights allowed him by law, even though they have been resorted to less and less, were greater than those of any other class of persons involved in commercial dealings with the public.

Although the kind of relationship created by the old Landlord and Tenant Act may have been appropriate to a feudal setting, it has become less and less appropriate to the relationship between the apartment owner and the tenant in a modern, urban community.

The provisions of the old legislation may have contemplated a typical kind of relation-

ship existing between a homeowner who occupied a part of his home with his family and rented out an attic or a spare room to a tenant. However, it never contemplated the kind of relationship which exists between the average city apartment dweller and his remote, corporate landlord.

Moreover, it would not have contemplated the enormous social, economic and physical changes that have taken place in the nature of our larger cities in our lifetime.

At one time, it may have been feasible for a young man of modest means to buy a home close to the downtown area of this city or any other city.

Today this choice has been virtually eliminated. More and more people, both young and old, by reason of their financial position and the existing employment opportunities, are virtually forced to seek out apartment accommodation that is both within their budget and close to the job market of cities such as Toronto. We can expect this trend to continue.

The number of single family dwellings is not likely to grow as quickly as the population of our cities, thus the proportion of those who will have to opt for apartment living can be expected to increase.

There are many provisions in this Act which help to correct the bias which has undeniably existed in favour of the landlord, and to place the tenant and his landlord on a footing of equality. Indeed, this was the whole purpose, the sum and substance of the commission's report and which I think even the member for Riverdale would agree is an attempt to balance that inequality that has existed up until now.

I would like to comment on several of them.

First of all, this legislation abolishes the right of the landlord to demand a security deposit from his tenant on the signing of a lease. This has been the source of much friction, both because of the difficulty which many tenants have encountered when they have attempted to recover their deposit at the end of their leases and when they wished to obtain recovery of their deposit from a reluctant landlord, they were forced to initiate legal proceedings and to incur all the inconvenience and expense that is involved.

Under the terms of this new legislation, it will be illegal for a landlord to demand or to receive a security deposit against damage or any other contingency in connection with the tenancy. When the term of the lease

expires, if the landlord wishes to hold his tenant responsible for any damage, the onus will be upon him, the landlord, to initiate legal proceedings, to sue the tenant and to prove his claim in a court of law like any other citizen.

In addition, the new legislation also makes it mandatory for landlords who hold security deposits under existing leases to pay interest on them. Therefore, in the future, the landlord will be permitted to collect the last month's rent in advance, but this will serve as security against the tenant leaving with rent in arrears and for that reason only.

When existing leases expire, the tenants will be entitled to receive the amount of their deposit—that is their existing deposit under existing leases—plus interest at six per cent calculated from the date that this legislation comes into force.

If a landlord seeks to retain part of an existing security deposit to pay for any alleged damages and the tenant does not consent, in writing, to forfeit that part of the security deposit, the landlord will be forced to initiate legal action against the tenant within ten days of the expiry of the lease or else he will lose his right to claim it.

This is a further attempt to balance the inequalities that have existed.

Although the benefits to the tenants of the provisions of this legislation with respect to security deposits are, as I have noted, substantial, they will not adversely affect the position of the landlord, and should not be used as an excuse on the part of the landlord to demand increased rent.

There is no reason to believe that the abolition of security deposits will result in more damage being caused by more tenants. In fact, the history of security deposits shows that they have not acted as a deterrent to the small number of tenants who do cause damage. After months of intensive study, the commission found that evidence does not support the fear of the landlord that tenants will act irresponsibly if no security deposit is maintained.

No doubt, a very small minority of tenants act irresponsibly under any conditions, but there does not appear to have been a marked decrease in damage attributable to tenants since security deposits became a feature of the landlord and tenant relationship.

The simple fact of the matter is that security deposits will not prevent an irresponsible tenant from causing damage, and landlords

who wish to protect themselves and the occupants of their buildings against this problem will simply refuse to rent to persons who have a history of this kind of irresponsible behaviour.

The second major reform is in connection with the so-called right of distress for non-payment. This antique remedy is one of the few examples of judicial self-help that remain in our law.

It extends to the landlord the extraordinary privilege, once a tenant's rent is in arrears, to enter the tenant's premises and seize enough of his personal property to provide security for the unpaid rent, plus any expenses in connection with the seizure. Moreover, if the rent remains unpaid, the landlord has the right to sell his tenant's property and to apply the proceeds of the sale towards the arrears of rent and expenses.

But the significant feature of the right of distress is that the landlord has been at liberty to take this extreme measure which, if successful, could, in theory, leave a tenant with nothing but the clothes on his back and without any resort to any legal process.

The landlord could simply step in, seize his tenant's property without establishing either the necessity or the legality of his action to any judge, and he could carry out his seizure without supervision from any court.

The effect of the exercise of this right has usually been to force the tenant into the street, leaving him not only without a place to live, but without his furniture and his personal belongings, and unable to provide for himself and his family.

I need hardly comment upon the injustice of these rights. No other category of creditors is provided with such a devastating weapon for the collection of their debt. It is a recognized principle of commercial credit that the risk and the responsibility for credit losses should rest on the creditor who grants credit without proper investigation.

In the words of the commission:

There can be no suggestion that a landlord in the private sector is under any obligation to rent to a tenant whose credit record and past record as a tenant provides a clear indication that such a prospective tenant represents a bad risk.

The same facilities for investigation of the circumstances of an individual to whom credit is to be extended are available to landlords and other commercial creditors alike, and there is no justification for the landlord being

provided with any special privileges or collection procedures not available to other commercial creditors. Therefore, under this new legislation, the landlord's right to distress is abolished.

Thirdly, there are many other special privileges now enjoyed by landlords which this legislation will eliminate. Under the existing law, the landlord is not obliged to make any repairs to the leased premises unless he undertakes to do so in the lease. However, the commission recognized, and the government now recognizes, that though this once may have been appropriate, as the commission states:

It is an economic fact that the modern residential tenant is less likely to be able to bear the cost of undertaking repairs.

In the typical urban apartment tenancy which is usually of short duration, the landlord is generally considered to be the person having the major interest in the condition of the leased premises. It is the landlord who receives not only the rent, but also the benefit which results from improvements to the property, including repairs. It is the landlord, therefore, who ought to bear the primary responsibility to repair.

I would hope that all of the members in the House would say "amen" to those sentiments.

Therefore, under this legislation the landlord will be under an obligation to hand over the premises to the tenant in a good state of repair and fit for habitation, and to make all necessary repairs to the premises during the term of the lease so that the premises are maintained in that condition. Thus landlords will be forced to meet the relevant public health legislation and the minimum housing standards bylaws.

In addition, tenants will have the right to terminate their tenancies if, after they have given notice to their landlord, and have obtained a court order, he still fails to make the necessary repairs. Under the present law a landlord can prohibit a tenant from subletting his premises, or if he grants his tenants this right, he can reserve to himself the absolute right to veto a prospective tenant for any reason, real or imaginary, leaving the tenant no recourse.

Under the new legislation, the right to assign or sublet cannot be unreasonably withheld, and should there be any disagreement between the landlord and the tenant, then the court can consider the relevant circum-

stances for relief by either one of these two parties.

There are other much needed reforms in the legislation, but I would like to assure the House that this is not the end of the changes. This is an on-going process of change. This is only, as I understand it, an interim report, specifically relating to these matters, from people commissioned by the law reform commission.

I sincerely want to congratulate the Minister of Justice for bringing this legislation forward, and for enacting the legislation and putting into effect the very worthwhile reforms advocated in this interim report by the commission itself.

Mr. Nixon: Mr. Speaker, we regret the Minister of Justice did not include a rental review board in this bill. It has been discussed on the floor of this House many times, and we know, according to the hon. Minister of Correctional Services, that it was discussed at length in the Cabinet, at least he implied that there was some division of opinion.

I regret very much that the Cabinet did not see fit to accept this recommendation and bring forward this aspect of the bill, as we believe it would have been in the best interests of the tenants in this community, the community of Toronto, and elsewhere in the province.

As a matter of fact, we as Liberals, have seen the real need on some occasions, and in circumstances that we have experienced in recent months in Ontario, for some provisions for rent control itself.

I have been informed that the Minister of Municipal Affairs administers a statute which, if he were to make use of it in conjunction with the municipalities, would permit those areas in heavily populated urban areas to implement a form of rent control if the circumstances required it.

There is no doubt there are many areas in Ottawa, Kingston, Windsor—as my hon. friend says—and here in Toronto, where pressures on families, particularly young families, are such that it is almost impossible to give the sort of housing that would be deemed adequate by any reasonable judge.

The Minister in charge of housing has made an attempt which we have criticized sincerely and at length on this side to provide low rental housing for those in the community who have access to no other alternatives. But surely the aim of the policy of the

government should be to have an economy with apartments and housing in a modern sense that will meet the needs that can be predicted by brains that are available to the government, if not on the front benches, at least those in the administration are prepared to give this advice.

Still it is apparent that the government is not prepared to bring into legislation a rental review board, or to even make in a useful form the rent control legislation that is already available. In my view, and it has already been stated by the hon. member for Downsview, the advisory bureaus that are contained in the bill are going to be toothless wonders indeed.

The attendance of no one can be required. In many ways, these bureaus, if they are going to function at all, will be very much like the kitchen table committees that the Minister of Agriculture and Food (Mr. Stewart) uses in his expropriation procedures that he is so proud of in the way they are functioning.

We believe that a particular section of the bill is inadequate, and for that reason we would intend to bring forward an amendment when the bill comes before the committee of the House.

**Mr. Lewis:** Oh, I see.

**Mr. Nixon:** Yes, the hon. member for Scarborough West he sees, and I would say, Mr. Speaker, that we see what he intends to do, too. Their whole position in opposing the bill, or at least putting forward a reasoned amendment which I suppose lands on both sides of the issue, is so that when rents do go up and additional hardship is experienced by those people in the community that this bill is intended to help, and I believe in large measure will assist, that they will be able to say, "See, we told you. This bill is creating higher rents", and only the NDP who opposed the bill in principle will be able to take credit.

Interjections by hon. members.

**Mr. Nixon:** We have seen this sort of political hair splitting in the past. I believe that essentially it is using the democratic process, Mr. Speaker, to mislead those people that this bill deals with.

Interjections by hon. members.

**Mr. Nixon:** Now surely it is possible in this House, Mr. Speaker, to recognize value in

a bill such as this bill contains within it, and to point out that it does not contain all of the measures for assistance to those who live in rented accommodations, that it might. We will use the facilities of the democratic process that are there for all to use, and all to understand, if they choose, rather than to mislead. We will use the facilities to propose amendments which hopefully would be accepted by a reasonable administration.

We have looked at the provisions of the bill and we believe in the abolition of security deposits. We believe in the rights of tenants that are put forward in conjunction with the report of the commission that the bill is modelled on.

We believe that the availability of rent controls is already on the statutes of this province and that they should be made use of in certain particular areas that all of us are aware of and that I have mentioned already.

I have indicated to you, Mr. Speaker, that the advisory bureau, we think, is a very weak substitution for a rental review board which itself would not be tantamount to rent control, but which could be designed to impel the attendance of landlords and tenants when there is a problem that so often would occur under these circumstances.

But considering the bill, we believe the only responsible position is to support it in principle after having said that we disagree with at least one or two of the provisions. We intend to use the facilities of the democratic process to attempt to improve those bills rather than to vote against the bill, which essentially means that anyone who does so is not in favour of the abolition of security deposits—

**Mr. Singer:** Right.

**Mr. Nixon:** That they are not and the hon. leader of the NDP puts forward—

Interjections by hon. members.

**Mr. Nixon:** —a reasoned amendment which will permit him to have his cake and stuff it down his throat at the same time. I would say to you, sir, that there are bound to be misleading facts.

Interjections by hon. members.

**Mr. Nixon:** I would predict that we will all be on public platforms in this House and elsewhere when the leader of the NDP will shake his head about increasing rents and say

we could have prevented this, but the Liberals would not—

Interjections by hon. members.

**Mr. Nixon:** I put this to you, Mr. Speaker, that—

Interjections by hon. members.

**Mr. Nixon:** I would put it to you, Mr. Speaker, that the people of the province would not easily be misled because we on this side do oppose security deposits. We believe they should be outlawed.

We believe the other provisions of this bill, with the exception of the advisory bureau, are good provisions. We would have hoped that there would have been a standard lease put forward so that there would not have been all of the legal requirements necessary for any tenant who would have to retain a lawyer to have his particular lease investigated. If it were a standard lease the tenant would know that it would protect his interest and he would not have to resort to legal advice on his own behalf with all the costs that that would entail.

The hon. member for Downsview has referred to the weaknesses in the bill pertaining to sub-letting and we will refer to that when it comes to the committee stage, where it is our responsibility and our intention to improve the bill by offering amendments. But essentially the principles are as we understand it and we support these principles and for that reason we will be voting in favour of second reading of this bill.

**Mr. MacDonald:** Mr. Speaker, I shall leave my colleague, the hon. member for Lakeshore, to deal with the substance of this bill. I rise for just about a three-minute interjection. If this sounds like a little lesson in the basics of the operating of the parliamentary system—

**Mr. Nixon:** The hon. member needs a lesson maybe in the basics of politics—

**Mr. MacDonald:** —in reference to a reasoned amendment, forgive me, but obviously that is needed at the moment.

A reasoned amendment does not necessarily object to the substance of the bill.

**Mr. Nixon:** No, as long as the hon. member did not go on both sides of the issue.

**Mr. MacDonald:** A reasoned amendment points to a serious omission that must be

included in the bill, otherwise its basic principle is seriously flawed. And our contention in this instance, Mr. Speaker—no effort on the member's part is going to pervert this—

**Mr. Nixon:** It means you are voting against the abolition of security deposits.

Interjections by hon. members.

**Mr. MacDonald:** Does it not amaze you how they get disturbed? Our contention, Mr. Speaker, is that this bill is made up of one part in which there is a legal tidying up and this is done quite well.

**An hon. member:** So you vote against it.

**Mr. MacDonald:** There is a second aspect of a landlord and tenant Act—the economic aspects of it. And that is where your rent review board must come in. Without that the bill is seriously flawed.

Indeed, if you ban security deposits, the landlords have already warned they are going to put the rents up. If you have not a rent review board, you are not going to be in a position to cope with unjustified increases.

The purpose of a reasoned amendment is to say, as far as the bill goes it may, generally speaking in principle, be acceptable, but it is seriously flawed because it does not go far enough. The amendment points to where you must go further, and that is what this amendment does.

Forgive me for the little lesson in the basics of the parliamentary system. It is chiefly for the benefit of the Liberals. We thought after Middlesex South you would learn, but obviously you have not. You are like the Tories, you learn slowly.

**Mr. Lawlor:** Mr. Speaker, if I may join in the debate—

Interjections by hon. members.

**Mr. Lawlor:** This Act as it was, Mr. Speaker—just between you and I if the others want to talk among themselves—is a hoary old bird.

**Hon. S. J. Randall (Minister of Trade and Development):** The hon. member is talking about the fellow I love.

**Mr. Lawlor:** According to the length of the hon. Minister's leases, one would think so. He is going to have to set the printing press up in the backyard. His leases are about the most iniquitous and brazen of the lot, as was proved here in the House a year ago.

**Hon. Mr. Randall:** Lawyers drew it up, I was just a washing machine peddler.

**Mr. Lawlor:** Hidebound by the—

**Mr. Singer:** The hon. Minister is right.

**Mr. Lewis:** A washing machine peddler! Is that all the hon. Minister is? I have been wondering for years.

**Mr. MacDonald:** We guessed it but we are glad to have it confirmed.

**Mr. Speaker:** Order, the hon. member for Lakeshore has the floor. Let us hear him.

**Mr. Lewis:** We do not have revelations like this very often.

**Mr. Lawlor:** We must remember these wise words of self-assessment on the part of the Minister.

**Mr. Lewis:** Right. Pretty accurate.

**Mr. Lawlor:** It does not always come to that, you know, the degree of objectivity is not overpowering.

I said, this is a hoary old bird, and I meant it. It reminds me of verdigris or a blue mould under glass. As we go through section after section we will see just how anachronistic this legislation really is. And how a government that makes any pretenses of holding up its head and having any enlightenment at all, could live with this legislation, basking in the sunshine as it did for all these years, passes my imagination.

You can say that, "A Daniel" comes to judgment" and that finally the realizations have dawned, the light came on in the corridor and this is the afternoon on which it came, and then you can accolade yourself, thump yourself on the chest and say, "We have come and we are going to conquer", but it is hardly a vindication of a position taken over a period of 26 years in which you people have had power and in which this Act was not amended a single time and which inflicted innumerable wrongs upon innumerable human beings in the province. One can always, as I say, rejoice a little that finally some alleviation has come and some soothing unction has been applied. The clauses have been amended that we have cried out for in this party for many, many years now, and I will quite blatantly state that we were the first, as usual, to bring these matters to thorough review and to the attention of this assembly.

I have in my hand a press release of February 21, 1967, in which a ten-point fair

human rights code for apartment dwellers and tenants as a whole was set forth, after perusal by our legal caucus, and presented through this caucus to this House.

**Hon. A. F. Lawrence:** What was the date of that? It was after my speeches.

**Mr. Lawlor:** That gave the hon. Minister his fillip; it gave him the initial impetus by which he then took up the cause. He has a glint in his eye, late in the afternoon sometimes, when we come forward with good recommendations, except of course in his own field, which is mining, where he is totally obtuse.

**Hon. A. F. Lawrence:** Flattery will get you nowhere.

**Mr. Lawlor:** Some of these recommendations coming before us here this afternoon, Mr. Speaker, are not yet law and I would like to hear the Attorney General's comments, either here or in committee, as to why they have been omitted. They have not been embodied in this legislation even as they have been promoted and put forward by the commission. We will come to several heads in just a moment. We called it number one—the abolition of security deposits. It is less than intellectually honest on the part of the leader of the Opposition to stand up and make that ostrich-like dance that he does on occasion—

Interjections by hon. members.

**Mr. Lawlor:** —like some unbending crane, in placing in our mouths and in our minds what he knows is quite a traducing of a position we have taken for years almost *ad nauseam*, in this House. Having heard it so often, he begins to repeat it himself, Mr. Speaker. That is the general position of the temporizing Liberal Party in most issues.

**Mr. Lewis:** This is very consistent.

**Mr. Lawlor:** We wanted a rental and tenancy review board at that time and we still want it and we want it so badly that we are prepared to fight for it. The role of the Opposition, as I see it in this House, is not to temporize, not to fence-sit, not to mollycoddle, not to say we are willing to take half a loaf rather than none.

**Mr. MacDonald:** The crumbs from the Tory table.

**Mr. Lawlor:** Our job is to be Opposition people. To tell you when you are wrong;

to demand the full loaf. We want the full loaf on this occasion and if—

Mr. Nixon: So you are going to vote against the abolition of the security deposits? I hope the constituents in Lakeshore riding like that.

Mr. Lawlor: If you are not prepared to do that then so much the worse.

Interjections by hon. members.

Mr. Lawlor: But to be a half-hearted, venal Opposition and unable to rise to the occasion on pieces of legislation, time after time. Of course, the one that comes mostly to mind is Medicare. I mean you were certainly caught with your socks down that time.

Interjections by hon. members.

Hon. Mr. Randall: That is not the way I heard it.

Mr. Lawlor: I predict a similar situation this afternoon.

Interjections by hon. members.

Mr. Lawlor: Do you never learn? If you just take your lead from us, we will take you into the vestibule or into the promised land.

Mr. C. G. Pilkey (Oshawa): The 21st century at least.

Mr. Lawlor: They wanted a standard form of lease. The legislation here does not call for a standard form precisely; it says that a lease as drawn will be good; this is a good move. It is not world-shattering.

Mr. Nixon: Vote against it.

Mr. Lawlor: It is not Mount Parnassus throwing up volcanic ash or anything like that. It is a little flower growing in a distant field. He has said that the landlord must give the tenant a copy, an executed copy, of the lease.

Hon. Mr. Randall: It is all in the book.

Mr. Lawlor: You do not have to get down on your knees in those circumstances like the Liberals do and begin to adore the false gods. It is only a little flower. It is not even an orchid, for heaven's sake.

Hon. Mr. Randall: Give him another pitchfork!

Mr. Lewis: It must be nice to have an extra supporting group in this House.

Mr. Lawlor: There is a clause and this is on the business of outlawing all clauses in leases restricting tenants' rights to purchase milk, bread, other foodstuffs and personal services from the merchant of his choice; your law reform commission made recommendations under this head.

You have chosen to ignore them; I do not think you should. This is a fairly iniquitous practice. Whether it is the owner of the apartment house who is getting a rake-off or a cut-back because he gives certain concessions to a certain bread company or milk company or whatever peddler it may happen to be, this is inconvenient to him, too; or whether it is the superintendents that are carrying out these things to supplement their incomes. Lord help us, in most cases they are low enough for superintendents of apartment houses. Whether this a gratuity which they expect to receive over and above any other moneys they may get; there is a desire to preserve this sort of thing in either of those instances. The thing is venal and should be stopped. It is questionable and I wonder why you have not embodied in the legislation something prohibiting this particular practice which is very widespread.

Of course, it acts detrimentally, as we all know, to the tenants in the apartment house because in giving this privilege, the amount that is charged to the tenant who purchases that service, can be expected to be greater than what he would get from a competitive market. He pays more for it.

Therefore, you are penalizing tenants by permitting the practice to continue and giving it affirmation by refusing to alter it. In legislation, that is the way things are. If you do not do something, it is as much a positive act as if you did.

Mr. Lewis: That is why we are opposing this.

Mr. Lawlor: There is also the business of the landlord charging tenants for extra occupants. This is a fairly widespread practice, too. I suppose the Attorney General could argue under that head, "The parties themselves can provide for that eventuality in their leases". But very often it happens that strangers or visitors or kinfolk drop in and the landlords then approach them and say, "If they are going to stay here for a day or two they are going to pay me for the accommodation". There is nothing in the lease and it can be quite heavy and exorbitant.



I am not going to run through all the magnificent ten decaloguish categories which we gave almost three years ago now. They have come to pass not even in totality this afternoon; by no means, although we may revert to that.

What I want to do at the moment is to question the Attorney General in principle on—

**Mr. Speaker:** Perhaps if the hon. member is now about to start on his main criticism of the bill, he might adjourn the debate.

**Mr. Lawlor:** I thought I did that.

**Mr. MacDonald:** That is what you call a floral prelude!

**Mr. Lawlor:** I thought I would talk with great rapidity and get my second minor point over with before I came to the third minor point.

**Mr. Lawlor** moves the adjournment of the debate.

Motion agreed to.

It being 6.00 o'clock p.m., the House took recess.









# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 2, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 2, 1969

The House resumed at 8 o'clock, p.m.

## CONCURRENCE IN SUPPLY, DEPARTMENT OF EDUCATION

**Mr. Speaker:** The question this evening is for concurrence in the report of the committee of supply on The Department of Education. Is it the pleasure of the Minister to open the debate and close it, or just to close it?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I thought I would just close the debate tonight.

**Mr. J. R. Smith (Hamilton Mountain):** Mr. Speaker, as the newly appointed chairman of the education and university affairs committee, I would like to say a few impromptu remarks regarding the proceedings of this particular group.

Firstly, I would like to commend and offer my appreciation to the members of that committee who so faithfully attended the meetings and participated in the dialogue that ensued. I think that a great deal of satisfaction was gained by those members who were also members of the select committee this summer on House rules and procedure to see some of their recommendations taking shape in action while this committee was studying the estimates.

Perhaps, if you looked over the roster of the members of this committee, you would soon discover that at last the teachers of this province have perhaps gained equal rank with the lawyers who are members of this House, and are more or less going from strength to strength in this committee.

Mr. Speaker, one of the really progressive things that happened at this committee level was the fact that we now had an opportunity to sit down and question and establish a dialogue, not only between the members of the committee and the Minister, but between the members and the selected senior civil servants of the various branches of this department. I think that the members were faithful in their attendance and got into this programme very well.

In fact, one of the best discussions that ensued during the committee hearings, was a topic surrounding OISE. For many of us who were unfamiliar with the programmes OISE, we certainly became fully conscious of its existence and the many problems and the programmes that they are undertaking.

While we might not be in agreement over all the things that were said, nevertheless, I think the members for the first time in this committee had an opportunity to learn a great deal that they otherwise might not have found out.

I would also like to thank the technical people connected with this committee who gave tremendous assistance, not only from the *Hansard* people, but also the people in charge of the audio system.

Now, Mr. Speaker, one of the greatest blocks of time was spent with OISE and educational television in the province, and I am somewhat concerned about the fact that perhaps some of the research findings of OISE are not being disseminated to the teaching profession and other education bodies in the province of Ontario as well as they should be.

Many things we discovered are being researched and documented, but perhaps a lot of these findings are not getting down to the classroom teachers. I was surprised that the educational programmes for our gifted children were not discussed.

We live in an age, Mr. Speaker, of various pressure groups and associations. It is a sort of "in thing" to have your own organization. Almost every professional, every minority group, almost every special interest group has their own professional organization, or society.

I think this is one of the reasons we have seen such remarkable progress in the province of Ontario. We saw work that was initiated through the parents of retarded children, the stage where they were eventually recognized and incorporated into the public school system of this province. Of recent years we have had parents' action groups for the emotionally disturbed and the perceptually handicapped and so on. But perhaps one of the

groups that has really no voice, organized voice, that is, is that of the parents of the gifted children of this province.

It is with this particular group of our school community that much of our destiny lies. I think that as we move forward into a programme in this province of more open-ended systems where children are allowed to select individual study programmes, there is a tremendous challenge opening up for these involved with the teaching of the gifted child, whether it is in the elementary or the secondary school system.

I know in the city of Hamilton, ten or so years ago, they initiated a programme of enrichment classes in grades 7 and 8, and this has been advanced now into special individual programmes for these children when they graduate into the secondary school system.

However, this is not enough, and I know a great deal of the enthusiasm which at first came with this new interest is beginning to wane. Many of the people involved with initiating the project have become involved with other special areas of education, because many of them, of course, are the leaders in the teaching profession, always ready to accept new challenges and open up new programmes.

I think, Mr. Speaker, one of the challenges in our new school system is the open-ended concept in education and, of course, tied to this is the greater need for better libraries. Now, those of us in my generation, when we return back to the schools, the one thing we notice is the change in the research and audio-visual and library facilities.

Today the children use multi-media loops, sophisticated reading lists; they use documents and clipping services in their new research facilities. Perhaps this is one area where we are going to have to spend a great deal of money providing the resources for the children involved in these programmes to be able to develop their own individual programmes.

Mr. Speaker, I know there are a great number wishing to participate in this debate and there are so many things you could discuss under these estimates, I will conclude.

Mr. T. Reid (Scarborough East): Mr. Speaker, I would like to touch on two areas in these remarks.

We did, indeed, have a very full discussion of some of the issues involved in education and educational finance in this province in the standing committee, and I would like to say that the vice-chairman, now promoted to chairman, did a first-class job of chairing that

committee and making it possible for a meaningful debate to go on, although I did wonder, Mr. Speaker, why the Minister was allowed to sit down when he spoke and why the members of the Opposition had to stand up when they wanted to speak.

Hon. Mr. Davis: Strictly a technical difference.

Mr. T. Reid: Yes, technical I—

An hon. member: He had a bad back and the doctor said rest.

Mr. T. Reid: Well, if he had a bad back that is all right.

An hon. member: Do not let it get to your head.

Mr. T. Reid: I recommend to the chairman that in terms of equity perhaps next year the Minister should have to stand up when he wants to speak and the Opposition members will be able to sit down and heckle him from their seats.

Mr. D. C. MacDonald (York South): I would just as soon stand up when I am talking to a Minister.

Mr. W. G. Pitman (Peterborough): You can move faster that way.

Mr. E. R. Good (Waterloo North): You can talk down to him then.

Mr. T. Reid: But, Mr. Speaker, I would like to inform the Minister that in March, 1969, I sent a series of comprehensive educational questionnaires to random sample groups of parents, trustees, principals and teachers across the province. I got the addresses of the parents, for example, from telephone books on a random basis and so it was not a cooked sample.

Each group was further broken down into urban, small town and rural with the educators further divided into public and separate, elementary and secondary, and I put into my opening statement on the questionnaire the following statements:

Does government know what you think and feel about education? I need your help in making your views known in the Ontario Legislature. Answer and comment on these questions and mail back to me, etc. No need to tell me your name.

Hon. Mr. Davis: I nearly sent you my reply—



Mr. MacDonald: How many Ministers did you send it to?

Mr. T. Reid: Well, I do not know, it was probably somewhere in Peel County in those rolling hills of Conservative pastoral splendor. The Minister found one in the cow pasture.

The point is, Mr. Speaker, that these questionnaires were sent back unsigned and they were very, very helpful in helping me to understand the views of many people in this province. I would like to table with *Hansard* the report I have here and to have it reproduced in *Hansard* as an appendage rather than read the entire results, if that is all right. (See Appendix).

I would like to say a few things about the replies I had to this questionnaire. There were 300 questionnaires sent to parents across this province and between 12 and 13 per cent replied in full. (There were 50 questionnaires sent to school trustees and only six replied. There were 40 sent to principals of schools in this province and there was only one reply. There were 17 sent to teachers in this province and only three replied. The total number of questionnaires mailed out was 460. There were 47 replies, that is a 10 per cent return.

The only replies I considered significant in a quantitative sense are those from parents and I would like to pass on to the Minister some of the views expressed to me by the parents of children in the schools in this province.

I maintain this government, and this department in particular, is very much out of touch with the thinking of the people of this province, particularly the parents of the children in our school system. I will report these replies without imposing my own value judgment or interpretation on them:

With regard to corporal punishment, there was a real split in the replies from parents. It was a 50-50 split, but it is interesting to note there was a very definite correlation between income level and degree of opposition. That is to say, Mr. Speaker, the higher the income level of the parents and the more detailed the replies to this question, the stronger the opposition to the use of corporal punishment. Conversely, the lower the income category and the more sketchy the reply, the stronger the support for the continuation of corporal punishment in the schools.

On special education I found the wording of the special education question may have been ambiguous because most respondents appeared to think the question related only to physically handicapped children, so I am not

too sure just what the results mean in this. But there was an overwhelming consensus among all the respondents that parents did not know what facilities were available to them.

In other words, there seems to be, as we discussed in the committee, a gap in understanding between the facilities that to a large extent are made available through the Minister's department in financial incentives and so forth, at the local level, local school board level, and the knowledge that parents have of those facilities.

On oral French, ninety per cent were in favour of early, that is Grade 3 oral French. The remaining ten per cent were opposed to the teaching of French in principle.

On educational television, we again see the information gap between what we in this House know, particularly the Minister and the Opposition members who are charged with the responsibility of constructively criticizing his department, there is a gap between our knowledge and the knowledge of parents in this province about the question of educational television.

About 40 per cent of the respondents knew nothing about ETV, but still had positive feelings about their children being taught in such a way because of the way they, the children, react to ordinary television. The remaining 60 per cent, with only three exceptions, were completely in favour of ETV so long as the teachers know how to use it. I find that quite interesting because there is an indication here that we should be perhaps sponsoring, through the Minister's department, teacher-training of a very special sort—the use of audio-visual equipment in the schools themselves.

The questionnaire which I sent out asked them about weaknesses in the education system in this province and I will pass on to the Minister at this time only a few of those comments. There was general agreement by the parents that the quality of teaching could and should be improved through better teacher training. Related to this view, in the question asked about the job done by their own children's teachers, there is generally a feeling, about 75 per cent, that the teachers' work was being satisfactorily done.

The blame for inadequate teaching was generally placed on poor teacher training. I think, as the hon. member for Peterborough has said on many occasions, one of the key issues in Ontario's education system is the question of teacher training at both the secondary and elementary school level. When

asked about the parent-teacher association, 90 per cent of the parents said they were useless.

I think the Minister should recognize this because he has often stated in this House and elsewhere, Mr. Speaker, that the parent-teachers associations should have a stronger role in the formulation of policies in our schools. When I asked about student demonstrations, the parents were about 65 per cent in favour of these so long as there was no actual damage. The other 35 per cent were uniformly opposed. On sex education or family life education—I found this quite interesting—60 per cent favoured the introduction of this in the fourth grade; 25 per cent to teen-agers and 15 per cent not at all, in the school system.

Finally, Mr. Speaker, on this aspect of my remarks, when asked how the system could be improved, 60 per cent of the parents who replied felt that there was room for improvement, again, mainly in the area of teacher training. Well, I will not go into any further detail on the replies, Mr. Speaker, but I think that if there is anything that emerges from the feeling of the parents—and I accept it as a proper random distribution—my interpretation in the House, a proper objective interpretation, is that the parents feel that somehow or other, a lot more could be done through teacher education to improve the education of their children in the school system.

I think there are two possible conclusions from this. One, we can assume that they are good observers of the school system and, on that assumption, the fact emerges that they feel that teacher training in this province could be much better than it is. Secondly, we can make an opposite assumption that they are misinformed about the education their children are getting and the teaching that the children are getting in the schools.

If we make that assumption, the conclusion is that parents are misinformed about the education system and therefore more must be done under the leadership of the Minister, and this government, to communicate more meaningfully with the parents about what is happening in the school system. I shall leave that aspect of my remarks, Mr. Speaker, and turn to the second aspect.

It has to do with the poverty cycle in this province, which affects at least one in five families and more than one in five children in this province. I return to this theme because I maintain that in addition to the alienation of parents from the school system, as I inter-

pret it from the answers to the questionnaire I sent out, there is a deeper social problem centering around the question of who benefits from the education system in Ontario.

I would like to begin my remarks in this area by quoting a new source to the Minister. It is a paper prepared by Professor D. L. McQueen who is now professor of economics at Glendon College at York University and who was formerly the vice-chairman of the Economic Council of Canada and instrumental in the last two annual reports of the council which centred to a great extent on the issues of poverty in our society. This is the first time, to my knowledge, that David McQueen has made his views known in public on the issue of poverty in Canada and also in Ontario.

**Mr. S. Lewis (Scarborough West):** It is about time they grasped this.

**Mr. T. Reid:** Yes, I am getting tired of it too.

I would like to quote a few very select sections from Professor McQueen's paper to the Provincial Council of Women of Ontario from a speech he made in Toronto on November 19, 1969. I would like to put this right in the record to try to hammer them home even more to the Minister. These are the remarks of David McQueen, Mr. Chairman, and I think they are very succinct and very relevant to the issue of poverty in Ontario and it is about time we got off our something or other and pursued public policies in this province that are designed to break the cycle of poverty as opposed to perpetuating it.

Professor McQueen says this:

There is no panacea for poverty and we have much still to learn but enough is known to justify more action than we are now undertaking.

Of course, he is referring to the federal government as well as to the provincial government. Professor McQueen continues:

While the poor lack many things, their most fundamental lack is one of opportunity, of the liberty to exercise meaningful choices in our economy and in our society. If they had that liberty in ample measure, then today they, or at any rate their children, would themselves perform the greater part of the job of lifting themselves out of poverty.

David McQueen then goes on to comment on the Economic Council of Canada's review and he says the review said a number of things about poverty in Canada. These are things

with which many members of this group will be familiar. For example, there is the statement about the persistence of widespread poverty at a time when the bulk of Canadians enjoy one of the highest standards of living in the world. This is a disgrace.

I say to the Minister and to his Cabinet colleagues that it is a disgrace that after over a quarter of century of government in this province, there is still widespread and deep poverty in this province.

**Mr. Lewis:** Poverty in thought as well as in means.

**Mr. T. Reid:** Professor McQueen states, Mr. Speaker:

Poverty in Canada is widespread and ubiquitous. It is not always readily visible. It is among us here in Toronto and other large cities, and not just tucked away in Indian reservations and the less savoured parts of the Atlantic provinces and eastern Quebec. And it is here in otherwise prosperous urban Canada in significant amounts.

Then he notes, in terms of the solutions that governments traditionally have tried to defeat poverty, a number of very interesting points, one of which is this, and I quote:

We have here in Canada a major problem, one which the so-to-speak natural expanse of forces of the economy is not eliminating fast enough.

So ends the myth that economic growth can abolish poverty in urban Ontario and urban Canada.

Professor McQueen says, and I would like to drive this home to the Minister:

A large proportion of our poor live in Toronto and the other localities not normally in the target-zone of programmes to help disfavoured regions.

If the Minister would read his speech he would find that David McQueen is really hitting the federal government, as I hit the federal government, in assuming that the department under Minister Marchand, concerned with regional disparity, can do very much for poverty in this province.

Mr. Speaker, the former vice-chairman of the Economic Council of Canada quotes James Tobin, a U.S. professor of economics, under whom, by the way, I studied at Yale. I am not worried, I am so much a Canadian national that I can never be Americanized.

James Tobin says this and it applies to this country as well as to the United States:

Inequality of condition means inequality of opportunity. Poverty and inequality perpetuate themselves in children whose capacities and motivations to learn are impaired perhaps by physical handicap due to malnutrition or inadequate medical care before or after birth; perhaps by intellectually and culturally deprived homes and neighbourhoods. Improvement in the conditions under which children are born and raised would increase, not diminish, their earning capacity as adults.

Now, I say simply that if this government really wanted to do something to intervene in the cycle of poverty, they could turn many taxeaters into taxpayers over the next 15 years.

Then Professor McQueen notes that the guaranteed minimum income will not be a cure for poverty. He breaks another myth that is receiving widespread acceptance in Canada. He says, "Only to a limited extent will it deal with causes".

So let us get that fact straight in this province. The guaranteed minimum income cannot really break the cycle of poverty. It is really another maintenance type of welfare programme, a necessary one, one that would be fair and less inequitable, but basically is not designed to be a programme of intervention in the cycle of poverty.

Mr. Speaker, I could quote further from Professor McQueen's remarks on this issue, but the point comes down to this. The Minister is aware of my thoughts on this; if we are going to intervene in the cycle of poverty, we must have educational programmes for the children of the poor.

If we are going to do that, then this provincial government under the Minister of Education's leadership, whoever he might be, must take an active leadership role in promoting those types of programmes.

It is no longer enough to have the grant structure under which this province makes its grants to the local school boards, starting only at kindergarten. There must be special grants to school boards who want to involve themselves in programmes of education for children from the inner city and from the rural slum areas of this province.

Not only must there be financial assistance, there must be a teacher training programme for the inner city schools, train sensitized Cabbage Town street workers. It is no longer enough to have a teacher tucked away in a school. The teachers must come on to the street, the teachers must go into those apartment buildings and teach. I submit, Mr.

Speaker, that the Minister has not realized the consequences of sitting back and doing very little about this issue.

The Minister made one point, Mr. Speaker, in the debate on the estimate before us; he proudly pointed out that 47.7 per cent of the students now at university were from homes where the family income was \$8,000 or less.

I say to the Minister, so what? 85 per cent of the families in this province have incomes of \$8,000 or less. And I say that is inequitable and not fair, when 85 per cent of the families have \$8,000 or less and their children account for less than half the children in the university.

To put it another way, children of the 15 per cent of the wealthy families in this province with incomes over \$8,000, account for over 52 per cent of those children in the universities. That is inequality, and that is wrong.

Mr. Speaker, with those remarks, I move, seconded by the leader of the Opposition, that this House regrets the Minister has not given more serious attention to providing effective early childhood learning opportunities in the formal education system of the province to the children of the poor to enable most of them to perform the greater part of the job of lifting themselves out of poverty over the next 15 years.

Mr. Lewis: Another regretful Liberal motion that has no policy, no—

Mr. R. F. Nixon (Leader of the Opposition): You may have an opportunity to comment on it briefly in a moment.

Mr. Lewis: They are a branch of that government party.

Mr. Speaker: Order, please. In amendment to the concurrence motion, Mr. T. Reid, Scarborough East, moves, seconded by Mr. Nixon, that this House regrets that the Minister has not given more serious attention to providing effective early childhood learning opportunities in the formal education system of the province to the children of the poor to enable most of them to perform the greater part of the job of lifting themselves out of poverty over the next 15 years.

Mr. M. Makarchuk (Brantford): That is not a motion, that is a fraternal greeting.

Mr. Speaker: The hon. member for Peterborough now has the floor.

Mr. Pitman: Thank you, Mr. Speaker. I suppose that I should indicate also, my concurrence with the feelings of the member for Scarborough East and the chairman of the committee, the member for Hamilton Mountain.

Mr. Nixon: That would be a wise thing to do; let us look into the future.

Mr. Pitman: The use of the committee is, indeed, a far more effective way of dealing with the estimates of The Department of Education, than dealing with them in this House can possibly be, and one can only hope that next year we may also bring the estimates of The Department of University Affairs into that forum as well.

Hon. Mr. Davis: Thank you very much.

Mr. Pitman: Because I think, in all fairness, we had a confrontation there which certainly was of far greater use than anything we have accomplished so far. If I was to characterize my comments tonight, and give them a title, I suppose I would say I would like to talk a little bit about goals and gold, or perhaps to put it more in the vernacular, direction and 'dough'.

Mr. Speaker, I do not intend to cover the estimates of this department item by item in my opening remarks nor do I intend to re-debate the various issues which came before this committee and which aroused some contention and some confrontation. Rather, I think this is the opportunity to set down on a broad canvas the position of this party in the Legislature of Ontario in the matters affecting the education of young people in our society today.

There is a crisis in education—not just a provincial crisis, not just a national crisis, indeed, it is a world crisis. For the past decade there has been an uncritical worship of education as the panacea which will bring an end to war, to solve the social ills, expand the economy and generally give the good life to all. Indeed, some social critics have declared that education or annihilation are the alternatives in this troubled world.

But the irony is, Mr. Speaker, that we can have both education and annihilation. In fact, how ironic that the nation which has provided its young with more education than any other state in history, in the same year can put a man on the moon and yet be the bearers of slaughter and inhumanity in a jungle in south-east Asia, and can, indeed, commit atrocities which would make Ghengis Khan wince. How ironic that a nation that has hallowed liberal

education should be able to create the highest standard of living, and yet be so incapable of distributing its wealth that some of its citizens, too many of them, black in colour, live at the level of a Hindu outcast in Calcutta.

How ironic that a nation which has mouthed the words of equality and individuality in its educational philosophy, should now be questioning whether it has lost its soul in an urban technological madness. And so today, that nation considers what it is spending in the name of education.

In a strange "gut" way, the people of Ontario are questioning the explosion in expenditures and activity all in the name of education. Unless we do something in this jurisdiction, I am afraid the worship will turn to disdain and cynicism. During this period of expansion, we have acted as though any expenditure in the name of education was good and worthwhile. Citizens are wondering to what extent the rising cost of education can be tolerated, as long as it appears that decisions are made which are completely uncritical. The argument that money spent on education will be repaid with interest, that, indeed, all educational spending is an investment, will simply no longer hold water. We are realizing slowly that all spending on education is not necessarily going to produce growth of any kind.

We are realizing that all spending on education does not provide individual growth, does not encourage tolerance, wisdom, or many of the other worthwhile attributes. In other words, it is the position of this party that it is time that The Department of Education in the province of Ontario not only examined its aims and objectives, but its actions and its expenditures. There is a plethora of foggy, ill-conceived, jargon-filled platitudinizing, which takes the place of hard thinking. The Minister's report and its philosophic exposition—to coin a phrase of Stephen Leacock's on this the one hundredth anniversary of his birth—leaps on its horse and races off in all directions. Because this department will not define and refine its intellectual base, its treatment of various programmes is equally vague.

Taken one by one, and I think this is the feeling of those who sat on this committee, taken one by one as the people appeared before us and we questioned them, and as we examined the estimates, the work going on in each of these sections was found worthwhile. ETV, many accomplishments, but no philosophy of what it is expected to do.

Teacher training—a number of interesting experiments in the direction of a more meaningful experience to those who are involved, but so far removed from the realities of the educational experience in Ontario.

One could go on. Taken one by one, we saw many people of talent and goodwill doing their 'thing', with dedication, but taken as a whole it becomes a great amorphous collection of activities with little direction or purpose. The budget goes up, the activity continues, and the taxpayer stands open-mouthed.

The revolt will come, and unless this department sets up goals and establishes priorities, education itself will suffer. The great problem is that we add, but we rarely subtract. We never dismantle, we pile on. Rarely does a programme phase out, it is simply supplemented. This comes once again of a total inability to define direction. We hold on to all we are doing so that we cannot be faulted for changing too quickly, and at the same time we tinker with the system for fear of being accused of being out of date.

I was very interested, Mr. Speaker, to read an article by a man called Peter Drucker. It is called "The Sickness of Government" and I would hope, some time, perhaps all members of the House might take it upon themselves to get this publication out of the library, it is called *The Public Interest*, Winter, 1969. The article is called "Sickness of Government" and this is a general tendency which the author talks about here and I quote:

There is mounting evidence that government is big rather than strong.

I wonder what department is big rather than strong.

That it is fat and flabby rather than powerful, that it costs a great deal to build but does not achieve much. There is mounting evidence also, the citizen less and less believes in government and is increasingly disenchanted with it. Indeed government is sick, and just at the time when we need a strong, healthy vigorous government.

I will skip a page or two and go on:

The inability of government to abandon anything is not limited to the economic sphere.

He goes on to examine the military draft in the United States.

No one defends our present system and yet we extend it year after year on a temporary basis. The same inability to abandon

applies to research projects supported by government. It holds true as soon as government supports the arts. Every beneficiary of a government programme immediately becomes a constituent. He immediately organizes himself for effective, political action for pressure on the decision-maker. All institutions, of course, find it hard to abandon yesterday's task and stop doing the unproductive. All man's institutions, and for that matter all men, are committed to what they are used to and reluctant to accept that it no longer needs doing or that it has not produced results. But government is under far greater pressure to cling to yesterday than any other institution, indeed, the typical response of government to the failure of activity is to double its budget and its staff.

Well, perhaps the whole process is best characterized by what has happened to the Hall-Dennis report on Aims and Objectives of Education in The Province of Ontario. Here was a massive effort to give direction. But the Hall-Dennis report has not become a medium for establishing provincial goals, it has become a target.

The Minister has initiated an endless debate but has failed to structure any result. Mr. Dennis tramped the province, with great merit; committee members attended countless meetings. One must admit that the report became a focus of much of the debate on education for the last 16 months. But for what purpose, Mr. Speaker?

Now, one only has to mention the Hall-Dennis and teachers groan and principals fly for cover. Its main use today is that of justifying almost any change in the curriculum or timetable, often uncritically and with virtually no recognition of the implications.

All of us would recognize that one does not have to put into motion 263 of the recommendations of this report to make real changes in the educational system of Ontario. But the fact is that single recommendations are being implemented without recognizing all the implications which extend around that particular innovation. Often the changes which are being justified began before the report was presented, or it is blamed for every failing of the school system and particularly the department of all the young people in general.

For new levels of non sequitur, one has only to listen to people who blame Hall-Dennis for the behaviour of young people

who were out of school before the report was even written. Surely, what we must have now is a structure for bringing the Hall-Dennis report before teachers' federations, for their views, written and put into some sort of form which can be dealt with.

The same, too, with other organizations, home and school, indeed the community as a whole as far as we can, within that organization with a purpose of finding a direction for education in this province of Ontario.

We cannot simply leave the report as some kind of intellectual battleground for reformers and reactionaries for the next decade or so. I repeat, unless some goals are forthcoming, unless some priorities are established on the basis of these goals, we are in trouble.

As I have said before, I think this revolt is coming and it will strike those areas most accessible and most vulnerable, largely at the school board level and, unfortunately, largely on the early years of elementary education, the cuts will be made.

Or, services to mentally retarded and emotionally disturbed children or to professional development and redevelopment of teachers. These priorities, if not established by the Minister, will be established by someone else, perhaps the taxpayers, perhaps the noisiest and least wise of those taxpayers. I suggest this revolt, the next revolt, will not be over peripheral matters such as trips to Hawaii and some rather lavish farewells to exalted educational administrators. It will be a revolt of the disillusioned, the crashing down of the misplaced trust in those who have been responsible for educational leadership in this province.

The Minister is quite aware of the nature and extent of the financial crisis, one only has to quote the Provincial Treasurer:

This year, the total school budget was \$1.9 billion and the potential increase to \$3.4 billion in four years represents the total amount of the anticipated increase in the province's revenue during the same four-year period. In other words, if education costs were allowed to increase at their present rate, there would be no new revenue left for the required expansion and maintenance of all other programmes.

And, Mr. Speaker, we are not willing to countenance the cutting back of health programmes, we are not willing to countenance the cutting back in The Department of Social and Family Services. We think there are priorities here which have some validity and we wonder about the way in which costs are going.

One looks at the extensions, the projections by Dr. Cecily Watson, OISE from 1956 to 1966. There is a 318 per cent increase yearly in school expenditure in those ten years. The projected increase from 1966 to 1978 is 270 per cent.

One looks in terms of money—in 1956, a budget of \$263 million which by 1966 had become \$1,101,000,000. By 1971, projected, \$2,182,000,000.

By 1976, \$3 billion—\$3.5 billion virtually—and by 1978, \$4,000,073,000. This is what the taxpayers of this province look somewhat aghast at.

Perhaps the financial crisis will be our salvation? When money could be spent without justification, one could go in all directions, uncritically, but now this gate is being closed, there must be priorities set and directions chosen consciously, recognizing the full implications of every section.

Without these goals and priorities in spending, our examination of the estimates of this department borders on the ludicrous. As I say, each section of this department comes before the committee, with its own role and responsibility, yet it is when one tries to fit them all together that the problem arises.

For example, OISE, as the member for Hamilton Mountain has mentioned, has already established itself as an institution of some merit in research and graduate studies. Within the lines of its role as part of the school of graduate studies of the University of Toronto, it is justifying the many millions of dollars that have been spent. But it has failed to define its role in relation to the total thrust of education across the whole province.

Much of its research is irrelevant, fragmentary and of little value except as a stepping stone to the academic who is concerned. The institution has failed to be of influence on either of the great developments of the past two years—the Hall-Dennis report or the organization of county boards of education. It is almost totally insensitive to the feelings of teachers and administrators who feel it is failing them. In an age of greater participation it has to be dragged into realizing that its own students must be allowed an opportunity to be of influence.

I will not even bother to comment on the Americanization of the institution. Alone, it justifies itself. As a part of any pattern of provincial development, it fails and it fails miserably.

The ETV branch is a gem in the Minister's crown. It produces first-class material, it wins

awards in the United States. Could anyone have a greater justification for worth, than that? But if one looks to see what total role it is playing in Ontario, one soon realizes that few students, particularly the secondary schools, ever see the programmes. That, we hope, will be remedied with channel 19 and the development of local ETV groupings.

This, along with a sensible grant policy toward the acquisition of necessary hardware, will at least put the picture on the tube in front of the children. But where is there any definitive definition of the role of ETV as it relates to all the other activities of the department? To what extent is it related to what is going on in the curriculum branch affecting drastic changes in courses or building bridges between established disciplines? How is it relating to the individualization of education experience? We fail to get much of an answer.

Another activity, heavily costed, is added. On and on the story goes. The teachers' colleges are being placed in universities, for what purpose? Well obviously to put more students—mature, knowledgeable teachers—in our classrooms. In itself, a worthwhile direction but how will the university experience make these young people more compassionate, more understanding, more tolerant?

What courses in the psychology department would be of most use and in the history department and the philosophy department? Does the Minister think the university, where teacher education is certainly a peripheral aspect of its concern, is making a total effort to work this out? Will the creation of a local committee be enough to give this important development its proper place? I doubt it.

This is where there should be a total reaction on the part of teachers who are so concerned about teacher education and have been for decades; once again a crucial activity but totally unrelated to the entire pattern.

If the Minister will decide on some goals, we might be able to decide priorities, dismantle existing structures and organize ourselves to carry them out. We might also trim off some of the fat. This is what we have to do.

Well, what are we doing? More, I suggest that if the goals include individualizing the educational experience for every child—if it includes equality of educational opportunity for all—then certain directions are obvious.

It means we cannot simply raise, for example, the teacher-pupil ratio as a means of cutting costs. But surely there are other

alternatives which do correspond to these kinds of goals and do save money.

We have not begun to make an effective use of human resources—and this is where the crunch is—as the Minister well knows, it is not in the area of buildings and hardware. Buildings are a small part of the total cost of education. We have not realized that the teaching task can be broken down into clerical routines, classroom activities that much less trained and lower-paid personnel—teacher aides, teacher-assistants—could perform.

We have not even begun to scratch the surface of the use of parent volunteers. And we must do this if we are going to control costs.

However, before we can make that kind of a thrust, we have to change the role of teachers, from simply being “help” to being participants in the process. This means restructuring the school from the captain-crew attitude to a more democratic pattern. It means bringing teachers in at the board level to discuss objectives. They must see for themselves the cost factor and be willing to deal with it.

The other direction, I suggest, Mr. Speaker, means disaster. Now 14,000 British teachers are on strike; Hamilton teachers have handed in their resignations; in Bruce county I understand teachers have handed their resignations in; two of these jurisdictions are now pink listed. We have seen strikes in Quebec, we have seen strikes in New York. I understand, Mr. Speaker, that very recently New York has brought in men to organize these strikes up in Ontario—perhaps for obvious reasons. Surely our priorities demand that good teachers and good teaching conditions can alone give the quality of education we desire.

But with no aims, with no priorities, with no strategy to cut costs where priorities do not exist, the annual bargaining of teacher and board becomes the most obvious place to cut the budget.

Surely it is time to foster a different role. As participants in the process let us stop the platitudes of team work *et al* and give teachers some power on advisory boards, which have some influence, as well as a restructuring of the school. This way, schools could be run by the committee approach rather than by the power of the principal dribbling down to the bottom, where the teachers will have little influence.

When we are talking about industrial democracy, it is ironic that in 1969 teachers feel they have less voice than ever before.

Perhaps it is just the whole problem of bigness, in the very jurisdictions that have been created.

However, certainly what we have at present, the atmosphere that I feel about need in the province is of a union-management confrontation which is about to take place in this province. We must bring teachers in to discuss basic objectives and not simply to carry out the decisions that have been made at the board level.

I doubt if greater individualization is possible unless education becomes a community effort, indeed the return of education to family influence is perhaps the only hope. That is what I mean by bringing parents into the schools to play a role; we can cut costs by doing this. In other words, parents must be encouraged to help in the school setting. Along with this and hand in hand, parents must also be encouraged to participate in the decisions which affect them and their children.

I think costs can be controlled and cut down, but it demands a total commitment to democratization and participation in the schools of Ontario.

There are even more opportunities in the use of students. I notice York University is providing student tutors in some of the high schools. Glendon College, for example, is providing a “buddy” system where an individual from first or second year in Glendon College is going out and offering himself as a “buddy” student in Grade 10—in low-income families incidentally—an approach which I think the member for Scarborough East might be interested in.

Why not a programme to make use of Grade 13 students to help Grade nine and ten students? If a goal of education is that of producing young people who recognize their social responsibility and have compassion, what better opportunity than that kind of activity?

Here, again, it must go hand in hand with the right to participate in the governing activities of the school. Surely rights should go hand in hand with responsibilities.

The department has failed to make use of its regional offices, to make them a local task force for innovation of a basic and exciting nature—not just helping to shore up the inadequate, but seminars for principals and vice-principals. We have to bring these people in to realize what is happening in education and how it affects their position and their role. What a waste of human



resources we have, indeed, in the administration of the schools. For heaven's sake, let us get rid of \$17,000 a year clerks in our schools, too often the role of those we call vice-principal. Let our principals loose as innovation agents, but let us help them redevelop these views first.

If the goal is the highest development of the individual child as a curious, creative, sensitive human being, as an individual capable of solving problems, and of contributing his talent to the service of his society, it sets out priorities.

One of the greatest costs in this province has been that of vocational education. Now, this perhaps is a matter which is of some interest to me because I happened to be in Ottawa when the education bill went through that particular legislature. And I remember trying to find out somewhere where decisions were being made. I went, of course, to The Department of Labour under which this piece of legislation had been handled and their answer was: "We have nothing to do with education, we just hand some money over to the province".

I went to the provincial department and the answer I got was, "Well, this is the Dominion government's plan, this is their proposal, we have nothing to do with this". And I said, "Well, is this not going to distort your educational system, is it not going to have to make basic changes?" and they said, "Well, it is not our problem, really the Dominion government has handed the money to the municipalities."

Well, you go to the municipalities and, of course, 75 cents on the dollar is really the only thing which they were concerned about. As an example—and I may have mentioned this before—we ended up by building a wood-working shop in Ontario for every single student who graduated in woodworking in 1960. Now, what priority is there? I wonder what woodworking has to do with the future of either vocational choices or with a realistic grasp of the direction this country is going in.

Is it time to make further efforts to decide whether more vocational training should take place in industry? So many employers say the training they receive in school is useless—obsolete machinery producing obsolete workers, they tell us. Then why are we spending millions and millions, why do we not leave it up to them, put more emphasis in this direction? Because we have committed ourselves to capital expenditures of some hundreds of millions of dollars.

That was the answer I received from a provincial official some years ago when I mentioned this whole problem. He said, "Well, you know, really what we will do is we will be able to use these buildings for something else." When we put so much expensive machinery in the buildings it was very hard to use them for anything else. Now, the Minister says we achieved a balance.

I will accept the suggestion that there was a need for vocational opportunities at that level, there was a need if we were going to be able to expand the number of students kept in school at the Grade 11, 12 and 13 levels. But one wonders now at this point in time whether there should not be a re-thinking in terms of the cost-value relationship of that particular thrust.

We have finally recognized the value of outdoor education for the individualization of the education of the child. I prefer to call it the "in the community education", because outdoor education always seems to me something you do with walking around among the trees and grass. I think this is a bit more sophisticated. I think it is time to question the need for educational facilities every time a community thinks it needs another school. Is it time to start experimenting with mini-schools such as the Paul Goodman concept has brought forth?

Surely no school should be built in Ontario today which is not of a low-cost modular type, if the goal is to create an educational system which is flexible and adaptable in the hope that flexible and adaptable children might result. Have we gone far enough in effective scheduling and timetabling? I know there are difficulties in all-year timetabling, I know there are difficulties in extending timetabling over the longer part of the day, but these are things I think which we might very well begin to put into the mix.

Have we ever considered commuter bussing so that we move kids to facilities rather than continually attempt to build facilities right on top of kids? That is another area where money can be saved.

As well we must make use of the teachers' colleges. Students will be involved in the academic content of a BA degree. But surely these young people should be encouraged to play a role in the schools of the community. This is not simply a matter of finding cheap help but rather making their professional training worthwhile and meaningful. But if

these institutions could be regarded as a community resource, then once again I think you have access to valuable human resources.

Is it time we looked carefully at the influence of the educational industry? Perhaps no other part of our economy has grown as quickly in the past few years.

With no clear definition of goal, teachers, administrators and boards have been easy prey for the massive promotion activities of the education industry. Read educational journals, wander through the Canadian Educational Showcase. There are many pieces of hardware which have added to the classroom experience of students, but much is the extension of an industry—much of it American-owned—which wants to sell its product.

A great deal of money has been spent; little research has been made of the value of much of the material, little material can be found on this question. Often it is hard to find out whether this kind of hardware, whether this machine, whether this material, properly relates to the curriculum practices or teaching methods in our schools. Too often, one sees this kind of hardware lying around unused, or little used, in a school. Surely we need a consumers' guide to educational technology in this province. When aimless innovation becomes the order of the day, pointless buying becomes the danger of the moment.

When there is some co-ordination of curriculum, teaching practice and goal; when there is some recognizable framework in which to judge all these machines and materials, it will be possible to make judgments about their worth, or at least their position in a priority list of school needs.

One hesitates to suggest a moratorium. One would hope to see the direction clarified. At least one can say this: It is time to call a halt to the "bandwagon" approach to educational hardware. Before a new piece of technology is introduced and the province is expected to pay a grant, the buyer should be able to state how this machine will contribute to the total educational experience of the young people; what is the cost-value relationship, and if the conditions for the maximum utilization of that hardware exists in the school where it is to rest. Until the goals are established at least this much information should be available.

I have mentioned again and again this evening the need to establish priorities. I have indicated where goals would help establish these priorities, where savings could be made.

I now wish to indicate where the NDP would reject cut-backs and dangerous economizing:

1. The priorities of compassion. If we believe in equalization of educational opportunity it must surely begin with full services to emotionally disturbed children, children with learning difficulties, retarded children, blind and deaf children. As well, this emphasis must involve surely culturally and economically deprived children—as the member for Scarborough East has emphasized—head-start programmes, which have a carry-on feature. Even more, an organized effort to bring adult education to low-income families, not just adult retraining but the development of a strategy for social change. In doing this, the presence of the school in the community as a total community resource must be recognized.

Educational TV could play a role if structured for participation by low-income citizens. This alone can provide a home environment in which education for the culturally deprived and the education as a whole can relieve rather than magnify class stratification.

A programme of concentration on counselling as "buddying", as we have already described it at the Grade 9 and 10 level, could provide a turning point in future goals of these young people.

We suggested priorities of necessity—and one of these priorities, of course we have suggested, being assistance to Roman Catholic high schools. I am not going to go into that whole problem. We in this party believe, we have stated quite pointedly, that the Roman Catholic elementary schools exist, they are part of the constitutional fabric of this country. We have no way of getting rid of them, and in fact, if the government at any point wanted to get rid of them, it was some years ago when they were given the opportunities of extension and expansion under the foundation plan.

We have stated this—that now it is a matter of tidying up so that what we probably should be expecting from the Minister is some indication of what those costs are, if we develop the kind of co-ordinated approach, the kind of sharing process, which we have stated should go along with this kind of justice; surely we might even be giving incentive grants for this kind of co-operation.

Surely we should make it possible for Roman Catholics to buy and sell services the same as the public school board. Surely we should make it possible for Roman Catholic schools to receive grants as a result of a mixed marriage when the Protestant husband wants

to make grants available to the Roman Catholic school that his children are going to.

Perhaps the most terrifying point at which the goal-less and priority-less situation comes to the fore is in the area of the post-secondary level. The Minister has initiated a massive enlargement of the post-secondary school system. A decade ago this province had no colleges of applied arts and technology, and a few relatively small universities. Now we are told by 1975 a number approaching 25 per cent of the age group of 18 to 21 will be in a university. A similar number will be in a college of applied arts and technology.

The Minister brings no evidence that it is a rational or appropriate mix, either from an intellectual, a motivational, social or economic point of view. The costs of this expansion, particularly at the university level, are massive. Naturally, Treasury Board, through the committee on university affairs, has had to limit the needs.

**Hon. Mr. Davis:** Would the hon. member have a smaller percentage?

**Mr. Pitman:** It is very possible that a smaller percentage would be more appropriate at university level with a larger percentage at the college of applied arts and technology, and with a larger percentage in the adult education spectrum. I am suggesting that—

**Hon. Mr. Davis:** But still a larger percentage in the total.

**Mr. Pitman:**—that you have not one iota of evidence that the mix, which will be a massive problem for the taxpayers of this province, has any rational existence.

I simply want to say that the method of distributing the money available is by formula-financing. This system, because it gives money on the basis of population, encourages universities to gather in large numbers, and the Minister only has to ask the Premier of the province what happened at the University of Western Ontario where they extended the incoming students by 1,000 past the projection and put \$1.5 million in the bank. The intellectual sorting out process of Grade 13 has gone—an open door lies ahead. No doubt 25 per cent is the base of the projection.

The question must be asked—is university education as we conceive it in Ontario carrying out its role? If so, can the nature of the university be changed by encouraging them to enlarge at the expense of quality? If not, then set new goals, but do not create an end through the manipulation of the means.

All parties have encouraged the increase in educational opportunities in the post-secondary level. We encouraged more university places because there were indications that students with ability were being kept out and that these were too often the children of low-income families. And there was no other place to go. Now the colleges of applied arts and technology have appeared, we may be on the way to a totally new spectrum. We realize that simply widening the door for one thing did not create the kind of social mix, and did not end the social stratification which we had expected. Is there a misplaced kind of idealism in this obsession with keeping everyone in school until age 21? Once again it is a matter of goal. As long as the goal is the transfer of information in the educational system then of course we must keep them at school longer, but that goal today is surely ludicrous.

If the reason for keeping people institutionalized to age 21 is because the economic system cannot cope with them, then let us look at this a little more closely. That becomes a total social problem and perhaps we should be making use of these human resources in many effective ways—fighting pollution, creating housing, providing services for the elderly. It would be more productive and cheaper and as long as the opportunity for subsidized education at the adult level is always left open it would also be just and considerably less costly to the people of this province.

We have condemned everyone as a dropout who does not stay in school until age 21, yet if we really believe in individual education, many would be better off in some other activity—recognizing that the opportunity for adult education must be extended, and here is the priority. In the name of economic well-being of individual opportunity, must we institutionalize the whole youth population to the age of 21 and probably destroy the quality and destroy the purpose of this educational system while doing it? As well as placing a monstrous burden on the taxpayers we are exacerbating all the factors which lead to disillusionment and revolt of the young people—large classes, impersonal education *et al*, and a feeling of being processed.

It comes back to goals, but strangely enough, the goals are being decided essentially by the commission set aside to study post-secondary education in Ontario. I will not read them because I do not have the time, but I simply state that by the time this report comes out it will be too late, the die

will have been cast unless the Minister starts thinking this out now; it will be simply too late. In the meantime, legal compulsion to 16, social compulsion and active recruitment will set the path of policy, and along with the presence of relative monetary deprivation for those learning in later years, this solidifies the view that education is schooling for the young.

Well, my total thrust this evening has been that of two things—simply saying the Minister must set the goals, must decide the direction of the educational system. We cannot go in all directions at once. For one thing we will bankrupt the province if we try to do this.

I think he can put education back on the tracks. First he has many things to his advantage. He has a long tradition in this province of respect for education. He has a provincial system which can, and which is able to, make changes; he has proven that in the last number of years. It is conditioned to change. He has, in this province, a lack of hang-ups. We do not have racial problems and class problems exacerbating to a degree which we find for example in the United Kingdom or certainly in the United States. We have reached the plateau in terms of capital investment, in terms of the use of human resources. What he must do now is be selective and decide the goals and priorities. We cannot continue to innovate without knowing where we are going; but we can do it, all we need is the will and the courage.

**Mr. Nixon:** Mr. Speaker, sometimes I think this Minister has had his portfolio about long enough. I have heard the hon. member for Scarborough East bring forward his ideas about the need for some concentration by the department on giving opportunities for the poverty stricken in the urban and rural areas of the province and I have heard the ideas of the member for Peterborough tumbling out onto the floor of this Legislature one after the other—at great length—all of them good ideas. But they just sink into the carpet like stale beer. The Minister rubs his eyes and he is saying to himself—well, we have heard all this before and I will be able to satisfy these earnest gentlemen and will carry on running the department as we have in the past. Since I say—what, 1962?

But I think that even for this Minister it is beginning to tell, because during this year, as the Minister well knows, there has been practically no discussion of his legislation. In fact, most of it has been sitting on the order paper for almost a full year; unprecedented, Mr. Speaker. The only opportunity was in

the rather abortive bill to improve the administration of the Ontario college of art that was debated in an afternoon in March that I recall.

The standing committee on education has had nothing but rather useless meetings until the last couple of weeks in which they have been discussing the Minister's long-awaited legislation. One meeting back in the spring was to name a chairman.

The committee then adjourned and the second was to hear the proforma propositions put forward by the teachers' federation and then it adjourned and nothing was done.

I am sure the Minister must feel a bit sensitive about his role. If, in fact, he is not becoming cynical about the democratic process.

The propositions that have been put before him tonight are many that are extremely useful, but I think of all of the so-called debates that have gone on in the education estimates in the past and how futile they were. In fact, the Minister retires to a cosy corner of this Chamber or somewhere in his offices scattered across the city and makes the decisions which spend far more money than any one of his colleagues; in fact, of all of his colleagues combined year to year and have more impact on the community and the families of this province than the decisions of anyone else.

He has been able to do this since 1962 until this year without getting into serious trouble. I suppose, by the simple lapse of time, he is able to spend or get approval for the expenditure of funds already spent—so that many of us feel that this is just a little bit futile. Even the Minister, as he glances from time to time at the clock, realizes that the \$2.4 billion over which he has jurisdiction is about to be voted with little or no trouble to him and that he can continue running—

**Hon. Mr. Davis:** How much?

**Mr. Nixon:** —running The Department of Education and the schools of this province out of his hip pocket. This \$2.4 billion is composed of the following amounts—\$931,419,000 in the general vote that we are discussing tonight; an additional \$49,700,000 of extraordinary expenditure, which is another story which should be dealt with at length; \$365,848,000 for university affairs.

**Hon. Mr. Davis:** We are not voting that tonight—

**Mr. Nixon:** It is already voted, but surely you have the control of its expenditure; do you deny it? Of course not.

**Hon. Mr. Davis:** No.

**Mr. Nixon:** \$175 million for the Ontario Educational Capital Aid Corporation which, of course, is repaid as our commitments to the government of Canada fall due. A further \$170 million for the University Capital Aid Corporation which, I admit, is dealt with under another department—The Department of the Treasury—but every dollar of which is spent only with the Minister's approval. And a further \$700 million which is raised at the local level but is spent by the county boards of education and the city boards of education only with the approval of the Minister.

As I add this up, it comes to \$2,391,967,000 and I suppose if you will permit a liberal exaggeration I will call this \$2.4 billion. This is the amount of money the Minister spends—has mostly already spent this year.

I think of a good many proposals that have been put forward. I think of the debate on community colleges, all of the references to educational television. Much of it has been water cast on sand and it has simply sunk away. The Minister has run this with a complete disregard for the fact that all of us, too, have stood for election. That all of us, too, must return to our constituents and attempt to justify—and the Minister would be surprised how often we do justify or attempt to justify his actions—the expenditure of \$2.4 billion on the educational processes for one year in this province. As a matter of fact, sometimes I attempt to try to describe to audiences how much money this is because anything over \$700 or \$800 is almost incomprehensible to me.

I must admit that my comprehension has expanded just recently in this matter. But when you talk about \$7 million dollars a day, every day, this helps. Sometimes we try to do it in other ways but, in fact, the Minister controls the department which, in its monetary responsibilities, is simply fantastic. The expenditures of trivial matters amounting to a million here, \$5 million there, hardly warrant his concern and he feels that there are those in his well-organized department, under the direction of his efficient and able Deputy Minister, that really do not require his personal attention.

In the probable five minutes that remain to me, I want to talk about some personal

things. Some things that have been brought to the Minister's attention in the past, which he has satisfied us in the House as far as the vote is concerned, but has disappointed us in the House as far as his actions over a number of years are concerned.

Number one: the Minister is not interested in the teaching of history or the reform of the teaching of history. Mr. Speaker, I would venture to say that this is probably one of the sorest points that one can mention with this Minister, because for all of his assurance of the studies that are going on and the fact that emphasis on meaningful Canadian history is going to come about, still, since 1962 the changes have been insignificant and infinitesimal.

The Minister, I am sure, from time to time is asked to assist those in his family who are perhaps going through the system. He may have had to listen to somebody in his family talk about the five trips of Champlain—in Grade 5, 6, 7, 8 and 9. If you do not do something about that, I am going to get my heart into the replacement of this Minister and putting in his place somebody like my hon. colleague who can achieve some reform.

You know, I keep thinking that surely making meaningful the history of our nation is something that even this Minister, for all of his glib phrases and his glib reassurances, can eventually come to grips with. But he now has proved that he cannot, because three weeks ago I asked the same questions again.

Where did he go on his fifth trip? For all of the times that I have gone over it with four children, I still cannot remember myself and I must say I really do not care very much where he went. But I would say this—that there are aspects of our history that can be emphasized in a way that would make it live.

You know, I think of the Jesuit martyrs and how we always look at that terrible circumstance that happened up there at Midland from the standpoint of the Jesuit martyrs, without for a moment thinking of the contribution to our history. I know as a good politician the Minister is thinking more and more of the contribution to our history that has been the role of the Indian community and the fact that one of the longest periods of peace time in the world was undertaken by the philosophy of the Iroquois extending from the Hudson to Lake Michigan.

But no, we stick with the Jesuit martyrs—Father Brébeuf, an estimable man burned at the stake under terrible circumstances by the

so-called savages. There are so many things in the teaching of the history of our nation that this Minister has got up and with all the power at his command, which is very significant, has assured the House that there are going to be changes. We are going to move in this regard—but he has done nothing, nothing of significance.

I have another personal beef, and this comes from my personal observations and that is the teaching of languages, particularly the French language in this province. The Minister can give us a good many statistics showing the number of schools that now teach it at the elementary level, and how experiments are taking place right down to kindergarten. And that we have spent a good deal of money in trying to train teachers in the new teachers' colleges so that we will have competent instruction.

But the Minister must surely realize that in most areas of this province the teaching of the French language is grossly inadequate. That it is, in fact, almost a crime that we cannot have some more value associated with the bilingual aspects of this province and this country. I must say, Mr. Speaker, that this Minister is solely responsible. He has had the resources of this province at his disposal in the way that the hon. member for Peterborough, who is no longer here—

**Mr. Pitman:** I am here.

**Mr. Nixon:** I am sorry—not in his seat—indicated a few moments ago that almost any expenditure was justified. We on this side were prepared to vote for it, but still the instruction in a second language, particularly French, is grossly inadequate. Hundreds of thousands of our young people are still going through the instruction ending, after five years with Grade 13, with a little bit of knowledge, as if they had been studying a secret code which is lost to them, just as it was lost to the Minister and, unfortunately, is lost to me. Now, I would say that the Minister and myself and others, sort of being the "old boys" in the Chamber as far as this is concerned, might look to the younger members and say, is it not great that they, coming after us, have had an opportunity to learn a second language and appreciate a second culture? But, in fact, this is not the case, and my son and the Minister's children are learning a language in the same inadequate way that both he and I were taught.

Perhaps you may say I am speaking for myself, but I am not only speaking for myself and my children, but many others like us.

I must say that our people probably do not have the benefits of what is available in Peel county, but I am not going to backtrack on this. Maybe we should have some of the Minister's kids come in and give us a little French dissertation so that we can judge for ourselves how effective it is, because I do not think it is that good.

All of these things have been discussed since 1962, and for all of the expansion and expenditure—now amounting to \$2.4 billion this year—very little has changed. The schools are fine, the teachers' salaries have improved, the county boards of education with the assistance of \$49 million have survived the first year and I think will establish themselves quite well.

But still we face the fact that the leadership to The Department of Education that could come from the Minister is inadequate, and the reason, I believe, is that the Minister is not a democrat. He is not prepared to turn to the members of this House, his own supporters or the people on this side, and to take some advice, some assistance from them.

Mind you, we are prepared to grant him a good deal of credit for certain improvement, but I do not think this system has improved that much since 1962. I think the Minister's predecessor could run The Department of Education with one hand and the province of Ontario with the other, and do just as good a job, so I do not know.

I used to think that the Minister of Education had his eyes on the throne itself. I was still prepared to say publicly a couple of weeks ago that if he did regain his interest in public affairs he could fit himself into the pecking order at a very high level.

But for now I feel he has abdicated. He has abdicated as a member of this House. He has abdicated as the Minister of Education. Maybe he should be considering the practice of law as something more fulfilling.

I do not intend to spend a long time on this. We want to distribute the time available to us among a number of members, but I know that the policy of this department—and I do not want to end on a crass note dealing with money alone—but the policy of the department, the policy of the government is to move from a level of support amounting to about 45 per cent to 60 per cent, which of course, as the Minister well knows, is the policy put forward by this party in the election of 1967.

The phrases are all there on a phased basis over three years. These are phrases extracted

from the Budget of the Treasurer himself, that we will move to a greater share of the costs of education; that this will involve an increased expenditure of \$250 million in the third year.

I can well remember having those discussions, not with the Minister, not with the Premier, but from public platforms in 1967 in an election campaign where the Tories were saying, "Where are you going to get the money?"

Our answer, of course, is that we get it through taxation, precisely the answer that the Minister and the Treasurer of Ontario must inherently put forward now.

I feel that a great deal of the financing of education is being wasted. I believe that this Minister has grown out of his job. I believe he is ready for something else. It might be the practice of law, it might be the premier-ship of Ontario.

I suppose whatever it is in his own hands, but I can say this, that frankly I have heard for too many years good proposals put from the Opposition and the government side of the House and the Minister deal with them in the House, with efficiency, with aplomb, to editorial plaudits, but in fact in the months following do little or no action. We can still complain about many of the matters that I have raised here and have been raised year by year.

I have not lost confidence in the Minister of Education. A more affable Minister we never had. But his responsibilities are bigger than could possibly be envisaged by the Minister of Public Works, and they may even be bigger than can be coped with by the Minister himself. Frankly, I am concerned about the expenditure and the state of education in the province, and I look forward to hearing the Minister reassure the House.

**Mr. J. P. Spence (Kent):** Mr. Speaker, I enter this debate on the estimates of education as a layman. I feel very humble as I feel unqualified to discuss the estimates of education, but I might say, Mr. Speaker, I feel as if I should take part in this debate because I am one who has been contacted on many occasions in regard to the situation of education in the province of Ontario.

Mr. Speaker, I am speaking on behalf of low-income people across the province of Ontario about a matter which is of tremendous concern to those people in the low-income bracket.

We have two classes, I feel, in the province of Ontario, the rich and the poor, and this is

of great concern to those people who are what I call the have-nots.

I would like to say I have the greatest respect for the Minister of Education, but I want to say this, and this may be the last formal opportunity I have to make a single point for justice and equity on behalf, not only of my own constituents, but also of all those rural people who figure so largely in the bottom quarter of our population, the poor in the Ontario affluent society.

I am not against better education, Mr. Speaker, nor against equality of opportunity across the province of Ontario. In fact, I know that this is long overdue. But what I cannot accept is the fact that Ontario entered into a major reorganization of the schools jurisdiction in the way that it did.

When county school boards were set up at the beginning of the year, many of our constituents and supporters and citizens of the province of Ontario were led to believe that the county school boards system would not cost any more, or would not be too much more than under the township school system. When they were first set up, one of the things that startled the people of the province of Ontario was the salaries that were paid to the directors of education in the different counties across the province of Ontario.

These men who are directors of the heads of county school boards across the province are very able and capable men, but, Mr. Speaker, when people in the province of Ontario are only earning \$2,500 a year, and when directors of county school boards are earning \$27, \$28, \$29 and \$30,000 there is too much difference in the two individuals in the province of Ontario. This is one of the things that shocked the people in my area and I do not think conditions such as that should exist.

I think, too, Mr. Speaker, the people were very concerned when they first heard of the salaries paid to the directors. They expected that a tremendous education bill was going to be a burden placed on the people of the province of Ontario, and they were concerned all through the summer and when they received their tax notices.

They came to me on many occasions, some of them coming with 75 per cent of their tax bill being education costs, many of them with 60 per cent. When you are in the low-income bracket that is a burden that sometimes even takes the bread and butter off the table.

We must have consideration for all the people of the province of Ontario, and I will

tell you, Mr. Speaker, the low-income group—with the greatest respect to the Minister—was forgotten when county boards were set up across the province.

I must say with great respect to the Minister of Education, either the Minister knew what he was doing, and what the financial effects would be, in which case he should have told the people before the last election and allowed this reform to be put to a test before the electors of the province of Ontario.

Hon. Mr. Davis: Your party did.

Mr. Nixon: Only partly, and the Minister never told the public the truth of the matter.

Mr. Spence: And, Mr. Speaker, as most of us—

An hon. member: The hon. member took part of it.

Mr. Spence: They are upsetting me, these gentlemen are aggravating me, Mr. Speaker.

Mr. Speaker: Order.

Mr. Spence: He should have told the people before the election and allowed this reform to be put to the test at the ballot box. As most of us suspect he had absolutely no idea what events would take place through Bill 44, or any other subsequent legislation. Even this morning, Mr. Speaker, in committee, the Minister was still tying up the iniquities and the loose ends in a number of housekeeping bills.

Mr. Speaker, no amount of housekeeping will clean up the mess that the education system is in in the province.

Mr. Nixon: Change the government, that will do it.

Mr. Spence: It seems to the low-income group of this province, \$50 million of equalization will not do it.

Mr. Speaker, nothing will bring a fair deal to these people, short of the provincial government accepting its total responsibility of picking up the tab of 80 per cent of the education costs across the province of Ontario.

I do not want to take up any more time, Mr. Speaker, but I do want to say to the Minister of Education, if he has a heart, the low-income group in the province of Ontario is finding it a hardship to pay the education costs that he has placed upon them.

Hon. Mr. Davis: Mr. Speaker—

Hon. A. Grossman (Minister of Correctional Services): Now we will get the facts.

Hon. Mr. Davis: Mr. Speaker, in—

Mr. T. Reid: Is the Minister closing off? Where is the NDP?

An hon. member: The NDP have got a caucus meeting.

Mr. Speaker: Order please. I have no other speakers on my list.

Hon. Mr. Davis: Mr. Speaker, in rising to, shall we say, sum up—I assume—

Mr. Nixon: There is great interest in the NDP.

Interjections by hon. members.

Hon. Mr. Davis: Well I am very upset, I had a few remarks for the member for Peterborough.

Mr. Speaker, just to sum up the estimates of this department, as the leader of the Opposition pointed out, I guess for the seventh time—

Mr. Nixon: Seventh and last.

Hon. Mr. Davis: Seventh time—I do so with a few words related to the activities of the committee. I would like very generally to observe that while the hours spent in committee were somewhat arduous I think they were worthwhile. I think I would say to the leader of the Opposition that, in spite of his observations of a few moments ago, it was a very meaningful experience.

Mr. Nixon: I did not say anything about that committee, I thought that committee operated quite well.

Hon. Mr. Davis: Good, I am glad to hear that.

Hon. Mr. Grossman: Where are all the important ones?

Mr. W. Ferrier (Cochrane South): The most important ones are here.

Hon. Mr. Grossman: Okay, let the record show two NDP present.

Hon. Mr. Davis: I also, Mr. Speaker, would like to express on behalf of the members the appreciation to the personnel of The Department of Education. While there have been a number of constructive criticisms made in the last number of months, some in the last few moments, some not completely con-



structive, but basically constructive suggestions, I think I can very clearly state that the officials in the department I administer have in what has been a rather difficult period of time—the last year and a half—dedicated themselves to the improvement of the educational programme, have worked under somewhat difficult circumstances in the last few months, and I would like to—and I hope I speak for the members on all sides—express appreciation to those people.

**Mr. T. Reid:** They have got too much power.

**Hon. Mr. Davis:** I am very interested in the observations, of course, of the leader of the Opposition. He has participated for some years, Mr. Speaker, in the debates on education in this House.

**Mr. R. F. Ruston (Essex-Kent):** He did a good job tonight.

**Hon. Mr. Davis:** He observes from time to time some of the inadequacies of the educational system and, Mr. Speaker, I do not think I ever have stated, as Minister, that we have achieved perfection. I do not think, Mr. Speaker, I have ever indicated that there are not problems to be solved and yet I say, and I say this as objectively as I can, that the educational system in this province in the past few years has made very substantial progress in many fields.

**Mr. Nixon:** And is the best.

**Hon. Mr. Davis:** Well I would not go quite that far.

**Mr. Nixon:** The Minister did in his formal remarks.

**Hon. Mr. Davis:** Did I really? Well I would not want to do that.

**Hon. Mr. Grossman:** He stands corrected.

**Hon. Mr. Davis:** I would just clear up one particular point for the leader of the Opposition. It is not my intent at this precise moment to return to the practice of law. I assure him I am very interested in the involvement of the members on all sides of the House in educational deliberations. Very frankly I wish there were more.

I am not going into the history of the education committee because we debated this before, but I can indicate to him that the committee did schedule, did have other meetings during the spring part of the session, and very frankly some representatives from his

own party had other duties—I am the first to admit this—and could not make themselves available for some of these discussions.

**Mr. Nixon:** No, no, he is wrong there, dead wrong.

**Hon. Mr. Davis:** I should also point out, Mr. Speaker, that this question of abdication of responsibility—and while I know these things are said in good fun from time to time—I would say, Mr. Speaker, that the leader of the Opposition I know is—

Interjections by hon. members.

**Hon. Mr. Davis:** I know that the leader of the Opposition is particularly sensitive in these total areas of leadership and just what is happening, and I will not pursue this matter any further because I recognize his own frustrations in this particular area.

**Mr. Nixon:** That is unworthy of the Minister.

**Hon. Mr. Davis:** Well I am saying it in a very kindly, and I hope a friendly, fashion, because I have great respect for the leader of the Opposition and I make no bones about it, Mr. Speaker.

**Hon. Mr. Grosman:** You always hurt the one you love.

**Mr. Nixon:** I always worry about putting that stuff in the bank.

**Hon. Mr. Davis:** Yes, I know. I really feel very badly that I cannot reply to the member for Peterborough because I listened to his remarks with very great interest. And Mr. Speaker, I sensed, as I do on occasion, from the member for Peterborough—once again a very sincere member of this House, and I say this objectively—some, shall we say, contradictions in the presentations he has made; some contradictions based on the setting of objectives, highly desirable goals.

I believe they are there, not as definitive as we would like perhaps because I think goals and objectives of necessity must change as times and conditions change.

I also sense that in his suggestion of the establishment of priorities, if one looks at them, there is some validity. I also suggest, with respect, Mr. Speaker, that when one assesses these, attaches the economic involvement thereto, one would find there would be no diminution in the educational investment.

I think, very frankly, there would be an increase. Let us be very frank about it. I

recognize, all members of this House recognize, the concern and the growing concern the taxpayer has with respect to educational investment. I was interested during the committee hearings, I sat there and I like to think we participated in a way that was helpful on most occasions, perhaps not in all—

Mr. T. Reid: The Minister never set up one.

Hon. Mr. Davis: No, I did not, but I hope the answers were sufficient. But I was interested. I was interested, Mr. Speaker. Not once during the discussions were there any specific recommendations as to how we could in a logical, intelligent way delete any meaningful sums from the estimates of The Department of Education.

Hon. Mr. Grossman: So what else is new?

Hon. Mr. Davis: Not once, Mr. Speaker, was there a suggestion, with great respect to the leader of the Opposition who gets up here tonight and talks about history and Champlain, Mr. Speaker, I am interested in Canadian history—

Mr. Nixon: Does the Minister remember the debate three years ago?

Hon. Mr. Davis: I remember the debates about language. Mr. Speaker, let us be very honest about it, too, and suggest that the leader of the Opposition, since he has been leader and as the Opposition critic of education, he himself never came up with any meaningful determination as to how educational investments could be reduced. In fact, Mr. Speaker,—

Mr. Nixon: It would be increased.

Hon. Mr. Davis: Without any question.

Mr. Nixon: Obviously, Mr. Speaker, the Minister is not following the debates. On a point of order, the Minister has not been following the debates. Surely he is aware that our policy would call for the expansion of expenditure to cover 80 per cent of the cost.

Interjections by hon. members.

Hon. Mr. Davis: Let us leave the 80 per cent bit out for a moment.

Mr. Nixon: The Minister is talking about 60.

Hon. Mr. Davis: Oh no, I am not talking about 60.

Mr. Nixon: Does the Minister not talk to the Treasurer? He is talking about 60.

Hon. Mr. Davis: I am talking about individual programmes and ways and means of reducing—

Mr. Nixon: How about reducing the Minister's salary?

Hon. Mr. Davis: —educational investment and I say with respect, Mr. Speaker, we cannot have it both ways.

Mr. Nixon: Oh, that is an old chestnut; you cannot have it both ways. Mr. Speaker, does the Minister want some further comments on this matter now?

Mr. Speaker: Order! The hon. Minister has the floor.

Hon. Mr. Davis: The hon. leader of the Opposition has had his opportunity, and I listened very carefully. But we went through the deliberations of the committee, I have gone through *Hansard* over the last four or five years, I have attempted to select those meaningful expressions of constructive criticism that have been helpful—and there have been some—and I would say to the leader of the Opposition that the concept of the Ontario Institute, the thrust that has been given, and I think rightfully so, in the field of educational research, Mr. Speaker, I am quite prepared to share some of the credit—not all of it—

Mr. Nixon: Do not blame anybody else.

Hon. Mr. Davis: —some of the credit with the leader of the Opposition.

Mr. Nixon: That \$60 million was all the Minister's, he can have all the credit for that.

Hon. Mr. Davis: Yes, that is fine. I can recall, Mr. Speaker, standing here and discussing the estimates of the Ontario—

Mr. Nixon: The Minister was standing right next to the Premier then.

Hon. Mr. Davis: No, I was over there, I was down at that end.

Interjections by hon. members.

Hon. Mr. Davis: Well, I was here somewhere.

Hon. Mr. Grossman: And the leader of the Opposition, was over there.

**Hon. Mr. Davis:** And, Mr. Speaker, I will be here somewhere for perhaps a shade longer than some of the members opposite.

Getting back to these deliberations—

**Mr. Nixon:** But the Minister is prepared to leave that to the people?

**Hon. Mr. Davis:** Oh, I certainly am. I am a great believer in leaving everything to the people.

Mr. Speaker, I was on a train of thought—the member for York South has a very happy expression, I was derailed. But we were talking about education research. Go back to *Hansard*, I would suggest to the leader of the Opposition, see the number of ways he had about spending more money over the last number of years.

**Mr. Nixon:** I told the Minister we would expand it considerably, up to—

**Hon. Mr. Davis:** But I am not talking about that.

**Mr. Nixon:** That is what I am talking about.

**Hon. Mr. Davis:** Oh no, it is not. I was talking about educational television. I think four years ago the member was saying, “Mr. Minister, here is a great way to get French language instructions—

**Mr. Nixon:** And that is a fact, the Minister never even tried it.

**Hon. Mr. Davis:** —to all parts of the province with the \$16 or \$6 million”.

**Mr. Nixon:** It was 1962, the Minister’s first year.

**Hon. Mr. Davis:** Yes, how many million?

**Mr. Nixon:** The department has still not got educational television off the ground.

**Hon. Mr. Davis:** No, quite right, we are still in the process.

**Mr. Nixon:** They have just got to secret negotiations with CBC.

**Hon. Mr. Davis:** Some \$16 million. Mr. Speaker, when we deal with educational research—and I just want to spend a moment or two on it because I think it is important—we are talking with respect to the institute, I do not want to zero in on any particular situation, but we are talking about roughly a \$10 million investment.

**Mr. Nixon.** And \$60 million in buildings.

**Hon. Mr. Davis:** With great respect, Mr. Speaker, if the hon. member would get out his slide rule and work it out, I think he would find it is between \$15 and \$17 million.

**Mr. Nixon:** Two million dollars a year for 30 years is \$60 million.

**Hon. Mr. Davis:** Mr. Speaker, I would get into that in great detail if I had the time, but there are other areas—

**Mr. Pitman:** The Minister can go until 10.30.

**Hon. Mr. Davis:** Oh, do I go to 10.30? Because I could explain it to the hon. member if he would like. But take it from me, the figure, actually and properly costed, is around 15 to 17—

**Mr. Nixon:** That is \$2 million a year for 30 years.

**Hon. Mr. Davis:** No, no. Between 15 and 17.

**Mr. Nixon:** Is that new maths?

**Hon. Mr. Davis:** Yes, it is, I think, very logical math. If the hon. member would work it out, I think he would find that to be the case. But, Mr. Speaker, this represents, out of the \$2.4 billion that he is suggesting is being invested in education, an investment of some \$10 or \$11 million; some of it in the field of graduate work with respect to research. And if one took his own, shall we say, suggestions of four or five years ago, I think he would then say to me that it is a very minimal investment indeed in the field of educational research. It should be somewhat higher.

**Mr. Nixon:** Why is the Minister not teaching history better; why is he not teaching French better?

**Hon. Mr. Davis:** Mr. Speaker, I recognize and I am the first to admit to the leader of the Opposition that history is important, I am also the first to admit that we can improve the French language programme.

**Mr. Nixon:** But the Minister would not admit that in 1963.

**Hon. Mr. Davis:** But I would say, with respect to the leader of the Opposition, that he is having to dig very deeply into whatever issues he wants, to zero in on those two particular items, and this is the total, shall we say, contribution he wishes to make.

So let us deal with the matter of total costs, leaving out, for the moment, Mr. Speaker, the contributions of the member for Scarborough East on the two items that he raised.

I must deal with the one, the questionnaire. I found it really very interesting when it was provided to me. I think there is some helpful information in it. I think some of the answers were relatively predictable and perhaps the member himself might have answered them prior to asking them, but nonetheless the question of the involvement—

**Mr. T. Reid:** I believe in asking the people before presuming to say what they think.

**Hon. Mr. Davis:** As I say, I think some of the answers were quite predictable and I would agree with some of them. I think, Mr. Speaker, there is great merit in involving, in a meaningful way, the parents of the children within the school system. I think there is great merit in involving the general public, if it is possible, in a greater understanding and awareness of what we are attempting to do in education. But when we say this, Mr. Speaker, it is fine to generalize. It is another thing to bring this about in practice, and I do not know whether other members agree with me but I found, for instance, the interest taken in some municipalities as recently as yesterday, in the number of people who actually got out and cast a ballot, with respect to school board elections, was a shade disheartening.

**Mr. T. Reid:** Make it a neighbourhood involvement.

**Hon. Mr. Davis:** Mr. Speaker, I have no objection to a neighbourhood involvement, but I say to the hon. member—and I think he realizes this—to structure neighbourhood involvement with each individual school in, shall we say, a statutory sense, does not really make much sense.

Mr. Speaker, the hon. member spoke on matters related to—I see the member for Peterborough is back, I will get back to some of his thoughts in a few moments.

The hon. member for Scarborough East spoke on the problems we must face with respect to, shall we say, the culturally deprived children.

**Mr. T. Reid:** About poverty in our society.

**Hon. Mr. Davis:** All right. Mr. Speaker, I am not going to deal with the question of poverty in the total sense, I do not think this

is either the time nor do I have the capacity to deal with it, in an overall sense.

**Mr. T. Reid:** That is the problem.

**Hon. Mr. Davis:** But let us deal with it as it relates to education, let us deal with the desirability—and, Mr. Speaker, there are many thoughts, we are not objecting to the desirability of some of these things; but let us look at some of the problems which are involved.

If we were to extend the educational programme on a total provincial basis—and I recognize it may not be necessary to do it on a total provincial basis, but let us use these figures—to the three- and four-year old children—and let us take an estimated per pupil cost of, say, a year from now, or two years from now, of some \$6.45—

**Mr. T. Reid:** The Minister is talking about a programme I have not proposed.

**Hon. Mr. Davis:** I am talking about the programme and extension of programmes to, say, the three- and four-year olds, the pre-kindergarten programme of four-year olds.

**Mr. T. Reid:** Which is a proposal I have not made in five years.

**Hon. Mr. Davis:** No, no, if the member looks at *Hansard*, I think on page 134, there is some general discussion on this and I just want to give the hon. members some indication of what we are talking about, and if this were extended, we are talking about two hundred and some millions of dollars. In some areas too, the member for Peterborough wanted to have more meaningful research programmes. He was critical of some of the problems at OISE and I think with some justification, but in the same breath at the committee, he wanted extension of the services of OISE, shall we say, more research centres, related—

**Mr. Pitman:** Developmental.

**Hon. Mr. Davis:** More development areas in the county, and to do this we are only talking, I recognize, about a million dollars, but still, in my view a million dollars that is part of the total picture and one that must be considered. We look into some other areas of where suggestions were made at the committee, Mr. Speaker. We look into areas of teacher education, teacher training, and the member for Peterborough has suggested that there may be ways and means, although he did not specify—and I recognize it is difficult for him to do so—just where you

would cut down on educational investment, and yet he enumerated, and I think with some validity again, many areas where educational investment in his view should be increased.

I think he recognizes that once we move the teacher training programme into the universities, once the university programmes involve some form of degree, we are talking about a substantial increase in the cost to the taxpayers of this province because there is no question that a person with degree qualifications in Grade 8, is going to be earning roughly the same salary as a teacher in Grade 9 with the same qualifications. And if the hon. member for Peterborough would do a little arithmetic, and if he were to equate now the economic implications of having all the teachers in our elementary school system with degrees receiving comparable salaries to the secondary school people, I think, Mr. Speaker, we were talking then in many, many millions of dollars. And I am not saying without validity, but I think, at the same time, we have to recognize the implications of what we are suggesting.

While it is desirable to have these objectives and these goals, let us at the same time recognize that if you are going to maintain the quality and the integrity of the system, and if the hon. member for Peterborough wants to maintain roughly the same student-teacher ratio—and I do not care how sophisticated his internal structures become with respect to reports, attendance, and all the rest of it—if the teacher-student ratios are to be maintained we are still talking roughly the same total investment. There is just no other way around it and let us not fool one another about it.

Mr. Speaker, he used some interesting figures and I hope that I quote them accurately. He was referring to the increase in costs from 1956 to 1966, and I think there was an increase from some \$260 million to something around \$1 billion. He is very worried, and I think with some reason, as to what the costs may be, shall we say, in 1976. If my memory serves me correctly, he was using the figures of Dr. Watson which indicated that the figure then could be \$3.6 to \$4 billion. Actually it is the same percentage increase, which is the interesting part, in the next ten years that took place in the last ten years.

I think it would be interesting, Mr. Speaker, for the member for Peterborough and all of us to relate the extent of educational investment today compared to ten years ago, with

some rough projections some years from now, as it relates to the total provincial product—if one can come up with this figure—to see what extent, in fact, educational investment has gone beyond the other areas of government spending or public spending as it relates to the total provincial product.

Mr. Speaker, I think if we had been debating these estimates in 1956, and if we had had some of the projections available then as to what would happen in 1966, the member for Peterborough, being a bit of a worrier—and I say this with kindness—would be saying exactly what he said tonight. In 1956: "Mr. Minister, my God, how are we going to manage things in 1966?" Well, Mr. Speaker, I do not have all the answers—

Mr. Pitman: I keep quoting the Provincial Treasurer.

Hon. Mr. Davis: —I do not purport to have them all, but I do say this: I think if we can retain a degree of stability, a degree of understanding, and if we can involve—as I think has been suggested, and I concur completely—the public itself, in a greater awareness of what is necessary and what is happening in the educational system, I think we can resolve many of the problems we face.

I am sorry the member for Kent has left, because there are some interesting figures now emerging. We talk about the increase because of the county board structure. These are estimated figures but I think they are very important to the members of this Legislature. The increase in spending, and this is the percentage over the preceding year, and Mr. Speaker, I want to emphasize again, to bring any rationale, and type of sophisticated control that is meaningful and gives the board the flexibility necessary with the total numbers we had two years ago, was literally impossible. But let us look at it.

The increase in the public sector, public school elementary, the increase in spending over the preceding year—in 1968 I cannot give you the exact figure yet—it is estimated at 18.29 per cent. The estimated increase over the preceding year estimated for 1969 is 15.02 per cent. The increase in spending over the preceding year in the separate school system, Mr. Speaker, 1968, estimated again, is 17.86 per cent. The 1969 estimated, this is with the reorganization, and I do say this, I hope the members will bear with me, we cannot be down to the last decimal point yet, 17.10 per cent. Then we move over into the secondary school—the total for elementary was 18.18, estimated in 1968, 15.56 in 1969.

We move into the secondary area, Mr. Speaker, where we have had a greater growth in the types of programmes being offered, and where the larger units in many instances were already established, and where the tax base had been, to a degree, enlarged some years ago. The estimated increase for 1968 is 13.58 per cent, our estimate for 1969 is 18.30. And when you put them altogether, our estimated increase for 1968 percentagewise over the preceding year, Mr. Speaker, is 16.30.

Our estimated increase in 1969—once again I emphasize the estimates—is 16.65, that is a .35 per cent increase over the preceding year, and I think this indicates very clearly, Mr. Speaker, that while there have been problems—and I am the first to admit it—you cannot do these sort of things, you cannot lead from behind. You are either going to do them and attempt to provide some degree of leadership or you do not. I would think, Mr. Speaker, it indicates that in spite of these, the increase was higher in some areas than the year before that even.

**Mr. R. S. Smith (Nipissing):** What was it three years ago?

**Hon. Mr. Davis:** Three years ago, 1966, was 15.92. In 1967 was 19.32. In other words, Mr. Speaker, I think one can very specifically say that while there were problems with the distribution of costs, no one denies this, and while there were degrees of equalization taking place in the county structures, while kindergartens now exist in certain areas in this province where they never existed before, where we have had correspondence and letters from people and from communities where for the first time in the educational history of Ontario they have qualified teachers, that in spite of this, the problems of administration and what have you, we perhaps are talking about a .35 increase in percentage terms over the investment that was made in 1968.

I am not saying, Mr. Speaker, that this figure is not too high. I am not saying that there are not creative ways that we can still maintain to improve the quality of the educational system, at the same time attempting to minimize investment, but, Mr. Speaker, let us be reasonable. Let us be objective and sense that the restructuring itself probably has led, in total terms, to a less significant increase than perhaps some members were aware some few months ago.

I think it is also important to point out to the member from Kent, that when he suggests, and I do not think he did this

with any wrongful intent, that there were suggestions made in this House as to the administrative reductions in costs, or that it would have cost less, Mr. Speaker, I can recall standing up in this seat and very categorically stating that the implications and the main initiative behind Bill 44 did not relate to administrative savings. They related basically to the improvement of educational quality in this province. This was the prime objective, and Mr. Speaker, in spite of all the difficulties, we are on our way to achieving that very important objective.

Mr. Speaker, there are a number of other items that perhaps I should deal with in reply to the members opposite. I would say once again to the leader of the Opposition that I recognize that this is a House where we say things, where things are necessary, but I want to make it abundantly clear that the Minister of this department has never, nor will he, rejected the interest and the involvement of the other members.

Just as importantly I say this, with respect, of the educational community and the general public. I do not think there is a week or two weeks, Mr. Speaker, that goes by that the department is not involved in some way with the trustees and with the teaching profession in this province. We have received, and I would like to take this opportunity to extend to them the appreciation of myself and the department, very worthwhile co-operation from those people who do have this responsibility. But, Mr. Speaker, we do have to recognize this: We are living in a period of some contradiction. We are living in a period of time where people are—and rightfully so—concerned about taxation. We are living in a period of time when the taxation as it relates to education is the most easily identified of any area of public investment, and why not? It is there. You get your municipal tax bill—

**Mr. Nixon:** Certainly the biggest, both here and in local field, it is the biggest.

**Hon. Mr. Davis:** Certainly it is the biggest.

**Mr. T. Reid:** Your share has not changed in three years. It has changed from 46 per cent to 46.05 per cent.

**Hon. Mr. Davis:** I have figures on that that will prove that the member for Scarborough East is not quite right. They have changed.

**Mr. T. Reid:** Well, the Minister said in the education committee—

**Hon. Mr. Davis:** Yes. Well, I have got other more up-to-date figures which show that there are changes. So, Mr. Speaker, getting back to the point that I was in the process of making. At the same time that the public is concerned, and rightly so, we as legislators are concerned as to the total dollars being spent—and I am not talking the 80 per cent, or the 60 per cent, at this point.

We also must accept the fact that there is still a very real pressure from parents and people in the community to improve the educational programme and to add facilities. You know, it is a great thing today, everybody in a general sense in concerned about educational costs. They want to see them reduced, but when it comes down to particular situations, they want to see it increased, I think to a degree, and I say this very kindly. This was reflected in the discussions in the education committee itself where the members in their deliberations did show this concern about the total amounts being spent. I could itemize item after item of the hundreds of millions of dollars where members of the education committee advocated an extension of the investment, and with real validity in some situations that should be made—

**Mr. T. Reid:** I am talking about reallocation.

**Hon. Mr. Davis:** Mr. Speaker, I think that those people—and I am speaking now to a degree, perhaps, for those people outside this Legislature who do have a responsibility in education—I have made enough speeches on the economics of it, and so on, but I think there should be some understanding that there is this contradiction. There are these very real pressures, and the trustees and the administrators are faced with day-to-day requests and problems that in most instances would indicate an increase in the moneys that are being spent.

**Mr. Nixon:** Have you not put it to them that they should reduce costs?

**Hon. Mr. Davis:** No question has been put to them. Mr. Speaker, they are in a process; the boards are making a very real effort to reduce costs, but at the same time, all I am saying to the hon. member as they do this—

**Mr. Nixon:** You bring down the programmes and then you say you reduce costs to the county boards.

**Hon. Mr. Davis:** Yes, we are in the process of reducing them, too. We are maintaining—

**Mr. Nixon:** They pass on responsibility and then they say cut costs.

**Hon. Mr. Davis:** We are saying to the school boards that they have a responsibility, Mr. Speaker, to make a very real effort to reduce the costs that are presently with us, and they are making it. And, Mr. Speaker, the subsidy and the grant regulations, I think, of this year, brought it very noticeably to their attention. But I am just saying that from their standpoint, too, I hope the members of this House recognize the very real pressures that are being brought upon the trustees and the boards by people who, with real interest, wish to extend certain educational programmes within their areas of responsibility. I do not blame any of you—

**Mr. Nixon:** How about the budget review boards that the Minister threatened to impose?

**Hon. Mr. Davis:** I do not think, Mr. Speaker, you have to go beyond some of the ridings that the hon. members represent to see delegations from ratepayers and parents who wish to see transportation improved, or extended; who wish to see more oral French in the classrooms. That costs more money. They wish to see other programmes expanded and developed, and this is, as I say, something of a contradiction.

**Mr. Nixon:** Some even want television.

**Hon. Mr. Davis:** Some are even for television, and this is part of the—

**Mr. Nixon:** You spend enough money on it—

**Hon. Mr. Davis:** —part of the contradiction. I have not spent, Mr. Speaker, nearly as much as the leader of the Opposition would have had me spending five years ago. If one had taken his figure for the one programme alone and added to that any escalation in cost, I hate to think what ETV would be costing us today. That is one idea, Mr. Speaker, from the leader of the Opposition that I did not accept because of the economic consideration involved. It was just impossible to do.

**Mr. Nixon:** Five years after the Minister started talking about it, we still do not have any programmes.

**Hon. Mr. Davis:** We do have some; the hon. member should watch them. Some of them are very good. They are excellent, some of them.

**Mr. Nixon:** Too bad the children do not get to see them.

Hon. Mr. Davis: Mr. Speaker, I am not sure whether I am supposed to go until 10.30 or not, I do not want to take any more time than is necessary.

Mr. Speaker: I could tell the hon. Minister that in accordance with the schedule given to me by the Whips, the hon. Minister had 30 minutes which has now expired. But I am sure the House would allow him another five minutes if he wished to wind up.

Hon. Mr. Davis: Mr. Speaker, there are many other thoughts. I was going to have a little fun tonight because while I think one must take one's job seriously, I am not sure that we should all take ourselves individually seriously on all occasions.

I have a news release here from the member for Oxford (Mr. Innes) and I will not read it; it is a tremendous news release. This was given by the member for Oxford at the opening of St. Michael's separate school in Woodstock. It relates the activities of the department; the role of the Opposition; how they helped reorganize some of the bills; really the importance of education today; just how well things were going and so on, and I thought it was tremendous.

I also have some information here, and I do not want to precipitate a debate but it gave me some concern. It did give me some concern, Mr. Speaker, and perhaps I will refer to it very briefly. That is a speech that the member for Scarborough East made on the question of student participation—he mentioned that here tonight—and student involvement. A speech he made, I think, and reported from Brantford, of all places. I am sure he did not really mean this; I am sure he did not mean it when he was suggesting—

Mr. Nixon: Oh, come on.

Hon. Mr. Davis: —when he was suggesting, Mr. Speaker, that perhaps the students—and this relates back to the problems that we faced last January and February in respect to school year extension—did not really appreciate this, that they did not agree it was time to revolt, withhold taxes for Medicare, old age security, and so on. Really, I am sure, Mr. Speaker, he did not mean it in this fashion.

Mr. Nixon: What are you talking about?

Hon. Mr. Davis: I will send it to the hon. member for Scarborough East; he was there.

Hon. Mr. Grossman: Read it, we would like to hear it.

Hon. Mr. Davis: No, I will send it over to him, because I think it is important that perhaps these things are recognized and understood, because I think, Mr. Speaker, when we are talking—

Mr. T. Reid: Mr. Speaker, I rise on a point of order.

The Minister has made some remarks. I think if I recall that meeting, it was a very lively meeting with parents and teachers and students, and there was a great animosity towards some of the students there because they had been producing an underground newspaper.

My point of order is this, I am not too sure what the Minister is saying, but I recall someone stood up in that audience, an older person, and said that if the students did not like the system, the adults would close down the school. So I stood up and said something to the effect that that is the same type of threat that young people could make to the older people—

Hon. Mr. Davis: Mr. Speaker, I do not know how this could be a point of order.

Mr. Speaker: It may not be a point of order, but it might be a point of personal privilege, and I am prepared to allow the member to make the point if he wishes.

Mr. T. Reid: The point of personal privilege is this, it is a point of interpretation. There were a number of adults there. Some adults there threatened the young radicals there with closing down the schools and kicking them out. I said, if I recall correctly, that it is like the young people saying to the older people here, that when you get to be 65, and they have the power in society, they might cut you off your old age pension. Neither type of threat should be allowed in our society.

Hon. Mr. Davis: I will not read the whole article.

Mr. Nixon: But you listened to the point, I trust.

Hon. Mr. Davis: I did, I listened to the point. I do not know that I agree with the point at all. I think, Mr. Speaker, of course we are sometimes misquoted in the press. I read that "Mr. Reid also criticized Education Minister William Davis." That is not new, and I do not blame him. I criticize myself from time to time—

An hon. member: A moving target.

Hon. Mr. Davis: —"for attacking views, or dissenting views of university and high school



students in matters such as the school year." Well, I really did not attack the students at all. He is saying, "Stop fooling around and marching to Queen's Park. Get back into the schools because the taxpayers do not like it." I do not really think I said that either, but that does not matter. And Mr. Reid said: "If Mr. Davis threatened to cut back education grants because of students' dissent, the students should threaten to withdraw state pensions when they become the majority of taxpayers in the province—"

Interjections by hon. members.

Hon. Mr. Davis: And here it is in direct quotes: "That is tough language but it is time to get tough. We are trying to intimidate youth." The only point I am making, Mr. Speaker—

Mr. T. Reid: What paper is that? Is that the *Intelligencer* or something?

Hon. Mr. Davis: This is—

Hon. J. R. Simonett (Minister of Public Works): It is the member's words.

Hon. Mr. Davis: I am sorry, it was not the Brantford paper, it was the Hamilton paper. I have got an excellent address by the leader of the Opposition called, "Setting priorities in education." Very good; reported very fully in the Brantford *Ontario Expositor* where one could sense a certain degree of contradiction with some of the things that have been expressed here tonight. But, Mr. Speaker, that would be, perhaps imposing on the time of the members. But once again—

Mr. Pitman: Do you not cut my speeches out?

Hon. Mr. Davis: I do, I do read the speeches of the member for Peterborough but I did not happen to have any handy with me here tonight.

Mr. Speaker, in winding up the last few words on the estimates of the department, I do wish to suggest that, with respect to the amendment, no one, as far as I am concerned on this side—certainly I am not personally—is concerned or involved in any way in limiting programmes that can be introduced to help those unfortunate young people in our OISE.

Hon. Mr. Simonett: The member for Scarborough East sent that flower over.

Hon. Mr. Davis: I think that is in appreciation for my reading into *Hansard* what he said in Hamilton.

Hon. Mr. Simonet: He got it out of Mount Pleasant on the way down.

Hon. Mr. Davis: Let the records show that the member for Scarborough East has sent this to me, to sort of apologize for his, shall we say—

Hon. Mr. Grossman: He tried to make a flower child out of the Minister.

Hon. Mr. Davis: What does a white flower indicate?

Mr. T. P. Reid (Rainy River): Well it is out of place on the Minister, I will tell him that.

Mr. T. P. Reid: That is not the problem.

Hon. Mr. Davis: Mr. Speaker, we are not concerned about meaningful programmes for, shall we say, culturally deprived children or under-privileged youngsters. We are just as concerned, we are involved in determining just what might be done about it. But I point out once again, that the amendment moved by the member for Scarborough East, perhaps supported by the members of the NDP, once again involves a further investment in the field of education, without any question.

Mr. V. M. Singer (Downsview): \$15 million later.

Mr. T. Reid: It is a question of basic reallocation.

Hon. Mr. Davis: Oh no. If he had his way we would have a very large programme, in the hundreds of millions of dollars. I will get it all calculated for you.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I am sure that if we once determine the validity of this amendment and then we concur in the estimates of the department, we recognize that they do represent a meaningful step forward in the development of equality of educational opportunity in this province, as well as a further increase in the quality, and the members opposite with enthusiasm will concur in the report of the committee.

Mr. T. P. Reid: The Minister never proved that in his estimates.

Mr. Speaker: The motion before the House is for concurrence in the estimates of The Department of Education. And an amendment thereto by Mr. T. Reid, seconded by Mr. Nixon, moved that this House regrets that the Minister has not given more serious attention to providing effective early childhood learning opportunities in the formal education

system of the province to the children of the poor to enable most of them to perform the greater part of the job of lifting themselves out of poverty over the next 15 years.

**Mr. MacDonald:** This is awfully meaningless—so much so we have to vote against it.

**Mr. Speaker:** The vote, of course, will be on the amendment.

The House divided on the amendment moved by Mr. T. Reid, which was negatived by the following vote:

AYES	NAYS
Ben	Allan
Braithwaite	Apps
Bukator	Auld
Deacon	Bales
De Monte	Belanger
Edighoffer	Bernier
Farquhar	Boyer
Gaunt	Brunelle
Good	Burr
Haggerty	Carton
Innes	Davis
Knight	Demers
Newman	Downer
(Windsor-Walkerville)	Dunlop
Nixon	Dymond
Paterson	Evans
Reid	Ferrier
(Rainy River)	Gilbertson
Reid	Gisborn
(Scarborough East)	Gomme
Ruston	Grossman
Sargent	Guindon
Singer	Henderson
Smith	Hodgson
(Nipissing)	(Victoria-Haliburton)
Spence—22.	Jackson
	Jessiman
	Johnston
	(Parry Sound)
	Johnston
	(Carleton)
	Kennedy
	Lawlor
	Lawrence
	(Carleton East)
	Lawrence
	(St. George)
	MacDonald
	MacNaughton
	Makarchuk
	Morningstar
	McKeough
	McNeil
	Newman
	(Ontario South)
	Pilkey

### NAYS

Pitman  
Potter  
Price  
Pritchard (Mrs.)  
Randall  
Reilly  
Renwick  
(Riverdale)  
Reuter  
Robarts  
Rollins  
Root  
Rowe  
Rowntree  
Simonett  
Smith  
(Hamilton Mountain)  
Stewart  
Stokes  
Villeneuve  
White  
Whitney  
Wishart  
Yaremko—62.

**Clerk of the House:** Mr. Speaker, the "ayes" are 22; the "nays" 62.

**Mr. Speaker:** I declare the amendment lost.

The main motion now is, shall the estimates of The Department of Education be concurred in.

Is it the pleasure of the House it be concurred, in the reverse vote to that just taken?

**Mr. Nixon:** No, it is not a reverse vote.

**Mr. Speaker:** Is it the pleasure of the House that the supply resolution be concurred in?

Resolution concurred in.

**Mr. Nixon:** Mr. Speaker, on a matter of clarification does the deputy assistant House leader intend to proceed with legislation tomorrow?

**Mr. Lewis:** That is the northern Prime Minister.

**Hon. A. F. Lawrence (Minister of Mines):** My understanding is that we are proceeding with legislation tomorrow.

**Mr. Singer:** Anything on the order paper?

**Hon. A. F. Lawrence:** Yes.

**Hon. A. F. Lawrence** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock, p.m.

## APPENDIX

REPORT BY T. REID (Scarborough East)  
 LIBERAL EDUCATION CRITIC FOR THE OFFICIAL OPPOSITION  
 RESULT ON QUESTIONNAIRE SENT TO 450 ONTARIO RESIDENTS

In March, 1969, I sent a series of comprehensive education questionnaires to random sample groups of parents, trustees, principals, and teachers across Ontario. Each group was further broken down into urban, small town and rural, with the educators further divided into public and separate, elementary and secondary.

The following table shows the results; for convenience sake, they are regrouped under the four main headings.

<i>Category</i>	<i>Number Sent</i>	<i>Number Received</i>	<i>Percentage</i>
Parents*	300	37	12.3
Trustees	50	6	12.0
Principals	40	1	.4
Teachers	70	3	.4
Total	460	47	10.2

\*10 of these were returned "addressee unknown."

I will leave you to draw your own inferences from these figures and go directly into the analysis of the replies. All percentages are rounded. As far as I'm concerned the only significant answers, for obvious reasons, come from the parents.

All questions were very broad and open-ended—each set was tested on several people in order to avoid "loading."

#### A. PARENTS (300 sent—37 received)

##### Head Start

Question read:

"Are you in favour of a Head Start Programme? (A Head Start Programme is a pre-school programme for 'culturally deprived' children.)"

About 40 per cent did not understand the Head Start Programme, even with the definition; about 10 per cent of this group objected violently to the term "culturally deprived".

The other 60 per cent were divided 10-1 in favour of Head Start. The objections were based on the fear that this added programme would be too expensive. Those who approved endorsed it fully; several respondents carried it further, to be extended to elementary school children in the form of hot lunches.

Generally speaking; those who opposed Head Start opposed any kind of student demonstration, extra school facilities, and favoured the use of the strap.

##### Corporal Punishment

There was a real split, 50-50 on this one; there was a very definite correlation between

income level and degree of opposition—the higher the income level and the more detailed the replies, the stronger the opposition to the use of corporal punishment; conversely, the lower the income category and sketchy the answer, the stronger the support for corporal punishment in school.

##### Special Education

We feel that the wording of the Special Education question may have been ambiguous because most respondents thought we meant physically handicapped children; the question was intended to deal with mentally retarded and/or emotionally disturbed children. In general, 50 per cent of respondents felt that classes should be integrated; 35 per cent stated that special education classes should be segregated but held in the same building; the remaining 15 per cent chose separate buildings; of this 15 per cent, three were the only parents with a handicapped child who responded. There was an overwhelming consensus among all respondents that parents did not know what facilities were available to them.

##### Oral French

Ninety per cent in favour of early (Grade 3) Oral French; the remaining 10 per cent opposed in principle.

##### Educational Television

Again the information gap: about 10 per cent of the respondents knew nothing about ETV, but still had positive feelings about their children being taught in such a way because of the way they (the children) react to ordinary TV. The remaining 60 per cent were, with only three exceptions, completely in favour of ETV so long as teachers know how to use it.

##### Weaknesses In System

General impression of confusion centred around discipline—but parents unable to offer alternatives.

General agreement that the quality of teaching could and should be improved through better training.

School facilities should be used in summer.

Guidance—reactions ranged from "bad" to "harmful". About 20 per cent did not know what guidance meant.

Job done by their own children's teachers—generally fair (about 75 per cent)—the others

varied; the blame for inadequate teaching was generally placed on poor training.

PTA—useless (90 per cent); the other reactions varied.

Contact with teachers—satisfactory.

Student demonstrations—around 65 per cent in favour as long as there is no actual damage; the other 35 per cent uniformly opposed.

Sex education—60 per cent favoured introduction in fourth grade; 25 per cent to teenagers; 15 per cent not at all.

Should school records be kept strictly confidential?—Yes: 25 per cent—No: 22 per cent. (The “No’s” include those who favour turning over of records to juvenile authorities).

Summer Instruction—80 per cent in favour, 20 per cent opposed.

How could system be improved: 60 per cent felt that there was room for improvement, mainly in the area of teacher training.

#### B. TRUSTEES (50 sent; 6 received)

Corporal Punishment: five in favour; one against.

Special Education facilities: three very inadequate; two inadequate; one no comment.

Children in Special Classes: three favour integration; one partial segregation; one no comment.

Sex Education: five first grade; one fourth grade.

Confidentiality of Student Records: six yes.

Guidance Programme: two adequate; two very inadequate; two less than adequate.

Head Start: three for; three against.

Year-Round Schools: four yes; two no.

Summer School: four yes; two no.

Student Participation in Policy: five yes; one no.

(The “yes” answers stopped short of a “takeover” by students; however, in view of the earlier answers, the views on this question were surprisingly progressive. The “no” gave a very well-thought-out series of reasons for saying no.)

PTA: in favour of, if controlled by school; “must not let it become a Frankenstein’s monster.”

Oral French: one kindergarten; one Grade 3; one against; two no comment; one system should be re-evaluated.

Weaknesses: “too many innovations”; “qualifications of teachers”; “schools too elaborate”; “too much publicity given to idiots”; “competence of staff”; no comment.

Qualifications of Teachers: six said they should be higher.

Job done by their teachers: three goods; two excellent; one varied.

C. PRINCIPALS (N.B.: Only one reply received; 40 sent).

Since only one principal replied, we feel that it would be unfair to analyze just one questionnaire.

D. TEACHERS: (N.B.: Only three replies received; 70 sent)

Only three teachers responded. One was an elementary school teacher, the other two secondary.

Night classes: one yes; one no.

Placed in position by “need”.

Strapping: one no; one “may be useful”.

Integration of handicapped children: one yes; one no.

Sex education: one first grade; one not at all.

School records, confidentiality of: both yes.

Head Start: both yes.

Educational Facilities: both just adequate.

Remedies: one better equipment; one more buildings.

Department Publications: one reads them; one does not.

PTA: both against.

One uses ETV; one does not.

Both prefer “closed circuit”.

Both concerned about possibility of arbitrary transfer.

Both want better training programme—internship, free tuition, better education programmes.

They both come back to better facilities.



# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, December 3, 1969

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 3, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon our guests in the east gallery are students from Glen Ames Senior Public School in Toronto, and Riverside Secondary School in Windsor, and in both galleries students from Highland Heights Public School in Peterborough. Later this afternoon there will be students from Stayner Collegiate Institute, in Stayner, with us.

Statements by the Ministry.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, there has been considerable discussion in this House during the estimates debate on my department and during the question period concerning the wind-up of corporations previously writing prepaid medical coverages.

In answer to the questions raised by the leader of the New Democratic Party (Mr. MacDonald) and others I made reference to certain aspects of this subject; however, I have, on a number of occasions, indicated that I would cover this subject in detail when the staff of the Superintendent of Insurance had an opportunity of reviewing the situation being taken by the large number of corporations involved.

As of October 1, 1969, when The Health Services Insurance Act, 1968-1969, came into effect there was a variety of corporations offering pre-paid medical contracts to the citizens of Ontario. Broadly, these can be classified into the following categories:

(a) Profit-making corporations licensed under The Insurance Act.

(b) Non-profit corporations licensed under The Prepaid Hospital and Medical Services Act:

1. Non-profit corporations—physicians sponsored;
2. Non-profit corporations—health associations;
3. Non-profit corporations—health centres;
4. Co-operative corporations.

A Profit-making corporations: Since 1950 these insurance corporations—mainly life com-

panies—had offered policies of medical insurance, for a premium determined by the company. Any profit or loss from this class of insurance contract, as in any other insurance contract, either accrued to the benefit of, or fell to the decrement of, the general profits of the corporation.

As at September 30, 1969, there were over 200 provincial, Canadian, British and foreign corporations licensed in this category. The legal liability of these companies to their policyholders was:

1. To refund unearned premiums,
2. To pay claims in respect of insured obligations that had been incurred up to September 30, 1969, and
3. To make any other payments that may have been provided for under their specific contracts.

With respect to the rights of policy holders holding contracts of insurance with profit-making insurers, these policy holders are in no different position from customers of any corporation that have ceased to market a product. Unless there are specific provisions providing for experience refunds or profit sharing, there is no question of any right, legal or otherwise, of the policy holders to funds that belong to shareholders or members of the insurers concerned.

B (1) Non-profit corporations—physicians sponsored: The first prepaid medical operation to be incorporated in Ontario, and it is believed in North America, was Associated Medical Services, Incorporated. This corporation was incorporated on April 9, 1937, by letters patent issued under The Companies Act, with the object, among others, of providing for medical services on a non-profit, pre-payment and voluntary basis.

Other corporations in the same general category are Windsor Medical Services, Inc. (incorporated May 3, 1937) and Physicians Services Incorporated (incorporated August 27, 1947).

(i) Associated Medical Services Incorporated is continuing in business and will provide service to the subscribers as a designated agent of OHSIP. In addition the company will offer para-medical and drug coverages.

The question of distribution of any surplus does not therefore arise at this time.

(ii) Physicians' Services Incorporated has resolved not to continue its insurance operations and is engaged in liquidating its liabilities to creditors and subscribers with respect to claims arising prior to September 30, 1969.

I have met with the senior officers of this corporation and, as has been reported in the press and in this House, the board of governors are recommending that the corporation should not be wound up at this time, and that in pursuit of other objects contained in the company's charter, the income from the surplus funds of the corporation be dedicated to medical research. The surplus funds are estimated to be between \$14 million and \$15 million, but it will be some time before the precise amount can be determined.

Section 115 of The Corporations Act makes provision for the disposition of property on dissolution of a corporation without share capital, as follows:

Section 115(1): A corporation may pass bylaws providing that, upon its dissolution and after the payment of all debts and liabilities, its remaining property or part thereof, shall be distributed or disposed of to charitable organizations or to organizations whose objects are beneficial to the community.

Section 115(5) provides that:

In the absence of such bylaw and upon the dissolution of the corporation, the whole of its remaining property shall be distributed equally among the members or, if the letters patent, supplementary letters patent or bylaws so provide, among the members of a class or classes of members.

It has been suggested in some quarters, and I have received correspondence to this effect, that the surplus funds should be returned to subscribers. At first glance, this suggestion appears straightforward and easy of execution, but the officers of PSI and officials of my department, have considered this proposition and have found what appear to me to be insuperable problems that arise in connection with such refunds.

When one realizes that PSI, for example, has been in business since 1947 and has had as many as 700,000 subscribers at one time representing close to two million individuals, the maximum amount that might be payable to any individual subscriber becomes relatively small.

(iii) Windsor Medical Services Incorporated has also resolved not to continue in business

and is likewise involved in the process of payment of all its liabilities. It will be some months before the winding-up of operations is completed, but it is estimated that there will ultimately be a surplus of approximately \$1 million.

The members of this corporation are approximately 430 physicians practising in Essex and Kent counties. Windsor Medical, as a corporation without share capital, is also governed on dissolution by the provisions of section 115 of The Corporations Act, the terms of which I have set out above.

I have had some preliminary discussion with officers of this corporation concerning distribution of surplus, and they are to submit a memorandum to me setting out their proposals within a few days.

B (2) Non-profit corporations—health associations: Two associations fall in this category, (i) Ontario Hospital Association (Blue Cross) and, (ii) Quebec Hospital Services Association.

These two health associations have mainly been in the business of offering hospital insurance, although more recently they have also offered para-medical and extended health coverages. They are continuing in business, subject to some reduction in medical coverages that must now be provided by OHSIP and, therefore, no question of surplus distribution arises.

B (3) Non-profit corporations—health centres: There are two health centres registered, (i) Sault Ste. Marie and District Group Health Association. (i) St. Catharines and District Community Group Health Foundation.

These health centres have been appointed OHSIP agents and will continue in operation, and once again, no question of surplus distribution arises.

B (4) Co-operative corporations: At September 30, 1969, there were 33 medical co-operatives registered under the provisions of The Prepaid Hospital and Medical Services Act. Most of these were county co-operatives incorporated in the late 1940s.

The present status of these co-operatives is as follows: 22 have merged into Co-operative Health Services of Ontario, and this co-operative, together with CUMBA Co-operative Health Services, have been appointed OHSIP agents and are also offering para-medical and drug coverages. Eight are presently winding up their operations. Two are continuing but offering only para-medical and drug coverages.



The distribution of property upon dissolution of a co-operative corporation is governed by section 136 of The Corporations Act. Section 136(2) provides:

A corporation may enact bylaws providing that, upon the dissolution of the corporation and after the payment of all debts and liabilities, including any declared and unpaid dividends and the amount paid up on outstanding shares, if any, the remaining property of the corporation or part thereof, may be distributed or disposed of,

(a) Equally among the members or shareholders irrespective of the number of shares held by a shareholder;

(b) Among the members or shareholders at the time of dissolution on the basis of patronage returns accrued to such members or shareholders during the five fiscal years immediately preceding the dissolution or after the date of incorporation; or

(c) To charitable organizations or to organizations whose objects are beneficial to the community.

The members of medical co-operatives are individuals—subscribers—with contracts of insurance.

With respect to the eight corporations winding up, it is estimated that approximately \$450,000 will be available for distribution under the provisions of section 136(2). One corporation that had been in the process of winding up for some months prior to September 30, 1969, has passed a bylaw providing for donation of its funds to a charity; the other seven co-operatives which are still in the process of payment of liabilities, and so on, have yet to submit proposals to the superintendent.

With respect to the 22 merging co-operatives, it had been agreed that some surplus would not be required by the new co-operative and that distribution of these excess funds would be made when the amounts were fully determined. It will take some months before the amounts available for distribution will be known, but it is estimated that they could be in the order of \$600,000.

Some further reference has been made to the letter of August 14, 1969, from the superintendent to the corporations licensed under The Prepaid Hospital and Medical Services Act. The following is quoted from that letter:

To ensure that all liabilities to claimants, creditors and members are fully met and that a fair and orderly distribution of funds

takes place, I would ask that no payments of patronage dividends, refunds from surplus, donations to charities, or expenditures of any kind, not in the ordinary course of business, be made without the prior written approval of the superintendent of insurance.

I assure the hon. members of this House there is no intention of deviating from the policy laid down in the above paragraph.

Attached, as a supplementary to this statement, is a schedule showing the corporations licensed under The Prepaid Hospital and Medical Services Act and indicating whether they are continuing under OHSIP or winding up. The estimated surplus in the case of corporations discontinuing activities under The Prepaid Hospital and Medical Services Act totals \$16,850,000.

I have sent copies of this statement—to which is attached various tables setting out information of the individual organizations or corporations in detail—to the leader of the Opposition and to the leader of the NDP.

**Mr. Speaker:** The Minister of Justice has a statement.

**Hon. A. A. Wishart (Minister of Justice):** I am pleased to be able to advise the members of this House that a memorandum of settlement was signed yesterday by the representatives of the Ontario Provincial Police Association and of the government, who constitute the provincial police negotiating committee. This settlement sets out the terms for a new two-year agreement between the parties for the years 1970 and 1971.

The salaries are to be revised in two stages, effective January 4, 1970, and January 3, 1971. The present maximum annual salary of a constable after 42 months of service is \$8,257. This will be increased to \$9,483 effective January 4, 1970, and to \$10,044 effective January 3, 1971. Increases to other ranks are proportionate to those for constables.

The agreement applies to cadets, constables, corporals, sergeants and staff sergeants. Fringe benefits will be revised in respect of group insurance, vacations, attendance credits, separation gratuities and long-term income protection. The revisions are similar to those recently announced in respect of the civil service generally.

This settlement, Mr. Speaker, is the result of a series of negotiations that have been carried out in the greatest degree of good faith and frankness. I should like to stress that.

The contract represents the best interests of the public of Ontario and the Ontario Provincial Police force, for it is a realistic and practical recognition of the fine law enforcement agency which we are privileged to have in our province. I think that the whole spirit of good faith is exemplified by the fact that the Ontario Provincial Police Association and the government representatives were able to agree upon this contract for a two-year period prior to the expiry of the present contract.

We have never had to resort to arbitration in our salary discussions with the Ontario Provincial Police Association and I wish to commend the Ontario Provincial Police negotiating committee for their successful efforts in maintaining this fine relationship between the force and the people whom they serve.

I think I would like to add, Mr. Speaker, that the members of that negotiating committee for the Ontario Provincial Police were—I have not their ranks—Fred MacDonald, Edward Foster, James Wood. For the government they were, Robert Johnson, Douglas Omand, Rhona Scott, and the chairman was the Deputy Attorney General, A. R. Dick.

Hon. T. L. Wells (Minister of Health): Mr. Speaker, during the past month I have had meetings with representative groups of students, faculties and presidents of many of the universities in this province on various matters concerning the Ontario Health Services Insurance Plan. One of their particular concerns was coverage for medical services during the three-month waiting period for students attending Ontario universities from other countries. I am now happy to announce a new policy for foreign students has been developed and regulations are presently being written to permit easier OHSIP coverage for them.

A foreign student, indicating that he plans at least a year's academic course in an Ontario university, will have the same privileges as a landed immigrant and will be able to obtain OHSIP coverage without the usual three-month waiting period. Foreign students who may not wish to stay for an academic year will be treated as non-residents of the province and will be permitted to buy coverage for medical care services from various carriers. Similarly, visitors to this province—for example, parents coming from Europe or other countries to visit their children at one of the universities—since they are likewise not residents of the province, will also be permitted to purchase medical care insurance to protect themselves during their visit here.

It is anticipated that such medical care insurance for non-residents will be offered by a variety of insuring agencies.

Mr. Speaker: Oral questions.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a matter of clarification of the Minister of Financial and Commercial Affairs. If I understand his statement correctly, he said that profit-making corporations have no responsibility for the distribution of the reserve fund which was accumulated from premiums paid during their years of operation. Is that correct?

Hon. Mr. Rowntree: That is correct.

Mr. Nixon: And that these funds simply are distributed as profits of the corporation?

Hon. Mr. Rowntree: I think, to state the principle, either the profit or the loss enures to the company itself. If it is a loss, it is to the detriment of the profit-making company or the insurance company; if it is a profit it enures to the benefit of it.

Mr. Nixon: I would ask as a supplementary, how the Minister can be so sure that there is no residual responsibility on the part of the profit-making corporation to distribute these reserve funds that are based on premiums associated with a special kind of coverage, by some means perhaps similar to that described for other types of corporations?

Hon. Mr. Rowntree: A profit-making corporation is exactly what the word designates—

Mr. Nixon: Is the reserve fund—

Hon. Mr. Rowntree: The reserve fund is that portion of its own assets, which it sets aside and does not distribute to its shareholders, or retains as a reserve. The reserve funds for contingency purposes in any business organization—if I make that an analogy—are set aside by the corporation as a matter of business judgement for contingency. They are part of the surplus funds belonging to and owned by the company.

Mr. Nixon: A further supplementary question. Is it not true that those reserve funds are kept under the direction of the Superintendent of Insurance or some similar officer responsible to this Minister? And is it not further true, that they are in essence additional payments tacked on to the premium, because of this requirement? If that is true, then how can the Minister state with such certainty that there is not some residual right

to return these funds, either to the persons who paid them in the first place, who now have no further reason for a reserve fund, or otherwise distribute them if that is not possible. In this matter, my question essentially is this: Is the Minister stating a legal opinion or simply the opinion of his department, when he says that these funds need not be distributed?

**Hon. Mr. Rowntree:** Answering the question probably in reverse order, I am stating what the pertinent provisions of the legislation state and what the principles in that legislation are. I would like to say a word or two about reserve funds. The superintendent of insurance, in his supervising capacity, concerns himself with the stability of that fund. The fund being in the nature of insurance, and all that that implies, may be called upon to pay out additional sums which are substantially in excess of any individual premium that may have been paid by a policy holder or a subscriber.

There has to be a provision for a reserve set up according to principles which his branch establishes and keeps watch over. It may even be that in part of the operation of the insurance aspect—and I am not confining myself to hospital insurance when I make this statement—that provision must be made by an insurance company or an insurance operation to provide at the very beginning of a company's life, a paid-up surplus account.

This is called a contributed paid surplus, which is money made up of cash contributions to a surplus fund over and above the price of the securities which, shall we say, have been sold to the public in connection with the company's capital distribution. The creation of this surplus account, which is in effect a reserved account, is determined by the Superintendent of Insurance and certainly applies in the case of trust companies, among other institutions. Certainly, also, in the case of insurance companies, particularly if there are exceptions when their overhead and cost of getting into business may force them to operate at a loss and result in an encroachment or an erosion of their capital that puts them into a rather negative financial position.

The superintendent's responsibility is to see that the cash relationship is sufficiently stable to provide for reserves and sometimes additional contributions and additional capital are called upon and demanded by the superintendent of companies in this form of business. So that the question of the moneys,

of the existence and the maintenance of the appropriate reserve account being part of the company's own moneys, is something with which the superintendent is concerned in his branch every day of the year.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, as a supplementary question, may I draw the Minister's attention to a specific sentence in his statement, and it is this:

These policy holders are in no different position to the customers of any corporation that has ceased to market a product. Unless there are specific provisions for providing for experience, refunds or profit sharing, there is no question of any right, legal or otherwise, of the policy holders to funds that belong to shareholders or members of the insurers concerned.

In view of the fact that these reserves were not voluntary, that is maintained in their reserves by the company of their own volition, but they were mandatory, imposed by the superintendent of insurance, and in view of the fact that this company was put out of business by the government, is there not an obligation on the government to see that the money that was raised by the insurance companies on the dictates of the Superintendent of Insurance should be distributed to the policy holders who had to make that money available—as an overpayment on premiums?

**Hon. Mr. Rowntree:** The decision was a business decision made by the Superintendent of Insurance against the principles on which his department operates. It was not made with any knowledge of suspension of business or of the extension of Medicare, or of the OHSIP situation whatsoever.

There are two aspects. In my answer to the leader of the Opposition, I referred at some length to reserves. Reserves are one thing, and the premium rate is another factor which I think we should take into account in this discussion. There are really the two points—there are the reserves themselves plus the premium.

**Mr. MacDonald:** And the premium to some extent was dictated by the Superintendent of Insurance.

**Hon. Mr. Rowntree:** The premium rate in the case of a limited company would be determined by the company itself.

**Mr. MacDonald:** Mr. Speaker, by way of supplementary question, the premium to some extent was dictated by the Superintendent of

Insurance. When the Superintendent of Insurance ten years ago said to PSI and insurance companies, "you must raise your premiums because your reserves are not high enough," they had to raise their premiums on his dictate. Since a government agency imposed a certain proportion of those premiums, and since the companies are not in the same position as another company that ceases to market its product because the government put them out of business, is the government not obligated to see that that money be redistributed—since it was raised by the dictate of the Superintendent of Insurance and is now freed in the reserves by the fact that the government has put them out of business?

**Hon. Mr. Rowntree:** I cannot subscribe to that.

**Mr. MacDonald:** This is the most scandalous handout to insurance companies from public moneys.

**Mr. Speaker:** Order, order. The hon. member has the opportunity of asking questions. The member for Essex South has the floor.

**Mr. MacDonald:** Right, and this is the only place. The Minister is finally cornered.

**Mr. Speaker:** Order!

**Hon. Mr. Rowntree:** Not at all.

**Mr. D. A. Paterson (Essex South):** With regard to companies who have discontinued business as of October 1, has the Minister made any urging upon them to return the premiums to those people who have paid premiums only a few weeks prior to this date—paying for their insurance up to 11 months in advance—on a *pro-rata* basis?

**Hon. Mr. Rowntree:** That is an unearned premium and the policy holder is entitled to a refund.

**Mr. MacDonald:** They have plenty of money to put into the Minister's slush funds for the next election.

**Mr. Paterson:** As a supplementary, is the onus on the policy holder to write to the company to get this or will this automatically be returned?

**Hon. Mr. Rowntree:** If the policy holder has time, or is interested, I would think in the course of business he will request his agent to proceed with the matter and get his refund. But, in these circumstances, it is the responsibility of the company to proceed with the refund itself.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Thank you, Mr. Speaker, a supplementary. With regard to the dividends or surplus set aside, is the Minister saying that private insurance companies actually could keep their rates lower because they could take moneys out of surplus funds and some other department, and the Superintendent of Insurance might say, "You need so much money in here"? Are you saying, then, that they could keep their rates lower so this money, then, has no right to go to the subscribers?

**Hon. Mr. Rowntree:** I do not quite understand the questioning.

**Mr. Ruston:** The insurance company takes funds of another area to use as a surplus account for its insurance, and maybe its rates would be lower because it can use other funds as a surplus set aside.

**Hon. Mr. Rowntree:** Where the operation is below the break even point, then I think it is a matter of good underwriting that some adjustment of premium for the next future period should be taken under advisement, after considering whether or not that resulting financial position is a permanent trend due to inflation or additional costs leading to higher claims, to which the related premiums are not commensurate or properly correlated. For example, in the PSI situation, for a period, the premium rate led to losses. I do not have the exact figure before me, but in one year, for instance, the PSI premium was at a level that led to a \$7,800,000 loss.

**Mr. S. Lewis (Scarborough West):** But these are not losses, these are profits.

**Hon. Mr. Rowntree:** And that was then adjusted by PSI in the normal course of business.

**Mr. J. Renwick (Riverdale):** Mr. Speaker, by way of one more supplementary question, am I correct in assuming what the Minister in substance is saying is: Reserves which were established to protect the policy holders against claims which may be made against the company under their policies, now—when no claims are going to be made because of the action of this government in requiring the winding up of that portion of their business—those funds can now be transferred either to the general reserves or to the surplus of those companies, and the action of this government does not require those companies to work out

a method by which those funds can be returned to the policy holders for whose protection they were originally established?

**Hon. Mr. Rowntree:** That is the law. As the hon. member for Riverdale well knows from his past experience with the insurance industry, of which he was a part, the product that the company sells is sold at a rate which is either acceptable to the buyer or it is not acceptable to the buyer in the market place. The winding up of a company or on cessation of business, for any reason, even withdrawing from any one jurisdiction, would lead to the same provisions under the relevant corporations Act, as we know them on this continent.

**Mr. J. Renwick:** Mr. Speaker, by way of one more supplementary question on this point. Does not the fact that the government forced the winding up of this branch of business, introduce an entirely new factor into what would otherwise be the normal legal relationship which the Minister has spoken about?

**Hon. Mr. Rowntree:** Yes, the action of the government did bring to an end the operations of both non-profit and profit-making organizations. I would have to say this: The operation of the Superintendent of Insurance, in his supervision as superintendent of the financial position, had no relationship, nor was it related in any way to the decision of the government, through The Department of Health, to extend the Medicare legislation with the consequent cessation of operation in those defined fields which you state. There was no connection.

**Mr. MacDonald:** A final supplementary question if I—

**Mr. Speaker:** I think that this is developing into debate and I would think that the members would want to read the statement and then perhaps—

**Mr. MacDonald:** Mr. Speaker, this is a specific supplementary question and there will be no debate.

**Mr. Speaker:** The hon. member has been asking specific supplementary questions and then trying to convert them into debate by statements and observations. If the hon. member will ask a question, I will allow one more, but I will not allow it to get into a debate or a narration.

**Mr. MacDonald:** In view of the fact that PSI's reserve on about 2,000,000 subscribers is \$14 million, would the Minister confirm that the reserves of the insurance companies

on approximately 3,000,000 subscribers will be in excess of \$20 million?

**Hon. Mr. Rowntree:** Just repeat that last sentence.

**Mr. MacDonald:** In view of the fact that PSI's reserve with 2,000,000 subscribers is worth \$14 million to \$15 million, would the Minister confirm that the reserves of the private insurance companies, with approximately 3,000,000 subscribers, would be in excess of \$20 million?

**Hon. Mr. Rowntree:** No, I cannot confirm that. I think that this leads me to make this comment that the cost of analyzing the entitlement of a subscriber to a refund where millions of individual claims have been made would dissipate the money to the accountants or the consultants required to—

Interjections by hon. members.

**Mr. Speaker:** Order! Has the leader of the Opposition completed his question?

**Mr. Nixon:** I have a question of the vice-chairman of Hydro.

**Mr. Speaker:** I believe the procedure is to put it to the Minister responsible, that is the question, and then it may be passed over to the member.

**Mr. Nixon:** I am interested, because the Minister is not here, and yesterday you permitted a question to be referred to the chairman of the Niagara Parks Commission, and I have a question concerning Hydro. The man who has the answer is sitting over there and he said: "I cannot answer it."

**Mr. Speaker:** Unfortunately, I am afraid that is the way the new procedures are made out and yesterday the Minister was here. We will watch for the appropriate Minister. Has the leader a further question?

**Mr. Nixon:** Yes, of the Minister of Social and Family Services. In view of the fact that the agenda for the federal-provincial conference calls for the discussion of matters pertaining to his department, particularly those concerning a guaranteed minimum income, will the Minister be present to take part in those discussions in Ottawa, and whether or not he will be, has his department undertaken research which will guide the delegates from Ontario in putting our provincial position to this conference?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, I will not be

part of the delegation. Our department some time ago commenced a study of the whole question, all aspects of that which is encompassed in the term "guaranteed annual income" because there is as yet no scientific definition of what that means. The Treasury Department, and therefore members of the delegation, are aware of what we have been doing in this field and there has been communication between the two departments.

**Mr. Nixon:** Supplementary question. Since this investigation has really just begun, does that mean Ontario will not have a particular policy to put forward at the conference, and will be there essentially in the role of an observer?

**Hon. Mr. Yaremko:** As a matter of fact, Mr. Speaker, no one has really done a scientific study in depth with respect to all the ramifications of the "guaranteed annual income".

I was interested for example to see the position of the NDP which embraced this, but when I saw the "ifs" and "buts", and "provided this" and "provided that"—I am afraid I took very little comfort as to being enlightened as to their conception of the "guaranteed annual income".

We are now, and have been for some time, in the process of making a scientific analysis of what can be done in this field, and also the moneys that will be involved in respect to a complete implementation of the idea "guaranteed annual income". However, it may be that there are steps which can be taken in that direction without necessarily going the full distance at one time.

**Mr. Nixon:** Mr. Speaker, I have another question of this Minister. I was a bit disturbed at the report of the Minister's comments on fire safety in the homes for the aged. Is he prepared to give us assurance here that the fire safety regulations and inspections are up to date as far as Ontario's homes for the aged are concerned?

**Hon. Mr. Yaremko:** Mr. Speaker, I do not know what report disturbed the leader of the Opposition.

**Mr. Nixon:** The Minister said he lived in fear of a similar catastrophe in Ontario to the one that occurred in Quebec.

**Hon. Mr. Yaremko:** That is right, and I will continue to live with that spectre regardless of whatever we do in this field. You cannot shake off the kind of horror that al-

ways lurks behind the scene. However, I may say, Mr. Speaker, that—

Interjections by hon. members.

**Hon. Mr. Yaremko:** Mr. Speaker, I may say that this matter of very grave concern to myself and to the members of the department is continuously being looked into. In the light of the tragedy which occurred in Quebec I have discussed the matter with the senior members of the department, the deputy and the director, and a memorandum is going first to all municipal and charitable homes regarding the tragic fire, alerting them to their responsibilities for adequate fire prevention programmes.

The second step is that our staff are reviewing every file on every home, to ensure no reported violations of regulations or recommendations have been left undone by the local committees. For any of those which are, a letter to remind them and to indicate a review of their latest subsidy claim—that is, they will be reminded payments go hand in hand with the responsibility of ensuring every step is taken. I may say, Mr. Speaker, that even after these steps have been taken, we will continue to pursue this matter because the horror of fire is always present.

**Mr. T. P. Reid (Rainy River):** By way of supplementary, Mr. Speaker. Are there any special rules and regulations pertaining to local homes, as far as fire regulations go, that are different from the ordinary ones for hotels, hospitals and other things?

**Hon. Mr. Yaremko:** Yes.

**Mr. Nixon:** Mr. Speaker, I had a question of the Attorney General following his statement that salary settlement had been reached with the Ontario Provincial Police. He gave us the three maximum figures. Are there corresponding minimum figures or a range of starting salaries? That is, what it will be in January, 1970, or what it will be in January, 1971 for a constable just joining the force?

**Hon. Mr. Wishart:** I have returned the statement to my staff. I have not got the figures in front of me. I will get them and give them.

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

**Mr. MacDonald:** Mr. Speaker, my first question is of the Minister of Health. In view of the fact he has received information of the sale in the province of Ontario of a cough medicine called Nyquil containing 25 per cent

alcohol, 8 mm of ephredine, 15 mm of Dextromethorphan-hydrobromide, a combination with effects ranging between that of a liqueur and "speed"—

**Mr. Nixon:** Sounds like a good mixture.

**Mr. J. W. Snow (Halton East):** Where can we buy it?

**Mr. MacDonald:**—will the Minister indicate what action the province can and will take immediately?

**Hon. A. Crossman (Minister of Correctional Service):** A hell of a way to dilute alcohol.

**Hon. Mr. Wells:** Mr. Speaker, this question is very interesting. I received a letter to this effect from the member for High Park at a quarter to two—

**Mr. Lewis:** Right.

**Hon. Mr. Wells:** At ten minutes to two I called my people together and immediately instituted proceedings to find out if what the letter said was true, to find out what the federal government was doing, to find out what we could do in the situation.

At two minutes after two I sent a note to the member for High Park and told him I would have the information later this afternoon. I was later informed that a press conference had already been held by the NDP about this matter probably before the letter was sent to me.

**Mr. M. Shulman (High Park):** After!

**Hon. Mr. Wells:** The interesting thing here, Mr. Speaker, is that I was told in this House last Thursday that their major concern was with the health of the people of this province, not some political gain. I have worked to the utmost of my ability to see what we could do as quickly as possible and I would say in this instance the public interest is not served by publicly drawing attention to this cough medicine at this particular time. If we are lax and refuse to do anything, then this is the time to draw it to the public attention. This that is happening today is a complete negation of the kind of thing they said they wanted to do with us. I will have the story as quickly as possible.

**Mr. MacDonald:** By way of supplementary question, will the Minister explain to me how a cough medicine can be marketed in this country when it is 25 per cent alcohol? How can it be legally marketed?

**Hon. Mr. Wells:** Mr. Speaker, of course, firstly, the federal government has the primary responsibility as to which drugs are on the controlled list and which drugs are in certain other categories. We have a complementary provision in The Pharmacy Act and this is what we are looking into right now, but I would think—and again I have only had, as I say, about 15 minutes to talk to our people about this, and I think the member for High Park would recognize this—there are probably many other remedies on the market which have a high degree of alcohol in them.

**Mr. Shulman:** Not with these other drugs linked with it.

**Hon. Mr. Wells:** The point is there are also many other preparations, perhaps, on the market which can cause the state of euphoria which I am told this cough medicine could cause, if drunk in large quantities, and that these are also being sold over the counter now.

**Mr. Shulman:** Nothing like this.

**Hon. Mr. Wells:** I agree that this is an urgent problem and I am going to look into it. I just question the motives of these people bringing it up, at least before I got an answer.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. MacDonald:** If I may deal with a supplementary question instead of trying to divine the motives of the Minister. Since the Minister has admitted that The Pharmacy Act has complementary jurisdiction with the federal food and drug legislation, can he explain to me whether or not they get advance notice of the marketing of a product which is 25 per cent alcohol? Or do you have to wait for members of the New Democratic Party to alert you to what is happening?

**Hon. Mr. Wells:** I do not know whether we get advance knowledge or not. This is the kind of thing that I will find out later today when we check into the whole thing.

The matter is that we may find that the federal government has been approached on this matter, and has considered it and decided that it did not need to be on a controlled list. But let us wait until we get the information.

**Mr. MacDonald:** I have another question of the Minister.

**Mr. Speaker:** The hon. member for High Park was on his feet.

Interjections by hon. members.

**Mr. Speaker:** Order! It has been called to my attention that this is Wednesday and therefore we have but half an hour which has expired.

**Mr. Shulman:** Should I not be allowed to place my supplementary, Mr. Speaker?

**Mr. Speaker:** I may say also that it has prevented the Attorney General from answering two questions from the other side of the House because answers come after the two leaders' questions. Therefore, we will try to have those answers tomorrow during the question period.

**Mr. Shulman:** Mr. Speaker, on a point of order, if the health of the population is affected, is it not proper that the Minister of Health should have certain mechanisms to let him be aware of such matters?

**Mr. Speaker:** Order!

The hon. member is now trying to convert the ordinary session of the House into a further question period and he is quite out of order.

Petitions.

Presenting reports.

**Mr. Whitney,** from the standing agriculture and food committee, presented the committee's report which was read as follows and adopted:

Bill 74, An Act to amend The Ontario Society for the Prevention of Cruelty to Animals Act, 1955.

Motion agreed to.

**Mr. Speaker:** Shall this bill be ordered for third reading?

**Mr. Nixon:** No, that is going to be amended, I understand.

**Mr. Speaker:** Bill 74 has now been reported back to the House and the House must decide whether it goes to third reading or committee of the whole.

Shall this bill be ordered for third reading? There being objections, unless the House wishes to vote on it, it will go to the committee of the whole House. Does the hon. Minister wish to have the matter dealt with by the House?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): That is fine.

**Mr. Speaker:** Ordered for committee of the whole House.

Motions.

Introduction of bills.

## THE CORPORATIONS TAX ACT

**Hon. J. H. White** (Minister of Revenue) moves first reading of bill intituled, An Act to amend The Corporations Tax Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. White:** Mr. Speaker, by way of explanation, this lengthy bill is really quite simple. The amendments fall into three categories.

The first such category corrects errors, typographical and otherwise, in the existing legislation.

Secondly, a number of amendments clarify the intent of existing legislation and are in keeping with recommendations of the Smith committee and the select committee.

Thirdly, there are two substantive changes which can be readily and easily explained to the members of the House. One of the two substantive changes alters our corporation tax legislation to conform to the new formulation for taxing insurance companies adopted by the federal government; it is expected to produce an extra \$5 million per year. This change will not only give us conformity with the federal legislation, it will put Ontario on the same tax basis as those eight provinces of Canada for whom the federal government collects corporations tax.

The other substantive change has to do with the pro-rating of capital tax. It will be effective March 15, 1969, and it will make it possible for a corporation with a short fiscal year, for whatever reason—as a result of a merger, perhaps—to pro-rate the capital tax according to the actual length of time in the fiscal year for which the tax is paid.

**Mr. Shulman:** Before the orders of the day, sir, on Wednesdays and Fridays we are allowed a half hour for the question period. Surely it is not proper for the leader of the Opposition on those days to use 28 of the minutes to ask several questions? Is it not possible, sir, to limit the leader of the Opposition and anyone else to one question during that period of time so that the other



members of the House will have an opportunity to ask questions also?

Interjections by hon. members.

**Mr. Speaker:** In view of the record of the member for High Park who is now questioning the time taken by the leader of the Opposition, I doubt that he has any personal complaint. On behalf of the other members of the House, he might have that complaint; but that is a matter entirely for the members to deal with. Therefore, as far as I am concerned, Mr. Speaker neither has, nor wishes to have any jurisdiction with respect to that. The procedure has been laid down. It has been followed well and I think the questions asked by the leaders of the two Opposition parties have been worthwhile questions. Any members who wished to join in those questions with supplementaries within reasonable length have been given the right to do so.

**Mr. Lewis:** On a point of order, Mr. Speaker—

**Mr. Nixon:** Speaking to the point of order, Mr. Speaker, I am sure that you would find, as would the hon. member who raised the point originally, that if you were to look at the time consumed in the question period, it was quite equally shared between the leader of the New Democratic Party and myself.

**Mr. Shulman:** I am not distinguishing between the two members.

**Mr. Nixon:** Yes. The member would find, Mr. Speaker, that much of the time today, which was a restricted period of 30 minutes—and as a matter of fact we went over that—was in the supplementary questions dealing with Ministerial statements. I find the member's complaint very peculiar under these circumstances.

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

**Mr. Lewis:** Mr. Speaker, I had intended to rise respectfully on a point of order, to say that your decision on the point raised by the member for High Park is, of course, appropriate, I think, without any unnecessary invidious observations about his right to raise the question on his behalf or anyone else's behalf.

**Mr. Speaker:** I very often accept corrections and suggestions from hon. members. I do not accept that from the hon. member for Scarborough West.

**Mr. Lewis:** That is your decision.

**Mr. S. Apps** (Kingston and the Islands): Mr. Speaker, may I speak on a point of order? I think the member for High Park does have a point. In many cases the questions are asked and then so many supplementary questions are asked that there is no way in which each party can take a turn in asking questions. There may be some people on our side of the House who might want to ask a question of importance. I think the leader of the Opposition and, as far as that is concerned, the leader of the NDP, should take that into consideration so that all parties in the House might have an opportunity at least once to ask a question on a Wednesday or a Friday.

**Mr. Speaker:** I agree entirely with the statement of the member for Kingston and the Islands. I would point out to him that on occasion this has happened, that the Speaker has tried to reduce the number of supplementary questions so that other members could have the opportunity of asking questions. But the members have always objected to the supplementary questions being cut short, even when it becomes a debate.

Therefore, I still think this is a matter for the members to determine. I have no complaint or thoughts one way or the other and, therefore, as far as I am concerned, we will continue with the practice which has been laid down. If the House wishes differently, then a motion on the floor of the House will be carried and Mr. Speaker will follow the terms of the motion.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Just to speak to the point of order briefly, I think the record will show today that most of the half hour was used up in questions relating to the statement by the Minister of Financial and Commercial Affairs. I think the record will further show that most of those questions were asked by members of the New Democratic Party.

I think the record will also show that the Speaker at one point suggested that that particular line of questioning had gone on long enough and the leader of the New Democratic Party objected quite strongly to your ruling in that instance. I think the record will show this and the member for High Park should be aware of it.

**Mr. Shulman:** But also, Mr. Speaker, the leader of the Opposition asked several questions.

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

### THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

**Hon. W. G. Davis** (Minister of Education) moves second reading of Bill 240, An Act to amend The Secondary Schools and Boards of Education Act.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, just before this bill is carried for second reading, I understand we are going to have the education bills that were presented just yesterday for first reading. The day before?

Anyway, they have been put in the books rather hurriedly and I must say, sir, that we have to go on the Minister's assurances that their contents are as he describes them. Does he intend that all these bills be considered by the standing committee?

**Hon. Mr. Davis:** Mr. Speaker, I meant to make this observation, that Bill 240—and this is why we are giving it second reading today—and Bill 241 would go to the standing committee tomorrow.

There are two other bills. One is The Separate Schools Act. It was not my intention to suggest that the third one, the bill respecting the scholarships for Osgoode Hall law school of York University go to committee. I thought we could deal with that today. I think it is very non-controversial.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** This bill then is to be directed to the standing committee?

Agreed to.

### THE SCHOOLS ADMINISTRATION ACT

**Hon. Mr. Davis** moves second reading of Bill 241, An Act to amend The Schools Administration Act.

**Mr. Speaker:** Does the member for Peterborough wish to speak?

**Mr. W. G. Pitman** (Peterborough): Yes, Mr. Speaker.

**Mr. Speaker:** Now is the time, before it is carried.

**Mr. Pitman:** I think this is the bill which has in its amendments, one section which makes it possible to set up within every board what has been termed an advisory committee. I think it is called a school board advisory committee.

I want to say first of all how pleased I am that this has come forward from the Minister of Education. The Minister will have perhaps noted that on the order paper there is Bill 204, which is an Act to amend The Schools Administration Act, standing in my name, which suggests that there should be an advisory committee to every board, composed of 15 members to be appointed—five to be appointed by the board, five to be appointed by the teachers themselves and employed by the board, and five who shall come from the ratepayers through the home and school council.

I want to make one or two observations on this section of the bill before it reaches committee. I can assure the Minister I will not be holding up the passage of this bill on this particular occasion.

The first disappointment I had in the bill is, of course, that it is not mandatory. It simply states "a board may establish a school board advisory committee".

The Minister's obvious reaction is that the boards will do this. They are men of goodwill; they will co-operate, they will surely take the introduction of this bill as a first step toward the setting up of advisory committees across this province.

One can only quote back to the Minister some of the remarks he had to make last year when we were on Bill 44, when it was suggested in this House that certain things might well be left to the boards to decide. He indicated that in a sense one has to admit this, that legislation itself is educational.

One wonders in the southern United States how long it would have been before there would have been integration in Alabama, in Arkansas and so on, unless there was legislation making it mandatory for those boards to allow blacks and whites to be educated together.

And one wonders, Mr. Speaker, in this situation how long it may well be before some boards set up a school board advisory committee. This is the thing that does bother me because, as the Minister knows, there has been legislation since 1954 allowing boards to form larger units, but the boards simply have done nothing about it. The Minister felt in his wisdom that it was necessary to force these boards into larger units.

We have the example of the vocational advisory committees. Here again, in a way, rather than use the stick, the Minister has used the carrot. If a board does not set up a vocational advisory committee, then of

course it does not receive certain grants and certain advantages. Therefore, of course, school boards certainly do set these committees up because of the importance of the grants.

I wonder, then, about the Minister's wisdom in simply stating without any implications in regard to grants, or any implications in regard to either the stick or the carrot, that a board may establish a school board advisory committee.

I am afraid the boards which most need a school board advisory committee will not form a school board advisory committee. There will be some, of course, that will in their own realization of how important this matter is that there be a democratization and a participation in the education in Ontario. They will go ahead and carry out this action.

But I am afraid that many boards will not. They will simply sit back and allow this legislation to sit on the books.

I say to the Minister—and here I suppose is, where the difference is in our thinking—I think it is so critical, so crucial, that something be done to make sure that people have some opportunity to participate in what is going on in the area of education.

I think that the change to large jurisdictions, the large county boards, has been so important in the development of education in Ontario and has had the effect, I say to the Minister, of cutting people off, or the feeling that they are cut off from what is going on in education, that I think in this case mandatory legislation does have justification.

I realize that the trustees may not feel this is the case, but in the same argument to the Minister, they have accepted the large boards of administration and with it, I think, hand in hand must go this kind of development if we are going to have any kind of breakdown of the alienation which has taken place in education across this province.

I think the increases in the cost of education justify this degree of extra participation. I think, for example, of the need for information. The fact is that education is changing so quickly in certain areas—not so quickly in other areas as we talked about that last night—but nevertheless in certain areas with sufficient speed that the information gap appears and continues to widen and we can only jump this information gap if we do something really worthwhile. I think in simply making it optional for a board to establish an area such as this, it indicates some lack of realization of the basic significance and importance of what the Minister is doing.

I think that there have been indications in the past, that school boards do not like to share power. None of us likes to share power, Mr. Speaker.

You know, whenever a committee or a group of people appear on the steps of the Legislature, or when they appear before a committee of this House, the first reaction in spite of all of our democratic ideals, is the feeling we represent the people. We were elected by the people. We went out there and faced them night after night, walked up and down streets, shook hands with all of these people. Therefore we have a "divine right", you might say, to feel that we represent the views of people.

And to some extent of course, the school board has the same kind of a "hang-up". After all they, in a sense, represent the people, and they tend to be very suspicious that advisory boards might very well become a ploy of special groups.

Of course an advisory board of this nature is going to open the door to all kinds of things. I would hope, for example, that the relationships of the press might very well change across the province. So there will be a far greater discussion of what is going on in education. There will be far greater opportunities to secure input into various areas of society rather than what is too often the view of the administration, which is largely the one that is considered by the school board.

I want to say that this is a very real threat to the administration in a large school jurisdiction. These are professional people. I can remember the words of a man who was given a rather lavish farewell lately, who said that he disliked this idea that "education is everybody's business". It is not "everybody's business", he said; it is everybody's concern, but it is our business—we, as the professionals.

I reject this view. I feel certainly that professionals have a particular role to play, but essentially the tradition of education of the province of Ontario should still leave it as the parent's primary role to decide on the kind of educational experience the young person is going to experience. I think this is a further opportunity to make that emphasis in relation to this piece of legislation. I am concerned, not worried, Mr. Minister. I am concerned about the role of parents in this particular committee which he has placed before the Legislature this afternoon.

We will have an opportunity to discuss this matter tomorrow morning in the committee, I would hope. But the fear I have is this,

that there is no constituency for these parents to report to, to have some kind of a relationship with. They could very well become four persons who—I will not say, like “trained seals”; but they might become “puppets”. I will try to be as generous as possible. They might be the people who will be the least troublesome to the board. They may not be people who represent low income groups. They may not be people who represent the areas of the community where there are very real problems involved, in access to schools and buses and so on. In other words, they may not be the people who are likely to bring before the board the most disconcerting aspects, in that particular administration.

That is why I again disagree, I am afraid, with the member for Scarborough East (Mr. T. Reid) on this occasion. I think the home and school association may very well, at this time, be looked down upon by many parents. But I think it has within it the seeds of democratic revival and I think that this bill could be the basis of that revival. I think that there is an opportunity for every ratepayer now, because they have opened up their constituency to anybody in the community who wishes to be a part of that organization.

I say that this bill placing the home and school association at the centre, by giving it a role to play, making it a part of the input on education, could be the salvation of that organization. That is why I am concerned about the four persons being appointed by the board rather than coming through the home and school association.

I would say, finally, that this, in turn, should be related to what goes on in each school. I think the home and school association could be putting people on school advisory committees and together the school advisory committees could find the four people who represent the school advisory committee at the board level.

In other words, I fear for the four people who are structured into this committee. I fear that they will not have, you might say, the support of a recognized organization, the support of a great many people behind them. This will give them some power and some right to speak on this committee and give them an opportunity to really influence what goes on at the board level.

Also, I notice something which I must say did not appear on Bill 204 either. Strangely enough, a group of people who have been talking about setting up a school advisory committee suggested this to me, that there should be an opportunity for a student

to be on this advisory committee. Perhaps there should be an opportunity for one of these four persons, who are neither teachers nor members of the board, but who are residents within the jurisdiction of the board, to be a student.

Perhaps the Minister will clarify this tomorrow when we bring this before the committee. I would think that a student could be a member of that committee because there is certainly nothing which states that the person has to be of a certain age, or that he has to pay taxes, or that he has to be a parent. It simply states that he has to be a resident. Possibly the bill is an improvement, even on my Bill 204 in this regard, if the Minister can assure us that this, indeed, could be the case within an individual jurisdiction. He shakes his head and I am delighted to know that this indeed is possible.

**Hon. Mr. Davis:** Trying to make it a little more flexible than you in other areas.

**Mr. Pitman:** The Minister knows the word “flexibility” is one which looms large in my vocabulary as well.

**Hon. Mr. Davis:** Along with “worrying concern”?

**Mr. Pitman:** May I say, Mr. Speaker, that in terms of this direction, I am pleased and delighted to see that the Minister has realized the significance of permitting the participation of individuals within the educational system. This is the whole direction, but it may only be the first step once again. May we hope that boards will be given a good deal more push towards establishing these committees.

May it develop down to the school level because, as I said last night, we are going to need parents, volunteers, hundreds or thousands of them, if we are going to keep—I want to use the word not teacher-pupil ratio, but rather adult-pupil ratio—within our schools. I think that is the only way we are going to be able to save costs. I do not think we have any right to turn to parents to become—you might say, volunteers and helpers in school, or volunteer labour in school, unless we give them a role in making decisions. Decisions of a board level, of a school level. I stand in accord, but with some limitations to my enthusiasm as a result of one or two areas within this bill.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, we would like to say we support this bill, particularly part 12, the school board

advisory committee. I will be brief in my remarks. I agree fairly closely with the member for Peterborough in his comments on this, so I need not repeat what he has said, except for one thing. I think this should not be simply permissible; it should state quite clearly that each school board in this province must have such an advisory committee.

Speaking in terms of the principle of the bill and the principle of the section—underlying the section—is the assumption that schools boards have a great deal of influence in terms of what happens in the schools and that the people in the community share this belief. I think we have seen again, certainly in Metropolitan Toronto, that many adults, most adults in fact, do not bother voting for school trustees. They do not believe that school boards can be very effective in terms of what happens in the schools, strictly in the educational sense, as opposed to the hardware sense.

Therefore, they say, what is the use of even trying to get good people on the school boards? The real decisions on education are, or could be, made by the Minister and his department. The real decisions on education are still made in the classrooms of this school in terms of the relationship between the individual teacher, the individual student and, indeed, the parents of those students. I would say that the Minister's concern is somewhat misdirected. I would much rather have seen a bill such as the one I have sponsored, whereby each school would have either an advisory committee or a council in which the parents would have some direct involvement.

I say this with some feeling, I have come to the conclusion that we have to have a neighbourhood concept of our schools—that is a street concept—the small neighbourhood concept built around the neighbourhood school. It is, if you like, a necessary but not sufficient condition to make education in our schools relevant to the needs of the pupils and the needs of the parents in that local community.

I would simply conclude my remarks, Mr. Speaker, by saying that I would have hoped the Minister would come to grips with the reality of decision-making in the school system and that of the individual school. Perhaps he should have had this advisory committee made up of representatives from individual school advisory committees. But then, of course, the individual school advisory committees would have to be formed before the

board advisory committees. I think the Minister has taken a step forward but it is the wrong foot.

**Mr. Speaker:** Is there any other member who wishes to speak to this bill? Does the Minister wish to reply?

**Hon. Mr. Davis:** Yes, very briefly, Mr. Speaker. I always try to lead off with the right foot, whether one means that in a figurative sense or not. I would observe to the members opposite that I am quite pleased they recognize the very real advancement contained in this particular section. I think it should be pointed out, Mr. Speaker, that this is something of a very real and important experiment. We have done it on a permissive basis because I think there is some merit in it, if this committee is to function and if there is to be rapport between the committee and the board itself. That is something, certainly not in its beginning stage, that is not forced upon the board as just another committee to deal with. I think there has to be a genuine interest and desire to have this work, and work in an effective fashion, and not just give lip service to it, and not just recognize it because it happens to be a mandatory section in a particular Act.

I would say this, Mr. Speaker, that we also are interested, quite frankly, in the first year or two of operation of the section, to see what the experience may be. While we, I think, agree in principle on what should be done, it may be that we will find with some experience that if we are to formalize the structure and to consider making it mandatory for the board, perhaps some alteration should be made to what we are presently considering at this time. But I do emphasize this, I think it is important, if we are to have some of the concepts mentioned by the member for Peterborough, and the member for Scarborough East, there is great merit in trying to do it in a way that establishes a degree of liaison and rapport between the advisory committee and the board itself, so that it is something that is not imposed, certainly in these beginning stages.

Mr. Speaker, with those general observations, perhaps we can discuss it in some detail tomorrow morning.

**Mr. Speaker:** The motion is for second reading of Bill 241. Does the motion carry?

Motion agreed to; second reading of the bill.

**Mr. Speaker:** This bill, therefore, is ordered to standing committee.

SCHOLARSHIPS FOR OSGOODE HALL  
LAW SCHOOL OF YORK UNIVERSITY

Hon. Mr. Davis moves second reading of Bill 242, An Act respecting scholarships for Osgoode Hall Law School of York University.

Mr. J. Renwick (Riverdale): Mr. Speaker, this bill appears on its face, and undoubtedly is, a purely formal bill transferring to the Osgoode Hall Law School at York University the assets of the funds which were available for scholarship purposes to the Law Society of Upper Canada when Osgoode Hall Law School was run by that society. I think, however, the Opposition must, in these instances, make absolutely certain that the bill is in strict conformity with the legal requirements for such transfers, and not simply rest it on the basis that two such renowned institutions as the Law Society of Upper Canada and York University would do other than be meticulous about the transfers that were taking place.

I do, therefore, suggest, Mr. Speaker, that the Minister, if the few remarks I have to make merit consideration, would consider sending the bill to the committee on education and university affairs. It may be that the points are ones that he can readily cover in which case it will not be necessary for him to so consider that request.

As I understand it, when anyone wants to substitute one trustee for another, there is adequate provision under the laws of the province under The Trustee Act to make that substitution. Therefore, my first question is, why is it necessary in this instance to have an actual formal bill, making that substitution of what is referred to in the bill as the university, in place of the law society as trustee of each of these particular funds.

The second point that I would like to make is that it is my understanding that there is a body, and perhaps the Attorney General (Mr. Wishart) or the member for Downsview can refresh my memory, so that whenever a bill comes before one of the committees of this Legislature dealing with, or changing the terms of bequests contained in wills or other trust documents—

Mr. V. M. Singer (Downsview): The estates commissioner.

Mr. J. Renwick: There is an estates commissioner who usually assures the committee of the House that everything is in order and that all the technicalities have been complied with. Again, I am not sufficiently familiar with it to know whether it is appropriate in this

case that the House, or the committee of the House, should have that kind of assurance.

Mr. Singer: They only deal with private bills.

Mr. J. Renwick: It may well be, but in this case we are dealing with—and this is the problem that comes to my mind—the Law Society of Upper Canada, as I understand it, is a private institution. Private persons left funds or property in trust to that private institution for certain purposes. Here we are transferring assets from the Law Society of Upper Canada—a private institution, certainly with very real public aspects but in law, a private institution—to a public corporation, which is the York University. I understand it was incorporated under a public Act of this Legislature.

Mr. Singer: You mean by a public Act?

Mr. J. Renwick: Yes, we are doing this by a public Act, and as I say, it may be that there is quite an adequate reason for saying that those particular commissioners have no application to it.

The third point which I would also like to raise is that in The Mortmain and Charitable Uses Act of the province, it specifically provides that where trustees are empowered to administer a whole property for charitable uses, and so on and so forth, they may do so and invest it, and so on, upon the terms expressed as, "gift, grant, devise, bequest or conveyance whereby the same is given, granted, devised, bequeathed or conveyed to such body." Now, in looking at the wording of each of the particular sections of the bill, I think that we should have the assurance of the Minister that, in fact, there is no variation taking place in the terms and conditions under which the bequests were made in the original bequest to the Law Society of Upper Canada.

I assure you, Mr. Speaker, my desire is not to impede the Minister in carrying out his efforts but I do think in this kind of a situation that we must have the assurances that these matters are attended to with the greatest of meticulous care. My last point is that I do not understand why the bill, in fact, does not contain a provision vesting the property by the terms of the bill in the university, rather than leaving it in the last clause to provide that there shall be all the necessary conveyance to transfer the property. In other words, the bill would be much more effective, in my view, if the bill itself was operative to vest the property and the details of the

actual procedures of the conveyances were left to take place as events subsequent to the actual vesting of title in the university.

**Mr. Speaker:** Is there any other member who wishes to speak to this? Does the Minister wish to comment?

**Hon. Mr. Davis:** I will just comment very briefly. It has been a year or two—in fact, about seven—since I practised any law so I shall not attempt to reply in detail. I have no objection whatsoever to having the committee take a look at this tomorrow and to ask representatives from the law society, who actually were very instrumental in assisting in the drafting of this bill, to come and explain it to the committee; none whatsoever.

I think the second point the member for Riverdale raised does relate to private bills. This is a public bill and I think that part of his concern is answered in that regard. With respect to the question of whether public legislation or existing legislation would cover the situation, we must remember that some of the items are trusts related to estates. I just glance at section 8, however, where donations had been made by the hon. Wallace Nesbitt, and I would assume—I am just guessing at this—that this is not from an estate but that this was a donation made by the hon. Wallace Nesbitt. I think he is still with us, Mr. Speaker.

I would doubt whether one could construe that as being the same type of donation, shall we say, as one coming from an estate. Perhaps this is something that has to be treated in this fashion. But I have no objection whatsoever in asking the Treasurer (Mr. MacNaughton) or someone from the law society to join with the committee tomorrow morning.

The only thought I would have, knowing the membership of the committee—with the exception of the member for Sarnia (Mr. Bullbrook); I hope the member for Riverdale is there and the member for Lakeshore (Mr. Lawlor)—that the rest of them are laymen. If we are going to get some of these answers, perhaps they might be there to engage in some dialogue.

**Mr. J. Renwick:** Mr. Speaker, if I may just make one very brief comment; perhaps a member of the Attorney General's office would be available for that meeting.

**Mr. Speaker:** I am sure the Minister will ask the chairman of the committee to have the appropriate people there, particularly after the discussion in the House.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** This bill will now go to the standing committee.

**Clerk of the House:** The 17th order.

**Mr. J. Renwick:** Mr. Speaker, before we proceed with the 17th order, could I ask the House leader if he would be good enough to stand this order down, simply because my colleague, the member for Lakeshore, and others of us who are interested in it, have not had an opportunity to peruse the judgement of the Supreme Court of Canada, which I understand has led to the introduction of this bill. We would like to have that opportunity to do so.

**Hon. R. S. Welch (Provincial Secretary):** That is fine.

**Mr. J. E. Bullbrook (Sarnia):** If I might speak to that, Mr. Speaker. I am concerned that this legislation be enacted before our present session prorogues. I have no particular concern in putting it over for several days, but I think it is absolutely essential, as far as the welfare of some children in this province is concerned, that this legislation come in before we do prorogue. I think that that should be understood.

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, this is quite agreeable. I had indicated to the House leader that I was aware of the interest of the member for Sarnia, and the interest of the member for Lakeshore. I believe I arranged for the judgement to be delivered to him this morning. I do not know whether he—

**Mr. P. D. Lawlor (Lakeshore):** I have not seen it yet.

**Hon. Mr. Yaremko:** I see. Well I had asked that it be delivered directly to the office of the member for Lakeshore this morning. If he has not had an opportunity of reading it, perhaps I would ask him to give his attention to it so that we might proceed at the earliest opportunity in this session to deal with the matter.

**Mr. J. Renwick:** Mr. Speaker, we share the concern of the Minister and the member for Sarnia about this bill.

**Mr. Bullbrook:** Mr. Speaker, may I presume to speak further and suggest that the hon. member for Riverdale and the hon.

member for Lakeshore might have the liaison that has been available to me through the Minister and the law officers, perhaps, in his department to explain the intention of these somewhat technical sections as they relate to the Mugford decision. I think that might well expedite understanding of the intention of the legislation.

Mr. Lawlor: We will be ready tomorrow.

Clerk of the House: The 13th order, resuming the adjourned debate on the amendment to the motion for second reading of Bill 234, An Act to amend The Landlord and Tenant Act.

### THE LANDLORD AND TENANT ACT (continued)

Mr. Lawlor: Mr. Speaker, you will recall that my preamble of yesterday largely dealt with a matter completely relevant to the purposes of the bill, I would trust—namely, that flower child, the leader of the Opposition. At that time I was indicating that when he plucks periwinkles, say, from the soil, he holds them out and says, "Look, boys, I have got a sunflower". The business of making rose gardens out of daisies on the other side of the House here—

Mr. Singer: Horticultural day!

Mr. Lawlor: —finding more than is present and then going overboard in an attack of gratitude seems to me as I indicated yesterday, not to perform the full functions of an Opposition.

In any event, the point I was leading into and felt I could cover very briefly last night, is why the Attorney General did not, in this instance, hold out or hold over the terms and provisions of the existing Landlord and Tenant Act in bringing in a completely new section to that Act.

In other words, there are three sections under the present Act and he has brought into being a fourth, completely different section, except that it is not different. In other words, this new section contains provisions which are contained in the existing legislation and which are merely repeated.

I speak of the law with respect to forfeitures of tenancies and relief in the courts to tenants who have had their leases seized, taken away from them, or in effect brought to an end by a landlord. I speak of the consent provisions having to do with sub-tenan-

cies and the transfer of assignment of leases from tenants or landlords, basically from tenants to a second tenant who would be taking the place of the first tenant.

Under those circumstances, as our present law stands, the landlord cannot withhold his consent without adequate reason. This is already in the legislation; it is repeated in this new section. The only thought that comes to me—and it may be quite legitimate—is that with the forthcoming new study on commercial tenancies, the purpose of the Attorney General would be then to venture upon a complete revision of The Landlord and Tenant Act having perhaps three sections left—those sections dealing with general bankruptcies, either private individuals or commercial in one area; then, in the other two areas, having part four become part two and commercial tenancies becoming part three, or something of that nature.

It may be in the mind of the hon. Minister in this regard. If so, you know, you can accept the present situation. But if that is not the intent, then this is duplicative, pleonastic, and unnecessary in much of its content so far as this section is concerned.

As my hon. leader said yesterday, this bill has two complete and separate aspects. There is the legal side of the bill. So far as the legalities are concerned, and all the niceties of the relationship between landlord and tenant in that formal structure is concerned—fine. The Act is, as we shall see in committee, defective on points, but relatively minor points. The general intent, the thrust and direction of this legislation, so far as that is concerned, is all to the good.

There is always another side to the coin of contemporary life and that is the economic side. There the hon. Minister has failed miserably. He has failed miserably as measured against the proposals, contentions, and what-not of his own committee. The law reform commission went much further than the hon. Minister was prepared to go. You see, the difficulty here is part of what I would think was in the Tory mind—this compartmentalizing of segments of contemporary life where you think you can deal with one aspect while ignoring another or at least giving lip service. Making a slight bow before you go out the door, touching the other, simply will not work in modern contemporary life. We are an organic society and one aspect of legislation affects all others. The problem for the Tory, I suspect, is to see life steadily and to see it whole.



Refusing to see it whole or to see the total implications on a total social structure, economic, legal, sociological, and you name it, is a failure to grasp the nettle, to take the full impact of contemporary civilization and the effects on landlord and tenant relations. Precisely because these effects had wide-reaching tentacles and resounding effects in many aspects on the total structure, the Attorney General has been most—not loath—but hesitant, cautious—if you will, even sage—about bringing forward the legislation to see that it did not cause undue repercussions. But in the process of doing that he has created—as is the fact of contemporary life, we contend over here—an economic dislocation going the other way. So great is his fear of affecting private property relationships by bringing in rental review boards.

We will come to the implications of this legislation under that head. This failure to approach in legislation a whole social position; to take all its implications by giving us a fillip; by giving us some token of a truncated notion of some kind of bureau, or some kind of administrative unit, which is definitely toothless, is a piece of the most innocuous nonsense that I think we have to contend with.

I would have thought under this head that it would be better to leave these leasehold bureaus completely out of the legislation rather than introduce some form of tokenism such as this. I suppose, in order to say that, he was moving into the administrative area, the area on which the city of Ottawa made representation before a committee of this House a year ago, without really moving into it at all; he is only bringing a useless husk and an empty device to bear upon what is really a devastating situation which the hon. Minister of Trade and Development (Mr. Randall) blames upon the Hellyer task force and those other things that are escalating problems touching tenancies. Our total failure to provide adequate housing drives us into a position of saying, at least for an interim time, that some form of control simply will have to be brought into being as a preventative against untold human need and human misery.

**Hon. J. H. White (Minister of Revenue):** Where has it ever worked?

**Mr. Lawlor:** It is the job of governments to contend and if you cannot provide the housing then you must provide the next best thing. If you consider it lamentable, then a good deal of life is bitter. I would suggest for the time being you are simply going to

have to do that or suffer the contrary consequence, namely, that individuals will be hammering at your doors, they will be living in armouries in the major cities of this province, husbands will be separated from wives, and you will have all the rigmarole of human deprivation that we have outlined *ad nauseam* to this House at an earlier time, which I will not go over again. This is your option; you have not seized the option, either on the side of that Minister or on the side of this Minister, and so in this regard we feel that the legislation is substantially vitiated.

It is a question of whether you think that Eve, having taken one bite of the apple, destroyed it, or whether she had to eat the core. We do not think you have to get down to the core to find that the apple is bad. Overnight, thinking about this legislation—and I was speaking with some lawyers last evening reviewing some aspects of it—it was like a miasma, a passing away, a bad dream. You know, all that old stuff; how can we possibly have lived with it for so long a time?

Let me review some of the things that are passing away. The security deposit concept is, in a sense, passing away. There are two kinds of security deposits; people seem to get them confused. On one side of the fence there is advance rent, the last month of the tenancy. Very many landlords take the last two months, and if they can possibly gouge it out they will take the last three. Of course, I suppose they would take the whole term at one time if they could do it.

That is the one kind, and it seems to me a fairly legitimate form of economic protection for the landlord, that he should have some kind of protection against the skipping tenant. Tenants do take off in the middle of the night and leave him holding the bag and there is no reason why he should not be protected from that.

The second kind, of course, is the security deposit, by way of a damage deposit looking to forms of damage which may occur in the premises, to which the tenant would be held liable. That has become a great viciousness in this province, that form of security deposit. The landlords have accumulated vast sums of money under this head. They have, in my experience, and it is quite personal, refused blatantly to return the money when the tenant left, without making any pretension that there was any damage done at all. That is disappearing and that form of security deposit was a rank growth and is being expunged.

A number of ancient legal doctrines, a thing called *interesse termini* is finally being removed. That meant that if a tenant did not go into possession of a property, the rights that he required were, to say the least, hardly there at all. Unless he took possession he was just out of luck with respect to enforcing any rights that he has against the landlord.

The area of distress is a self-help remedy. It is descended from the statute of Marlborough in 1245; it is practically the last of the self-help remedies. The people in a civilized society no longer depend upon, you know, torturing their opponent in order to get a little revenge, but landlords have been able to retain this privilege up until this afternoon, or until this legislation finally passes. With the disappearance of distress will go substantially the role and office of the bailiff in the province of Ontario. Although there is left to them a certain area of seizures of automobiles and refrigerators that are not paid for, the bailiff occupation substantially is undermined and disappears as this legislation goes forward.

I am surprised we have not heard more protests from that segment of the economy. However, I cannot say that I regret this disappearance; it is a hangover from an ancient day and so be it.

Another doctrine is the frustration of contract. In the case of landlord and tenant relationships, if a place burns down, you are expected and could be expected, in the absence of the terms of your written lease that would prevent it, to go on paying your rent to the end of the term, building or no building. This is common law, and the common law is a law that was dedicated not to human beings—this is the case in point—but to the protection of property rights, estate interests of all kinds.

Property was king and human beings were fairly dispensable commodities within that magnificent structure of law of which we are all so proud. As of today, when contracts are frustrated by Acts of law or events outside the determination of the will of the individuals involved, then the usual terms of contract come to bear and are in effect and the contract is brought to an end. I think to some extent the Attorney General is also going to have to look into The Short Forms of Leases Act with a view to altering some of the provisions therein in light of this present legislation in due course, but I think he is well aware of that. However, the laws are being greatly affected as this goes through.

In the business of the interdependence of covenants, again the sacrosanctity of the property rights said that a tenant was under obligation to pay his rent come what may. As they say in the vernacular, "Come hell or high water you pay the rent", whether you have got heat, whether the roof is falling in, whether the foundations are undermined, whether there are boll weevils in the belfry, it does not matter a bit, the rent has to be paid. The complete interdependence of covenants is one area of the law that has survived and that is curious. Our law, otherwise and traditionally has said that if one man has to perform an obligation over here unless he does so, a second man is under no obligation to reciprocate—and why should he? That has not been the law of landlord and tenant, nor is it now. The business of repairs are always considered a howling disaster. That a tenant can go into premises, be forced into premises—because he has not got anywhere else to go—which are wholly uninhabitable is deplorable. There is only one area of the law in which the landlord is under obligation to provide habitable accommodation, and that is where he gives furnished premises.

We are now going to make it mandatory upon the landlord to provide for the maintenance, upkeep and support of his own property. After all, he is the economic beneficiary of that property. Why should the tenant? A tenant in an apartment house in the city of Toronto today, except for his lease—and even if you look at all the leases that I have ever seen—is obliged to repair the taps. If there is a flooding it is his business. If a pipe to the electric system goes off, strictly speaking it is his baby. If the hot water pipe breaks in the bathroom, he has to repair it. The landlord is under no obligation to step in and do any of these things, but under our new legislation he is. All to the good, and high time.

Mr. Singer: But you are going to vote against the legislation.

Mr. S. Lewis (Scarborough West): Is the member for Downsview suffering under the right of distress?

Mr. Lawlor: I hope, Mr. Speaker, that I will not find it necessary to reduplicate and say all over what I said so badly a few minutes ago—

Mr. Singer: You did. It makes no sense.

Mr. Lawlor: I was touching on the problem of the wholeness of life and the business

of economic relationships which the Attorney General has not attended to in this legislation and which we consider vital to the efficacy and to the tenor of that legislation—

**Mr. Singer:** You would rather have no statute at all.

**Mr. Lawlor:** This is sufficient grounds for any civic-minded citizen to take a look of askance at the legislation and to pillory it, to say that it fails on this count. That does not say anything against it. To say something is so white that you cannot say there is blackness in the distance also, and that you see things in complete black and white shades, as apparently the member does—he cannot see any niceties of differentiation in the shading—that is an affliction I do not wish upon anybody.

**Mr. D. Jackson (Timiskaming):** Oh, he knows the difference, he is just trying to justify his acts.

**Mr. Lawlor:** I would ask the Minister to consider sending this bill—I know we all want it to go through very quickly—

**Mr. Singer:** You are not confident. You all want it to go to—

**Mr. Lawlor:** We want this bill sent to the legal bills committee.

**Mr. J. Renwick:** We want to add a reasoned amendment to it.

**Mr. Lawlor:** Let us face the bitter facts of life, they have one or two more members than we have at the moment. But in any event I would ask for the reference so that we may discuss some of these propositions before the committee itself.

One of the things that has value here in this Act, which I can find, as a spot of green in that bedizened colour scheme, is that you made provision under The Election Act, or at least you made electoral provision, that members of parties may go into the environs and go into the buildings of apartment houses, which we have been excluded from in our election campaigns previously, and which I have always felt to be a most undemocratic procedure. I noticed, however, in yesterday's *Star*, on the front page, arising out of that municipal election, that in one apartment house, in which 120 people were living, only one voted.

**Mr. Singer:** That was in Scarborough.

**Mr. Lawlor:** I do not care where it was, it could be in your riding; of course it would do you a great deal of good not to have them

voting, they would probably vote against you, anyway.

**Mr. Singer:** I guess I have gotten to you.

**Mr. Nixon:** I think you came back from your holiday too soon.

**Mr. Lawlor:** I always think you give what you get, you know. If you do not give a little better then there is no point in getting. At any event, an element in the community, an ever-growing element which are apartment house dwellers, people who are tenants of these buildings, are being isolated, or isolating themselves, more and more. I do not know what the sociological phenomenon is, but we ought not to encourage it in any way, and by bringing this particular section into being, we are giving the possibility at least of bringing them closer into the community and reaching them, in an effective way. I suspect that it is not these people, but that they are isolated by the superintendents of buildings and by the apartment owners themselves who do not want sanitary problems, problems of cleaning, and so on, connected with people traversing through their hallways. It is as simple as that and as simple-minded as that, so that they will exclude whoever they possibly can from the building, but to exclude the democratic process from the apartment house is, in our increasing apartment dwelling population, to exclude democracy itself as I see it growing in these great cities. So that move is to be commended.

Another one that has value is the business of trying to contend—I do not know how effectively—in your legislation toward the end of the bill, with retaliatory evictions of all kinds, where landlords, knowing tenants are taking issue with the way they are carrying on their affairs, then bring to bear the full vindictive power of the law, even the present law, with respect to punishing that tenant for speaking up with respect to his rights. This could occur in a wide range of civil rights legislation and with respect to the rights that you are seeking to write into this legislation, and you set up preventative measures hitting the landlord between the eyes as to taking these repressive measures in retaliation on tenants. The Ontario Law Reform Commission report is fairly lengthy. It goes somewhat further, I think, on the whole—and we can discuss it in committee. But I do not know just how effective your legislation would be in bringing this to a halt in terms of bringing these landlords who try such a thing, before the courts.

Another matter that is ignored in the legislation and which in my opinion ought to be given some area of cognizance, is that you make no provision for tenants associations. They are a new upswelling, upcoming phenomenon, and they are part of the general group democracy, having Jeffersonian roots, I suppose, but which are beginning to characterize our society, and all to the good. It means that more and more individuals are working together in units, in their common interest, and so on, are coming into being.

The index of a society is the number of its citizens who participate in group activities of various kinds, and anything we can do to stimulate and encourage group activity in all its manifold relationships, gives a richness, a variety of tenor and a direction to our economy and our society, which it would otherwise lack. As I say, in your legislation you give no scope to this, and certainly you could, within the terms of the tenants associations do something with respect to recognizing that the associations have a vital and beneficial role to play.

As I indicated earlier, you have a three-tiered concept set out in the law reform commission—the leasehold advisory bureau, what they call “labs”; the rent review officer, and the rent review boards. I think you will agree with me that the law commission felt themselves on fairly shifty and tentative ground when they were obliged, through sheer force of conscience and social concern—which this commission is noted for—to enter into this treacherous territory. They did it as forcibly as they knew how within the confines of the kind of expertise that they have. They came up with these various recommendations which were read by my deputy leader yesterday. For some reason you truncated their possibilities. For instance, at the second level, the rent review officer: What is the intent now; who will man your bureaus as you see it; what will be the role of those people who man it? It is innocuous, there is nothing they can possibly do. Even the device that was proposed to be used by the law reform commission, touching the business of review of officers failing to bring landlord and tenant together, and whoever was at fault, referring that on to the local municipality so that the local municipality could, in turn, publish in the newspaper the result of the adjudication—even that is not retained in this legislation. What sanction have you got? What way have you got of bringing any pressure to bear? Surely some measure, at least the measure of public opinion ought to be involved here to

bring recalcitrant tenants or landlords to heel. There is none whatsoever, so you set up these blind and empty boards.

Surely we, as members in this Legislature, perform this sort of function as well as anyone else, or we who run service centres in our ridings are perpetually doing it, we can give them advice in this particular area. We can go a good deal further in our individual capacities from what your board does; we can at least write out the writs for them, or go down to the courthouse and see that the writs are issued. This board, of a purely advisory nature, I would advise not be brought into being at all.

It will cost money, it will proliferate the bureaucracy and it will be completely ineffective. If you are not prepared to take the extra steps that are advocated then do not take any step at all because there is no point in stepping into the quicksand if you cannot step back out of it again, and that, I assume, is what you are doing in this particular legislation.

I would like, in winding up, to make some mention of the social import of the general provisions of this new landlord and tenant legislation as set out by the law reform commission, whose work I have a very high regard for, not the least because of what they have done in terms of assisting in an analysis of the law of landlord and tenant. They say:

These nostrums have general validity to our social purpose and to what we think of the public weal. A further assumption that underlies this study is that the extent to which contractual provisions can equalize the position of residential tenants is limited by the disparity of bargaining power between the parties. Throughout the nineteenth century, the Supreme Court of the United States gainsaid and questioned the proposition that always assumed, in contractual relationships, that the parties were equal. It was the most patent piece of nonsense; it was the mythology of the past two or three hundred years, and it is the mythology we are here to destroy, or to demythologize, as the theologians say.

It goes on to say:

It is attractive to assume that it is the availability of accommodation which distorts the balance of power in favour of the landlord or the tenant.

This is page 15:

It is not now possible to accept freedom of contract at any given time as a fact in

the area of landlord-tenant relationship any more than it is in the mortgagor-mortgagee relationships.

They point out how you have modified over the years the mortgagor-mortgagee relationship and a number of other contractual conditional sales relationships that have done nothing whatsoever in this particular regard. On the following page, I think what they have to say is a very interesting social commentary:

Tenants do not often insist that changes be made in the lease provisions, just as mortgagors do not request changes in the terms of the standard form of a mortgagee's mortgage. From this fact one might infer that standard terms are agreed to more or less freely.

This conclusion overlooks the fact that these contracts have now become virtually contracts of adhesion. The belief that one ought to be bound by one's bargain freely arrived at is not the question, but too often apparent freedom of contract does not stand up to first examination.

The Legislature has recognized this fact in relation to mortgage contracts and with respect to various contracts made in personal property security and consumer contracts of purchase and sale. In each of these latter cases statutory protection recognizes inequality of bargaining power, and if you carry this inequality position of bargaining power into the other areas of our economic life it might open some doors for you and give you some fresh air over on the other side of the House.

It is always the problem of justice which is fundamentally a problem of equality of bargaining position. Where there is not equality of bargaining position to that extent, there is a defect in the justice of the situation.

This landlord and tenant relationship is a howling defect because there was not inequality at all. But even in lighter relations these days and for long past, there has been no true equality in bargaining position if you looked at it hard. They say in each of these latter cases, statutory protection recognizes inequality of bargaining positions and the absence of freedom contract in any real sense.

I will not go on reading it. The tenor of this document is progressive, intelligent, and weighing the true proportions of these times. If you, as a government, would carry over this sort of thinking into other areas of economic life, then we over here would not stand a chance, but as things are I think we may occupy your seats shortly.

The final thing I want to say on this landlord and tenant relationship is to return momentarily to the business of the intertwining, the organic unity of the economic and the legal. This failure to regard these two things as inextricably meshed—that you cannot deal with one area of legislation without taking its economic consequences into consideration—is vital to this debate.

On one side of the fence you have been accused, and rightly accused in my opinion, in the newspapers and elsewhere of effectively, in the course of this legislation, increasing rents. Landlords are a little scared of the loss of their security deposits and about the moneys they obtain from that form of investment, free of any interest situation at all.

Because they are being placed in a position which is comparable to the rest of the population and not in the privileged status they have henceforth enjoyed, now they will react, and react in an economic sense as everybody does when they are caught in a situation. They will increase the rents to forfend against unimaginable disasters which will never occur, as was pointed out by the Minister of Mines (Mr. A. F. Lawrence) yesterday.

But they generate these monsters, these odd notions, and use them legitimately or illegitimately, as the reason for increasing the rents.

It is going on at the present time. In bringing the legislation to being you inconsequentially, and I am sure with no deliberation—the problem is the lack of deliberation; no deliberation ahead of time—you did not intend this consequence. But it is happening.

So it only gives double enforcement to an argument that we use that within the terms and amplitude of this legislation, some provision providing for the structuring and maintenance control of rents in the province ought to have been provided for.

If you had done it in the ambit of this legislation, the present increases which are coming about as a result of the legislation itself, would have been forfended against. The very evil that we are seeking to cure, the plenary and central evil in this present landlord situation—the escalating rents, the gouging that does take place because of an artificial economic situation—were largely created by the inadequacies of this government.

That is where the central plight lies. That is where the law reform commission recognized the crux of the issue lay—not all the nice legal changes which we accept and affirm and say, "Thank heavens".

But let us stay where the crunch is—at the crux of the matter. And the crux of the matter

in this case, as in almost every case that I can think of and this is even true in the case of love, is economic.

You have not provided against the economic, you have not forfended, and that being the case we feel we have no alternative in the total environmental situation except to say that while we are glad to see the clauses, you do not go far enough. You fail.

The thing is too foreshortened, too truncated, and too inadequate to meet the present needs that are facing us all outside the doors of this House.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a few remarks to make in regard to this second reading of Bill 234, approval in principle, as well as to the amendment introduced by the party to the left.

I have great misgivings about this bill, Mr. Speaker, and I am inclined to agree with the member who just spoke and the deputy leader of that party when they warned this Legislature and this House that this legislation, because it does not go far enough, is going to bring about a rash of increases in the rentals across this country, at least as far as apartments and buildings are concerned.

I think landlords are probably the bossiest, most self-righteous kind of people you could find anywhere, primarily because they have been subject to abuse at one time or another with tenants. Some tenants have absolutely no concern whatsoever for the property of others, as we all know.

I would not say that tenants as a general rule have disregard for the property that they are leasing, but there are enough to make landlords become very dictatorial, very determined not to be put down.

Now, I do not think that calibre of people is going to take this kind of one-sided legislation. It is one-sided too. The landlords have had it all their own way for years and years, but now under this legislation, as I see it, Mr. Speaker, it is the tenant who is favoured.

I am afraid that here again is legislation that the government, and this House is rushing into too quickly. We are so very much aware of the need for legislation that we are bringing it right to the fore right away.

I believe in the basic principle that is indicated in this legislation, in other words to bring some of the just society to the tenants. I am all for that, but I do not want to see this legislation go a step further until it has the necessary protection in it that is required.

I would have to ask the Minister to what extent the landlords have been consulted and what has been their initial reaction to this proposed legislation? I must admit I am not aware of what their reaction has been. But I think the first reaction we are going to get from this is going to be a very loud one from the landlords and after that it is going to be from the tenants. The reaction from the tenants, which is that sector of the population which this legislation, I think, seems primarily to serve, is going to be much louder than that of the landlords. Essentially we are going to be right back where we started from.

Certainly justice will be done in many ways through this legislation but who is the tenant going to go to when his rent is put up? Is he going to go to this proposed landlord and tenant advisory board, when this legislation does not even compel municipalities to bring in such bodies? It is left up to the municipality to do it or not to do it.

If you look at the legislation in the second-last section here, 108, you can see that the boards or the advisory bureaus, rather, as they are called here in the Act, are authorized to receive complaints and seek to mediate disputes between landlords and tenants. That seems terribly weak to me. I do not really see where the tenant is going to have any recourse except to take the landlord to court, is that what he is going to have to do? Of course, this is a free enterprise society, so who is to stop the landlord from charging an unfair rent?

So, Mr. Speaker, I am inclined to support the amendment of the deputy leader of the New Democratic Party. I think that group and its spokesmen are right this time, I cannot see it any other way. I think this House is being too precipitous in bringing in this legislation and I think it should be sent back to committee right now. The people this House seeks to serve with this legislation are going to be the first ones to come back and condemn us if it is not the right kind of legislation. I am thinking of the tax rebate system that was brought in last year and what happened there when we sought to give a rebate of property tax to the tenant. The landlord passed on the rebate all right, he was forced to by law, but then he just simply put up the rent and the people who really condemned us were the tenants and the landlords as well. Because I think that was rushed in too quickly, it was not thought out properly. I am not for supporting legislation of this kind going any further than even

second reading, a step further, until it is exactly what it should be.

So I am notifying you, Mr. Speaker, and the Legislature, that I will support the amendment that has been introduced, for those reasons.

**Mr. Singer:** Mr. Speaker, I want only to address myself to the amendment that is here. I did speak at the beginning of this debate on the principle of the bill and subsequent to that the hon. member for Riverdale moved the amendment.

I have listened with great interest to the member for Riverdale and to his colleague, the member for Lakeshore, and now the hon. member for the Lakehead—

**Mr. Knight:** Port Arthur!

**Mr. Singer:**—speaking apparently in support of the amendment. I suspect—

**Mr. Lawlor:** Mr. Speaker, on a point of order, the hon. member spoke yesterday to this—

**Mr. J. B. Trotter (Parkdale):** Not the amendment.

**Mr. Singer:** Mr. Speaker, I thought the hon. member for Lakeshore—

**Mr. Speaker:** The hon. member for Lakeshore has a point of order at the moment. It was raised with me by the hon. member for Downsview before he rose to speak. At the moment I am of the opinion that while a member may only engage once in a debate in the House, the debate at the moment is on a different matter than the debate upon which we originally embarked. The rules of the House state that when an amendment has been moved, then the debate will be on the amendment. Therefore, it is my ruling at the moment that the hon. member for Downsview is in order.

**Mr. Lawlor:** Mr. Speaker, there is a distinction without a difference. The hon. member could have very easily anticipated our motion.

**Mr. Singer:** Mr. Speaker, the remark of the hon. member for Lakeshore just now is just as specious as the rest of his remarks during the course of this debate. If I may get on with some remarks addressed to the particular amendment, Mr. Speaker. While the hon. member for Fort William—

**Mr. Knight:** Port Arthur!

**Mr. Singer:**—appeared to support the amendment—as the member for Lakeshore

interjected—he did it not for the same reasons as those put forward by the hon. member for Lakeshore or by the mover of the motion, the member for Riverdale. Really, if you listen to what the member for Fort William said—and I think it is important that we have a look at some of the remarks related to the amendment—he said that unless a piece of legislation is perfect, we should not bring it in.

I think that in this House there are 117 somewhat less than perfect members, including the gentlemen who sit on the Treasury benches, and I would be surprised if any piece of legislation brought forward, sir, is going to solve all of the problems that face the people of the province of Ontario. Certainly the problem that faces the landlord and tenant relationship is a complex one.

I do not know where the member for Fort William has been over the two years he has been here—

**Mr. Knight:** Port Arthur!

**Mr. Singer:** Port Arthur, I am sorry. He has been unable to listen to the remarks made concerning the importance of reorienting the laws that govern this landlord and tenant relationship. Before he sought and found his new-found status in this House, he was among those who agreed with the arguments put forward—at least for the two years he has been here—that we do need a bill of rights for tenants.

**Mr. Lewis:** But now he is independent.

**Mr. Singer:** But now he is independent and he has changed his mind and he says, Mr. Speaker—and I think his words have to be assessed in this light—he says let us not have a bill until it is perfect and until we are absolutely 100 per cent sure that nobody is going to be harmed. Well, he lives in a never-never world, and I do not think we are going to see any statute that anyone is able to write that is going to be perfect and not going to do anyone any harm.

If we wait for that degree of perfection, Mr. Speaker, we are going to wait—I think it was the phrase the hon. member for Lakeshore used—till hell freezes over until we achieve that degree of perfection.

**Mr. Lawlor:** I would never say a thing like that.

**Mr. Singer:** If the hon. member for Port Arthur wants to delay action to help people in the province of Ontario that is up to him. I hope that the people in his riding will

understand that he would rather do nothing at the moment to help tenants—and I think that speaks well for the point of view he is putting forward.

**Mr. Knight:** Mr. Speaker, on a point of order, the hon. member is trying to interpret my remarks. Why does he not say what he feels about the amendments? I do not need anyone really—

**Mr. Speaker:** The hon. member has no point of order. The hon. member for Downsview is quite entitled to interpret the member's remarks, that is quite within the scope of his position. There is no point of order and the hon. member for Downsview has the floor.

**Mr. Knight:** On a point of order again, he is not entitled to misinterpret.

**Mr. Speaker:** If the hon. member has a point of order, he may make it.

**Mr. Knight:** The hon. member for Downsview is misleading the House. He is misleading the House by stating that I have said that I do not believe this kind of legislation is necessary for tenants—

**Mr. Speaker:** The House is quite capable of determining whether that is so or not and I think the member for Downsview is entitled to complete his discussion of the amendment to the bill. I rule that there is no point of order.

**Mr. Singer:** Thank you, Mr. Speaker. Let me turn now to the remarks made by the member for Lakeshore. It has been rather fascinating, Mr. Speaker, to listen to the illogic that lies behind the introduction of this motion. Along with many of us, the hon. members of the NDP have urged that there be a bill of rights for tenants, and we brought here—

**Mr. J. Renwick:** We were the first.

**Mr. Singer:** I just want to debate the amendment. Quite apart from who was first, the record speaks for itself. It is rather surprising that the NDP want to sit on both sides of the fence at the same time. They, too, Mr. Speaker, like the member for Port Arthur, would rather have nothing if you look at their amendment, than to have some very substantial improvement in the relationship. The member for Lakeshore at least was more open in his approval of many sections of the Act than was the member for Riverdale. While he gave lip service to his support of the motion,

he would probably stand up and attempt to support it in his vote. He did it at some length and I thought quite intelligently.

I endorse many of his provisions of this Act, because their ideas that he has put forward and I have put forward and the law reform commission has put forward, we have debated over many years. I thought that the remarks of the hon. member for Lakeshore made abundant good sense. They would have made much more sense if he did not have to conclude them with his unfortunate support for this motion. It is designed, Mr. Speaker, I have to say this with great regret, only to allow the NDP to sit on both sides of the fence at the same time.

Let us look at it. This is what the amendment says: "The House is of the opinion the bill is fundamentally defective in principle in that it fails to make provisions for rental review offices and for rental review boards to control the rising of the rents in the province." That is quite correct and with that we cannot find any objection. In fact, if the members had listened to my earlier remarks and the remarks of my leader, they would have found that was the first point of the bill that we addressed ourselves to.

**Hon. A. A. Wishart (Minister of Justice):** Point of order.

**Mr. Speaker:** The Minister of Justice has a point of order.

**Hon. Mr. Wishart:** Mr. Speaker, I know that you have touched on this before, but with respect, sir, a debate on a second reading of a bill is a debate on principles of the bill. While I also am grateful for the remarks the hon. member is making now, those that he made earlier indicated that he and his colleagues would support the bill. Otherwise, Mr. Speaker, I draw to your attention the fact that the amendment starts: "This House is of the opinion that the bill is fundamentally defective in principle in that . . ." and so on. Surely the amendment must refer to principle; it must attack the principle of the bill.

Surely any debate on the amendment must be a debate on the principle of the bill. Therefore, I think the member is speaking twice on the principle of the bill. If this was not so, Mr. Speaker, then it will be open, I suppose, to every member in this House to move an amendment. We could have every member then again debate each amendment which would be a continuous performance, world without end.



I think, Mr. Speaker, with respect, that the hon. member is speaking twice on the principle of this bill. While I enjoy his remarks and realize he is supporting the bill, if you do not rule him out of order, Mr. Speaker, perhaps he will shorten his remarks.

**Mr. Speaker:** I quite understand the view of the Minister of Justice and I would point out that if amendments were to continue to be introduced, we would be in the same position, perhaps, in the House, as we were earlier before the rules were amended. If we should find any such abuse of the rules as they presently exist, I am sure that the House would take action to see that it would no longer exist.

I have ruled that as long as the member for Downsview speaks on the amendment, which in my opinion he is still doing, and continues to speak on the amendment, we have come through this many times. To speak on an amendment to a motion of this sort, it is always necessary to impinge a certain amount of the principle which in this case has been discussed by the member already. Therefore, I have made it abundantly plain to the member, in a note before he spoke and on the floor of the House, that he has to endeavour, and I am sure he will, to keep to the amendment. My ruling, which I made previously, is still standing.

**Mr. Singer:** Thank you, Mr. Speaker. It was your amendment you spoke to when you introduced it. Mr. Speaker, as I was saying, the first-numbered clause in the amendment deals with the failure to make provisions for rental review offices or rental review boards, to control the rising level of rents in this province.

As I said when I spoke earlier in the debate and my leader spoke, we both commented on the same point. We pointed out that the last section of the Act dealing with landlord and tenant advisory bureaus is entirely unsatisfactory. At the appropriate time we will move an amendment to that section. It would seem to me that had the NDP taken the same approach we could have had the best of what this debate would be able to produce, rather than trying to throw the bill out for the present time pending a re-drafting of it. Because that, in essence, is what their motion says.

The second part is:

That it fails to confront or deal with the present disparity between available housing units and the needs of the population at rentals which people can afford to pay, or

provide adequate organs for the redress of grievances.

Certainly, except for the last phrase, "the provision of adequate organs for the redress of grievances," it seems to relate to the first clause.

It would seem to me that they are attempting to repeat in their amendment the essence of the debate that took place with the hon. Minister of Trade and Development when his estimates were before this House. Certainly, I share the view that there is a terrible shortage of housing in this province. I share the view that apartment rentals are too high, much higher than they should be, and that people who are earning average wages in the province have great difficulty in finding reasonably priced housing and apartment accommodation.

But I suggest to you, sir, that that is not part of the principle of this bill at all. That is a part of a very valid criticism to be directed to the policies of the government insofar as they have authority and control over the provision of housing. I share with them—I completely share with them—in fact, well, I am not going to say who was first. We, in this party, believe one of the most serious deficiencies in this government's performance has been their lack of ability to provide adequate housing. That does not relate to the principle of the bill relating to landlord and tenant.

My suggestion, sir, insofar as part 2 of this is concerned, is that it is another part of this snow-job that they are trying to carry out to convince the people of Ontario that really they are going to have the best of both worlds again. They want the landlord and tenant law to be reformed, but really they do not want it done at this time or in this way without certain other things going along with it.

I say that it was interesting to listen to the remarks of the hon. member for Lakeshore when he said "We must have some form of control of rents". He did not use rent control and there is some doubt in my mind whether a rental review board is going to provide that kind of control. I would like to try it. That is what the law reform commission recommended; that is what we have spoken about in this House on several occasions. I have some doubt as to whether it is going to work as some of us hope it might. However, it is going to work far better than anything we now have in the statute.

What I was interested in, though, was the fact that the hon. member for Lakeshore avoided the use of the words "rent control". I would think that if the NDP really meant that rent had to be controlled, they would have said, "Let us now have rent control". They did not say that because they know it brings with it wage control. They know, Mr. Speaker, that they cannot have one without the other. It is very fascinating that those people are so concerned—and rightly concerned; I do not attribute bad motives to them—about the level of rentals, but they are not prepared to say at the moment that if we want real rent control we have to have wage control.

I think that we should have a preliminary period whereby we try rental review boards; and if that does not work, as I have said and as my leader said, we would be in favour of rent control, perhaps with all the other economic controls that have to go with it. We have said that on several occasions in this House.

I wonder if the NDP have not been something less than straightforward when they have so carefully gone around this. It is all very well to say, "Horrors of horrors, rents are too high; we have got to do something about it. But not rent controls, because it means wage controls". I have not heard one of them say, "Let us have wage controls". I would like to hear one of them say that.

**Mr. J. Renwick:** Of course you would.

**Mr. Singer:** Yes, of course I would, of course I would, and the unions would like to hear you say that, too. But you are not prepared to say it.

That, Mr. Speaker, brings me to my final point insofar as these remarks are concerned. The last phrase in the amendment says:

And this House is further of the opinion that Bill 234 should be withdrawn and a new bill, meeting the objections and principle listed above, be introduced forthwith.

**Mr. J. Renwick:** Hear, hear—forthwith!

**Mr. Singer:** Forthwith, yes. At the end of the session when we are about to have a bill that will provide a far better relationship between landlord and tenant, the NDP proposes we do not have it for two months, three months, six months, whatever length of time it is going to take to redraft the bill, which they think will be a proper one.

I would think, sir, that again only the member for Lakeshore was really frank in this, because having given lip service to the amend-

ment, he said: "And when the bill moves on to its next stage, I hope certain things will be done". So really he had very little confidence, not only in the validity of his amendment, but that anyone else except he and his colleagues are going to pay any attention to it.

**Mr. Lawlor:** May I say that is a slight misrepresentation; it is my amendment, I wrote the thing.

**Mr. Singer:** The member for Lakeshore has even less confidence in himself then and that is too bad.

I say, Mr. Speaker, to support his amendment at this time, would deprive the people of Ontario of a much needed reform. This bill is not perfect and as I said, we are going to introduce several amendments at a later stage. But surely it deserves the support of all members of this House who have a real concern about the problems facing tenants in the province of Ontario today.

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

**Mr. A. K. Meen (York East):** Mr. Speaker, in rising to support this bill and oppose the amendment proposed by the NDP, I must say that at the outset, I quite subscribed to many of the observations expressed by the hon. member for Downsview. In fact I quite enjoyed his observations expressed just now. I am sorry I was not able to be present when he spoke initially on this bill, because it sounds from what he has said as though I would have subscribed to a good many of those views too, but I will have to read them in *Hansard*.

**Mr. Lawlor:** He is in his best Tory mood.

**Mr. Meen:** I wanted to say, Mr. Speaker, I think this is a worthwhile bit of progress at this stage. We have waited for years for this. This matter was referred to the law reform commission for their study in depth.

**Mr. J. Renwick:** Fifty-eight years—

**Mr. Meen:** We got that study—

**Mr. Lawlor:** Almost 2,000—

**Mr. Meen:** —and we have now, thanks to the work of the Attorney General and his department, been able to bring forward some legislation that implements the vast number of recommendations in that report.

When you think of the areas that have been covered—some of them have been touched on here this afternoon—the removal of the right of distress, the requirement of a landlord to

maintain premises and repair, we as lawyers have seen the way in which the deficiencies in our law in the past work to the detriment of the tenant. Those are just two of the things that many of us have been working for and striving for.

From all parties I heard this expressed earlier, and I quite agree that there are ideals we have all been pushing for. I am delighted that this has come forward. I do not subscribe to the view expressed by the hon. member for Port Arthur, that because this bill is not perfect, we should shelve it for this time. I think it is a specious argument the NDP have put forward, that we should bring in another bill forthwith, because as the hon. member for Downsview has said, and rightly so, it would mean that it would be dead, it would never get through to implementation and we would be quite unable to have all these other desirable features in effect immediately.

Interjections by hon. members.

**Mr. Meen:** I am concerned, Mr. Speaker, in one area, because I wonder to what extent the law reform commission's report has to be treated as a package. When one does not implement everything, does one perhaps run the risk of implementing some other recommendations which may not be desirable if it stands alone?

I think in terms of the security deposit. I have some grave misgivings about this, because if we have an abolition of a security deposit, where at the same time we do not have some right to control a top level on rentals, then are we not running the kind of risk we are hearing about now?

I have had a number of submissions to me from tenants in my riding who say they would prefer to pay a security deposit, they would be happy enough to have interest paid on that security deposit, but they would be happy to leave that money with the landlord because they are afraid rentals may go up among all tenants simply because of the odd tenant—perhaps five per cent of the tenants who are not responsible, and who leave the premises at the expiration of a lease in a dilapidated state which requires some kind of repairs over and above normal maintenance—

**Mr. Lewis:** What would your solution be?

**Mr. Meen:**—and as a consequence, I am wondering if we do not have rent control and I am not supporting rent control—

**Mr. Lewis:** Can you not have a rental review board perhaps?

**Mr. Meen:**—but if we do not have some way to control rents, can we—

**Mr. Lewis:** Right—put it in the bill.

**Mr. Meen:**—safely move away from security deposits. Now the law reform commission—

**Mr. Lewis:** Here you are with the member for Downsview—

**Mr. Meen:** The law reform commission has recommended the abolition of security deposits. They pointed out a good many of the deficiencies: The difficulty of their recovery at the end, and the fact that at the initiation of a rental period, the tenant is called on to pay, not only the first month's rental, perhaps also the last month's rental, but also a security deposit over and above those items. To many tenants, that may be a significant amount to pay out at the commencement of a rental period. And so, I think perhaps the law reform commission may have had in mind some, perhaps more extensive effective control over rentals than our present review or advisory bureau might have, but I am concerned that we may not see the advantage gained from removal of security deposits which everybody anticipates or did anticipate. This is a bit of an emotional item, I think, with many people.

**Mrs. M. Renwick (Scarborough Centre):** Bit?

**Mr. Meen:** Yes, perhaps a very significant emotional feeling and perhaps during the long run there is an advantage.

**Mr. Lewis:** True—very emotional—it involves money.

**Mr. Meen:** But I am concerned and I think we are going to have to watch this with great care, Mr. Speaker. If we see that this matter is going the other way, that it is working for the disadvantage of the 95 or so per cent of all tenants who are responsible people, tenants who leave their quarters in a good state of repair and cleanliness when they depart, then I think we should take another look at this. I urge the Minister to watch this with care and to see that if it turns out to be abused, we might very well consider reinstatement of a right to security deposits. I do not expect that my view is widely held in this House—

**Mr. Lewis:** Oh, I do not know.

**Mr. Meen:** In all other respects, I heartily endorse this bill, and I am going to support it in every respect at this time, because I think this bill is far better than our present state of the law. But I would hope that in the months and years ahead, we will have a better opportunity to see how this works and that we will have an open mind to perhaps make some changes as may be necessary.

**Mr. Speaker:** The member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain):** Mr. Speaker, I am pleased to support this bill as it presently stands before this House. It shows once again that the Progressive Conservative Party has a social conscience and reflects the priority for individual people—

Interjections by hon. members.

**Mr. J. R. Smith:** I would just like to remind the interjectionists among the hon. members of the New Democratic Party that we are a pioneer in this field. It is interesting to note that in other provinces—take for example the province of Quebec—this legislation is being lauded by the press and radio there, as to how progressive we are in this province in bringing this forward.

**Mr. R. Gisborn (Hamilton East):** Impressed by every segment of society.

**Mr. J. R. Smith:** I think members such as the hon. Minister of Mines are to be commended for pressing for such reforms for tenants and landlords and initiating a study by the law reform commission.

Interjections by hon. members.

**Mr. J. R. Smith:** Mr. Speaker, I must say it has sparked a great deal of controversy in my own municipality. I have been threatened personally by a Miss or Mrs. Walker, whom, I understand is the spokesman or co-ordinator for the Hamilton Metropolitan Apartment Owners' Association. I do not know whether she phoned me in her official capacity or as an individual, however, on Monday she assured me the Progressive Conservative members of the metro Hamilton area would bite the dust with the apartment landlords of our community if this legislation is passed.

**Mr. Lewis:** That is not a threat, that is just reality.

**Mr. J. R. Smith:** I might say, Mr. Speaker, that I am pleased to support this legislation because there have been such flagrant abuses

by certain landlords, just as there have been abuses by certain tenants. This is a step in the right direction and I think the hon. Minister of Mines stressed yesterday that this is new legislation, a step in the right direction and surely there will be further changes made when once the bill becomes law.

**Mr. Lewis:** We might call this the Lawrence bill.

**Mr. J. R. Smith:** Very good. The Minister from St. George is a real dragon fighter.

I do not think we should at this particular stage try and protract a debate so that it does not get through before the House rises for Christmas. I think it would be a great tragedy, as many people have their leases coming up at the end of the year, and it would just further delay legislation that is badly needed.

**Mr. Lewis:** You would not want to delay a rent increase. Try to get it in before January 1.

**Mr. J. R. Smith:** The members of the New Democratic Party are adamant about the need for rent controls, but, Mr. Speaker, surely if we are to follow this philosophy right through to all jurisdictions of society, you should have price review boards, salary review boards, rent review boards, and surely I for one do not wish to live in that form of society. That is why a number of people in my riding have come to live in this country, at least there is some—

**Mr. Gisborn:** What do you think about rent controls?

**Mr. J. R. Smith:** I am opposed to rent controls—for the benefit of the hon. member for Hamilton East, who interjected. In the countries that have them, it is a proven fact that they are the nations in which the greatest housing crises exist. I am pleased that people in Hamilton can rent apartments and they can get good accommodation. But the same story is not true in countries such as Sweden, or other socialistic nations.

**Mr. F. Young (Yorkview):** Give us the figures.

**Mr. J. R. Smith:** I do not have the figures.

**Mr. Young:** Of course you have not.

**Mr. J. R. Smith:** It is common knowledge.

Interjections by hon. members.

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, in rising to support the amendment offered by the deputy leader, I want to say first of all that I find little to quarrel with in many of the areas of the bill and that much of what has been introduced in this particular bill is very worthwhile. The unfortunate part—and I think this is the argument that we are trying to make at this time—the unfortunate part about the effect of this legislation is that it will undoubtedly work a hardship on the people that we are trying very desperately to protect.

We have had the member for Downsview and the member for York East and even the member for Hamilton Mountain in his own way, try to leave the impression that somehow or other we are obstructing the passage of legislation that is much needed.

This is absolutely untrue. What we have said, and I want to make it quite clear, is that the effect of this legislation will be detrimental to the people of this province that we are trying to protect, and we are prepared to sit in this House until the legislation is re-drafted and brought forward in proper form.

There is no question that this can be done prior to the Christmas recess, but there is no question that we are prepared to sit here until it is done. As far as the red herrings drawn by the member for Downsview, it is just another clear indication of Liberal policy, that in an effort to support the government they are prepared to impose even more severe restrictions on the people of this province who fall into the category of being tenants.

The statements that have been made in this House in regard to the bill are for the most part true. Many of the clauses in this bill will, indeed, meet the criteria that we have set down over the last number of years in the area of tenant legislation. The unfortunate part is that the landlords and their associations, immediately upon reading this bill, decided publicly that they were going to raise the rents if this bill went through. And we, as responsible legislators cannot pass a bill that will permit landlords, even encourage landlords, to raise their rents, but that is exactly what we are doing.

If we pass this bill in its present form, we are saying to the landlords, "We have heard your warning, we know you are going to raise the rent, and we just do not care."

**Mr. H. Peacock (Windsor West):** Well done!

**Mr. Deans:** And this is what we cannot afford to do in this province. Rents have

already reached the point where they have far outreached the ability of any person to pay.

**Hon. A. F. Lawrence (Minister of Mines):** So they are going to back down on that threat?

**Mr. Deans:** What threat?

**Hon. A. F. Lawrence:** They are in the pockets of the landlords themselves, Mr. Speaker.

**Mr. Deans:** The trouble with the Minister of Mines is that he does not understand that it is a threat that will affect every individual tenant in this province, a threat that must be taken with some seriousness.

We cannot afford to say to the tenants of this province that in order to pass legislation that meets some of the major problems, we are prepared to permit them to be subjected to even greater degrees of usury than we have had in the past. That is exactly what this bill is going to do.

It is very unfortunate, because had the landlords been reasonable people, had they been prepared to put the legislation in what I consider its true intent, had they been prepared to meet their obligations, then there probably would not have been any necessity for rental control, or rental review.

But the unfortunate part is that they have made it abundantly clear, they have spoken with a very loud voice, they have said, "Pass it and up go the rents".

How any member can sit in this House and allow that to happen is beyond me. I do not understand how you can stand up and say that you are prepared to permit it to occur. The Attorney General knows full well that the effect of the legislation has got to be increased rents.

**Hon. Mr. Wishart:** No, I do not.

**Mr. Deans:** I listened today to an open line programme in which as many landlords called in—which is unusual—as did tenants. There were many of them who indicated that there would be an increase in rents.

I have read the local newspapers over the last few days, and even the member for Hamilton Mountain would agree that the lady he referred to will raise the rents—

**Mr. J. R. Smith:** Shame!

**Mr. Deans:** The member for Hamilton Mountain says, "Shame", and no doubt he feels shame, because at this particular point

we have the opportunity to assure that this will not happen. We have the opportunity to guarantee what the effect of this legislation will be. Each and every one of us in this House well sees it as being a necessary and important part of the progress of the landlord-tenant relationship in this province.

What we are succeeding in doing if we pass this legislation in its present form is driving an even greater wedge between the landlord and the tenant. If we pass this legislation in its present form, we will have succumbed to the pressures of the landlord who has always the upper hand. If we pass it in its present form we will have said to the landlord that we give him licence to raise the rents in this province. Unfortunately, no other conclusion can be drawn from what has taken place.

I find the position taken by the Liberal Party understandable, because they have not, at least in my experience in this House, been able to see far enough to be able to understand the effects of legislation that has been introduced, and that is their basic problem.

**Mr. Nixon:** We are in favour of the abolition of those security deposits, while you are not.

**Mr. Deans:** As far as the abolition of security deposits is concerned, there is no one in this party who would do other than support the abolition.

**Mr. Nixon:** Of course, you are going to vote against it.

**Mr. Deans:** What we want to be sure of in this bill is that the support of abolition will not mean that the amount of money previously used in security deposits will be more than recovered by the increases in rent, and the leader of the Opposition well knows this.

**Mr. Nixon:** Why does the member not support our amendment?

**Mr. Deans:** There is no amendment to support.

**Mr. Nixon:** That is right because we—

**Mr. Deans:** The principle of the bill, if the leader of the Opposition was to read it carefully, was well understood by the landlords of this province. It was obviously not well understood by the Liberal Party. The landlords of this province recognized the principle.

The principle was that we are going to eliminate security deposits and they can raise that same amount of money in any other way they see fit, and this is what we object to. I am sure that most members who are concerned, who have a number of tenants in their constituencies, would recognize that legislation that permits landlords to continue to increase rents is bad legislation.

**Hon. A. F. Lawrence:** You have two choices: You vote for the bill or against the bill.

**Mr. Deans:** What we are suggesting is abundantly fair. What we are suggesting is very reasonable. What we are saying to this House is that it is necessary for the Opposition to amend, and some of the back benchers in the Tory Party to rethink their position in regard to this.

The member for York East suggests that since he also recognizes the problem—and I think he does—that landlords are likely to raise their rents, he recognizes that the abolition of the security deposit perhaps is not good.

We do not agree with that, but we do agree with him that if it is abolished, as it should be, that rents will go up.

The difference between the member for York East and us is that we feel that the area where legislation is required is in the rental area, rather than in permitting the continuation of a security deposit.

I happen to feel that even the member for York East, had that been part of the bill, would have found it easy to support it.

**Hon. A. F. Lawrence:** How about wage control?

**Mr. Deans:** Whether or not we are going to permit this red herring to be drawn through the argument, we are going to introduce amendments which we know will be defeated in the House.

**Mr. J. R. Breithaupt (Kitchener):** We do not know that at all.

**Mr. Deans:** We do know. In the past year I have introduced legislation into this House to place some form of control on rents, to permit municipalities to take action in the field of rental control, or at least in the field of rental review, and it has been opposed in this House—

**Mr. Bullbrook:** When are you going to bring in your wage control bill?

**Mr. Deans:** Now, as far as I am concerned the position—

Interjections by hon. members.

**Mr. Lewis:** You cannot lose on this one. You have got your whole majority over there, and the minor Conservative caucus over here on this side. You cannot lose.

**Hon. A. F. Lawrence:** You are being very mealy-mouthed about this.

**Mr. Deans:** The member for Downsview stated earlier that he felt that the position taken by this party was that unless a piece of legislation was perfect, it ought not to be passed. We would not support it. This is not necessarily true.

We recognize that legislation will not likely measure up to everything that we feel it ought to. But what we also recognize is that legislation should never be passed that will work a hardship. Such legislation should never be passed in this House, at least without opposition from us. By supporting it we will work an additional hardship on the segment of society that is already overburdened. And this is exactly what is happening here.

The few things, important though they may be, that the government has taken care of in this particular bill, will be insignificant when compared against the rental increases that will be imposed upon the people of this province over the next number of years. That is the issue that has to be debated. It is not an issue of whether or not the matters contained in the bill are important—

**Hon. A. F. Lawrence:** The member will raise rents just by saying it.

**Mr. Deans:** It is not a matter of whether or not the matters contained in the bill are important, it is simply a matter of what the implications of the bill will be once it is passed. What the effect on the community will be once it is passed.

The Minister from St. George knows well the effect of this bill on the community that he represents will be that they will pay more out of their pocket, money that they cannot afford, in order to save the face of the government.

**Mrs. M. Renwick:** And they are run better in your community than they are—

**Mr. Deans:** It is unfortunate it has been twisted by the Liberal Party. It is unfortunate that the members of the government back benches cannot see clearly, cannot

recognize a warning when it is put out. Cannot understand that when the landlords come together in this province, as they have done over the last 12 months, and when they issue a statement that they are going to raise rents if this legislation is passed, that the only way you can fight it is by counteracting in the legislation.

**Mr. R. M. Johnston (St. Catharines):** We are going to try it on for size.

**Mr. Deans:** I say to the member for St. Catharines, the problem with trying it on for size is that—

**Hon. A. F. Lawrence:** How do you know?

**Mr. Deans:**—few in this House will suffer. That is the problem. Few in this House will suffer, but we have got to be concerned about the people we represent.

**Mr. R. M. Johnston:** I do not see too many people suffering.

**Mrs. M. Renwick:** You do not in St. Catharines, you have got—

**Mr. Deans:** No, in St. Catharines we have a great many problems.

**Mrs. M. Renwick:** We are governing the whole province not the—

**Mr. Deans:** The biggest problem in St. Catharines is the member.

Interjections by hon. members.

**Mrs. M. Renwick:** We will take them out and show them some.

Interjections by hon. members.

**Mr. Deans:** Good. Is that a broken arm the member has from patting himself on the back?

Interjections by hon. members.

**Mr. Deans:** This amendment that we have offered is an amendment that will permit the government to assure that those things that have been threatened cannot come to pass. It is an amendment that will assure that every person living in rented accommodation in this province will not be forced by this legislation to pay higher rents.

It is an amendment that will guarantee that the things that are contained in the bill that are good and that we agree with, will remain in the bill.

But there is one area that concerns each and every one of us, the area of reprisal. The

area where the landlord will get his pound of flesh must be taken care of.

If you permit it to go through the way it is, there is no question that we are going to face rents rising to a level that we have never seen in this province before. And there is no question that the advisory bureau set up in the Act is not given the power to deal with this. There is no question that somewhere in this Act there has to be a body structured in such a fashion, that they will be able to deal with unwarranted and unjustified rental increases.

If you permit the Act to go in its present form, you will have denied people of this province the kind of legislation, not only that they deserve, but they so desperately need.

**Mr. Trotter:** Mr. Speaker, I would like to rise in the support of the principle of this bill. It seems a few years ago now, that we in the Liberal Party were the first to put on the order paper in this House a resolution calling for a bill of rights for the tenants of this province—

**Mr. J. Renwick:** The member was not the first.

**Mr. Nixon:** We certainly were.

**Mr. Trotter:** I may say, in answer to this, we were the first, incidentally, to introduce the resolution and I recall that debate on this very principle, Mr. Speaker, because I was the leadoff speaker simply because our resolution was on the order paper first. I believe the hon. Minister of Mines at the same time, and the hon. member for Riverdale later on followed with a resolution.

**Mr. M. Gaunt (Huron-Bruce):** I remember that.

**Mr. Trotter:** So to these members of the NDP who keep whistling their socialistic jigs and so holier-than-thou all the time, I would just like to say, Mr. Speaker, they were not the first.

Interjections by hon. members.

**Mr. Trotter:** This bill, in essence, Mr. Speaker, represents the slow emergence of the tenants of this province from a state of feudal law. There is no question that it is a great step forward, the fact that the landlord cannot go in and change the locks; that the landlord cannot walk in on the tenants; that he does not have the right to distrain. These have been obnoxious laws that have been on our books now for centuries, even before the days of

King Henry VIII, I believe, and it is about time that we cleaned out the books.

There are many things that I may want to see as far as improving the rent situation. The real answer, Mr. Speaker, to the rent situation is building a proper stock of houses and apartments. This is the real answer. But if we are dealing in the principle of this Act, of landlord and tenant law, then I can support it in the principle that it contains, because it is a tremendous step forward.

Perhaps the real credit is not due to this government, but is due to the tremendous public pressure that has arisen over the years. And I think a great deal of credit should be given to Dr. Alen Leo of the Ontario Law Reform Commission who I think brought forward an excellent report. The one weakness in this bill is that you do not have the tenants review board as he recommend it. When this bill comes up in committee, we will have our own amendments on this particular situation.

But here, when you are dealing with the principle as a whole, there is no question that this is a forward step and, in fact, I usually say of this government that it is a mincing step. But in this particular case, I think that it is more than just a mincing step forward. It is good legislation, and I would not want to be on record of opposing it. Now, of course, the landlords are going to try to blackmail us to not pass it, but I do not think that any of us should be so easily blackmailed as the NDP. The NDP has been talking about reform of the landlord and tenant law and when it does come through, what happens? The leaves are weaving in the breeze. And this is pretty well where they stand.

They are trying to be all things to all men at the same time, and this simply will not do. We, here, believe in the principle of this bill; there is no question that rents are high. We must take action in the housing situation and in answer to the amendment before the House, Mr. Speaker, I would like to remind you that this party supported the request of the Ottawa-Carleton region for rental controls.

We had advocated rental controls and their municipalities requested it for a period of two years.

We still believe in this principle, but it does not, because it is not in this Act, necessarily destroy the essential principle that the tenant has been given a voice. Because the great danger in our society, in this complex urban society that we live in, Mr. Speaker, is that the tenant seems to feel that he has become a pawn, that he is one of many thousands in a great apartment complex. This law,



in many ways, is going to give some sense of dignity to the tenants, certainly, of the city of Toronto and to other tenants throughout the province of Ontario.

I say to you, Mr. Speaker, that I have joined with my leader in supporting the principle of this bill and opposing the amendment.

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

**Mrs. M. Renwick:** Mr. Speaker, I am rising to place before you my disappointment in this bill. If they go back as early as the maiden address that I made in this House, I believe it was March 18, 1968, I attempted to isolate for this government three examples of rent increase, that were not justified or warranted by any increased expenses of that time to the landlord-owner of the apartment complexes. It carried so clearly to the public, Mr. Speaker, that there was a banner red headline in the daily press. Because the problem is so flagrant that the only people failing to recognize it at this time in this province are the people in this government that are making these laws.

**Mr. Deans:** And the Liberals.

**Mrs. M. Renwick:** And the Liberals, yes. If we cannot appeal to this government on any other grounds, I would like to appeal in the simple fashion that there are four provincial seats in the borough of Scarborough. You might well wonder why there is only one of them held by a provincial sitting Tory member.

The borough of Scarborough centre has at least 7,000 apartments in it; it must have almost as many children in it who have never known any other life than apartment life. The apartment activities are common talk among children in that community, such as, "We have to move," "We have to leave; the superintendent said this or that". This government has responsibility for the quality of life of apartment dwellers beyond the scope of what this bill provides. The only hope for people in apartments lies in people in this Legislature, on this side of the House, with the law reform commission report. Their offices or part of their offices, Mr. Speaker, were on the third floor in this building and I used to speak occasionally to their legal counsel, Mr. Richard Gosse, about my deep concern that their recommendations would come before the Attorney General, asking for a rent review board.

I had even accepted, Mr. Speaker, that this in all likelihood would come in the form of a rent review board without real teeth in it. But at least, it would have made a place where the people who are being treated so badly in our society by flagrant rent increases where there has been no increase in taxation or a certain amount of increase in the maintenance of the buildings. It is time that someone who is running this province takes a good look at what is happening to the people in this area. I pointed out in that maiden speech, Mr. Speaker, that with \$40 increases we are hitting people overnight who simply could not cope. I certainly speak with some authority for the rest of the members from my caucus but this is exactly the sort of increases that are going to come in, especially when the government implements its regulations of the condition and repair of these buildings.

Mr. Richard Gosse, the legal counsel, was lost by this province to the law reform commission of the province of British Columbia yesterday. One cannot help but wonder if there was not some dismay. I do not happen to know, but certainly speaking as a member of the Legislature, Mr. Speaker, I am completely dismayed that an able body of young men could bring in law reform recommendations to a government which chooses to pick from it those things which they wish to implement and leave out the very guts of their recommendations.

In Scarborough, I look at apartments and I can take the Minister of Financial and Commercial Affairs (Mr. Rowntree) and the hon. Attorney General, if he would like to come and see them. Because I think this matter actually should interest the Minister of Financial and Commercial Affairs every bit as much as the rest of the Cabinet. It is indeed an embarrassment to have to go to some of the buildings in Scarborough and explain to the tenants there that there is no law affecting their problems in this province of Ontario. These buildings have water seepage; garbage sometimes stuffed up to the third floor; swimming pools where the health department is brought in and then the pool is closed; but the owner opens the pool on the weekend, and it is closed again, or the health department is around again; 13-floor buildings where the elevators are not operating, with parents and children walking up and down that number of floors. These are in the buildings that have had rent increases, Mr. Speaker. We are talking about buildings where there is no paint, where there is no proper maintenance.

**Mr. D. M. De Monte (Dovercourt):** On a point of order, what does this have to do with the bill in question?

**Mr. Deans:** We are talking about rent review.

**Mr. De Monte:** Let us talk about rent control then.

**Mr. Deans:** That is what we are talking about, making sure that rents do not increase without justification.

**Mr. Speaker:** The hon. member is speaking to the principle of the bill which has to do with various matters pertaining to landlord and tenant and it seems to me that she is, in fact, speaking to the principle.

**Mrs. M. Renwick:** Thank you, Mr. Speaker. You see the problem, Mr. Speaker, is that the people who are living—

**Hon. Mr. Wishart:** Mr. Speaker, if the hon. member is speaking to the principle, perhaps she might look at section 95, subsection 1, of the bill. She says she has to say to these tenants there is no law affecting the conditions. Perhaps she might point out in her remarks that there is provision now in the bill placing an onus on the landlord to keep the premises habitable and in good condition.

**Mrs. M. Renwick:** Mr. Speaker, I would say to the Attorney General, is it not conceivable to you that if the landlord is required to spend the amount of money and the amount of time which he is not spending now in these buildings, he is in fact going to increase the rents?

**Hon. Mr. Wishart:** Possibly, if he provides a better accommodation perhaps he should, I do not know.

**Mr. Deans:** Not if it is general house-keeping.

**Mrs. M. Renwick:** Mr. Speaker, I could appeal to the Attorney General that he would recognize that people are living in a series of apartments in my own riding in Scarborough Centre called the Pell Street apartments, owned by Mr. Kaplan. I understand he has some apartments in the same riding as the member for Lakeshore, and the Pell Street apartments are a place I would like the Attorney General and the Minister of Financial and Commercial Affairs to go and have a look at and see what he will be dealing with when he tries to put in the present legislation as this bill is drafted, to do some-

thing with the state of repair for those apartments.

The people in the apartments, Mr. Speaker, live in fear that if they complain they will be told to leave. They have, or have not, leases according to the whim. Some of these loopholes I realize have been covered, but, Mr. Speaker, I would say, as an example, in this building when it rains the electricity in the halls sometimes goes off; there is a furnace that belches—

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

It seems to me perhaps this hon. member would be seated. I will point out to her that while the bill itself does deal with relationships between landlords and tenants and that the amendment before the House has to do with whether or not the bill is adequate in connection with the rental review boards, I think perhaps the hon. member is somewhat straying in reciting the details of existing circumstances in particular units, and so on, and she should confine her remarks, perhaps, to the matter of rising rents in the province as it might have to do with this particular bill.

**Mrs. M. Renwick:** I think you are quite right, Mr. Speaker, I am quite exercised about the problem and I think that that is a fair criticism to make.

I would point out to the Attorney General that the council of the borough of Scarborough is largely made up of Liberal and Tory members with only a few NDP representatives. This particular board struggled with the recommendations of the landlord and tenant law from the law reform commission the same way that the hon. Minister has had to struggle with the recommendations. At a meeting held on April 21, 1969, where they were discussing the Ontario Law Reform Commission report on landlord and tenant law applicable to residential tenancies, after covering security deposits, distress and obligation to repair, they were forced, Mr. Speaker, because it was a very difficult and emotional meeting, to try to cope with the next item with which they dealt.

Their item to be dealt with was "Protection Against Unjustified Rent Increases", and I am quoting, Mr. Speaker, two short paragraphs from the borough of Scarborough embodied in report No. 6 of the development committee adopted by council, as amended by board of control, at its meeting held on April 21, 1969. These recommendations, Mr. Speaker, then went to the Attorney General in the form of a brief to this government. This is from

item (e), "Protection Against Unjustified Rent Increases".

The committee recommended that the municipality be empowered to establish a leasehold advisory bureau and a rent review board be set up as a single unit. This board would establish procedures to handle tenants' and landlords' problems arising from tenancy. Said board would function as an ombudsman in that it would firstly attempt to mediate and reconcile these matters regarding leases, tenancy, rent increases and retaliatory eviction.

If satisfaction is not reached, the board would then advise the parties concerned as to how they might obtain a settlement of the issues through the courts or by administrative action.

The concern of the committee reflects that of the Ontario law reform commission in that quicker and less expensive procedures could be developed for settling landlord and tenant disputes other than the courts. The committee further recognizes the administrative problem and recommends a study in detail of the size and scope of such a board.

Mr. Speaker, that was not arrived at overnight and it was not arrived at without some due consideration to exactly what the borough of Scarborough would be inviting on to its hands, but I will say, Mr. Speaker, it was forced into it by the problems of the new type life that we are entering—that of apartment living.

The summary from that meeting, Mr. Speaker, said:

It would be a recommendation of the committee that in place of the present landlord and tenant law that there be enacted a revised statute in the nature of a Landlord and Tenant Rights Act, this taking the form of a remedial legislation reflecting today's attitude towards basic rights and recognizing the legitimate interests of both parties.

It is further recommended that the Ontario Law Reform Commission Report on landlord and tenant laws be used as a guideline for such legislation. We must be prepared to act on the municipal level where and when we are able. It is felt that in view of the urgency of the problem respecting residential tenancy that any recommendations adopted be given administrative and legislative priority.

Mr. Speaker, the council of the borough of Scarborough recognized the problem and I

would say it is now up to the province of Ontario to recognize the true problem.

Mr. Speaker: Are there any other members wishing to enter the debate before the hon. Minister replies to the points raised? If not, the hon. Attorney General.

Hon. Mr. Wishart: Mr. Speaker, I am indebted as usual to comments and criticisms which we have heard in this debate for views which bring to my mind some points which we had not considered, perhaps, certainly had not attempted to bring into this legislation.

I would point out, Mr. Speaker, that I am not interested in who takes credit, really, for this legislation, nor who was first. The hon. member for Downsview claimed a certain area of credit, I think a large portion of it; the hon. member for Riverdale, I believe—no, I do him an injustice—the hon. member for Lakeshore claimed a large amount of credit and others of that party. I do not concern myself with that, Mr. Speaker.

I would point out that the government did activate this subject through the Ontario Law Reform Commission in its request three years ago to that commission to study the whole field of property law. Then in the course of that study we asked that the field of landlord and tenant legislation, that whole area of landlord and tenant, be given priority.

As a result of that direction we received—and I will stress the word—the interim report of the law reform commission at the end of 1968. We have taken a year to hear delegations, submissions, individuals, corporate bodies, associations of all kinds, both landlord and tenant, in the drafting of this legislation.

Perhaps I might say here when the hon. member for Port Arthur says, "I do not like to see the government rushing into this", I wonder what he thinks "rushing" is. If I could just dwell for a moment on his remarks, he started out by saying he supported the proposition put forward by the hon. member for Lakeshore, who was talking, I thought, on behalf of tenants largely. The hon. member for Port Arthur came out on the side of the landlords before he was through, so I fail to understand him.

However, Mr. Speaker, the commission in its report on page 8, outlining introductory terms what its study was, referred to certain subjects—security deposits, distress, obligation of repair, restrictions against tradesmen, rent control, conciliation and procedure of adjudication. These nine topics cover the most commonly reported areas of concern and

when the commission stated its approach, it said:

This will, however, require much more time. It is hoped that this continuing need will be met and result in further studies communicated in subsequent reports.

At page 13, this is one of the pages referred to me by the member for Riverdale, the recommendation on that page by the commission said:

This interim report deals only with the most urgent problems of the law of landlord and tenant. It should be recognized that there is need for further research and study.

I would just draw to the attention of all hon. members that this is an interim report, dealing only with the most urgent areas. Continuing study is going on and we will accept further recommendations. I would say on that point, too, that if the proposal, if the powers, the duties, which we have given—and I particularly refer to the landlord and tenant advisory bureau—do not prove sufficient, I think there would be no obstacle in any way in an early session, which will certainly follow this one, to review what experience we have and to perhaps to amend.

I want to go immediately, Mr. Speaker, to the question of the leasehold advisory bureau and the suggestion for a rent review board because that seems to be the burden of the discussion here today.

If you will look at the report of the Ontario Law Reform Commission, you will find at page 79, the recommendation No. 19—incidentally, we have implemented 20 out of 21 effective recommendations. There are 24 altogether, only 21 of them as I see it called for legislative proviso. We have implemented 20 out of 21, in my view. Back to page 79, recommendation 19, this is what the commission said:

Municipalities should be authorized to establish, as a matter of local option, offices or networks of offices to be called leasehold advisory bureaus.

We have taken the name "landlord and tenant advisory bureaus". Now, as they outline the functions of that bureau, they say at the foot of the page, in subsection 4 to that recommendation:

On the leasehold advisory bureaus' staff would be a rent review officer whose duties would be to attempt to obtain fair and just settlements of disputes concerning the payment or increasing of rent at any time

during or at the end of the tenancy, and of disputes over whether a tenancy should be continued or renewed.

So in adopting the leasehold advisory bureau, which we call a landlord and tenant advisory bureau, we have adopted that recommendation and we have given powers to seek to mediate disputes, to receive complaints, to seek to adjust them, and as the commission went on, you will see under the following recommendation, rent control, I think it is important to observe this:

Municipalities should be empowered to appoint rent review officers within the organization of leasehold advisory bureaus.

The hon. member for Scarborough Centre, in her remarks just completed, pointed out that that municipal council suggested that the functions of these two bodies be brought together. To some extent, to a considerable extent, we have attempted to do that in this legislation. We have not set up a rent review board but, observe further on page 80 under the recommendation, re: rent control, the commission said, subsection 3 of that recommendation:

Municipalities not believing that rent review officers alone are sufficient to handle their local rent increase problems should be empowered to establish rent review boards.

Now I think it is fair to suggest that perhaps we might try—

**Mr. J. Renwick:** Are they going to be empowered to establish rent review boards?

**Hon. Mr. Wishart:**—we might try the procedures set—

**Mr. Singer:** You do not. It is in the Act.

**Hon. Mr. Wishart:** No, I say, I think we might consider and examine the experience which we will achieve under the establishment of the bureau and then see if we need this further local option.

**Mr. J. Renwick:** Then you disagree with the law commission report, that it is not urgent?

**Hon. Mr. Wishart:** Let me draw your attention to one further point, the very last portion of that recommendation:

If these measures do not prove sufficient to control improper increases in rent, the Legislature should consider the introduction of a more stringent and compulsory system of control.

It was only on a tentative trial basis that this was ever proposed.

**Mr. J. Renwick:** No. That is not the meaning of that last clause.

**Hon. Mr. Wishart:** I take that meaning.

**Mr. J. Renwick:** The meaning of clause 9 is, after the rent review board has been enforced.

**Mr. Singer:** Try recommendation 4, page 136.

**Mr. Trotter:** That is a good one.

**Hon. Mr. Wishart:** Yes. Before I go to that one, let me take you back to page 69—

**Mr. Singer:** The pages are not the same.

**Hon. Mr. Wishart:** I think they are. This is what the commission had to say at its conclusion:

There is no doubt that many tenants are the victims of landlords who are taking advantage of the acute housing shortage in some areas to charge excessive and, in some cases, unreasonable rents. This results from the fact that in those areas there are too many prospective tenants bidding in the market there are too few rental units available.

Then they say:

It is obvious that the only effective long-term solution to this problem is to increase the supply of housing units available for sale or rent. Until—

**Mr. Deans:** At a price the people can afford.

**Hon. Mr. Wishart:** Continuing to quote:

Until this long term solution can be realized, a serious social evil will continue.

**Mr. J. Renwick:** That is right, exactly right.

**Hon. Mr. Wishart:** But I cannot, I think, in this Act, the landlord and tenant law, do other than to try to make fair and reasonable conditions of contract which apply in this field.

**Mr. J. Renwick:** But you can implement the chapter on rent control.

**Hon. Mr. Wishart:** If you will just go over the page to page 70—

**Mr. Singer:** Our pages are different.

**Hon. Mr. Wishart:** Well, I shall read it.

**Mr. Singer:** Mr. Speaker, on a point of order. The Attorney General seems to have a different kind of a report than the one we have. The printed one with different page numbers. Have you got an extra copy so we could follow you a little better?

**Hon. Mr. Wishart:** I did distribute them. I have not got an extra one with me. But I am only going to quote very briefly from this, Mr. Speaker. I read on from that page:

Rent is an important element in the cost of living, but it is only one element. A consideration of any system of rent control cannot be dissociated from consideration of control over all those elements that go into the cost of construction and maintenance of housing accommodation. This includes—

**Mr. J. Renwick:** But that is after you have given a rent review board its proper trial. You cannot misinterpret the report that way.

**Hon. Mr. Wishart:** I appreciate, or perhaps do not wholly accept, the hon. member's point but let me finish this:

This includes the cost of land, building supplies, wages, and the food and clothing for the wage-earners and their families, together with municipal and other taxes.

This is what the commission finally says:

The wisdom of such controls is something that requires a wide economic study and policy decisions that go far beyond the powers of this commission as a law reform body.

**Mr. J. Renwick:** Correct!

**Hon. Mr. Wishart:** Mr. Speaker, I think in the discussions about rent control and in the experience of rent control and in the documents which have been written about it and the statistics that have been gathered about rent control, it has become, I think, quite apparent that rent control may very well be an inhibiting factor on the provision of rental accommodation.

**Mr. J. Renwick:** But the rent review board is not rental control.

**Mr. Deans:** That is right.

**Hon. Mr. Wishart:** All right, the member may make that point. But let me say that when you go to the extent of inhibiting rent, you then have the effect of driving out investment from the field of providing rental accommodation. Many people, many landlords are not the great apartment owners,

many people put their life's savings into houses and housing accommodation.

**Mr. Deans:** Many people put their life's savings into rentals, too.

**Hon. Mr. Wishart:** Indeed.

**Mr. Deans:** And you are going to force many more to use up even greater amounts of savings to meet rent increases.

**Hon. Mr. Wishart:** I think the hon. members who seek to take credit for this legislation might join me now in sharing the criticism, because it comes from both landlords and tenants. It comes from those who are the owners and who have put their savings into this type of accommodation, this type of investment, and the tenants who say, "You have not gone far enough for us" and the landlords who say, "You have gone far too far." So come on over and join the criticism as well as taking the—

**Mrs. M. Renwick:** The Attorney General had better change the legislation to help the tenants or the tenants will—

**Hon. Mr. Wishart:** That is a—

**Mrs. M. Renwick:** There are more tenants than landlords.

**Hon. Mr. Wishart:** I am sure that is a devout wish on the part of the hon. member, but it is not likely to be realized.

**Hon. A. F. Lawrence:** The member really thinks that rent control will encourage people to build apartments?

**Mr. J. Renwick:** No, we are talking about a rent review board recommended by the law reform commission.

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. Minister has the floor and is endeavouring to reply to the addresses of the other members and I would hope he would be given the courtesy of a hearing. So far, it has developed into a series of interjections. Perhaps the Minister would continue.

**Hon. Mr. Wishart:** Mr. Speaker, I just have another brief point to make. I submit that we have adopted here and implemented, as I said, 20 of the 21 effective recommendations of the commission which, after a long study, reviewed the matter.

And I have to refer to the remarks of the hon. member for Riverdale who drew my attention to those pages of the report, 9 to 13 inclusive, I believe it is. That section is headed "The method of study." Curiously, he said the Attorney General has missed the point, yet the commission which says, "Here is our method, here is our procedure, here is our mode of attack," come up with 24 recommendations, 21 of which call for implementation in this bill.

Surely, if I follow their suggestions, follow their method of attack and their conclusions, one cannot do more. I do suggest that if we would support the present legislation, make it effective, make it effective soon, give it a trial, see how the landlord and tenant advisory bureau works, and if it needs further powers, and we find that to be advisable, then we can do so. And I am sure we shall be back in this House, I feel quite certain, very shortly after this session prorogues.

Interjections by hon. members.

**Hon. Mr. Wishart:** I think we can afford to take the two three or four months that would be necessary, to gain some experience. All I can say, and I think it has been said very well by the member for Downsview, although I tried to prevent his saying it—

**Mr. Singer:** You never know when I am going to turn out to be an ally.

**Hon. Mr. Wishart:** —is that the hon. members who spoke, who are supporting this amendment, are saying really, particularly the hon. member for Lakeshore, unless you are perfect, you are a sinner and must be cast into outer darkness. He spent a half an hour of his time—

**Mr. Lawlor:** I would never accuse the Attorney General of perfection.

**Hon. Mr. Wishart:** He spent a half an hour of his time, Mr. Speaker, praising the provisions of the bill, but then he said, "Because you did not do this one thing, you are to be forever condemned and we cannot support it."

**Mr. Lawlor:** It is the whole apparatus—

**Hon. A. F. Lawrence:** Why have you changed your minds since 1967?

**Hon. Mr. Wishart:** I think, Mr. Speaker, he should have read one of those pages to

which his colleague directed my attention, that is, page 9, where the commission says:

While cautioning against the moralistic approach to law reform, it is likewise suggested that the formal legal approach to the development of legal principles be discarded.

I think he should have accepted that caution—

**Mr. J. Renwick:** Read the next sentence.

**Hon. Mr. Wishart:** He should have accepted that caution against the moralistic approach.

**Mr. Lawlor:** Theirs is the socialistic approach; that of the Attorney General is the legalistic approach.

**Hon. Mr. Wishart:** Mr. Speaker, I reject the amendment and I ask members of the House to vote against it.

**Mr. Deans:** They are both in favour of increased rents.

**Mr. D. A. Evans (Simcoe Centre):** You have never done anything constructive in your life.

**Mr. Speaker:** The motion is by Mr. Wishart for second reading of Bill 234 to which in an amendment Mr. J. Renwick moved, seconded by Mr. Lawlor, that the motion for second reading of Bill 234 intituled, An Act to amend The Landlord and Tenant Act, be amended by deleting all the words after “that” and substituting therefor the words:

This House is of the opinion that the bill is fundamentally defective in principle in that:

1. It fails to make provision for rental review officers and for rental review boards to control the rising level of rents in the province.

2. It fails to confront or to deal with the present disparity between available housing units and the needs of the population at rentals which people can afford to pay or to provide adequate organs for the redress of grievances.

And this House is further of the opinion that Bill 234 should be withdrawn and a new bill, meeting the objections in principle listed above be introduced forthwith.

The procedure in the House, of course, is to first determine whether the word “now” and all the other words sought to be struck out shall stand as part of the bill.

The House divided on the question “shall the word “now” and all other words sought to be struck out stand”; which was decided in the affirmative on the following vote:

AYES	NAYS
Apps	Bolton
Auld	Burr
Belanger	Davison
Bernier	Deans
Breithaupt	Ferrier
Brunelle	Gisborn
Bullbrook	Jackson
Carton	Knight
Davis	Lawlor
Deacon	Lewis
Demers	MacDonald
De Monte	Makarchuk
Dymond	Pilkey
Edighoffer	Renwick
Evans	(Riverdale)
Farquhar	Renwick (Mrs.)
Gaunt	(Scarborough
Gilbertson	Centre)
Good	Stokes
Guindon	Young—17.
Haggerty	
Haskett	
Henderson	
Hodgson	
(Victoria-	
Haliburton)	
Hodgson	
(York North)	
Jessiman	
Johnston	
(Parry Sound)	
Johnston	
(St. Catharines)	
Johnston	
(Carleton)	
Kennedy	
Kerr	
Lawrence	
(Carleton East)	
Lawrence	
(St. George)	
Meen	
Morningstar	
Morrow	
McKeough	
McNeil	
Newman	
(Windsor-	
Walkerville)	
Newman	
(Ontario South)	
Nixon	
Paterson	
Potter	

AYES

NAYS

Price  
 Randall  
 Reid  
 (Rainy River)  
 Reilly  
 Reuter  
 Root  
 Rowntree  
 Ruston  
 Simonett  
 Singer  
 Smith  
 (Simcoe East)  
 Smith  
 (Hamilton Mountain)  
 Smith  
 (Nipissing)  
 Snow  
 Spence  
 Stewart  
 Trotter  
 Villeneuve  
 Welch  
 Wells  
 White  
 Whitney  
 Wishart  
 Yaremko—67.

**Clerk of the House:** Mr. Speaker, the "ayes" are 67, the "nays" are 17.

**Mr. Speaker:** I declare the motion for second reading now carried.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall the bill be ordered for third reading?

Some hon. members: No.

**Mr. Speaker:** Shall the bill be ordered to committee of the whole House?

**Mr. J. Renwick:** Mr. Speaker, can the bill be referred to the standing committee on legal and municipal bills for hearing?

**Mr. Speaker:** If the Minister would indicate where he wishes the bill to go.

**Hon. Mr. Wishart:** I would indicate that the bill should go to the committee of the whole House. There has been a tremendous amount of discussion, presentation, hearings and interviews.

**Mr. Speaker:** Is it agreed that the bill go to committee of the whole House?

**Mr. J. Renwick:** No, Mr. Speaker, on a point of order—

**Mr. Nixon:** Mr. Speaker, I believe that the standing committee on legal bills should have an opportunity to look at the bill. We on this side have given notice that we want to amend the bill and that is where we would put the amendment.

**Mr. Speaker:** Then the next question that I would ask is if it is to go to a standing committee.

Interjections by hon. members.

**Mr. Speaker:** The new procedures provide that the Speaker shall ascertain first if it be ordered for third reading, and if it is not, then if it should be ordered for the committee of the whole House, and if there is not unanimous consent then a standing committee, and if so, which. We have come to the position where there is no unanimous consent for third reading, committee of the whole House, or standing committee, and the result, of course would appear to be that until the House takes action, which it can do at this moment, I presume, because the House is always capable of dealing with its own problems, that the bill is suspended, and therefore that—

**Mr. Nixon:** I would say on this side that the bill would be ordered for—

**Mr. Speaker:** Would the hon. leader of the Opposition allow me to complete the matter?

**Mr. Nixon:** You asked for action.

**Mr. Speaker:** I had not completed asking for action.

**Mr. Nixon:** Sorry.

**Mr. Speaker:** Therefore it would appear to be that unless there were a motion before the House on which the House could express its opinion, the matter stands as it is, so I would now entertain a motion.

**Hon. Mr. Welch:** Mr. Speaker, I would move that Bill 234 be referred to committee of the whole House.

**Mr. Speaker:** It has been moved by Mr. Welch that Bill 234 be moved to committee of the whole House. We now have a motion before the House which is open for debate.

**Mr. Lewis:** Right.

**Mr. Nixon:** Mr. Speaker, it appears that the debate should be adjourned because there will be more than one comment to be made



on the motion, and I would seek your ruling in that connection, since it is now 6.00 of the clock.

**Mr. Lewis:** Right.

**Mr. Speaker:** The rules provide that when the House resumes at 8.00 the Speaker leaves the chair at 6.00 o'clock, and unless that rule is overcome it would apply on another evening, but not Wednesday evening. I say again to the hon. leader of the Opposition that I think it entirely within the judgment of the House whether this particular debate be adjourned or whether the House adjourns, and therefore—

**Mr. Nixon:** I think the rules provide for it, surely.

**Mr. Speaker:** May I also point out that at any time during the debate a motion for adjournment is always in order. It can be made and then there is a limited debate on it.

The House has come to this position: It has the motion before it now for debate, and at any time after that debate has begun there can be a motion for adjournment and we can then have a further debate on that. Therefore it would appear that there is some difficulty.

**Mr. Nixon:** Mr. Speaker, if I may speak to the motion that is before the House, I would ask the House leader to consider that it is apparent from the discussions that have taken place for many hours on this bill, that we in the official Opposition have every intention to move amendments, and we want those amendments discussed in the standing committee where those who are not members of the House would have ample opportunity to express their views. Surely, Mr. Speaker, it cannot be the intention of the House leader, nor of the Minister of Justice, to move this into committee of the whole without giving the community an opportunity to put forward their views. I realize it is the intention of the government, and it is supported on this side, that a bill dealing with tenants' rights be made law before we adjourn, but surely we cannot do this unless we send it to the appropriate standing committee.

We are unalterably opposed to the move by the House leader that this bill go to the committee of the whole House, and I would simply ask him in a most reasonable way, that he withdraw that motion and replace it with one that would direct it to the standing committee. Surely there is no point about us having a lengthy debate now which would be replaced with a debate for adjournment, which is obviously the next thing we should

do. We on this side are not prepared to accept the leadership of the government in sending this to the committee of the whole. We feel it is inadequate, that it does not serve the needs of the community.

**Hon. Mr. Wishart:** Mr. Speaker, may I speak briefly to this matter. I would point out to the hon. members, as has been said by the leader of the Opposition first of all, there is, I think, an urgency about having this legislation enacted. To go to the legal bills committee, which is quite fully occupied with matters now, would cause considerable delay in the last days of this session.

**Mr. Nixon:** What are they doing?

**Hon. Mr. Wishart:** I understand they have a bill of my colleague—

**Mr. J. Renwick:** None, none! Did you have—

**Hon. Mr. Wishart:** In any event, Mr. Speaker—

Interjections by hon. members.

**Hon. Mr. Wishart:** In any event, Mr. Speaker, there have been, for better than a year, presentations, deputations, submissions of all kinds and a very thorough study before the Ontario Law Reform Commission.

Interjections by hon. members.

**Hon. Mr. Wishart:** Would you let me continue? Out of that study came the recommendations which are implemented in this bill.

**Mr. J. Renwick:** No, they are not.

**Hon. Mr. Wishart:** All except one.

**Mr. Lewis:** Do you believe in public scrutiny of your legislation?

**Mrs. M. Renwick:** Do you believe in being re-elected?

**Hon. Mr. Wishart:** Beyond that, in the year we have taken in the drafting of this legislation, we have had numerous presentations by landlords and tenants, by individuals—

**Mr. Lewis:** Prior to legislation.

**Mr. D. C. MacDonald (York South):** Not on this bill.

**Mr. J. Renwick:** Not public—

**Mr. Lewis:** What are you afraid of?

**Hon. Mr. Wishart:** I am afraid of nothing.

Interjections by hon. members.

**Hon. Mr. Wishart:** Mr. Speaker, to delay this legislation means only repetition—

Interjections by hon. members.

**Hon. Mr. Wishart:** —and I submit, Mr. Speaker, that this should go to the committee of the whole House where every opportunity is given to present—

Interjections by hon. members.

**Hon. Mr. Welch:** Mr. Speaker, it certainly is not the intention of the government to cut off any debate on this motion. If this would be the proper time, perhaps we could adjourn the debate on the motion and carry on tomorrow. The motion was in reference to sending this bill to the committee of the whole House. There will be ample discussion on this, so perhaps—

**Mr. Speaker:** I would recognize the member for Downsview if he wishes to take that action.

**Mr. Singer:** Mr. Speaker, I was going to propose an amendment to the House leader's motion.

**Mr. Speaker:** Unless it solves the problem—

**Mr. Singer:** It might. I was going to propose that after the word "House", which was the last word in the motion, the following words be added: "After it has been dealt with by the legal and municipal bills committee."

Interjections by hon. members.

**Mr. Speaker:** I think the hon. member might adjourn the debate.

**Mr. Singer:** All right, Mr. Speaker.

**Mr. Singer** moves the adjournment of the debate.

Motion agreed to.

**Hon. Mr. Welch:** Mr. Speaker, tomorrow we will carry on with legislation on the order paper, and hopefully there is to be some time tomorrow afternoon for the supplementary estimates. Tomorrow night, the concurrence and supply for The Department of Highways.

**Mr. Nixon:** Mr. Speaker, is it the intention of the House leader, then, to continue the debate on his motion to refer the bill as a first order?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Just wait.

**Hon. Mr. Welch:** Sure.

**Mr. Lewis:** When will the legal and municipal bills committee meet?

**Hon. S. J. Randall** (Minister of Trade and Development): Stalled again.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.







# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 4, 1969

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 4, 1969

The House met today at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon we have with us, as our visitors in the east gallery, students from Our Lady of Fatima School, Scarborough.

**Mr. M. Shulman (High Park):** Mr. Speaker, on a point of personal privilege.

My complaint is, of course, about the Toronto *Telegram*, sir.

On the editorial page of that newspaper today is an article, a number of letters, criticizing the MPPs for their raise; and in those letters I, for some reason, have been singled out to be criticized for accepting this raise, sir.

I wish to draw to the attention of that newspaper, if they were not here during the second reading of that debate, that I have stated that my portion of that raise is going to charity.

**Mr. Speaker:** Statements by the Ministry.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** In our department we have become greatly concerned in recent years over the pressures that have come to bear on some aspects of the dairy industry, more particularly the industrial milk sector of that industry. While the Ontario Milk Marketing Board has been able to bring a good deal of security and stability to the fluid milk sector, there has been much concern about not only the producers of industrial milk, but the processing industry as well.

Earlier this year, we asked two men with vast experience in the dairy processing industry to prepare a report for our milk commission. These two men, Mr. W. T. Murchie, a member of the Ontario Milk Commission, and formerly president of the Pet Milk Company, and M. H. Stewart, recently retired after serving in an executive capacity with Dominion Dairies Ltd., were successful businessmen in their own right, and capable of examining in great detail every aspect of this industry. In examining the industrial milk processing

industry in this province, they had been given rather wide terms of reference. I quote:

The committee will enquire into and make recommendations to the commission on the following matters:

1. The efficiency of the existing industrial milk processing plants in relation to volume, overhead, margins, and management.

2. The capability of the existing plants to support, in the future, efficient processing of industrial milk, including adequate capital investment in new plants and/or equipment.

3. The most practical and economical methods of encouraging plan consolidations, where practical, in the light of (a) Volume of milk; (b) Capital investment; and (c) Other considerations.

4. The interrelationship of any plans for marketing industrial milk and the future viability of the industry.

5. The demand for milk products produced by industrial processors.

6. Any other matters which in the course of this review appear to be relevant.

The committee has made a number of interesting recommendations which are embodied in the report.

In tabling this report I am also providing a copy for the official Opposition party and for the New Democratic Party. At the moment, we have a limited number of copies but we are in the process of duplicating the report. Additional copies may be obtained from the Ontario Milk Commission office very shortly.

**Hon. R. Brunelle (Minister of Lands and Forests):** In my capacity as chairman of the Ontario Parks Integration Board, I have today had placed on members' desks a copy of the Niagara Escarpment Study Conservation and Recreation Report prepared by Professor Leonard O. Gertler, director of the school of urban and regional planning at the University of Waterloo.

The responsibility for, and the financing of, the preparation of this report was centred in the regional development branch of The Department of Treasury and Economics. Other departments contributing advice were

Agriculture and Food, Energy and Resources Management, Highways, Lands and Forests, Municipal Affairs, Tourism and Information, and the Prime Minister's office.

This attractive book has been prepared to give to you and to the people of the province a clear understanding of the possibilities and problems of this outstanding feature of our southern Ontario landscape. Members will immediately recognize how complex a situation Dr. Gertler undertook to study. I know that you will wish to join with me in congratulating both Dr. Gertler and his group for a job very well done.

The Prime Minister has mentioned in his foreword that it has been necessary at this time and for various reasons to delete small portions of the report and a very few of the maps, but I assure you, Mr. Speaker, that these deletions do not detract from the impact and design of the work. We had Professor Gertler's assistance in the preparation of this edition. It has not been rewritten and no changes other than a few minor ones by the author have been made.

The release of the report does not imply that we accept all its recommendations, but I assure you that numerous meetings have been held to discuss and review its contents. The Cabinet committee on policy development, after discussion, suggested that the Ontario Parks Integration Board should consider the report and make recommendations. It is largely a result of that board's deliberations and investigations that the study is released today.

The Departments of Lands and Forests, Energy and Resources Management, Municipal Affairs, Treasury and Economics, and Treasury Board have all had both collective and individual discussions as well as investigations of the various and related aspects.

The Department of Lands and Forests, as members know, already has sizeable land holdings in the escarpment area. Devils Glen Provincial Park is on the brow of the Georgian Bay portion. Its area has recently been slightly enlarged. The area of Craighleith Provincial Park on the shore of the bay at the base of the formation has been enlarged; and over 1,200 acres have been acquired near Primrose in that steeply rolling part of Dufferin county. One thousand acres have been bought at Cyprus Lake near Tobermory, and park development here has already begun. In addition to these parklands, The Department of Lands and Forests has purchased sizeable holdings in Bruce Peninsula for timber and wildlife management. These

lands, or parts of them, could quite conceivably be used for recreation.

At the extreme south end of the area about 550 acres have been acquired near Effingham in the short hills district near Welland and St. Catharines. And, of course, we have the Niagara Parks system at the southern terminus of the Canadian section of the escarpment, where the Niagara Parks Commission is well aware of, and is making intense use of, its portion of the escarpment. Its recent news release indicates that they are looking to the future.

The conservation authorities under The Department of Energy and Resources Management are also well entrenched on the escarpment in places like St. Johns, Balls Falls, Beamer Memorial, Tews Falls, Mount Nemo, Rattlesnake Point, Kelso, Terra Cotta, Belfountain, Eugenia Falls, Inglis Falls, Colpoj Range and Skinner Bluffs conservation areas, and there are others. I name these areas to illustrate that the people of the province already have a foothold on the escarpment and that the conservation authorities are a big factor in this matter.

The two departments, Energy and Resources Management, and Land and Forests, have mapped out areas of major interest, and agreement has been reached which will eliminate duplication of effort. I do not wish to give a false impression that all of the areas were acquired after the report was submitted, for the programme was started several years before the study, and has continued during its preparation and since. The annual reports of the parks integration board indicate the extent of activity in land acquisition along the escarpment and elsewhere.

The Department of Municipal Affairs has been giving much attention to the report and has outlined the procedures which it will have to follow if we decide to implement the recommendations therein. The Treasury Board has actively investigated most aspects of the material contained in the report and is preparing information on costs and benefits.

The Department of Treasury has had an active interest in this report as witnessed by the fact that it was initiated and paid for by the regional development branch of that department. They have been active participants in the discussions of the report since its receipt.

A great deal of attention has been focused on the escarpment area by organizations such as the Bruce Trail Association, which deserve a great deal of credit for arranging with local land owners for permission for trail walkers



to cross private land. This was an achievement of considerable merit. The Federation of Ontario Naturalists has for a long time been extolling the importance of this land feature, as has the Conservation Council of Ontario.

The Department of Lands and Forests and The Department of Energy and Resources Management have both agreed to the priorities awarded in the matter of land acquisition. The land purchased for the former by The Department of Public Works will form part of the provincial parks system. The Department of Energy and Resources Management will arrange for land acquisition through conservation authorities which will develop such lands into conservation areas. In the case of both departments, the acquisition of land will proceed within the limitations of the budgetary provision that can be made.

A group representing a number of departments has been studying the manner in which the tri-county scenic drive proposal may be co-ordinated with the recommendations of the Gertler report. Policies on the implementation of these two important reports will be co-ordinated.

Many persons and groups will be anxious to obtain this report. We have made arrangements for copies to be available through The Department of Lands and Forests Map and Survey Record Office, Room 5427, Whitney Block, and at 30 Grosvenor Street in Toronto, at a nominal price of \$2.00 per copy. Cheques or money orders should be made payable to the Treasurer of Ontario.

In conclusion, Mr. Speaker, Professor Gertler has submitted two other reports—one dealing with the extractive industries in the Niagara escarpment area and the other considering the fruit belt. Both are receiving consideration so that government proposals can be made known in due course.

**Mr. Speaker:** Oral questions.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, my first question is of the Minister of Lands and Forests. Could he explain to us why this report, that he has talked about in such glowing language, was submitted in June, 1968, and it has taken almost 15 months—pretty nearly 18 months—to bring it before the Legislature; and at this time he has not told us when any part of it is going to be implemented?

**Hon. Mr. Brunelle:** Mr. Speaker, I mentioned in my remarks that many of the lands mentioned in this report have already been acquired and some are in the process of being

acquired by my own Department of Lands and Forests as well as The Department of Energy and Resources Management under my colleague, the Minister (Mr. Kerr). Also, there are many departments involved in this report, and this report was submitted to the regional development branch of The Department of Treasury and Economics, so there has been continuing liaison and a co-ordinated effort with these various departments. In the meantime, we have met with the tri-county scenic drive, the Bruce Trail and other associations, so that it is quite complex and involves huge sums of money, something in the nature of \$31.5 million.

**Mr. Singer:** By way of supplementary, Mr. Speaker, could the Minister please explain why it took 18 months to make it public?

**Hon. Mr. Brunelle:** I thought, Mr. Speaker, that I had just explained that.

**Hon. S. J. Randall (Minister of Trade and Development):** What did the member have in mind? Advertise, "Here comes the government, charge big prices"?

**Mr. B. Newman (Windsor-Walkerville):** Well if the department has not purchased everything, why publish it now?

**Mr. Singer:** I do not know if it was a supplementary to settle down this Minister but we will let him go for a moment.

**Mr. Speaker,** to the Premier: Could the Premier tell us if the government is prepared to take any action in the light of the suggestion of the Ontario Chamber of Commerce that a tax break be given to pollution equipment?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, this is one of a whole series of recommendations which the Ontario Chamber of Commerce placed before the government. They have recommendations of various kinds affecting, I think, just about every department of the government. This particular matter that you mention will be given consideration and study, as will the other recommendations.

I might say, in regard to the specific one the member mentions, it has been under examination by the government for some time. I would point out that to be in any way effective it would have to be implemented, as well, by the federal government—we control the sales tax. Beyond that, the leverage exercised by this government is relatively slight compared to that of the federal government. I know that representations have been

made to the federal government by this government in various discussions in this regard, so the whole matter is under consideration.

**Mr. Singer:** Mr. Speaker, I have another question for the Premier. Could the Premier advise us what attitude, if any, the province of Ontario has towards drilling for oil in Lake Erie?

**Hon. Mr. Robarts:** Mr. Speaker, this is an old story. I do not think the policy of this government has changed from what it has been for some considerable time. There has been drilling in Lake Erie for many years, and we have not prohibited it. Certainly in the Lake Huron region we have placed a complete ban on drilling. That policy remains, as it always has been, as does our policy in Lake Erie.

**Mr. Singer:** By way of supplementary on that, Mr. Speaker, in view of the attitude, apparently, of the American government and the representations being made by them to the International Joint Commission, is the province of Ontario going to make similar representations?

**Hon. Mr. Robarts:** I think we will wait and see, Mr. Speaker, what the International Joint Commission proposes and what the representations will be when they are all in. There is no doubt that these policies are under study. The only point that I would like to make is that we do not intend to relax the present policy.

**Mr. Singer:** Again by way of supplementary. Does the Premier intend to have any representations made to the International Joint Commission by the province of Ontario at this time or in the immediate future?

**Hon. Mr. Robarts:** I really have not been involved with the representations made to the IJC. I assume that our representations have been planned out ahead of time and will be made by The Department of Energy and Resources Management and the Ontario Water Resources Commission. I do not intend—in direct answer to your question—to advise them as to what representations they should make at a hearing that is presently underway.

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

**Mr. D. C. MacDonald (York South):** Mr. Speaker, by way of supplementary question on this same point. In view of the fact that the American authorities have indicated that 40 per cent of all oil in the Great Lakes is

spills from ships and the OWRC indicates that 80 per cent of the incidence of oil slicks in Lake Erie is traced to shipping and the fact that the federal government dismisses this and says this is grossly exaggerated—what can, and will, the provincial government do to cope with the situation, since it falls under federal jurisdiction?

**Hon. Mr. Robarts:** Well, the member answered his own question. Do not ask what we can do about something that falls within the federal jurisdiction. We have made representations to the federal government, not only in regard to oil, but in regard to general pollution. For instance, some years ago, we found that at the entrances to the canals and beaches, all kinds of garbage was accumulating which obviously had been thrown over the side of the ships. Now those were in the early days of the waterway when many of the masters and crews of those ships were used to sailing in the open ocean and they did not really look upon this as a problem such as it is in our inland waterways. That particular situation has been cleared up. I read the news reports from which you were quoting and of course the OWRC is the arm of this government and I accept their statistics.

We establish them, they operate under our aegis, if that is the term, and so I accept them. It may be that the federal government—I do not know where their statistics come from, but I do know that our assertion in this matter by the OWRC is pretty firm. So here we have a direct conflict of opinion and inasmuch as the matter is within the jurisdiction of the federal government, I suppose there is no other course open to us but to say well, let us compare statistics and find out who is right and treat it as a problem, which it is.

I know from my own experience it is a problem, because I happen to have some experience with one of these waterways and I do not think it can be dismissed in that fashion. It has proven to be a worldwide problem. When you think of the English Channel and what happened in southern California, I think we should take it very seriously indeed.

**Mr. MacDonald:** May I say to the Prime Minister, I admit that I was answering my own question but I was faced to the fact that it is under federal jurisdiction.

**Mr. Speaker:** Perhaps the hon. member would ask a question.

**Mr. MacDonald:** Yes, I do not know how I can make my point in this instance without some sort of a preface, Mr. Speaker. But the Prime Minister has indicated that maybe the way to resolve this conflict of opinion is to sit down and examine the evidence. Will he take the necessary steps, then, to sit down with the federal government and resolve what is a conflict of opinion presumably based on the same set of facts?

**Hon. Mr. Robarts:** The real answer is that this conflict of fact was brought out in a hearing before the International Joint Commission. Now my assumption would be that they are hearing all sides of all questions and representations from all groups, and perhaps as the body to which these opinions are expressed, and with the evidence given, I will put my faith in the IJC for the present at least.

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

**Mr. D. A. Paterson (Essex South):** Yes a supplementary to the Premier. Would the government consider differentiating between drilling for gas and for oil in Lake Erie in view of the report of the International Joint Commission?

I think the report of Consumers' Gas indicates they hit two good oil wells. We have had a good experience in Lake Erie with gas. These oil wells are being plugged until and I quote: "We are plugging the holes until we get the right method to take the oil out safely with government approval."

Would the government consider differentiating and possibly banning the drilling for oil, which is a deeper drill hole?

**Hon. Mr. Robarts:** Mr. Speaker, I would say the hearings are being held to establish safe ways of doing these things and we will, no doubt, as a result of the hearings and what recommendations the International Joint Commission may make, review our policy in this matter.

But basically I would say this: We are more interested in the control of pollution than we are in the development of more oil wells under the lakes. That is the basic point.

**Mr. Singer:** That is the kind of representation we hope the government makes.

**Mr. J. E. Bullbrook (Sarnia):** Do not change, Mr. Prime Minister, do not change!

**Hon. Mr. Robarts:** Well, Mr. Speaker, I do not know how many times I have stood in my place in this House and stated govern-

ment policy as I just did a moment ago. I have reams of correspondence with the municipality of, for instance, Sarnia, among others, dealing with this question.

Our position has always been that there are many, many acres of dry land that have not yet been explored; that it is not necessary to go into the lakes to find a place to drill for oil in this province, and our primary objective is the prevention—not the control—but the prevention, of pollution.

**Mr. Speaker:** Has the member for Kingston and the Islands a supplementary question?

**Mr. S. Apps (Kingston and the Islands):** I would like to ask a new question when my turn comes.

**Mr. Singer:** Mr. Speaker, I would like to ask the Premier if he can advise us when he is going to table the information about Algoma Central Railway.

**Hon. Mr. Robarts:** I was thinking about that, and I have quite a bundle of information to table. I wanted it to be a complete report. I have been over it a couple of times and asked for some additions. With any luck I will be able to table it tomorrow morning, but I still have to do a final review of it, and if there is something missing that I think should be in you might have to wait until next week.

**Mr. Singer:** Well I would hope we would get it in time to review it and perhaps follow—

**Mr. Speaker:** Order. The hon. deputy leader is asking questions.

**Mr. Singer:** Mr. Speaker, I have a final question for the Attorney General.

In view of the Attorney General's expression of alarm at the thought that two charges could be laid against drinking drivers in view of the new provisions of the code, one having a reading over .08 on the breathalyzer, and the other being a charge relating to driving while ability is impaired; and in view of the fact that it seems to be the procedure now of the Crown Attorney in Metropolitan Toronto, and probably in other parts of the province, to label charges, what action, if any, is the Attorney General prepared to take?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, I indicated yesterday, or the other day, that I did not know of the approach that was being taken. I made immediate inquiries and I have discussed it

with my own people, and I have obtained from the Crown Attorney, Mr. Graburn, of the county of York, details of the approach that was taken, and I perhaps might put on the record what he has written to me. And I perhaps should explain that the new legislation on the test, the federal legislation, does not remove the offence of impaired driving. It is still there.

**Mr. Singer:** Yes, that is the point I made yesterday.

**Hon. Mr. Wishart:** Thus having in the blood more than 80 milligrams per 100 is another offence. It is a separate offence. It is not necessarily impaired driving. So the practice that was determined upon—at least in the testing, in the opening of these cases and may continue—to charge the impaired driving charge, and the offence of having more than 80 milligrams in the blood. But it is not intended to prosecute both of the charges.

I think that the practice that has been indicated and that will be followed will be to prosecute for the impaired driving, and, if the conviction is obtained, the other one falls by the wayside. We do not proceed with it; but the two offences are charged because they are different penalties. They still both exist in the code. One is more serious than the other, and different penalties follow, from the provincial point of view, on the impaired driver charge.

**Mr. Singer:** Well, Mr. Speaker, in view of what the Attorney General has said, would he be prepared to advise the Crown Attorneys throughout the province that this is his opinion as to how they should proceed in this matter?

**Hon. Mr. Wishart:** I think we will make our attitude, our opinion, our point of view, known to all Crown Attorneys.

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

**Hon. Mr. Wishart:** I would like to say further, perhaps, Mr. Speaker, that I think one of the things that will happen is that there will be some jurisprudence established by the courts as to how these matters are handled, which may be helpful. I should think that will be quick to come to hand.

**Mr. Singer:** Well, Mr. Speaker, the Attorney General leads me to another supplementary question. Would he be satisfied if the courts established that there cannot be valid convictions on both? Would he not agree

that would be unfair? On both these charges? It cannot be fair now—and that is really why I ask if he would be prepared to communicate his feelings to all the Crown Attorneys in Ontario.

**Hon. Mr. Wishart:** Well, as I say, we would control that by not prosecuting on the second charge.

**Mr. Bullbrook:** May I be permitted a supplementary? Recognizing now the impact of this federal legislation, and the creation of the offence of having the excess of .08, I am wondering if the Attorney General would really consider discussing with the federal Minister of Justice the propriety of this federal legislation now?

By way of explanation, I was under the impression that the federal legislation was, from one point of view, a probative value in connection with the offence of impaired driving. It is rather obvious now that this federal legislation, Mr. Speaker, has led to a vehicle which affords the police the opportunity of laying two charges, and leads to the iniquitous result that the Attorney General mentioned, that if there is in point of fact—

**Mr. Speaker:** Is the member going to convert this into a question?

**Mr. Bullbrook:** I thought I did. I thought I asked—

**Mr. Speaker:** If the question is asked, then of course the member has completed this part of it.

**Mr. Bullbrook:** Essentially my question is: recognizing now the significant impact of this legislation, I am wondering if the Attorney General would consider discussing that impact with the federal Minister of Justice?

**Hon. Mr. Wishart:** Mr. Speaker, I would certainly be glad to discuss it with the hon. Minister. However, I might just say this: I think having just passed this legislation, and surely being aware of what he was doing, he is not likely to be quick to accept the change.

**Mr. MacDonald:** Mr. Speaker, I have a question of the Prime Minister. Now that the Manitoba Indian Brotherhood has received government approval to take over community development programmes for the reserves from the provincial government, would the government here, consider responding to the request of the Union of Ontario Indians and the Indian-Eskimo Association that essentially the same kind of thing be done in Ontario,

through the establishment of Crown corporations under Indian direction?

**Hon. Mr. Robarts:** Mr. Speaker, I am not aware of what has gone on in Manitoba, at least not in the particulars. We have had this request, but I do not think we really have come to any conclusion, for or against it. It is a matter of policy that has not yet been decided, but what has been done in Manitoba will be of some interest to us, yes, because we are interested in the approaches made to these problems by other jurisdictions. I cannot tell members this afternoon what our policy will finally be.

**Mr. MacDonald:** Perhaps I could put another question to the Prime Minister on Indian matters too. In view of the shocking information that has emerged in British Columbia, with regard to the mortality rates amongst Indians, particularly among young adults, is the Prime Minister in a position to indicate whether that kind of mortality rate applies in the province of Ontario, or can such research be done to provide the evidence for us as to what the situation is in Ontario?

**Hon. Mr. Robarts:** I do not know what the information is. I do not even know whether it is available. It is in the House records, but I have not seen these.

**Mr. MacDonald:** It was on TV last night from western Canada and confirmed in Ottawa.

**Mr. Speaker:** A supplementary question?

**Mr. J. L. Brown (Beaches-Woodbine):** Supplementary to that question: Could the Prime Minister tell us what is happening to those Indian children who are being removed from federal sponsored or funded boarding schools; where they are and whether or not these children are in jeopardy?

**Hon. Mr. Robarts:** Mr. Speaker, I could not answer that question. It should be directed to the Minister concerned or put on the order paper and I will obtain the information.

**Mr. MacDonald:** A further question of the Prime Minister. In view of the growing unemployment in the province of Ontario through the implementation of our anti-inflation programme, has the government taken any steps to develop a programme to cope with this rising unemployment resulting in very serious pockets in certain areas of the province?

**Hon. Mr. Robarts:** Mr. Speaker, we have all the machinery that is necessary, I do not

think that we need to develop any more. We also work quite closely with Canada Manpower Centres in order to provide training and retraining programmes, and their own relocation programme, so I do not think it is necessary that we consider establishing any more bureaucracy to deal with this problem.

I think that we have the means of dealing with it now, and if significant unemployment does develop within the province, then of course we will deal with it, but I think that we will deal with it with the machinery presently existing. I do not think that it is necessary to establish any new policies or to embark upon any additional programmes. The programmes we have may not have been widely used while in a period of practically full employment, nevertheless they are available to deal with these problems.

**Mr. MacDonald:** By way of supplementary question. If the machinery was there to be used, but presumably was not used during the period of high employment, what is the government doing to initiate an acceleration of this machinery, because these pockets are growing in areas of the province?

**Hon. Mr. Robarts:** We know they are growing and we are dealing with them, Mr. Speaker, within the policies that the government presently has.

**Mr. Speaker:** The member for Oshawa has a supplementary.

**Mr. C. G. Pilkey (Oshawa):** Yes, a supplementary, Mr. Speaker. Because of the significant layoffs in Oshawa particularly, has the Minister or anyone in his department taken this into consideration in finding a vehicle to cope with the unemployment situation there? There are a number of plants that are laying off in that specific area.

**Hon. Mr. Robarts:** I think that the Minister of Labour (Mr. Bales) might be able to answer specifically about Oshawa, but in a general way I would say that we will do everything we can. As members can understand, relocating people in a place like Oshawa is not easy and perhaps, in the long run, not necessary.

You have to go to the root cause of the layoffs to decide what you are going to do about it. And if it is disappearance of the jobs through some technological advance, then it may require retraining. If it is a seasonal layoff, then it may be difficult, other than to assist the person in the meantime until his job reappears.

These are some of the facts in the situation and I am quite certain that The Department of Labour, as I say, in conjunction with the Canada Manpower centres with whom we work very closely, will do everything within the power of this government to bring relief to these people who are unemployed.

**Mr. MacDonald:** A final question of the Attorney General. Would the Attorney General explain to one layman exactly what was meant by the appeal court's decision in the Sunnybrook Farm case on Sunday opening, and would he also inform the House as to whether or not there need be changes in the legislation so that the purpose of the Act will not be frustrated by grammatical as well as legal technicalities?

**Hon. Mr. Wishart:** Is the hon. member referring to the recent decision?

**Mr. MacDonald:** This morning.

**Hon. Mr. Wishart:** I did not see it.

**Mr. Singer:** Sunday closing.

**Hon. Mr. Wishart:** I have been too busy on other matters.

Interjections by hon. members.

**Hon. Mr. Wishart:** Mr. Speaker, as soon as I have an opportunity to examine the case, I will be glad to explain the result.

**Mr. J. Renwick (Riverdale):** I hope the Minister can. That is a big job.

**Mr. MacDonald:** By way of supplementary question. When the Attorney General reports to the House, would he indicate whether or not the government is going to appeal the appeal decision?

**Hon. C. S. MacNaughton (Treasurer):** Hon. members opposite have more time to read newspapers than we do.

**Hon. A. Grossman (Minister of Correctional Services):** If there is ever a successful newspaper strike, they would be stricken dumb!

**Mr. Speaker:** Order!

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

In view of the serious effects that the federal government's white paper on taxation will have on the thousands of small businesses in this province, will the Minister make a thorough investigation of the serious nature of these tax policies, with the view of making

a strong presentation to the federal government to have these taxation policies modified?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member, I am sure he knows that Mr. Benson was down talking to the Provincial Treasurer last week, and I am sure that between now and 1971, there will be a great many discussions held on the effects of the white paper. My department along with other departments will examine it and I am sure that we will work in the best interest of all small businesses.

**Mr. Apps:** May I ask, as a supplementary question, Mr. Speaker; would the Minister consider it a good idea to contact the various chambers of commerce throughout the province and ask them to contact the businesses in their areas, with a view of making presentations to the Minister, so a unified approach may be made on this most important question as it affects the small businesses of this province?

**Hon. Mr. Randall:** Mr. Speaker, I think that is already being done. We are already getting comments from chambers of commerce, and I am sure if they make a representation to the federal government we will get copies as we usually do. And we will follow it through.

**Mr. Apps:** A further supplementary question, Mr. Speaker: What I am trying to do is ask the Minister of Trade and Development if he will make certain that a strong unified voice is put to the federal government on behalf of the small businesses of this province? As he knows, it is very difficult—

**Mr. Speaker:** The hon. member has asked the question.

**Mr. Apps:** —for individual—

**Mr. Speaker:** Order!

**Hon. Mr. Randall:** Mr. Speaker, the hon. member for Kingston and the Islands has my complete assurance I will do just that.

**Mr. Speaker:** The Minister of Justice has a reply to a question asked by the member for Essex-Kent (Mr. Ruston).

**Hon. Mr. Wishart:** Mr. Speaker, a question was asked by the hon. member for Essex-Kent on November 10.

The question was: Will the Minister look into the complaint of Judge Stewart in Windsor as to the abuse of the legal aid plan by some lawyers?

I undertook at that time to look into the matter to ascertain what it was about and to give a reply.

What prompted the question was the newspaper item which I think I have to read as part of my reply, reporting Judge Stewart as having said certain things about the legal aid system. It reads:

As has been reported in the local press, I am concerned with the failure of several lawyers to appear as duty counsel when this duty has been assigned to them by the area director of legal aid.

I wish to state that my brother judges and I have long recognized the objects and merits of the legal aid plan and in particular the role assigned to duty counsel under the plan. We have found that the functions of duty counsel when carried out in an efficient and orderly manner are a valuable asset to the administration of justice and have been of great assistance to the public and to the court in our lengthy daily dockets.

It is unfortunate that the efforts of the great majority of lawyers and their contribution under the plan should be obscured by the irresponsibility of two or three of their colleagues.

I have had several discussions with James Lawrenson, the deputy area director of the legal aid plan and have, as always, received his immediate and active co-operation. He advises me that a decision has already been made that such lawyers who fail to comply with the strict requirements of the role as duty counsel will receive no further assignments under the plan.

Then I followed the matter a little further and took it up with Mr. Andrew Lawson, the provincial director, and he has written me. I would like to read his letter on the matter. This is dated November 18:

I today received and enclose a copy of Judge Stewart's recent press release dated November 13, 1969, wherein he comments on the function of duty counsel. This statement was forwarded to me by Bernard Cohen, QC, president of the Essex Law Association and chairman of the local legal aid area committee. Judge Stewart consented to the forwarding of this release.

His Honour was concerned with the absence of a duty counsel from his court on the morning of November 4, 1969. The court contacted the deputy area director who immediately telephoned the duty counsel. The duty counsel then went to

the court and Judge Stewart reprimanded him. His Honour's comments were reported in the *Windsor Star*.

The area director has now removed the name of the offending lawyer from the duty counsel roster.

That was about a month ago now. It was an unfortunate incident and I am sure it will not recur in Essex county. Mr. Lawson then goes on:

It is my respectful submission that Judge Stewart's complaint that "every lawyer in the city has become a criminal lawyer" should be taken in the light of a heated remark provoked by his aggravation at that moment. I am sure that Judge Stewart would agree that the creation of the role of duty counsel in criminal court will lead to a more experienced criminal bar. In one respect the fact that duty counsel's absence from the court created an incident of this proportion reveals how valuable the role of duty counsel is to the provincial judge's court.

In Windsor every experienced criminal lawyer takes his turn as criminal duty counsel. The roster includes several lawyers whose practice prior to the legal aid plan did not include defending those charged with a criminal offence.

As Judge Stewart stated in the enclosed press release it is unfortunate that the efforts of the great majority of lawyers and their contributions under the plan should be obscured by the irresponsibility of two or three of their colleagues.

And as I mentioned before, the names of those who failed to appear on that occasion have been removed from the duty roster.

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

**Hon. Mr. Wishart:** Mr. Speaker, a question was asked by the member for High Park on November 20. This also had to do with the matter of legal aid. The question was:

Why was Mr. Dryden, area director for Ontario county legal aid, issued blanket instructions that henceforth no person charged with drunkenness will be entitled to legal aid?

**Mr. Shulman:** Drynan!

**Hon. Mr. Wishart:** Yes, it appear as "Dryden" here. I replied that I did not know he had issued such instructions and I would look into the matter.

I have a letter from Mr. Lawson, the provincial director, to whom I directed the question and with a request for information. He writes me on December 2:

This letter is to advise that I have now discussed with George Drynan, area director, Ontario county, the question put by Dr. Shulman to the Attorney General on November 20 last, which reads:

And then he repeats the question.

Mr. Drynan has informed me:

1. He has not issued instructions denying legal aid to persons charged with drunkenness.

2. He has never issued blanket instructions on any matter.

3. Many types of applications are automatically processed but none are in an automatic refusal category.

4. All applications, both formal and informal, receive Mr. Drynan's personal attention at some stage prior to the granting or refusing of a certificate.

5. Mr. Drynan considers all charges involving alcohol and other drugs with special care because of their unique social implications.

Mr. Lawson goes on to say to me:

As you know, under section 13 of The Legal Aid Act, 1966, the area director may issue a certificate in any summary conviction proceeding if upon conviction there is likelihood of imprisonment or loss of means of earning a livelihood. The offence of being in an intoxicated condition in a public place known as common drunkenness under The Liquor Control Act is a summary offence and the area director must use his discretion in granting a certificate. The usual penalty in such cases is a fine and imprisonment is rare.

An area director considers each application and from its merits decides whether a certificate should or should not issue.

The short answer, after that long answer, Mr. Speaker, is that no blanket instructions were issued; that is not done. Each case is considered on its merits.

Hon. J. H. White (Minister of Revenue): Wrong again; another strike out!

Mr. Shulman: As a supplementary question, Mr. Speaker, will the Attorney General investigate specific cases which I will forward to him, to find out what is happening in practice outside of theory?

Hon. Mr. Wishart: We receive from time to time, Mr. Speaker, cases of people who feel they have not been treated as they would like to be treated under our legal aid programme and we are always willing to look into them. We do so.

Mr. Singer: By way of a supplementary on that, the last part of that report the Attorney General read would indicate that there is some feeling that the usual fee of \$10 or ten days in the case of a charge of drunkenness results in the payment of the fine. Does the Attorney General not agree that at least in some centres in the province, it results in the jailing of the accused for ten days because many of those accused have not the \$10 to pay and they shuffle off to jail?

Hon. Mr. Wishart: This is quite correct, Mr. Speaker. But the director of legal aid pointed out, and the area director made clear to him, he considers each of these cases on their merits.

There is a discretion with the local area director as to whether or not he grants a certificate. I would think that, perhaps, in a case where it is a matter of loss of earning or a loss of freedom, a certificate is granted. There are, perhaps some cases under the liquor Act where a question of somebody going to work does not really arise, if there is a long record of in and out of jail—

Mr. Singer: They just do not give them legal aid; just send them back to jail.

Hon. Mr. Wishart: I do not think you can do this if you have a record of continual, habitual appearance before the court on the charge above. I do not think the public would feel that you should continuously use public funds to defend that person as charged.

An hon. member: Many of them want to go back to jail!

Mr. Singer: By way of further supplementary. Does the Attorney General believe we should continue to use public funds to keep those people in jail?

Hon. Mr. Wishart: That is a different matter, Mr. Speaker—

Mr. Speaker: I do not think that is a proper supplementary you are asking out of the original question. The member for Sarnia.

Mr. Bullbrook: Mr. Speaker, I have a question of the Minister of Health. Having regard to his response recently made in the House



in connection with the amount of accounts payable to doctors throughout the province and the length of time they have been outstanding, could the Minister advise the House whether he is unequivocally satisfied with the computer method of effecting payment of these accounts? Am I correct that perhaps there is in the neighbourhood of \$10 million now outstanding in accounts payable to doctors in the province and that some of them are outstanding up to six months?

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker I would doubt very much that any of them are outstanding as long as six months unless there is some particular problem. Now the people at OHSIP tell me they have pretty well cleaned up all the old accounts which are the OMSIP accounts of course.

Now, under the OHSIP accounts, I have taken note of the various suggestions that members have made and complaints that have arisen and I have made them known to Dr. Aldis who assures me they are taking all steps possible to get all these accounts paid.

I will just point out to you the kind of problems we find ourselves in, as the members are well aware. It was reported in the *Globe and Mail* last Saturday, a meeting which I attended in Burlington in which certain doctors talked to me about this matter and you know, we did some print-outs and we found that actually they had received—one of the doctors at this meeting had in fact received a cheque, when he had told me he had not.

It was a very small cheque, but our records also showed he was not billing the plan, he was billing patients directly, so that he would not be getting a cheque.

We also did checks on one of the other doctors and he said he had not received any cheques. This was just because of where he stood in the billing cycle and in fact the cheques were going out to him the very day that we were having that meeting.

We also got a print-out and find that he will be receiving a very substantial cheque. He has probably got it now, this week.

**Mr. MacDonald:** It is Grey Cup!

**Hon. Mr. Wells:** So the point is, some of the things we hear are hearsay and I just do not think they are right. I would just like to assure the member that everyone at OHSIP is working to correct this problem as quickly as he can, and if you have any specific doctors who have a problem, if you will give

me their names, we can get a print-out and find out exactly what the situation is in very short order.

**Hon. Mr. Grossman:** Mr. Speaker, could we get a report from the other meeting?

**Mr. Bullbrook:** By way of a supplementary, I just wanted—

Interjections by hon. members.

**Mr. D. A. Evans (Simcoe Centre):** Wait until the NDP caucus is over.

**Mr. Bullbrook:** Recognizing that one can have a—

Interjections by hon. members.

**Mr. Bullbrook:** To the Minister, through you, Mr. Speaker, recognizing that he might well—

**Hon. A. F. Lawrence (Minister of Mines):** That is the member who stopped dead the other night because someone was talking.

**Mr. Bullbrook:** —that he might well give an instance, and I might well give an instance in response; having regard to the burden of my original question, is the Minister content that the computer method of effectuating payments of these accounts payable is the appropriate method and that it is working to your satisfaction?

**Hon. Mr. Wells:** I am sure, Mr. Speaker, that it is the most effective method we have at this time. But I will tell you we also have a group that is continually looking at the administration, and if we can find a better way, we will do it, but certainly I think it is effective at the present time.

**Mr. Shulman:** A supplementary to the Minister. Has the Minister, or someone in the department, looked into the problem of the computer, which has resulted in some dozens or perhaps hundreds of claims being returned to doctors stating that the OMSIP or OHSIP numbers are not in force, when in actual fact they were? What is causing this computer foul up?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Socialism!

**Hon. Mr. Wells:** Well, I would have to look into that, Mr. Speaker. There are probably good and logical reasons. If the claim cards go back—and I am not sure it is the computer that sends them back, or the girls

who sort them before they go into the computers—they do not have all the facts on them before they go in. We will look into it.

**Mr. Speaker:** The member for Wentworth (Mr. Deans) has a supplementary question? No!

Has the member for Essex South a supplementary? No again!

Well, the member for Riverdale then has the floor.

**Mr. Speaker:** Now if the hon. member will ask a proper oral question, I will allow it to be asked; otherwise that question is not proper for the oral question period.

**Mr. J. Renwick:** Mr. Speaker, I ask then: will the government consider introducing legislation to provide that the date for the acceptance of the offer by Consumers' for the shares of Union be a date 30 days after the receipt by the Lieutenant-Governor-in-Council of the report of the Ontario Energy Board?

**Hon. Mr. Robarts:** Mr. Speaker, I must say at the outset that I object to this type of question, because in order to answer it properly, I have got to take each one of those "because's" and decide whether I can let it go unchallenged.

There are statements in these "because's" with which I, or many members of this House, might not agree.

For instance, because the Act is creating impossible situations for Consumers', for the shareholders and other security holders of Union—well it could fairly be argued that the impossible situation was caused by the respondent seeking refuge in certain legal technicalities.

So you see how impossible it is to accept a question like this. I simply say that because I choose to answer the question, as I think is my duty in this House, I do not accept the validity of any of the preamble and I do not think it should have been asked.

**Mr. Speaker:** The question was out of order as read and so it should not appear, but the question as asked later, after Mr. Speaker spoke to the member, is the question which is the one to be answered.

**Mr. J. Renwick:** Well, Mr. Speaker, I will withdraw the preamble—

**Hon. Mr. Randall:** Too late.

**Hon. Mr. MacNaughton:** Can it be stricken from *Hansard*?

**Mr. J. Renwick:** Why?

**Hon. Mr. MacNaughton:** That is why the member said it.

**Hon. Mr. Robarts:** I would simply say this: there is no intention at the moment of the government of introducing such a bill. I think that Consumers' itself must decide whether it has the right or power to extend the deadline. I do not know whether this Legislature has the power to pass such a bill and I would have to give very careful consideration, as would the government, as to whether we would not create more confusion by such an Act than presently exists or what effect it would have on the rights of all the people involved. Regardless of how we deal with this there are, as I have pointed out many times, conflicting interests and you can act or do something for one group and it could very well penalize another.

So in the meantime, I would suggest the hearings continue in order that there may be a frank and full disclosure. There is still some time to go before the expiry date does arrive. It may be the hearings will be completed by then as long as there is not undue delay by any of the respondents who are seeking that way of delaying the transaction. But to contemplate a bill such as the member suggested would take a great deal of thought indeed.

**Mr. Paterson:** A supplementary question—

**Mr. Speaker:** A supplementary question, yes.

**Mr. Paterson:**—in regard to the same matter. Will the Lieutenant-Governor-in-Council or the energy board take into full consideration the Stone and Webster report?

This is a confidential document, I believe, on this proposed merger of these two companies as indicated this morning—and I relate this for the Prime Minister's edification by counsel that this report was confidential, but personally I feel that if there are details—

**Mr. Speaker:** The hon. member has asked his question.

**Mr. Paterson:** Sorry! To phrase this correctly: in the interests of the people of the province I ask if the government will consider this Stone and Webster report which possibly goes beyond the presentation of the counsel for Consumers' Gas Company?

**Hon. Mr. Robarts:** Mr. Speaker, I believe the Stone and Webster report does not concern takeover, it concerns the previous situation where there was perhaps an outright purchase of assets as opposed to the purchase of shares in the present case.

However, I am quite sure the energy board will consider anything that is put before it, as will the Lieutenant-Governor-in-Council when it comes time for us to discharge our responsibility.

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

**Mr. J. P. Spence (Kent):** Mr. Speaker, I have a question to ask of the Attorney General. Is the Attorney General aware of the concern of parents who have children attending the Talbot Street Public School in Blenheim because of an article in the London *Free Press*, December 3, which reported a potential fire hazard in the school?

Also, is it true the fire marshal's regional office has known about this and there is no report as yet?

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member was good enough to send notice to my office earlier today, which I very much appreciate, and while I have not had time to explore the matter as fully as I would like, I note the item from the London *Free Press*, but with respect to the school I would like to do a little further investigation.

It did seem from the newspaper item that the danger was reported by a plumber saying the controls of a boiler were seized, and the item says that the plumber reported this can be readily fixed.

However, I will follow up with the fire marshal and have him take a look and give us a report, and then report to the House.

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

**Mr. M. Makarchuk (Brantford):** A question to the Attorney General and Minister of Justice. In view of the fact that elections will be held on the Six Nations Reserve this Saturday—and a rather tense situation is developing there—and the fact that there is a spirit of co-operation existing between the Indians and the OPP that does not exist between the Indians and the RCMP, will the Minister prevail on the federal authorities to ensure that only the OPP are present Saturday while the elections are being conducted?

**Hon. Mr. Wishart:** Mr. Speaker, this is a situation where the hon. member is asking me to invade a federal jurisdiction and a

federal responsibility with our own provincial police force.

I would think that I would have confidence in the federal authorities and the ability, or capability, of the Royal Canadian Mounted Police to take care of the situation. The OPP are always standing by, and are always ready to assist any other police force if their assistance is asked. But to ask the federal government to remove their force, and to allow us to replace it with the Ontario Provincial Police, is something I think I could not do.

**Mr. Makarchuk:** By way of supplementary on the same point, Mr. Speaker, I understand the OPP has jurisdiction over that area at the moment. But, by way of question, could the Minister explain the actions of the OPP and the RCMP in stopping Indians who were returning to the reserve last Saturday and asking them if they were at a meeting in Brantford?

**Hon. Mr. Wishart:** I will be glad to take up the matter, Mr. Speaker, if the hon. member will give me particulars. I will be glad to look into it.

**Hon. Mr. Grossman:** Are they holding an election on the Sabbath?

**Mr. Speaker:** Has the hon. member for Essex South a supplementary?

**Mr. Paterson:** No, a question.

**Mr. Speaker:** Has the member for Beaches-Woodbine a supplementary?

**Mr. Brown:** No.

**Mr. Speaker:** Then the member for Huron-Bruce has the floor.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question of the Minister of Agriculture and Food. Since the Ontario Milk Marketing Board is taking charge of some of the industrial milk in the province this month, and since the first two recommendations in the report, which the Minister tabled today, deal with The Department of Agriculture and Food, namely to provide incentives to assist the cheddar cheese factories to close down in the winter months, and secondly, to assist plant consolidation by providing partially forgivable loans, has the Minister given this matter any consideration and, if not, will he do so forthwith?

**Hon. Mr. Stewart:** Mr. Speaker, I must confess, we have not had an opportunity to give full consideration to the report. But it

is under consideration by the department staff, and now that it has been made public to the industry, as well as the milk marketing board, I should think that further considerations, along the lines which he has requested information, will be forthcoming. But I do not know what the final outcome will be. All these matters are under consideration.

**Mr. Gaunt:** If I may ask the Minister a supplementary question? Would it be prudent to work in co-operation with his colleague, the Minister of Trade and Development insofar as the forgivable loan is concerned?

**Hon. Mr. Stewart:** Oh yes, we would be very pleased to do that, Mr. Speaker. In fact we work together quite closely in all of these matters, and that very good co-operation will continue, believe me.

**Mr. Speaker:** Has the member for Sandwich-Riverside a supplementary? Then the member for Beaches-Woodbine.

**Mr. Brown:** I defer to the member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** A question, Mr. Speaker, for the Minister of Energy and Resources Management. In his efforts to eliminate air pollution by jet aircraft at airports, such as the one in Windsor, has the Minister investigated the Pratt and Whitney smokeless combustors for jet engines, which have been use-tested and approved by the United States aviation administration?

**Hon. Mr. Kerr:** Mr. Speaker, we have word of that particular process. We are investigating it. Our information, as of now, is that it has been conditionally approved by the U.S. federal government. But it is not in operation as yet, and we would like to, at least, assuming that they are going ahead with it, see what those results would be.

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

**Mr. Paterson:** A question to the Minister of Energy and Resources Management. Is the hon. Minister aware that the government of Canada Act, The Nuclear Liability Act, is going to compel McMaster University to have liability insurance to the amount of \$75 million against damage stemming from nuclear accidents?

Might I ask a supplementary: What position does this put Ontario Hydro in, in relation to their nuclear energy plants? Do they have to comply with this Act?

**Hon. Mr. Kerr:** Mr. Speaker, as the hon. member knows, we do not own any nuclear energy plants at the present time. I am not sure if the plant at Douglas Point has any type of insurance. I would assume that if the federal government requires this type of coverage at a university then there must be insurance at Douglas Point. Certainly, some sort of protection or coverage of any plants operated by Hydro, in the nuclear field, would have to be seriously considered.

**Mr. Paterson:** Would the Minister undertake to look into this matter?

**Hon. Mr. Kerr:** Yes.

**Mr. Speaker:** The Minister of Justice has the reply to a question previously asked by the member for Brantford.

**Hon. Mr. Wishart:** Mr. Speaker, the member for Brantford asked a question; and the member for Brant, also, Mr. Speaker—

**Mr. Speaker:** The member for Brant, the leader of the Opposition (Mr. Nixon), is not here, so you would not give the answer to his question.

**Hon. Mr. Wishart:** The member asked a question about the investigation of the Brantford police force on November 27, a question of whether some criminal act had been committed by a member of that force.

My reply, Mr. Speaker, is that I had the matter thoroughly investigated. The senior inspector of the Criminal Investigation Branch of the Ontario Provincial Police force was assigned to investigate the matter. He reports that there is no evidence to justify a charge against anyone, nor is there any evidence to establish who committed the offence.

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

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Trade and Development.

Is the Minister prepared to announce to the House at this time a new system of geared-to-income rentals based on net income rather than gross income?

**Hon. Mr. Randall:** No, Mr. Speaker, I am not. I understand that an announcement was made by Mr. Hignett, the president of Central Mortgage and Housing Corporation, to a Senate investigating committee in Ottawa last week, that they had a review underway. But we have not had any communication

from them as yet. Until we do, we are not in a position to make any changes.

**Mr. B. Newman:** May I ask a supplementary of the Minister? Is the Minister making representations to CMHC in Ottawa to consider that geared-in-income rentals be based on net rather than gross income?

**Hon. Mr. Randall:** I do not think we have made any recommendations along those lines. We have made recommendations that some adjustment should be made in view of the difficulties some of these tenants are finding in meeting the geared-to-income ratio we now have.

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

**Mr. Speaker:** Does the member for Beaches-Woodbine now wish the floor? The member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** I have a question of the Minister of Energy and Resources Management: In view of the release of a report on pollution in the Kawarthas, I wonder if the Minister would indicate why it was that when the OWRC had information on August 16 of serious pollution in five areas in the Kawarthas, no warnings were given to people, nor were any of the beaches closed?

**Hon. Mr. Kerr:** Mr. Speaker, the hon. member will have an opportunity to read the report; he will realize that it is important that the whole report be read in context.

The press report to which you refer in turn refers to a specific date when levels did exceed the limits for safe swimming. However, there were other dates referred to in the report about that time when the coliform count was such that swimming was safe.

As the hon. member also knows, it is not possible during the time of obtaining analyses and tests to immediately take action—

**Mr. Pitman:** Why did it take four months to get this report?

**Hon. Mr. Kerr:** Apparently, some of the people working on this report were required for other duties, particularly dealing with industrial waste.

Mr. Speaker, this survey is really not surprising to us. I have indicated that septic systems from certain cottage properties in these particular lakes are a problem. They will have to be changed or improved. We are going to consider as a result of this report inspecting all of these facilities in that area so corrections will be made.

**Mr. Pitman:** The Minister is carrying out the recommendations of that report?

**Hon. Mr. Kerr:** Definitely. They will definitely be carried out. Next summer the hon. member will be able to swim in the areas that are referred to in the report.

**Hon. Mr. Randall:** Do not flush the toilets in the winter time.

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

Petitions.

Presenting reports.

Mr. Meen, from the standing education and university affairs committee, presented a report of the committee which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 47, An Act to amend The Separate Schools Act.

Bill 238, An Act to amend The Separate Schools Act.

Bill 240, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 242, An Act respecting scholarships for Osgoode Hall law school of York University.

Your committee begs to report the following bill with certain amendments:

Bill 241, An Act to amend The Schools Administration Act.

**Mr. Speaker:** Now we must dispose of these bills.

Bill 47, An Act to amend The Separate Schools Act: shall it be ordered for third reading?

Agreed.

Bill 238, An Act to amend The Separate Schools Act: shall this be ordered for third reading?

Agreed.

Bill 240, An Act to amend The Secondary Schools and Boards of Education Act: shall this be ordered for third reading?

Agreed.

Bill 242, An Act respecting scholarships for Osgoode Hall law school of York University: shall this be ordered for third reading?

Agreed.

Bill 241, An Act to amend The Schools Administration Act: shall this be ordered for third reading?

Mr. Pitman: I was under the impression it would come back into the committee, in the House. Are there not amendments which—

Mr. Speaker: Yes, there are certain amendments to this bill.

Hon. W. G. Davis (Minister of Education): There are amendments that are there now.

Mr. Speaker: They are in the bill now?

Hon. Mr. Davis: They are in the bill.

Mr. Pitman: I think, Mr. Speaker, that the Minister made a commitment this morning that this bill would be taken back for re-drafting, in relation to at least one section, and that this bill would be brought back into the House with that redrafted section involved. This related particularly to the inclusion of the councils of home and school as representing some of the members who are going to be on the board's advisory accounts committee.

Hon. Mr. Davis: Mr. Speaker, my recollection was very simply this morning that there was one amendment to the third last section of The Schools Administration Act, and I believe it was agreed that the amendment would be drafted in the intervening period of time and included in the report. It is in the bill now. There was not need for any further discussion in committee; as it was already included in the report from the committee.

Mr. Pitman: This bill will be drafted and the commitment will be carried out.

Hon. Mr. Davis: It is done.

Mr. Pitman: It has been done. Could the Minister indicate what it is, because it was very vague this morning.

Mr. T. P. Reid (Rainy River): Mr. Speaker, on that topic perhaps the Minister could read the pertinent section to us; and having heard it, then we could decide.

Mr. Speaker: I would think that if the Minister wished to do that it would assist matters, but I do not think that there is any provision for a debate on these referrals, and the proceedings are very simple as far as the rules are concerned. If this does not go by unanimous consent to third reading and does not go by unanimous consent to the

committee of the whole House and does not go to standing committee, then it is stuck.

Now, the Clerk advises me, and I think he is right, that this bill should go to the committee of the whole House, will go there, and therefore that is the place where—

Mr. Pitman: Mr. Speaker, on a point of order, I am quite willing to let it go through if we could have the wording of that section so that we know that the rather vague verbal commitment that the Minister made this morning about the councils of home and school was going to be in it.

Mr. Speaker: Order!

The problem at the moment is that having come from a standing committee, does it go direct to third reading, as amended by the committee, and as it will appear in the reprint for third reading, or does it go reprinted to the committee of the whole House? I have asked the question if it goes for third reading and there have been dissents to that; now I ask shall it be ordered to the committee of the whole House? Agreed. Very simply settled.

Motions.

Introduction of bills.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, before the orders of the day, on a point of order, I should like to clarify an item which appeared in the *Globe and Mail* this morning in response to a series of questions from the leader of the Opposition with respect to certain fire precautions.

I made a statement with relation to homes for the aged operated by municipalities and charitable institutions, and children's institutions, and the article appears headed "Ontario Warns Nursing Homes over Fire Rules" alluding to the questions that were given by me as Minister of The Department of Social and Family Services. In order that the matter be clear in the minds of the public, I think that the Minister of Health would like to make the comments on this regard which will clarify the point of order.

Mr. Speaker: If the Minister of Health has a point of order that he would like to bring to the attention of the House he would be quite in order, but it is not for the other Minister to suggest that. Does the Minister of Health wish to have the floor on a point of order?

Hon. Mr. Wells: Mr. Speaker, I am not sure whether it is a point of order to follow

on with, but what my colleague said is that the institution of implementation and encouragement to follow fire regulations and nursing homes was attributed to him. Actually it should have been attributed to our department; he is looking after the homes for the aged. We are both sending out letters to them.

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, on a point of order, I wish to seek your guidance and direction on a matter which has arisen in the Legislature standing committee on government commissions. At the last meeting of the standing committee dealing with the rate increases of Ontario Hydro, the committee decided that they would hold a meeting, a closed meeting, for the purpose of preparing a report to be brought to the Legislature. The committee chairman has now refused to convene the committee for this purpose, and I want to ask sir, how a member of a committee can force a committee chairman to call a meeting which the committee decided ought to be held.

**Mr. Evans:** Mr. Speaker, may I speak to this point of order?

**Mr. MacDonald:** If it is an explanation, we would like to hear it.

**Mr. Evans:** Well, I can give the members an explanation—that is for sure. I have contacted the Clerk of the House, and the rules of this House do not allow the committee on government commissions to report to the House, unless there is a motion approved by the House, and I have been chairman of government commissions for two years now. We have never made a report to the House. Until I am authorized to do so, I have no authority to report to the House.

**Mr. Deans:** Mr. Speaker, if I may speak further to my point, the committee authorized the chairman to call a meeting for the purpose of preparing a report to be delivered, tabled in this House. The committee chairman was then obligated, sir, to request the permission of the House, surely, to table the report.

**Mr. Speaker:** I am not sure that the deduction of the hon. member is quite correct. However, I will be most pleased to discuss this matter with the Clerk of the House and see if there is any solution to the matter which falls properly under our rules.

**Mr. MacDonald:** Mr. Speaker, I hope the discussion can produce some sort of a conclusion by tomorrow morning—because we do not want this delayed, for delay would achieve the purpose that is obviously motivating the whole move up until now: namely, that there will be no report to come back. But the proposition that a committee cannot bring back a report to the House strikes me as something novel. I thought the reports were coming back in various forms from the committee in my years of experience in this Legislature. I am getting rather disturbed at the tactics that are indulged in to frustrate the committee in trying to come to some conclusion and make recommendations to this House on the issue of the Hydro rates.

**Hon. Mr. Grossman:** The member is attributing motives.

**Mr. MacDonald:** Sure, I am attributing motives.

**Mr. S. Lewis (Scarborough West):** Sure. It is exactly like voting on The Landlord and Tenant Act.

**Mr. MacDonald:** Precisely that!

**Hon. Mr. Grossman:** It is out of order.

**Mr. MacDonald:** It is not out of order, Mr. Speaker, and I think, if it is out of order, since the whole purpose of the referral to the committee by the Prime Minister was to have a discussion of it, and presumably that the committee would have an opportunity to make recommendations, then there is an obligation on the part of the government to circumvent the technicality and to bring in the necessary motion so that the committee can meet.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Break the rules all the time!

**Hon. Mr. White:** Mr. Speaker, without knowing anything about this particular issue, some of the historical background may interest the members concerned.

I was the chairman on government commissions in 1960. It was my hope at that time that the committee could bring in a report to the Legislature. I saw this as an instrument for legislative change, but at that time I was informed, I think by the Clerk, and by certain senior members—if my memory serves me rightly by Mr. Farquhar Oliver and Mr. John Hanna—that, in fact, the committee had no power to report, unless such power were explicitly given to it by the Legislature.

**Mr. MacDonald:** Let the government do that then!

**Mr. J. Renwick:** Mr. Speaker, if I may just have one word?

This is not 1960, this is 1969, nearing 1970, and it would appear to me, Mr. Speaker, that we have heard reports from the standing committee on health, which were not related to education. We have heard reports from the standing committee on agriculture and food, which were not related to legislative matters. It would appear to me that if a committee decided that there should be a meeting for the purpose of preparing a report, and if the chairman of that committee subsequently found that there was some rule of the House which prevented that, then it was his duty, in my opinion, to have called a meeting of the committee in order to discuss what further authorization the committee might possibly have needed and to have consulted with the Clerk of the Assembly for his guidance in that matter.

We had an occasion just the other day when unilaterally the chairman of another standing committee proposed to change the hearings. Now, if the standing committee system is going to work we have got to get away from the period of time when the chairman of committees exercises some unilateral authority, and it has got to be done after discussion with the members of the committee and the decisions of those committees.

**Mr. Singer:** Mr. Speaker, may I address a few remarks on this point of order?

The whole genesis of the referral of the question of the raise in Hydro rates to this committee seemed to originate from a rather novel idea for which the chairman of the committee was duly complimented, that he was going to allow that kind of enquiry to take place in his committee, and the committee was going to meet for that specific purpose. We had argued, Mr. Speaker, if you will recall, that there be a facility provided by government so that we could question the increase in rates and bring some kind of recommendation as a result of that questioning before the House.

By coincidence—and I am sure I do not attribute any motives at all to the chairman of the committee—he suddenly hit the press the day after, saying, “I am calling my committee and we are going to have a nice meeting and we are going to have a discussion.” Now, seeing the way the discussion has gone, somebody has begun to invent some

new kind of rules about the reporting of this committee. This is a new committee, and with great respect to the Minister from London South, the Minister of Revenue, the history of it does not go back into 1960. This committee has been created since the Minister from London South and I came into the House, it is that new, if you can call that new at all.

**Hon. Mr. Randall:** The member is pretty old!

**Mr. Singer:** However, Mr. Speaker, I would think that when a committee or a committee chairman undertakes that kind of an enquiry, and some of us are not on that committee, surely the House is entitled to the benefit of the committee's views? And the only way in which the House can get the benefit of the committee's views is if the chairman of the committee brings in a report as instructed by the majority of his committee.

For some reason that apparently is embarrassing to the government; it has been discovered that the committee supposedly cannot report, and I say that is a bunch of claptrap. I say that we are entitled to discuss this in the full House and we are entitled to discuss it after listening to the result of the deliberations of our colleagues on that committee.

**Mr. Speaker:** Regardless of the views of the hon. member for Downsview, I must say that it is also my experience, and what little knowledge I have, that the committee which is not directed to report on a matter is not entitled to report unless the House requires it. However, as I have said earlier, this matter will be discussed by myself and the Clerk, if and when we have an opportunity today. And in the meantime it may well be that the chairman of the committee may wish to take some action with respect to the matter.

**Hon. Mr. Robarts:** May I just have a word on this, Mr. Speaker? As usual there is some great effort being made to prove that this government is trying to hide something. It is all ridiculous. I never heard of the incident until this moment, it is the first time I have heard of it.

**Mr. Lewis:** It does not take too much effort.

**Mr. MacDonald:** The situation speaks for itself.

**Hon. Mr. Robarts:** I would simply say that there have been quite a few changes made in procedures in this House and it may be that it will be the will of the House that some



changes be made in the conduct of committees of the House. As a government we have no objection. As a matter of fact, we sponsored the changes that are presently in effect and they seem to me to be functioning very well. If there are changes to be made in the way our committees are to function, I suggest that we do it in the proper fashion, so that we have a full understanding of what we are doing.

One of the problems in this House over the years is that something is permitted for some specific reason at one specific time, and then of course, immediately this becomes a precedent for a whole line of action that may perhaps not be what the members of the House want at all. Now to go into this technical question as to whether a committee is empowered to report on something that it has not been authorized to so report on by the Legislature, may be the rule of this House at the present time and, if so, it must be followed, unless and until it is officially changed.

Mr. MacDonald: The health committee made a report.

Hon. Mr. Robarts: Well, this is what I mean. I will have to check in and see what the health committee reported and what it was authorized to do and so on and so on. When we refer legislation to various committees, of course they report on the legislation because they are so directed.

The thing I worry about most in the whole discussion is that members are seizing upon one breach of the rules to establish a precedent by which we go on breaching the rules, when actually what we should do, if the present method of functioning of committees is not proper, is get together and establish what we consider to be the proper function of the committee and then we will go ahead knowing what we are doing. But let us not alter our rules by precedent, because this, quite frankly, in my opinion, is what has led to much of the difficulty in which we found ourselves in regard to the rules in the last year or so.

Now, let me make one more point. Some time between now and the end of this session or the beginning of the next one, some of us will, of course, have to meet and consider what we are going to do with the rules changes, because the rules under which we are operating now are in effect on a temporary basis until the end of this session. We have the full report of the select committee on the rules to consider and at that

time we may consider some changes in how our committees function. But what I am going to suggest is, Mr. Speaker, that even if the rule may not be perfect, it is the rule of this House until changed. And if we do not approach rule changes with some sense of order, I would only suggest that we will get into more difficulty.

As far as this specific incident is concerned, I suppose I would have to go back and check *Hansard* and see what was said at the time this matter was referred to the committee. As I recall, my own contribution was that if the committee wanted to examine Hydro and any of its functions, including rate changes, they were free to do so.

Now, whether that is sufficient to empower them under the rules to bring in a report on the matter, I do not know. But you have undertaken, sir, with the clerk and with the chairman of the committee, to straighten this out.

I do suggest that we give some serious thought to perhaps changing the rules by which our committees are governed, if we wish them to do these certain things. And then, in this interim period while we are going to solidify, if I may put it that way, some of the changes that are presently temporary, we might look at this question as well.

Mr. Singer: Mr. Speaker, on a point of order: in light of what the Prime Minister has said, I think we should say that we are delighted that there will be a review of committee rules, because certainly they are presently unsatisfactory. I do not want to rehash the point that we have already been discussing, except that it seems to me there are two kinds of rules which are applied—sometimes when they suit the government, and applied in a different way when they do not suit the government.

We will be quite content, sir, to have the matter of rules concerning committees carefully reviewed and laid down in a form that they will apply equally on all occasions.

Mr. Evans: Mr. Speaker, on this point of order, there was no agreement in the committee that we should report back to the House. At no time was there any agreement of the committee. And there is no—

Mr. Deans: There certainly was.

Mr. Evans: As far as I am concerned, I cannot report back here unless there was a

motion from the House. I have to get agreement from the House in order to report back. And I would be very glad, Mr. Speaker—I can honestly say this to the Opposition, I know this is the way we feel—that, if at any time the committee wants us to report back to the House, whether it be hydro or whatever it might be, we would be very glad to do so.

**Mr. Deans:** Mr. Speaker, if I may speak to that point of order and closing it out since I raised it: What the member has said is not entirely true.

**Mr. Evans:** It sure is.

**Mr. Deans:** At that meeting, there was indeed a motion made that the committee meet in private for the purpose of preparing the report to be tabled in the House.

**Mr. R. G. Hodgson (Victoria-Haliburton):** Mr. Speaker, may I speak to this point? I was a member of that committee and I do not recall such a motion being made or such an agreement being decided on.

**Mr. G. Ben (Humber):** Mr. Speaker, would you please inform this House what other purpose there may be in appointing committees, save and except for carrying out a certain function and then reporting to this House?

**Mr. Speaker:** I think there has been very considerable discussion and nothing further can be gained. We have heard from all three parties represented in the House and I would say to the hon. member for Humber that there are a great many things which committees do, in my humble opinion, which are not reported to the House and which are very useful by way of informing members, and hearing the public on various matters.

I will do as I said earlier. I will check with the clerk of the House, and with the chairman, and we will see if there is anything that can be done to assist this matter without breaching the rules of the House. Because I believe, as the Prime Minister said, that we should endeavour to end this session under the new rules as well as possible; and then, in the interim, decide what we shall do when we reconvene here in 1970.

**Hon. Mr. Robarts:** Mr. Speaker, before the orders of the day, I would like to table answers to questions on the order paper. Numbers 55, 58, 89, 90, 94, 98, 99, 100, 101, 102, 104 and 105.

[See appendix, page 9339]

**Hon. Mr. Grossman:** That ought to keep them for a while.

**Mr. F. Young (Yorkview):** High time.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, before the orders of the day, I want to discuss order No. 13 on the order paper. You recall at the time of adjournment yesterday we had recorded second reading of Bill 234 and there was general agreement—

**Mr. Singer:** Mr. Speaker, on a point of order, if the order is on the order paper, I fail to understand how the Provincial Secretary, before the orders of the day, can discuss a matter merely to circumvent a motion I was in the process of moving when you suggested, sir, that I adjourn the debate. Obviously, what he is trying to do is to circumvent the—

**Hon. Mr. McKeough:** He is not circumventing.

Interjections by hon. members.

**Mr. Lewis:** He is trying to make a dignified retreat.

**Mr. Singer:** Well, if he is going to retreat, let us hear it. He should have notified us.

**Mr. Speaker:** The government House leader has the floor.

**Hon. Mr. Welch:** We had reported second reading of Bill 234, and there was some agreement that it should not be reported directly for third reading. In fact there was some agreement that it should be referred to a committee for some detailed discussion, and there was a motion that perhaps it might go to the committee where all members of the Legislature could deal with it at that time.

On giving some serious consideration to this, and anxious that there be complete discussion, and for reasons which perhaps would be explained in some detail by my colleague, the Minister of Justice, who has conduct of the bill, we think perhaps it should go to the standing committee on legal bills.

Perhaps what we might do with your permission, Mr. Speaker, and with the permission of the House—

Interjections by hon. members.

**Hon. Mr. Welch:** If the House will allow me, I would like to withdraw my motion that it go to committee of the whole House. I assume that we concur that Bill 234 be

referred to the standing committee on legal bills.

**Mr. Speaker:** I presume, the hon. member for Downsview was in the process last evening—I presume, although he had not got there by adjournment hour—of having an amendment to the motion to effect the result which apparently is now effected. Is he agreeable?

**Mr. Singer:** Mr. Speaker, I do not want to inhibit the procedure of the House, and I will be quite content to allow the Provincial Secretary to save face. We consent.

**Mr. J. Renwick:** I am not quite certain whether we consent. Perhaps we should have a recorded vote on the matter.

**Mr. Speaker:** I would think if there were a recorded vote on the matter at the present time, the vote would be unanimous.

**Mr. J. Renwick:** I would hope so. I would just like to make sure.

**Mr. Lewis:** We would like to see how the Attorney General votes this afternoon.

**Mr. Singer:** And all the people over there.

**Mr. Speaker:** As the clerk has pointed out, the new rules we are using now provide that, if anything is to go unanimously, it goes. So we are apparently unanimous, and therefore this Bill 234 shall be referred to the standing committee on legal and municipal bills.

Agreed.

**Hon. Mr. Welch:** Mr. Speaker, now that that matter has been looked after on a point of order, I thought perhaps, rather than waiting until tonight which would be the normal time to discuss House business for next week, you might share now with the House the fact that we think that about Monday we will reach a point in the business of the House where we will be awaiting information, or the results, of the discussion of bills in committee.

There might be some advantage, following our adjournment on Monday, if the House stood adjourned for Tuesday and Wednesday, to allow the standing committees, which will have matters before them, to complete their study of the bills—namely, Bill 194 and Bill 234, and then we would reconvene on Thursday as a Legislature to consider the reports of these two standing committees.

**Mr. Lewis:** Mr. Speaker, by way of question, it could not be that you are suggest-

ing that, because of your apprehension that the Premier will be away on Tuesday and Wednesday in Ottawa, that the Cabinet will not be able to function?

**Hon. Mr. Roberts:** No. It is out of consideration for the member's leader, who will be with me.

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

**Clerk of the House:** The sixth order, House in committee of the whole; Mr. A. E. Reuter in the chair.

The Honourable, the Lieutenant-Governor recommends the following:

*That,* (a) an indemnity at the rate of \$12,000 per annum shall be paid to every member of the assembly; and (b) an allowance for expenses at the rate of \$6,000 per annum shall be paid to every member of the assembly,

as provided in Bill 236, An Act to amend The Legislative Assembly Act.

Resolution concurred in.

The Honourable, the Lieutenant-Governor recommends the following:

*That,* (a) in addition to his indemnity as a member there shall be paid

(1) to the Speaker an indemnity at the rate of \$5,000 per annum, and

(2) to the leader of the Opposition, an indemnity at the rate of \$15,000 per annum and

(3) to the leader of a party, except the Prime Minister, and the leader of the Opposition, that has a recognized membership of 12 or more persons in the Assembly, an indemnity at the rate of \$4,000 per annum;

(b) in addition to his indemnity as a member, there shall be paid for each session,

(1) to the person who is deputy Speaker and chairman of the committee of the whole House, an indemnity of \$4,000,

(2) to the deputy chairman of the committee of the whole House, an indemnity of \$2,000, and

(3) to the chairman of each standing committee an indemnity of \$1,000,

but no indemnity shall be paid to the chairman of a standing committee unless the committee has become organized and has dealt with matters properly before it;

(c) in addition to his indemnity as a member, an indemnity shall be paid.

(1) to the Chief Government Whip, at the rate of \$2,000 per annum;

(2) to each of not more than two deputy Government Whips, at the rate of \$1,000 per annum,

(3) to the Opposition Whip at the rate of \$1,000 per annum.

(4) to the party Whip of each party that has a recognized membership of 12 or more persons in the assembly, except the party from which the government is chosen and the party recognized as the official Opposition, at the rate of \$1,000 per annum; and

(d) there shall be allowed to each member of the Assembly in respect of thirty trips per annum from his place of residence to the seat of government at Toronto, ten cents for every mile of the distance between his place of residence to Toronto and return, which distance shall be determined and certified by the Speaker,

as provided in Bill 236, An Act to amend The Legislative Assembly Act.

Resolution concurred in.

The Honourable, the Lieutenant-Governor recommends the following:

*That*, (a) the annual salary of every Minister having charge of a department is \$15,000; (b) the member of the Executive Council holding the recognized position of First Minister, shall receive in addition, \$5,000 per annum; and (c) the annual salary of every Minister without Portfolio is \$5,000,

as provided in Bill 237, An Act to amend The Legislative Assembly Act.

Resolution concurred in.

#### THE REGIONAL MUNICIPALITY OF NIAGARA ACT, 1968-1969

House in committee on Bill 235, An Act to amend The Regional Municipality of Niagara Act, 1968-1969.

Mr. Chairman: Are there any comments, questions, or amendments to this bill? The hon. Minister?

Hon. W. D. McKeough (Minister of Municipal Affairs): I move that the bill be amended by adding thereto the following section 11,

and that the present sections 11 and 12 be renumbered 12 and 13. The section reads:

Section 245 of The Municipal Act does not apply in the year 1969 to the council of a local municipality in the regional area.

By way of explanation, section 245 prohibits certain acts of council after polling day and, of course, polling day in the regional municipality was early this year. I know none of the local councils have done anything they should not have done as lame duck councils.

The city of St. Catharines is, however, anxious to get on with the purchase of a certain building. There is some question as to whether the existing council can do this and they would like to do it. It has the approval of all concerned, I am led to believe, so that amendment will allow that to take place.

Mr. Chairman: Shall the Minister's amendment carry? The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): Since the amendment deals with buying a building in which the council will meet, is that the building you are speaking of?

Hon. Mr. McKeough: No.

Mr. Bukator: Then would you care to explain further what the buildings are?

Hon. Mr. McKeough: The councils of Niagara Falls and others may have taken certain actions—as a lame duck council. We do not think they have, they may have, which perhaps is beyond their jurisdiction under existing section 245 and we thought it would be a good idea to repeal 245 with respect to the regional municipality; so far as we know there has been nothing. Specifically, however, the council of St. Catharines wishes to purchase a building in St. Catharines. This will allow the present council to do so. It has the approval, as I understand it, informally—because they have not met formally—of the new council of St. Catharines.

Mr. Bukator: Then that would apply across the board to all councils if they were in the process of purchasing some building to deal with the problems of the new city areas and they have the right now, since this amendment is passed, to do that?

Hon. Mr. McKeough: Right.

Motion agreed to.

Bill 235, as amended, reported.

## THE MUNICIPAL ACT

House in committee on Bill 222, An Act to amend The Municipal Act.

**Hon. Mr. McKeough:** I think perhaps when the committee met, Mr. Chairman, the one point that was perhaps left over which we wanted to give some thought to was section 24, dealing with paragraph 12 of 401, and a new clause has been put in:

(b) certification of qualification referred to in clause (a) shall be accepted as sufficient qualifications for a license as a journeyman plumber without further examination.

This will simply mean there is no need for a license with a testing procedure by the municipality, but that there should be some form of registration—if we can put it that way—so they would know who was working in a municipality at a particular time and I think this does it. I will read it again:

A certificate of qualification referred to in clause (a) shall be accepted as sufficient qualification for a license as a journeyman plumber without further examination.

**Mr. Chairman:** I might say to the committee that this change appears in the reprinted bill—

**Hon. Mr. McKeough:** Right! I just wanted to explain it to the members of the committee, Mr. Chairman.

**Mr. Chairman:** Are there any questions, comments, or amendments to this bill? Are there any questions, comments or amendments to sections 1 to 20 inclusive? All right. The hon. member for Waterloo North on section 21.

**Mr. E. R. Good (Waterloo North):** Mr. Chairman, under section 21 I would like to ask why the authority for passing bylaws to establish an improvement area and the Board of Governors to run it? I cannot find any basis on which that bylaw can be passed; whether 10 people or 20, or a half or two-thirds, want the area established. However, under the appeal opposing the area, one-third of the businesses in the area must sign the appeal opposing it. Would it not be better to have the limitations in the positive side of it, rather than in the appeal side of it?

**Hon. Mr. McKeough:** Subject to correction by my staff, if that is the way it is generally written—I think we have taken that section from the provisions for the parking areas and for this purpose it seems to have worked well there, and it was put in this same way here.

**Mr. Good:** Do you mean, Mr. Chairman, that the bill has been reprinted or did the copy—

**Hon. Mr. McKeough:** No, this section of the bill has not been changed since it was introduced.

**Mr. Good:** Well, Mr. Chairman, I am asking, why is there not some limitation put on the number of people who must apply for an improved area, rather than on a number who have to oppose it?

**Hon. Mr. McKeough:** Because, as I have explained, this section was taken from those sections pertaining to parking areas already in the Act. It is exactly similar to the procedures under The Local Improvement Act, and in our discussions with the city of Toronto and with the businessmen's association, this seemed like the logical way to do it.

It is worthwhile in both the parking situations, and in the local improvement situations; and we thought, as far as I know, for the sake of uniformity, to follow the same procedure.

**Mr. Good:** That is no philosophy—just because you did it before.

Section 21 agreed to.

**Mr. Chairman:** Are there any further questions, comments or amendments to this bill? If not—

**Mr. Good:** To the bill?

**Mr. Chairman:** To the bill.

**Mr. Good:** Yes. Mr. Chairman—

**Mr. Chairman:** Would the member indicate the section?

**Mr. Good:** Section 31.

**Mr. Chairman:** Are there any questions, comments or amendments up to and including section 30? The hon. member for Waterloo North on section 31.

On section 31.

**Mr. Good:** Yes, on the first part; and I would like to just take a few minutes here if I may. This is the section which authorizes the municipalities to use the assessments which will be done by the province to generate the tax on a local basis.

This section, as I read it, says that the levies must be made on the whole of the assessment. In other words, when assessment

is completed at 100 per cent of market value across the province, the municipalities are then obligated to use 100 per cent of market value in all instances except those described here.

I think personally that some real work should be done here in thinking out the philosophy of taxation in relation to 100 per cent of market value.

Now I go along with the idea of assessing it at 100 per cent of market value—but no way does The Assessment Act, other than in the case of farms and the fixed assessment of golf courses, provide for safeguards being built into the taxation system to compensate for the inequities which have arisen and are arising daily across the province by assessing at 100 per cent of market value.

I would just like to take a few minutes of the House's time to explain what is happening across the province. We hear individual instances, and we find that in many municipalities the load of assessment is being transferred from industry and business over to residential property. And this has been true in every area which has been drawn to my attention—except the community of Kapuskasing where there was a 2.4 percentage from residence to industry.

In every other area that has been brought to my attention, the load has fallen more onerously on residential property assessment. So I say then, this first section under 31, 526, The Municipal Act, should give the municipalities some discretion in levying taxes proportionately as they see fit regarding the local conditions.

In other words, the city of Toronto can draw in all the industry that it wants and that it needs, and still assess that industry at, we will say, 100 per cent—or at least tax them at 100 per cent of their assessed value, and tax residents at a lower percentage.

I would think that this prerogative should be enjoyed by the local municipalities. We know it exists now, and I am not all that sure that there is that much wrong with the practice, providing all in the same class are assessed equally.

Our economic situation in the province has dictated over many years that industry and business must accept a greater share of taxation than the homeowner and ordinary residential property. Take Preston, Hespeler, Elmira, places like Ajax—which has been referred to in this House before. All have had tremendous shifts from industrial and business assessment to residential assessment. No

way, in either of the Acts, The Municipal Act or The Assessment Act, would the municipalities be able to do anything about it.

Then we have the plight of the cottages in the resort areas, especially in the county of Simcoe, where there have been increases. Not in assessment, but in taxation—up to 220 per cent. The Bruce county, Port Elgin area has incidents of taxes going up to 245 per cent on cottages. Now maybe they have not been paying as much in the past, but I would say the local municipal authorities should have some jurisdiction on how to adjust the rate of taxation on the classifications within their own jurisdiction.

They have to generate the right amount of tax to pay the necessary services that they have. But this province is doing all of the ordering from down here, and local municipalities will not have a word on what proportion of tax is going to be generated by industry, and what proportion is going to be generated by residents.

The Minister should give some serious consideration to the implications of what is going to happen with this clause in that first section of The Municipal Act. I would like to hear the Minister's comments please.

**Hon. Mr. McKeough:** Well, Mr. Chairman, of course we discussed it exhaustively in committee on The Assessment Act. I have nothing further to add at this point.

Much of the problem that we face in assessment today is a result of the municipalities in the past perhaps having too much freedom to tax different properties at different rates and to tax different classes at different rates. They have assumed this authority on to themselves, although it has never been there.

And, of course, within the last couple of years increasingly, this has been challenged in the courts. Our whole assessment system was in very serious jeopardy, and no place more than in the city of Toronto, because of court cases.

Because that kind of assessing had taken place, and the courts had said: "You must tax under the Act all at the same rate, regardless of the class that they are in", this would have had very serious implications. I think this is one of the biggest reasons why—one of the reasons along the way—we felt it necessary to transfer the function to the province and put it on the right basis.

Now much of what the member has said has been gone over before. We certainly do have the problem of shift generally under consideration.

**Mr. Good:** One further point, Mr. Chairman, I would just like to make. The Minister says that all must be assessed at 100 per cent market value. Well, let me just remind you, Mr. Chairman, that market value on a resident does not turn out to be market value in industry. Industry is being assessed at market value for land, and the buildings at replacement cost, less depreciation.

Now the residents do not enjoy that break in their assessments. They are being assessed at market value, and I still think that somewhere along the line there should be some mechanism whereby people can be protected in residence, and a point which is, I think, worth putting into the record which was brought forth in committee.

You have the case of an elderly couple. We will say an owner-occupied residence, which has been that for 25 years, on the fringe of the downtown core of a city. The commercial value of that property is going up. It is still being used as a residence but it will be assessed at market value.

Now, that elderly couple could well be forced out of their residence by the provisions of the new Assessment Act and this provision in The Municipal Act, and I think that somewhere there should be some safeguard in one of these Acts to prevent these things from happening.

Section 31 agreed to.

**Mr. Chairman:** Are there any further questions, comments or amendments to this bill?

**Mr. Bukator:** Yes, I have a question. I think the committee system we are applying of late is very good, but we just cannot spread ourselves out that thin. I would like to ask a question of the Minister, how he is going to deal with the riding I represent? Where there is a township, a village and a city, the grant structure, as he knows, is completely different. There is going to be a problem where they immediately assess them and tax them the same as though they were a part of that city, because they will be.

The Minister did make some statements quite some time ago about the possibility of gradually working them up to that same rate as the city, on a five-year basis. Has he gone into that a little more thoroughly since we talked about it the last time? Is there anything the Minister could say about that that would enlighten me?

**Hon. Mr. McKeough:** No, nothing further I can say now but it still stands.

**Mr. Bukator:** Well, if the mill rate were increased in that township and village by 15 mills, and I expect it will be presently—I live in a village—then they will be increased at the rate of three mills per year until they catch up with the city.

In the meantime, I believe they may get services that make them happy because they are being serviced on a city basis, and therefore, even though it costs more, they ought to be happy with their lot because they get better services. This is what the Minister hopes it will work out to.

**Hon. Mr. McKeough:** Right, and I am sure the member's as well.

**Mr. Bukator:** Well, I hope you are right again on that one. I have got that Christmas spirit about me and I will concede it at this point. But I will be back another time to tell you it is not working quite the way you thought it would. I hope you are right.

**Mr. Good:** Mr. Chairman, I have one question which perhaps should have been asked on second reading, but perhaps the Minister would entertain an answer now.

**Mr. Chairman:** What section would this be?

**Mr. Good:** Well, I cannot find it.

**Mr. Chairman:** Well, since it is close to Christmas I will listen to the hon. member's comments.

**Mr. Good:** What I would like to ask the Minister is, has the provision of tax registration which is under the old assessment Act been transferred into this Act, and if so, are there now two methods of selling property for back taxes?

Are there two methods of selling property for back taxes, both in The Municipal Act now, tax sales and tax registration, and if so, why? Why do you need two methods both in the same Act?

**Hon. Mr. McKeough:** Well, I am not an expert on this at all. There are two methods, there have always been two methods and the two methods are being carried forward. I think the department generally has favoured the particular method of tax registration, and increasingly municipalities are switching to that. We bring them on to that procedure by regulation, and you will notice in the *Gazette* that a number are added every so often.

Frankly, we have given some thought to the regional municipalities which we created. We have put them all on the same basis.

We have given some thought to doing it all on the same basis across the province. Frankly, we would not have the staff to do it all at once, to train the local people to do it all at once. The member for Essex-Kent (Mr. Ruston) is here, I notice the county of Essex has been switching over to this, and if we get, I suppose, 10 or 20 municipalities a year requesting this, this is really all we can handle, to switch them over.

I am informed by my staff the tax registration procedure is not under The Assessment Act, and not under The Municipal Act, both of which we have in front of us, Mr. Chairman, but under The Department of Municipal Affairs Act.

**Mr. Chairman:** Any further comments, questions, or amendments? Does the Minister have anything? The hon. member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** I must confess I do not really know what I am talking about, and I ask this question. But I have had a number of meetings with ratepayers in the area of Amabel township and Sauble Beach and there are hundreds of inequities, and I am wondering what—they feel the formula is wrong insofar as the new set-up is there, ranging to 600 per cent increases across the board in that area.

They are having a mass meeting in the next week or so but I am wondering if there is any chance that the Minister may see some point in coming down to have—they want to bring a deputation down to discuss this with the Minister. Do you see any point in them coming down to meet you in this regard?

**Hon. Mr. McKeough:** I would be glad to discuss it with them.

**Mr. Sargent:** Does this bill discuss the formula?

**Hon. Mr. McKeough:** No.

**Mr. Sargent:** It does not? Thank you very much.

Bill 222 reported.

#### THE ASSESSMENT ACT, 1968-1969

House in committee on Bill 205, The Assessment Act, 1968-1969.

**Mr. Chairman:** Are there any questions, comments or amendments on this bill? Would the hon. member indicate the section?

**Mr. Good:** Yes, my first comment would probably be on section 3.

**Mr. Chairman:** Any comments on sections 1 or 2? The hon. member for Prescott and Russell.

**Mr. J. A. Belanger (Prescott and Russell):** I would like to make some comments on section 2, subsection 2.

**Mr. Chairman:** Section 2, appointment of commissioners.

On section 2.

**Mr. Belanger:** It is my privilege, Mr. Chairman, to sit in this Legislature for a riding that is representative of the many facets of our ethnic and social life in Ontario. Its population of about 50,000 is made up of both Anglo-Saxon and Franco-Ontarians. As a people we are inextricably mingled socially, economically and geographically.

To be more specific, the people in my riding, Mr. Chairman, are broken into two main groupings with approximately 80 per cent of us being French speaking.

Despite our dual cultures, we have learned to live with each other, recognizing that in our daily lives we face the same problems. We have long since learned that advancement and improvement depends on mutual respect and support and understanding.

We are all working hard in developing the services and amenities that many others take for granted, and we are grateful to the provincial government in its assistance in instituting many important improvements.

Today, in other places, there is a great controversy raging over the "French fact". They have not yet achieved anything near the success of this province which has taken a human approach to a very human problem.

I am bringing all these facts before you, Mr. Chairman, because I am proud and pleased that my government has done so much toward establishing such a close relationship between the French and English speaking people of this province.

It is reasonable to assume, then, that every effort will be made to maintain what we have all worked so very long and hard for. It is with this point in mind that—

**Mr. V. M. Singer (Downsview):** Mr. Chairman, on a point of order. I am very reluctant to raise this point of order in relation to this particular member but I am reading section 2 very carefully and I do not see how it relates particularly to his comments.



I have not heard one word about assessment, or one word about what the government proposed to do in this section, insofar as assessors are concerned. As I say, this hon. member does not take up too much time of the House and I am reluctant to bring this to your attention, but I wish we could get on with the debate of this Act.

Mr. Chairman: I must say to the point of order that I share the reluctance of the hon. member for Downsview in calling the hon. member for Prescott and Russell to order. But with respect to him, he is not speaking to section 2, perhaps he could terminate his remarks of that type at the moment, and get to his comments on section 2.

Mr. Belanger: I had to say this, Mr. Chairman.

Mr. Chairman: The hon. member has the floor.

Mr. C. G. Pilkey (Oshawa): I thought he was doing well.

Mr. Chairman: So did I.

Mr. Belanger: It is reasonable to assume then, that every effort will continue to be made to maintain what we have all worked so very long and hard for.

It is with this point of view in mind, that I wish to point out a recent development which I personally felt was not necessarily handled to the best of interest for all concerned.

I refer, Mr. Chairman, to the recent appointments of the regional assessment commissioner, and the new health branch officer, within my area. Now keep in mind the fact that my riding alone is 80 per cent French speaking. You will, I am sure, agree that it would have been a most logical move to appoint bilingual people to two such key positions in this particular area. The reason is quite obvious. These two executives will have to deal with both French- and English-speaking people, and I might add that a majority of the people they will have to deal with, will be French-speaking.

Yet, sad to say, neither of the two people appointed to these key spots are bilingual. Or at least that is what I am told. I should point out, Mr. Chairman, that I do not, for one moment, question the qualifications of the two gentlemen appointed to the positions. I am confident that they are among the most capable—with one exception, they are not bilingual.

As we are all well aware, this is a period of great concern about overcoming the ever-widening communication gap. I believe that one of the first, and certainly most helpful, steps towards accomplishing this in my riding would be for the government to appoint key officials in our area who speak both our languages.

It is also obvious that the French-speaking members of my riding would find it much easier to understand the many technicalities in the field of assessment if they were talking to an official of The Department of Municipal Affairs in their native tongue.

Equally obvious is a fact that it would be much easier for them to communicate their emotions, as well as physical problems, to a health official who speaks their language.

I am sure that there are equally qualified bilingual people available who would do an excellent job. You probably would have found them right here in the area, where the appointments were made.

That is why, Mr. Chairman, I strongly urge that, in future, consideration be given to that one additional qualification which is so important to the people of my riding, and the surrounding areas—that is bilingualism.

It is in this way that we can continue to bring our two peoples ever so much closer together. It is in this way that we can continue to work in harmony as not just French-speaking and English-speaking people, but as proud citizens of a province where language has no barrier. This, sir, is how we can continue to close a so-called language gap. Thank you, Mr. Chairman.

Mr. Chairman: Any further questions, comments or amendments?

Mr. Singer: Mr. Chairman—

Mr. Chairman: Would the hon. member indicate the section please?

Mr. Singer: Section 2, Mr. Chairman.

Mr. Chairman: Section 2!

Mr. Singer: Section 2 is really the section whereby the government takes upon itself a power to take overall assessment, and I think, as we have said in the debate on second reading, and as we have said in committee, and has been repeated throughout the province on many cases, this is one of the most serious mistakes this government has ever made.

There seems to me to be no reason at all why our large municipalities, Metropolitan

Toronto, Ottawa, Windsor, Hamilton, London, Kingston, Lakehead, Chatham, are not deemed to be sufficiently capable. Hamilton is deemed to be sufficiently capable of running its own affairs to be allowed to do their own assessment.

It would seem to me Mr. Chairman, that, when you reach a population of 50,000 say, one can believe that the calibre of the civil servants, and the ability to attract capable civil servants, is sufficient enough that these municipalities should be allowed to run their own show.

Unfortunately, this government and this Minister have no faith in anyone except themselves, particularly the Minister. He has no faith in anyone except himself.

But even that faith is not all-embracing, Mr. Chairman, because you will note that in this section and in other sections, they keep the word "equalizing" as a part of this theme of the new methods of assessment.

One would have thought that with the new system that was going to be brought in and was going to work so well, and going to be under the enlightened direction of the Minister from Chatham, that there would not be any need to have an equalizing formula.

One would have thought, Mr. Chairman, that, since it is all going to be run by the Minister, that it would have been possible that the assessments would have been equal throughout the whole province. However, this Minister believes in no local autonomy. He believes that everything can be better done at Queen's Park. He has sown his oats, and he is going to reap them, and he is in serious trouble. And if he has not heard it sufficiently in the House, he and his colleagues are going to hear it on the hustings!

I do not know, Mr. Chairman, what attention they pay to the various groups that they bring in to advise. But I know some people who have been on some of the advisory committees relating to assessment. They tell me that this has been pointed out *ad nauseam* to the Minister and to his officials. But for some peculiar stubborn reason, the Minister has his back up and it is going to be this way, or it is not going to be done at all.

I do not think, Mr. Chairman, there is anything further to gain in expressing our view once more. And it is not only our view—it is the view of many people in this province—that, in this serious infringement on a local right of competent and large municipalities, the government is showing that it has no faith

in the elected persons in those municipalities, and in the civil services which are appointed.

Certainly, there is a case to be made that we should no longer have 960 individual assessors trying to do 960 different kinds of jobs. And certainly there is a point to be well made—and it has been made over many years by my colleagues and myself and by others in this House—that the time has come to have larger units of government.

But I have yet to hear, Mr. Speaker, any logical explanation from the Minister, or from anyone on behalf of government, as to what the necessity was to take away from these larger municipalities in the province of Ontario, the right to run their own affairs. That is, in fact, what you are doing.

Surely, by the encouragement of a standard of qualification for assessors, by the application of testing, and by occasional spot checks that could well be done by the department, it could be guaranteed, or reasonably guaranteed of the assessing that would go on in say, the city of London, would be of equal calibre of that done anywhere else in the province.

Hon. J. H. White (Minister of Revenue): London does not object at all. The member is trying to cover both sides of the fence again.

Mr. Singer: Mr. Chairman, it is very interesting the Minister of Revenue says London does not object. He has not had his ear very close to the ground in London recently. He has not had his ear very close to the ground about a number of things, particularly in the London area.

Hon. Mr. White: The member is talking out of both sides of his mouth.

Mr. Singer: I would think that if he would spend a little time talking to some of his local municipal officials in that area, in London, and local municipal officials in Windsor, Ottawa, in Hamilton, and in Toronto and so on, he would find—well he knows, he must know, there is a very substantial dissatisfaction. I do not think, Mr. Chairman, there is any point in gilding the lily any further. I just say that the Minister is making a very serious mistake that is going to haunt him personally and his party, for many years to come. The experiment that he is embarking upon in trying to take all of the assessment control here into Queen's Park is going to prove disastrous.

There is a medium way, and I regret that the Minister has not been able to see the

light and adopt this medium way because there are capable, intelligent, and sincere people who are prepared and able to do a job as long as they are not going to be spoon-fed out of Queen's Park and told that all the wisdom in Ontario lies here in Toronto. It does not, Mr. Chairman, and the Minister is destroying something that is very valuable in this province: the right of local determination in a matter such as this. He will rue the day and his colleagues will rue this day.

**Mr. Chairman:** Section 2; the hon. member for Oshawa.

**Mr. Pilkey:** No, not section 2, sorry.

**Mr. Chairman:** Are there any comments?

**Hon. Mr. McKeough:** Mr. Chairman, I would just like to assure the House in connection with the remarks of the member for Prescott and Russell—of course, the area director is fluently bilingual for the whole area, and it was regrettable that we could not find someone with sufficient qualification to be the assessment commissioner in the particular region of Prescott and Russell. I have assured the member that we have found people who are bilingual who will be the evaluation managers. Most of the staff will be bilingual as soon as we can find a bilingual commissioner who is willing to locate in Cornwall. We will find him very quickly and I put that assurance on the record.

Section 2 agreed to.

**Mr. Chairman:** Any questions or amendments up to and including section 6? The hon. member for Oshawa. Which section would it be?

**Mr. Pilkey:** Section 3, section 3(1).

**Mr. Chairman:** Section 3, right.

On section 3.

**Mr. Pilkey:** I would like to propose an amendment, Mr. Chairman, and speak to it. Section 3(1) amended to read:

But that the province and all its agencies and the Hydro Electric Power Commission of Ontario make payments in lieu of municipal, school, business, occupancy and local improvement taxes on their property equivalent to the taxes which would otherwise be levied on such property except in respect of the following property:

(a) public highways;

(b) land betterment works to the extent that they convey and unrestricted community benefit;

(c) recognized historic sites that are not being exploited commercially and monuments or memorials except to the extent of the utilitarian value;

(d) remote or undeveloped Crown land not under lease or subject to mining or timber rights and not benefiting from local government services; and

(e) provincial parks.

Now, Mr. —

**Mr. Chairman:** I wonder if the hon. member will let me have a copy of the motion in order that I might determine if in fact, it is in order.

**Mr. Pilkey:** I do not know if I have got enough—

**Mr. Chairman:** Well now section 3(1)—

**Mr. Singer:** Have you another one there?

**Mr. Pilkey:** Could you give this to the member for Downsview, it is the only other one I have, but—

**Mr. Chairman:** Section 3 purports to set forth that all real property in Ontario is liable to assessment and taxation subject to the following exemptions from taxation. Section 3(1) simply sets forth that lands or property belonging to Canada or any province are exempt from taxation. Now does the hon. member propose to leave subsection 1 in as is or to delete it?

**Mr. Pilkey:** No, that is a substitute for subsection 1.

**Mr. Chairman:** He wants to delete section 3(1) and substitute therefor—

**Mr. Singer:** No, add after.

**Mr. Chairman:** Does he want to delete subsection 1 as it is in the bill? I mean the motion does not indicate whether he wants to add another section.

**Mr. Pilkey:** Add the following words, right!

**Mr. Chairman:** But to leave subsection 1 in as it is. That lands or property belonging to Canada or any province be exempt from taxation.

**Mr. Pilkey:** I want that added.

**Mr. Chairman:** "But that the province", that this be added to the present section 1. Is this the intention? Is this the intention of the hon. member?

**Mr. Pilkey:** Right!

**Mr. Chairman:** So that the motion is that section 3(1) be amended by adding the following words, but I think I had better repeat the motion:

But that the province and all its agencies and The Hydro Electric Power Commission of Ontario make payments in lieu of municipal, school, business, occupancy and local improvement taxes on their property equivalent to the taxes which would otherwise be levied on such properties except in respect of the following:

and, (a), (b), (c), (d), and (e), as recited by the hon. member. I believe the motion is properly in order. The hon. member.

**Mr. Pilkey:** Mr. Chairman, in the Budget report of March of 1969, I want to just read one paragraph because I think that it really supports the proposition that I have presented. In the report on page 63 I quote:

Property taxation in Ontario stands in need of fundamental reforms perhaps more so than any other area. As the Smith committee and the select committee so clearly show, the present property tax is grossly unfair and inefficient. The proposed provincial action to reduce the burden of financing that falls on property tax and to off-set its regressativity by personal income tax credit will substantially ameliorate these shortcomings.

But reform of property taxation is still necessary and desirable, both in its own right and in order to facilitate and complement reforms in government structure and provincial grants. Therefore, the government is determined to overhaul the entire system of property taxation and make it equitable and efficient as possible.

And then it enumerates a number of ways that the government is going to propose these reforms. One of them saying, the broadening of the local tax base by removing exemptions. Now, in this bill—Bill 205—I see nothing that removes any of the exemptions and it appears to me that if the government is really going to make their philosophy meaningful, then they have the opportunity in Bill 205, as opposed to leaving or perpetuating the *status quo*. And, this is exactly what they are doing in this bill and that, basically, is my reasoning for proposing the amendment.

**Hon. Mr. McKeough:** Mr. Chairman, with great respect to my friend from Oshawa, this matter was raised on second reading, I answered it then, it was raised in committee and I answered it then and now we can deal with

it a third-time. It is certainly the intention of the government—and I am glad to go on record again—it is the intention of the government as contained in the white paper on taxation which accompanied the budget, to commence paying grants in lieu of taxes on Crown properties and agencies of the Crown, in various ways on such things as hospitals, and provincial parks. There are two limiting factors, as clearly stated in the white paper. The white paper is a document which will take ten years to implement many parts of it. Some of it, five years, some of it less, but it is a long-term document.

It sets out for the first time, to my understanding, what the government's programme of tax reform will be, or its programme of taxation will be, which presumably is a reform of taxation; not just for one year but for a number of years to come. This was a first in the case of Ontario, and the member will find in the Budget Paper B, a number of references to the fact that it was not the intention of the Treasurer to implement all of the reforms in one year. Indeed, many of them would take a number of years.

There are two great difficulties in connection with the proposed amendment made by my friend from Oshawa. First of all, we have absolutely no idea whatsoever what this would cost the public purse, nor does the member. They are assessed in a variety of ways. We, quite frankly, could not tell the Treasurer what such an amendment would cost and when and how it could be done. This is the first difficulty. The second is one of budgetary constraint. The Treasurer (Mr. MacNaughton) has indicated that this is a reform that he will make; that he will move to do these things but, presumably, it must fit into his Budget and it is not particularly at the whim of the Minister of Municipal Affairs, who might like to get rid of a few sections on exemptions in the process. This has to be a budgetary consideration.

**Mr. E. W. Martel (Sudbury East):** The Minister of Education (Mr. Davis) got—

**Hon. Mr. McKeough:** I suppose the other point that should be made is that this would really be done through The Municipal Tax Assistance Act or The Power Commission Act and not really through this Act.

But that is immaterial. However, it is relevant to the discussion as it probably puts this motion out of order. This motion would not have the effect of doing what you would like it to do because it should be done in the other two Acts. Aside from that, I am always willing

to debate the matter with the member, even though it is probably out of order as far as this particular Act is concerned.

Be that as it may, those are the reasons. I agree with the member, this is something we should move towards. I hope we can move to it quickly. The first thing we have to do is find out what each step of the way would cost and, the second thing we have to do is hope that the Treasurer can find the money to do it.

And there is a third element, because the member in committee spoke very well and suggested an amendment which I did not accept, but spoke very well about the problems of shifts of taxation, the problems of shift from one class of taxpayer to the other.

There may well be shifts. It would seem highly appropriate that the relief which may be necessary when those shifts take place be tied in with the relief which will come to the taxpayers generally in a municipality through this proposed amendment.

Now, we have had some shifts in some communities. Before we have any more, I would hope that we would be able to implement the spirit of the amendment which the member has suggested, and in implementing that amendment we would, of course, relieve the burden of the shift in many instances.

**Mr. Pilkey:** Mr. Chairman, I firmly believe that there is a crisis at the municipal level in terms of taxation. We know that their area of taxation has really narrowed to the property tax and this is becoming a burden that the municipal taxpayer just finds very difficult to carry.

Now, we had an example of this in a very dramatic way when they changed the new Schools Administration Act which reflected an additional cost to the rural areas particularly.

It did not take the government long to find the resources to relieve to some degree that situation. And I want to suggest to the Minister that it is equally as important to find the resources to relieve the municipal taxpayer. And I want to suggest that he has the vehicle to do that kind of a job.

The way it can be done is to support the amendment that I proposed. This is one of the ways it can be done, so that we can give some relief to a very critical situation in this province. And, really, I should not have to tell the Minister that—I am sure he is aware of how critical it is at the municipal level.

I do not know what he is going to be doing with his basic shelter grant after this year. This could obviously reflect an addi-

tional burden, if this is terminated. And it could very well be, the Minister has made the statement, that this will be terminated after 1969. What compensating factors the municipality will have after its termination, is only known on that side of the House. We are not aware of it. So there just has to be—

**Mr. P. D. Lawlor (Lakeshore):** It is not known there either, so do not push it.

**Mr. Pilkey:** There just has to be some relief.

**Mr. Lawlor:** The Minister is a pragmatic politician.

**Mr. Pilkey:** There just has to be some relief at the municipal level if the overburdened taxpayer is not going to continue to suffer.

**Mr. R. Haggerty (Welland South):** He created the problem.

**Hon. Mr. McKeough:** I have to tell the member, too, that the motion is out of order. It would not do what he wants it to because it is in the wrong Act. It is also out of order because it would purport to spend public moneys.

**Mr. Pilkey:** I thought I was going to hear that but I just did not know when.

**Hon. Mr. McKeough:** It was a good try.

**Mr. Pilkey:** I want the Chairman to rule on that and do not be taken in by those fellows on the other side there.

**Mr. Chairman:** The amendment of the hon. member, I am advised by the Clerk, is out of order. It is a money amendment and beyond the realm of a private member.

**Mr. Pilkey:** I want to propose another amendment and you can rule this one out of order as well then.

**Mr. Chairman:** Would the member send up a copy of the amendment?

**Mr. Pilkey:** Yes, just a moment.

**Mr. Good:** Is it on section 2?

**Mr. Pilkey:** On section 3. I want to propose in section 3(4), line 3, that you strike out the word "university"—

**Mr. Good:** Mr. Chairman, I have a comment before that section or amendment before that. Do you want to take them in order?

Section 3, subsection 2 and section 3, subsection 3.

**Mr. Chairman:** The member for Waterloo North.

**Mr. Good:** Mr. Chairman, I thought the Minister had an amendment coming in for subsection 2 of section 3. If not, I will move that subsection 2 of section 3 be amended by deleting the word "tribe" in lines one and three and substituting therefor the word "band".

**Hon. Mr. McKeough:** The member cannot be looking at the right copy of the bill.

**Mr. Good:** Well then, you have had the second reprinting?

**Hon. Mr. McKeough:** Right!

**Mr. Good:** Well, I asked yesterday and they said there was only one reprint. It is not in mine.

**Mr. Chairman:** That amendment has been made in the bill before the Chairman.

**Mr. Good:** All right. Then, subsection 3, subsection 3 of section 2; throughout the discussion in committee—

**Mr. Chairman:** Subsection 3 of section 3.

**Mr. Good:** Yes, I am sorry, subsection 3 of section 3. This has to do with the exemption from assessment of cemeteries and church yards. It was brought up in committee. The Minister gave an undertaking that they were looking into it. Now, this situation has existed in Ontario for over ten years, when privately-owned cemeteries operating for profit are being exempt from assessment because the Act has not been changed.

I personally think it is high time the Act was changed and therefore I would move that subsection 3 of section 3 be amended by adding thereto "except cemeteries and burial grounds that are owned and operated for profit."

**Hon. Mr. McKeough:** Well, Mr. Chairman, I undertook in committee to have a look at this. I obviously have not, I would hope to before the Act is before us again, presumably in the spring of the year.

I do not know what the implications are in this particular amendment. I would like to find out. For example, I think in fairness to the people operating those cemeteries it may well be that they have sold lots on the basis of certain understandings, one being that they would not be taxable at some point in the future.

If they knew they were going to be taxable at some point in the future or today, then presumably they might have felt they should have charged a higher price for the lots than they did. This obviously has implications and I would like to have a look at that before I accept or reject the amendment, which may be a very valid amendment.

In the meantime, I would ask that we be given a chance to take a look at it and I will bring it back—the Act will be back, I am sure, at the next session.

**Mr. Good:** Well, Mr. Chairman, the concern of the Minister I do not think is valid in that perpetual-care funds of cemeteries used to look after these grounds, are set by The Cemeteries Act at a minimum of 35 per cent of lot sale price and I can see no reason why the taxation of some of these would affect those lots which are now being looked after by perpetual-care funds.

Well, we have then in the record that the Minister will definitely have a look at this section before spring and with that understanding I will then withdraw the amendment.

**Hon. Mr. McKeough:** I am still not clear on this. I thank the member for withdrawing the amendment, but where is the money going to come from? Let us assume it is a cemetery privately owned and every lot in it is sold. There is an amount set aside for perpetual care which is predicated on the amount needed for the upkeep of those lots, all of which have been sold. In no point in those calculations was there a calculation made for municipal taxes.

**Mr. Pilkey:** It is non-profitmaking.

**Hon. Mr. McKeough:** Well, the money has to come from somewhere. There must be profit in there year by year.

**Mr. Pilkey:** They even try to get the dead.

**Mr. Good:** Might I be permitted to answer the question of the Minister's Act? There is no cemetery operating for profit in this province of Ontario which is completely filled. They are operating in perpetuity.

**Hon. Mr. McKeough:** Well, it is easier to talk about something that is filled.

**Mr. Good:** It has only been here for ten years, and they are just starting their operation. This is the whole point.

**Hon. Mr. McKeough:** Well it is easier to talk about one that is filled. But the same

thing is true of one that is a tenth filled, a quarter filled. They sold those lots on a certain basis, I would assume. And part of that basis is that they do not pay municipal taxes on it. I do not think to change the rules in the middle of the ball game without being sure—

Mr. Lawlor: Mr. Chairman, may I say a word on this aspect of the matter? I trust that the hon. member did take into—

Mr. Chairman: Are you wishing to speak on this amendment? The amendment has been withdrawn.

Mr. Lawlor: Yes. Well, I still have some comments to make upon the withdrawn amendment.

Mr. Chairman: The amendment was out of order, in any case.

Mr. Pilkey: Yes. He is commenting on a paragraph.

Mr. Lawlor: Yes. I am commenting on the—

Mr. Good: Point of order. Why was the member out of order?

Mr. Lawlor: I am commenting on subsection 3 of section 31.

Mr. Chairman: He is imposing a tax—

Mr. Lawlor: With respect to cemetery lots, and to the thoughts of both Smith and the select committee in this particular regard, I would like to pay particular attention to what Smith said and refer those who are interested in this matter to page 162 of the second volume. Smith said it is quite—paragraph 132:

Today it is quite possible to locate cemeteries on pleasant, but inexpensive land well removed from the expected path of urban development. Indeed such a trend might well be encouraged. On the other hand, it would be patently unfair to subject cemetery owners, whether they be profit-making enterprises or not, to full realty and business taxation without regard to their existing contracts and commitments.

Existing cemeteries could only be made liable to taxation to the extent that their land is not now (a) occupied by graves, (b) subject to perpetual care and agreements, or (c), so located that its use for any other purpose is difficult or impossible.

In the circumstances, we propose that notice of the intention to make certain

cemetery lands taxable be given several years in advance.

And he goes on to mention a three-year period and as I recall the select committee recommendations after reviewing this—particularly the matter of profit-making cemetery lands—were that a period of time be given before imposition of taxes would be levied. Nevertheless, we did go forward saying that they ought to be leviable in the future.

Mr. Chairman: Any further comments on section 3?

Mr. Pilkey: I propose an amendment Mr. Chairman, and I circulated the amendment on section 3, subsection 4, line 3. I propose that we strike out the word "universities". I say that because—

Mr. Chairman: This motion would also be out of order in view of the fact that it would propose to impose a tax on universities.

Mr. Good: Mr. Chairman, on a point of order. We are dealing with an assessment, and of course this means taxes. In other words, the members on this side are just wasting their time in here to suggest any amendments at all.

Interjections by hon. members.

Mr. Chairman: The motion to amend the section is out of order on the basis of the fact that it would propose to affect the taxation of the province.

Mr. Good: On a point of order. The authority given in this Assessment Act will not permit any taxation. Is that correct, Mr. Minister?

Hon. Mr. McKeough: No—the taxation is permitted now under The Municipal Act. That is the taxing statute.

Mr. Good: Municipal Act? This Act deals with assessment—

Interjections by hon. members.

Mr. Singer: Mr. Chairman, if I may address myself to this point of order, this statute in fact deals with the method by which municipalities raise revenue. Now there is no raising of revenue in The Assessment Act.

If my colleague was saying we recommend that the province pay to the assessors \$100,000 a year, that would clearly be out of order. But all he is saying is that the ground rules, by which the assessment is determined,

be changed, in order that when the municipalities come to raise the taxes, they will then be collected on the basis if the assessment is changed.

There is no levying of taxes in this Act at all.

**Hon. Mr. McKeough:** Well, if I can speak to the point of order, that is of course, exactly why I said that it was out of order before. To accomplish what the member for Oshawa originally suggested, what should be done, either to The Power Commission Act or The Municipal Tax Assistance Act. That is where the authority is given for the Crown to pay grants in lieu of taxes. It is not given here.

**Mr. Chairman:** The section clearly says that all real property in Ontario is liable to assessment and taxation, subject to the following exemptions from taxations.

**Hon. Mr. McKeough:** Well, Mr. Chairman, with respect, before the last item was ruled out of order, we debated it. We can go through the same debate again.

The member now wants to say something about universities. For my part, I would simply say that the arguments which I made before are still the same arguments.

If the University of Toronto is required to pay taxes, they can only look to one place, in my view, for revenue for those taxes, and that is to some department of the provincial government. What I am saying is that, as a budgetary matter at this point in time, we cannot afford to do it—or the Treasurer says.

We recognize the validity. From my own point of view, I would say this, that, in the list of exemptions—which is an enormous list and which I think I made available to some member of your party in committee—to my own way of thinking, universities would rank at the top of the list as to an exemption which should be removed.

I do not think we are going to be able to do this in one step. I think it will be a progressive series of steps, perhaps universities will be first. Other classes of provincial buildings might follow. Hospitals, presumably, might be further down the list. Because, although a hospital services a wider area than its own municipality, most municipalities or urban municipalities have them.

Universities are somewhat unique. Community colleges perhaps, fit into this category as well, I would only say that I agree with the member. We would like to do this. It is

a budgetary matter, and we have not got the money at this point in time.

**Mr. Pilkey:** Mr. Chairman, with great respect I really do not think that it is out of order, except that the Minister is correct. But it really is going to be an additional burden on the province. There is no question about that. Even though it would be raised—

**Hon. Mr. McKeough:** Unless the member is suggesting that the universities should raise their fees—that would be the other source.

**Mr. Pilkey:** I am not suggesting that, obviously. Let me speak to that point, the question of universities. As you know, the other amendments that I placed were ruled out of order. And I said, at that time, that there is a crisis at the municipal level all across this province, and it is compounded where there are universities. It is compounded because of the exemptions of universities.

When you get cities like Guelph and Kingston and Waterloo and Ottawa, and a number of other municipalities, with millions of dollars of exempt assessment it becomes even more critical.

I said initially that it was critical all across the province; but I am inclined to agree with the Minister, that, if we are going to do anything in terms of priorities, then the university cities ought to have a priority over the other municipalities because they are in jeopardy as far as municipal taxation is concerned.

So, I would concur with the Minister's remarks that this should be dealt with as a priority item, and I would hope that the government would not take any great deal of time to make that determination, because I feel confident that those municipalities truly need that kind of assistance.

**Mr. Chairman:** I think the remarks of the hon. member are in order, except that the motion itself would be out of order. Because it is the prerogative of the government—

**Mr. Lawlor:** Never admits anything, does he?

**Mr. Chairman:** —to institute taxes for raising taxation in one way or another.

Are there any further comments on section 3?

**Mr. R. G. Hodgson (Victoria-Haliburton):** Mr. Chairman, subsection 10.

**Mr. Chairman:** Subsection 10. Section 10 or subsection 10 of section 3?



**Mr. R. G. Hodgson:** Subsection 10 of section 3.

**Mr. Chairman:** Right!

**Mr. R. G. Hodgson:** Mr. Chairman, I am tremendously disappointed that the Minister has not seen fit to change this exemption for the Boys Scouts and Girl Guides of Canada.

I have no set case against these associations. In fact, I am very sympathetic, and I never thought that it was the intention of this subsection to exclude an association to the extent that is present in my riding today.

We have Boy Scouts' ownership of a block of land that is 6,000 acres, has 25 miles of lakeshore. This Boy Scouts association is using approximately 20 acres of that land, approximately 200 feet of the lakeshore, and has exemption for this completely at the expense of the municipality, one township and its people.

The other thing that I do not think is proper or right is that this association recently sold 1,000 acres of timber. From this it brought in a revenue of between \$35,000 and \$40,000 to this association. Again an exemption under this section at the expense of those people—no revenue. I do not think it is proper or right that a group of people in a society should bear the brunt of such exemption.

The Girl Guides, again in my riding, have a very large holding. And again they do not utilize all their land. They may some day, but it is not my belief that such a charitable organization should have such blatant exemption. I made petition to the former Minister of Municipal Affairs. I made petition to this Minister and am terribly disappointed that it was not corrected in this subsection.

**Mr. Lawlor:** The member is not half as disappointed as I.

**Mr. Chairman:** Does the hon. Minister wish to comment on this any further? Any further comments, questions or amendments to section 3?

**Mr. Good:** Subsection 17.

**Mr. Chairman:** Subsection 17 of section 3.

**Mr. Good:** Right! In committee the Minister gave us many undertakings and understandings and clarified what the intent of various ambiguous sections were, and said it was not required to be more definitive, that the courts in some cases would decide these issues and the intention of the government

and the assessment commissions was this and was that. Since there was no *Hansard* during the committee stage of the handling of this bill, I would like to get some of his understandings that were given in committee on the record of *Hansard*, and the first one has to do with subsection 17 in that it is not the intention of the government to assess pin-setting machines and bowling lanes. Would the Minister comment on this please?

**Hon. Mr. McKeough:** That is correct.

**Mr. Good:** Thank you. I just want to get it in writing.

**Mr. Chairman:** Any further comments on section 3.

**Mr. Lawlor:** Yes, Mr. Chairman, I have an amendment to this section 3(17) that was just discussed. The amendment reads:

That subsection 17 of section 3 be amended by striking out the words "manufacturing or" in lines 1 and 2 and all the words after "purposes" in line 2 so that the section shall read as follows: all machinery and equipment used for farming purposes.

In other words, what it comes to is a proposal that except for the farmers of Ontario, all machinery and equipment be taxed. The welter of hodge-podge in which the taxation of machinery finds itself under the old statutes and again respectively under this one—the basis clause on machinery is I L 4—it says that all buildings—

**Hon. Mr. McKeough:** Mr. Chairman, could I ask the member a question? Is it the intent of this that all machinery and equipment be taxed? Is that what you are saying?

**Mr. Lawlor:** That is what we are saying.

**Hon. Mr. McKeough:** That every piece of equipment in the General Motors plant—all taxed?

**Mr. Pilkey:** Not the jigs and fixtures.

**Hon. Mr. McKeough:** All the chattels are to be taxed?

**Mr. Lawlor:** All the fixtures, all the chattels that are—

**Hon. Mr. McKeough:** All the equipment in the General Motors plants?

**Mr. Lawlor:** Those which are cemented into the ground, and so on, that is right.

**Hon. A. B. R. Lawrence (Minister without Portfolio):** What is a fixture?

**Mr. Lawlor:** We refer to your own definition of land—you say all buildings or any part of any building and all structures, machinery and fixtures erected or placed upon, in, over and under or affixed to land. That is where you start and within that definition fixed machinery largely of an immovable nature is sometimes taxed and sometimes not taxed depending upon the whim or the peculiarities of the assessment officer. What is worse is that now it would be with the province having control over assessment. Nevertheless, the nice divisions as between one sort of fixture or type of machinery being taxable and another one not being so, is a most questionable proposition.

Manufacturing machinery is assessed and taxed in Alberta and British Columbia and in Newfoundland—three provinces. It is also included in the definition of real property in Quebec but it is optionally up to the municipalities there as to whether the taxation is imposed or not. In Saskatchewan, they assess machinery and equipment for mine purposes only—including oil and gas. Manitoba assesses machinery and equipment and containers used in retail marketing of oil products.

So there are six provinces in this country which assess some machinery and equipment and as far as the United States is concerned, Michigan and many other states assess machinery. Michigan recently exempted tools, dies, jigs and fixtures. I would have very secondary thoughts about fixtures because I think fixtures are part of the realty. That is what a fixture means—something that cannot be removed without doing damage to the premises. Ontario taxes machinery forming part of the building or structure used to make a building habitable and such things as heating, cooling and lighting equipment fall under the present text.

I am saying that from the subtle if not obtuse base upon which this must be done in reaching determinations of assessment, it strikes me that manufacturing machinery, pretty well across the board—and maybe there are exemptions such as moveable stuff—but when I talk about machinery I mean fixed to realty—by way of bastion or cemented in—but this is certainly taxable. It is also the basis of this kind of discrimination within the definition of machinery that has caused such consternation in the INCO development seeking to exclude themselves from machinery which they themselves, being of a fixed nature that was taxable earlier, now wish to have removed from the tax picture.

Therefore, the select committee recommended that machinery and other fixtures not related directly to the building in which is located the excluded, will gain that kind of discrimination. But if it is a machinery housed in the particular building and so related directly to this very type of building—that is the purpose for having the building there—then that machinery should fall under taxation also.

So with the exception fundamentally of the farming community, who I think are justifiably relieved in this respect, machinery of manufacturing and of a fixed nature designated towards a particular purpose ought to fall within the tax and that is our position.

**Mr. Chairman:** Once again, the motion of the hon. member is out of order on the same basis that it would purport to impose tax on certain machinery.

**Mr. Singer:** No.

**Hon. Mr. McKeough:** No, I do not think so.

**Mr. Chairman:** Section 3 exempts certain things from taxation—

**Hon. Mr. McKeough:** Yes, but the point under the previous amendments was that tax would have been paid in the case of either universities or, in the case of Crown properties, by the Treasurer of Ontario. It is wrong for a private member to propose legislation which would require the Treasurer of Ontario to pay something. That is what put it out of order.

**Mr. Singer:** If my amendment was ruled out of order—and I do not think it was out of order—

**Hon. Mr. McKeough:** I do not really think this would be out of order.

**Mr. Singer:** I do not think any of them were out of order.

**Hon. Mr. McKeough:** I think the other two were.

**Mr. Chairman:** The clerk has indicated to me in consultation with that section 3—subject to certain exemptions from taxation are listed in the subsection. The hon. member's motion would purport to remove certain of these structures and machinery from taxation and therefore they would be subject to taxes and it is the prerogative of the government—

**Hon. Mr. McKeough:** Not paid by the Treasurer, I think that was the point at issue. With respect, Mr. Chairman, I think that the

point the clerk made to you, and certainly the point I was trying to make, that if in fact, it were out of order—and it does not matter now because we have gone over those sections—it was because an Opposition amendment, had it carried, would have the effect of causing the Treasurer to pay over moneys which in my understanding, is out of order.

**Mr. Lawlor:** Mr. Chairman, I reject the Minister's contention that I am not out of order although I do not think I am in order. In other words, it is not just a case of the imposition of the tax being relayed or being directly or indirectly imposed upon the Crown. It is the raising of taxes as such that is the point; the Chairman knows that quite well, but I have not got the necessary parliamentary equipment to find the nice dividing line.

Surely, we are discussing an assessment Act which as an Act concerns precisely the levying of taxes or the exemptions therefrom—which come from the same thing because somebody else is going to have to pay them—that is the whole purpose of the Act. If you rule us out of order, time after time, then our purpose here is nugatory. We might as well pack up the tents and disappear to the corridors. We have no function to perform.

I suggest that what was said previously—that within the force or the lines of demarcation of this Act, what we are suggesting is that certain things do fall within tax structure. We are not, as such, I suggest to you, imposing the Act. We are saying where the lines for taxation ought or ought not to be drawn and if that seems a somewhat subtle distinction, I nevertheless, commend it to you, giving us a basis from which we could say anything at all. It seems that there are many amendments to be made to this and much provocative discussion, I trust, of value to the Minister and to the province. If we are foreclosed in this discussion on the basis of the kind of contention that you are making, then the whole thing becomes irrelevant.

**Mr. Chairman:** The clerk reiterates my previous ruling that the motion is out of order on the basis that it is a prerogative of government to impose taxation. This motion would create an amendment to this particular section which would in fact, put the government in a position where they would be imposing taxation. It is perfectly all right for the hon. member to speak but it is beyond the scope of the right of a private member to institute any motion that would create taxation.

**Mr. F. Young (Yorkview):** Mr. Chairman, is it not obvious here that we are dealing with assessment? That assessment is going to take place in another level of government than this one. We are not saying here that the provincial government is going to raise taxes or pay taxes, we are saying that a certain rule must be laid down by which the municipalities raise their tax revenue. Now, if you are going to rule this out of order on the basis of paying taxes, it means that we cannot deal with anything in this House by which federal or municipal people may pay taxes.

In this case, the province is not concerned as far as paying money is concerned. It is the municipality that will pay the taxes and we are laying down the rules by which the municipalities may pay the taxes and levy the tax. There is nothing out of the Provincial Treasury in this case.

**Mr. Chairman:** The hon. members may speak in an attempt to urge the Minister to take certain measures but they may not introduce a motion that would have a result—the effect of causing the government to impose or not to impose taxation.

**Hon. Mr. McKeough:** Do you want me to reply?

**Mr. Pilkey:** I just want to make one short observation, Mr. Minister. Was not the reasoned amendment accepted by Mr. Speaker, and did it not have the same effect? That second reading. The New Democratic Party presented a reasoned amendment at the second reading. It had the same effect as the amendment made by the member and Mr. Speaker accepted that amendment.

**Mr. Chairman:** The motion asked that the matter be referred to a committee for study.

**Mr. Pilkey:** No, no. There was a reasoned amendment and I could—

Interjections by hon. members.

**Hon. Mr. McKeough:** Mr. Chairman, with great respect, I think we are getting bogged down. If I can speak to this briefly. Unfortunately, the member for Lakeshore was not at the committee meeting. I think there is some worry in his mind that the International Nickel Company is escaping from taxation and this is the reason for this amendment. We had a thorough discussion of this in the committee. My officials were there. I think that the member for Sudbury (Mr. Sopha), I believe the member for Sudbury East (Mr.

Martel) and the member for Nickel Belt (Mr. Demers), who are knowledgeable in the matters of taxation as it affects mining municipalities, were satisfied that what we were attempting to do and the way the Act was written, was proper and necessary.

The way the member is—with great respect Mr. Chairman, attempting to find a way to amend it, and simply say all machinery and equipment used for farming purposes—really throws the door open to assess chattels, to assess personal property, all of which we stopped doing in this province in 1904. I very much regret, Mr. Chairman, that the member was not at the standing committee. I realize he was away. We had a thorough discussion at this particular point at the standing committee and I hate to see us, with great respect, going over the same ground again.

**Mr. S. Apps** (Kingston and the Islands): Mr. Chairman, may I make a few comments on subsection 4 of this section in connection with the tax exempt—

**Mr. Chairman:** If the hon. member would just wait. A point of order has been raised and I would like to dispose of that point of order in connection with section 3 of the bill. The motion to which the hon. member for Oshawa had referred—

**Mr. Pilkey:** I withdraw those remarks. You are correct, the reasoned amendment was to refer to the standing committee. I am sorry.

**Mr. Chairman:** Standing committee—municipal bills for consideration. I reiterate my position that the motion is out of order on the basis as stated. Is there anything further on section 3 of this bill?

Section 3 agreed to.

**Mr. Chairman:** Anything further up to section 7?

**Mr. J. E. Bullbrook** (Sarnia): Might I rise in one respect, perhaps on a point of order, just to clarify one thing? I agree to a great extent with what the Minister said, but let not the record of this House infer that because some of us are not making amendments that we agree entirely with the legislation. You will recall my concern with international bridges. My total concern concurred with the concern of the member for Lakeshore in connection with the taxability or the assessability of certain manufacturing machinery. I just wanted to clarify that.

**Mr. Pilkey:** Can I just rise on a point? I would respectfully ask the Chairman to review his position on this kind of a motion because if it is going to set a precedent in this House, then I think that would be wrong. And, I ask him to review his position with someone and report back to this House at some other sitting. It seems to me that we ought to be able to make those kind of amendments that do not reflect on the Treasury of this province. That is all I am saying, and all I am asking you, sir, is review your position.

**Mr. Chairman:** I will be glad to do that and I will get a ruling and I will relate the ruling to the committee for the enlightenment of the hon. member for Oshawa and any other members who may be interested. Anything further on section 3? Section 4?

**Mr. Apps:** Mr. Chairman, I would like to make just a few comments on the tax exempt position on universities, and I concur with the member for Oshawa that something must be done. As a matter of fact, it is long overdue. Something should be done to relieve the cities of the tremendous burden that is placed on them.

In the city of Kingston, well over 30 per cent of property in the city is tax exempt. A large amount of this is because of the university, and it is a tremendous burden on the taxpayers of the city. I was pleased to hear the Minister say that there may be something done in this connection in a very short time, although it will be done in stages. I would like to emphasize to him that this is something of vital necessity to the city of Kingston.

I would hope that the first step is a major one, and not a token one; because the city of Kingston is in, I think, a very unenviable position, in that it is the only city that has such a high exempt situation, much greater than any other city in the province of Ontario.

We cannot stand this very much longer, and I would just like to emphasize to the Minister that this situation must be corrected. It must be corrected now.

**Mr. Chairman:** Section 5 or 6? If not, the hon. Minister has an amendment to section 7, I believe.

On section 7.

**Hon. Mr. McKeough:** Mr. Chairman, you will recall on section 7, subsection 1(a), we had a very interesting discussion in committee about the business tax on distilleries. First of all, let me say this: I think all of us will agree,

the committee generally agrees, that the 150 per cent tax is a relic of our puritan past. Perhaps we should be doing something about bringing about equity.

**Mr. Lawlor:**—drinking more alcohol, and making it easier for them to pay—

**Hon. Mr. McKeough:** I think certainly that the Smith committee, the select committee, I suppose the Beckett committee and every committee which ever studied municipal taxation, has said that we should do something about the punitive rates of business tax on distilleries.

What concerns me is not particularly that distilleries are paying a punitive rate. What does disturb me, and has disturbed me since the committee met, was that in not making some change downwards in this rate we have not, I do not think, conveyed the impression to the tax-paying business—the wholesalers, the manufacturers, for example—that we really mean that we are going to move towards one common rate.

Now, in the committee, the spokesman for the distilleries suggested that this section be amended to read 75 per cent; but that it would not come into effect until such time as it was approved by the Lieutenant-Governor-in-Council. I suggested to the committee that this would not be desirable, because, whenever it was done, it should be done in stages and not in one fell swoop from 150 to 75 per cent.

The hon. member for Sudbury moved an amendment that the 150 per cent be reduced to 100 per cent. That was put to a vote in the committee, and it was defeated on a 5 to 3 vote. We left it at that.

I have had a further look at it. I think we are of one mind in this, but I think the feeling of the committee and my feeling at that time was that the 100 per cent was going to create too great a drop in one year.

Now we reviewed the figures again with regard to the effect on the local municipalities, not only to indicate to the distilleries that we mean business about coming to one common rate of business tax, but to a great number of other people who are worried that we are not moving towards a common rate.

I would suggest we should do something about this particular rate in 1971, and I would move accordingly that the 150 be changed to 140.

That is not going to have a serious effect on any of the municipalities in the province. We have reviewed the figures. It is an indi-

cation to the distilleries, and all those who are at the higher rates, that in closing the rates we are going to move two ways, and not just upwards.

**Mr. Good:** Mr. Chairman, just to set the records straight. First of all, I think the Minister used the phrase several times that we were all of one mind. Certainly the vote did not indicate that we were all of one mind. The motion was put forth, and the Minister is quite right—in committee the parties were split. We had, I suppose, what one would consider a free vote, with three voting in favour, and five voting against which included—if my memory serves me correctly—two or three from his party, and some from each of the other parties.

Evidently, Mr. Sedgewick has had an additional meeting with the Minister, since he could not convince members of the committee that he had a valid operation. I still must go back to the point which I made in committee. The province has no compunction whatsoever in charging the public exorbitant and excessive taxes on the product of the distilleries.

You use it as your fifth highest source of income. The public is paying for the product of the distillery—not the distillery.

Mr. Sedgewick's chart showed that the distillery received 97 cents on a \$5.75 bottle of liquor. The rest is made up of provincial and federal taxes.

The province takes that exorbitant rate of tax from the public. Now you turn around and want the municipality to sacrifice a tax base, by reducing the business tax on the distillery. Over the years we have accepted, as part of the existence of the distillery and the liquor industry, a social philosophy that—as was stated in committee—they are in the “sin business”. They jokingly refer to it that, because they are in the “sin business”, they have to pay a big tax.

I am not here to explain the philosophy behind it in detail, but I think there is an obligation of this industry to pay higher taxes than other businesses. We are all aware of their obligation, and the social obligation that there is within the community because of this industry.

Until such time as the province is willing to forego some of their income from the public on the product of the distillery, I do not see how you could expect the municipality to forego their income on the excessive business tax, which, as you call it, is put on this industry.

The motion, as it appeared in committee, would have meant a loss of \$87,500 to the community which I represent—which is in excess of one mill of taxation.

There are other municipalities in the province which derive a great portion of their income from the tax on the distillery industries. Therefore, I think the Minister is using something here which I just do not consider ethical—to come in when a motion is defeated in committee, and bring it up again in the House.

These things are sent to committee to get the opinion of the members of this Legislature. The committees are formed on a partisan basis, representing a number of people from each party. On this particular issue, party lines were split and we had a good, honest debate on the subject, and a good honest vote on it. Consequently, I, for one, must ask members of all parties to vote against this amendment on the basis, first of all, we accept this as part of our society; and, secondly, it is the municipalities who are going to be hurt by this legislation, not the province of Ontario.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, I would like to say a few words with regards to this. I am really disturbed to see it. I would not be so disturbed, I suppose, if the Minister was at the same time maybe making a grant structure to coincide with it, or to pick up the difference.

For example, in an area which I represent—and where I had the privilege of being head of the municipality for a number of years—we had a large distillery put in large warehouses in our municipality with our encouragement, and with co-operation from the distillery. We had plans of the municipality made up, and they were quite happy to come in.

They probably came in because the tax structure was maybe better than the city, and of course we had more room. Anyway, it was a great asset to the people in the county, because we have a large new school that was built a number of years ago. And we know that this did help—no doubt about that.

But I just cannot see how we can lower this at this time. I think of that municipality. It has an assessment of \$12 million, and I think \$5 million of it is assessed against industrial assessment on one industry.

Now surely someone will say that that is a lot of money; but, on the other hand, it is an industry that seems to be capable of paying, and this is where we are having troubles.

Every so often, some people mention—as did the hon. member for Kent (Mr. Spence) the other day—the ability of the low income people to pay their taxes. But I think that this industry is one that seems to have the ability to pay its taxes; and I do not know that this is the time to be lowering the taxes.

I am always agreeable to changes if changes are necessary, but we must have some other changes made before we make these. This is certainly not the time to do it—not until the Minister is prepared to bring in other legislation that would offset the loss.

With regard to the county school boards, this was one reason that I suppose people said we had advantages—because we had large industry there. Now it is spread all over the whole county, so we share it with everyone.

I appeared before the White committee on taxation—as I was head of the municipality at that time, and the clerk and myself appeared before the committee—when they sat in the Elmwood Hotel in Windsor. We explained matters to them at that time, because I knew there were some suggestions made that something be done on it. But I certainly cannot go along with this—and I certainly support the member for Waterloo North, and I am sure that all members on this side will do the same.

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

**Mr. B. Newman (Windsor-Walkerville):** Thank you, Mr. Chairman. I would like to join my other colleagues in opposing the Minister in his suggestion that a seven and one-half decrease in taxation be levied against an industry that can well afford to be paying the taxes that they are paying today.

The profit picture of the corporation that has head offices in my own community is extremely good. They have no difficulty whatsoever making up their municipal taxes, and with the decrease of seven and one-half per cent it will definitely—

**Hon. Mr. McKeough:** If the member wants to be correct, of course, it is much less than that. Because what is being proposed is a reduction really. When you are talking about real estate taxes, what is proposed here is a reduction from 250 per cent to 240 per cent, which works out to less than two or three per cent.

**Mr. B. Newman:** Well I will stand corrected, I thought it was from 150 to 140 and that is—

**Hon. Mr. McKeough:** Well if you are going to talk about real estate taxes then you should talk about 250 to 240.

**Mr. B. Newman:** Regardless, there still is the decrease in the taxation to an industry that can well afford to be paying the taxes that are being asked of it.

It will have an adverse effect on my own community and that adverse effect can only be remedied if the Minister in some fashion would increase unconditional grants to the community to compensate for this loss of revenue, and I cannot help but feel very much disturbed that the Minister at this time, without consultation with municipalities that would be adversely affected, would come into the House and make a recommendation such as he is making at this last minute.

**Hon. Mr. McKeough:** Just with reference to one point; I am sure in the member's own municipality of Windsor the other features of what is happening in the business tax—the reason is the other increases in the rates from 25 to 30 per cent; in some cases to 50 per cent would more than compensate for the loss of tax on the distilleries.

**Mr. Chairman:** The hon. member for Yorkview.

**Mr. Young:** Mr. Chairman, might I ask the Minister what this would involve in taxation to the industry, the drop of the 150 to 140, what it involves in dollars?

**Hon. Mr. McKeough:** I am afraid I could not answer that. They told us when we were before the committee, their total business taxes, and you could work it out that way but I am afraid I could not.

**Mr. Young:** Well it seems to me, Mr. Chairman, that this is not going to mean any drop in the price to the ultimate consumer and it is certainly going to mean quite a bit in the municipalities concerned.

It will, I presume, show itself in lower taxation to the distilleries and therefore higher profits to that industry. This is the only place it can show or will show unless the government is prepared to say to them: "Now, since we are saving you \$50,000 or \$60,000 in this change of figures, we are going to pay you less for the product that goes into our stores."

I doubt if that will take place. If it were taking place, then there might be some sense to it, Mr. Chairman, but without that assurance I hardly think we are prepared to accept the figures.

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, in a move like this, the Minister renders himself ludicrous. He deserves at this stage of the debate to get the worst of all possible worlds.

On one side of the fence the argument can be that in a more puritan age we did seek to impose sanctions and even penalties upon the liquor industry, but we have brightened our perspectives to the extent that we can reduce the thing by 10 per cent.

We are 10 per cent this afternoon, 10 per cent of 150 less puritan than we were a few minutes ago, so that the discriminatory aspect, if such it is, remains in its full impact.

On the other side of the fence the municipality suffers some measure or degree of loss, and there are municipalities in this province who depend substantially for their revenue—I remember one down near Windsor—depended substantially for its revenues on taxing distilleries, and so on.

You see the point about all this Assessment Act throughout and its whole import, except in a very minor and relatively insignificant fashion, is that the Minister under this Act has done absolutely nothing to benefit the accrued and increased revenues to municipalities with a crying need.

On the other hand—

**Hon. Mr. McKeough:** That is not—I do not want to interrupt—but that is not quite correct, again if the member—

**Mr. Lawlor:** Not quite correct, but substantially correct.

**Hon. Mr. McKeough:** If the member had been in committee he would have heard some of the implications in terms of increasing in the municipalities that he has just been talking about, the rate at the retail level from 25 to 30, and some of the other changes which were made.

**Mr. Lawlor:** Well I contend, Mr. Chairman, that looking over this Act, and seeing the purport and weight of the thing that it does very little, if anything, to ameliorate the conditions of municipalities.

On the other hand in an area like this he diminishes their position and I think it is just a foolish move. If it were in the terms of some surreptitious campaign objective that he has at the back of his mind, then all right, let him say so, but in terms of any principle of taxation, I think he should leave it alone

as things stand, until he does come to some revision of the tax structure and really gets down to brass tacks about taxation.

Mr. Singer: Mr. Chairman, may I address a remark to this topic? I just wonder how the Minister arrives at these unusual conclusions.

He tells us that it is too early to really bring about the changes in the business tax that he contemplates; that it is equitable as the Smith committee recommended, as the select committee recommended, that we have an across the board rate for business tax. He tells us there is a white paper and it may take 10 or 15 years to get at it.

Certainly I think in his broad general statements he has said on many an occasion that he believes the municipality should have less and less of the kind of general responsibilities they are given which rightly belong with the province, because therefore the benefit of all of the people, and more of the local responsibilities in their tax rate should reflect that kind of thinking.

Now, all of that makes abundant good sense except that the Minister seems to rather deviate from it depending on who has twisted his arm lately, and in this case certain people have twisted his arm lately and twisted it pretty hard, so he is throwing them a bone, and he is throwing them a bone without providing the necessary amenities to these municipalities which are going to be seriously hurt without providing them with an alternative system of revenue.

I do not believe, Mr. Chairman, there is any sense at all in having assessment of breweries at the rate of 150 per cent. And if the Minister was prepared to say at this point all business assessments are going to be at the rate of 35 per cent or all at the rate of 50 per cent, and commensurate with that change, we are going to relieve the municipalities of the substantial share of their education burden or a substantial share of their other burdens, I am sure we would say "hurrah for that" and we would support it. But to nibble away at this stage makes no sense at all.

And it would indicate to me, Mr. Chairman, that the Minister is just bowing to intense pressure and I think it is a terrible position for the government to allow themselves to be put in.

Until you are ready to bring in some real changes about municipal sources of revenue and the real changes insofar as business tax relates, I suggest this knocking off, not of ten per cent—it is really six per cent, if you

figure out 10/150ths—six or six-and-a-half per cent, is meaningless. And the only people the Minister is going to hurt are those municipalities which have large breweries and the only people you are going to help are those breweries.

Now, I am not opposed to assisting distilleries in the same manner as anybody else is assisted, but when you are going to do it, Mr. Chairman, at the expense of the overburdened taxpayers in a few selected municipalities, I say it makes no sense at all, and we in this party, Mr. Chairman, certainly cannot support that position.

Unfortunately, we have to conclude that somebody got at the Minister and he is trying to be all things to all people in view of certain pending events that might be happening in his party. Well, be all things to all people among your own friends but do not do it at the expense of the people of the province of Ontario.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I want to enter only briefly into this debate, and comment that I think the result of this amendment of the Minister has perhaps brought a new phrase into the English language. From now on we will no longer have to refer to bringing coals to Newcastle, we can simply refer to throwing sops to the liquor industry.

In taking this kind of approach, I think the Minister is wrong in causing a shift in the assessment picture to the range of 140 from 150 per cent. Coming from a municipality, in an area of the province which has a large distillery therein, I feel quite strongly that this industry has learned to live at the present time with this kind of a tax picture; and that, to give a slight advantage without a commensurate shift in advantage to the municipality, is wrong.

If the advantage to be given was one that would bring all of the assessment to a constant picture across the province, then that would be a bold and imaginative step on behalf of this Minister.

I think the Minister is not following the correct procedure in putting this kind of an approach before the House—in giving this very small change to the distillery interests. That being the case, I am certainly, for one, voting against the amendment.

Mr. Chairman: The Minister of Revenue.

Hon. Mr. White: Mr. Chairman, the members of the select committee, and indeed all



members of the House, will recall the recommendations touching on business tax. And I would like to recollect for a minute the existing situation and what we visualize in the future.

At the present time, we have a variation in assessment values between classes of property and, indeed, within classes of property. We have a split mill rate which is higher for businesses than for residences. And we have a third variable which is the business tax itself

Now it was recommended by the select committee that this be rationalized, and that there be one variable applied to actual market value assessment. It does not mean of course, that one cannot have additional taxes on the business sector if that is desirable—and, in fact, we were emphatic in stating that these improvements should not shift the burden of property tax from the commercial sector to the residential sector.

I would have been very glad, Mr. Chairman, and I say it quite frankly, if we had been able to move very dramatically towards the solution visualized by the select committee. In point of fact, the government decided, and I think very wisely, we could not move precipitously, that we had to wait for a good, clean, province-wide assessment before we could do all of those things that the select committee wanted done.

In the meantime, the government was faced with a choice between doing nothing and trying to make rather a poor situation better. Now, I have just forgotten the number of stages within the business tax that were in existence here, prior to the Minister's bill. I think there may have been eight or ten. And now—how many were there?

**Mr. Lawlor:** Quite a few, now.

**Hon. Mr. McKeough:** There used to be—well, there is a great consolidation of categories. There were about 12 rates before, we are down to six.

**Hon. Mr. White:** There were about 12 before, now we are down to six. And, we are trying to narrow the differential to some extent also. Let us not fool one another. The system which was conceived here more than 50 years ago, was not done so on the basis of any pure theory. It was not done on the basis of equity either. There was an inverse correlation between the amount of tax and the number of votes. And that is why the distillers are paying 150, while the retailers are paying 25, and the wholesalers 50 or 60—whatever it is.

**Mr. Breithaupt:** Now the relationship between taxes—

**Hon. Mr. White:** There were no doubt objective reasons offered. But the member for Lakeshore and I, who are great practising politicians, know what the score must have been in those days. Now we are trying to improve it in a variety of ways.

**Mr. Lawlor:** Cut it in half in 50 years.

**Hon. Mr. White:** This is a small step, granted; but this is part of that continuing endeavour to make the business tax more equitable in the future than it has been in the past. And I would invite—

Interjections by hon. members.

**Hon. Mr. White:**—everyone to support that small improvement.

**Mr. D. C. MacDonald (York South):** That rationalization is worthy of a medieval ecclesiastic!

Interjections by hon. members.

**Hon. Mr. White:** Do not be so cheap—no wonder the member is sitting over there.

**Hon. Mr. McKeough:** Mr. Chairman, allow me to say a couple of more things.

**Mr. Pilkey:** I thought the Minister was doing well up to then.

Interjections by hon. members.

**Hon. Mr. McKeough:** If I indicated that there was agreement in committee, and there was not, in fact, agreement in committee, I regret having said that. Because the member for Waterloo North, I gather, does disagree with what I thought, most of us felt: that the punitive rates which are imposed at 150 per cent were wrong.

I think other members who have spoken since the member for Waterloo North have indicated that they are wrong, that the way to do something to get rid of them is to do something dramatic about it. I gather that the member for Waterloo North accepts the 150 per cent rate. I do not. It was my understanding that people who had studied this consistently, the Beckett committee, the Smith committee, the select committee, had all agreed that it was wrong.

**Mr. Bullbrook:** He said he gave them alternative—

**Hon. Mr. McKeough:** Right. Now we would point out, of course, that some of the arguments have already been given. There is, I suppose, one other argument which might have been mentioned, perhaps two other arguments which might have been mentioned.

Firstly, that breweries, which are probably the biggest competition to the distilleries, are taxed at the rate of 75 per cent.

The other significant information which I would think was given to the committee, and of which the government was aware—no secret—that there was a distillery proposing to locate in this province, and which ultimately moved to Manitoba. It was proposed for this province because it would have used some of our corn, I suppose; their barley from southwestern Ontario.

But because of the rates of business tax which are imposed on distilleries in this province which are not imposed in other provinces, the province of Manitoba in particular, that distillery located in Manitoba. I think we regret that.

I would hope that we could indicate, by moving from 150 or, if you will, from 250 per cent taxation to 240 per cent taxation. I would hope we would indicate—I do not know of any distillery proposing to locate in the province at this moment in time. I would hope we might indicate to them, that we are on the road, the long tortuous slow route to tax reform.

We are doing something about it. But, we cannot in my view, in this area and a number of other views, do, as the Minister from London South has suggested, something dramatic. We have to take these things a step at a time. I would love to do it dramatically, as we all would. The point is that in the business tax field alone, we have started to move.

To suggest that we are doing something for distillers, I very much resent that. I look at this as part of a programme of tax reform. Look at some of the other things that have happened. The publishers, for example, are being raised from 30 to 50 per cent. The lawyers are being raised from 25 to 30 per cent. The chain stores are being brought in, where they were not in before. Now, let us not just say we are doing something for one group. We have made a start.

Interjection by an hon. member.

**Hon. Mr. McKeough:** We have made a start. I am trying to bring these rates together. And inevitably in bringing together some are going to come down and some are

going to go up. But you have to make a start at some point in time. You must make a start.

We are convinced from the analysis we have done in municipalities, from 250 to 240 will not hurt any municipality as a starter. We are also—

**Mr. Singer:** Two hundred and fifty per cent?

**Hon. Mr. McKeough:** If you talk about the total taxation paid by a distillery—

**Mr. Bullbrook:** Would the Minister permit a question?

**Hon. Mr. McKeough:** Yes.

**Mr. Bullbrook:** Because the Minister is really getting to me now. This I consider most salient to me. The Minister says it will not hurt a municipality. It is bound to. It is the question of the quantity of hurt.

**Hon. Mr. McKeough:** Right.

**Mr. Bullbrook:** But this is what I am interested in. And I am concerned for the welfare of some of these municipalities. You give them no alternative revenue availability. What is it going to cost for example, Waterloo? What is it going to cost Amherstburg? What are they going to lose as a result of this?

**Hon. Mr. McKeough:** I was just getting to—

**Mr. Bullbrook:** All right—I am sorry.

**Hon. Mr. McKeough:** Exactly my point—that I think you will find in the studies we have done, the revenue to be gained in the city of Windsor and the city of Waterloo for example, as it is in all communities, but let us use those two for example. In the increase of the base rate on retail stores, on lawyers and a number of other things, from 25 to 30; on bringing the chain stores back in who either were not in or who have slipped out, will more than compensate for the loss.

**Mr. Bullbrook:** That makes the question; because the additional revenue you make available, through those examples, is readily available to all other municipalities. So the ultimate result is to punish the municipalities—

**Hon. Mr. McKeough:** No, no!

**Mr. Bullbrook:** Well it is.

**Mr. Singer:** Sure it is.

**Mr. Bullbrook:** Whether you have a distillery or not, you are going to get the additional revenue that you generally want—

**Hon. Mr. White:** One can say that of any change.

**Mr. Bullbrook:** —made available to the municipalities of Ontario. Waterloo is going to get that, Sarnia is going to get it. We do not have a distillery.

They are going to lose revenue as a result of your amendment. So I suggest most respectfully that you bend the question when you talk about the additional revenues as through retail chains.

**Hon. Mr. McKeough:** Well, I suppose what the member is saying then is that inevitably this must happen. You can put it this way, you can say punishment, I think what I would say is that we are rewarding, if you want to use that term, other municipalities which have never had a distillery in their midst.

We are not talking about punishment and rewarding, surely. We are talking about trying to find tax equity. And to do that, you have to make a start. You make it in small steps.

Leading up to that equity, we hope—I do not know how long the rationalization of the business tax and getting rid of the split mill rate, or the ending of it, which is part of it—again recommended by both Smith and the select committee will take. It is probably a minimum five-year process. It may take a few more years than that. But you do not get it started until you start, it is as simple as that.

**Mr. Bullbrook:** Nobody takes issue—if you will permit Mr. Chairman—nobody takes issue, and in connection with the comments made by the Minister of Revenue, one of the collateral intents in this Legislature, is to bring additional revenue to the municipalities. I doubt if there is one member of this House who will take issue with that concept. But the concern we must express with municipalities such as Amherstburg, and on their behalf, is that a great deal of their revenue, a significant portion of their revenue, is referable to the operation of distilleries in their confines.

Now, I am very much interested in the actual financial impact of the amendment on the town of Amherstburg. I wonder if the Minister can help us there.

**Mr. Chairman:** Does the hon. Minister have any comments? The hon. member for Sarnia had directed questions to the hon. Minister.

**Hon. Mr. McKeough:** I am sorry, I was not listening. Could the member repeat it?

**Mr. Bullbrook:** The question concerned the amount of specific revenue that will be denied the township of Maidstone, I believe it is, in which the distillery is located that concerns my colleague from Essex-Kent. How much are they going to lose by way of exemption?

**Hon. Mr. McKeough:** I can give you the Maidstone figures. I cannot give you the complete answer on this because it depends on a number of other things. You will appreciate that if you reduce the business tax, it shifts it on to real property tax, and if the biggest taxpayer happens to be a distillery, you, in effect, are going to put a big part of that burden back on them.

Now, I have not calculated the effect of the education taxes and the grant schedule under education, which would also come into play, but if, for example, in the town of Maidstone, and the township of Maidstone—and by the way, this is the most extreme example you can find, the total taxation, and I think these are last year's figures, the total revenue raised from taxation is about \$1,040,000.

That taxation comes from a variety of places but of that \$1,040,000 the amount of \$260,000 comes in taxes on the distillers' warehouses in that municipality. There is no distillery in the township of Maidstone. For the benefit of the members who have never flown into Windsor, there are great, enormous warehouses with no one in them. They have their own plant protection, their own fire protection. No children are being educated for them or as a result of them.

Enormous buildings. They are paying real estate taxes of \$260,000, they are paying a further business tax of \$375,000, so that out of the \$1,040,000 raised by taxation in the township of Maidstone, \$635,000 is paid by those warehouses which happen to be owned by Walkers. Now, the effects of reducing, the immediate effect of the 150 to 140, would be a reduction of about \$24,000 in business tax. Part of that would be compensated because part of the shift would be back to Walkers, who were obviously the biggest taxpayer, and part of it would be made up in the education grant.

What I would have to say, with respect to the reeve, is that there is no way that an industry—whether it is a distillery or whatever it is—employing, I suppose, half a dozen people at the very most to maintain those

warehouses, should be paying in the neighbourhood of \$635,000 in taxes, in that township out of a total of just over a million. And there are something like, what, 4,000 people living in Maidstone, 5,000?

**Mr. Ruston:** Seven thousand.

**Hon. Mr. McKeough:** Seven thousand.

**Mr. Ruston:** Although on the other hand, Mr. Minister, with this type of industrial development, a municipality is much more favourable to encouraging residential areas, and we have done this. So if you are going to start this trend, there again you are going to get the townships saying, "Why should we allow any houses to come in if they are going to cut down our industrial assessment? We will close our housing off and quit having them built and you will have more shortage of housing." This is not the way you are going to do it.

I really think your figures are wrong; I do not have the figures and I resigned last December, a year ago, but I think that the figure this year was 600,000 for 1969, and I think they were lower than that in 1968. Their total, I think, was about 48 per cent of the total taxes collected. I think 32 per cent was residential and 20 per cent was farm assessment and the balance was industrial. This industry serves the whole county so it is not only serving the township of Maidstone. On the other hand, when you have this assessment, you still raise the taxes.

Their taxes are similar—road taxes and everything to adjoining municipalities, because people feel they can have a little better service because they have this industry there, so they are not really paying any less taxes, not much less than in other municipalities.

**Mr. Chairman:** The Minister has moved that section 7, subsection 1, paragraph (a) be amended by deleting the words "150 per cent" and substituting therefor "140 per cent". Shall the motion carry?

Those in favour of the motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "ayes" have it.

Now, with the concurrence of the committee, under our new procedural rules we may defer any actual divisions until the bill has been completed.

**Mr. Singer:** With respect, Mr. Chairman, we cannot concur on this. It is a long and a complicated Act and there may be a series of issues that come up, and we cannot give our concurrence. We would like to have a vote on this now.

An hon. member: Have the vote after supper.

**Hon. Mr. McKeough:** We are not going back to it.

**Mr. Singer:** We are going on to something else? While the debate is still fresh in everyone's mind I think it would be appropriate that we vote on it now. I do not think the Minister disagrees with me.

**Hon. Mr. McKeough:** Let us have it now.

**Mr. Chairman:** Call in the members.

The Minister moves that section 7, subsection 1, paragraph (a) of Bill 205 be amended by deleting the words "150 per cent" and substituting therefor "140 per cent."

Those in favour of the Minister's motion, will please rise.

Those opposed to the motion, will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 47, the "nays" 37.

**Mr. Chairman:** I declare the motion agreed to.

**Hon. Mr. Welch** moves that the committee of the whole rise and report it has come to certain resolutions, one bill without amendment, one bill as amended, and progress on a third bill, and ask for leave to sit again.

Motion agreed to.

The House resumed: Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole begs to report it has come to certain resolutions, one bill without amendment, one bill as amended, and progress on a third bill, and asks for leave to sit again.

Report agreed to.

It being 6.00 o'clock p.m., the House took recess.

APPENDIX  
(See page 9312)

Answers to questions on the order paper were tabled as follows:

55. *Mr. Peacock*—Enquiry of the Ministry—

1. How many units of family and senior citizens housing has Ontario Housing Corporation proposed to include in the plans for development of the Malvern Project, now before the Scarborough planning board, and when will the first of these be ready for occupancy? 2. What population density (persons per residential acre) is envisaged in the plans before the Scarborough planning board? 3. How does this density compare with the density recommended by the Metro planning board for the Malvern Project? 4. What are the specific services required for the development of the Malvern Project—sewers, schools, etc.—to which the Ontario government will contribute, what is the total cost of each service and what is the proportion to be assumed by the province?

Answer by the Minister of Trade and Development:

1. The actual number of Ontario Housing family and senior citizen units will not be known until the plan is registered. However, an appropriate number of each is contemplated compatible with the overall community development. Land development for the first stage of this project will commence in the summer of 1970.

2. It is proposed that the residential density will be about 32 persons per acre which equates to a gross density of about 25 persons per acre.

3. The Metro Planning Board has not indicated in its official plan proposal a net residential density for Malvern, but has proposed a gross density of 28 persons per acre which includes industrial land.

4. The corporation will contribute to the cost of those municipal services normally required of any developer. Any other required contributions would be the subject of negotiations with the borough and the school boards. Any decisions in this regard will require the concurrence of the federal government through Central Mortgage and Housing Corporation, which is a 75 per cent owner of the project. A total cost of each service will not be known until final servicing estimates have been prepared.

58. *Mr. Peacock*—Enquiry of the Ministry—

1. Is the inclusion of a day care centre in the builder proposals for the first phase of the

Chapel Glen Village condominium development a condition of acceptance of a proposal by OHC? If not, why not? 2. What portion of the \$25,000,000 cost of construction of the first phase will be provided out of the 1969-70 advance to OHC? 3. What amount has been contributed by OHC to the recreational centre, and what is the total amount to be contributed? 4. Will the land on which the units are sited be included in the description of the common elements?

Answer by the Minister of Trade and Development:

1. The proposal documents with respect to Chapel Glen Village, issued on May 7, 1969, reads in part as follows:

The objective of the Proposal Call is to achieve a well-integrated residential community designed to meet the needs of the family in an urban environment. The successful proposal will be constructed and sold by the selected proponent as individual units pursuant to The Condominium Act, Statutes of Ontario, 1967, chapter 12, and should therefore be designed with regard to home ownership.

In the interest of providing a viable community the proponents should consider the provision of certain community facilities within the amenity areas of the apartment buildings. Such facilities may include, but are not restricted to, an interdenominational religious facility, day care facilities, library and small retail shops.

Proposals will be judged on the excellence of design, quality, liveability and marketability of the units. In judging the merits of the proposals, particular attention will be paid to the residential environment created, suitability of the buildings to the site, total site plan development including landscaping, and maintenance aspects.

As the proposal document points out, particular attention will be paid by Ontario Housing Corporation to the "residential environment created" in determining which development proposal shall receive the Corporation's sponsorship. However, it is the responsibility of the developer to obtain the necessary mortgage financing and, subsequently, to dispose of the dwellings to potential homeowners. For this reason the Corporation did not lay down such specific conditions as might have been the case had this been an Ontario Housing rental development.

2. No part of the cost of constructing the dwellings will be provided out of the 1969-70 advance to Ontario Housing Corporation.

3. The amount contributed by Ontario Housing Corporation to the recreational centre was in the order of \$340,000. This was determined on a *pro rata* basis having regard to the number of units to be developed in Chapel Glen Village and the number of rental units owned by Ontario Housing Corporation in Flemington Park. It represents approximately 66 per cent of the total cost of the centre.

4. The Condominium Act requires the land on which the condominium project is physically situated be described in a document and called "description" filed with the Director of Titles together with the declaration and by-laws upon the registration of the condominium and in accordance therewith the lands in Flemington Park will be so described as part of the common elements.

89. *Mr. Brown*—Enquiry of the Ministry—

1. Could the Minister of Social and Family Services table all the regulations related to the control by the child welfare branch of the placement of children in Ontario Hospitals, residential treatment centres, charitable institutions, boarding homes, or other facilities?

2. If regulations do not exist defining the powers of the child welfare branch in these areas, does the director of the child welfare branch get her authority for her intervention from the Deputy Minister, the Minister or other administrative staff?

3. Is this authority in the form of a letter, a memo, or other document?

4. If so, could such a document be tabled?

5. If this authority is verbal, what is its content, and by whom is it issued?

6. Why does the director of child welfare refuse placement of children in space that is available, thereby allowing the children to be sent to higher cost facilities, inappropriate facilities for their needs, or to be left untreated?

7. Are there political reasons why certain treatment facilities, particularly the Brown-dale programme, are not free to receive the children who are appropriately referred by referring agencies, without the approval of the director of child welfare?

8. What has the director of child welfare done to acquaint herself with the various treatment programmes that are available in the province?

9. Why does the director of child welfare sponsor Boys' Village, when it has not been approved by The Department of Health Accreditation Committee?

10. Has The Department of Social and Family Services intervened in the placement of any children in Ontario, in psychiatric wards or psychiatric hospitals, in effect by bypassing the normal in-take procedures of such facilities?

11. On what basis does the director of child welfare or her agents presume to place children in such facilities, without medical assessment or control?

12. Would the Minister spell out his department's current programme and philosophy for the treatment of emotionally disturbed children who come to the attention of the department from its various agencies and branches, specifically Indian children, children of those people who are recipients of general welfare assistance, children referred by the children's aid societies, etc.?

13. Does the Minister's department make a distinction between retarded children and emotionally disturbed children?

14. If so, would the Minister define the distinction and/or difference, as reflected in the programmes for treating these children?

15. Has the Minister done anything to assess the current incidence of emotional disturbance, and identify areas, age groups and locations of greatest need?

16. What is the role of the Deputy Minister of child welfare in (a) defining regulations; (b) establishing policies; and (c) exerting political intervention in the determination of placements or rejections of placements of children who are emotionally disturbed?

17. Would the Minister define the "authority chain" within his department, with special attention to the department of child welfare, defining who is answerable to whom, who takes directions from whom, and who establishes economic priorities and long-range plans?

18. What was the amount of money spent by the department in the years 1967, 1968 and 1969 on Public Relations Services Ltd., regarding Warrendale, Brown Camps, Brown-dale and John Brown?

19. What was the constructive purpose of these expenditures?

20. With regard to the child welfare branch, what is the educational background and prior experience in treating emotionally disturbed children of the workers within that branch?

21. Will the Minister table the correspondence between his department and The Department of Social Welfare of the State of South Dakota?

Answer by the Minister of Social and Family Services:

1. The regulations referred to are to be found in The Children's Institutions Act, The Charitable Institutions Act, The Children's Boarding Homes Act, and in relation to children in the care of the children's aid societies The Child Welfare Act.

2, 3, 4 and 5. The authority and responsibilities of the director of child welfare are found in the above-mentioned statutes.

6. We have no knowledge of such incidents.

7. There are no treatment facilities in Ontario which are not free to receive children without the approval of the director of child welfare.

8. Our director and the appropriate staff in our child welfare branch have extensive knowledge of the treatment programmes available under our legislation and related legislation of other departments.

9. Boys' Village was approved as a five-year demonstration project and is now in its fifth year under this special grant.

10. No.

11. N/A.

12. The current programmes of the children's aid societies and institutions caring for children suffering from mental or emotional disorders are based upon securing a "suitable place according to the needs of the child", and making "provision for his occupational training and for his total development (shall be) such as a good parent would make for his own child".

13. Yes.

14. Please refer to The Homes for Retarded Persons Act and The Children's Institutions Act.

15. This is constantly under review.

16. There is no Deputy Minister of child welfare.

16(a) and (b). The director of child welfare reports to the Deputy Minister, and makes recommendations on regulations and policies.

16(c). There is no political intervention with respect to placements.

17. See No. 16. As in all departments of government, the Minister is responsible for the administration of the department.

18. Nil.

19. N/A.

20. All our professional social work staff in the child welfare branch have had extensive experience in the varieties of children and young people considered to be "emotionally disturbed".

21. A check of department files shows no recent record of correspondence with the State of South Dakota.

90. *Mr. Brown*—Enquiry of the Ministry—

1. How many children are currently placed in reform institutions in the province?

2. What is the highest cost, the lowest cost and the average cost, for treating these children?

3. How many children who are currently in reform institutions in Ontario are emotionally disturbed?

4. How many children are currently in reform institutions in Ontario for whom other placement was recommended by clinics or special clinical staff?

5. How many such children have found other than training school placement?

6. What is the recidivism rate for all children in reform institutions over the last five years?

7. Will the Minister of Correctional Services table those regulations which govern the care and treatment of children in reform institutions?

8. When were these regulations last revised, and by whom?

9. What is the number of inspectors from the office of of the Director of Institutions who supervise the care and treatment of children in the various centres?

10. Would the Minister designate who is responsible for assessing the appropriateness of placement, the readiness for discharge, the need for special therapeutic assistance, the need for special educational programmes or other specialized needs that children may have, from time to time, within the institutions?

11. Would the Minister indicate the form in which these assessments are made?

12. How many Indian children are there in the reform institutions?

13. What are the home communities of these children?

14. What is the reason for these children to have been sent to the reform schools?

15. What is the budget for 1969-1970 for the institutions division of the department?

16. With regard to those workers within the department who deal directly with children,

what are the educational backgrounds of these workers?

17. What prior experience with the treatment of children have these workers had?

18. What was the amount of money spent by the department in the years 1967, 1968 and 1969 on Public Relations Services Ltd., regarding Warrendale, Brown Camps, Brown-dale and John Brown?

19. What was the constructive purpose of these expenditures?

Answer by the Minister of Correctional Services:

1. It is presumed that this question refers to "youngsters" in "training schools".

As of September 14, 1969, there were in our care: under our care and supervision in institutions, 1,125; under our care and supervision in the community, 2,621; total under our care and supervision, 3,746.

2. The cost of daily care at the training schools for the fiscal year 1967-1968 as reported in the last copy of the annual report of the department was as follows: school with the highest average per diem cost, \$22.68; school with the lowest average per diem cost, \$9.59; over-all average per diem cost, \$13.61.

3. The term "emotionally disturbed" not being clearly definable, no meaningful answer is possible.

4. and 5. This information should be obtained from the courts.

6. The term recidivism in a treatment and training programme for youngsters is, in the view of The Department of Correctional Services, totally meaningless.

7. Yes.

8. Revised regulations are presently being finalized by departmental officials.

9. The function of supervising the care and treatment of children in the care of our department is performed by the training schools advisory board and, of course, by the administrator of training schools and his staff, supported by various treatment staff and the directors of the many services provided.

10. Appropriate members of staff evaluate progress, treatment, special programmes, and decisions are made from these evaluations.

11. These assessments are usually made at case conferences and decisions are based on reports submitted by staff working with the student.

12. The number of Indian children is 174.

13. The home communities are: Algoma, Armstrong, Barx River, Batachavana Bay,

Blind River, Cache Bay, Cannington, Cape Croker, Cedar Point, Chippewa Hill, Christian Island, Cochenour, Cochrane, Collings, Culler Reserve, Dutton, Eagle River, Echo Bay, Elliot Lake, Emo, Estaire, Forest, Fort Frances, Fort William, Gogama, Grassy Narrows, Hagersville, Hamilton, Kapuskasing, Keewatin, Kenora, Kettle Point, Kingston, Koshawbowie, London, Long Lac, MacIntosh, Malache Lake, Manitoulin Island, Massey, Midland, Minaki, Mobert, Montrock, Moosonee, Nester Falls, Nipigon, Nipissing, North Bay, Oakville, Oneida Reserve, Orillia, Ohsweken, Ottawa, Parry Sound, Port Arthur, Rainy River, Red Lake, Red Rock, Sarnia, Sault Ste. Marie, Shoal Lake, Simcoe, Sioux Lookout, Southwold, Sturgeon Falls, Tophet (Sudbury), Toronto, Wallaceburg, Walpole Island, Wekwemikong.

14. Thirty-three children were admitted to training schools under Section 8 of The Training Schools Act, i.e.:

. . . where the judge is satisfied that,

(a) the parent or guardian of the child is unable to control the child or to provide for his social, emotional or educational needs;

(b) the care of the child by any other agency of child welfare would be insufficient or impracticable; and

(c) the child needs the training and treatment available at a training school.

One hundred and forty-one children were admitted to training school under section 9 of The Training Schools Act having been found guilty of committing offences such as: auto theft; break, enter and theft; common assault; mischief; possession of stolen articles; theft; theft and possession; wilful damage and theft; and so on.

15. The 1969-1970 budget for the institutions division of the department is \$42,384,800.

16. The educational background of the workers within the department dealing directly with youngsters covers the whole range of the educational field up to and including university training, with many staff holding specialist certificates and university doctorates.

17. The experience of the staff ranges over a wide and varied field dealing with children and youth.

18. Nil.

19. Non-applicable.

94. *Mr. Brown*—Enquiry of the Ministry—

1. How many Crown wards are there currently in Ontario Hospitals, for reason of emotional disturbance or mental illness?



2. With regard to the number of Crown wards in Ontario Hospitals for emotional disturbance or mental illness, what were the figures as of (a) January 1, 1968; (b) December 31, 1968; and (c) May 31, 1969? 3. What happens to these children after they leave the Ontario Hospitals?

Answers by the Minister of Social and Family Services:

1. 63, as of September, 1969.

2. Statistics are not available for the specific dates requested.

3. Crown wards discharged from Ontario Hospitals are planned for by the Children's Aid Societies, as are any Crown wards.

98. *Mr. Reid* (Scarborough East)—Enquiry of the Ministry—What courses of study are sponsored jointly between Ryerson Polytechnical Institute and the provincial government as provided for under subsection (c) of section 3 of The Ryerson Polytechnical Institute Act, 1962-1963? How many students are enrolled in such courses?

Answer by the Minister of Education:

No courses are presently sponsored under the provisions of this Act.

99. *Mr. Ben*—Enquiry of the Ministry—1. Is the Minister of Energy and Resources Management aware of the bill tabled by Senator Nicolas Petris, now in committee in the California State Legislature, that would ban reciprocating internal combustion engines in automobiles by 1975?

2. Is the Minister aware that Speaker Howard F. McKissick, Junior, has introduced a similar bill into the Nevada State Legislature?

3. Is the Minister aware that Professor Starkman of the California Air Resources Board, believes that an efficient gas turbine can be developed for domestic automobiles by 1975, and that pressure ought to be brought to bear to achieve this goal?

4. Is the Minister aware of the finding of the Opinion Research Corporation of Princeton, New Jersey, that a poll of a representative cross-section of American public opinion shows 62 per cent to be in favour of banning the reciprocating internal combustion engine in automobiles completely by 1975, so as to force auto makers to press ahead with the research, development and manufacture of alternative propulsion systems?

5. Will the Minister investigate the dual-fuel system now in use in 128 experimental Consumers' Gas fleet cars in Los Angeles,

whereby natural gas is used in urban areas and gasoline only on the highways?

6. Is the Minister examining current California legislation with a view to drafting similar stringent legislation applying to Ontario?

7. Will the Minister take note that the transfer and resale of used cars, and their certification, must be related to any new legislation if it is to be effective, in view of recent California experience?

Answer by the Minister of Energy and Resources Management:

1. The Minister is aware of the bill, which was passed by the California Senate but which was unable to proceed further than the committee stage of the lower House and has now been abandoned.

2. We have no knowledge of the introduction of this bill and I have instructed my Air Management branch to obtain this information.

3. The development of the gas turbine engine is only one of a number of possible alternatives to the internal combustion engine and I feel that encouragement should be given to all avenues of research which could lead to the development of an efficient alternative. We should not support one line of research to the exclusion of all others.

4. The Minister is aware of the finding and feels that the attitude of the department is suitably covered by the answer to the preceding question.

5. The department is in touch with a number of groups carrying out this type of investigation, and it is anticipated that the results of such work will be made available to the department in due course. The dual-fuel system will also be investigated.

6. The California legislation was intended to combat the abnormal pollution conditions existing in that state.

I believe that the present and proposed future Ontario legislation will be quite adequate to effectively control air pollution from automotive sources without the need to enact legislation as stringent as that proposed for California.

7. The department is aware of the situation regarding used vehicles and this will be taken into account when any future legislation concerning such vehicles is under consideration.

100. *Mr. Nixon*—Enquiry of the Ministry—Will the Minister of Energy and Resources

Management table the locations of any thermal-process phosphoric acid production plants in operation in Ontario, together with a list of the emission abatement devices in use at each facility at a given recent date?

Answer by the Minister of Energy and Resources Management:

As of October 20, 1969, there is only one (1) thermal-process phosphoric acid plant in operation in Ontario. It is located at Port Maitland in the County of Haldimand. The abatement equipment includes a high efficiency venturi scrubber, a cyclone and a demister.

The Ontario Water Resources Commission reports no contaminated process wastes are discharged but there is a waste flow of cooling water.

Cooling water from the thermal acid plant, plus cooling tower blowdown and boiler blowdown from the complex including the thermal acid plant and associated polyphosphate plants, is discharged as a combined waste stream. This amounts to just less than 2 million gallons per day. Recent inspections by commission staff (June and November, 1969) revealed a waste flow suitable for discharge to the Grand River.

Earlier this year, trials were carried out to purify some of the phosphoric acid in order to produce "food grade chemicals". During these trials, a contaminated process waste was produced. This was not discharged to the plant sewers but was collected in railway tank cars. Some of this was disposed of at an approved dumping site and the remainder is still being stored at the plant site.

101. *Mr. Innes*—Enquiry of the Ministry—  
1. Will the Minister of Highways table full details of the grading and paving contract No. 69/51—Bruce Peninsula? Who were the bidders on this contract, who was the successful bidder, what were the amounts of each contract? How many miles of highway are involved in the one contract? What is the completion date? Is there a penalty?

2. What is the timetable for completing the regrading and resurfacing of this highway through to Tobermory? How many different contracts have so far been let on this project north from Wiarton? What were the names of the successful contractors and unsuccessful bidders in each case, with amounts?

Answer by the Minister of Highways:

1. Contract 69/51 covers grading, drainage and granular base on Highway No. 6 from 6.4 miles north of Wiarton northerly.

*Successful bidder—*

Seeley & Arnhill Construction Ltd. and  
S. & A. Equipment Rentals Ltd.  
Amount ..... \$392,232.00

*Other bidders and amounts—*

Peel Construction Co. Ltd. ... 428,395.90  
Graham & Graham Ltd. .... 434,846.40  
Law Construction Ltd. and  
P. F. Law Construction Ltd. 473,978.62  
Miller Paving Ltd. .... 519,131.00

Miles of highway involved are 4.9 miles.

Completion date is for the latter part of November 1969.

Liquidated damages are applicable to this contract at \$200.00 per day.

2. Current contracts will complete construction from Wiarton northerly 11 miles. The 7 miles from 11 miles north of Wiarton to Ferndale Corners is planned for reconstruction within the 5-year planning period. From Ferndale Corners northerly 10 miles was reconstructed to good standards in 1963. The remaining 19 miles to Tobermory was last constructed in the early 1950's. This section is performing quite well structurally and it will meet the service demands adequately for several years. No work is proposed within the ensuing five years.

Five contracts have been let on this project as follows:

(I) Contract 69-36—*Successful bidder—*

McHaffie-Birge Construction Co.  
Ltd. .... \$387,019.01

*Other bidders and amounts—*

K. J. Beamish Construction Co.  
Ltd. .... 416,264.37  
Graham and Graham Ltd. .... 437,505.20

(II) Contract 67-97—*Successful bidder—*

Andrew C. Morris ..... 24,620.00

*Other bidders and amounts—*

Sanco Construction Co. Ltd. ... 31,150.00  
W. I. Shantz Construction Ltd.  
and Jim Elliott ..... 37,894.50

(III) Contract 67-20—*Successful bidder—*

Cardinal Construction Ltd. .... 774,311.20

*Other bidders and amounts—*

Law Construction Ltd. and  
P. F. Law Construction Ltd. 778,749.60  
Peel Construction Co. Ltd. ... 822,049.35  
Kilmer Van Nostrand Co. Ltd. and  
Mel-Mix Concrete & Asphalt  
Ltd. .... 841,789.90

Bot Construction Ltd.

Bot Construction (Canada) Ltd.

Clarkson Construct'n Co. Ltd. 863,572.98

George Wimpey Canada Ltd.	\$873,711.55
R. E. Law Crushed Stone Ltd.	894,692.08
Seeley & Arnill Construction and S. & A. Equipment Rentals Ltd.	943,484.15
Curran & Briggs Ltd.	952,415.45

(IV) Contract 63-10—*Successful bidder*—

Greenwood Construction Co. Ltd.	65,847.50
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*Other bidders and amounts*—

Curran & Briggs Ltd.	\$70,765.00
Brennan Paving Co. Ltd.	71,130.00
Peel Construction Co. Ltd.	71,291.00
McHaffie-Birge Construction Co. Ltd.	75,863.00
McNamara Road Construction Ltd. and McNamara Construction Equipment Ltd.	77,605.00
K. J. Beamish Construction Co. Ltd.	83,595.00
Sterling Construction Co. Ltd.	87,490.00
King Paving & Materials Ltd.	88,771.00
Law Construction Ltd.	89,627.50
Dufferin Construction Co. Ltd.	91,222.20
Marentette Brothers Ltd.	95,893.00

(V) Contract 59-92—*Successful bidder*—

Fort York Construction Co. Ltd.	543,045.00
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*Other bidders and amounts*—

Drury Construction Co. Ltd.	581,745.00
Peacock & McQuigge Ltd.	620,889.50
Hi-Way Construction Co. Ltd.	695,020.90
Miller Paving Ltd.	711,057.00
King Paving Company Ltd.	798,204.00

102. *Mr. Ben*—Enquiry of the Ministry—

1. Now that CATV systems are themselves producing, originating and delivering programmes wholly within Ontario on one of their channels, can such activity be isolated as a "local work and undertaking" within the meaning of section 92, subsection 10(a), of The British North America Act?

2. Bearing in mind that the tuner on each home receiver isolates such programming from all other programmes carried by the cable, is a CATV company still an integral trans-provincial unity as so regarded prior to local originations in *Re Public Utilities Commission and Victoria Cablevision Ltd.* (1965) 51 D.L.R. (2d) 716, 52 W.W.R. 286?

3. Are CATV companies which contract with the Bell Telephone Company in a different legal position now than those who string their own cable?

4. What are the implications of the above answers in regard to the possibility of provin-

cial censorship of television programmes originating within Ontario and not carried beyond the province?

5. In your opinion, are such programmes *ultra vires* of the federal power?

Answer by the Minister of Justice:

1. The exact fact situation contained in this question has not been considered by the courts; however, the courts have commented on similar fact situations and it is our view that the court would hold that such activity by CATV systems, as outlined in the question, cannot be isolated as a "local work and undertaking" within the meaning of section 92, subsection 10(a) of The British North America Act.

Reference may be made to these cases:

*Toronto Corporation v Bell Telephone Company of Canada* (1905).

*Re The Regulation and Control of Radio Communications in Canada* (1932) A.C. 304.

*Johannesson v West St. Paul* (1952) 1 S.C.R. 292.

A qualification of this view would result if a CATV company produced, originated and delivered its programmes exclusively by the use of cable without the receiving of Hertzian waves by means of an antenna system. This would be a distinct possibility with programmes originating within the company's studios but it would seem to be impractical where programmes produced by the company originate outside the studios. If the CATV company operated exclusively by means of cable, the courts may possibly view such an operation as a local work and undertaking; however, the fact still remains that CATV companies are licensed by the federal authorities. A CATV company claiming to be a local work and undertaking as described above would be precluded from receiving Hertzian waves from any source and relaying the programmes via its cable system.

2. The case cited in this question follows the reasoning of the court in the above cases, therefore the answer to question 2 is contained in the answer to question 1.

3. It is presumed that the reference in this question is made to the constitutional issue as outlined in question 1. Even where a CATV company claimed to be a local work and undertaking and operated exclusively by means of cable without receiving Hertzian waves, the use of the Bell Telephone cable system could prejudice the local nature of the undertaking to a certain degree since the Bell cable system comes under federal jurisdiction and supervision.

4. The jurisdiction with reference to standards of programmes has been given to the Canadian radio-television commission, a federal body. On the basis of the foregoing answers, only where a CATV company operated exclusively by means of cable without the reception of Hertzian waves as a local work and undertaking would it be possible for the province to exercise censorship over programmes of that company. Any power to censor, however, must be modified by the realization that some aspects of censorship, such as freedom of speech and morality, may fall within federal jurisdiction.

5. It is believed that the answer to question 5 is contained in the answer to question 4.

104. *Mr. Pitman*—Enquiry of the Ministry—

1. How much money has been borrowed since January 1, 1969, from financial institutions by each of the 38 county boards of education in order to meet current expenses? 2. What is the total interest paid on these borrowings? 3. What percentage of this amount is as a result of the tardiness or lack of co-operation on the part of municipal authorities?

Answer by the Minister of Education:

1. The boards have authority to borrow pending the receipt of tax moneys, but since this varies from board to board and from month to month, boards have not been asked to submit this information to the department.

2. See answer to No. 1.

3. In most cases there is no question of tardiness or lack of co-operation. Rather, many municipalities, mainly rural, for a number of years have collected taxes for the year in the late fall, at which time the school tax portions are transferred to the school boards.

105. *Mr. Shulman*—Enquiry of the Ministry—How many letters did the Minister of Energy and Resources Management receive in response to the advertisements run by Pollution Probe over the last two weeks?

Answer by the Minister of Energy and Resources Management:

The Minister received 128 letters and 2,267 coupons in response to the advertisement run by Pollution Probe over the last two weeks.



# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 4, 1969

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 4, 1969

The House resumed at 8.00 o'clock p.m.

**Clerk of the House:** Sixteenth order; concurrence in supply on The Department of Highways.

## CONCURRENCE IN SUPPLY, DEPARTMENT OF HIGHWAYS

**Mr. Speaker:** I think before we proceed with that order I would like to advise the members that we have in the west gallery the 33rd Boy Scout Group from troops in Toronto, who are here to see how The Department of Highways estimates are finished off.

The House will recall that under the new procedure Mr. Speaker puts the question, the debate ensues, and if there are no amendments, then there is a concurrence. Therefore I put the question to the House: shall the resolution for supply for The Department of Highways be concurred in?

The member for Kenora.

**Mr. L. Bernier (Kenora):** Mr. Speaker, as vice-chairman of the standing committee on highways and transport, it is my privilege to introduce the 1969-70 highway estimates in place of the committee's chairman, the hon. member for Renfrew South (Mr. Yakabuski).

I am certain that all the hon. members of the standing committee would want me to express our regrets that he is not here and, of course, our thanks for the tremendous manner in which he has directed the affairs of our committee.

Mr. Speaker, the excellent guidance of the hon. member for Renfrew South was certainly invaluable during the record short total of 18 hours we spent in our thorough examination of The Department of Highways proposed expenditures, which amount to \$469 million.

In addition, I want to extend my thanks to all the members of the committee for their patient attention and for their full and complete participation during our meetings. It was evident from the participation of all members from all political parties—and even those non-committee members who were extremely active—that there is a praiseworthy

determination to make the new system of having the estimates of these particular departments examined by standing committees of this Legislature really work.

It was also evident, Mr. Speaker, that all the committee members enjoyed the informal atmosphere of the committee which, in my opinion, allowed them to delve deeply into the technical and more detailed operations of The Department of Highways and its estimates. In addition, many members were also able to obtain answers to many questions concerning their particular ridings.

Mr. Speaker, the committee was also aided to an immeasurable degree by the helpfulness of the Minister of Highways (Mr. Comme) and the very efficient senior members of his staff. Not only did they answer many difficult technical questions but they also kept all the members alert and knowledgeable of each topic under discussion through their use of huge maps on display in the committee room.

We, in northwestern Ontario, were particularly pleased with the change in the organizational structure of The Department of Highways as it applies to northwestern Ontario.

As you are no doubt aware, the Minister announced some time ago the creation of the position of northwestern Ontario regional director located at the department's regional office in Thunder Bay. This new regional director carries with him every responsibility for the department's ever-increasing commitments to improve and expand the highway network over a vast 182,000-square mile area.

He is directly responsible to the Deputy Minister and is the Deputy Minister's representative for that great region. There is now a more direct control and co-ordination in the efficient operation of the department's total operations as they apply to northwestern Ontario and we certainly thank and commend the Minister for accomplishing this.

Mr. Speaker, as a result of our hearings I am sure our entire committee has a far better insight into the operations of The Department of Highways.

It is my belief that this very first time of having the highway estimates discussed before a standing committee was an unqualified success and I want to take this opportunity

to congratulate the select committee that sat this past summer and recommended this new procedure.

Mr. Speaker, if I may mention it at this time, certain members of this House have from time to time suggested that the highway expenditures for this province be cut drastically. Their proposed suggestion is that \$1 million to \$3 million be taken from The Department of Highways and placed in other departments, possibly those of health and education.

Now, as a member of the standing committee on highways and transport, I would like to go on record, after my careful scrutiny of the department's expenditures, that its budget should not be slashed, but instead should be substantially increased. Although the total expenditure for construction on King's highways has ballooned from \$106,463,000 in 1962-63 to \$164,096,000 for 1969-70, it must be obvious, Mr. Speaker, that with the continually increasing mobility of our people in our province, we do not have nearly enough highways.

We have an almost desperate need for many new and better roads not only to handle the cars of people living in this province but also those of the millions of visitors who come here annually and, of course, contribute to our financial well-being.

As a member of one of our province's most westerly and northerly ridings, I am especially aware of how essential an extended highway system is and I am pleased at this government's response to the need for more road construction in our area.

In 1965 the value of work on programmes in the northern region which includes Huntsville, North Bay, New Liskeard and Sudbury totalled \$14,046,000. This year, that figure has escalated to \$23,826,000. A similar climb has occurred in the northwestern region of Cochrane, Sault Ste. Marie, Fort William and Kenora. In 1965 the value of work done was \$20,680,000; this year it was \$22,062,000.

Nevertheless, despite all this work, I do not think I can stress too strongly the need for more access roads and more highways in the north now. If we are to open up that great treasure-chest of this huge area we need more action in the field.

But, Mr. Speaker, I am also just as aware of the tremendous demands made by the needs of the people living in the heavily populated areas of southern Ontario, the so-called "concrete jungles" of urban living. It is common knowledge that with higher disposable in-

comes more people are buying cars and this combined with shorter working hours and more leisure time is increasing the traffic on our main highway arteries.

Anyone who has had to suffer through bumper-to-bumper traffic on what was planned as a relaxing weekend will know first-hand what I mean when I say that our present highway system does not meet all the demands now being placed upon it.

They also will be just as aware of the needs for super four, five and six-lane ribbons of concrete so fabled in the United States.

I readily admit, Mr. Speaker, that the cost of constructing such highways is enormous; however, the needs and the requirements of this province are enormous, too.

Highway construction anywhere in this province, and particularly in the north, Mr. Speaker, is, in my opinion, an investment in our future.

Now if I may, I would like for a few moments to make a few brief observations on a few more important matters at this point. It is not my intention to prolong these remarks, however I do feel that they are important enough to be repeated in this Legislature this evening.

The first matter is in connection with the federal assistance paid to the provinces under the Trans-Canada Highway agreement. Now, Mr. Speaker, in the province of Ontario at the end of 1969 there were some 1,320 miles of Trans-Canada Highway up to standard, and over 50 miles under construction. This means that only 85 miles of the Trans-Canada Highway, out of a total of 1,455 miles, will not be up to standard.

Yet it was revealed in our committee's examination of these estimates that the federal government saw fit—without any prior warning or without any consultation with our Department of Highways—to limit the amount of money they would give the province of Ontario. Furthermore, with only these few months' advance notice, they also said the Trans-Canada Highway agreement would terminate in 1970.

Secondly, Mr. Speaker, it was brought to our attention during examination of this department's estimates that the federal government has also seen fit to opt out of another important programme, and this particular programme affects the north, the northern access roads development programme.

As you are aware, under earlier agreements one-third of the cost of these roads was borne by The Department of Highways, one-



third by the individual or the companies interested and the balance by the federal government. Now that this programme no longer exists a further burden has been placed on the financial resources of this province.

Mr. Speaker, another subject that is of great importance to the status of this province is the GO-Transit system. This item received considerable attention and examination by the members of our committee. It was a pleasure to hear the comments and congratulations that were extended to the government and to the Minister of Highways on the announcement by the Premier (Mr. Robarts) a few weeks ago of a "GO-north" transit system.

The members of the committee were quick to expound on this decision to integrate bus and rail travel both for convenience and for the dependability of moving people particularly in the rush hours in the Metropolitan area. Providing an 18-hour-a-day-service by bus is certainly going to, in the minds of all the members of the standing committee, alleviate much of the pressure that presently exists on our highway system in this area. And, Mr. Speaker, those of us who have sat in this House for the past two or three years, are well aware of the problems that the old expropriation procedures were imposing on many people in this province, I am pleased to report to you that with the introduction of the passing of the new expropriation Act last session great changes have taken place.

It was most heartening to hear the Minister of Highways outline the procedures being taken by this department and to get a full picture of the fairness and the consideration that is being given to those involved in these transactions.

Well, Mr. Speaker, this concludes my remarks. I certainly want to repeat that it has been a pleasant opportunity for me to speak on these Department of Highways matters and to outline the fine work that the standing committee on highways and transport did in introducing and examining the estimates of this department.

Mr. G. W. Innes (Oxford): Mr. Speaker, in joining in the debate of The Department of Highways estimates, I would, of course, like to congratulate the new format of the committee arrangement that has been taking place on the three estimates; and I also want to congratulate the department on the way they handled their questions in the committee. I thought the system provided a bit more information and that they, as well as we, got more out of the discussion than on previous occasions.

Mr. Speaker, there is little doubt in the minds of members of the official Opposition that the administration of The Department of Highways has failed to recognize the new circumstances in which it operates. In the past we have criticized and applauded the way in which Ontario has been developed through a network of roads, and it is perhaps fair and generous to begin by saying that today we are probably in a better position than any other province in this respect.

However, Ontario has been going through a rapid transition from a predominantly rural to an overwhelmingly urban economy. Our population has been increasing by leaps and bounds, and the requirements of the people have been changing too. We have been dominated by the economy of Detroit and its offshoots in Windsor, in Talbotville, in Oshawa, in Oakville and in Brampton, and we have perhaps allowed the automobile, which has been a source of much direct and indirect employment in its production and distribution, a dominant position in our scheme of things.

Now we find that things are changing. The automobile is being attacked, not so much because it is clogging our highways, but because it is destroying the air we breathe. It is not the direction from which most of us would have guessed the thrust for reform would come, but the pressure is growing, nevertheless, for a completely new look at how we move people and goods about our province, and whether there are not better ways of doing the job.

In order to give some focus to this debate, I am going to move at this point, seconded by the hon. member for Essex-Kent (Mr. Ruston):

That this House regrets the failure of the government to come forward with a master plan for Ontario which would make possible a co-ordinated approach to rapid urban transit, highway development and land use.

Mr. Speaker, it is clear what is missing from the department: a sense of direction and of co-ordinated effort. We are now completely convinced that a separate Department of Transport is unnecessary and actually impedes the work of The Department of Highways. Whether the combined department should be called The Department of Transportation is arguable. Certainly, the word "highways" no longer serves to describe the total responsibility that we have in mind for the Minister who must head this key function of government in the urban tomorrow that faces Ontario.

Time and time again, we are up against the lack of a master plan, and time and time again we come to see how the approach adopted by Treasury, and in particular by Dr. Thoman's branch, is not delivering the basic planning tools we need even to get our teeth into the highways estimates.

How can we accurately gauge the cost and benefit of a particular piece of construction unless we can set that effort against the background of Ontario's needs? This is what we find impossible at present. We have no real yardstick to measure the real priority, say, of the rather luxurious job they are doing up the spine of the Bruce peninsula.

Clearly, the benefits to the tourist industry in the locality will be immense, and we can applaud the construction on those grounds. But then we look at the relative isolation of the key jumping-off point for that entire area, Owen Sound, and we have to ask ourselves, why not work in a logical way, from the population centres upward to Tobermory, because it is between Orangeville and Owen Sound that potential tourists are going to be put off the idea of completing their journey to the Bruce peninsula. In this kind of trade, first impressions are everything, and there is no doubt that the gateway to the Bruce is a disgrace.

The importance—the rapidly growing importance in both proportional and absolute terms—of the tourist industry in Ontario, as well as the long-range interest of the province, demands that we open up two or three more feeders from the hinterland to the 401 and the so-called Grand Trunk Route, or backbone of North America.

I am told that when you add up the passenger air traffic, the seaway traffic and the 401 traffic, that this is the greatest route of commerce in the world. I am told that if you were to draw a circle with a 20-mile radius around Chatham, and then extend it six miles up into the sky, that there is more traffic intersecting that cylinder than would cut any other cylinder you could set on the surface of the earth. That is quite a revelation. That is pretty impressive. Of course, not all the traffic stops in Ontario, but enough of it does, with economic benefit to our residents, to make us think deeply about the growing importance and the vital role of what I will call the transportation portfolio.

The Minister has promised one route from the north to join the 401, in Eastern Ontario, but that is not enough. The 400 will be overburdened just as long as it continues to

be a funnel for east- and west-originating traffic going north or coming back from the north. We need these extra roads from resources and roads to recreation as a matter of very real urgency, and a master plan would reveal precisely how urgent these needs are—if only such a plan were available and published.

The second overall change that is emerging in spite of the Minister, who does not seem to comprehend it, is the inter-face between long-distance and rural travel on the one hand, which will continue to rely heavily on the personal automobile and the farm truck—and the short-haul, urban, commuting kind of travel, which calls for real control of automobile use for sheer survival reasons.

We cannot have the congestion and we cannot tolerate the pollution that the automobile is bringing to our cities. Nor can we have the short-sighted view of the TTC management, or the freight-oriented thinking of the CNR and CPR dominating our policy decisions.

The policy has got to come from here, and not from the boardrooms of the CNR, the CPR and the TTC.

We are the people who are literally going to have to lay down the law about this. We have, I suggest, listened long enough to the views of interested parties and lobbies on the transportation question. The facts are in, but the danger is that they change so fast we are tempted to listen to more and more facts instead of saying, this is it, let's get on with it, let's be bold enough to make a decision on the basis of the facts as we have them before us today. We should be saying whether it is "Go" or "No go"; and nobody else.

Now there is a serious flaw in this argument, and it concerns the biggest single development in Ontario likely to change the face of the southern half of the province. I refer, of course, to the location of the new international airport, which is being kept secret so as to discourage land speculation. But this secrecy is making nonsense of all our plans to rationalize the future of southern Ontario.

How can any sensible decisions be made if they are likely to be upset by this enormous policy decision on the part of the federal government? What is needed immediately is co-operative action and legislation freezing land values in a designated area, so that we can get on with the basic planning job.

Now what is likely to happen is that over-expropriation will be required, as was the

case in Montreal. But it is better to get this phase over with as soon as possible, so that land values can settle into their new pattern at the earliest moment. I would like to read the following news report into the record at this point, to underline my concern. It is from the *Telegram* of Toronto, Tuesday, April 29, this year.

#### 800 EXPROPRIATIONS AT AIRPORT CANCELLED

Ottawa — (CP) — The federal transport department has rescinded expropriation notices sent to some 800 homeowners in the vicinity of the site for the new Montreal international airport, a department official confirmed today.

W. F. Whitman, director of the department's real estate branch, was asked about a complaint by the 300-member Home Owners Association Inc. of Ste. Thérèse-en-Haut, near the Ste. Scholastique airport site, about the expropriation cancellations.

The association complained of the move in a telegram to Prime Minister Trudeau. A spokesman in Trudeau's office said the telegram has been received and normal procedure is to refer such communications to the department concerned.

Whitman said that because of the initial secrecy surrounding selection of the site, the department had to expropriate first and conduct detailed soil tests and other research after.

Engineers now say that land on the extreme easterly limit of the site is not required and property owners are being so advised. Advertisements explaining the move would be appearing in newspapers this week.

No exact figures are available but the cancelled expropriation likely involves some \$15 million in real estate.

Now the point is that I am told that land values are settling down again after about two years of dislocation, rumour and wild speculation, in which many people have made money and more people have lost out on the value of their homes and so on. The Montreal situation has been complicated by layoffs at General Motors, Ste. Thérèse and some consolidation of operations at Oshawa, as well as by a steady flow of English-speaking people from Quebec to Ontario.

But what we are likely to have here is the reverse of that situation. I am told a pipeline will have to be built to the new airport, otherwise one tanker every five minutes would be

needed on the access road. And so I ask: How can we talk intelligently about the estimates of the department, when this enormous land-use question remains unanswered?

I lay this blame squarely at the door of the federal government if, as the provincial Minister says, Mr. Jamieson and his planners have refused to confide in him. I think it is a disgrace that the federal government should not confide in the provincial government in this matter, and I suggest that this is one of the issues that might well be raised at the federal-provincial conference next week, because if we do not have trust between our levels of government, we will get nowhere in Canada.

The Minister, in committee, suggested that I might have a pipeline to Ottawa. I can assure him that I do not. All our efforts to discover some rational basis on which to approach this aspect of the estimates have failed. We have come up against a blank wall. This makes it very difficult to speak of that area of southern Ontario in a meaningful way from the land use and planning point of view. It may even affect the GO service from Barrie, or from Hamilton, depending on which of two apparently favoured sites wins out. But the Minister's guess is as good as mine, and the whole business is most unsatisfactory.

Nevertheless, I think we have to proceed, even in ignorance of the airport location, with a plan for transfer points from the private automobile to rapid transit on the fringes of Metro. I do not think we can wait much longer to do this. We have to take over large acreages while they are still available; perhaps in the vicinity of Black Creek, near Knob Hill Farms on Highway 7, at East Avenue, Rouge Hill, at Sheridan Park, at Woodbridge and set up enormous parking lots for compulsory commuter parking.

We have to link these points, and the present airport, with downtown, using the latest and best rapid transit systems, whether surface or underground, electric or diesel or even pneumatic. We have to get the job done. Costs will only rise if we delay action much longer and Toronto will strangle in its tie-ups and suffocate in its fumes. And if Metro suffers, the commerce of all of Ontario will feel the pinch.

Certainly we have no excuse at all for the highways department being in ignorance of the work of Mr. Nigel Richardson and his planning group in the Nanticoke area. The departments of government must work hand-in-hand here. They must be looking over each other's shoulders all the time. The roads and the service lines must all be in the right

places, and in the end Haldimand county must look presentable and civilized, and not like the surface of the moon.

In the coming year, we shall expect Norfolk-Haldimand to be a kind of testbed of government planning policy, and we shall be watching intently to see what happens and what opportunities for co-operation are missed. The lack of a master plan means that chances for correlation might well go unnoticed. We certainly recognize the load that is on Mr. Richardson's shoulders here, and we shall expect The Department of Highways to co-operate with him and with his team to the fullest extent from the word go.

The development of industry and urban dwellings on a vast scale in this part of Ontario once again points up my concern that this area must be linked with the Canadian shield. The current auto advertisements talk about "escape machines" but what good are they if the escape lifeline is not there? We talk about "human renewal" in the Liberal Party, because we feel that this phrase captures exactly what we mean, as the balancing factor in urban renewal and urbanization generally.

If Norfolk-Haldimand goes totally urban, as it will in due course, then the road north is absolutely essential. It should be planned now to take feeds from Kitchener-Waterloo and London and should make a beeline for Barrie and Orillia. Of course we will be told, "We cannot say for sure that the new airport will not be near Camp Borden, and until we know that we can do nothing", which underlines my concern once more.

Now I want to make two points for the public record. The first is, that to speed up highway construction, I believe we must do much more round-the-clock work, using floodlights, steam for defrosting to set concrete and similar techniques to cut down dislocation to the absolute minimum. Jobs are taking too long, and while the direct cost to The Department of Highways may be less as a result, the cost to Ontario is much greater than if the job were finished in the shortest possible time consistent with good workmanship.

I believe that the general public is prepared to accept 24-hour construction noise for short periods in any one location, rather than suffer the delays and frustrations that long dislocations cause. The long-drawn-out inconvenience around Oakville on the QEW is a perfect example of the point I wish to make.

Well, Mr. Speaker, we do need long range planning, and we need to stop turning Ontario into a concrete desert. One per cent of the

United States is now paved, and you can imagine what that has done to the water table. The run-off is fierce but the subsoil does not get water at all. Why do you think Canadian water is so prized down there now? Let's not upset the balance of nature in Ontario as they have in the States with their short-sighted policy of paving everything in sight.

Rapid transit reduces the need for much paving. Remember we have the right to the airspace over our highways and we can use it for monorails. We also can make better use, much fuller use, of the Hydro rights-of-way. A flight over the outskirts of Toronto shows what a tremendous relief they would offer if used to cut down on automobile traffic by routing some form of rapid transit along these convenient lanes.

I mentioned in committee how wasteful it is to have trucks travelling one way empty. We should resist the lobby for longer and wider trucks on our highways and instead revise our PCV licence policy so that existing trucks have full payloads as much of the time as possible. The Minister's reply in committee that this is not his jurisdiction merely underlines what I have said about this all having to be one responsibility and not several.

Estimating costs of construction was not dealt with effectively in committee. We need outside checks and audits to see that we are on the right lines in regard to costs. We did not get that kind of assurance, and I think that all this vagueness on the part of the Minister adds up to the reason for our motion tonight. There are just too many loose ends, and this is the people's money we are talking about and spending.

This brings me to the topic of money management in the department. Let me say again that things in this field will not get any cheaper. In five years we shall be wishing we had gone ahead today. Imagine what the 401 would have cost if we were just beginning it today instead of completing it. If the Minister says the money is not immediately available, our view as a caucus is that the money ought to be made available in the same way as Hydro solves its problems—by raising essential capital on the bond market, with a provincial guarantee.

New York State does this and we should do the same. The wise use of credit is not something that should be urged upon all individuals. It is obvious that many departments of government have not yet learned when it is better to borrow and do the job now, and when it is better to wait. In general, bearing in mind the priorities, it is better to do it than

to wait and watch costs soar. Again, the master plan, still missing, would be the guide to those essential priorities.

If money management is a problem, people management is also a major source of frustration. I certainly do not want to put anyone out of a job, but it is obvious that some highway work is clearly seasonal and within the possible scope of university students. Pollution Probe has shown what it can do.

Let us give young people like this a uniform and, under guidance, a budget to accomplish specific projects that would not be in conflict with union jurisdiction. I think we ought to attempt one or two roadside parks as an experiment, designed and built by qualified students, from start to finish, and without undue departmental restraint as to layout or function. The Minister has indicated that engineering students are available, and it might be worthwhile to see if they can come up with a roadside rest concept on stretches of highway where the tire marks show that people do pull off anyway.

What I am thinking of is a two- or three-hour limit rest area, that would be patrolled. The Minister has been altogether too rigid about no parking between 9 a.m. and 6 a.m. in his picnic areas. This is unreasonable and unsafe. It is in the night hours, when tourists are driving long and hard, that a two-hour rest period for the eyes, a hot drink and a snooze would be a great safety feature, cutting down on the holiday death toll.

I do not favour overnight parking for any one vehicle, since we have provincial parks for that purpose, but I do think that the more suitable roadside rest areas should be open and patrolled, with lighted and supervised toilets where feasible, so that drivers can take the rest that the safety commercials call for.

Apart from such areas, their design and construction or reconstruction, being a project suitable for the imagination of youth, I think that there are more ways in which students, rather than just engineering students, could be used by the department, and I hope the Minister will give further consideration to this.

I mentioned earlier how tire marks on the shoulders of our highways are evidence that people pull off the road anyway to rest, as they are advised to do so from time to time. The Minister does not agree that the paving of shoulders is a priority. In certain circumstances, however, there is no doubt in my mind that paved drive-offs are absolutely essential to safety. Soft shoulders in many areas are the only economic possibility, I

agree, but I cannot agree with the Minister when he says that grading is preferable to paving as a general rule.

One final point on safety. Not only are many fluorescent road-signs rendered useless by ice and snow, they also become actual hazards because motorists strain to read them, especially in the dark I have noticed obliterated signs, even below lighted lamp standards; as for example on the turnoff from Highway 17 to Elliott Lake. I think this is inexcusable.

If there is a lamp-standard there, then there is power, and I think that in such instances the day-glo signs ought to be illuminated from the front and also heated, using the new fine-mesh heaters that are now on the market. The use of a thermostat, set at freezing point, would keep power consumption down to an acceptable level, and the benefit in terms of safety and convenience would far outweigh any small increase in maintenance costs that such lighting and heating, where practicable, would entail.

And now, in summary, let me say just this.

The questions I have raised all relate back to the master plan, which is so sadly lacking, and I know, before we divide the House on this amendment, that many of my colleagues will underline this lack of planning in the areas with which they are familiar. I should stress that in naming places and giving instances, we do so not to be parochial, but only to be specific. We are determined that this overall responsibility shall never again lapse into an instrument of local patronage and favour, and when Liberals attain office, the points I have made will become urgent priorities in our reshaping of Ontario to meet the needs of the coming years.

Thank you.

**Mr. Speaker:** Order!

The hon. member will wait until I put the amendment which has been moved.

Mr. Innes moves, seconded by Mr. Ruston:

That this House regrets the failure of the government to come forward with a master plan for Ontario which would make possible a co-ordinated approach to rapid urban transit, highway development and land use.

The hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I am glad to say two things that I had not mentioned and had not intended to mention tonight; I am delighted to see that we have convinced the Liberal Party that planning is necessary. My recollection is

that during the estimates very little was mentioned about planning except from this party, but it did not take them long to get on the bandwagon. Now if we could convince the Tories as quickly, it will do a great deal for Ontario.

I would like to be more specific, Mr. Speaker. The airport, and if I recall correctly the member placed great emphasis on the airport, that matter was discussed by the member for Yorkview (Mr. Young); and again my colleague has been able to convince the Liberal Party, Mr. Speaker, that we need to know where the airport will go if we are going to get into the type of planning which will reduce expenditure and provide the greatest means of transportation for the people on this Golden Horseshoe.

Now I would like to go on to the main issues.

**Mr. R. Haggerty (Welland South):** Go back a little bit further!

**Mr. Martel:** Well I do not think we are going back any further, just that it was nice to have the member with us.

**Mr. Speaker,** when this party forms the government in 1971—

Interjections by hon. members.

**Mr. Martel:**—we will immediately set about to make some fundamental changes in The Department of Highways. Briefly, we will make the following changes.

We will institute a new role for The Department of Highways in the development of Ontario. Planning will be paramount in this new role; construction standards will be consistent throughout the province; research will be increased in an effort to eliminate the problems which cause our roads to deteriorate so rapidly; several Crown corporations will be established with a view to establishing yardsticks to gauge costs, profits and efficiency in construction; all subcontractors employed by prime contractors will be known to The Department of Highways, and DHO will know whether all subcontractors received their payment.

I see the Minister writing furiously, so I will tell him now that I am not only talking about those recognized by the DHO.

**Hon. G. E. Comme (Minister of Highways):** I am just writing a letter to my wife, it is more interesting.

**Mr. W. G. Pitman (Peterborough):** The Minister will have lots of time after 1971!

**Mr. Martel:** I am sure the Minister is busily jotting down how he is going to answer that one on the subcontractors. But I know his answer; it is going to be, "Well, we know the sub-contractors."

**Mr. Pitman:** Maybe that is where he gets his advice!

**Mr. Martel:** The official subcontractors on the job—

**Hon. Mr. Gomme:** I am glad the member is taking up his time and not mine.

**Mr. Martel:** Well, I just want to make a point on what we will do as a government, which will be some advancement on what has happened in the past 25 years.

To ensure that the Opposition, and I hope that the Minister gets this one, to ensure that the Opposition knows what the expenditures are for new work, a new format for public accounts will be developed whereby the members will be able to determine what money is being spent and where. With regard to that mass of figures we must work with now, the Minister might as well save the time of having them put out in the public accounts, because they are a waste of time, they tell us absolutely nothing.

Now I would like to deal with each of these items briefly. During the northern tour, Mr. Speaker, when we stopped at Geraldton we saw a community in the process of dying. The death of a small town or a small community in the north is not an unusual happening. It is commonplace, and a prospect that is ever present in the minds of the inhabitants of one-industry towns. Such is the prospect now facing Blind River, for example.

The situation is not unique to the north, although more commonplace. All of us have witnessed the death of towns—towns which were built to satisfy the needs of the free enterprisers, who in many instances went in, made a fast buck, and then got out.

In every instance we saw the government assist in this process. Shortly after a mineral discovery was made or a forest industry decided to locate in an area, a highway was constructed. Always we saw the government following industry; like a cart pulling the horse, rather than the horse pulling the cart.

The role of government is to lead, not to be lead. This role applies to highways, economic and regional development, and so on. It is unfortunate that this government, and the various departments within government, have never fulfilled their role.

The role of The Department of Highways must be drastically changed. Highway development and highway transportation must be used as a major variable to guide desired patterns of regional development. These transportation decisions should be used to promote desired development rather than to ameliorate problems arising from uncoordinated, or non-existent, planning activities.

It is within the current jurisdiction of government to control the development of virtually all transportation systems. Too often, governments have abdicated this responsibility and implemented transportation plans in response to a crisis; or to merely follow industry into an area with a road well after industry has located there. The present role is one of satisfying a need and not one of fostering regional development or growth.

Transportation planning, whether it be for a highway, a "GO-system"—or possible "GO-air" in the north—must be goal-oriented. The goals and objectives of a community or a growth centre must be spelled out and based on information from a series of regional information systems, which I will outline presently, so that the necessary highway systems which will encourage the growth centre or community can be so designed and introduced.

"Follow the leader", The Department of Highways' role to date, has no place in this type of development. Proper regional development is out of the question without modern, high speed transportation avenues linking growth areas to the other regions of the province. The disadvantages of distance and time can only be reduced by proper transportation routes.

To make rational decisions, bearing in mind the goals desired, a much richer source of information than presently exists is needed. Too little is known about the stores of wealth we possess—the forest reserves and types of vegetation, the educational levels, the services available, the markets, the psychological states of individuals and groups, the levels of satisfaction and stress arising from the location of highways and airports near residential neighbourhoods, and even the hazards to physical health incurred by transportation users and non-users, to mention but a few, must all be investigated and assessed.

What is even worse is that most of our current information is correlated into area units, so that any information we do have is merely averages or totals for certain areas.

The type of information we now have has a tendency to obscure the actual patterns of expenditure, the incidence of benefits and costs, and other consequences which arise from transportation developments and other government programmes. With a much broader base of information from which to operate, we would be able to discern the benefits and effects of such planning and development of highways, all related to the whole rather than a section of an area.

In the past, regional information systems of the type proposed were not technologically feasible. The emergence of high speed, digital computers has greatly increased our ability to handle large amounts of data. Regional information systems are sorely needed, both to increase the quality of forecasts required for regional planning and to monitor the consequences of current transportation systems and routes, to assure that all effects of transportation decisions are enumerated and evaluated.

One can see that more discussion among various departments, such as Trade and Development, Mines, Municipal Affairs, Lands and Forests, Health, and Highways is necessary; much more than is presently the case. Direct government involvement in planning will be needed. The government must establish a provincial land use plan before it moves to increase the problems by which we are now engulfed.

The helter-skelter, wishy-washy approach to planning this government has demonstrated, rules them out as far as implementing regional development and achieving the goals desired are concerned.

The Department of Highways should be foremost in implementing decisions in this area. I give that back to the Minister again, as I did in committee. I want to give him a new role; he can take it or he can lose it by 1971. Hopefully he will take it; I am trying to keep him in office.

The goals are established, with highways and transportation as a means to attain the goals; then, other problems will be reduced.

For example, once a corridor is designated, long-term planning of necessity reduces the need for and the cost of expropriation. One-industry towns will cease to be a problem as goal-oriented towns will be developed, with more than one industry in mind; the whole plan will be oriented to achieving such goals.

One could be content with the present system, with free enterprise locating where it is

likely to be most successful and the government assisting by constructing a highway where it is successful and to the advantage of all, but planning for development by the present government is impossible. I would like to illustrate just how successful this department is in planning.

Some time ago, I wrote the department as a result of the studies they had made, and I just want to make mention of these studies. This government's policy is to rule by pronouncement. Every time another study is completed there is a gala opening or announcement, but in the final analysis it goes by the board. I imagine there have been four such announcements now by The Department of Highways in these white books on planning; such as the Niagara Peninsula study, one for London, one for around Ottawa. I forget where the other one is now; it is irrelevant, because the planning that was in those studies has gone, by and large, the way most other plans of this government go, and that is out the window.

But it does make a good announcement, and the press picks it up and plays it for all it is worth; but very little is done.

Well, because of these reports, the Minister will recall, I wrote his department back in February. Very much later, I think it was July some time, I finally received—or June, pardon me—I received the information I requested on the priority items in those plans, some 50 of them, which were to be completed by 1970, I believe.

I would venture to say, on going through this material, that if one-third are started we would be very fortunate. I doubt that one-third of them will be started. Hopefully, as a result of introducing this, the Minister will now have to get them started by 1970 or he will be in the doghouse, because they are staged on priorities.

As I looked through the material, as I said, I could not find, at least in July of this year, that one-third of these 50 priority jobs, in four areas—only four areas of the province—had even been started.

So planning, certainly, is not one of the high spots of this government. I would just like to mention in passing, if you think these plans are bad—and the priorities are for 1970, or 1966 to 1970, and one-third of the jobs have been started—the planning that went on and the promises for the Noelville area, and I have the file here, the Minister is aware of this case, goes back at least 16 years. As members can see, the planning has fallen far short there as well.

Mr. D. C. MacDonald (York South): It has been going on for two generations—St. Joe's island, and that promised bridge.

Mr. Martel: We are going to hear the platitudes about St. Joe's in a few minutes.

Mr. J. R. Smith (Hamilton Mountain): Another request?

Mr. Martel: But 16 years—and with this government planning it leaves a good deal to be desired.

Mr. MacDonald: Leslie Frost promised a bridge up at Fort Frances too—back in the 1950's.

Mr. Martel: Well, the Timmins highway was promised during the depression. We are told it will be opened next year, hopefully. If The Department of Highways is going to play a major role in the development of this province, it cannot run five years, or ten years, or 16 or 30 years behind the times. I am afraid that this has been the case to date, and the plans and the information is all there to verify this.

If they are faulty in planning, I would suggest they are faulty in standards as well, and the Minister and I had a few words to say about this to one another during the estimates. I think of the Timmins highway, which, after many years, is going to be opened up next fall with a 19 to 20 foot pavement, which, for a highway of that importance, in an effort to meet today's method of transportation, certainly falls short.

I suggested to the Minister that, in five years, he would have, if he were around, that is, another construction out there, widening that to 24 feet—a standard which I believe was developed some time back in 1956.

But standards go beyond that, Mr. Speaker. Standards deal with depth, they deal with types of soil, they deal with shoulders, they deal with a whole variety of things. And if the Minister will recall I think we got him to admit, and his staff, that if there was one area that this department falls short in, it is really on research.

The research, and I think the Deputy Minister agreed, being done on the most basic problem, that being water, is insufficient. I think the Deputy Minister agreed there was not a sufficient amount being spent on it. And, if we are going to start from somewhere along with planning, the most logical place to start, to ensure that our roads are going to last, would be in the research department to eliminate the biggest problem confronting The



Department of Highways. Of course, that has to be the problem of eliminating water.

I suggested to the Minister he might spend \$10 million as a starter instead of the mere pittance of, what, \$550,000 or something.

I get frustrated, as I said before, in having to build a highway, seeing a highway constructed, and within a period of years we are back, because of the water problem, to patch it. I think that I drew to the Minister's attention some of the studies that were taking place in England on this problem.

Certainly England, I think, has done a considerable amount to overcome their problem. They have established the road research laboratory—I have the title of it somewhere here, it is not that important—and they have spent a considerable amount of money in an effort over the last three years. Three of the studies they have come out with are "Investigations into the effect of Freezing on Typical Road Structures—1966", "Sub-Soil Drainage and the Structural Design of Roads—1967", "The Relationship between Soil Shrinkage and the Development of Surface Cracks". These are just three areas.

When I tried to pinpoint the Minister on precisely how much money we were spending in an effort to eliminate the problems of water, no one seemed to know. It was an on-going programme—and so on. Well, this does not satisfy me. If we are going to do the type of job that I envisage your department is doing, it is going to have to eliminate this most basic of problems.

When the Minister does not know how much is being spent on it, he tells us it is an on-going programme. I do not feel that the type of research that is necessary to eliminate this problem is being carried out.

I also suggested to the Minister that we might try to use different materials for a sub-base. And I suggested that we contact my friends, the International Nickel Company.

Hon. Mr. Gomme: Did the member ever hear them say that?

Mr. Martel: No, they would never say that about me, I can assure you.

Mr. G. Demers (Nickel Belt): They do not even know the member exists.

Mr. Martel: As I understand it, they are going to send me a Christmas card, Mr. Speaker.

I suggested that we approach the International Nickel Company, and the Falconbridge Nickel Company, and follow the CNR's

efforts to ensure that the road beds last longer. That is, by the usage of slag, as sub-base soil. This way, hopefully, because water would not have that much effect on the slag in forcing it to expand when it was wet and frozen, that this might just resolve much of the problem we are confronted with.

Hon. J. H. White (Minister of Revenue): Faster and funnier!

Mr. Martel: Well, if you do not like it, the member for—pardon me, the Minister. The new Minister is back. Well, I would say something to the new Minister, but I will not. It is not worth the time.

Mr. Demers: He just gave the member a raise.

Mr. Martel: He did not give us anything.

I am sure that if we tried this we would overcome the difficulty of the number one problem. We would also eliminate another problem, and that is the great gaping holes that now dot the countryside as we dig up this material for sub-base and it might just eliminate a second problem in the process. Mr. Minister, hopefully you might have something to say about this later on.

Interjections by hon. members.

Mr. Martel: Well, I could discuss the other two problems, or the other two materials, I did in research, Mr. Speaker—but I do not intend to. I want to turn to a couple more problems just before I finish up.

The next one is cost, Mr. Speaker; cost. We do not have anything really to gauge costs, and I was delighted when, during the estimates, the Deputy Minister indicated that when a contract was bid by most of the bidders too high, sometimes—just sometimes—The Department of Highways itself moved in and did the job—which was really admitting that they had to have something to gauge costs.

Well, I suggest a much better solution would be to set up two Crown corporations to handle maybe two per cent or three per cent of the work to gauge costs and so on. I do this, Mr. Minister, and I want to correct some of the things that went on during the estimates when the Minister had some support. I want to go over some of the material I had then to show why it is necessary to have something whereby we gauge costs, efficiency and profit and I unfortunately have to resort to that province out west, Saskatchewan and the material I am going to read is not very flattering to the present government

I am afraid. I quote from material taken from the Dominion Bureau of Statistics which says:

Prior to 1964, the CCF government did a substantial amount of highway construction with government equipment and crews. The Liberals have entirely or virtually abolished this practice. A look at the rises in cost may therefore indicate, to some extent, the value of government contracting. In Canada, during the period 1963 to 1966 cost of highway construction rose by 26.8 per cent. British Columbia cost rose by 33.8 the highest anywhere except for Saskatchewan where costs leap by 63.5 per cent or nearly twice the percentage increase of the next province on the scale. This was after the Crown corporations were no longer doing the work.

Mr. Minister, because it disturbed you during the estimates on this other bit of information I had, it might have something to do with terrain and so on, why the cost by the government crews and the cost to the private sector might be different, I had my research staff go over the areas to try to ascertain the general type of terrain being encountered in each of the areas where these jobs were done. I believe you will recall, Mr. Minister, that the member for Fort William (Mr. Jessiman) very rapidly came to your defence and said that the private contractors might have had the top terrain, so I had the research staff circle where the various jobs took place. One takes them right across, Mr. Minister. They run almost horizontally. Those by the private contractors and the government employees are almost, some of them, are almost in the same areas. And the startling thing is, Mr. Minister, that none of them are in the rocky areas, as was suggested might be the case during the estimates. I just want to put on the record a couple of comparative costs from each sector, and if you would like, Mr. Minister, I will let you have this atlas, providing you return it, of course, to indicate where these jobs took place.

This material comes from The Department of Highways and Transportation:

On a motion of Mr. Willis, an order of the legislative assembly was issued on March 5, 1968 for a return showing

1. During 1966-1967 the highway oiling projects undertaken by a) government crews and b) by private contractors.

2. The mileage in each of the above projects.

3. The costs of each project.

I will do the public sector first and I will just take two or three at random as I did the other day; and if the Minister wants to verify it, I will certainly send him over the atlas.

In the public sector, west of Shell Lake to Spearwood, 15.78 miles, the approximate cost \$43,007.95—gravel included in this case was only part. The approximate cost per mile \$2,710.

Now I take one that is just part for the private contractors—Pele to Stenton—a distance of 20.94 miles. The approximate cost is \$57,461.81. It was part gravel and the cost there is \$2,740, only a difference of \$30. These are just the very, very slight ones.

I want to get into the high-cost ones now for the difference. U.S. border to Val Marie—and this is again in the government sector—21.09 miles at a cost of \$69,358.45, gravel included. The approximate cost per mile, \$3,290. Leross to Elfros, in the private sector, 31.21 miles at approximate cost \$169,701.59, gravel included. The approximate cost per mile \$5,440. Now that is a difference of \$3,290 in the public sector and \$5,440 in the private sector. I could read a few more, but as indicated to the Minister, certainly he is welcome to have this material.

Again, as I said the other day, I am not too sure or even suggesting that there is any skulduggery going on, Mr. Minister, but I am suggesting that we have to have a gauge to determine costs, profits and efficiency. Your Deputy Minister indicated that they had to do the job themselves sometimes which is commendable, but I would like to see us do it on a full-time basis. Not when one or two contracts show up too high to suit the figures that have been arrived at by The Department of Highways. I think that this should be done, I think it must be done and if you do not do it, I can assure you, we will. But we have to know, this is taxpayers' money, and we have to know whether we are getting our rightful return for the dollars we expend.

The other point, of course, that disturbs me in costing jobs, is that there are literally hundreds of ways or areas in which money is paid out during a contract, starting from the time you begin the job until you are finished, there must be hundreds of ways in which money is paid out. For example, on water—the quantity of water used, the whole host of jobs that go into the construction of a highway. I am not so sure as to whether we are getting accurate measurements of asphalt and material being utilized and so on. And, I think we have to know and I do not think

that we really know for sure at the present time.

**Mr. Speaker:** I wonder if the hon. member would accept an interruption for a moment; I have a list of many speakers—

**Mr. Martel:** I am just winding up.

**Mr. Speaker:** —a list of many speakers tonight, and already the speaker for the official Opposition went about his right time. According to my list, the hon. member here is just about to exceed it and if we are to finish tonight, then I think we should endeavour to—and I do not want to cut him off because there is a certain amount of time allotted to the party and if he is longer, then I presume his colleagues will be shorter, but I would just draw it to his attention.

**Mr. Martel:** Mr. Speaker, there are only two speakers from this party tonight.

**Mr. Speaker:** My understanding is that it was 45 minutes for the party, which means the hon. member has now had 30 minutes which leaves 15 for the other members.

**Mr. Martel:** Right. I am leaving 15 minutes for my colleague who will talk about planning as well.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Terribly interesting too.

**Mr. Martel:** I think so.

In summation, as I said, the other thing that we will do is bring in public accounts that have some meaning. At the present time, the public accounts that we have—once again, Mr. Minister, I want to show you, just to refresh your memory. When we talk about trying to figure out what we are spending money and who is buying it, the information we receive is the name of the person, and if it is an expropriation, the amount of money he received. We do not know the quantity or for what. If it is construction, we receive the name of the company, the contract number and the cost. We do not know how much work, we do not know where it is being done and, as I said earlier, Mr. Minister, you might as well save yourself the trouble of putting all this information together because it means nothing to anyone.

It is virtually impossible to read, you look at the public accounts for just a couple of minutes and it is just a great, grey blur. And, when you can sort it out after spending hours on it, there is nothing there. And, I suggest to you again, Mr. Minister, that because you

run the department and because you tell public accounts how you want them done then it is up to you.

**Mr. Speaker:** May I interrupt the hon. member again? This is a debate in the House and all remarks are to be addressed to the chair and I would request that all the members who participate in this debate should do so.

**Mr. Martel:** Mr. Speaker, through you to the Minister then, hopefully—

**Mr. G. Ben** (Humber): Very well, Mr. Speaker. He is presumptuous; he believes that the Minister runs the department.

**Mr. Martel:** Hopefully the Minister will see fit, Mr. Speaker, to draw up the public accounts next year so that they have some relevance. Otherwise, he might as well save himself the trouble and the taxpayers the cost and the paper that is used to put these public accounts on, because they are useless. Thank you.

**Mr. Pitman:** Slow reaction over there.

**Mr. B. Gilbertson** (Algoma): I am sure it is a privilege tonight to participate in this, the estimates of The Department of Highways. And I see that there are seven more speakers after myself so I assure you, Mr. Speaker, that I will try to be brief.

I would like to compliment the Minister on the way the estimates went this year, and if the chairman of that committee were here, I would certainly compliment him, too. I thought the estimates went through very well.

Now, Mr. Speaker, I would like to refer to Highway 17 from Sudbury to Sault Ste. Marie and also right on through to Wawa, because I have travelled that road many, many times over several years. I cannot help but notice the improvement in that highway. I am looking forward to seeing when the highway gets completed so that we will have some passing lanes on it, similar to the stretch between Sault Ste. Marie and Wawa. I think it is just wonderful to drive across through that highway now with the passing lanes and especially in the summer months when there is so much tourist traffic and boats and house-trailers and I have found these passing lanes to be a wonderful aspect and a help to speed up the travelling motorists. So, I would congratulate the Minister tonight on the way that the highways have been improved over the last few years.

I was not going to mention the St. Joseph's Island bridge tonight—

**Mr. Bernier:** Go ahead!

**Mr. Gilbertson:**—but being that the members brought it to my attention, Mr. Minister, I just want to assure you again that the people up there in Algoma are certainly looking forward to this bridge, and the ribbon cutting.

**Mr. W. Ferrier (Cochrane South):** Better make sure he gets it or he will lose his seat.

**Mr. T. P. Reid (Rainy River):** He is trying to tell you something, George.

Interjections by hon. members.

**Mr. Gilbertson:** Mr. Speaker, I also want to bring to the attention of this House some of the other highways in my riding, such as the one that comes all the way from Timmins right through—over the riding of the member for Sudbury—to Nickel Belt. I am sure that he is proud of that highway.

**Mr. Demers:** It is the bridge I want.

**Mr. Gilbertson:** The member for Sudbury is just now saying that he wants a bridge as well.

**Mr. Martel:** I want some roads in the French River area.

**Mr. Gilbertson:** I have travelled the highway from Timmins to Chapleau and Wawa and I say that it is a very nice highway and it certainly helped to open up the north.

**Mr. Ferrier:** From Timmins to Chapleau?

**Mr. Gilbertson:** Yes.

**Mr. Ferrier:** Oh my God, that is a terrible highway.

**Mr. Gilbertson:** Well, I will admit, there is one stretch for about 30 miles that has to be done yet, but when that is completed, it will be certainly a good highway all the way through. And, of course, the purpose of these highways is to open up the area for lumbering and mining and the tourist industry, and we depend on all these various industries in my riding.

There is another stretch of highway I would like to bring to the attention of the Minister and he is well aware of it, too, and that is the stretch between Thessalon and Chapleau. We have the Minister of Lands and Forests (Mr. Brunelle) with us, too, and I am sure that he would be interested in this particular stretch, and I see we have a member from Ontario Hydro with us tonight and he will be involved too when it comes to this Gros Cap

project that we have been bringing to the attention of the government for a long time now. I am bringing this to the attention tonight of the Ministers of Highways and Lands and Forests and to Ontario Hydro—and I see the Minister of Transport (Mr. Haskett) is coming in here, so I think it is a good time before one of them happens to leave—

**Mr. MacDonald:** Before the member's time elapses, too.

**Mr. Gilbertson:**—because I have a problem up in my riding and between the three Ministers they can rectify it.

**Hon. R. Brunelle (Minister of Lands and Forests):** We are listening.

**Mr. T. P. Reid:** They will just make it worse.

**An hon. member:** Just threaten to join the New Democrats.

Interjections by hon. members.

**Mr. T. P. Reid:** One alone is bad enough; three will really mess it up.

Interjections by hon. members.

**Mr. Gilbertson:** This is pertaining to the pulp industry in my riding. We have several companies and it is quite an industry in the winter time and a lot of my people depend for their livelihood on pulp, cutting and hauling.

We know that the roads are frozen in the north there, and I understand the Minister of Highways and the Minister of Transport have been kind enough to allow about 6,000 pounds over the weight that these pulp truckers can haul.

If there is any industry that needs a little assistance from The Department of Highways, The Department of Transport, and also The Department of Lands and Forests, it is the pulp industry, and particularly these fellows that are cutting the pulp and hauling and selling it to these pulp mills. I would say that we should do everything possible to help these pulp operators this winter so that every time they come along the highway they do not have to pull over the weigh scales and battle their way through there.

I think there should be some special regulations for that particular industry because they are working on a marginal profit, and if we break their backs it means that they are going to have a lot of people on welfare up there in Algoma. But I would say that the various departments need to get their heads

together and say, "We are going to help those boys, we are going to see that they do not get picked up and have to pay up to \$500 fines because many of them would go broke completely, they would lose their trucks".

So I would say to the hon. Ministers over there that this is something I want you to take into consideration because it is very important to the livelihood of the pulp cutters and also the truckers.

**An hon. member:** You just lost five seconds there.

**Mr. Gilbertson:** How much longer?

**Mr. Ferrier:** Keep going!

**Mr. Gilbertson:** All right, I will cover a couple more highways just to stir up the Minister's pure mind by way of remembrance.

**Mr. F. Young (Yorkville):** The member just asked him to break the law.

**Mr. Gilbertson:** You know, they used to talk about the long bend out in British Columbia when you went out to the west coast. There were only 20 miles if you could cut straight across, but it would take you a day to drive around.

Well, I have a long bend up in my riding and that is from White River to Hornepayne. If you can fix that little stretch of highway across there, that is going to open up another area, and it is certainly going to help the economy of that western part of Ontario.

Another thing I would like to bring to the Minister's attention is that in the winter time it is pretty difficult for a lot of people up in northwestern Ontario to make a livelihood. Some of those truckers there, they need a little winter work project. I hope that the Minister will keep this in mind.

It would not take very much, but a few thousand dollars could help those fellows to get through the winter without any hardship. I would urge the Minister that he take this into consideration up in Algoma—that there will be some winter work for these truckers. Some road jobs on the secondary highways would help out considerably.

Those are my requests, Mr. Minister, and I want to congratulate you again on the wonderful work that you have done.

**Mr. S. Farquhar (Algoma-Manitoulin):** Mr. Speaker, I welcome the opportunity tonight to support the amendment offered by the Liberal critic for The Department of Highways, the hon. member for Oxford. I agree

that the estimates of The Department of Highways received a scrutiny this year that they have not received for some time. I know that the members of the committees are very grateful for the opportunity provided in committee to speak and listen directly to the officials of the department.

There are a few items, however, that I feel were missed or gone lightly over, and I will use the few minutes at my disposal to underline the important items that were debated on that occasion, and, if I can, I will try to find a few areas that have been missed so far.

Let me mention, first of all, that the member for Sudbury East this evening is wearing his Christmas halo once again as he refers to his party's spectacular donation to good highway planning and to discount the efforts of any other party. Let him dream, Mr. Speaker.

My good friend, the member for Algoma, will not mind if I suggest that he is nothing if not positive. I commend him for the fact that he is trying still for the St. Joseph's Island ferry, as others have tried—

**Mr. Ferrier:** Bridge!

**Mr. Farquhar:** All right, bridge. As others have tried over a period of, oh, so many years.

**An hon. member:** You are getting it.

**Mr. Farquhar:** If he cuts that ribbon I promise that we will rejoice with him, as long as he does not hold his breath.

**Mr. Young:** If he does he will not rejoice.

**Mr. Farquhar:** On this occasion, Mr. Speaker, I usually exhort the Minister of Highways to look more closely at the deplorable condition of highways and roads on Manitoulin. I have a feeling that he and his officials have looked, have finally recognized that an effort must be made to upgrade these gravel roads to something passable, and that, finally, at least the major arteries across the island have been subjected to a programme of sorts.

We waited so long on Manitoulin for this programme. We lagged so far behind the rest of the province that it will take years to catch up, and, of course, each isolated community is vying for the attention of the department with the other—pressing for comparable attention with each other. But, in any case, we now have a programme which will, in time, and with continued effort—hopefully, with expanded effort—produce the

repairs and the new alignments which will result in passable roads to and from and across the Manitoulin.

The contracts that have been let against that programme are fairly substantial and I take this opportunity to congratulate the Minister for that effort. I hope he will continue to proceed on the basis of that programme until the Manitoulin roads have reached a degree of passability.

Highway 17, however, which has earlier been referred to by the member for Algoma, between North Bay and Sault Ste. Marie, has—as have so many of the major highways in Ontario—been subjected to a tremendously increased flow of traffic. It would be interesting, Mr. Speaker, to somehow put together a set of road counts over this highway that would distinguish between passenger car traffic and truck and trailer traffic. I think the results of that kind of statistics would be amazing. The increase on Highway 17 is largely truck and trailer traffic.

I know that I am trespassing slightly over into the responsibility of The Department of Transport when I say that, while the drivers of these heavy vehicles are certainly good drivers and their ability to avoid traffic accidents has been lauded no end, let me tell you that they, or their owners, are not completely blameless for the terrible traffic accident toll in that area. While these big trucks and trailers and heavy vehicles do not get into many accidents themselves, they certainly cause plenty.

I do not have to draw a picture for you, Mr. Speaker, or for the members of the House, when I mention what happens when a line-up of passenger vehicles, three or four miles long, behind a big tractor, forms up. It slows down on hills to 30 or 35 miles an hour and, because there is no way to pass on so many miles of this road, frustration sets in and a passenger car finally pulls out to pass.

I know that the drivers of these vehicles are under pressure—I am speaking of the heavy vehicles—and they are subject to deadlines, and they are not so much to be blamed. They have nowhere to go, except straight down half of the highway, and, whether they should or not, they certainly have the right of way. Certainly, in any case, nobody argues with them.

In the kind of bad weather and bad road conditions that we have in the north, in the fall, winter and spring, when the snow is flying and the fog descends, the driver of a passenger vehicle sees one of these monsters

bearing down on him, there is nothing for him to do but get out of the way. So, whether in actual fact the driver of the big vehicle has the right of way at all times, he certainly is protected from accidents, in most cases, simply by bulk.

I maintain that the only answer to this hazard is more and more passing lanes on hills, so that passenger traffic can get out and get away. While there is the beginning of a programme which is producing some passing lanes on Highway 69 heading north, certainly there has been almost none at all—or at least, a very limited amount of action in that regard—on Highway 17, where the heavy truck traffic really is.

You see, Mr. Speaker, nothing is really going to happen to the driver of a transport, or heavy duty vehicle, if his unit is not always under control. If he happens to tail-gate a bit, or break the rules of speed, or passes unnecessarily, or has something less than due regard for courtesy and the rules of the road, he is simply going to get to his destination on time. He is going to be congratulated rather than penalized. But heaven help any little passenger car that gets in the road, or slows up that monster.

There have been improvements on Highway 17 between Sudbury and Sault Ste. Marie, as has been said earlier. Surfaces have been repaired, shoulders have been widened, drainage improvements have taken place on Highway 17 during the past two years, for which, as I say, I commend the Minister. Certainly these improvements have had the effect of letting the traffic go to some extent; but the situation will never be much better—for the private passenger car driver is never going to get a decent break until the department proceeds with expanded efforts to develop passing lanes at regular and frequent intervals.

It is one thing, and certainly a tragic thing, that passenger cars are not always under control. But compared to what happens when a tractor trailer gets out of control, there just simply is no comparison.

The Minister may recall last winter the mayor of the town of Massey complained when a tractor trailer in that area went out of control. On that occasion, a little wet snow and a little excess of speed and loss of control swept two passenger cars off a bridge, killed the drivers of both—drivers who had no way to escape the monster coming over the hill sideways on the slippery road.

I will not belabour this point any longer except to say that, quite apart from the com-

pensation paid and the responsibility allotted, and the legal proceedings that took place, one can get pretty exercised when called upon to visit the families of these two young men returning from work.

In that connection, I get quite concerned when I see the pressure developing on the department of the Minister of Transport. Pressure that will, no doubt, result in longer loads and licensing for heavier and longer tractors—unless we at least get some expanded effort with respect to building passing lanes on these highways where vehicles can get off and the traffic can move.

So, I just want to repeat that I sincerely hope the Minister has plans to develop, as quickly as possible, more passing lanes; and to take care of what I consider the present major road hazard, especially between the two major industrial centres like Sault Ste. Marie and Sudbury. These are the areas where expanded truck and tractor movement is making such demands on the highway.

Mr. Speaker, there is at least one more area in which The Department of Highways, in my opinion, got very little treatment this year during the course of the examination of the estimates. I certainly feel that the department has not properly accepted its responsibilities for ferry traffic from point to point within the province.

I know the Minister has been in the specific area to which I am about to refer, namely, the South Baymouth-Tobermory ferry, to and from the Manitoulin Island. I know he has seen the operation and has been in some discussions with the people at both ends of that ferry, and possibly with the owners of the operation.

I would hope that he could, even today, give some indication as to the intentions of the department. This specific operation to the Manitoulin, as the Minister knows, has been traditionally underwritten by the federal government. And of course, it becomes more and more evident that these ferries are simply highway links, and I fail to see why the federal government has taken this responsibility all these years. In any case, last year, the Premier did mention to me, on an occasion when we were discussing this matter, that the province was prepared to accept a share of the responsibility for this ferry, for the expense, and for the operation of this ferry.

He said something to the effect that approaches would be made to the federal government with the idea of at least sharing its responsibility. To the best of my knowledge, no such sharing action has so far taken place—

and certainly last year, the clogging up of that traffic had a very bad effect on the tourist traffic on Manitoulin. Of course, there is widespread alarm and concern that this situation will exist yet another year.

We on Manitoulin recognize the obvious problem. The season is short, the building and supplying of boats for such an operation is a very expensive proposition indeed. However, I am sure that something could be done if the two levels of government put their heads together and, in the interest of providing better and more adequate service, proceed to do something about it.

So far, we see no sign of any major improvement to that service. And it will be a calamity if hundreds of people, many hundreds of people, who complained so bitterly last year, are not offered something better in the way of service this year.

Meetings to accomplish this shared arrangement may have taken place, I do not know. Or may be about to take place. Both myself and people on Manitoulin would be very interested indeed in knowing what action is contemplated for the ensuing tourist year. Perhaps the Minister will find it possible to enlighten us on this occasion.

Mr. Speaker, we await with interest the comments of the Minister with regard to any, or all, of the suggestions made by myself and others tonight.

Mr. Speaker: The last speaker has so far exceeded his time by several minutes. The hon. member for Yorkview.

Mr. Young: Mr. Speaker, in entering this debate tonight, I concur in the general thesis of the motion that has been moved—the amendment about the lack of planning and so on—because this government has so far been remiss in this direction.

I was very interested tonight to hear the hon. member for Algoma make a plea for certain things. That bridge of his has become a perennial cry, and we hope he gets it. But my advice to him is that the horse that jumps the fence gets the attention generally, and as long as he is a docile Tory why bother building the bridge?

I think, frankly, the advice he ought to be giving his people up there is to vote New Democrat in the next election, jump the fence, and then the government will go up there and say: "What is the matter, boys?" I am sure the Minister will rush up there in a hurry and say: "Well, something has got to be done here, to move these people back." Maybe the bridge will then be built.

This is the advice that the hon.—I beg your pardon?

**Hon. Mr. Gomme:** How could the member ever think a thing like that?

**Mr. Young:** Well this is what happens politically. There is no reason why the Minister should give him a bridge if he is going to be quiescent. And if the people up there are always going to vote the way the Minister wants, why should he? He is going to put the money where there is danger of defeat. So just think that one over.

**Hon. Mr. Gomme:** Do not worry—the member is not writing the cheques.

**Mr. Young:** I was also very interested to hear him plead with the Minister over here, that the truckers of pulp and logs up there should be allowed to break the law and overload. He said, I think, that 6,000 pounds extra had been allowed and that that was good.

I think perhaps that both the Minister of Transport and the Minister of Highways ought to get together about this, and ask him questions about this overloading on the highways. Perhaps the hon. member did not quite realize the import of what he was asking, because he was asking the Ministry to break the law for the benefit of some of his constituents.

**Mr. Gilbertson:** Mr. Speaker, on a point of order. I cannot just sit back and listen to this fellow deliberately saying that I was asking to have the Ministers give us the privilege of breaking the law.

I want the Ministers to change the regulations so we can carry on without breaking the law.

**Mr. Young:** My apologies to the hon. member. All he is saying is that the Ministers have drawn up regulations which say that highways will stand so much weight, and what he is saying now is that you should increase that weight and smash up the highways for the benefit of the truckers. This is what he is saying.

I would say to him that the pulp and paper companies have been doing pretty well lately. If you look at the balance sheet, you will find that they are doing all right. Then perhaps the Minister and the member ought to be going to them and talking to them and suggesting that the people who are cutting the pulp should not have such a desperately serious time of it and ought to be paid more money by these companies.

The Ministers ought to be concerned that their highways are not smashed up by changing regulations. This is a new kind of idea in government. I hope that the Ministers will not listen to it with ready ears; because this is a dangerous kind of philosophy which the hon. member is outlining here.

Bridges in northwest Ontario I understand are wanted very badly. There is still the Fort Frances one, which has been hanging fire for years up there. I would hope the Minister has some words for us on what is going to happen there. The people of Fort Frances are becoming more and more convinced that until the one to the west, the private bridge, is paid for, that this one will not be built.

**Mr. T. P. Reid:** Mr. Speaker, on a point of order.

**Mr. J. E. Stokes (Thunder Bay):** Down boy.

**Mr. T. P. Reid:** For the second time this evening the hon. member is misinforming and misleading the House.

I must say to the hon. member two weeks ago we resolved the problem without any help from The Department of Highways at all, although they were there.

**Mr. V. M. Singer (Downsview):** Or the NDP.

**Mr. Young:** Do I understand from this, Mr. Speaker, that the bridge is now going forward?

**Mr. T. P. Reid:** I am going to start on it this weekend.

**Mr. Young:** Mr. Speaker, until the hon. Minister of Highways announces the fact that the bridge is going to be built, I can hardly believe it, because the Boise Cascade was still making a fortune out of the old bridge they have—

**Hon. Mr. Gomme:** You would not believe it, then you said that to the member for Algoma.

**Mr. Young:** Fine, fine! I want to see these contracts let before I believe they are going to happen, that is all. But there is one thing about it—

**Hon. Mr. Gomme:** On which one?

**Mr. Stokes:** On St. Joseph's Island.

**Hon. Mr. Gomme:** Does the hon. member want to bet?



Mr. Stokes: Yes.

Mr. Young: Mr. Speaker, should I sit down while the bet is laid here? I will hold the money.

I see my time is passing very rapidly and, having built two bridges tonight, and made sure that a Tory and a Liberal are going to get their bridges, I now feel very virtuous. I can go on to another problem that I have.

Mr. T. P. Reid: Nothing for the NDP.

Mr. Stokes: The hon. member for Yorkview is doing fine.

Mr. Young: We are delighted to know that GO-Transit is going to the north of Toronto. All the hon. members are very interested in this recently.

I would ask the Minister if there is a possibility of rail diesel cars being used in this process, and extending that line up through to Barrie? Rail diesel cars are now being used on weekends only and the trips are going north in the morning and south at night.

I suppose this is all right for weekends, but I see no reason why this equipment could not be utilized to reverse the process and bring people south in the morning and north at night. I bring this to the Minister's attention and wonder whether he might give this very serious consideration.

There is another matter, too, the question as to where the GO-Transit emphasis ought to be made. Again, we come up against the solid problem that this government has failed to plan effectively as to what development is going to take place in this province—particularly around Metropolitan Toronto. If the GO-line is going to be extended north, the government must have some plans for the expansion of Richmond Hill, Aurora, Newmarket, Barrie and other cities to the north. They must have some idea that, if they are going to make a regular service there, they are going to encourage people to settle there and to build and to count upon transit. This has not been made clear yet.

The other thing which is obvious, I think, to everybody is that development is now determined to the west and northwest of Metro. OWRC has just started the building of trunk lines for water and sewer north in Peel county. This, we are told, is going to serve a population of approximately two million people.

That determination has been made without the government itself sanctioning it officially,

as far as we know. That development is started; it is going to be there.

The second factor that must be looked at is the great pulling power of the new regional governments which are taking place west of Metropolitan Toronto. In Hamilton the process is under way, and regional government will be there before too long.

The Fyfe report in Waterloo county is about to be presented. It would have been presented long ago, if the hon. Minister of Trade and Development (Mr. Randall) had not loused it up by that great land assembly in Waterloo county without, again, the sanction of the planning people within the government. Then, of course, Niagara Falls, the whole area there is now regional government and is developing rapidly. Along with these we have the Brantford and the Guelph areas.

Now this means, because of a great pull of these populations to the west, that the new airport, which has been mentioned here tonight—and I am glad to see that the research people in the party to the right have become conscious of this, after we raised it in the estimates downstairs—that new airport inevitably must be placed somewhere to the west of the present one at Malton, if it is going to serve these great burgeoning new regional governments to the west—Hamilton, Niagara Falls, Waterloo and these other cities. Inevitably it must be pulled to the west of Metro, to serve Metro and these other areas.

It seems to me it must be placed somewhere within reach of Highway 401. And, as the member has pointed out, there should be a pipeline; it seems a spur from the present pipelines might be arranged to bring the fuel in there. Whether aviation fuel is piped through those pipelines or not, I am not sure, but I suspect it is, because it must come from the refineries around Sarnia.

But that airport must be somewhere in that area. It is going to service 300,000 people in Waterloo county, another 300,000 down in the area of Niagara, half a million around the Hamilton area and we have about 70,000 in Brantford and another 60,000 to 70,000 in the Guelph area. So that airport must come some place in that area.

This means only one thing. If the airport is going to be viable—and it will be, it must be—then it must be served by rapid transit. That rapid transit must connect it with Metropolitan Toronto, in the first instance—a great centre of population—and then ultimately with the Waterloo and Hamilton and Niagara Falls areas.

This means, Mr. Speaker, that the corridor leading up to Weston, where the CN and CP lines run now, must be utilized. That line must run into Weston, connecting with the Bloor TTC line, with the Lawrence and Weston road buses, then on westward, connecting with the north-south arteries of Kipling or Islington avenues and the Malton airport, the present airport, to the new Bramalea, which is burgeoning now, and to Brampton.

And where it goes from Brampton, of course, will be determined by the new airport, because it must connect with that airport. Georgetown, which has been mentioned as a possible terminal for such a rapid transit line, perhaps could be served by shuttle buses, the same as Oshawa and Hamilton are going to be at the present time.

But, Mr. Speaker, the emphasis I want to make tonight is that we should now be planning for this kind of transport—rapid transport to the new airport. The corridors must be secured before too long.

We heard a lot about speculation in land tonight. As soon as the announcement is made there will be wild speculation in and around that airport, because inevitably it will attract industries based upon air—and more and more modern airports are being ringed with factories of various kinds.

This will come, and again the populations will burgeon into the west of Metropolitan Toronto—so that, sooner or later, this government must make up its mind. Unfortunately I am afraid its mind is being made up by the OWRC.

The gentleman sitting in the rear seat is perhaps more important planning-wise than all the Cabinet Ministers down in front. He is determining where the pipelines are going to go, and where the sewers are going to go, so he ought to stand up and take a bow at this juncture. He is the important man in the whole planning process.

This is not what it ought to be, Mr. Speaker. The gentleman in the back seat should be in the back seat, instead of running the show in the planning area in this province. And we should soon have an outline of what is going to happen.

Of course, the federal government holds the key. And the gentleman to the right, I was interested to find out, admitted he could not get any information, even from his friends in Ottawa, and this is tragic.

Somehow, the two governments ought to be planning the location of that airport and

the transportation corridors leading to it and from it to the various big new regional developments. Land ought to be acquired. And when the speculation comes, we will not be caught in that speculative buying which is bound to ensue.

Now, Mr. Speaker, I see that my time has gone, and I must give way to the others who wish to speak tonight. But I cannot urge too strongly upon this Minister that he must look ahead and see the inevitability of the next extension of the GO-Transit. Not because of the planning of this government, but because of the inevitable direction that development has taken because of their neglect; and because too of the pall of the planning that has been done by the Minister of Municipal Affairs (Mr. McKeough) in setting up new regional governments. We commend him for this. But by and large, more planning must take place, and this Minister must tie in his future corridors of transport with the planning that ought to be done immediately.

**Mr. R. D. Kennedy (Peel South)** Mr. Speaker, in rising to speak for a few minutes, I want to make reference to an event that will take place April 1 next year. Under a connecting link agreement, the town of Mississauga will assume much of the provincial highway mileage that is now under the aegis of that department within the limits of the town.

Under this new agreement, the proportion of government contribution will be 90 per cent in the form of subsidization for future highway expenditures. The benefit to the town will include full control over signs, issuing of building permits, set-backs, and such things which really turn over quite a measure of autonomy to the town. This, of course, is commendable action. The town does appreciate being freed of some of the controls under which it has worked—albeit on a very friendly and co-operative basis—by and large.

The transfer actually points up and recognizes the growth of the municipality. Because, as highways have gone through and expanded, so has the town in both residential and industrial expansion.

So this turnover is really indicative of the development in the area, as I suppose it is in all areas.

Number 2 highway that is part of this pattern is the first paved highway in Ontario. In our district it runs through Lakeview, Port Credit, Lorne Park and Clarkson, and on out to Hamilton. It was the old Lakeshore Road, Toronto to Hamilton highway, and it was a

very eventful occasion when the good roads association in co-operation with government, built this road. Well now comes the occasion when the role of the province by and large ceases with respect to that installation.

Subsequent to that, of course, is the development of No. 5 highway, the Dundas, and again development followed along there through Sommerville, Dixie, Cooksville, Erin-dale, and so on.

Then in the 1930's the Queen Elizabeth Way, under the government of the day, was built; and the area between Highways No. 2 and No. 5, with the aid and encouragement of this highway, took place. Well, the Queen Elizabeth Way was to be a through highway, and it was; but it also served locally. As the pressure of traffic built up, it was found that locally it just did not work out. So service roads supplemented the major Queen Elizabeth highway.

And between the two now, we still retain the through traffic concept that the Queen Elizabeth provides, with local traffic making great use of the service roads. Since then, Highway 401 is yet another link in development; and 403, I think, is beyond even the drawing boards. It is imminent.

I mentioned, Mr. Speaker, Highway No. 2, and I wanted to make reference to a request that has had some substantial concern and given substantial concern to the residents in the area of No. 2 Highway and Lakeview.

For a couple of years, we have been attempting to have a traffic light installed there to ensure the safety and movement of traffic in that area.

The highway warrants—evidently, up to this point in time—have not indicated sufficient need. But I might say, as I understand the warrants, the concentration of traffic is somewhat disseminated, because there are a number of rather low volume streets, due to the original layout of the street pattern in the area, and this dilutes the warrant business. So that there is no concentration that gives warrants sufficient for this installation.

But as I state, Mr. Speaker, there are several thousand residents, families and children crossing this highway. There is industrial development taking place. There are workers there, and intense traffic flow, and there have been several accidents. I believe there is a human element involved and perhaps this could be built into the warrant scheme in this particular instance, because there are extenuating circumstances.

This has been taken up, Mr. Speaker, with the Minister and his staff, and I am pleased

to note that, at the present time, additional data—and up-to-date data—on this situation is being gathered. I understand this study will be forthcoming in the very early future. I have had considerable correspondence on this. There have been—and I have some here—petitions circulating and so on. So I hope, Mr. Speaker, there will be favourable and early consideration to resolve this matter.

Again, Mr. Speaker, I make reference to April 1 next year, which is going to mark a milestone in the relations of our municipality with The Department of Highways. On behalf of the municipality, I can extend the appreciation to the department for the construction that has been carried on in our area, and for the service we have received from that department. We look forward to the continuing good relations with the department and the Minister.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I wish to speak very briefly on this motion. I believe that this department has not been conscious of the safety aspect of highway construction in the past. I can recall many accidents, and some fatal that have happened on curves where road construction has, in my opinion, been poorly done. With improved engineering many accidents could have been avoided. I believe we should do extensive research in material to top surface our highways in order to allow drivers better control of their cars while on wet surfaces.

I would hope that this department would take steps to improve the curve four miles east of Walker Road, on Highway 98, which has been the scene of many accidents, some fatal as well, rather than put up a few reflectors.

I cannot agree with some people in this department who, when someone complains about a dangerous stretch of road or a corner, write back and say, "Well, there have only been three or four minor accidents, one or two fatal ones; we feel no improvement is necessary".

Local people see the situation as it is much better than someone coming around once or twice a year. I would like to discuss the Highway 3 bypass and ask that reconsideration be given to having a cloverleaf overpass at the Arner town line as requested by many in the area and verified by a great majority of the people of the town of Essex, as shown by a recent survey made in the town by the Junior Chamber of Commerce. It should be put in now, before we have accidents, which would then force the government to do it.

Highway 3 construction at Old Castle will disrupt many people and I ask the Minister to review this very closely before he gives a final okay to put so many people to a great deal of trouble, especially at the Old Castle farmers co-operative. I am sure, Mr. Speaker, there is a better way than what the Minister's present plans are. The method this department used last spring in attempting to revert provincial highways back to the counties was, in my opinion, an arrogant, distasteful manner to anyone and I ask the Minister to use caution and common sense prior to any attempts to revert highways in the future.

Mr. Speaker, I wish to draw your attention to the lack of a proper access road to Point Pelee National Park. I realize there have been some negotiations in this matter, but I really believe that the department must be responsible for a decent access road to this park since it is a great tourist attraction in the area and this government does realize tourist dollars in large amounts from this park. The Minister must always remember that Essex county is a leading tourist entry of any port in the whole of Canada.

Mr. Speaker, I wish to draw your attention to the long delay in the construction of an overpass on Highway 18 at Allied Chemicals on the outskirts of the town of Amherstburg, and this was brought to my attention by the hon. member for Essex South (Mr. Paterson). I understand that Allied Chemicals are intending to change their fuel systems in the near future, which has been one of the problems in this matter and with the cooperation of all concerned, this improvement can be made in the near future, if this department will use a little persuasion.

Mr. Speaker, I wish to draw your attention to another matter that is of great concern in the city of Windsor. This was brought to my attention by the hon. member for Windsor-Walkerville (Mr. B. Newman), and I note from a report from the city council that they are requesting a speed-up in the proposed construction of an overpass of Howard Avenue in the Penn Central Railroad and Dougal Avenue. With the building presently of a large new shopping plaza in the immediate area, this will present some serious traffic problems and will show a great need for this overpass, so the sooner it can be constructed, the better.

Thank you.

Mr. Speaker: I would like to draw to the attention of the members that our rules provide for a sitting of two and a half hours for

these purposes. I understand this was to be one sitting. The official Opposition has now had 49 minutes—the New Democratic Party 49 minutes, and the Conservative Party 27 minutes, and if we are to give equal time and allow the Minister to have an opportunity to speak, it would seem to me that this—regardless of the list given to me—should be the end of the debate except for the Minister's statement.

I am prepared to deal with it as the House wishes, but that is the list that has been given to me, those are the rules under which we operate. The members have not, of course, kept to the allotted time and we have not tried to keep them that way. I am quite prepared to have this debate proceed however, if the House wishes.

Mr. T. Reid: Mr. Speaker, I just have a few comments and I wondered if perhaps the Minister could indicate to us how long his comments would be. I have less than probably two or three minutes myself—I am on the list.

Hon. Mr. Gomme: Well, Mr. Speaker, if I gave all the comments and answered all the questions, I would think it would be at least an hour.

Mr. J. E. Bullbrook (Sarnia): If I might say then, Mr. Speaker, it has been my intention to take the place of my colleague from York Centre (Mr. Deacon) for about one minute.

Mr. Speaker: For one minute, I am sure we can stand that.

Mr. T. P. Reid: Thank you, Mr. Speaker. I just want to, in two minutes briefly, talk about the research programme of the department. I raised this in the estimates last year. It still is inadequate. I think if the department were to make a concerted effort in studying, through their research department or by farming out the research to universities, it would solve two or three related problems. Those raised by the member for Algoma-Manitoulin in regard to wet pavement, but also in regard to the durability of pavement especially in northern Ontario, are examples. We have, due to the environment, special conditions with our roads because of the cold weather and heating, and I am sure if the Minister were to direct his department to investigate this, it would solve both the problem of the climate in northern Ontario and the problem of truckers' hauling.

Now it has been brought to the Minister's attention both by myself and through The

Department of Transport that the loads that these truckers are able to haul are not economical for them under the present circumstances. If the kind of pavement was improved through research this problem, too, would be solved. So I would just urge the Minister at this time to investigate these matters and direct his research department to become more active in this field.

**Mr. Bullbrook:** Mr. Speaker, it is not my intention to criticize. I want to record in *Hansard*, on behalf of the 70,000 people whom I represent, the treatment I received at the hands of this Minister, and I think it was in August of this year. He came to my riding and held a press conference there at which time he advised the public of the intention of his department to expedite the building of Highway 402 through a course of overlapping contracts.

I want to say, sir, that at the time of that press conference he insisted that I sit with him as a representative of those 70,000 people, and I want to record in this House the expression of my personal appreciation for that effort on his behalf and on behalf of the 70,000 people whom I represent. I have criticized the government at times for their lack of courtesy to me, and this Minister expressed absolute courtesy to me, concern for the welfare of my people and it should be recorded in *Hansard*.

**Hon. Mr. Gomme:** Mr. Speaker, I think the first thing I should do is to answer a few of the criticisms which have been given the department, but I might also say that a lot of these are a repetition of what was brought forth in the committee when we were studying the estimates.

The member for Oxford talked a great deal about the airport and the location, and as he pointed out, that is a federal matter and, of course, we are as anxious as anyone to find out where this will be built so that we can get on with the plans for our highway construction or whatever type of transportation would be used.

He talked about the 24-hour construction and I made some comments at that time on that matter, but I might tell him that in one area of this province last year we were doing 24-hour construction, and I received a call from two of the councils, one a very large city and the other a large township, where these councils were objecting to this work going on. At the same time they were urging us to get on with the work, so it seems rather difficult

for us all the time to fit our programme into the wishes of all the people who ask for them.

He also spoke in the committee about trucks being loaded one way and I pointed out that many of these trucks are only suited for one type of transportation of goods and it is only natural that they would carry them just the one way.

He spoke of the new system of finance that his party would institute and this is not the policy of this government. We are operating in a pay-as-you-go system for our highways and if he would just stop to realize, with the rates of interest which are charged today, that in eight or nine years this amount of money would double, and of course it would add a great deal to the cost of our roads.

Then he made a statement about what the Liberals would do, if they were in office, but, Mr. Speaker, I would just point out to you that the people of Ontario cannot wait that long.

Then we had the member for Sudbury East who covered a great range of topics. First of all I want to congratulate him on the new look, I hardly knew him when he came into the House today. I also find, sir, that he along with the member for Oxford, is one of that great class of false prophets, because he also made the statement about when the NDP take office.

Of course, he went over a great deal about contractors and sub-contractors; we have discussed this very fully in the committee, sir, and I would ask any member that wants to have the answers and be enlightened as to contractors and sub-contractors, to read the *Hansard* record of what took place there.

He talked about roads going ahead of developments. Of course this is an ideal which I think anybody would accept and would like to do, but after all is said and done, we cannot always do these things. We have to follow on sometimes and provide services where they are urgently needed.

He talked about research, and he tried to put words in my mouth saying that I agreed with him about the lack of it. However, I certainly did not agree with him at all, but then, of course, he had his day talking about that great utopia, Saskatchewan, when the NDP were in power. It is hardly worth my while commenting on that, the comments are well recorded in *Hansard*.

Then we had the member for Algoma and there is one thing I will say to the member for Yorkview. Sir, the member for Algoma knows what he wants and it is that bridge,

morning, noon and night. He is not like a lot of other members in this House who ask for one thing today and something else tomorrow, for an overall policy for the province today and then something specific in their riding.

**Mr. Ben:** Has he had fifteen minutes?

**Hon. Mr. Gomme:** I am enjoying this, let us go on with it. And I know that as a member from your party, you could not support a motion like that, and after all, I think the member for Oxford will probably withdraw it, so give me a little longer to speak. But you know, I appreciate a man that really and truly knows what he wants, and to the member for Algoma, he will get that bridge.

**Mr. Stokes:** When?

**Hon. Mr. Gomme:** He will not have to wait anything like the time he was talking about.

The member for Algoma-Manitoulin talked about building passing lanes; we are including these in our new contracts and we have already built some in places where they were urgently needed. He talked about the ferry service. I am sorry he is not here, but, sir, I would ask if you would personally direct him to read *Hansard*, so that he would know the answer as to what we are doing with the ferry service to Manitoulin Island.

**Mr. G. Bukator (Niagara Falls):** He wants it now, he does not want to read it in *Hansard*.

**Hon. Mr. Gomme:** Just listen to what we have done. We have, already, subsidized 50 per cent of the losses of that ferry service in the last year. I might tell him that there was a meeting called to further discuss this with the federal people, but as it happened, when the estimates of this department were to be before the committee, naturally we had to attend to the present business first, but we are going to have a meeting very shortly to talk about what we can further do for the service to that great island and to all the tourist area that can be served.

Then we had the member for Yorkview. Of course he went over his fantastic plans for the development of GO here and GO there, and GO everywhere. And as was announced by the Prime Minister just within the last two weeks—he gave a very comprehensive statement of what would happen to GO-Transit and the expansion of it. You must realize, hon. member for Yorkview, that we have done a great deal of work on this plan, but now we have been able to announce the overall project. We will be able to get on with it by

entering into conversation and discussion, and probably agreement with all of the transportation companies that are in the area.

Now, the member for Peel South, he talked about the traffic lights in his area. And he also gave the answer to the problem. Yes, we are re-examining these, and we will have an answer for that very shortly.

The member for Essex-Kent, he was the spokesman for two or three members of his party who have local problems in their area. I am sure that, as time goes on, and the need arises, we will see that these things are looked after. Maybe his idea of priorities is not the same as ours, sir, but they certainly will be looked after when we think they are necessary.

To the member for Sarnia, these are the nicest words that I ever remember being said to any other Minister in this House.

Now, sir, I have just covered some of the objections that have been raised about this department and, of course, you quite well understand, I do not believe one of them. But I understand these people have to make something of their day in court. And they have done this, and I suppose it is done for the benefit of the people back home so that they will see they are working so hard for their riding.

I have some very important comments about our highway construction programme, and our research. But I hope there is an opportunity at some other time when I will be able to go into these matters very fully. Again, sir, I want you to ask all the members who were not in the committee to read carefully the remarks that were made on all these topics, and I am sure they will be much better informed members than they are today.

I again repeat, sir, on this motion which is before us, the member for Oxford surely could not be serious in such a thing as this and accuse us of not doing some of the things—but I would ask you to put this motion, and I know we will be able to get on with the work in this department.

Thank you.

**Mr. Speaker:** The original motion was for a resolution concurring in the report on the estimates of The Department of Highways; and an amendment Mr. Innes moved, seconded by Mr. Ruston:

That this House regrets the failure of the government to come forward with a master plan for Ontario which would make possible a co-ordinated approach to rapid urban transit, highway development and land use.

Therefore, the question before the House at the moment is the amendment moved by Mr. Innes.

The vote, of course, is on the amendment.

The House divided on the amendment moved by Mr. Innes, which was negatived by the following vote:

AYES	NAYS
Ben	Apps
Bolton	Bales
Braithwaite	Belanger
Brown	Bernier
Bukator	Boyer
Bullbrook	Brunelle
Burr	Carruthers
De Monte	Carton
Edighoffer	Demers
Ferrier	Downer
Innes	Dunlop
MacDonald	Dymond
Martel	Gilbertson
Newman	Gomme
(Windsor-Walkerville)	Guindon
Pilkey	Haskett
Pitman	Henderson
Reid	Hodgson
(Rainy River)	(Victoria-Haliburton)
Ruston	Jessiman
Sargent	Johnston
Singer	(Parry Sound)
Smith	Kennedy
(Nipissing)	Lawrence
Spence	(Carleton East)
Stokes	Lawrence
Young—24.	(St. George)
	Meen
	Morningstar
	Morrow
	McKeough
	McNeil
	Potter
	Price
	Randall
	Reuter
	Robarts
	Rollins
	Root

## NAYS

Simonett  
Smith  
(Simcoe East)  
Smith  
(Hamilton Mountain)  
Stewart  
Villeneuve  
Wells  
White  
Winkler  
Wishart—44.

Clerk of the House: Mr. Speaker, the "ayes" are 24, the "nays" 44.

Mr. Speaker: I declare the amendment lost.

Shall the supply resolution be concurred in?  
Resolution concurred in.

Mr. Singer: Mr. Speaker, I wonder if the acting House leader could tell us the order of business tomorrow?

Hon. A. F. Lawrence (Minister of Mines): I thought that was explained to the House today, Mr. Speaker. Tomorrow I think will be legislation and supplementary estimates.

Mr. Singer: Mr. Speaker, do I understand—and I intend to try to pin down the acting House leader—that we will deal with the bill in the name of the Minister of Social and Family Services first? I would like that clarified actually. Are we going to deal with the Minister of Municipal Affairs or the Minister of Social and Family Services first? And then, at 11.30, supplementary estimates? Is that the order?

Hon. A. F. Lawrence: It is my understanding, sir, that the House will be ready for anything that is on the order paper.

Hon. A. F. Lawrence moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock, p.m.







# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, December 5, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 5, 1969

The House met at 9.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** Statements by the Ministry.

The hon. Minister of Agriculture and Food.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, early in 1968, directors of the Sun Parlour Greenhouse Growers Co-operative Limited, Leamington, Ontario, presented evidence to the Ontario Food Council which alleged that payments had been made out of their brokerage account by a former sales manager of the co-operative for the purpose of what appeared to be payola. On February 20, 1968, the Ontario Food Council unanimously approved a resolution which called for an investigation into what appeared to be discriminatory and undesirable trade practices in the fruit and vegetable industry.

On February 22, 1968, I announced in this House that Mr. Douglas E. Williams, chairman of the Ontario Food Council, had been directed by Order-in-Council 818/68 to begin investigations into this matter and to report his findings as soon as these investigations were completed. Although the authority for investigation under The Ontario Producers, Processors, Distributors and Consumers Food Council Act is quite broad, Mr. Williams was directed to investigate particularly:

(a) The sale and distribution of fruits and vegetables from shippers in Essex county;

(b) The purchasing practices of wholesale and retail distributors of fruit and vegetables; and

(c) The sale and distribution of fruits and vegetables from any other part of Ontario.

As chairman of this investigation, Mr. Williams was given full authority to summon any person and to require him to give evidence under oath, and to require him to produce such documents and information as he deemed requisite to the inquiry.

As Minister of Agriculture and Food of this province, I stated at the time that I considered this inquiry to be of very great importance and that we in this Legislature must know, and the producers and consumers of

food products throughout the province must know, whether or not unethical trade practices had crept into the food distribution system.

Mr. Speaker, the Ontario Food Council did hold public hearings during 1968 and 1969 and did conduct further investigations into this matter and have filed a report on their findings which I am tabling today, sir, with your permission, at this time.

I might add, Mr. Speaker, that we will send copies over to both the Opposition parties—they will be here very shortly. We have, through the postal service downstairs, sent every member of the Legislature a copy of the report and this statement.

The report indicates that the undesirable trade practice commonly known as "payola" has been in existence, in the sale and distribution of fruits and vegetables in this province. "Payola" is defined in the report as: "The practice of giving or accepting payments in money or kind in order to facilitate the sale of goods to an individual or to his employer". Furthermore, the report indicates that the terms and conditions under which fruits and vegetables have been bought and sold are in many cases unsatisfactory and detrimental to the entire fruit and vegetable industry, as well as to consumers.

Mr. Speaker, I would like to publicly commend the directors of the Sun Parlour Greenhouse Growers Co-operative who originally brought their disturbing situation to the attention of the Ontario Food Council. These directors have shown great public spirit and courage. Such fortitude, under circumstances where considerable loss of income was a distinct possibility, is encouraging and sets an example which others in the produce business and indeed, in the entire community, might well follow, if at any time detrimental trade practices are known to exist.

Heretofore, there has been much criticism directed at authorities for lack of action in investigating matters relating to trade practices in the food industry. But, Mr. Speaker, it must be recognized that if those concerned do not come forward with facts, it is difficult to investigate and to alleviate such situations.

So, Mr. Speaker, the Ontario Food Council report makes recommendations which are designed to improve the marketing of fruits and vegetables, institute rules of fair play into the sale of these products, and eliminate those detrimental trade practices which harm the total industry, to the advantage of an unprincipled few. Recommendations in this report will, I am sure, be of great interest to producers, shippers, wholesale and retail distributors and consumers in the fruit and vegetable industry.

It will be necessary for all those concerned to give full consideration to this report and its recommendations and to express their views so that steps can be taken to consider possible action which might provide for more order in the market place.

Mr. Speaker: Statements by the Ministry.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, in response to a question from the hon. member for Downsview (Mr. Singer)—he asked me yesterday about this—and others which arose during discussions in the Legislature on November 6 and 10, I undertook to report in some detail on the form and nature of recent agreements entered into by this government with the Algoma Central Railway. This I now propose to do.

Many of the hon. members present are aware that the history of the ACR goes back to 1900. To put the recently concluded negotiations with this company in proper perspective it will be necessary to review the company's history as it relates to various agreements which have been entered into with the government of Ontario over a period which now spans nearly seven decades.

The Algoma Central Railway, under terms of a Land Grant Aid Act passed by the provincial government in 1900, received a grant of 7,400 acres per mile of line for those portions of the line from Sault Ste. Marie to Franz and for the branch line from Michipicoten harbour to Hawk Junction. Grants under this Act finally totalled 1,632,632 acres which was passed in fee simple under patents dated March 1913, November 1913 and December 1917.

For that portion of the line north of the CPR, the land granted was a transfer of the subsidy to Ontario Hudson Bay and Western Railway. This grant amounted to 498,850 acres in 11 townships which passed to the ACR in fee simple under patents dated April 1914, January 1915 and August 1916.

In total, these grants comprised 2,131,482 acres in 85 townships.

Members will note that although The Land Grant Aid Act was passed in 1900, the actual transfer of property did not occur until the period between 1913 and 1917.

In connection with these land grants a number of conditions were imposed, some of which had to be met to the government's satisfaction prior to the actual transfer of the lands. Failure to maintain these conditions would not specifically lead to forfeiture of the lands.

The conditions imposed were:

1. Construction of a rail line; the amount and nature of rail service were not specified;
2. Development of a 40,000-horsepower hydro-electric plant; development of a 300-ton-per-day smelter, and development of a 5,000-horsepower chemical plant, all to be undertaken by associated companies;
3. Development of a 50-ton-per-day pulp mill by the Sault Ste. Marie Pulp and Paper Company.
4. Establishment of an immigration office in Toronto and in Great Britain;
5. Maintenance of a Great Lakes fleet of four steel vessels, each of 2,000-ton capacity;
6. Building of stations, laying out of town plots and building of a school and public hall in every rail block;
7. One thousand male settlers per year for a period of ten years;
8. No export of pine or spruce logs outside Canada in an unmanufactured state.

It is of interest to note that the patents granting title contain statements to the effect that these terms and conditions were deemed to have been met.

I should like to turn now to the tax problems experienced by the ACR and the subsequent return of a portion of these grants to the Crown. In The Land Grant Aid Act of 1900 the lands granted to ACR were to be exempt from the form of land tax then in effect. In fact, this form of taxation was repealed in 1907, several years before patents for the grants were issued.

The current form of provincial land tax in unorganized territory was instituted in 1925 and, although the company was not specifically exempt from this tax, no taxes were in fact paid.

It was in the late 1930s that the first serious attempt was made to collect land taxes from ACR. By 1940 the accumulated land tax equalled \$806,000, in addition to which there was an indebtedness of \$81,000 for railway

fire charges, as well as \$1,389,000 in corporation taxes plus penalties, for a total of \$2,276,011.

The agreement concluded in 1940 was for forgiveness of this indebtedness in exchange for a cash payment by ACR of \$121,814.22 plus the release by the ACR of a claim for the return of \$200,000 in jack pine dues which had been paid by ACR under protest and the return to the Crown of 850,000 acres from the original grants.

**Mr. D. C. MacDonald (York South):** That was a Liberal deal.

**Hon. Mr. Roberts:** Well, that was a Liberal deal.

This agreement which was approved by The Algoma Central and Hudson's Bay Company Act of 1941, provided for exemption from payment of provincial land tax and railway fire charges and also for the company's right of entry onto the land for the utilization of five pulpwood species which I will discuss next. And just to keep things in order I will file at this time a copy of that agreement of March 18, 1940.

This tract of 850,000 acres, which will be referred to as the reverted lands, was returned to the Crown, subject to an agreement in favour of Lake Superior Paper Company which was subsequently assigned to Abitibi Power and Paper Company. This covered the right to five pulpwood species: spruce, hemlock, balsam, balm of gilead, and poplar, and ran until the year 2010.

The next subject with which I will deal in this rather complicated history is that concerning the mining taxes which had accumulated against the company by reason of its sale of surface rights on approximately 400,000 acres of the original grant. Mining rights were retained by ACR.

This severance of surface rights rendered this acreage subject to tax under section 659 of The Mining Act. While knowledge of this separation of surface and mining rights came to light in 1948, it was not until 1953, after extensive searches in land title offices throughout the province had been completed, that full details were known. Calculation of the arrears in taxes totalled \$3,087,835.69 and since tax arrears of considerably more than the two-year limit permitted were involved, these lands were advertised in the forfeiture lists published in the *Ontario Gazette* of May 9, 1953.

Immediately upon publication of the list of arrears, the ACR entered into an exchange of

correspondence with the government that extended until 1956. The company contended that, by virtue of the terms and intent of its original grants of land by the Crown, it was never meant that the company would be liable to taxes of this nature.

It was also contended that the company would not have created the severance had it been aware that it would render this acreage liable to tax on mining rights. The government did not accept this position.

Settlement was made by an agreement concluded in by the government on September 27, 1956, and later amended on November 28, 1960. This agreement provided that the company would furnish The Ontario Department of Mines, for its use and without restrictions, all maps and information covering geological and geophysical work as well as information obtained from diamond drilling assays, plans, and so on, at that time in possession of the company and pertaining to the lands referred to in the agreement. All maps, plans, sections, assays, and so on, were to be furnished in duplicate.

The company was required to enter into an agreement with a firm of geologists to carry out a very extensive programme of exploration on company lands lying south of the right-of-way of the CPR on which the ACR would spend approximately \$500,000 at the rate of \$100,000 per year. All information resulting from these studies was to be made available to The Department of Mines for its use without restriction, and perhaps I might table those agreements of 1956 and 1960 which are contained in an exchange of correspondence.

The conclusion of this agreement was that the ACR decided not to retain the mineral rights in the nine townships and these then reverted to the Crown on October 1, 1963.

I would point out to the hon. members that if forfeiture had been completed in 1954 because of the arrears in mining taxes, the Crown would then have obtained the mining rights to the 400,000 acres but would not have been able to obtain payment for the arrears in taxes. As a result of the agreement the Crown came into possession of the mining rights in October, 1963, together with geological and geophysical data which had cost the company upwards of \$1 million.

The next chapter in this history concerns the removal, in 1966, of the company's exemption from the payment of provincial land tax and railway fire charges which exemptions, you will recall, had been granted in the agreement of 1940. In 1966 this Legislature passed

two Acts dealing with these matters. The first removed the exemption from provincial land tax and railway fire charges which had been granted in the 1940 settlement. The second Act denied the ACR the right to charge for, or prohibit, entry on to their retained lands for the purpose of hunting or fishing except in accordance with a system established or approved by the Lieutenant-Governor-in-Council.

Needless to say, the company vigorously protested both these pieces of legislation, claiming that the agreement of 1940 had granted it exemption from land tax in perpetuity which had, according to ACR, actually been purchased by the company in the giving up of the 850,000 acres referred to previously. In addition, the company claimed the loss of something in the order of \$20,000 annually from the sale of hunting permits on its lands.

Nevertheless both land tax and railway fire charges were collected commencing on January 1, 1966. Both taxes applied to the lands retained by ACR and also to the lands reverted to the Crown in 1940 since the company retained rights of entry and rights to the five pulpwood species contained on the lands which had reverted. These taxes continue on the retained lands.

This brings us to the subject of the agreements concluded this year, which have been the subject of questions in this House. May I say that negotiations with the ACR have been almost continuous since 1966 and during this time the company had taken the position that it would not discuss the sale of its lands to the province. Discussions centred on the question of ownership of the pine on the lands retained by the company as well as the rights to fishing and hunting on the same lands and the company's rights to the five pulpwood species on the lands which had been reverted to the Crown in 1940 and which I have previously discussed.

Let me first deal with the rights to the pine and to hunting and fishing on the lands still retained by ACR, the area of which is approximately 780,000 acres.

Members will recall that the 1966 Act denied the railway the right to prohibit entry on these lands for fishing and hunting except under certain circumstances. This prohibition would not have obtained in the event that the railway sold its lands. In other words, we could have been faced with the situation in which the railway sold its lands to other owners who could then have denied public

entry for the purpose of hunting and fishing. Use of this large tract of land could thereby have been lost to the people of Ontario.

With regard the pine, the Crown had early established its right to make charges.

In recent years, because the stands of pine on the retained lands were deteriorating in quality, the level of revenue from the railway has been decreasing.

For these reasons an agreement was entered into on September 30 of this year under which this government received a conveyance of the fish and wildlife rights in exchange for the pine rights.

The second agreement concluded this year dealt with the company's rights to the five pulpwood species which were retained until the year 2010. In determining the value of these rights, the professional foresters of The Department of Lands and Forests and of the railway applied the usual evaluation techniques upon standing timber and agreed to an evaluation of \$4,690,000. The techniques referred to here include aerial photography taken in 1964 and field work carried out by the department in 1965 and 1966. Detailed inventories were arrived at and, from cull studies data, suitable conversion factors were determined for each species and applied to the volumes of timber contained in the merchantable age classes for each species. These are standard forestry practices and techniques.

Added to this evaluation was the figure of \$1,017,272 which was allowed as the value of the railway's right of access on these lands for the purpose of utilizing the timber. Members will recall that this right had been specifically provided for in the agreement of 1940. Thus the total value of these five species and the access rights to the province was set at \$5,707,272. A receipt for this value has been issued to the railway by the Provincial Treasurer (Mr. MacNaughton) and these rights reverted to the Crown under an agreement registered April 23, 1969.

As a result of the acquisition of these rights by the province, cutting authorities have already been issued this fiscal year for a total of 34,000 cords which should produce an estimated revenue of \$91,000. Previously the department received no revenue from the sale of these five species. This revenue from timber cut replaces the revenue from provincial land tax and railway fire charges which, for the current year, would have been \$55,500.

Apart from the revenue aspect, The Department of Lands and Forests is now in a

much stronger and better position from which to manage these lands since it now has complete control over the issuance of cutting licenses.

Questions have been asked with regard to the company's use of the receipt for \$5,707,702 and, may I say that since the company will not be filing its corporation tax return for the year 1969 until next year, it is impossible to say exactly what use will be made of it. In any event, this is a matter falling within the purview of the company.

However, The Corporation Tax Act provides in section 39, subsections 1 and 2, that gifts made to the province and supported by a receipt may be deducted from income for the fiscal year up to the total income of the corporation for that year less other charitable donations claimed under the section. Should there be a portion of the gift remaining after reducing it by the amount deductible as above, then this balance may be carried forward and treated in a similar manner in the immediately following fiscal year.

Mr. Speaker, these same matters, with the exception of the agreements entered into this year, were debated during the estimates of The Department of Lands and Forests in 1965 and, for the details of that discussion, I would refer the hon. members to page 1383 through to page 1395 of the 1965 debates.

In conclusion, Mr. Speaker, I wish to table copies of the current agreement covering the exchange of the rights to the pine on the retained lands for the rights of public entry on the same lands and the agreement covering the transfer of the rights to the five pulpwood species to the Crown, and finally, a copy of the receipts.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, further to the Prime Minister's statement having to do with the Algoma Central Railway, can he assure the House that Algoma Central is not presently in arrears in any of the payments owing to the government from the various charges and taxes for which it is responsible?

**Hon. Mr. Robarts:** Mr. Speaker, to the best of my knowledge, this final agreement tied up all the relationships between it and the government. I am not aware of any arrears it presently has.

**Mr. Nixon:** A supplementary question. I wonder if the Premier can indicate whether the most recent negotiations had as their

base some sort of an accounting or actuarial assessment of the values of the transactions taking place between the company and the province over a number of years, let us say since 1940.

**Hon. Mr. Robarts:** Of course, the agreements and transactions, as I have set them out, were just as they were. I mean, those were the agreements entered into and I suppose at the time considered by both parties to be final agreements.

**Mr. Nixon:** I was thinking of the value of the agreements rather than the wording of the agreements themselves.

**Hon. Mr. Robarts:** I presume these agreements, the 1940 agreements for example, were valued at that time. I know that in some of the negotiations—for instance from a point of view of expropriation, which was an alternative to what in fact was done—the figures arrived at in valuations were quite large indeed, much beyond this agreement that was finally worked out. I think we can be satisfied that this is a very good deal as far as the government and the people of this province are concerned. Otherwise, we would not have entered into it.

**Mr. Nixon:** On a further matter of clarification, the Algoma Central Railway now has access and considerable rights to two million acres adjoining its line, and we in the province have by reason of negotiation taken over the rights to tax the mineral development, the extraction of the timber. The people of Ontario also have the right to enter into any part of it, except certain parts by agreement, which, by agreement with the Minister of Lands and Forests (Mr. Brunelle) are exempt. Is that so?

**Hon. Mr. Robarts:** I do not want to confuse the various agreements. The 1966 Act denied the railway the right to prohibit entry on the lands concerned for fishing and hunting, except in certain circumstances; and those circumstances were a plan of control that was approved by the government. But the point there is, had the railway sold those lands, that prohibition would have disappeared. It would have been lost. So that in this more recent agreement that right cannot be alienated from the Crown. In other words it is ours forever.

**Mr. Nixon:** Just one further supplementary—

**Hon. Mr. Robarts:** There is one further point, if I may. There are 800,000 acres that

have been retained by the ACR out of this total.

**Mr. Nixon:** Eight hundred thousand?

**Hon. Mr. Robarts:** Eight hundred thousand. And we have hunting and fishing rights on that land.

**Mr. Nixon:** A further supplementary question. I wonder if the Premier would feel that the statement that he has given the House today might be a subject for some considerable discussion in the standing committee on natural resources and tourism—I believe that is the current name of it—so that we could examine the papers that have been tabled today, and perhaps go into it more fully, even with members of the ACR, before the committee, to give further information from their point of view?

**Hon. Mr. Robarts:** Mr. Speaker, this material has been tabled, and I do not say at this stage of the game what is going to be done with it. It is a transaction that has been completed by the government. After you have looked at it, if there are other questions I suppose they would come forward in the natural course of events.

**Mr. MacDonald:** A supplementary question, Mr. Speaker—and may I draw the Prime Minister's attention to it. On page 11 of the copy of the statement that he made this morning, where he referred to the prohibition in the 1966 Act withdrawing the right to prohibit entry on to the lands for fishing and hunting except under certain circumstances—it says: "This prohibition would not have obtained in the event that the railway sold its lands." Why is that the case? Because this was used, this was conceded as a bargaining point to the ACR in return for which the government got back the pine and the timber rights. Why does the government have to concede the fact that if they sold the lands, the prohibition would not carry along with the sale to whom-ever the new owner was?

**Hon. Mr. Robarts:** I suppose that is a legal matter. I could get the legal opinion for you, but the effect of the Act passed in this Legislature was that the ACR was prohibited from denying public entry. I am told the legal effect of that did not run with the land; it affected only the ACR and its ownership. If the ACR sold the land the right of prohibition would be there for any, I suppose, private individual or anyone to whom they sold it.

**Mr. MacDonald:** But if the right of prohibition was a right of the ACR alone, why

would that right of prohibition, never granted to anyone else, carry over to any new owner?

**Hon. Mr. Robarts:** It was a right, Mr. Speaker, that the ACR had and it was destroyed, as far as the ACR was concerned—

**Mr. MacDonald:** By this Act?

**Hon. Mr. Robarts:** By this Act!

**Mr. MacDonald:** Yes, but why would it be revived if the ACR sold the land to somebody else? I mean this—

**Hon. Mr. Robarts:** Because, I am informed by the lawyers here, that the prohibition of entry was by The Railway Fire Charge Act. I assume from this that from a legal point of view The Railway Fire Charge Act would not apply if the railway did not own it. If the land were separated from ownership—let us say it was sold to the hon. member or to me—then The Railway Fire Charge Act would not apply.

**Mr. MacDonald:** One further supplementary question. Is the Prime Minister saying that the fishing and hunting rights came under The Railway Fire Charge Act?

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

**Mr. MacDonald:** I would certainly like to see the documentation for that. That is a strange place to have these rights.

**Hon. Mr. Robarts:** Oh no! It is the ability and the right to prohibit entry that is contained under The Railway Fire Charge Act, and that is what we—

**Mr. MacDonald:** Took away!

**Hon. Mr. Robarts:** Destroyed by that Act.

**Mr. MacDonald:** Yes, but Mr. Speaker—

**Hon. Mr. Robarts:** But what I am pointing out is this: the right of the railway in the first place to prohibit anyone from entering its lands to hunt or fish was a right contained in The Railway Fire Charge Act. In order to destroy that right belonging to them, we amended The Railway Fire Charge Act.

**Mr. MacDonald:** Mr. Speaker, my final point is this: I think I understand these legal complexities. The government denied in the 1966 Act the right to prohibit, but the whole basis of the negotiations was that if they sold the land, that right to prohibit suddenly was revised and given to somebody who did not have it in the first instance. Surely that is ludicrous, Mr. Speaker?



**Hon. Mr. Robarts:** Mr. Speaker, I do not think it is the least bit ludicrous. After all, this land was patented from the Crown—

**Mr. MacDonald:** Right!

**Hon. Mr. Robarts:** —to this railway, therefore the Crown gave away its interests in it—

**Mr. MacDonald:** Then the government took them back.

**Hon. Mr. Robarts:** Then we took it back as far as this company was concerned, but if an individual bought the land, if he bought a lot up there, I think he would only consider it fair that he would have the right to prohibit somebody coming on it. I mean he would destroy the right of any individual who bought a single lot, for instance, from a company that put a hunting lodge on it or whatever.

**Mr. MacDonald:** It is one thing to have a hunting lodge; it is another to have 100,000 acres as a private fiefdom, and that is what we are talking about, not the hunting lodge.

Mr. Speaker, I do not want to abuse the question period and make this into a debating period, but I would like to say to the Prime Minister that I agree with the leader of the Opposition that we should have a forum for a thorough investigation of it. This is a really fantastic case history of how we sold our heritage in the past and are trying to reclaim it now.

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Nixon:** I have a question of the Minister of Agriculture and Food further to the report of the Ontario Food Council on payola. I have great difficulty using the word—payola—however the Minister seems to have established it.

Will the Minister recommend to the Attorney General that charges be laid as a result of the findings of the council?

**Hon. Mr. Stewart:** Mr. Speaker, I intend, as the report suggests in the recommendations here that The Department of the Attorney General might review the evidence taken at this inquiry with a view to deciding what actions, if any, should be taken and consider what charges, if any, should be laid. I intend to refer the report to the Attorney General (Mr. Wishart) and ask him if he would review the evidence as proposed in the report.

**Mr. Nixon:** I have a supplementary question—and I do not want to waste time on it

particularly—is the Minister considering changing the marketing programme for fruit and vegetables by the establishment of a commission? That is a full-time commission?

**Hon. Mr. Stewart:** This is a most interesting recommendation in the report, Mr. Speaker, and I would like very much to get some reaction from the people involved in the industry itself. It certainly is an intriguing suggestion and may have a very great deal of merit.

However, I think the people who are involved, that is the producers and the shippers, the handlers, and all—this commission is an all-embracing type of industry commission—should be given a chance to review the report and discern the reasons it is necessary in the opinion of the investigators, that such a commission be formed. I would like to have the benefit of their advice before making any commitments one way or the other.

**Mr. Nixon:** A supplementary question. Would such a commission come under The Farm Products Marketing Act or would it be established independently like the milk commission?

**Hon. Mr. Stewart:** I have not had a chance to read all of the report myself—I have just looked through these recommendations—but I do not think it specifically says whether it should come under The Farm Products Marketing Act or not.

It is suggested that the chairman of the commission be a member of the farm products marketing board, but I am not sure whether it would require a new Act or whether The Farm Products Marketing Act, as it is presently constituted, would be sufficiently all-embracing to take care of these recommendations. If it is not, then we might have to amend The Farm Products Marketing Act without introducing new legislation.

**Mr. Nixon:** Mr. Speaker, I have a question of the Premier. Is he aware that 80 per cent of the work force that had been working on the Bruce power facility has been laid off following the decision to change the location and was this layoff associated with a policy decision to stop the work on this atomic power plant pending a review of the matter by Ontario Hydro?

**Hon. Mr. Robarts:** I will take that as notice, Mr. Speaker. I was not aware of what had happened to the work force there; but I do not really think I can answer the question.

**Mr. Nixon:** I wonder, Mr. Speaker, following the ruling made by Mr. Speaker Cass, the day before yesterday, if I might ask a supplementary question of the vice-chairman of Hydro, who is present, on this matter.

**Mr. Speaker:** I think that would be in order.

**Mr. Nixon:** Mr. Speaker, the supplementary question I would like to refer to the vice-chairman of Hydro has to do with the layoff of 80 per cent of the work force that had been building the Douglas Point or the Bruce power facility. Was the layoff associated with either a change in policy or at least a hold order from Hydro pending a review of the decision to build a power plant on the new location?

**Mr. R. J. Boyer (Muskoka):** Mr. Speaker, I take it that a Minister has referred the question to me. Under the rules then, I will be privileged to speak about this. Following the advice given to Ontario Hydro from the Atomic Energy Control Board committee as to the advisability of—perhaps I should word this a little differently; I was going to say seeking another location. In effect that is what happened—it was decided not to use the site which had been cleared at the Bruce generating station, but rather to seek another location one mile distant from the original site. Accordingly, staff which had been engaged in the work of preparation of the site—clearing the land, then using earthmoving equipment, levelling the ground and so forth—necessarily had to be laid off.

I think this included something over 100 people. However, I was at this site about the second week in November in company with Mr. McRae who is also vice-chairman of Ontario Hydro. We were able to view the proposed new site and we noticed that surveyors were at work there. It is the intention now to clear another site of approximately 75 acres which will be farther north from the site which had first been chosen.

**Mr. Nixon:** Is that the second site going to the third site?

**Mr. Boyer:** The leader of the Opposition's question as to the employment of personnel may be answered in this way: As this work proceeds, more men will be taken on and will either come from the locality or, if they come from a distance, will be able to occupy quarters in the construction camp, which is on the total property of the Bruce generating development.

**Mr. Nixon:** Supplementary question: can the vice-chairman assure the House that there is no delay because of a review of the original decision to build the plant in that location?

**Mr. Boyer:** Mr. Speaker, the work is going to go ahead, but I think anybody can realize that at the time of the year when the decision was made to change the location, there was not very much prospect of further work being done during the winter in forming foundations and so forth; that type of work must await the new construction season. But over the winter the land can be cleared and preparations made for a good start next summer.

**Mr. Nixon:** There is a certain vagueness there.

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

**Mr. MacDonald:** Mr. Speaker, I have a question of the Prime Minister: in view of the earlier statements of the Prime Minister, I believe, and certainly of his Minister of Energy and Resources Management (Mr. Kerr), that the army corps of engineers was not involved in the study of water conditions in northern Ontario, would the Prime Minister explain the fact that I can give him a copy of a letter which was received by an individual in northern Ontario from the army corps of engineers, seeking his co-operation in getting information; and secondly another copy of a letter, which indicates that this person received permission to co-operate with the army corps of engineers through the department of—

**Mr. Speaker:** I have not yet heard the question.

**Mr. MacDonald:** There is a question mark at the end of this.

**Mr. Speaker:** The hon. member is making a speech; he has not asked the question so far.

**Mr. MacDonald:** Can the Premier explain, in the light of their earlier denials, how any of this took place? My final point, and what I am asking him to explain, is why, when this individual in northern Ontario sought the guidance of The External Affairs Department because he thought he was being asked to engage in subversive activities, he was told by The External Affairs Department to go ahead and co-operate with them because the United States is a friendly nation?

**Hon. Mr. Robarts:** Mr. Speaker, in the first place, once again we have the problem of the huge preambled question.

I do not think I ever said anything about the army corps of engineers. To the best of my knowledge, I have never dealt with the problem, so I must first set that right. Send the correspondence over to me, I would be delighted to see it. I do know we are co-operating in northern Ontario with the federal government and the OWRC in doing some water surveys. It could very well be that the federal government has some arrangement internationally with the army corps of engineers, I do not know. That is the only explanation that comes to me as I stand here on my feet. But if you would not mind letting me have your correspondence on it, I would be very pleased to go into it.

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

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I have a question of urgent public importance to some people and I was wondering if I could direct it to the Prime Minister. Could the Prime Minister look into the issue that there are 24 students at Ryerson who have not received their make-up cheques for about \$130 each as part of their student awards programme?

These cheques, I understand, were due on December 1, and the students have been informed by the student awards office of the department that they will not get them until January 1. It is urgent, because apparently some of the students have to pay their rent.

**Hon. Mr. Robarts:** Mr. Speaker, if the hon. member will send this over to me, I would be glad to look into it. But I would point out to him that the Minister of Education (Mr. Davis) would do the same thing, if he had phoned his office this morning instead of bringing this into the House. It is a straight question of just going to the administration and doing something about it. It is the members' question period, but this is the kind of thing that does not need to be dealt with in the House, in my opinion.

**Mr. T. Reid:** Mr. Speaker, on a point of order, if I could, I object to the Prime Minister gushing—

**Mr. Speaker:** That is not a point of order. The member's objection is not a point of order.

**Mr. T. Reid:** They have phoned, and they got a negative reply; they would not get the money until January 1. They need it now.

Interjections by hon. members.

**Mr. T. Reid:** The Minister of Education is not even around.

**Mr. Speaker:** Order.

**Mr. T. Reid:** Then what are the kids to do?

Interjections by hon. members.

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

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I wonder if I could direct a question to the Minister of Transport? I wonder if he would comment on a statement by Mr. Williams, a member of the Hastings school county board, who suggested that a 48-seat school bus can legally carry 64 passengers, and that a school bus can go to over 50 miles an hour. If there are students standing in it, and it has to stop suddenly, many will be seriously injured. Is that indeed the case in Ontario that a 48-student school bus can legally carry 64 students?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, there is no specific passenger rating for school buses *per se*. What the member would be referring to in his reference to a 48-passenger school bus carrying 64 passengers in all, would be the result of section 16 of The Public Vehicles Act, that sets forth that no public vehicle shall carry passengers on the running board or outside and that passengers in the bus standing in the aisles shall not exceed one third of the seating capacity. That is a standard bus regulation.

This would apply, I suppose, in a standard school bus being used for the transporting of school children, except that in most cases a 48-passenger bus—I do not know if that is a standard size or not—would provide seating for many more than 48 school children. But to my knowledge, there is no specific number of standees allowed in a school bus as different from the number of standees allowed in any public bus.

**Mr. Pitman:** I wonder if I can ask a supplementary question, Mr. Speaker: would the Minister not regard it as appropriate to make specific regulations with regard to school buses on a matter such as this?

**Hon. Mr. Haskett:** Mr. Speaker, I think that is a very reasonable proposition, and it would, in my mind, be one of the matters being considered by the special committee

on school buses—construction, equipment and regulation—that has been before the CCMTA, that is the official arm of the Ministries of Transport across Canada. References have been made to the Canadian Standards Association for vetting, and I think we can expect to have regulations on the operation of school buses in due time, as well as specifications relating to the construction.

**Mr. Pitman:** Mr. Speaker, if I could ask one more supplementary on this. This is the first time I have ever heard of that particular committee. I wonder if the procedures of this committee are open, if we could find out exactly what is going on in this particular area.

**Hon. Mr. Haskett:** The CCMTA I referred to is the Canadian Conference of Motor Transport Authorities, and includes the senior staff members from all the provinces, an organization that has been meeting for many years. It is regarded now as the official technical arm of the Ministers' conference committee. That report, I would think, would be available if the member wanted it, yes.

**Mr. Pitman:** Can the Minister send one over to me?

**Hon. Mr. Haskett:** I will see if I can find one.

**Mr. Speaker:** The oral question period has now expired.

Petitions.

Presenting reports.

Motions.

**Hon. Mr. Robarts:** I have a motion, Mr. Speaker.

**Hon. Mr. Robarts** moves that when this House adjourns on Monday it stands adjourned until Thursday next, December 11, and that the standing health and legal and municipal committees be authorized to sit during the adjournment.

**Mr. Nixon:** Mr. Speaker, I would like to draw it to your attention, sir, that if the House sits Monday, and then adjourns for two days, allowing the committees to complete their work, it will mean that members who are not concerned with committee work will be expected to come back to the House twice during the one week. There is no problem about that, other than it may be a needless inconvenience. Is it not possible that the committees might do their work on

Monday and Tuesday of next week with the House convening on Wednesday?

**Hon. Mr. Robarts:** The problem is, Mr. Speaker, that there are groups of people who have been booked before the committees. If the Minister starts shifting the time around, then we are going to run into difficulty with the people who will say they were booked to come before the committee on such and such a day, and now we have changed the day. We ran into this problem once before.

**Mr. Nixon:** The government did not hesitate to change that last week.

**Hon. Mr. Robarts:** Oh, no, no! We changed it back.

**Mr. Nixon:** Well, they changed it twice. That may be why they are a little sensitive about it now.

**Hon. Mr. Robarts:** All I am saying is we have gone into this matter very carefully. I appreciate what the member is saying—I appreciate the inconvenience it may cause some members. However, in examining the work of the House, we see no other way of doing it.

Motion agreed to.

**Mr. L. M. Reilly (Eglinton):** I have a motion, Mr. Speaker.

**Mr. Reilly** moves that Messrs. Burr, Evans, Jessiman and W. E. Johnston be substituted for Messrs. Brown, Demers, R. M. Johnston and Mrs. Pritchard on the standing health committee. Also that Messrs. G. E. Smith, W. Hodgson and Kennedy, be substituted for Messrs. A. B. R. Lawrence, Morin and Winkler on the standing legal and municipal committee.

**Mr. J. B. Trotter (Parkdale):** Having trouble getting the members out?

**Mr. Reilly:** Two committee meetings at the same time, Mr. Speaker.

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

**Mr. MacDonald:** Mr. Speaker, I want to raise a point and I address it, I presume, to the Prime Minister: would the Prime Minister consider, certainly in the instance of the health committee, instituting the rule that was adopted while the estimates were being considered by various committees—namely, that at the beginning of each session the party Whip will have the right to submit to the

chairman of the committee; the complement that will be on the committee for that particular meeting?

The reason I raise it, Mr. Speaker, through you to the Prime Minister, is this: I would judge that what is going to happen on the health committee is that they are going to be meeting morning, noon and night on Tuesday to try and get through all of these representations that have been booked, and some of our members simply have not got the time, or at least their schedules will not permit them, to meet morning, noon and night. Would the Prime Minister entertain, then, the proposition of substituting, at the beginning of each sitting, any name from each of the parties, to have the full complement there during that sitting?

Hon. Mr. Robarts: Mr. Speaker, I would have preferred this procedure in the first place, but I had some doubts as to whether the House would be willing to accept it, otherwise I would have done this by way of a formal motion. I would think, as far as I am concerned, when we go into a revision of the rules, this could be part of the standard procedure.

Mr. MacDonald: Right!

Hon. Mr. Robarts: The Whips could substitute on our committees. If we are to make the committees' work really meaningful I think it is a good idea, so I am quite agreeable. We will withdraw this motion, if that is agreeable to the House, and substitute another motion that the Whip can present making provision for this other procedure.

Mr. Speaker: The Clerk will prepare a form of new motion to adopt the new suggested procedure.

Mr. Reilly: Mr. Speaker, could we revert back to this later?

Mr. Speaker: Introduction of bills.

This will be an opportune time, then, to bring before the House a ruling of Mr. Speaker Cass.

Yesterday, Mr. Speaker Cass agreed to look into the question of the authority of standing committees to make reports to the House, and he has asked me to advise the House as follows:

If the members will refer to the order authorizing these committees, they will see that they are given power to examine, and enquire into all such matters and things as may be referred to them by the House, and

to report from time to time their observations and opinions thereof. The members will agree that this is a clear statement that a committee has only power to handle matters specifically referred to it by the House. In the matter at issue yesterday, no order of the House was ever made referring Hydro rates to the standing government commissions committee.

Reference was made to the report of the health committee on matters other than legislation. The chairman of that committee was very careful to obtain an order of the House referring the matter of Brockville Hospital to this committee for investigation and report. I assume the reference may have been to the more recent occasion when the chairman, during the consideration of the estimates of The Department of Health, read from what he called a report on enquiries made by his committee, informally and without reference from the House into various matters. I must point out that this action by the chairman was in committee during the course of his remarks on the estimates. He made no report to the House, nor was a copy of the alleged report tabled.

Mr. MacDonald: Mr. Speaker, I rise on a point of order.

Mr. G. Ben (Humber): Rise on a point of objection.

Mr. MacDonald: Order and objection if the member will. I am not disputing the contention of the Speaker in his statement that there was no order from the House, but I submit to you, sir, that that is a legalism. When we raised the issue of whether or not some committee, and appropriately the committee on government commissions, should not review Hydro's proposed increase in rates, the Prime Minister said, "I have no objection to that"; and as a result of him saying he had no objection to it, the chairman immediately made arrangements for a calling of the committee.

Now that was tantamount to an order from this House. I agree it was not formalized in an order, so the whole case is hung on a technicality. And I would suggest, Mr. Speaker, through you to the Prime Minister, that to keep faith with his original assurance in this House, we should have an order from the government now to authorize this committee to make its report back on the issue that was referred by the Prime Minister's instruction to the committee on government commissions.

Hon. Mr. Robarts: Mr. Speaker, I have a lot of sympathy with the position that the

member put forward. It was the intention as far as I was concerned that the committee go into these matters. I thought it was the proper place and the committee that could, in fact, do it. I do not want to criticize the Speaker because I think he has to be quite legalistic in his interpretation of the rules, if they are to be effective rules.

**Mr. MacDonald:** The Premier can get him off the hook.

**Hon. Mr. Robarts:** Well, I am not taking him off the hook, I am simply saying that the House itself must always be paramount. The Speaker can and must rule exactly as the rules are. And I think if we ever breach that situation we will be in trouble. But once he has made his ruling, I would submit that this House could do anything it likes, and in this particular instance I suggest we ask the chairman of that committee to gather the committee together, and file whatever report the committee decides it wants to file with the House.

I do not know whether this requires a formal motion. I do not really think that it does. I think if the House agrees that this is what we want to do, then the chairman of the committee will call the committee together to draw up what report he wants. Do we have to be legalistic?

Interjections by hon. members.

**Hon. Mr. Robarts:** I will make it a motion then.

**Hon. Mr. Robarts** moves that the standing committee on government commissions be empowered, if it sees fit, to bring a report back to this House, covering its findings when it examines the recent rate increases of the Hydro Electric Power Commission of Ontario.

**Mr. S. Lewis (Scarborough West):** What does the Prime Minister mean by "if it sees fit"?

**Hon. Mr. Robarts:** Because I think it is up to the committee. We referred the matter to the committee, and the committee may not want to report. I am not going to say it must report. I think that this is—

**Mr. MacDonald:** It has already been voted that—

**Hon. Mr. Robarts:** Well if that is it, then the report will come back—

**Mr. Ben:** I would like to speak to the motion. In listening to Mr. Speaker give the

decision touching on this matter, he pointed out that none of the committees that have been appointed to date has been authorized to examine or look into anything. This is what the import of his decision was.

In the health committee, we had before us different people in the medical field who were called by us to give their points of view on different matters of importance in that field.

Earlier in the session, we had somebody from the reform institutions come up and give reports—and I imagine other committees may have called people before them.

Listening to the reasons given by Mr. Speaker, it has been brought to my attention that all these committees—except in the Brockville Hospital matter—have been improperly, without authority, calling people before them.

**Mr. Speaker,** in order to correct what has been wrong, I would suggest that the motion has to be changed to permit all committees, "if they see fit," to bring in a report. And in the future, when the standing committees are appointed, they should be given authority at the time that they are formed to call people before them and examine people and then report back. It just occurred to me that the health committee has been calling people before it without any authority whatsoever.

**Mr. R. G. Hodgson (Victoria-Haliburton):** No, Mr. Speaker, on a point of order. I do not think that any committee, especially the health committee, has called people other than by order of this House. I think that they have invited people, and inquired on these matters; that is the position.

**Mr. Ben:** Whether we invite or call, the fact is that we are not authorized by the House to do that.

**Mr. Speaker:** I think the points raised by the hon. member for Humber are points that do not specifically have to do with the motion presented by the hon. Prime Minister. The remarks and comments, of course, would have to do with future proceedings in committees, and their reporting and dealing with the matters. And perhaps the remarks are well taken.

I will not attempt to repeat the motion of the hon. Prime Minister, for the simple reason that I cannot remember it. But I put it to the House. Shall the motion carry?

Motion agreed to.

**Hon. Mr. Robarts:** We have achieved our purpose.

**Mr. Speaker:** Does the hon. member for Eglinton have a new motion now?

**Mr. Reilly** moves that daily substitution be permitted in the membership of the standing health committee and legal and municipal committee.

Motion agreed to.

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

**Mr. E. A. Winkler (Grey South):** I want to raise a question here that it be very clear that the substitutions in the committees be made prior to the meeting of the committees.

**Mr. Speaker:** Yes, I believe the order under the new procedures mentioned the fact that the notices should be given to the chairman of the committee, prior to the meeting. I quite concur with the hon. member this should perhaps be part of this motion. Is it understood to be so?

The hon. Minister of Agriculture and Food.

**Hon. Mr. Stewart:** Mr. Speaker, I would like to suggest as far as the committee on health is concerned, that there not be too many substitutions if it is possible.

This series of meetings have gone on now for some days and will continue again next Tuesday. It seems to me that, if we are really serious about this—and we are—that members of that committee should hear whatever is going to be said on Tuesday by the people who have indicated to the chairman—and I do not know who they are—that they will be speaking on Tuesday morning. I think that it is valuable that those members who have been on the committee for preceding meetings, should be there to hear them as they come forth.

**Mr. Ben:** Well, the Minister has a lot of gall, considering it is his party's members that have not been turning up.

**Hon. Mr. Stewart:** Oh, come off it!

**Mr. MacDonald:** Mr. Speaker, I want to speak to this briefly. The interjection of the member for Humber is very valid if the Minister is going to get up and deliver a little sermon to everybody being there—because they had to scurry like mad to get enough to avoid an unfavourable vote.

**Mr. R. G. Hodgson:** Mr. Speaker, on a point of privilege.

**Mr. MacDonald:** However, Mr. Speaker—

**Mr. Speaker:** On a point of privilege—the hon. member for Victoria-Haliburton.

**Mr. R. G. Hodgson:** I wish to make pretty clear too, that at times in the meetings there were more members not on the committee sitting at the back of the hall than there were in committee seats.

**Mr. Ben:** Same again, too.

**Mr. MacDonald:** In view of the fact that I am not on the committee, and I have attended most of its meetings I can confirm when the hon. member says, that I have been there. But the point I want to draw the members' attention to, and it is for this purpose that I rose, is that I think that if the word "daily" is left in there, the government is maybe not going to achieve its purpose. And I hope that this has been inadvertently put there.

I would ask the mover of the motion whether he would make that "sessional" or "sitting", or whatever is the appropriate terminology substitution, rather than daily. Because if you take this in the strict legal interpretation, and this committee meets Tuesday morning, Tuesday afternoon and Tuesday evening for a total of 12 hours, then the same person who was placed on the committee at the beginning of the day must be there throughout, and I think that defeats the purpose that we had in mind. So it should say "sessions of each sitting"—

**Hon. W. D. McKeough (Minister of Municipal Affairs):** No sittings or sessions last for months.

**An hon. member:** Each sitting!

**Mr. MacDonald:** "Each sitting"—whatever phraseology you want to put in. But there should be substitutions for each sitting, rather than daily. I think that this is what the hon. member for Eglinton had in mind.

**Hon. Mr. Robarts:** Mr. Speaker, if you really want the procedure that we have followed in the committees that were dealing with estimates, I think it was each sitting. I think that is really where this practice originated.

**Mr. Reilly:** Mr. Speaker, in speaking to the point of order that was raised, perhaps we should be fair about it and point out that we have had as many as four committees meeting at the same time—and some of the members belong to two committees. So it is impossible for them to attend both committees at the same time.

**Mr. MacDonald:** That is true of all parties.

**Mr. T. Reid:** Especially the has-been party!

**Mr. Reilly:** Has-been, yes. And particularly so over recent weeks. I think that we have to make an amendment about future meetings as to what has to be done, and how we are going to arrange our schedule, and how to avoid this. But, at the present time, I would concur with the suggestion which has been made by the member for York South. We should amend the motion to read "each sitting".

**Mr. Speaker:** With the concurrence of all members of the House, the Clerk can alter the record in the present proceedings to indicate that the sittings of the committees are referred to rather than daily substitutions.

Agreed to.

**Mr. Reilly:** In doing so, Mr. Speaker, should it not be understood that we do not do it in the middle of a sitting, but we do it prior to the sitting.

**Mr. MacDonald:** I agree, the substitutions should be made prior to each sitting.

**Mr. Speaker:** The clerk will have it recorded. It will be at the commencement of each sitting. Orders of the day.

**Clerk of the House:** The 12th order, committee of the whole House; Mr. R. D. Rowe in the chair.

#### THE ASSESSMENT ACT, 1968-1969

House in committee on Bill 205, The Assessment Act, 1968-1969.

**Mr. Chairman:** Are there any other comments, questions or amendments to any section after section 7?

**Mr. E. R. Good (Waterloo North):** Wrong section.

**Mr. Chairman:** Any other discussions on section 7 or questions or amendments?

**Mr. Good:** Yes. The two amendments, Mr. Chairman, that were agreed to in committee on subclause (e) of subsection 1 of section 7, have now gradually increased the business assessment on this one particular section of retail operators. I think a few comments would be in order here.

What we are trying to do here is to upgrade certain sections of the retail trade. Those who are operating department stores have now been included in a new area here.

And my only concern is—I realize the difficulty in making this section so it will cover exactly the people whom it is intended to cover—that throughout this particular section dealing with business tax on retailers there has been a great deal of ambiguity in the drafting of the legislation, in my mind.

When I enquired whether the original subclause 2 would include franchised dealers, I was told it would. After a few days of discussion in committee, it was agreed then that it would not include franchised dealers.

Now, this is the type of loose legislation which is being put forward in The Assessment Act. It appears that it is the intention of the drafters of the legislation not to put too much intent in and let the courts decide. I do not think this is good. I think the intention of the legislation should be clearly put forward.

The point that really bothers me under this section—the way it is still written, subclause 1 and subclause 2 and subclause 3—is that there are still going to be great variations between similar branches in the retail trade. In other words, a drug store belonging to a chain is going to pay a different rate than an independent druggist, regardless of the size of the business.

I think we then have to go back to the same old philosophy: as long as business tax and property tax must include payment for such things as education costs and welfare costs, then there has to be a differential on ability to pay. This does not exist in here.

You can have a Shoppers Drug Mart being taxed at an independent rate of 30 per cent and, say, a Tamblyns store, operating on a much smaller basis, will eventually be taxed at a rate of 50 per cent by 1972. So there are still discrepancies in this.

I appreciate and agree with the concept here of trying to pull the large chain grocery stores back in to be taxed at a higher rate, but I still think there is a lot to be desired in this business tax section of the Act.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, on a matter—and the Minister might be aware of this—where he has taken out credit unions; I wonder if he would care to comment?

I have a letter passed on to me by the assistant assessment commissioner of the county of Essex. Even with the words "credit unions" removed from this section, it was their opinion that they could still be taxed as business assessment under the Act, as some of them were previously.



Does the Minister have any comments on this?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): I have not had a chance to look at those letters. I had another letter, sent to me yesterday by, I think, the member for Elgin (Mr. McNeil) along the same line. We have not had a chance to look at either one of them, to be very honest.

I think part of the confusion is, of course, that what they are talking about now are 1969 taxes. This bill, of course, deals actually with 1971 business taxes in most municipalities. So how we sort out this hiatus in between I just do not know at this point.

**Mr. Ruston:** All I was saying is that, in the opinion of the assistant assessment commissioner of the county of Essex, if this bill passes with the amendment as such, it was his opinion—the way I interpreted his letter—that a business tax could still be put on credit unions.

**Mr. Chairman:** Any other comments on section 7? Any other comments or questions or amendments on any other sections of the bill?

**Mr. C. G. Pilkey** (Oshawa): I thought we were doing it by sections?

**Hon. Mr. McKeough:** You have to say that, that is procedure. Tell him what your next section is.

Section 7 agreed to.

On section 8.

**Mr. Good:** On section 8, I understand it is the Minister's intent to include the receipts of cable TV leases and the telephone receipts. I would like to ask why it is not specified in the Act.

Second, the point was brought up in committee about the necessity of establishing police villages. Now, if townships were given the alternative of using either the gross receipt method of taxation for telephone companies or on miles of line and they were given the option of using whichever serves them better. This would eliminate the necessity, would it not, Mr. Chairman, of establishing these police villages?

Would that not be some forward thinking in this type of legislation?

**Hon. Mr. McKeough:** I do not think this is the reason police villages are formed.

**Mr. Good:** No, but they are being formed for this purpose in some instances.

**Hon. Mr. McKeough:** They are not. All this section is, they are deemed to be.

**Mr. Chairman:** Anything else on section 8? Section 8 agreed to.

**Mr. Chairman:** Any other questions, comments or amendments up to section 20, shall we say?

**Mr. Pilkey:** Section what? I am not following this. Are we not going through it section by section?

**Hon. Mr. McKeough:** What is the next section the member wants to speak on?

**Mr. Pilkey:** Why can he not say section 9, 10, 11? Let us go through it.

**Hon. Mr. McKeough:** Well, members indicate the next one they want to speak on. That is the new procedure.

**Mr. Chairman:** Does any member have any questions, comments or amendments between section 8 and section 20?

**Mr. Pilkey:** First of all, as I recall when we discussed section 11 the government, or the Minister, indicated that the five per cent of the total gross receipts that are received by a municipality cannot be increased because of federal jurisdiction, or something like that. There are two points I want to make. One of them is in section 20, that also was in the federal jurisdiction, or it was a constitutional matter.

I understand that the Minister of Municipal Affairs is going to a constitutional conference. It seems to me that these are some of the things that could be raised there.

One, this five per cent of total gross receipts, appears to be one that the provincial government has no jurisdiction over. The other one that I want to make is in line five of section 20.

I suggested that that section be changed to read: "that he wishes to be placed on the assessment role as a separate school supporter and should so place him". I was informed that this was a constitutional matter and that the government in the province of Ontario could not change that section where separate school supporters are denied the right to make the determination as to whether they support the separate school or the public school.

As a matter of fact, where there is a mixed marriage and the husband happens to be of

another faith and his children are going to a separate school, he cannot designate his taxes to the separate school. I recall raising this in the committee and I was told that this was a constitutional matter.

The only thing I am urging of the Minister—if he is going to a constitutional conference—is that this is an important matter to be raised. I just happen to think that it is important that people ought to be able to make the decisions as to where their taxes go in respect to education.

I would urge the Minister that this whole question be raised; that people be able to make that determination. And the other one is on the five per cent of total gross receipts from business in the telephone industry.

**Mr. Chairman:** Does the Minister wish to respond to these comments?

**Hon. Mr. McKeough:** Yes, I have just two comments.

In section 11, the member is quite correct, any change by us in this rate is *ultra vires* as far as the province is concerned. And also as to section 20. Do not ask me to get into the constitutional aspect. It was Mr. Yates who put this at the committee. The point is that any change would have to be made first in The Separate Schools Act. I am not a constitutionalist; whether there is a constitutional problem there, I do not know. I undertook in the committee to write to the Attorney General (Mr. Wishart) and to the Minister of Education (Mr. Davis) indicating that in our view the points that have been raised by the committee seemed eminently sensible to me, and asked them to explore the possibility of amending The Separate Schools Act.

They presumably will get advice from their lawyers as to whether that is constitutional or not. But I have said that in that letter; I signed it yesterday, as a matter of fact. The other point is that I would hope an opportunity might arise as far as section 11 is concerned.

**Mr. Chairman:** Any other section for comment? The member for Humber.

**Mr. G. Ben (Humber):** I do not know if I can see the same interpretation to this as the hon. member for Oshawa—

**Mr. Chairman:** Which section?

**Mr. Ben:** Section 20, although there are some previous sections.

**Mr. Chairman:** The member for Oshawa was tying the two sections together pretty well.

**Mr. Ben:** Shall we listen to the hon. member for—well, we will listen to him first.

**Mr. Chairman:** Would you like to continue with section 20? This has been brought up; we can continue with section 17.

**Mr. Ben:** I do not know if I agree that there is a constitutional problem here—

**Hon. Mr. McKeough:** I did not say there was.

**Mr. Ben:** I know, the hon. Minister did not say there was—but I would suggest to the hon. member for Oshawa that there is not a constitutional problem which would prevent this Legislature from dealing with the problem of education permitting a split, a levy.

Furthermore, my interpretation of section 20 is that the assessor, unless evidence to the contrary is adduced, must accept the statement from the property owner that he or she is a Roman Catholic and desires to be a separate school supporter, and he must portion it accordingly. In other words, if whether it is a husband or a wife, or whether it is a mixed marriage as my friend from Oshawa states, is irrelevant. I would suggest this section would permit split assessments, unless there is something subsequent here, too, which would prohibit it. Sir, please tell us about the separate school—the other Act which would have to be amended.

**Hon. Mr. McKeough:** Mr. Chairman, I cannot. We went into this in committee with great respect. We had Mr. Yates there—there was a good discussion among the lawyers. It is a legal question; that there would have to be an amendment to The Separate Schools Act first. Within The Separate Schools Act, I am told a constitutional problem arises. I cannot go any further than that. I am not a lawyer, I do not know anything about The Separate Schools Act, and I am not a constitutional expert. I have to leave it at that. I think the committee accepted that explanation from Mr. Yates. I undertook to take it up with the Attorney General and the Minister of Education and I have done so.

**Mr. Good:** Do you agree with the concept?

**Mr. Chairman:** Anything further on section 20?

**Mr. Ben:** Please note, Mr. Chairman, that the hon. Minister nods his head affirmatively—

I guess so. *Hansard* will record what the answer given by the Minister was, it was "yes".

**Mr. Chairman:** Section 17. The member for Windsor-Walkerville.

**Mr. B. Newman** (Windsor-Walkerville): Yes, Mr. Chairman, on section 17, I would like to move an amendment in there, and that is on section 1, subsection 5. In the original bill it states whether the person is a British subject or an alien by inserting by his name, and the quotation "S" or "A" as the case may be.

I would like to add "Canadian citizen" in there, so that the clause would be amended to read, "whether the person is a Canadian citizen, British subject or an alien, by inserting opposite his name, the letters 'CC' in quotes, 'BS' in quotes and 'A' in quotes as the case may be". And then on clause 2, but subsection 3, on page 20 under subsection 3(a) in the case of a British subject, a Canadian citizen—

**Mr. Chairman:** Order please—take them one at a time—

**Mr. B. Newman:** Oh all right.

**Mr. Chairman:** Moved by Mr. B. Newman that section 17, subsection 5, be amended to add the words "Canadian citizens" so that the clause will read, "whether the person is a Canadian citizen, British subject or an alien, by inserting opposite his name, the letters 'CC', 'BS' or 'A' as the case may be". Did the Minister get a copy of this?

**Hon. Mr. McKeough:** No—

**Mr. Chairman:** Do you wish to see this?

**Hon. Mr. McKeough:** Send it over.

**Mr. Chairman:** Any discussion on this?

**Mr. Ben:** I still think it is a disgrace that this government has not got the intestinal fortitude to strike out the words "British subject" and make them "Canadian citizen".

Surely there is something great about being a Canadian citizen and people ought to take out Canadian citizenship if they want the benefits this land gives them. And for people to come here from any small little colony someplace beyond the Antarctic Circle, or close to it, and be given more rights than people who have been here four and a half years or almost five years and who have helped build this land and who cannot vote—to give these people who just come in here the vote to me is a disgrace.

It is about time this government did something to encourage everybody to take out Canadian citizenship and one of the ways of doing it is to deny the vote to everybody who is not a Canadian citizen.

**Hon. Mr. McKeough:** Mr. Chairman, again speaking to the amendment, we can accept that amendment. I think perhaps there is no harm in it.

**Mr. Chairman:** Well, on paper, this amendment then?

Agreed to.

Interjection by an hon. member.

**Mr. B. Newman:** Mr. Chairman, subsection 3, that is 3(a) then would similarly have to be amended if "Canadian citizen" is to be added with British subject. The letters "CC", "BS" may be omitted and such omission signifies that the person is entered on the roll as a Canadian citizen or British subject.

**Mr. Chairman:** Shall this motion carry?

**Mr. B. Newman:** I will give you a copy of that.

Motion agreed to.

**Hon. Mr. McKeough:** All right, can we pass that and just make sure the legislative counsel has a look at it? But I think that sounds all right.

**Mr. Chairman:** Anything else under section 17?

**Mr. Good:** I have some comments and an amendment on section 17.

**Mr. Chairman:** We should finish section 17 first, then.

**Mr. Good:** First of all I would like to make my comments in the House very brief under the matter of putting on the roll the market value of a parcel of land in one figure which includes the land and the building.

I have said it in committee and I would like to put it on the record that this is going to be a tremendous hardship to the small man on the street who is going to try to appeal his assessment. In no way can he get the figure to show how much his land is assessed at and how much his building.

Now, the part that irks me more than anything is the assessment department, the people to whom he is appealing, which will have that figure. About two notches behind his appraisal card there will be some scribbled

notes of what his land is worth and what his building is worth, but he will not have access to that. All he will have is what they say is the market value of the whole parcel, including land and buildings.

Now, it may be all right when you want to deal with appeals from large downtown places, you do not want them to know—places like the Toronto-Dominion Bank, you do not want them to know what you are assessing the building and what you are assessing the land at. But what you have put in here is going to be a hardship against the small man trying to appeal his assessment at market value, unless he is given the same information that the assessment department will have that shows the division between his land and his building. You would not accept this argument in committee, and I do not expect you to accept it here. But I would like the rest of the members in the House to know what this is going to do to the average small person trying to appeal his assessment.

**Hon. Mr. McKeough:** Of course, we are talking about two entirely different things. What I would not accept in the committee was the proposition which had not been accepted by the select committee either—that there should not be, on the assessment notice, a division between land and buildings. The committee, I think wisely, agreed with me.

What you have just said, with great respect, I do not agree with because all the information on the appraisal card will be available to a small homeowner or to the Toronto-Dominion Bank, in the case of an appeal. That information will be available.

**Mr. Good:** Mr. Chairman, is the Minister implying that the information on the appraisal card will show the breakdown between land and buildings, and will be available to the property owner?

**Hon. Mr. McKeough:** It may not necessarily show a breakdown.

**Mr. Good:** Oh, it may not?

**Hon. Mr. McKeough:** No. It may not, because he may not have broken it down. He may not break it down for his own purposes. What he is interested in, is arriving at one final value—whether he does it by saying it is worth “X” number of dollars, or whatever he may work at it in two or three different ways. Whatever information he has collected will be available on an appeal.

**Mr. Good:** My contention is that it should be broken down. I will move on to the next

point, and that is, in the new Act, you have relieved the assessor of the necessity to take a dog census—without conferring with the Minister of Agriculture and Food, and making him get rid of his bill which makes dog licensing mandatory in the municipality.

Now, I was given to understand in committee that the assessment department is working with the Minister of Agriculture and Food—that his Sheep, Livestock and Poultry Protection Act would become permissive. Well, asking in the House the other day I am inclined to think that he has no intention of making a change in it, or at least, he had not up until that time.

If a municipality has to license dogs, as it has to under that Sheep, Livestock and Poultry Protection Act, it is going to have to have a census of the dogs. Now the assessment people are going around to every house in the municipality. Surely, it is not beneath their dignity, as you implied?

**Hon. Mr. McKeough:** I did not imply that at all.

**Mr. Good:** You implied in committee that you would not ask a highly trained assessor, who holds a degree and something from Queen's University extension branch, to take a canine census around a municipality. I see nothing wrong with it, I think it is good common sense. When you have somebody going around every house in town—

**An hon. member:**—counting the dogs.

**Mr. Good:** Counting the dogs while he is going—if the Minister of Agriculture and Food is going to make this municipality put dog tags on.

Why did the Minister not confer with the Minister of Agriculture and Food and say: “Get rid of your other Act, which makes it compulsory”? Because there is no co-operation among the departments. That is the whole trouble.

If you do not do this, think what is going to happen. The municipality is going to have to send someone around on the heels of the assessor to take a canine census in the municipality. Therefore, I move that subsection 1, of section 17 be amended, by adding thereto, paragraph 22 as follows: “The number of dogs and the number of bitches.”

**Hon. Mr. McKeough:** I indicated the other day that that Act will be amended to make it permissible. And this I do not think is necessary.

**Mr. S. Lewis (Scarborough West):** It is not good enough. It should be mandatory. It is a bitch of a problem.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** A dog problem too?

**Mr. Chairman:** Is this amendment still to be placed after the assurance given by the Minister?

**Hon. Mr. Stewart:** Mr. Chairman, may I speak?

**Mr. Good:** You did not know anything about it.

**Hon. Mr. Stewart:** Oh yes, I do know something about it. The Minister of Municipal Affairs and I have been discussing this matter. The point of making it permissive legislation would clear the whole thing up. I have asked the legal branch in our department to take a look at the Act and get this done.

Now the session is drawing to a close. I do not think it is necessary to bring in a special amendment to that Act right now, before New Year's. But surely we can deal with it right afterward, in the early part of the session, and take care of it.

In the past, Mr. Chairman, as you so well know the local assessors, as they went around, just listed the dog and so provided a dog tag and that was all there was to it. If the urban areas object to this procedure going on we will have to find some other way of doing it. But the rural areas, I do not think, are unmindful of the fact that some other municipal expense will have to be incurred to collect the dog tax, and to do the assessing in this way.

That is something that will have to be worked out, perhaps in conjunction with other matters throughout the year. I think we can look after it without too much difficulty in the municipality if we make it permissive.

But I would point out, Mr. Chairman, I do not want anybody to interpret this permissiveness as meaning that the rural municipalities are expected to abandon The Dog Tax Act. Because from that revenue, they provide financial protection to the property of the livestock owners for any damages incurred by dogs in their municipality.

**Mr. Good:** Mr. Chairman, I would just like to again state that I hope the Minister of Agriculture and Food realizes that when the assessors refuse to take the canine census, the municipality is going to eat up all of its dog tax revenue, by having to send its own

assessors around to take a dog census. It is ridiculous.

**Hon. Mr. Stewart:** What are you suggesting? That we do or we do not?

**Mr. Good:** Well, sure. But let the assessors take the canine census. They are not going to take it for you now.

**Hon. Mr. McKeough:** I do not preclude our not doing it. But what we do not want to do is to be tied down to do it. The whole area of census taking, if I can put it that way, which has been done by assessors in the past, in our view, can be done—and I have mentioned this before—very well, perhaps by university students, perhaps even high school students, perhaps they should be 21 and over—during the summer months.

In our mind, the function of assessing can be separated from the function of taking the census. And it may be done by two different people in the course of doing it. If it is going to cause a great inconvenience in some municipality not to take it, then undoubtedly we will end up taking it. We would prefer not to be tied down strictly to having it on the roll, as such.

**Mr. Good:** I am very glad to hear the Minister is bending a little. Instead of having the assessors put on the dog, I am glad now he will let them put the dog on the roll.

**Mr. Chairman:** Is the member then willing to withdraw this amendment?

**Mr. Good:** All right. I will withdraw the amendment on that understanding.

**Mr. Lewis:** Is that amendment withdrawn?

**Mr. Chairman:** Yes, it is withdrawn.

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

**Mr. Chairman:** Anything else on section 17? Section 18 then? The member for Oshawa.

**Mr. Pilkey:** Mr. Chairman, to be very brief. On section 18, I want to speak for just a moment on behalf of the farmers' daughters. In section 18, the daughters are treated as second class citizens, and I think that this Act should be changed so that farmers' daughters are treated the same as farmers' sons.

Surely a number of the members in this House have some affinity for farmers' daughters. As a matter of fact, I understand that some even married them. So I want to suggest to the Minister of Agriculture and Food that he ought to be saying in this area—that

farmers' daughters should be treated the same as farmers' sons. Where presently the legislation sets up some kind of seniority rule—and obviously I am not opposed to seniority—I think it should be applicable to both sexes. This section 18 denies them that right of equal seniority rights.

I just make that comment because I do believe that the sexes should be treated equally, and that farmers' daughters should have the right to vote in municipal elections as well as sons.

**Mr. Chairman:** Any other comments on section 18? How about 19?

**Mr. Lewis:** Can we have a Ministerial reply to that?

**Mr. Chairman:** Any comments, questions, or amendments to any section between 20 and 30?

The member for Waterloo North. Which section?

**Mr. Good:** I would like to know of the Minister why, under section 20, the acreage referring to farms is 20, and now, when we get over to section 29, where the municipality may pass bylaws excluding farms, the acreage goes down to five acres which is designated as a farm? What is the significance of the two different classifications?

**Hon. Mr. McKeough:** What was the first one?

**Mr. Good:** The first one had to do with the franchising. Under section 20 a farm is shown as 20 acres—not section 20, the one the member just spoke to.

**Hon. Mr. McKeough:** Section 19? I am afraid I cannot answer that.

**Mr. Good:** You use one acreage to designate a farm in one section and in the other section you use a different acreage, and I was wondering what was the reason.

**Hon. Mr. McKeough:** I am afraid I cannot answer that.

**Mr. Chairman:** Is there an answer forthcoming? Any other questions then up to section 30?

Between sections 30 and 40?

**Mr. Good:** Section 31. This has to do with the fixed assessment on golf courses. I can appreciate very much what this section is trying to do and I am not all that sure that it is accomplishing what its intent is.

I realize that many golf courses are in areas where land values have increased tremendously. I think there is a valid point in trying to keep golf courses as golf courses in built-up areas. The green belt effect of them being there, I think, adds much to our city life.

We had representation stating that, under fixed assessment, with golf courses in areas where the land values have risen to such an extensive value that they could well lose their equity within a period of 12 years. This concerns me in one sense and in the other manner I can see that there should be a recapture of that taxation if the golf course is ever sold for profit by the owners.

The point I would like to bring up is this, Mr. Chairman. Of the 350-odd golf courses in the province there are only 15 enjoying a fixed assessment at the present time, we were told. It was indicated that some municipalities are hesitant to enter into a fixed assessment agreement with golf courses.

I would think that there would be good cause to do one of two things. Either change the wording that any municipality "shall, when required, enter into an agreement", or else provide an appeal procedure whereby the golf course, if refused by the municipality to enter into an agreement, could appeal to the Minister or to the Ontario Municipal Board.

I would like to hear the Minister's comments on that point first.

**Hon. Mr. McKeough:** I would not, at this point, want to make the section compulsory. The idea of appeal perhaps has some merit. I undertook at the committee meeting to discuss this whole principle.

There has been a certain amount of—flak, I think was the term I used—generated, mainly from York county and particularly from Thornhill. The latest understanding that we have is their taxes may rise about ten per cent, which I do not think is quite as serious as it has been described. However, be that as it may, perhaps it is more than that.

The principle behind section 31, as I explained in the committee, in many ways may be a wrong principle. On the other hand, I think all of us at the committee agreed with its intent and wanted to do something about it. I think section 31 can, and will, work. It perhaps needs some modification. I undertook to meet again with the newly formed golf club association, and to discuss this matter with both the Ontario Municipal

Association and the association of mayors and reeves, and I intend to do so.

I had a letter from the golf club association yesterday setting out their views—recognizing that there was not to be a change in section 31 at this time, but looking forward to a meeting.

**Mr. Pilkey:** Mr. Chairman, on the same section 31. I am happy to hear that the Minister is going to review section 31, because the Ontario Golf Association did indicate that there could be an average increase of assessment by 20 or 30 times—and in some cases even 40 and 50 times—the present assessment. Obviously, if this is a fact, then many golf courses are going to go out of business.

As I pointed out at the committee hearing—we find something like 250,000 people participating in the game. In addition to that, there are a great number of factory workers who are able to participate, as opposed to what prevailed previously when the game was really for the wealthy and the elite of this country.

The game has now been reduced to the worker level. At least, he can throw that \$100 set over his back and go out and play a game, as opposed to those people that own electric carts with a \$1,000 golf set in the back.

Now, I am not too concerned about them. It does not really matter about assessment for them, I am sure that they can pay their way. But I visualize at these golf courses the green fee, which is now probably \$2.50 or \$3, going up to \$7, \$8 or \$10. Obviously this will curtail any playing for a great number of people in this province.

In addition to that, I am also concerned that golf courses provide, in the winter particularly, an area where youth can spend some leisure time and at no cost to the municipalities or the participants. Most golf courses are available for winter activities.

I recall quite vividly that the Minister thought I was making a free enterprise speech in support of golf courses. I reminded him at the time that, in the brief of the Ontario golf association, they pointed out the vitality and the effectiveness of the free enterprise system had built the golf courses in the province of Ontario. I want to remind this House that the free enterprise system is going to destroy the golf courses in this province as well. They may have built them, but they will destroy them, in turn.

I am in favour of providing some basis that allows golf courses to continue to operate. The suggestion was that they should be assessed in some way comparable to farms. I am not too sure that I agree with that, but surely we can find an area between farm assessment and residential assessment for golf courses.

I do not think we should jeopardize them to the extent that they are going to go out of business—there has been a rapid growth in this area. In the province of Ontario there is something like 375 golf courses, and as I said, there are a quarter of a million people participating now. My guess is that if you went back ten years, you would have been very fortunate to find 50,000 people participating. But this has been the result of the growth of the game and the participation of a great number of people who could ill afford to participate before.

So I urge upon the Minister to take a long, hard look in this area so that we continue to provide some vehicle that would continue the growth that has been going on in the past. I think, because of the monotony in industry today, we just have to find ways to provide some outlets for people. And we are now also reaching an area of technological advance where there is going to be more leisure time. As a matter of fact, I think it would be a good thing of the government got into this area and provided a number of provincial golf courses, municipal golf courses, along with pay as you play public and private courses as well.

**Mr. Chairman:** Any other section then? Between 30 and 40?

**Mr. Pilkey:** Yes, Mr. Chairman, I would like to propose an amendment to section 27(1), page 27.

**Mr. Chairman:** Did the member say 27?

**Mr. Pilkey:** Yes, page 27. I will propose the amendment: That a new subsection 2 be added to section 27 after subsection 1; and all subsequent subsections be renumbered:

Any re-assessment carried out under section 27(1) shall not be effective until an analysis of the effect of the re-assessment on the relative share of the total tax burden to be carried out in each class of assessment enumerated in section 17(1), 15 to 18 inclusive under the re-assessment as compared to present assessment has been determined, published and reviewed at public hearings in each municipality if such hearings are requested by 50 ratepayers.

Mr. Chairman, what we are really saying here is that we do not know as we debate and pass this bill, if there is going to be a substantial shift from industry to residential property owners. We had a prime example in the town of Ajax that was alluded to by my leader when this bill was first introduced. In 1968 when there was a re-assessment or there was a whole re-assessment programme in Ajax and there was a substantial shift to the residential taxpayer. Where they previously had achieved a fair industrial/residential ratio, they now find that this ratio is falling more heavily on the residential side.

All this motion does is say that until we are absolutely sure that there is not going to be the shift from industrial assessment to residential assessment, that we do exactly what my motion says. I think it is very serious and even in the committee I recognized that the Minister did make some changes in section 40—I believe it was, section 40—and he added some additional things where the individual could make an appeal of his assessment, and I recognize that that was a step in the right direction. But with great respect to the Minister, it does not go far enough, it does not achieve the possibilities of curtailing any shift in the industrial/residential ratio. And this party is concerned that we do not put any additional burden on the residential taxpayer. It seems to me that we ought to provide in this bill the vehicle that would at least make a substantial review of every situation before we go ahead and carry out this assessment Act. So I urge the House to support my resolution, because I think it would guarantee protection to the residential taxpayer who is overburdened now with municipal taxes.

Mr. Chairman: Does the Minister wish to reply?

Hon. Mr. McKeough: I replied to this extensively in committee, Mr. Chairman. To begin with, of course, there is no definition and no way, therefore that you can put in the Act the word "re-assessment". Assessing goes on continually. We know what we mean by re-assessment but it is not defined. This re-assessment could be an increase of the assessed value of a house from \$4,000 to \$4,050 and we know what the member means, that that term in itself would not fit in. The member makes mention of a great problem with this section; I explained this fully in committee. The roll under this section might never be closed; no taxes could be levied on any basis. There has to be some finality. I am

as aware of the problem of shifts as anyone else in this House, in fact I think I live with it daily. How are we going to try and prevent it?

I think the member would want to be fair. In Ajax I gave figures in the committee, but in Ajax actually, other than the normal increase in taxes, school taxes and so on, some 48 per cent of the taxes in Ajax were less than they were last year. In effect, about half of them went up residentially and half of them went down, if you take out the increase which was occasioned last year by higher expenses. So there was not the shift in Ajax of the proportion which the member or his leader talked about or I myself was once as concerned with.

We did put in subsection 5 of section 40, which I think covers what this action purports to do. "The assessment commissioner shall publish, and so on, any significant and unusual change in the amount of the assessment." This is precisely what we have in mind. I think it gives the commissioner, the department, and the Minister, the flexibility to do what the member wants to do and I can assure him that these facts are going to have to be known before a roll can be closed and before appeal procedures can begin. The amendment, with great respect, and we covered it thoroughly in committee, just will not work that way. I think we have gone as far as we can with the new subsection 5 of section 40.

Mr. Good: Mr. Chairman, would the Minister enlighten me further to this new section under 40, where information is made public? I suppose the municipal council then feels that its real assessment is going to be detrimental or briefly what the appeal procedure then to the OMB is recommended. The municipality can appeal the assessment?

Hon. Mr. McKeough: Sure.

Mr. Good: Of the area as well as the individuals to the local assessment?

Hon. Mr. McKeough: They can cause to have appealed every assessment if they want to.

Mr. J. P. Spence (Kent): Mr. Chairman, may I ask the Minister a question with regards to the equalization factor? Has the individual the right to appeal the equalization factor as set out by the department?

Hon. Mr. McKeough: The municipalities do, yes.



**Mr. E. Sargent (Grey-Bruce):** Mr. Chairman, the principle involved in this section is getting the maximum amount of money to the increment in land value on a reciprocal basis. In other words, I think herein lies a great source of revenue for government in that all land sold on a speculative basis, where there is great profit involved, that the final selling price should be, as a gauge and to recapture reciprocal taxes not paid over the years. Herein you have, I think, done a good job in capturing money here, protecting the taxpayer, but I am wondering if the Minister would advise the feasibility of all land sold for speculation, that there be a reciprocal clause that the municipality would enjoy in the profits at the selling price time.

The municipality be empowered to recover the unpaid taxes over the years. I think the government has done a good job there but I am wondering if you could carry it in the overall assessment picture down the line as over the years there have been great profits coming from land speculation and, in this way, the municipality could be covered.

**Hon. Mr. McKeough:** This, of course, is inherent in our proposal for a capital gains tax which the white paper of the federal government also says there should be.

I think one of the great reasons why we feel that there should be a capital gains tax is because of the speculative profits on lands. The only problem that I have, and with which you agree, is in the interest of the municipalities. As proposed in either of the white papers, the capital gains tax would accrue to the federal and provincial levels but not the municipal level. We have to figure out some way of getting some of that back to the municipalities.

**Mr. Chairman:** Those in favour of Mr. Pilkey's motion will please say "aye." Those opposed will please say "nay."

In my opinion, the "nays" have it.

I declare the motion lost.

Are there any further comments, questions or amendments to this bill? Anything up to section 50?

The hon. member for Waterloo North wants to speak to section 50. My question was, are there any comments up to section 50?

**Mr. Pilkey:** I have one on 43.

**Mr. Chairman:** All right, section 43.

**Mr. Pilkey:** Mr. Chairman, I would again like to propose a resolution or a motion to add the following words to section 43, 1(a):

That this subsection does not apply to alterations or enlargement of residential properties assessed at less than \$40,000 for the first three years after alteration or enlargement.

Mr. Chairman, just briefly, what I am saying here is that where a resident makes some alteration or improvement to his home, this would give him some incentive if the taxes were not raised for a three-year period.

I recall in the committee when I raised this question that one of the Minister's resources people outlined a case in Toronto where there were a number of homes that were renovated and I think the purchase price was something like \$6,000 and he sold them for \$32,000. Under this resolution there would be no taxes for a three-year period. That is an extreme case and surely under appropriate legislation we can take care of those kinds of situations. What I am really talking about is a single-family residence and surely we can spell it out that it applies only to a single-family residence where the owner makes some improvement on his home.

There is another way of attacking this. I suppose you could say that the first \$3,000 of additional assessment for improvements would not count for a three-year period. Really I have no strong feelings either way as long as we provide some vehicle that would give the residents of Ontario incentive to beautify or alter their homes or add some amenity without immediately finding themselves with an additional tax bill.

As I said, I am not speaking specifically to any commercial enterprise that would exploit th's resolution, and I do think we can provide language that would deny those people that would attempt to exploit this kind of resolution.

This is not really something new that we are proposing. It has been proposed in many municipalities by many people. I really do think that if we are serious about this situation, the leadership has to come at the provincial level as opposed to the municipalities doing it. I would not think that we should even provide permissive legislation and I have heard advocates before say that we should provide permissive legislation so that municipalities can make the determination. I think we ought to say, at the provincial level, that there is a three-year moratorium for people

that make alterations or enlargements to their residences.

**Hon. Mr. McKeough:** Mr. Chairman, I express sympathy for the point of view put forward by the member in committee. We had a good discussion about this in committee.

Frankly, there are two points that need to be made. One is, of course, as I pointed out in committee, that if this amendment went through, someone who owned a \$20,000 house could put on a \$19,000 addition and not pay any assessment tax on it for three years. The member said that is an extreme example, but that is exactly what could happen.

I suggested in committee that, particularly at municipal election time, a number of politicians decide to talk about the particular problem which the member raised. Fortunately at the committee the other night we had five or six of the assessors of the province there—some of the best assessors—and the committee was able to question them exactly on what happened when somebody spent \$1,000 on his house, or fixed up his recreation room, and I think the members there were convinced that the problems raised by the hon. member simply do not exist.

We are talking about two different things, really, in many ways: housekeeping and actual improvements—and I have had a number of instances since I have been Minister, of people coming to me with this specific problem, and with every one that I have examined, it just has not been so.

**Mr. Chairman:** Any further questions, comments or amendments to section 43? Any further comments, questions or amendments to this bill? Section 50?

The hon. member for Waterloo North.

**Mr. Good:** My original concern with this section was that the assessment review court was going to be set up as a very judicial body which would frighten the average small homeowner of ever wanting to go to make an appeal. Now I have been assured that this will not be the case and the reprinted bill, of course, has excluded the provision where the chairman and vice-chairman had to be lawyers, and I have been told now that this will follow along lines similar to our existing two courts of revision.

Under clause (b) of subsection 4, of section 50, it says, "being in attendance as a witness refuses to take an oath." What are the implications here, Mr. Chairman, through you

to the Minister, of persons whose religious convictions do not permit them to take oaths, many of whom I have in my area? How would they be affected by that section?

**Hon. Mr. McKeough:** I think this section is right out of the old Act, is it not? It is from the old Act. In the note that the staff have just sent me they say they may affirm, rather than take an oath.

**Mr. Good:** The other comment I would like to make is under section 6. I presume this reprint clarifies my objection in committee the other day dealing with the locations at which the assessment review court will sit, and I presume this legal jargon overcomes that objection?

**Hon. Mr. McKeough:** Right.

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

**Mr. Chairman:** Any further comments or questions on this bill?

Shall the bill be reported?

**Mr. Pilkey:** What about voting on my amendment to section 43?

**Mr. Chairman:** Oh yes, that was to section 43? The hon. member for Oshawa—was that one he had? For what section?

**Mr. Pilkey:** I proposed an amendment on section 43, 1(a).

**Mr. Chairman:** That is where the—

**Mr. Pilkey:** This subsection does not apply to alteration, or enlargement of, residential properties assessed at less than \$40,000. We did not vote on that.

**Mr. Chairman:** No, I think this would probably fall under the same category as previous motions affecting taxation.

**Mr. Good:** This eliminates taxes.

**Mr. Pilkey:** Oh, no. This does not add any taxes, this eliminates them.

**Mr. Good:** That is even worse.

**Mr. Pilkey:** That does not fall into the—

**Mr. Chairman:** I think perhaps the hon. member is right. On the other motion, I still have a ruling to provide, which I will do in a moment. Perhaps this particular motion works the opposite way.

Therefore, those in favour of Mr. Pilkey's motion will please say "aye". Those opposed

will please say "nay". In my opinion the "nays" have it.

Shall this bill as amended be reported?

**Mr. Good:** On section 59.

**Mr. Chairman:** Section 59? All right. Perhaps the hon. member will permit me to give the ruling in connection with the matters raised last night and requested by the hon. member for Oshawa, who had asked me to review a ruling I had given with respect to certain motions for amendment that had been given to this bill.

I find that the precedents of this House, as well as other jurisdictions following the British Parliamentary system, make it quite clear that any motion which will have the result of imposing any tax, whether at the provincial or municipal level, or which will appropriate public funds to any specific purpose, is outside the competence of a private member and is the prerogative of the Crown.

Rule 112, in Lewis' book, which is recitation of the provisions of the BNA Act, is simply one example of this principle. Members may, of course, urge as strongly and as forcefully as they are able, that the government take certain action. But the moving of such a motion as I have described, is clearly the prerogative of the government and has always been held to be so.

This is the ruling I have found in connection with the particular motions presented last night and which were ruled out of order.

**Hon. Mr. McKeough:** We managed to discuss it anyway.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, may I comment on your point just for a moment?

**Hon. Mr. McKeough:** I am wondering, Mr. Chairman, with great respect, if we might finish the bill and then come back to a discussion of this? Would that be all right?

**Mr. Chairman:** A discussion of the ruling?

**Hon. Mr. McKeough:** Well, a point of order on the ruling. If we can finish the bill, which I gather we are nearly through with, and then come back to the point of order later—

**Mr. Chairman:** All right. Section 59.

**Mr. Good:** On section 59. I am concerned about the costs of the proceeding of the assessment review courts. I looked up the old Act and I noticed this was taken right from

the old Act. Usually you say, "Well, this is from the old Act so it must be all right." But that does not satisfy me that it is right.

It says costs of proceeding may only be costs of witnesses and they would be paid at the court of revision rate—division court rate—which is a very low rate. Suppose an individual was appealing his assessment before an assessment review court and the Crown—or the assessing department, in this case—decided to bring in half a dozen experts from Toronto to testify for them. Would this mean, if the person making the appeal lost his case that he could be saddled with the cost of the experts brought in by the assessment commissioner? That is the way it reads to me.

**Hon. Mr. McKeough:** I suppose in a very extreme sense that could happen. I think it is highly unlikely, any more than it has happened in the courts of revision presently.

**Mr. Good:** Could the Minister tell me what is happening in the courts of revision? Are there cases where there are costs—I do not know of any, but—

**Hon. Mr. McKeough:** I do not think so. My colleague from Carleton East, the Minister without Portfolio (Mr. A. B. R. Lawrence), says there is no history of abuse and I think that is true.

I think it is necessary to have the section there, but to my knowledge it has not been abused.

**Mr. Good:** Well, it seems rather a dangerous section to have in there, in my view.

**Mr. Chairman:** Any further comments on any section of this bill?

**Mr. Good:** One further comment.

**Mr. Chairman:** What section?

**Mr. Good:** On the same point, Mr. Chairman. It would be then the actual assessment review court which would be responsible for laying costs? In other words they could—

**Hon. Mr. McKeough:** As is the court of revision now.

**Mr. Good:** Yes, they could lay their own costs of bringing in witnesses against the person—

**Hon. Mr. McKeough:** No, no, because the assessment review court itself is not going to call witnesses. The witnesses would be called by the assessment commissioner, or by the person making the appeal, not by the court.

**Mr. Good:** You are right.

**Mr. Chairman:** Any more comments, or questions on this bill?

**Mr. Good:** Just a minute, hold it. Okay, let her go.

**Mr. Chairman:** Shall the bill, as amended, be reported?

Bill 205, as amended, reported.

**Hon. Mr. McKeough:** I thank the members of this committee and of the standing committee, Mr. Chairman. We had some very interesting discussions and I appreciated their comments and help.

**Mr. Chairman:** Now, if the hon. member for Lakeshore wants to make a comment on my ruling, I will—

**Mr. Lawlor:** By way of a point of order.

**Mr. Chairman:** He had risen on a point of order.

**Mr. Lawlor:** In the bulk of legislation coming before the House, the principle upon which you are proceeding has unquestionable validity. We cannot raise revenue in our position—I would suspect even expend revenue—unless—

**Mr. Chairman:** Order! I cannot hear him very well in any event. Does he have a point of order to the ruling?

**Mr. Lawlor:** I am taking exception to your ruling and—

**Mr. Chairman:** The ruling is not debatable.

**Mr. Lawlor:** I am not debating it. I want to make a comment on it, in order—

**Mr. Chairman:** Well, that would be out of order. The ruling has been made at the request of the hon. member. I have had research done on it and I have delivered the ruling to the House. That is the ruling.

**Mr. Lawlor:** Well, I will not press it.

**Mr. Pilkey:** Surely, you can make a comment on a ruling?

**Mr. R. G. Hodgson (Victoria-Haliburton):** Flogging a dead horse.

**An hon. member:** Has the bill been carried?

**Mr. Chairman:** Yes, the bill has been carried.

**Hon. Mr. Robarts** moves that the committee rise and report one bill with certain amendments and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the Chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The 21st order, House in committee of supply; Mr. R. D. Rowe in the Chair.

### SUPPLEMENTARY ESTIMATES

**Mr. Chairman:** Supplementary estimates for the province of Ontario for the fiscal year ending March 31, 1970.

On vote 102: The Department of Agriculture and Food. The hon. leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, I wonder if the Minister of Education would explain to the House the necessity for this \$5 million, before we ask further questions.

**Mr. Chairman:** This is the agriculture portion—The Department of Agriculture and Food, vote 102.

**Mr. Nixon:** I said, "Minister of Agriculture".

**Mr. Chairman:** No. Education.

**Mr. Nixon:** I am sorry.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** It has to do with bringing up to date the difference between what the money has cost the government of Ontario to provide the junior farmer loans, and what we received in interest payments for those loans.

**Mr. Nixon:** Then the \$5 million is an amount which would cover the subsidy of interest payments that during the course of the programme made the loans available at five per cent.

**Hon. Mr. Stewart:** Bringing it up to date. You see, we have over 1,300 loans that are out at four per cent, and we have over 4,300 loans that are out at five per cent; and with

the rapidly escalating costs of interest, particularly within the last two years, on over \$100 million that we have out of interest, you can see how fast we can run into a deficit position.

The amount that we put in this year's budget just was not enough to cover it. The Treasury Board felt the thing to do was to bring it all up to date, and we start off from here then in our estimates next year with what we think will be the proper amount.

**Mr. Nixon:** Could the Minister tell us, in association with this payment, just how much capital we have got out on loan at this time?

**Hon. Mr. Stewart:** Yes. At December 1, 1969, we had out \$103,368,000.

**Mr. Nixon:** Mr. Chairman, I must admit that I am a bit surprised that the amount was so large. But I have had the impression that the junior farmer establishment loans have in fact served a great and useful purpose in the farm community of Ontario.

A good many younger men—I think the age limit was 35—were able to make arrangements to continue farming, because they had access to these funds at subsidized interest rates. That cannot be said to be true for those people interested in entering the farming profession now, or buying out a going concern—either from their family or from some independent source.

They must now turn to the consolidated farm loan programme of the federal government, which is not subsidized to any extent other than perhaps an administration. More than anything else, this is bringing pressure on farmers to move out of the business.

I must put on record my sincere regret that the government of Ontario has decided to go out of this particular programme. I felt that the sum of \$5 million is not unwarranted by any means, particularly when it is compared with programmes under the direction of the Minister of Trade and Development (Mr. Randall) for the encouragement of other industry. I think that this programme should have been continued and perhaps the Minister of Agriculture and Food will give it some further consideration.

Obviously, with the tremendously large sum that is out now in support of the agriculture industry of the province, he would admit and see that it has been put to very good use indeed. I would hope that there would be some reconsideration of the government policy associated with this programme.

**Hon. Mr. Stewart:** Mr. Chairman, I appreciate the hon. member's position, and there is much validity in what he has said. I would say this however, that, because of the very great degree of subsidization suggested in the junior farmer loan programme, it was pointed out to us on numerous occasions by farm organizations that because of the subsidization in the loan programme, land values were being driven up for actual farming purposes.

I am not referring to the land values around the urban areas because of the urban development that has taken place, but for actual farming purposes. Certainly, when one could borrow money at five per cent, in a time when mortgage money is running at nine or ten per cent on the market—and around 8.25 per cent or 8.5 per cent under the farm credit corporation—one could see that it was quite an advantage to pay more for a farm, if you could pay for it at five per cent interest rather than 8.5 per cent interest spread over 39 years. How much validity there is in that argument, I do not know, but I do know that there were some very able farm people who brought that to our attention, and suggested that we should take a pretty good look at it.

We are concerned about the fact that those who go into the farming business will be required to pay the going rate of interest, whatever that may be, established by the farm credit corporation. But, I would point out, Mr. Chairman, for the benefit of the members of the House, through you, that there is a very extensive farm credit organization established in the province today, with extension people, in this field of farm credit and they are, to my knowledge, doing the job that needs to be done without the province of Ontario establishing an administrative structure which would really be in competition with them.

While I admit that there has been a great deal accomplished by the junior farmer loan in the past, and the record of payment has been excellent, I do feel that there is an alternative source of credit.

I would point out also Mr. Chairman, that with reference to the remarks made by the hon. leader of the Opposition, with regard to grants that are made to industry, that our department does make grants amounting to almost \$7 million annually to the farmers of Ontario.

**Mr. Nixon:** Quite an impressive amount of money.

**Hon. Mr. Stewart:** Those are grants, not loans, made annually in capital grants. This is an ongoing programme that I think has met with considerable favour.

However, Mr. Chairman, I do concede that the hon. member has a point insofar as the validity of the programme is concerned, but I think he himself would agree that is not the right, nor should it be the right, of governments to compete with each other to provide services.

**Mr. E. R. Good (Waterloo North):** Mr. Chairman, may I ask one question for clarification? Under the estimates of your department, there was approximately a \$500,000 payment through the junior farmer loan corporation, which I presume was for administration of the corporation. Is this figure entirely the differential in interest, or will this include additional administrative costs of the corporation?

**Hon. Mr. Stewart:** No, I believe the exact item is in 102, subsection 9, and it was \$633,000. Is that what you were referring to? That is what we estimated the difference would be. We were also running about two years behind in making our payments to the Treasury and because the interest rate escalated very rapidly. This is what has thrown our calculations out so far, and this is why we come back for supplementary estimate.

Vote 102, agreed to.

**Mr. Chairman:** On vote 503 of The Department of Education. The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, the member for Scarborough East (Mr. T. Reid) just informed me that the order in council referred to here pertains to the provision of French secondary education.

I do not want to discuss that at this moment, I want to talk about the large amount \$48 million, which was payable as additional legislative grants. I think it is generally understood that this is the cost not of implementing county school boards, but the cost of the inadequate provision and planning for the implementation which is the direct responsibility of the Minister.

Certainly there is no intention on this side of going over the history of this matter which is already in *Hansard* in three or four places, but as much as anything else, it probably accounts for the fact that on this particular Friday morning, the Minister is sitting here, getting his extra \$48 million rather than down

in the Royal York Hotel delivering some position paper to a group of eager young Tories.

**Hon. W. G. Davis (Minister of Education):** I have done that already.

**Mr. Nixon:** I think this probably more than anything else—this \$48 million—has had a considerable effect on the Minister's career, because it is attributable specifically to inadequate administration and planning in the implementation of the county school boards.

This money, without any question, was simply needed to paper over the cracks in his administration, and one of the most incredible aspects of it is that he in Cabinet council was able to put it to the Treasurer (Mr. MacNaughton) in such convincing terms, that a seed merchant from Goderich was prepared to tear a cheque out of the provincial bank book and hand it to the Minister and say: "Bill, it is all yours, you use it to clean this thing up".

Many months passed before the actual amount necessary to clean up was known, but here it is, \$48,400,000. And we are asked to vote, and of course we will, because the money for one thing has already been spent, and it is necessary in order that we save the county administration from complete chaos.

Many alternatives have been put forward, including the possibility the county boards should have been in operation in only three or four selected county areas during this year.

The full implementation could have begun January 1, 1970, without the necessity of all this backing and filling and supplementary estimates to cover the mistakes of the Minister. He is entirely responsible, and I had the feeling in the early stages of the implementation that he had almost lost interest since the first initiative apparently was taken by the Prime Minister (Mr. Robarts) himself.

But over this year his feeling, I suppose, of frustration—maybe there is some other word that could be put in beside that—is reflected in his conduct of the whole department. So in my view the price to be paid for that decision, whoever took it, is much more than \$48,400,000. It has to do with the whole administration of the department and perhaps the Minister's career. We can discuss that perhaps in more informal circumstances but on this amount—

**Hon. Mr. Davis:** What about your own—

**Mr. Nixon:**—on this amount, I have got my own ideas, as I say during more informal

circumstances, but I will tell you that that \$48 million is probably a low price to put on it if we are talking about the Minister's future.

Right now we are talking about moneys spent on the administration of education and it really seems to be practically incredible that the Treasurer is prepared to make available these additional estimates.

The only real explanation is not the fact that the provincial product has expanded before the Treasurer in any unforeseen way, but in fact the funds coming in from Ottawa, in payment for a medical insurance programme, are being channelled into these additional expenditures.

The Treasurer was not too concerned about it at all, once the decision was made to cooperate with the federal government in the Medicare programme. So he was able to assure the Minister that the extra \$50 million—that was a general estimate we got from at least one fairly qualified source in the spring—would be no trouble to find when the time came.

The point is we had our balanced budget last January that the Treasurer received, plotted from many sources. But this \$50 million additional expenditure has certainly knocked that into a cocked hat. No one is concerned where the money comes from other than the fact that our revenues have been more buoyant than expected and the federal government is channelling into our Treasury an amount of about \$160 million during this year. So the heat was taken off the Minister of Education because of the ineffectual approach that he, as the chief administrator of education, took under these circumstances.

It is a figure that is on the record. It is a figure that is largely to his detriment, to the detriment of his reputation, something from which he may never recover for many years.

There has always been a feeling around the province that Good Old Bill is handling education in such a fine way the Legislature is prepared, after considerable debate, to give him almost any funds he wants to build a modern system of education.

There was always the feeling that, basically, certain concerns for efficiency in the system were there in the front bench of the Cabinet and in the Minister's mind. But this figure certainly tells a different story. It indicates there was inadequate preparation, that it was a tremendously important programme entered into in a way that is not characteristic of any progressive democratic government, and which is a blot on the record of this government and this Minister.

Mr. W. G. Pitman (Peterborough): Mr. Chairman, I want to say very little on this supplementary estimate. I think a lot has been said over the last couple of weeks, or the last three or four weeks—

Mr. J. Renwick (Riverdale): Condemning the Minister.

Mr. Pitman: Yes, except to condemn the Minister there is nothing that has been said in the past number of weeks on education. I think that perhaps the last for this particular session—

An hon. member: He has that frozen!

Mr. Pitman: I do want to put on the record the fact that when Bill 44 was introduced, certainly this party indicated there would be financial difficulties. These difficulties had not been looked into—they had a deed but no real planning, as I have already said—

Mr. Nixon: You voted for that bill.

Mr. Pitman: There has been no acceptance of priorities.

Mr. Nixon: We all voted for that bill.

Mr. Pitman: I also remember, too, we suggested that only by reforming the tax base of this province was there any effective way of making an educational reform of this sort, and suggested that financial reform had to accompany an educational reform.

We suggested at that time it should be phased over several years, maybe by two or three years in the various counties of this province, and that while this phasing out was going on the province should take over some 80 per cent of the cost of education.

We recognized at that time there would be new taxes needed and we suggested that those taxes should be put on progressive areas such as a capital gains tax or a provincial income tax.

We are very much concerned about the fact that the Provincial Treasurer—in his latest state of euphoria that he suddenly reached in the last few weeks as a result of the expansion of the province's economy—now realizes that this balanced budget is not going to be destroyed by the Minister of Education, so now he is backing down on some of what we thought of as the very forward looking policy he suggested at the time he released his Budget last winter.

Possibly, over the next year, out of a less extended economy, we will have a more progressive view from the Provincial Treasurer.

I think, Mr. Chairman, we are only on the threshold of another crisis, if my ear to the ground indicates. Now I am getting phone calls once again from members of boards of education, not only in my area but from other areas, indicating that now the accumulated funds of the past have gone; "Where is the mill rate going to go next year?" And they say, even more realistically; "How am I ever going to face the people of this particular township on the basis of what has happened over the last couple of years?"

The leader of the Opposition is very concerned about the career of the Minister of Education, but I look back on the thousands of careers he has already destroyed within the county school system. Not only has he removed a mass of people from the actual operation of the school system, but almost everybody now elected to a board of education at the present time stands wondering whenever the name of the Minister of Education is mentioned, as to what may happen to him when he has to go to the people next December, as a result of what is going on at this particular level.

I realize, Mr. Chairman, that nothing is going to disturb the equanimity and pure joy of the Minister at this present time, coming as he does from the delights of the Royal York Hotel—is that where the meeting is being held?

**Hon. Mr. Davis:** It is a great meeting—your people should be very worried about it.

**Mr. Pitman:** Well, actually I think probably—

**Hon. Mr. Stewart:** The Royal York was not big enough to hold the crowds.

**Mr. Pitman:** You might be holding it in a smaller hotel very soon, I can assure the Minister. Nevertheless, in view of the fact that he has just returned from—

**Mr. S. Lewis (Scarborough West):** You will be able to put your whole caucus into the Black Knight Room.

**Mr. Pitman:** As he has just come from such a meeting I am sure that nothing will disturb him at the present time. However, I remember at the time we mentioned these things some years ago, the Minister talked about us as being "prophets of doom", for not having—

**Mr. Nixon:** Yes, but you voted for the bill.

**Mr. Pitman:** —for not having any degree of confidence in what was going on.

**Hon. Mr. Davis:** You voted for it with enthusiasm.

**Mr. Pitman:** Is the Minister talking about Bill 44?

**Hon. Mr. Davis:** Sure.

**Mr. Pitman:** You are quite right, we in this party are in favour of some kind of enlargement of the school system. So far as the member going on making speeches—

**Mr. Nixon:** Oh, no, you did not.

**Mr. Pitman:** The member found himself in the situation, and I am sure the Minister realizes this, that he had to do something to stop the chaos that was going on in eastern Ontario, and therefore he found himself in what is very often the position of members on this side of the House, of having to try and explain away the embarrassment of the Minister and trying to get something on the tracks—trying to shore up what is being done so we will not have absolute chaos, we will just simply have, you might say—

**Hon. Mr. Davis:** I appreciate your help.

**Mr. Pitman:** I appreciate the Minister does not want to worry the member for Peterborough, and he will in future try, and one hopes, do a bit better, but I conclude my remarks by saying that we will be again, a year from now, faced with the same problems.

We will once again be receiving delegations; the Minister's office will be filled with delegations and he will be receiving letters and telegrams telling of all the problems that he has created in these areas. He is not setting any priorities for the various boards to follow.

Perhaps I might ask a question which I think slipped by me in a piece of legislation that was passed which gave the Minister the right to make regulations dealing with matters which are involved with the expenditures at the board level, and after the bill had been passed, in the great rush which we have whenever we pass legislation in this House, which is always very breathtaking.

**Hon. Mr. Davis:** There was lots of time. It is a very small section. I am amazed that you did not have—

**Mr. Pitman:** I was going to ask the Minister, in his remarks in answer to the leader of the Opposition and myself and perhaps the others who are going to speak, whether he might just discuss that particular section. Does



that in actuality give The Department of Education control over the budgets of the local boards of education? Does it really give you the power which the Treasurer announced in his Budget—it scared to death not only the teachers, but many of the trustees across the province—does that virtually give you the same power by regulation? In other words, have you really made a serious inroad on the autonomy of these boards that you talk about so glowingly, giving all these boards more power, more opportunity to develop their own programme?

Does this also give you more power now in these regulations that even a budget review board might have brought upon it? As I say, that is a piece of housekeeping we just neglected to notice at the time, and I would like very much to ask the Minister that question, because I think it is of paramount importance at the time when we are passing supplementary estimates. Perhaps the reason we will not be passing supplementary estimates next year, will be because the Minister has got now all kinds of regulations to force boards to do what he wants them to do in order to cut down their budgets or to change priorities, not on any priorities that he has, because he has not established any priorities at his level, but at least, we might know exactly what the rules of the game are. Tell us where the goalposts are and who has the ball and perhaps we can find out just exactly what is going to happen over the next 12 months.

**Mr. T. Reid (Scarborough East):** Mr. Chairman, I would like to clarify some answers the Minister gave the Opposition members in the committee, on a couple of points. In the education committee we asked the Minister what percentage of the total operating costs of the primary and secondary schools his grants comprised for the years 1967-1968, 1968-1969, 1969-1970; for 1969-1970 they would be estimated.

If I recall correctly in the committee the Minister said that in 1967-1968 the legislative grants made up 46 per cent of the total; for 1968-1969 it was closer to 47 per cent; and then he said to his best knowledge the grants—before the supplementary estimates came in—would comprise about 43.3 per cent of the estimated operating expenditures of the primary and secondary schools in this province.

Then, Mr. Chairman, if I recall correctly, he said that with this additional \$48.4 million, which is over seven per cent of the \$613 million estimate I believe; the percen-

tage estimated for 1969-1970 would be 46.05 per cent. That led to my comment that I found it very hard to put together the Minister's rhetoric and the Premier's rhetoric that this government across the aisle intended to meet 60 per cent of the operating costs of the primary and secondary schools, when over a two-year period it had only increased by .05 percentage points.

I was wondering if it would be appropriate, Mr. Chairman, for the Minister to let us know whether those figures have changed at this point, before I proceed further, or should I continue with my remarks?

**Hon. Mr. Davis:** Mr. Chairman, he might continue and then I have answers to two or three questions that you have raised.

**Mr. T. Reid:** You will let me get involved in a little debate when you do that, will you?

**Mr. Lewis:** Is this likely to take the rest of the morning?

**Mr. T. Reid:** Who, me? Do you want to get into the act?

**Mr. Lewis:** No, no. I was just wondering whether Betty Graham should stay.

**Mr. T. Reid:** There is another question I want to ask the Minister. In his remarks in the House on October 16 in reply to my leader's question, the Minister said that final figures were still to be received from some of the boards, and that it would be many weeks before the total information is available to us. I would again like to know whether the total information is in, and if not, why it is not in. The Minister also noted in his remarks on October 16 that the Treasurer would be providing the department with these funds. I would like to know if the Treasurer has, as yet, provided the Minister's department with those funds.

The final question I have to make is a comment on the Speech from the Throne, Mr. Chairman. On Tuesday, November 19, 1968, in the Speech from the Throne, the following statement was made:

My government's comprehensive programme to reduce costs and increase efficiency is being pursued with the utmost vigour.

It continues later on:

There shall be tighter security by Treasury Board of all matters having financial implication, and renewed emphasis on efficiency and economy in every branch and agency of the Ontario government—

The thing that I find interesting is what the story must have been behind the scenes, when the Minister went to the Treasurer and the Treasury Board asking for what was probably more than the \$616 million and he was turned down. I am sort of wondering, was the Minister not persuasive, could he not justify what would happen with the balanced budget with regard to the local tax rates in many municipalities? Could he let us have just a little glimpse of what happened in there at that time? It would be very, very interesting.

Then, of course, I sort of wondered how the Minister convinced the Treasury to come up with a mere \$48.4 million to subsidize his own budget. I was wondering if the Minister might let us have a little insight on that. Did that go to Treasury Board or was it done from the Minister to the Premier who then leaned on the Treasurer who then leaned on the Treasury Board?

**Hon. Mr. Davis:** You never have to lean on the Premier.

**Mr. T. Reid:** Was that the only way the Minister could get it, or did he himself go to Treasury Board with his officials?

Mr. Chairman, that concludes my remarks. I would just like to know if the Minister will still make a statement today that this government intends to meet 60 per cent of the operating costs of the primary and secondary schools in this province before the next election?

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

**Mr. D. Jackson (Timiskaming):** I will be very brief, Mr. Chairman. The Minister has asked for \$48.4 million and it is meant to subsidize many municipalities around the country where the costs have risen because of the regional school boards. If he had apportioned it on a really fair basis, I am sure it would have come to more than what he is asking for.

The problem that arises is peculiar to northern Ontario because of the mine revenue payment. In the town of Levack, the Minister, in calculating the subsidy, has used the mine revenue payment to reduce their gross levy. By doing so, he cuts down on the amount of subsidy that is paid to the town of Levack. Actually, because of the fact that mine revenue payment is in lieu of taxation, it should be considered as taxation. The Minister in his calculations has used it as a grant rather than a taxation.

It creates another problem, although the first and major problem is that it reduces

the subsidy. It also means that a larger percentage of mine revenue payment is allotted to education and because a larger percentage of that mine revenue payment is allotted to education, it means that a smaller percentage than should be is allotted to general revenue. In this case, it means that the town of Levack not only loses on the subsidy, but has to apply a greater mill rate to general taxation in order to look after capital works. It is my hope that in the future when the Minister calculates this subsidy, he uses the formula set out by the town of Levack, which would mean a larger subsidy and less taxation for the people in the town.

**Mr. Chairman:** Any other speakers?

**Mr. Nixon:** One question, if you will permit: Is the Minister undertaking to prepare legislation or regulations that will assist those municipalities that have been hit by the new equalization factor, in the payment of their education costs?

**Hon. Mr. Davis:** It is in the legislation that was passed yesterday.

**Mr. Nixon:** Good.

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

**Mr. C. G. Pilkey (Oshawa):** Mr. Chairman, I think it incredible that the government would provide a new school administration setup without knowing really what cost factors were involved. Nevertheless they went ahead with the new Schools Administration Act anyway.

But the \$48 million that the Minister is asking us to approve provides nothing for those municipalities of over 50,000 or 60,000—it is either 50,000 or 60,000. There are some 13 municipalities in the province of Ontario which are carrying a tremendous burden in regard to school costs and yet this government does not see fit to give them any assistance under this new appropriation.

**Hon. Mr. Davis:** Mr. Chairman, on a point of order, not to interrupt in any way, but just to be helpful to the hon. member: I think if he checks carefully with the Ontario county school boards he will find that the city of Oshawa, both for separate and public school purposes, did receive some benefits under the mill-rate subsidy. The only areas that did not were the five designated cities where they had had systems in operation for some years.

If he will check very carefully, I think he will find that moneys were made available to his particular municipality. The other 13 he was referring to also received some.

**Mr. Pilkey:** With great respect, Mr. Chairman—

**An hon. member:** Which we always have for this Minister.

**Mr. Pilkey:** I recognize that the separate school board did receive an amount of money, obviously it did not meet the need, but nevertheless an amount of money.

**Hon. Mr. Davis:** No one ever does.

**Mr. Pilkey:** As was pointed out in the local newspaper, it was given in some secret fashion; they did not want this to be exposed. One of the trustees did expose it and the chairman said, "No, this should not have been mentioned, The Department of Education did not want this to be exposed". I wonder if the Minister would comment on that proposition, or did he read that article in the local newspaper? I think it was something like \$300,000 that the department gave to the separate school board, but it was not to be done in any fashion that would bring any public accounting for it.

**Hon. Mr. Davis:** It is all covered by the regulations.

**Mr. Pilkey:** This is not what the newspaper said.

**Hon. Mr. Davis:** That is not always a basis for complete accuracy!

**Mr. Chairman:** Vote 503.

**Hon. Mr. Davis:** Mr. Chairman, I will reply very briefly. I shall try and go in reverse order. I will get a copy of the regulations so the member for Oshawa will have it. He will find it was not confined to some of the areas that he suggested. There was nothing secret whatsoever about it, it was well known across the province. I think he can check with any school board in an area over X number of thousand population, and he will find they know all about it. I can only tell him that if he would like a copy—and I would even try to help him understand it—he will find that his municipality was covered in a way that is understood by everyone.

**Mr. Pilkey:** Totally inadequate.

**Hon. Mr. Davis:** It is always inadequate.

The other point, just to reply to the member for Peterborough on the legislation that we have dealt with; there is a section in there relating to budget regulations. There perhaps is some debate as to just how much

authority the government or the department had with respect to grant regulations and control, but this particular section will make it, I think, relatively clear cut.

I am very intrigued. I am always intrigued by the member for Peterborough. One cannot help, Mr. Chairman, but get the impression that he regards this piece of legislation, if it is as he is interpreting it, as being a further encroachment on the autonomy of the boards. And then, you know, five minutes prior to this, or in some speech elsewhere, he wants the department to set the goals, the objectives, the guidelines, the priorities, which is an encroachment on the functions of the boards as well as an economization.

**Mr. Pitman:** Not at all.

**Hon. Mr. Davis:** I say with the greatest of respect to the member for Peterborough, you cannot have it both ways.

**Mr. Pitman:** Yes, you can.

**Hon. Mr. Davis:** If you want to effect economy, if you want to bring in some rationale, you cannot do it—or we could not, with 5,000 school boards. We can now.

**Mr. Pitman:** Well, they do not know your priorities.

**Hon. Mr. Davis:** We can now. You have to be in a position to do these things.

**Mr. Pitman:** So you are going to force them.

**Hon. Mr. Davis:** Well, of course, the hon. member for Peterborough says you do not force them, and yet yesterday—

**Mr. Pitman:** I just want to know.

**Hon. Mr. Davis:** Yesterday we argued—and the members opposite will recall such arguments—at great length, the fact that we should force an advisory committee on the school boards.

**Mr. Pitman:** Right.

**Hon. Mr. Davis:** So, you see, it all depends on which side of the issue you happen to be and just how these particular issues satisfy your own personal human nature. But he will pardon me if I say there is a degree of inconsistency sometimes in his approach to some of these problems.

**Mr. Pitman:** As with the Minister.

**Hon. Mr. Davis:** Oh, sure, that is right. And, as I say, I have quoted the member for

Peterborough around this province with great regularity in the last number of months. I recall him saying during the heated debates of last March or April, "Mr. Minister, you should go to the Treasurer and pound his desk, lay your resignation on the table, unless you get more money for the local school boards."

Mr. Pitman: Is that what the Minister did?

Hon. Mr. Davis: No. But I remember his words of advice.

Mr. Pitman: I do not remember that. That must have been a very good speech.

Hon. Mr. Davis: Yes, it was very good.

Mr. D. C. MacDonald (York South): As usual.

Hon. Mr. Davis: I will try to bring the Liberal member for Scarborough—I have trouble with east and west—up to date as best I can. I do not have, unfortunately—I am doing it by ear—a combination of 1966-1967 or 1967-1968 estimates. The 1968 estimated participation by the province—and it is still estimated because we do not have all the relevant data from the school boards yet—is 45.64 per cent.

Our 1969 estimate now, with the subsidy, will be in the neighbourhood of 47.7 per cent, and if one is arguing totals, Mr. Chairman—I do not intend to on this vote—one might also include as relief to the real property owners, some \$100 million, plus the government provision through the shelter relief grant, which surely is some contribution to the relief of educational costs, as well as others.

Mr. Chairman, I really cannot help the hon. member with—

Mr. T. Reid: Mr. Chairman, one point here: in the education committee the Minister gave the figures as 46.05 per cent for 1969-1970, and now he comes up with 47.7 per cent.

Hon. Mr. Davis: That is right.

Mr. T. Reid: That is just as bad as the estimate you made about how much money you needed a year ago.

Hon. Mr. Davis: Mr. Chairman, I know that the member for Scarborough East is able in his own mind to rationalize and pick figures out of the air. I cannot tell him, and I will be very honest about it, I cannot tell him what the actual figures will be for 1969, probably for another six months.

Mr. T. Reid: Why did you say 46?

Hon. Mr. Davis: It is totally possible that I said in the committee—

Mr. Lewis: He said in the committee he was estimating.

Hon. Mr. Davis: You cannot tell exactly what they are. So this is the estimate for 1969—47.7 per cent. And, Mr. Chairman, if I come back six months from now and we are discussing this matter again, who knows, I could be a couple of percentage points out, after the decimal.

The member for Scarborough East raised one or two other minor issues as to how all these things are done, and so on. I would say to him that I have some knowledge of politics in this province and of the fact that he himself invited one of the co-authors of the Hall-Dennis report to be a Minister of Education in this jurisdiction some time in the future.

I really cannot anticipate, Mr. Chairman, that the Liberal member for Scarborough East will ever be able to, in any meaningful way, understand or participate in any of the questions that he raised just a few minutes ago.

Mr. T. P. Reid (Rainy River): These are the qualifications? He has the same qualifications as you have.

Mr. Lewis: Just try that condescension on any other member in this House and you will be in trouble—real trouble.

Hon. Mr. Davis: We must have a little fun now and then, Mr. Chairman. I am sure the member for Scarborough East understands what I am saying.

I will not reply at great length to the leader of the Opposition. We had a few words the other evening and it is not my intention to prolong them. I would only say that I am personally very pleased that he is concerned about my future political welfare.

Mr. Pitman: We all are.

Hon. Mr. Davis: I am sure you are. I am very pleased and it is very comforting indeed. I mean, I am concerned about his.

Perhaps we should go out and share these things, because I might observe a few things here. But it is the end of the week—there is a very great meeting on at the Royal York—you people will all want to come and join us, so I will not make some of the observations that I might.

I am delighted, Mr. Chairman, that the members opposite will, with enthusiasm, support this particular supplementary estimate. I am delighted that they share this very great enthusiasm with the government.

I would only say this, that during the past few months—I would acknowledge this to the leader of the Opposition—it has been somewhat frustrating, they have been rather difficult days.

I am very hopeful that I will not be meeting as many delegations this spring as I met last spring—in May, June, July, August. I am very hopeful that these problems will not recur to any significant degree.

**Mr. Pitman:** Mr. Chairman, could I ask a question of the Minister, so that my enthusiasm will be completely unbounded? Could you give me an example of the kind of regulations that the department might put through under that piece of legislation? I think it does relate to some money matters.

**Hon. Mr. Davis:** Well, Mr. Chairman, I think when the grant regulations become available—some time, hopefully, early in the new year—and these things are brought together, if the hon. member for Peterborough would, once these become public, like to sit down and discuss just how these things might work out, I would be delighted to do so.

**Mr. Pitman:** Just give me one example.

**Mr. J. E. Stokes (Thunder Bay):** That is oratorical circumlocution.

**Mr. Jackson:** Is the Minister considering a change in the grant structure for Levack?

**Hon. Mr. Davis:** Mr. Chairman, I made a note of the problem the member for Timiskaming raised. The only point I meant to make to him was, while this is a particular problem, he should also know that the grant regulations and the modifications thereto took into account many problems in the northern part of the province with respect to territorial students.

I think added funds were made available to the northern boards in a way that were not made available to them here in the southern part of the province.

Vote 503 agreed to.

**Mr. Chairman.** On vote 2103, The Department of Tourism and Information.

**Mr. T. P. Reid:** Mr. Chairman, just a few words on this.

Perhaps the Minister could explain why he is bringing a supplementary estimate in at this time. There was nothing in his expenditures, or in his estimates, for such a grant.

Perhaps he could explain why at this time, and what it is for.

**Hon. J. A. C. Auld (Minister of Tourism and Information):** Yes, Mr. Chairman. There is a small sum—I think, \$20,000—in the estimates of the department for the administration of the Heritage Foundation. Perhaps I might recap and refresh the memories of the hon. members.

When the foundation legislation was proclaimed about two years ago, a sum of \$500,000 was placed at the disposal of the foundation. The legislation sets up two funds for the foundation: one a capital fund, from which the foundation cannot expend moneys, except under certain provisions, and one a general, or a revolving fund. Four hundred and fifty thousand dollars went into the capital fund and \$50,000 into the revolving fund.

**Mr. T. P. Reid:** What is this revolving fund, maintenance?

**Hon. Mr. Auld:** The current fund—for maintenance, the acquisition of structures, their maintenance, the appraisal of donations—all that kind of expense.

**Mr. T. P. Reid:** Including costs, capital costs? Buying—\$50,000, a princely sum.

**Hon. Mr. Auld:** I beg your pardon?

**Mr. T. P. Reid:** A princely sum, \$50,000.

**Hon. Mr. Auld:** The hon. member will recall that at the same time I mentioned that the federal government was prepared to share 50-50 with us in the acquisition of properties which are of national significance.

**Mr. T. P. Reid:** This hon. member was not here then.

**Hon. Mr. Auld:** Well, at any rate that is the situation. These funds are asked for to be put in that current fund.

Throughout two years' experience, we have had a great many very valuable donations made to the foundation. But, in most cases, the funds, the dollars, that have been donated have been donated in such a fashion that they are related to a specific property.

We have had a great many requests for assistance in various ways for the restoration of buildings, and we have had a great many offers to the foundation of structures which

have to be restored, which would be given to the foundation if we were in a position to restore them. Then, for instance, we could resell them with a covenant, or rent them, as we do in a couple of circumstances, to people, with certain provisions. For example, the public is allowed to visit them on weekends and this sort of thing.

That is the purpose for which these funds are requested.

**Mr. T. P. Reid:** Not to prolong this, Mr. Chairman, but the revolving fund is for the purpose of the properties and refurbishing of them. Could you explain to me, very briefly, what the capital fund is for?

**Hon. Mr. Auld:** The capital fund was set up as a vehicle for people to make cash donations to the centre in an endowment fashion. It is really sort of an endowment situation—people can make donations to this fund and entail them, as I have mentioned, so that they can only be expended for a specific project.

In fact, we have not received in dollars the kind of contribution that we had expected, and we have found other expenses related to donations, and so on. So that, after a couple of years' experience, we have come to the conclusion that with this amount of money we will be able to expand the operations of the foundation—to acquire these properties, which will then become revenue-producing after they have been restored, and so on.

**Mr. T. P. Reid:** I would like to donate this place, if I could.

Just one question then. Is this \$250,000 for specific projects for the coming year—specific buildings?

**Hon. Mr. Auld:** Yes.

**Mr. Chairman:** On vote 2103. The hon. member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Arising on that capital fund, what happens to the revenue derived from the investments?

**Hon. Mr. Auld:** It goes into the current fund.

**Mr. Lawlor:** It does; it is used currently.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, just to show us how this fund works, a good place to start would be in the Niagara peninsula. I have mentioned this to you before.

In the village of Chippawa where Laura Secord did live and did teach school, the building is still there. I would think that the home of Laura Secord would be an important historic spot.

I do not think it is a costly building. The old gentleman who lives in it now may even give it to this department if it were to look into the possibility of re-establishing this building. I think it would be a good place to start.

I mentioned this to the Minister before and if it is a 50-50 proposition with the provincial government and the federal, maybe I should talk to my colleagues in Ottawa and let the tail wag the dog. But I thought it started here and I think this Minister should take a good look at it.

I have mentioned it before in a very kindly manner but, if one has to raise his voice to get results, then I shall raise my voice, although I do not like the idea. I really think you should take a good look at that one.

**Hon. Mr. Auld:** Mr. Chairman, I am delighted to tell the hon. member that two of the four structures that we have presently acquired are in the Niagara peninsula—the apothecary in Niagara-on-the-Lake and the Field house, with which the hon. member is familiar. It would appear the Laura Secord house would need something in the order of \$100,000 to do the restorations that are required. We are actively pursuing that, as a matter of fact, with both the federal government and a private prospective owner.

**Mr. Bukator:** Mr. Chairman, just to pursue this a bit further. I am not talking about any building that is going to cost \$100,000 to restore.

I am talking about a small brick building in the village of Chippawa, on the Welland river, on the Chippawa creek; the building still exists. If you took the building down and completely reconstructed it, it would not cost \$100,000. I doubt very much if you would have to spend \$10,000 on that building.

According to history, Laura Secord did teach school there. They have pictures in the old building and it was from that particular point that we began to hear of her.

**Mr. T. P. Reid:** In fact, some Tory backbenchers were taught by her.

**Mr. Bukator:** As a matter of fact, I attended the same school myself. You would not think the years pass so quickly.

This is a small, brick bungalow on the Welland river, which I do not think would cost \$15,000 to buy and \$5,000 to restore.

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** Mr. Chairman, I have a much less expensive—

**Hon. Mr. Auld:** I just want to tell the hon. member that there are two houses involved. I was speaking of the other one. We are pursuing both.

**Mr. MacDonald:** Mr. Chairman, I have a much less costly case of special pleading to do with the Minister. It will cost no more than one plaque, and the research work to decide on it. I have raised this issue for the last five or six years. If you could be persuaded to put up a plaque to commemorate the birthplace of J. S. Woodsworth, acknowledged as a great Canadian by every objective person, then the suggestion that this government locates plaques on a partisan basis would be disproved.

The birthplace is in the borough of Etobicoke. I repeat, I have been raising this matter for the last six or eight years and I am not going to take it up with anybody else other than the Minister. I think if you want to prove that your approach to the putting up of plaques is not in terms of commemorating two-bit politicians as the statesmen of the nation—

Interjections by hon. members.

**Mr. MacDonald:** That use of the term "two-bit politicians" was in reference to nothing that has been said in this House this morning.

You have got the site in Etobicoke. It can be found, and all you need to do is to go out and put up a plaque. I will be glad to accept an invitation to be there when you unveil it.

**Hon. J. H. White (Minister of Revenue):** I think there should be a plaque on the member for Oshawa's birthplace.

**Mr. J. Renwick:** There will be. There will be.

**Mr. Lewis:** As a matter of fact, that is a good idea.

**Mr. Pilkey:** That is in Tanganyka.

Interjections by hon. members.

**Mr. Pitman:** Mr. Chairman, I wonder if I could ask the Minister whether anything further can be done on the suggestion made to him five or six months ago, and also put in a private bill, that some legislation be put through to stop the destruction of older build-

ings in Ontario? He said he was considering that, that they were working at it. The Ontario Heritage Foundation could be the medium through which something really significant could be done before we lose some more of the architectural works, which are very fast moving in this province.

**Mr. Nixon:** Beauty is in the eye of the beholder.

**Hon. Mr. Auld:** Very briefly, Mr. Chairman, I recall the discussion we had and I think, at the time, I mentioned that we were working very actively with the Minister of Municipal Affairs (Mr. McKeough) in connection with zoning provisions that would allow communities to preserve areas or parts of areas. This is still going forward. I cannot make any predictions as to when the legislation will be in the House, but I think we will see it.

**Mr. Pitman:** We are losing buildings every year.

**Hon. Mr. Auld:** With the funds that are, I trust, to be voted this morning, the foundation will be in a position to acquire more of these buildings, many of which have been offered. But it is a matter, of course, of compensation, and we have to obviously pay for them. So I think that we are making progress in this field.

Interjections by hon. members.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I would like to ask of the Minister if there are funds available in this for the construction of museums, and I am specifically referring to one to house historic vehicles, that is motor vehicles?

**Hon. Mr. Auld:** No, Mr. Chairman.

**Mr. B. Newman:** No. Thank you.

Vote 2103 agreed to.

**Mr. Chairman:** This completes the study of the estimates for the province of Ontario for the fiscal year ending March 31, 1969-70.

**Hon. Mr. Welch** moves the committee rise and report it has come to certain resolutions.

Motion agreed to.

The House resumed, Mr. Speaker in the Chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, it is not customary to comment on this particular question, but I feel that this is the last time in the session that the committee of supply will report. All of us would like to express to the Chairman and to his deputy the good work that they have accomplished over these many months. We have appreciated the fairness of their decisions and the attention they have given to this high responsibility.

**Mr. D. C. MacDonald** (York South): I would be glad to second that motion.

**Hon. A. Grossman** (Minister of Correctional Services): We will put up a plaque for him.

**Mr. Speaker:** If I might say, on behalf of myself and my newly appointed deputy, who has been of great assistance throughout the many months, it has been a pleasure to work on the supply estimates with you gentlemen. We thank you.

Interjections by hon. members.

**Clerk of the House:** Mr. Reuter, the committee of supply reports the following resolution:

Resolved,

That supply in the following amount to defray the expenses of the government departments named be granted to Her Majesty for the fiscal year—

**Hon. R. S. Welch** (Provincial Secretary): Could we dispense with the reading of this detail? Take it as read?

Agreed.

(See appendix, page 9416.)

**Mr. Speaker:** Shall the resolution for supply and the estimates and supplementary estimates be concurred in?

Resolution concurred in.

#### THE CHILD WELFARE ACT, 1965

**Hon. J. Yaremko** (Minister of Social and Family Services) moves second reading of Bill 243, An Act to amend The Child Welfare Act.

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

**Mr. J. E. Bullbrook** (Sarnia): Mr. Speaker, I want to have the opportunity, if you would indulge me, of speaking after the Minister. I believe the Minister feels that it be in the

best interest of the House to make some clarifying opening statement.

**Hon. Mr. Yaremko:** Yes, Mr. Speaker. We will be dealing in what has been very aptly referred to by a *Telegram* editorial as "a heartbreak area." However, it befalls us as legislators to make decisions after weighing all of the considerations.

The Child Welfare Act has been acclaimed as one of the most progressive pieces of legislation of its kind. The adoption procedures within Ontario have also been acclaimed, and both have brought about a remarkable success in the placing of children.

Recently, the Supreme Court of Canada—in a case to be known as the Mugford case—handed down a decision which vitally affects both the Act and our adoption programme. Briefly it is was: an application to recover a Crown ward from adoptive parents was granted. It had always been assumed that once the legislation had provided for Crown wardship, that the Crown, in assuming the rights and responsibilities, took the place of the natural parent, and any action that followed after that could not be disturbed.

The decision, although the Supreme Court did not, in so many words, say so, makes the Crown wardship null and void. And, in fact, there will be nothing to do but to have that Crown wardship terminated.

The amendment which is proposed is designed, through the technical language, to bring about a situation that once a Crown ward—and this is the stress, Mr. Speaker—is placed in an adopted home, and the adoptive parent has given notice of his intention to adopt a child, the child cannot be recovered. The Crown wardship cannot be terminated, and therefore the child cannot be recovered.

In trying to devise an amendment to bring this about, I was very concerned with seeking to see whether we could provide for some kind of a time lag between the Crown wardship and the final adoption, in order that considerations might be given to change of circumstances.

The conclusion we came to was that the only provision that could be made, was to provide that, in those instances where the Crown ward had not yet been actually placed in adoption, but was still in care outside the adoption stream, that an application could be made to terminate the Crown wardship.

We had considered the idea of having some sort of a stated period, but any stated period would provide for a rigidity which again would upset our whole adoption procedures.



The urgency of the matter is this, and I will read a letter addressed to me from Mr. Mullins, President Mullins, chairman of the Minister's advisory committee on adoption and foster care.

Inasmuch as the decision rendered puts in jeopardy certain basic assumptions of The Child Welfare Act, 1965, we feel that it is of the greatest urgency for existing legislation to be modified.

In particular, the decision of the court puts into question the whole area of Crown wardship as opposed to parental rights. Crown wardship, as you know, is the cornerstone on which the revised Child Welfare Act is based.

Secondly, it would appear that the rights of the child are, as a result of the decision, made secondary to the rights of the natural parents. Clearly this is against the intent of the Act which holds the right of the child to be of primary importance.

The hon. member for Sarnia came up with an expression which I hope he will remember and use in the Legislature, which really sums up the intent and purpose of the Act.

**Mr. Speaker:** I think some members of the Opposition wish to speak on the bill before the Minister replies. They did not have the opportunity before, so I will not exclude the members from now speaking if they wish. The hon. member for Sarnia.

**Mr. Bullbrook:** I realize, sir, unfortunately I have to address to you the fact that it is impossible for me to be here Monday due to other commitments made some time ago, and I wanted to speak at length in connection with this bill. It has far-reaching implications.

We have had the opportunity in this caucus of digesting the implications. I have had the opportunity of discussing it with the Minister and some of his administration. I have had the opportunity of discussing it with members of the New Democratic Party who have a direct interest in the situation. I am going to say this: I would hope my colleagues would support the amendment on balance. I do not know to what the Minister refers, unless I did make comment once that this Act is The Child Welfare Act, it is not The Natural Mothers Act, and it is not The Adopted Parents Act, it is The Child Welfare Act, and that is the primary consideration of all of us. It is a somewhat trite phrase to say that, but we are all, through

our mental gymnastics, trying to arrive at what is in the best interests of the child.

There can be some collaterally adverse implications to this legislation. Basically, if I might, in a few moments say this. If you take the position that the time of the final order of adoption terminates the right of the natural mother, I do not think anybody in this House would take issue with that position. Then we move forward. The question is, should the notice of intention to adopt terminate the position of the natural mother? I think most of us would subscribe to that and that is what this legislation does. It is the hiatus, the never-never land between the creation of the Crown wardship and the giving of the notice of the intention to adopt, that causes us all great concern.

There is going to be worthy and significant debate in this House, but I want, after attempting to digest it as fully and as fairly as possible, after giving significant regard to the right of the natural mother, after recognizing the sincere consideration made by other people in this House, more knowledgeable than I in informal discussions as to the right of the natural mother, I feel that I must subscribe to the position put forward by the Minister. To put in a term certain for the holding of the child prior to the giving of the intention to adopt, would create undue rigidity.

I think we have to leave it to the children's aid society. I think we have to leave it to the family and juvenile court judge to assess the best interests of the child in the individual circumstances that are put before him at the time of the giving of the evidence on the hearing as to the propriety of the creation of the Crown wardship.

As much as we would like to generally legislate statutory entitlement that protects the right of the natural mother, and we all will want to express that concern, I just have not had it put to me, in wording that I can accept, that it might in the long run not adversely affect the welfare of the child.

If you will permit me, the hon. member for Lakeshore (Mr. Lawlor) and I have discussed this somewhat. You can talk about the psychological impact of, in essence, institutionalizing the child after birth, for no matter what period of time, be it 21 days, seven days, or 18 days. On the other hand you have the possibility of the society wishing to move the child into an adoptive home. As I say, I would hope my colleague in this party, and the majority of the members of the House would vote in favour of the amendment.

There are 2,800 children approximately, Mr. Speaker, who are subject to the implications of the Mugford decision, and 2,800 times two, probably, adoptive parents — although my concern is not for the latter; it is entirely for the children—and we must move with due expedition. It is not panic, but concern, not panic but urgency, and I think the majority of the children's aid society people in Ontario wish us to move during the course of this session.

**Mr. Speaker:** Are there other hon. members who wish to speak to this bill? In view of the hour, perhaps an hon. member will adjourn the debate.

Mrs. M. Renwick moves the adjournment of the debate.

Motion agreed to.

**Hon. Mr. Welch:** Mr. Speaker, on Monday we will carry on with the legislation on the order paper and then the Budget Debate.

**Mr. V. M. Singer (Downsview):** I wonder if the House leader can advise whether or not the legal bills committee is going to sit next week, and what day.

**Hon. Mr. Welch:** I cannot report for the committee. I assume that Tuesday and Wednesday both standing committees considering the legislation will be meeting at the call of the chairman, and I do not know what arrangements have been made. Neither chairman appears to be in the House now, but they are meeting Tuesday and Wednesday.

**Mr. Singer:** We have no notice. Usually we have notice a day or two in advance.

**Hon. Mr. Welch:** I will speak to the chairmen; I imagine they will be getting things organized.

**An hon. member:** When will they be meeting?

**Hon. Mr. Welch:** Tuesday and Wednesday.

**Mr. Singer:** Tuesday and Wednesday?

**Hon. Mr. Welch:** moves the adjournment of the House.

Motion agreed to.

House adjourned at 1.00 o'clock, p.m.

#### APPENDIX (See page 9414)

Mr. Reuter, from the committee of supply, reported the following resolution which was concurred in by the House:

*Resolved,*

That supply in the following amounts and to defray the expenses of the government departments named, be granted to Her Majesty for the fiscal year ending March 31st, 1970:

#### Department of Attorney General:

Departmental management—general expenditure .....	\$ 1,506,000
Litigation and legal services—general expenditure .....	325,000
Legislative counsel services—general expenditure .....	391,000
Law research and development—general expenditure .....	224,000
Criminal prosecutions—general expenditure .....	3,258,000
Courts administration—general expenditure .....	26,514,000
Probation services—general expenditure .....	3,785,000
Official guardian and public trustee services—general expenditure .....	2,163,000
Land registration services—general expenditure .....	5,043,000
Public safety—general expenditure .....	5,345,000
Supervision of police forces—general expenditure .....	1,262,000

#### Ontario Provincial Police:

Administration—general expenditure .....	1,340,500
Traffic law enforcement—general expenditure .....	21,218,500
Criminal and general law enforcement—general expenditure .....	18,337,000

## Department of Civil Service:

Departmental administration—general expenditure .....	\$ 674,000
Personnel management—general expenditure .....	763,000
Personnel development—general expenditure .....	1,343,000

## Department of Correctional Services:

Departmental administration—general expenditure .....	1,972,000
Rehabilitation of adult offenders—general expenditure .....	32,721,000
Rehabilitation of juveniles—general expenditure .....	11,729,000

## Department of Energy and Resources Management:

Departmental administration—general expenditure .....	749,000
Energy resources management—general expenditure .....	859,000
Energy resources management—disbursements .....	20,000,000
Ontario Energy Board—general expenditure .....	145,000
Renewable resources management—general expenditure .....	13,212,000
Renewable resources management—disbursements .....	383,000
Air management .....	3,126,800
Waste management .....	132,100

*Ontario Water Resources Commission:*

Commission administration—general expenditure .....	2,657,000
Management of the quality and quantity of water—general expenditure .....	5,411,000
Provision of sewage and water facilities and related funding —general expenditure .....	1,475,000
Provision of sewage and water facilities and related funding —disbursements .....	32,000,000

## Department of Financial and Commercial Affairs:

Departmental administration—general expenditure .....	613,500
Ontario Securities Commission—general expenditure .....	927,500
Superintendent of insurance and registrar of loan and trust corporations —general expenditure .....	560,000
Consumer protection—general expenditure .....	1,311,000

## Department of Health:

Departmental administration—general expenditure .....	19,364,000
Public health—general expenditure .....	59,415,100
Mental health—general expenditure .....	137,537,000
Medical services insurance—general expenditure .....	41,237,000
Health insurance registration—general expenditure .....	11,505,000
Ontario Hospital Services—general expenditure .....	99,611,000
Ontario Hospital Services—disbursements .....	25,781,000

## Department of Labour:

Departmental administration—general expenditure .....	2,796,000
Safety and technical services—general expenditure .....	3,864,000
Industrial relations—general expenditure .....	1,349,000
Manpower development—general expenditure .....	12,556,000
Human Rights Commission—general expenditure .....	315,000
Employment standards—general expenditure .....	1,185,000
Employment standards—charges .....	7,500,000
Athletics commission—general expenditure .....	168,000

## Department of Lands and Forests:

Departmental administration—general expenditure .....	5,324,000
Resource protection and development—general expenditure .....	39,748,000
Recreation—general expenditure .....	19,990,000

## Office of Lieutenant-Governor:

Office of Lieutenant-Governor—general expenditure .....	\$ 39,000
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## Department of Mines:

Departmental administration—general expenditure .....	858,000
Provincial geological services—general expenditure .....	2,283,000
Mines safety and public protection—general expenditure .....	654,000
Promotion of mining development—general expenditure .....	3,120,000

## Department of Municipal Affairs:

Departmental administration—general expenditure .....	920,500
Valuation of government-owned property—general expenditure .....	4,076,000
Planned development of municipalities—general expenditure .....	7,648,000
Effective local government—general expenditure .....	9,337,500
Tax diminution—general expenditure .....	180,556,000
Tax diminution—bisbursements .....	900,000
Ontario municipal board—general expenditure .....	685,000

## Department of Prime Minister:

General expenditure .....	241,000
Cabinet office—general expenditure .....	125,000

## Department of Provincial Secretary and Citizenship:

Departmental administration—general expenditure .....	697,500
Companies—general expenditure .....	794,700
Citizenship—general expenditure .....	1,099,500
Queen's Printer—general expenditure .....	314,300
Registrar General—general expenditure .....	1,168,000
Legislative services—general expenditure .....	3,113,000

## Office of Provincial Auditor:

Administration of The Audit Act and Statutory Audits—general expenditure .....	859,500
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## Department of Public Works:

Departmental Administration—general expenditure .....	1,804,000
Provision of accommodation—general expenditure .....	55,792,000
Property maintenance—general expenditure .....	20,511,000
Common services—general expenditure .....	2,408,000
Government exhibits and information—general expenditure .....	535,000
Central purchasing and supply—general expenditure .....	183,000

## Department of Revenue:

Departmental administration—general expenditure .....	1,953,000
Collection of taxes—general expenditure .....	8,684,000

## Department of Social and Family Services:

Departmental administration—general expenditure .....	3,113,000
Income Maintenance—general expenditure .....	215,402,000
Rehabilitation and special services—general expenditure .....	6,805,000
Child care—general expenditure .....	39,457,000

## Department of Tourism and Information:

Departmental administration—general expenditure .....	442,000
Tourism—general expenditure .....	7,550,500
Archives and history—general expenditure .....	557,500
Theatres—general expenditure .....	155,000
Government services—general expenditure .....	185,000
The centennial centre of science and technology—general expenditure .....	3,608,000

## Department of Trade and Development:

Departmental administration—general expenditure .....	\$ 2,377,000
Trade and industrial development—general expenditure .....	2,987,000
Selective immigration—general expenditure .....	299,500
Research and development—general expenditure .....	1,567,000
Ontario economic council—general expenditure .....	201,000
Exposition development—general expenditure .....	2,165,000
Ontario Development Corporation—general expenditure .....	21,414,000
Ontario Housing Corporation—general expenditure .....	5,547,000
Ontario Housing Corporation—disbursements .....	48,411,000
Ontario Student Housing Corporation—general expenditure .....	870,500
Ontario Student Housing Corporation—disbursements .....	7,556,000

## Department of Transport:

Departmental administration—general expenditure .....	1,735,500
Highway safety—general expenditure .....	8,707,000
Common carriers—general expenditure .....	1,749,000
Motor vehicle accident claims—general expenditure .....	1,145,500
Transportation planning—general expenditure .....	824,500

## Department of Treasury and Economics:

Departmental administration—general expenditure .....	381,000
Economic and statistical research and policy planning—general expenditure ..	3,261,000
Finance—general expenditure .....	193,000
Government accounting—general expenditure .....	1,053,000
Government benefit plans—general expenditure .....	15,233,000
Computer services—general expenditure .....	250,000
Supervision of employers' pension plans—general expenditure .....	205,000
Regulation of horse racing—general expenditure .....	2,183,000
Treasury board secretariat—general expenditure .....	1,628,000

## Department of University Affairs:

Departmental administration—general expenditure .....	548,000
University support—general expenditure .....	364,857,000
University policy—general expenditure .....	443,000

*Resolved,*

That supply in the following supplementary amounts and to defray the expenses of the government departments named, be granted to Her Majesty for the fiscal year ending March 31st, 1970:

## Department of Agriculture and Food:

Agricultural production—general expenditure .....	\$ 4,907,000
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## Department of Education:

Assistance to school authorities—general expenditure .....	49,700,000
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## Department of Tourism and Information:

Archives and history—general expenditure .....	250,000
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ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 8, 1969  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 8, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** In the east gallery this afternoon we have as our guests, students from Walkerton District Secondary School in Walkerton. In the west gallery, we have students from St. Joseph's Commercial School in Toronto and the 1st Port Nelson Boy Scout Troop, Burlington.

Statements by the Ministry.

Oral questions.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, I had ideas for a number of questions but there are not too many Ministers here. I did want to know if the Minister of Financial and Commercial Affairs could tell us about the progress of the investigations he is conducting into Meadows and into that other company.

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Both the Meadows matter and the Whiterock matter have been extremely active and the investigation has been pursued diligently. I went over some of the material that has been gathered this morning and I am hopeful that the entire matter will be cleaned up this week. I am trying to have it finished before the House rises.

**Mr. Singer:** I have questions of the Minister of Health (Mr. Wells), Mr. Speaker; also the Minister of Municipal Affairs (Mr. McKeough) and the Minister of Labour (Mr. Bales) and none of them is here.

**Mr. Speaker:** Should the Ministers in question come in before the end of the question period we certainly will revert to the deputy leader of the official Opposition.

Now have we someone from the New Democratic Party? The member for High Park.

**Mr. M. Shulman (High Park):** I have a question of the Minister of Financial and Commercial Affairs, Mr. Speaker: is it correct that the Minister's insurance examiners

have discovered that the Commerce and Industry Insurance Company of Canada had written \$4.5 million worth of premium business without reinsurance, although it had only had \$250,000 in surplus?

Is it also true that his examiners have found the American Home Insurance Company of Canada and the Commerce and Industry Insurance Company of Canada have been operating with no bookkeeper and no accountant?

**Hon. Mr. Rowntree:** Mr. Speaker, I will have to take those questions as notice.

**Mr. Shulman:** I have another question of this Minister, sir: in view of the report made by the Canadian Testing Council on Toys this past weekend on the Eldon electric car in which they pointed out its perils, would the Minister care to modify his comments of last week, and would he inform us what action he has taken in the light of the action of the T. Eaton Company in withdrawing that car from sale? Has it been withdrawn from sale in the rest of the province?

**Hon. Mr. Rowntree:** The action of the T. Eaton Company in withdrawing it from sale has no bearing on our decision.

As to the other matter to which the hon. member refers—the further report by the Canadian Testing Council—as soon as I get that matter before us it will be considered.

**Mr. Shulman:** Sir, a further question of this Minister: in light of the fact that there are only two days left in order to appeal the case which was lost against the executives of Ord-Wallington, and in view of the absence of the Attorney General (Mr. Wishart), can the House leader and the Minister of Financial and Commercial Affairs inform us whether an appeal will be lodged in this brief time that is left?

**Hon. Mr. Rowntree:** The question if an appeal against the Ord-Wallington decision by the courts is before legal counsel at the moment.

**Mr. Shulman:** Is the Minister aware of the very brief time that he has left?

**Hon. Mr. Rowntree:** Yes, I am.

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

**Mr. Shulman:** I have not finished, sir, unless there is a supplementary.

**Mr. Speaker:** Is the hon. member taking the place, then, of the New Democratic Party leader?

**Mr. Shulman:** Yes I am, sir.

**Mr. Speaker:** Then the hon. member has the right to continue his questions.

**Mr. Shulman:** A question of the Minister of Public Works: what is the name of the Minister's new director of safety—or is he aware of the name of the new director of safety?

**Hon. J. R. Simonett (Minister of Public Works):** Mr. Speaker, the department was just doing some reorganization and, as I understand it, we have not named a new director of safety as of this morning.

**Mr. Shulman:** As a supplementary then: in view of the resignation which became effective over a week ago of the past director of safety, is that department now working without a head?

**Hon. Mr. Simonett:** No, Mr. Speaker, we have many directors over there and those that are in safety are working now under another department, but there has not been a director of safety named as yet.

**Mr. Shulman:** If those in safety are working under another department, which department are they now working under, Mr. Speaker?

**Hon. Mr. Simonett:** They are working under, I think, the operational department at the present time until such time as we appoint a director of safety.

**Mr. Shulman:** Another question of the Minister of Public Works, Mr. Speaker: In view of the reports which have been sent to your department about the dangers of Toluene and Sno-pak, which is a typewriter correction fluid, why has your department continued the use of that fluid in this building?

**Hon. Mr. Simonett:** Mr. Speaker, I am sorry I cannot answer that question. I will take it as notice though, and try to get the hon. member the answer.

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

**Mr. D. A. Paterson (Essex South):** Yes, Mr. Speaker, a question of the Minister of Trade and Development: This past weekend, has a new list of designated municipalities under the EIO programme been released by the Minister's department?

If so, has the community of Harrow, in Essex county, been included among these?

**Hon. S. J. Randall (Minister of Trade and Development):** The answer is yes to both questions, Mr. Speaker.

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

**Mr. J. Renwick (Riverdale):** I have a question of the House leader in connection with the hearings on the landlord and tenant bill.

It was my understanding from his remarks a day or two ago that the hearings would commence on Tuesday. I now notice that they will not commence until Wednesday. Can the Minister give me any indication as to whether adequate opportunity will be given to all persons interested in making representations to be heard on that bill before the committee reports?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, in reply to a query, I think from the member for Downsview, on Friday, we did indicate that the committees would be meeting on Tuesday and Wednesday.

I notice from the order paper that the standing committee on health is scheduled to meet Tuesday, at 9.30 a.m., and the standing legal and municipal committee is meeting on Wednesday, at 9.30 a.m. Of course, the operation of the committees is in the hands of the officials of the committee. I do not notice the chairman of the committee on legal and municipal bills here. I will check that during the course of the afternoon. I thought they were meeting on both days, but apparently the standing committee on legal and municipal bills is not meeting until Wednesday.

**Mr. J. Renwick:** Mr. Speaker, by way of supplementary question: am I correct that it is because of the absence of the Minister of Justice and Attorney General until Wednesday, that the meetings of that committee have been postponed? And should they now not start on Tuesday so that any matters that require to be held over until the return of the Minister of Justice could be held over to allow us to get on with the hearings?

**Hon. Mr. Welch:** I cannot speak for the Minister of Justice. I just assume that the committee will start meeting on Wednesday morning at 9.30 a.m., and deal with all those people who will appear before it.

**Mr. Speaker:** Has the member for Riverdale a further question?

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs.

**Mr. Speaker:** Perhaps we will wait then until the member for Windsor-Walkerville asks his question.

**Mr. B. Newman (Windsor-Walkerville):** Thank you, Mr. Speaker. Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. Is the Minister aware of the proposed takeover of Windsor Raceway Holdings Limited by FIC Fund Incorporated of Montreal, and is the Minister aware of a temporary restraining order issued Friday by a U.S. judge in Detroit halting trading in the stock of Windsor Raceway Holdings as a result of this bid by FIC Holdings of Montreal?

**Hon. Mr. Rowntree:** I am aware that an offer was made through a Quebec brokerage firm to purchase certain shares of Windsor Raceway. I am not aware of any court steps to which the hon. member refers.

**Mr. Singer:** Mr. Speaker, by way of supplementary, I wonder if the Minister has any reports on this proposed takeover from either the securities commission or other officials in his department, and if any of his officials are concerned about this bid or is it just a normal bid in the normal course of business?

**Hon. Mr. Rowntree:** I can only answer that in this way. Firstly it is a bid for the class A and class B shares. If the circumstances of the bid under the requirements of the securities commission enable the bid to be made to the shareholders and require a filing with the commission, and this has been done, I am informed that from that point of view the requirements of the commission have been complied with.

**Mr. Singer:** By way of further supplementary, is there any information that has come to the attention of either the Minister or any of his officials which would indicate they should be taking some additional action other than examining the plans?

**Hon. Mr. Rowntree:** There was a question the mayor of Windsor spoke to me about on

Friday, with respect to the possibility of another racetrack in Quebec being involved, and this is presently being checked out. I think the answer is that there is no connection between the people making the bid and any other racetrack whatsoever.

**Mr. Singer:** By way of supplementary, is the Minister aware that a Mr. Iodice, Peter J. Iodice, made certain allegations of fraud in connection with this matter and it was on that basis that District Judge Thomas P. Thornton apparently issued the restraining order? If the Minister is not so aware, would he enquire to see if any further action is required by any governmental authority in this province?

**Hon. Mr. Rowntree:** What court was that?

**Mr. Singer:** United States judge, in Detroit.

**Mr. Speaker:** Perhaps the hon. deputy leader would send that to the Minister.

**Mr. Singer:** Yes, I would be glad to.

**Mr. Speaker:** The member for Riverdale. The Minister has agreed to deal with that.

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs in connection with the proposed takeover by University Computing Company of Dallas, Texas, of the company known as Computel Limited.

Has there been any breach of the provisions of The Securities Act relating to takeover transactions or any breach of the code adopted by the Toronto Stock Exchange with respect to takeover bids in the case of the proposed acquisition by University Computing of shares of Computel, and has there been any conflict of interest which has not been adequately disclosed by the chairman of the Toronto Stock Exchange in connection with the transaction in his position as a director of Computel Limited?

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

**Mr. Shulman:** In the Minister's answer, could he also find out whether the rules of the Ontario Securities Commission in relation to timely disclosure have been followed in this matter?

**Hon. Mr. Rowntree:** I will be glad to answer that.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Lands

and Forests. Has the Minister any new information with regards to the acquisition of park property in Essex county? Have there been any new negotiations in order to finalize any of the agreements?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, is the hon. member referring to the Tremblay property? It is my understanding that this matter has been finalized. The acquisition, of course, is conducted through The Department of Public Works. But I will be pleased to look into this just to confirm it. It is my understanding that the owners have been given a lifetime interest and they will be able to continue to live for the rest of their days on the property. The matter has been transacted, but I will check with The Department of Public Works, and let the member know.

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

**Mr. R. Gisborn** (Hamilton East): I have a question of the Minister of Trade and Development, and my question relates to housing. I understand there is a misunderstanding regarding the payments of the tax rebate in the housing accommodations in Hamilton. Would the Minister explain what the procedures will be this year?

**Hon. Mr. Randall:** I do not know exactly about the city of Hamilton, Mr. Speaker, except that if the tenants are not in arrears as of November 20, they will get their cheques about December 15. If they are in arrears and they clean them up after November 20 and get in touch with the office, we will see that their cheques are forwarded. There is a tenant answering service available for them at OHC after that date if they want to call and get further information.

**Mr. S. Lewis** (Scarborough West): By way of a supplementary, Mr. Speaker: out of curiosity, why should the OHC assume a privileged landlord's interest in withholding the dividend, which is due, if a certain portion of rents are in arrears? No other landlord is given that privilege in the province.

**Hon. Mr. Randall:** I do not think it is a privilege on our part. All I suggest is, if they have not paid their rent, we believe that they should not get the cheque until their rent is brought up to date. They are already being subsidized by the taxpayer. They have an opportunity to get the cheque if they pay up their rents but why should they get their cheque before they pay their rents?

**Mr. Lewis:** All I am suggesting is that the OHC is a very privileged landlord in this way. No other landlord has the right.

But way of a supplementary, Mr. Speaker, since many of the rental arrears cases involve differences of opinion with The Department of Social and Family Services over payments of rent, perhaps it would be better not to penalize people precisely in this way but to use the more normal channels of asking for back rent.

**Hon. Mr. Randall:** I would say we will handle it our way, the member can handle it his.

**Mr. Lewis:** Fine! The same way as the government handled it last year—not give it at all, except under pressure.

**Hon. Mr. Randall:** We do not have all the answers.

**Mr. Gisborn:** A supplementary question, Mr. Speaker, regarding this question—

**Mr. Lewis:** That is the whole problem, the government does not. This year it is finally giving it.

**Mr. Gisborn:** The tenants in the Hamilton housing have received notice that they would be given their rebate on payment on their December 1 rent. That was subsequently revoked. Is the reason given by the Minister—the reason the original letter was revoked—that there was a possibility of some being behind in their rent and they would not receive the rebate until the rent was paid up?

**Hon. Mr. Randall:** I do not understand some of the letters the hon. member is referring to. All I know is, if they are up to date on November 20 they get their cheques. If they are not up to date, they have an opportunity to bring their arrears up to date, and they will get the cheques on time the same as anybody else.

**Mr. Lewis:** But it is in dispute with this Minister's department. The government just takes a position—

**Hon. Mr. Randall:** I do not think we do.

**Mr. Lewis:** Most of them are probably right in their decision—

**Hon. Mr. Randall:** Oh, no they are not. They will be wrong, too—

**Mr. Lewis:** An arbitrary right!

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

**Mr. Paterson:** I have a question of the Minister of Public Works.

**Mr. Speaker:** Order!

**Mr. Paterson:** How many men were employed in cleaning our Legislature grounds after the march here last Saturday, and were they paid time and a half for working on the weekends, and what was the total cost?

**Hon. Mr. Simonett:** Mr. Speaker, I do not know how many there were. I know there were a number of them and no doubt they were paid time and a half if they worked Sunday to clean up the grounds. I can find the exact number for the hon. member. We have a group of men working on the grounds all the time, so I think perhaps that staff was used to clean up this particular debris. It would be time that they might have been spending some place else while they were cleaning that place.

**Mr. Paterson:** As a supplementary, I wonder if the Minister would consider, when he is aware that there is going to be a demonstration out in the front, that they provide containers for certain debris and so forth to relieve the taxpayers of that expense.

**Mr. Speaker:** The member for Brantford. The member for Dovercourt (Mr. De Monte) has a supplementary question?

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I have a question of the Minister of Agriculture and Food. In view of the fact that the inquiry into fruit and vegetable sales in Ontario has indicated that unethical practices exist in that particular industry, would the Minister consider looking into the possibility of unethical practices existing in the meat and egg industry at the moment in view of the inordinately high prices that the consumer has to pay for these products?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, there is quite a difference between unethical practices and high prices. One might be contributing, in fact, to the other. To date we have not heard of any instances of unethical practices in the egg industry or the meat industry.

**Mr. Makarchuk:** By way of supplementary, Mr. Speaker. The Minister did not hear about practices in the fruit and vegetable industry either, but there were.

**Mr. Speaker:** The hon. member is entitled to ask a supplementary question, not to comment on the Minister's—

**Mr. Makarchuk:** In view of the fact that the report stated that trading in potato futures was not beneficial or otherwise to the producer, would the Minister look into the possibility of, or enquire into, the current trading in bacon and other commodity futures to see if it is of benefit to the farmers?

**Hon. Mr. Stewart:** Does the hon. member suggest that bacon is trading in the futures market?

**Mr. Makarchuk:** Yes, I am suggesting that, Mr. Speaker, and would the Minister look—

**Hon. Mr. Stewart:** It is not, to my knowledge, in the futures market.

**Mr. J. L. Brown (Beaches-Woodbine):** Answer the other part of the question.

**Mr. Makarchuk:** Will the Minister look into the other commodities that are being traded on the market?

**Hon. Mr. Stewart:** No.

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

**Mr. Makarchuk:** By way of supplementary, Mr. Speaker, would the Minister—

**Mr. Speaker:** I think the hon. member has taken that particular matter as far as it can be followed in view of the Minister's reply.

**Mr. Makarchuk:** Just one more supplementary.

**Mr. Speaker:** No, there will be no further supplementary. No further supplementary is allowed. It has gone far enough. The Minister has very categorically indicated his standing in the matter.

The member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** I have a question of the Minister of Energy and Resources Management, Mr. Speaker. Is the Minister aware that Lever Brothers in Sweden have developed and marketed a detergent that contains 60 per cent less phosphates in the product?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, I would assume that the hon. member is saying that it contains 60 per cent less phosphate than the equivalent product sold in Ontario. No, I was not aware of that, but I will look into it, Mr. Speaker.

**Mr. De Monte:** By way of supplementary, Mr. Speaker, in view of the statement made

by Alan Rae, president of Lever detergents, last night on television, would the Minister make the president of Lever Brothers aware of the product being marketed in Sweden?

**Hon. Mr. Kerr:** I am not sure who Mr. Rae is.

**Mr. De Monte:** The president of Lever detergents!

**Hon. Mr. Kerr:** I would assume that the hon. member is indicating that the president was not aware of the product in Sweden.

**Mr. De Monte:** Apparently, Mr. Speaker, the president was not aware of any new development in the detergent matter.

**Hon. Mr. Kerr:** I will look into that.

**Mr. Speaker:** The member for High Park was on his feet. Will he defer to the member for Scarborough Centre?

**Mrs. M. Renwick (Scarborough Centre):** I have a question of the Minister of Agriculture and Food. In the light of the public interest in Bill 194, Mr. Speaker, would the Minister advise how animals are being used in research at Shirley's Bay outside of Ottawa for bacteriological-chemical warfare weaponry, as Mr. Cadieux pointed out the study was being brought in from the U.S.A.? Also, Mr. Speaker, I would like to ask the Minister if he is aware Downsview Research Centre is being used for the same chemical warfare weapon?

**Hon. Mr. Stewart:** No, Mr. Speaker, not to my knowledge, but if there is such experimental research going on, it would have to be done under the National Research Council auspices or some other department of the federal government, particularly, or perhaps in connection with National Defence. But to our knowledge no such research is going on in Ontario in that regard.

**Mrs. M. Renwick:** Mr. Speaker, a supplementary question of the Minister. Would the Minister assure the committee that there is not any private research, or the extent of this type of research using animals?

**Hon. Mr. Stewart:** Mr. Speaker, I would be happy to do that if I was sure that this was the case. I can only base my opinion on evidence that was produced by Dr. H. C. Rowsell, the chairman of the Canadian Council on Animal Care, who assured the committee the other day that to his knowledge, only the universities were using animals, and

I believe he indicated six other commercial or industrial type laboratories in Ontario.

I have checked with Dr. Rowsell, personally, to know whether there were others; and he gave me to understand that to the best of his knowledge—and I felt that he was one who should really know, because of the representation on the Canadian Council on Animal Care, of many, many people involved in animal use—these were the only research laboratories in Ontario.

**Mrs. M. Renwick:** Mr. Speaker, a further supplementary question. Would the Minister look into the fact that there are people who are not doing industrial research or bacterial chemical research of this kind and, therefore, are not obliged to register with Dr. Rowsell, therefore he does not know who else might be involved other than the people who come and register with him? The Minister might have to—

**Hon. Mr. Stewart:** This could well be the case. I was of the opinion, though, that because representatives of the federal government were members of the Canadian Council on Animal Care committee, that surely they would be aware if such activities were going on in Ontario under the auspices of any department of the federal government. As I said, I do not know whether there are such things going on or not, I just felt that there would not be that kind of research.

**Mr. Lewis:** By way of supplementary, Mr. Speaker. This is a grave and interesting question. Would the Minister make contact with the federal Department of National Defence to enquire about who or what is being experimented on at Shirley's Bay and let the House know?

**Hon. Mr. Stewart:** I would not undertake to let this be known to the House at all. I think this is something that we can very well deal with through the legislation. The legislation is all-embracing.

Nobody is exempted from this legislation, and the point that the hon. member for Scarborough Centre has raised, is, I think, a very valid point and is one that I intend to pursue. If it is going on, we want to know, because those institutions will have to be licensed and there will have to be animal care committees appointed and put in charge of every one of them, if indeed there is such research going on in Ontario.

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



**Mr. De Monte:** Mr. Speaker, a question to the Provincial Secretary and Minister of Citizenship. Can the Minister tell the House who is responsible for the publication of the handbook on Italian culture that the Toronto Board of Education issues to its teachers?

**Hon. Mr. Welch:** As I understand the question, Mr. Speaker, is this something published by the Toronto Board of Education?

**Mr. De Monte:** No; I would like to know who published it.

**Hon. Mr. Welch:** I am not familiar with the book. If the member would like to send it over to me, I would be very happy to check on the authorship.

**Mr. De Monte:** Mr. Speaker, since the hon. Minister is in charge of citizenship in this province, is he not aware of—

**Mr. Speaker:** The hon. Minister has said if the member will let him have a copy of it, he will check on the—

**Mr. De Monte:** I have not got a copy of it. I was wondering if he had a copy of it, Mr. Speaker.

**Hon. Mr. Welch:** Once I see his copy.

**Mr. De Monte:** By way of supplementary, then, Mr. Speaker. Why has this handbook, which has been described by representatives of the Italian community in Toronto as being 50 years out of date and dangerous to the Italian pupils, not been updated or scrapped?

**Hon. Mr. Welch:** Good question. This is a particularly unfair question to ask—until such time as we determine who published the book, then the member can ask the publisher.

**Mr. De Monte:** Mr. Speaker, with the greatest of respect, is the book being circulated among the—

**Mr. Speaker:** The hon. member is making a statement and I have no way other than believing the hon. member, which I do, but if he does not have the book then what he is talking about is merely information he has, and it might well be that the Minister of Education (Mr. Davis) is perhaps also involved in this. I would suggest the hon. member and the Provincial Secretary and Minister of Citizenship to get together on this and check with the Minister of Education. Perhaps we can find a copy of it and then the questions will be relevant and answers can be given.

**Hon. Mr. Welch:** It could well be published by the Secretary of State for Canada.

**Mr. Speaker:** The member for Riverdale. Order, order!

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Trade and Development. Is the Minister aware that the city of Toronto is likely to consider the sale of some 20 to 30 houses located principally in Wards 7, 8 and 9—presently owned by the city of Toronto and used to assist people who require subsidized housing assistance—because Ontario Housing Corporation has indicated it is not interested in acquiring these properties? If he is aware of that, would he please look into it to see whether it is possible to reverse the decision of the Ontario Housing Corporation and have it acquire these houses?

**Hon. Mr. Randall:** I am not aware of it, Mr. Speaker. I will look into the matter.

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

**Mr. Gisborn:** My question is to the Minister of Transport. In view of the announcement by the Minister's department that the licence-plate issuing branch at Parkdale and Britannia Avenue in Hamilton will be open from 8.00 in the morning until 5.00 in the evening, and closed on Saturday, would the Minister reconsider these hours as it will bring undue hardship upon thousands of workers on day shifts during the week.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, The Department of Transport, in issuing registration plates each year, strives to give the public the kind of service that is adequate and acceptable, and we have made a practice through the years of operating mostly through private issuers who follow, in their respective communities, the business hours that are in effect there.

The few issuing offices administered by the department have adhered to regular civil service hours as the member has mentioned. It poses a problem if we change these hours in some operations, just as it would in some of the plants the member would be interested in.

We did open an office in downtown Toronto here, I think on Breadalbane Street some years ago in the evenings, without too much success. Very few people patronized it. Most of the private issuers do remain open in other than civil service hours.

In the Hamilton area, for instance, there would be an office open in downtown Hamilton, the one operated by the motor league. There will be one in Burlington, one in

Dundas and one in Grimsby, all of which are open Saturday mornings from 9.00 until 12.30 or 1.00.

With respect to the particular office the member mentions at Parkdale and Britannia, I would think that we will watch that situation, and if it seems desirable to close on Mondays and open on Saturdays, without causing too much confusion, it could be entertained, because we are planning to do this in some driver examination centres. We are going to experiment with this Monday closing and Saturday opening to see if it would better serve the needs of the public. I just say to the hon. member and to the House that we are interested in providing the people of Hamilton, and, indeed, across the province, the best service, and if an adjustment of this kind can be made that is reasonable and will not cause too much confusion, we are perfectly prepared to look into it.

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

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, a further question of the Minister of Transport. He indicated during the estimates of 1968-1969 that he was going to look into supplying permanent licence plates: Is the Minister still looking into that or has he dropped that idea?

**Hon. Mr. Haskett:** Mr. Speaker, the matter, which I would prefer to term a "multi-year plate" rather than a "permanent" plate, is very much in our thinking and in our programme. There may be some unforeseen delay in getting the whole thing mechanized but the mechanization of the file for issuing the plates is the bottleneck, or the holdup at the moment. The programme is going ahead with our longtime mechanical operation and the issue of multi-year plates is moving forward.

**Mr. Jackson:** Mr. Speaker, is the Minister prepared to give us a date at which we can expect the licences to be issued?

**Hon. Mr. Haskett:** Mr. Speaker, the Minister is not prepared at this moment. I think he was prepared a year or so ago, and I am just not able to recall—

**Mr. T. P. Reid (Rainy River):** In the fullness of time—

**Hon. Mr. Haskett:**—schedules at the moment.

**Mr. Speaker:** A supplementary?

**Mr. B. Newman:** May I ask of the Minister if the proposed multi-year plate will be reflectorized?

**Hon. Mr. Haskett:** Mr. Speaker, this is merely a repetition of the question of this hon. member on many occasions.

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

**Mr. Shulman:** I have a question of the Minister of Public Works, Mr. Speaker. Is it correct that the Minister has not hired security guards for the new Macdonald Block and other new buildings, and is now farming out this service? Does this mean that the security guards now hired by his department for this building and elsewhere are in danger of losing their employment, or will they be guaranteed that they will not be replaced?

**Hon. Mr. Simonett:** Mr. Speaker, I think that is a matter that we will deal with in our department and when the decision is made I will announce it to the House.

**Mr. Shulman:** A supplementary, Mr. Speaker. In view of the large number of employees in the province who are affected, surely the Minister would give some reassurance in the House at this time to those employees.

**Hon. Mr. Randall:** Has the member unemployed spies?

**Hon. Mr. Simonett:** Mr. Speaker, I think the member is having more of an effect in getting rid of employees around government than I am at the present time.

**Mr. Shulman:** The Minister is not too well informed on this subject, Mr. Speaker.

I have another question of the same Minister if there is no one else.

**Mr. Speaker:** The hon. member may continue.

**Mr. Shulman:** Does the Minister's department of safety examine Ontario Hospitals?

**Hon. Mr. Simonett:** I would say that we examine them as far as safety within the building is concerned. Hospitals and all public buildings are examined for fire and other things by municipalities in which they are located. As far as safety within the building, we examine it along with The Department of Labour, with fire departments and people from the fire marshal's office.

**Mr. Shulman:** Then, as a supplementary to this question, can the Minister inform me—

or if he does not have it available, could he find out for me—when was the last time an inspector for his department examined the Ontario Hospital at 999 Queen Street for safety within the building?

**Hon. Mr. Simonett:** Mr. Speaker, I would have to get that information.

**Mr. Speaker:** The member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain):** I have a question of the Minister of Energy and Resources Management. Is the Minister aware that a refinery is planning to locate in Beverley township, near Hamilton, and what effect will this have on the tributaries of the Spencer Creek?

**Hon. Mr. Kerr:** Mr. Speaker, my information is that there is a rumour that some sort of a plant—an asphalt plant—or some such plant, is considering optioning some land in Beverley township. I am not sure, of course, what effect it would have on the particular watersheds to which the hon. member refers. It depends on the type of plant, the distance from the creek and whether or not the plant would use the water in that creek.

**Mr. J. R. Smith:** A supplementary question, Mr. Speaker. Will the hon. Minister assure the House that the Ontario Water Resources Commission will take every step possible to ensure that pollution will not occur?

**Hon. Mr. Kerr:** Yes.

**Mr. I. Deans (Wentworth):** Did the member expect him to say no?

**Mr. Speaker:** The member for Hamilton East was on his feet a moment ago.

**Mr. Gisborn:** My question is to the Provincial Secretary. In view of the desire of many thousands of hard-working Ontario citizens, will the Provincial Secretary use his good office to bring about the retail sale of keg beer in the province?

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

**Mr. Gisborn:** A supplementary question—

**Mr. Speaker:** There is no supplementary when there is no answer, I am afraid. The member for Dovercourt.

**Mr. De Monte:** Mr. Speaker, to the Provincial Secretary. Is there such a thing in this province as a joint beverage room?

**Hon. Mr. Welch:** It all depends what the member means by "joint"?

**Mr. De Monte:** I am not being facetious.

**Hon. Mr. Welch:** What would he mean by a joint beverage room?

**Mr. De Monte:** A place where men and women can go, and I am referring to a beer beverage parlour, a place where a woman and a man can go alone without being accompanied—a place where a man and a woman can go individually, without—

**Hon. A. Grossman (Minister of Correctional Services):** Separate but equal.

**Mr. De Monte:** Separate but equal status, that is right.

**Hon. Mr. Welch:** If this is a matter of urgent public importance, Mr. Speaker—

**Mr. G. Ben (Humber):** Christmas is getting close—

**Mr. Speaker:** At this time of year, perhaps—

**Hon. Mr. Welch:** As I understand the question, the designation within the public house—

**Mr. De Monte:** That is right.

**Hon. Mr. Welch:**—legislation provides for a room for men only, or one for ladies and escorts. The government announced some months ago a plan for the unrestricted seating in the public houses. Legislation will be brought forward early in the new year to provide for unrestricted seating, so that there will not be this type of designation, if the House sees fit to carry this particular change in the classification.

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

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

Two weeks ago I asked the Minister about overcrowding at 188 University. Is the Minister aware that even though his general accountant and his staff moved out of there a week Thursday, removing ten desks, the staff are still complaining that the place is dangerously overcrowded?

**Hon. Mr. Randall:** Mr. Speaker, we looked at the matter. Some of our staff were moving to 170. There were boxes in the aisles and some of those boxes are moved. As far as I am concerned, the move is still on. We got some of the people moved into 170, but until

they are all moved there will be some confusion there, although we do not think it is a fire hazard.

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

**Mr. Lewis:** A question of the Minister of Trade and Development.

Was the Minister informed in advance by Canadian General Electric of its intention to lay off close to 200 men in the last three months due to the problem of importation of tubes from foreign markets at the Dufferin tube plant?

**Hon. Mr. Randall:** No, I was not informed in advance.

**Mr. Lewis:** Has the government any policy about branch plants informing The Department of Trade and Development about problems of international competition when laying off men in the Ontario market—large numbers of men? Is there any pattern of discussion prior to such layoffs?

**Hon. Mr. Randall:** There is no pattern of discussion. When it happens, we are informed in the same way as anybody else. The reason we have the EIO programme is to absorb these people who are laid off through these changes and we have been doing a pretty good job of taking care of the unemployment.

I would suggest to the hon. member that in this province, jobs are chasing people.

**Mr. Lewis:** I will ask another supplementary, if I may, Mr. Speaker: is there no requirement on the part of government—the Minister will forgive me for bringing him back to the question—that major layoffs be indicated to the appropriate department in advance of their occurring, so that something can be done to absorb the problem?

**Hon. Mr. Randall:** Mr. Speaker, there is no programme. Many of the companies do advise us as to the layoffs, and the changes they are making, and if we can work with them and try and find jobs for the people who are getting laid off, we do. In fact, the member will probably read today about the layoff that is going to take place between now and 1974 at one of the major chemical companies in Hamilton, because they have sold their property to Dofasco, but they have also bought 190 acres in Saltfleet.

Over a period of three years, 330 employees are going to be affected. We are aware of that, the same as everybody else, and we are working with the management to see if we can

find jobs for 330 people, or make sure they are taken care of on retirement.

**Mr. Lewis:** By way of a related supplementary: did Canadian General Electric Company inform the Minister in advance of its intention to lay off 600 skilled machinists at the Scarborough turbine production plant?

**Hon. Mr. Randall:** No, I do not think we were informed about any layoff at the Scarborough plant. But I have been in the plant; I have discussed with Mr. Smith, of the Canadian General Electric Company, the possibility of nuclear production there, and some of the reasons why they may have difficulty in the future if the utilities in this country do not recognize that we need a plant like Scarborough, and if many of the provinces do not place their orders in Canada for nuclear equipment or for hydro equipment.

That has been gone into very, very thoroughly, and think you will find that the Canadian General Electric Company is between orders at the present time. They have enough orders now, I believe, to keep them going until 1972, but I do believe by the end of 1972 they are going to have to have more orders from the utility companies here, or there could be a general layoff in that industry.

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

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

In the pressure game which is surrounding the question of the acquisition by Consumers' Gas Company of the shares of Union Gas Company, is it not ridiculous for all the interveners and the company to be put to the expense of the work involved in preparing for the adjourned hearings to take place on December 12, unless the Consumers' Gas Company makes a definitive statement as to whether it can, or cannot, extend the offer beyond the deadline date of December 15? Or should the government not, in the light of that adjournment, reconsider its decision not to intervene by way of legislation to extend that date for the acceptance of the offer by shareholders of the Union Gas Company to a date 30 days after the receipt by the government of the report of the Ontario Energy Board?

**Hon. Mr. Kerr:** Mr. Speaker, my latest information is, as the hon. member has indicated, that the hearings have been adjourned until this Friday, December 12, at which time

the respondents will be given an opportunity to cross-examine the applicant and any witnesses that the applicant may have.

I am not sure if the hon. member knows, but a press release was issued this morning by the Consumers' Gas Company indicating that a meeting will be held tomorrow to consider the advisability of making a new offer to the common shareholders of the Union Gas Company.

**Mr. J. Renwick:** Mr. Speaker, by way of supplementary question: if, in fact, what is under consideration is a new offer by the Consumers' Gas Company, then is it not correct that the hearings before the Ontario Energy Board relating to the old offer will be of no effect? And is it not incumbent upon the government to intervene in some way to remove the pressure which has surrounded this offer so that the shareholders of the Union Gas Company, who are the ones who can be hurt by this procrastination, will be given a fair opportunity to get a fair price for their shares should they decide to proceed with a new offer?

**Hon. Mr. Kerr:** Mr. Speaker, I would assume that if a new offer is to be made by the Consumers' Gas Company, the present offer, therefore, would become null and void; and as the hon. member indicates, I would assume that the present hearings would be terminated.

However, a lot will depend on the offer and the result of the new offer. In the meantime I do not wish to speculate on whether or not the hearing should continue next Friday. I think as far as government intervention is concerned, Mr. Speaker, my answer would be the same as the answer that the Prime Minister gave the hon. member last week. There are a lot of ramifications in any form of government intervention. One of them, of course, is whether or not such intervention would have any effect on this particular transaction.

Would government intervention, shall we say, muddle the whole matter even further—maybe even affect the rights of the shareholders and the customers even further? So I would not wish to speculate any further on that, Mr. Speaker. In light of Consumers' Gas Company's proposal tomorrow, it is quite possible that this company may withdraw its present offer.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question of the Minister of Financial and Commercial Affairs: does the

securities commission have any view on the problem which has arisen because of the intervention by the government through an Act passed by this Legislature after the original offer was made by Consumers' Gas Company, and what does the Minister believe to be in the best interests of the shareholders of the Union Gas Company from the viewpoint of the Ontario Securities Commission?

**Hon. Mr. Kerr:** Mr. Speaker, on a point of order, I object to the hon. member's phrasing of his question.

As the answer last week indicated, this problem has not been caused by any legislation of this government. The problem was caused by the respondents in delaying the hearings. There were at least 10 to 12 days set aside for hearings, and more if necessary, which would allow this particular deal to be consummated before the termination date. So any delay has been caused by the respondents and not by legislation that was requested by this Legislature.

**Mr. J. Renwick:** Mr. Speaker, just simply on the same point of order raised by the Minister of Energy and Resources Management and without entering into an argument with him about the government's responsibility or non-responsibility, I would simply point out that had this legislation been law prior to the offer being made by the Consumers' Gas Company, then it would undoubtedly have been a condition of the offer that the hearing be held and that the approval or consent of the government be obtained. If that had been a condition of the offer, then all persons in receipt of the offer would have been able to assess their position in the light of that requirement.

**Mr. Speaker:** The hon. member has made his point perfectly well, and I would hope that when we deal with oral questions in the new session that the members would confine themselves to asking questions only. The members have quite rightly become very proficient at wording their questions so that there are statements of fact or opinion in them, but these are normally not part of a question period.

The hon. member for Riverdale was asking a question of the Minister of Financial and Commercial Affairs and perhaps he would re-ask it and not state opinions and facts, or facts as stated, but ask a question.

**Mr. J. Renwick:** Mr. Speaker, in the circumstances to date of the offer by the Consumers' Gas Company for the shares of Union

Gas Company, would the Minister of Financial and Commercial Affairs advise us what his position, or the position of the Ontario Securities Commission, is, having regard to their obligation to protect the investing public?

**Hon. Mr. Rowntree:** Mr. Speaker, this transaction comes both under the securities commission and The Securities Act as well as The Energy Board Act, and we understand that. To my knowledge, the requirements of the securities commission have been complied with. And there remains to be complied with, the provisions of The Energy Board Act.

As has already been stated, the actions taken have been known to the parties themselves, acting on behalf of various stated clients and groups of clients resulting in today's position which I regard as almost a stalemate.

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

Has the member for Wentworth a supplementary?

**Mr. Ben:** Mr. Speaker, on November 27, 1967, I directed a question to the Minister of Energy and Resources Management, touching on the identity of a tank truck or bowser, which was observed discharging some liquid into a—

**Mr. Speaker:** The hon. member said 1967.

**Mr. Ben:** I am sorry, November 27 of this year, 1969. I am sorry if I said that.

**Hon. Mr. Kerr:** One more week.

**Mr. Ben:** The Minister has indicated he wants one more week. Could he perhaps answer it this week?

**Mr. Speaker:** The Minister has indicated he will try to have an answer by Friday.

**Mr. Ben:** Fine.

**Mr. Speaker:** The hon. member for Wentworth has the floor at the moment.

**Mr. Deans:** Mr. Speaker, I have a question of the Minister of Labour. Could the Minister indicate what fears or actions necessitated the installation of warning devices in the review committee rooms and board rooms of the workmen's compensation board?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, I am sure the hon. member appreciates I am not in charge of the day-to-day operations of the workmen's compensation

board. I am not aware of the matter the member has raised but I will look into it.

**Mr. Deans:** By way of a supplementary question—

**Mr. Speaker:** I think we have decided that if a question is not answered, there cannot be a supplementary. Now, if the hon. member wishes—

**Mr. Deans:** By way of explanation?

**Mr. Speaker:** —to give the Minister a little further explanation in view of this particular situation where the Minister is being asked about a board under his control or which reports through him, perhaps we would allow the member to do that.

**Mr. Deans:** Thank you, Mr. Speaker. I had it brought to my attention that the compensation board has found it necessary to install warning devices whereby the officers hearing complaints could summon the guards from outside if necessary. And I want to know what has necessitated this kind of action at the workmen's compensation board.

**Mr. Speaker:** The Minister has said he will look into it. With that information, I am sure he can.

The member for Downsview now.

**Mr. Lewis:** The paranoia of the military at the board.

**Mr. Singer:** Mr. Speaker, I have a couple of questions of the Minister of Labour. The first one is this: in light of the recent hearings by the Ontario Labour Relations Board concerning the concrete formers' union—I think that is what it was called—and the somewhat unusual disposition of that hearing, is it contemplated there will be any form of criminal action as a result of the information which came out before the board?

**Hon. Mr. Bales:** An oral decision only was given in reference to the case. I think the member is referring to the Zanini matter, if I may speak colloquially. An oral decision only was given by the board at the conclusion of the hearings. Until such time as the actual written decision with reasons is brought forward, I prefer not to comment on the matter.

**Mr. Singer:** All right.

**Mr. Speaker:** Is this a supplementary question?

**Mr. Singer:** No, it is not a supplementary question. It is a second question.

**Mr. Speaker:** The member for Rainy River has a supplementary? I presume the member for Rainy River will allow the member for Downsview to complete his?

**Mr. Singer:** I have a second question of the Minister of Labour. Is the Minister of Labour contemplating any action on behalf of the government in connection with the brief submitted by the Ontario Federation of Construction Associations?

**Mr. Lewis:** That is a good question.

**Hon. Mr. Bales:** Mr. Speaker, the Ontario Federation of Construction Associations met with the Cabinet and presented their brief to them. I had another meeting with them subsequently and very careful consideration is being given to that brief.

**Mr. Singer:** By way of supplementary, could the Minister advise us when a decision is going to be announced?

**Hon. Mr. Bales:** Mr. Speaker, it will become a matter of government policy. Any action taken with reference to that would be dealt with accordingly.

**Mr. T. P. Reid:** Mr. Speaker, I have a question—

**Mr. Speaker:** Just a moment. Yes, the member is in order, there is no one from the other party.

**Mr. T. P. Reid:** A question of the Minister of Social and Family Services: Could the Minister inform the House what guidelines or criteria he uses in appointing members to district welfare boards?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, the legislation set out that with respect to district welfare administration boards, five are to be appointed by the municipal councils involved, elected from their number, and two are to be appointed by the Lieutenant-Governor-in-Council, and the appointments by the Lieutenant-Governor-in-Council are based on the appointment of two people based on their qualifications and experience, and are considered to be capable of carrying out the job.

**Mr. T. P. Reid:** May I ask by way of supplementary, how the Minister receives this information as to the qualifications of these people involved? And I will ask a further

supplementary if I may while I am on my feet, Mr. Speaker: is it the Minister's habit to completely ignore the elected and appointed district organization such as municipal unions in their recommendations for these boards?

**Hon. Mr. Yaremko:** Mr. Speaker, often the best source of a person's background for qualification is the persons themselves involved. It is not the policy to ignore anyone in coming to a decision, in fact their position has been accepted in the past and will be continued to be accepted in the future.

**Mr. T. P. Reid:** By way of further supplementary, when the Minister said "from the persons involved themselves", does he mean the people apply to the Minister to be appointed to these boards themselves?

**Hon. Mr. Yaremko:** Mr. Speaker, very often when persons become aware that such appointments are to be made, they get in touch with the department and I in turn, in all cases, get in touch with the interested party to have them send information with respect to their own personalities.

**Mr. T. P. Reid:** The president of the Tory organization—

**Mr. Speaker:** This is now becoming a debate and undesirable. The member for Scarborough West.

**Mr. Lewis:** May I direct a question to the Minister of Social and Family Services? Did the Minister open a children's home over the weekend?

**Hon. Mr. Yaremko:** Yes; Yorklea in East York.

**Mr. Lewis:** Is the name of the children's home, the Yorklea Home for Troublesome Boys as reported in the press?

**Hon. Mr. Yaremko:** No, Mr. Speaker, I know Yorklea is a very integral part of the name but I do not think the word "troublesome" appears in either the name or in anything that was written or said about it. I do not know where that word would come from.

**Hon. Mr. Randall:** Does the hon. member want to become a member?

**Hon. Mr. Yaremko:** The boys I saw were excellent young men.

**Mr. Lewis:** I am relieved to hear that. It appeared in one of the weekend papers. I wondered about the auspicious beginning.

Mr. Speaker, if there is not a question, could I direct one to the Minister of Labour? Was the Minister of Labour contacted in advance by CGE Dufferin tube plant about the layoff of 200 men over the last three months?

Hon. Mr. Bales: Mr. Speaker, I am not sure I was consulted in advance but I have learned something of it. Whether I got it in advance or not, I am not sure. I do not think so.

Mr. Lewis: Then the Minister would not be aware that the company in June guaranteed that there would be no layoffs in the future 52 weeks, and subsequently laid off 200 people? He would not be aware of that undertaking which they made?

Hon. Mr. Bales: No, I did not have that information. I will look into it.

Mr. Lewis: By way of a supplementary. Does the Minister not think there is some value in requesting large branch plants to inform the Minister of Labour in advance when serious dislocation in the work force is about to occur? And would he not request that such become a matter of public policy?

Hon. Mr. Bales: I indicated in my answer to a question, I think from the hon. member or one of his colleagues not long ago, that I felt that there was merit to this matter and it was being given consideration.

Mr. Lewis: Given consideration!

Mr. Speaker: This ends the oral question period.

Petitions.

Presenting reports.

Motions.

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, in the absence of the hon. Minister of Health (Mr. Wells) I move that the order for third reading of Bill 230 be discharged and the bill be referred to the committee of the whole House.

Mr. Speaker: In the absence of hon. Mr. Wells, hon. A. F. Lawrence moves that the order for third reading of Bill 230 be discharged and that the bill be referred to the committee of the whole House.

Is it the pleasure of the House that the motion carry?

Mr. Singer: Mr. Speaker, it is an unusual motion and I would like to hear some explanation from the Minister before we vote on the motion.

Hon. A. F. Lawrence: I was just rising in my seat, Mr. Speaker, but the member for Downsview caught your eye first.

The purpose of this motion is that the Minister of Health has a very minor amendment to the bill and, rather than move the amendment on third reading, we thought it would be better to have the whole bill come back through committee of the whole House.

Mr. Singer: What is the intent of the amendment?

Hon. A. F. Lawrence: I do not know. It is a very minor amendment.

Mr. Speaker: Is it the pleasure of the House that the motion carry?

Motion agreed to.

Introduction of bills.

Mr. L. Bernier (Kenora): Mr. Speaker, on each of the hon. member's desks this afternoon has been placed a copy of the special issue of the Dryden *Observer*. The members will note that this edition pays special recognition to the Red Lake and Ear Falls mineral basin which last year produced well over \$12 million worth of iron, gold and other minerals.

Many members, I am sure, will be reminded of this tremendous area from the tour they took some months ago. I would like to point out to them, that the product and the production of this newspaper on their desks today is 100 per cent northwestern. In fact, it is 100 per cent Dryden.

I know that the members will be impressed with the quality of the newsprint, and will also be impressed, of course, with the contents in the newspaper. I would hope that this would remind all members of the great future and the potential that lies in that great part of our province.

Mr. Speaker: Orders of the day.

#### THE CHILD WELFARE ACT

Clerk of the House: The twentieth order, resuming the adjourned debate on the motion for second reading of Bill 243, An Act to amend The Child Welfare Act.



**Mrs. M. Renwick** (Scarborough Centre): Thank you, Mr. Speaker.

In rising to speak against this amendment as it stands, Mr. Speaker, I would like to point out that it would seem to me that the government over-reacted, being brought to attention by the Mugford case. In over-reacting, Mr. Speaker, the government is speaking above the unanimous decision of nine supreme court judges, three court of appeal judges, including Mr. Schroeder and Mr. Bora Laskin, who upheld the judgment of the county court judge, Mr. Honeywell.

They say that what is difficult to assess, is what Mr. Justice Schroeder put on paper in saying that even if he were to adopt the tortious course of reasoning, that this case should be brought within section 73(6); and Mr. Schroeder held that it could not. It would be proper, on the facts of the present case, to hold, but it would be in the best interest of the child to permit the so-called "consent" to be withdrawn.

Mr. Justice Schroeder went on to say, Mr. Speaker, that one cannot overestimate the importance to a child of living, moving and having its being in an environment shared by its own blood and kin where it will enjoy the warmth and affection of the mother who gave the child birth. These are but a few of the tangible values which flow from a custom deeply rooted in our way of life, against which superior material advantages which a child may enjoy in a home of strangers in blood cannot accurately be measured on the most delicately balanced scale.

The law is on the side of the natural parents—unless for grave reasons endangering the welfare of the child, the court sees fit not to give effect to the parents' wishes. Mr. Speaker, one has been removed in this amendment. Does any opportunity arise for an unmarried mother to claim her child after the adoption has begun on the part of the adoptive parents?

I would point out, Mr. Speaker, that in consent adoption, there is a seven-day period where children's aid will not take the infant, and a 21-day period, which is a cooling-off period for any sort of opportunity to come back to children's aid. Even this is a pitifully short period, in my view, but in that type of adoption, Mr. Speaker, the child in that case, or the interests of that child, can still be disturbed until the adoption papers are signed.

I think we have to deal with law, Mr. Speaker, and The British Adoption Act of 1958 absolutely voids any consent for adoption of an infant before the infant is born. It

voids any consent of adoption given within the six-week period after the infant is born. I think that we have built in a protection here for the adoptive parents who have had a child for a matter of months. If the case were expedited in this particular case, it was about a month following adoption when the proceedings began to unroot the child.

I think we have to remember, Mr. Speaker, that this child has been with the mother before it was born for nine months, a good considerable time, and that the mother, in her strain of anxiety, might very well give consent to have a child adopted at the time of her problem and her shame and her problem with finances, when she sees a way out which, in her mind at that time, appears in the best interest of the child. The problem occurs when the mother has the time to re-assess her situation, or contact help after the pregnancy is a *fait accompli*. She might very well be able to take the child and provide for it in the manner that the children's aid society really wishes the child to be cared for.

Mr. Speaker, when the second section of the amendment is applied, it is conceivable that a child may be born in a hospital, the mother leave the hospital in five days, and the child be made a Crown ward, as the Crown is obliged to do if it is going to take a child because the mother cannot support the child, or for any other reason, within a ten-day period. So it is conceivable that ten days after this infant child is born it is the subject of a court decision of Crown wardship and, Mr. Speaker, it has to be said that this is too fast, that government has over-reacted; there is nobody in that court as a guardian of the child to represent the child.

There are people in the court to act for the Crown, there are people in the court, possibly under our legal aid system, to act for the mother, but there is not a guardian, as the Ontario Law Reform Commission has recommended, be instituted in our courts, and it held as an example The Guardian Act of New York State.

Reading from the book that is an assistance in making decisions, The British Adoption Act of 1958, 7, Elizabeth II, chapter 5, section 62, it also pointed out that the condition of the mother at the time when her consent may be given, may be one of confusion, fear, shame, of not having re-employment, and that government has made null and void any time for the mother in this particular case, or the father, because surely if we are going to be taking Crown wardship of children we

have to consider both the mother and the father.

I would say, Mr. Speaker, that government cannot make an amendment primarily to help the adoptive parents and to facilitate easier handling in children's aid when it has a Mothers' Allowance Act which will not give any assistance to a mother under unwed mother's allowance until the infant is three months old, and the mother and child have to go to welfare. In the law reform commission report, Mr. Speaker, the men who prepared the committee report to the commission stated that the guardianship should go in as an experiment.

I would say, Mr. Speaker, there would be no better opportunity for this government to ask on an experimental basis of a guardian in the court, for the need to assess the future of any Crown ward, or any child—that is an infant child. Once an infant is a mature infant, Mr. Speaker, under the recommendations of the committee to the law reform commission, then the mature infant will have legal counsel, but it is for the infant child to go to the third part of the amendment. The government has said that a Crown wardship might be broken in the interest of the child, but in an infant child there is no one there in the court to speak for the infant, so we would ask that time be given for the mother to re-establish herself to keep her own child.

For that mother there is only one child, Mr. Speaker. She only wants one child out of children's aid, the one she gave birth to. For people who have no children, the law reform committee report to the law reform commission says the demand for infant children far exceeds the supply.

I sympathize with the Minister's position over the children who are going into the adoptive home. The adoptive home is prepared, ready, it is in financial position to take a child. If the heartbreak should occur over a small baby it had possession of for three to four or five months, it can adopt another child; adoptive parents are not losing their own child the way the mother of the child is, so I would ask the Minister to reconsider this amendment in the light of the right of the natural mother and the natural father.

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

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I rise to support the bill as before the House, and as the member for Sarnia (Mr. Bullbrook) spoke on Friday in support of the bill.

It is true that making any decision dealing with children is often extremely hard, but as people in politics who have to pass on legislation, we cannot sit on the fence, we have to come down one way or the other. There is no question in my mind that this is a good bill.

I understand there are approximately 2,850 children at the present time who are going to be affected by this bill. You can imagine the situation, Mr. Speaker, if adoptive parents have had a child for five months, then before the end of the six-month period whereby they can legally adopt it, suddenly find they are faced with a court order by the natural mother saying she wants the child back. This may be difficult for the natural mother, but we have got to decide what is the best thing in law, and what is the best thing for the children.

There is no question that the children become pawns in a game between separated parents. The adoptive parents have come on the scene, they have not wanted any arguments, all they wanted is a child. Perhaps, Mr. Speaker, when the hon. Minister replies to the last speaker he may correct one statement she made which I think is wrong—that the demand for children exceeds the supply. I know this has been true in the past, but I believe the way things are now taking place in Ontario, there is going to be a greater supply than there are parents who wish to adopt children. I may be wrong on that, but I just do not think it is quite as easy to adopt a child as one would hope.

There is a practical way of looking at it in this respect, Mr. Speaker. There is no doubt in my mind that, let us say, in the Mugford case, the woman who wanted the child back was most sincere. If the law becomes known and stays as it is adoptive parents leave themselves wide open to various types of legal blackmail. When one thinks of the possibility that if you have adopted a child and you have had the child for five months, perhaps the natural mother, or an associate of the natural mother, says she is going to re-adopt that child, or at least ask for that child to be taken back. The adoptive parents are in a quandary not knowing what to do. They could easily be open to blackmail by anyone of an unscrupulous nature, and this is one way of blocking a serious loophole in the law as it is today.

I have been under the impression that the bench, the judges, have leaned over backwards in leaving the child with the natural mother. There have been a number of cases

where the children's aid society has applied to obtain the child as a Crown ward and has been turned down by the judge. I know of cases from my own personal information. I thought the children would be far better off if they were awarded to the children's aid than with some of the natural mothers. We all preach motherhood and nobody is against motherhood, but we had better be pretty practical. Some may not like it, but there is a small minority of women who should not be mothers and do not know how to take care of their children. I think in dealing with these situations the children's aid society has a very serious problem. Well, the hon. member for Scarborough West—

**Mr. S. Lewis (Scarborough West):** Seriously, what cases? Other than—

**Mr. Trotter:** I am saying there are definitely instances where I have known children who have not been treated properly by the natural parents—

**Mr. Lewis:** Sure, when the society does not provide the support.

**Mr. Trotter:**—and there is no question that if the children's aid did not move in on many cases, serious danger would happen to children. Mr. Speaker, in answer to the queries from the NDP, there are instances where children would be better off as wards and probably adopted out than with the natural parents.

**Mrs. M. Renwick:** It could work both ways.

**Mr. Trotter:** It is a matter of judgment and it could work both ways, but in this instance there is no question, in my mind, Mr. Speaker, that this legislation should be passed because we know—

**Hon. A. Grossman (Minister of Correctional Services):** It would be nice if you could vote both ways on this—

**Mr. Trotter:**—because we know in a vast majority of cases the adoptive system as carried on in the province of Ontario is being well conducted.

There is no question that the children's aid society has been, from time to time, open to criticism, but I feel that by and large in this country there is no better group working with children, particularly in this city, than the Metropolitan Toronto Children's Aid Society and the Catholic children's aid.

**Mrs. M. Renwick:** That is right. But what about some of the others?

**Mr. Trotter:** There is no question in my mind—

**Mrs. M. Renwick:**—not all that good—

**Mr. Trotter:**—that the important thing is for the Minister in his position to see to it that similar standards are established throughout the province of Ontario as carried on in the city of Toronto. This, of course, is the challenge for the Minister, but with that hope I have no hesitation in accepting what I feel the children's aid society, certainly in my own area, would recommend and that is that this legislation be passed.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, very often one comes to think after a certain period in this House, that it is a most curious place. It spends \$500 million on education and is itself not particularly educative. It takes two forms, Mr. Speaker. One of them is that one of the members stands up, elucidates a position, gives all the kudos he can to a Minister on the other side and then toward the end he says what he is doing is on balance all wrong.

You know, I can trust this with education, because in philosophy we give considerable credence to the fellow on the other side. We build up his case; we give him every benefit of the doubt. If you are describing a particular position, you weigh it, and you weigh it sagely and generously and there is a magnanimity involved in these assessments.

And at the end, of course, another philosopher would simply turn around and say, "But, of course, he is all wrong". Such is the way of the world. This is the critical and syntactic faculties both working at the same time, and when you do that in this House, you raise a protest, because the Yahoos—some of the time they are of a pretty high intellectual character—say that you are vacillating and that you are not decisive enough.

The second position is what I propose to do in the course of this legislation. I propose to tortuously review my own misgivings and my own personal quandary to keep the legislation—verbally, while on my feet—and at the end of that somewhat tortuous process I come out without any answer, and say that I do not in the least feel that I have sinned against the common weal. I think that it is a perfectly legitimate thing to do, and there is no reason in the world why in all items, one must come to a decision.

In this bill one is torn, I use the word advisedly, torn between two parties. On the one side are the natural parents and on the other side are the adopting parents. Let us

for a moment weigh the relative merits of claims over a child in this context. Whatever may be said of the Mugford case, and I would leave that aside for the moment, there is a good deal to be said about weights if one read the decision of the court judge. He went very strongly against the mother, saying that her instability and her indisposition, her vacillation, her refusal to make up her mind was a strong indication of her real inability to support, maintain and give a good life to this child. The supreme court decision weighed all these factors in an opposite scale and said the very fact that the mother was so taken up with the welfare of the child, caused precisely the hesitations of the council and the vacillations which occurred in her case.

So that human emotion is weighed in the balance here very severely and all the levels of the court, in a judgement of great humanity, weighed in the sensitivities and the niceties of the situation with great care, finally coming out on the side of the natural parent in this regard—because largely section 35 and certain technical difficulties were washed away in the course of the roller-coaster motions of the courts, between the review of the decisions of the low courts, sending them back to the Ontario Court of Appeal for review and obviating the jurisdictional point touching section 35.

Well, that was the easy argument, although it has its own inbuilt tortures, the argument as to the central concern of us all and of the courts. I do not suppose that any lip-service was ever given to that proposition in all goodwill and sincerity at every level. The only dominant consideration was, what would be best for the child, in all these contexts? On the one side, then, there are, in my assessment of human life and human beings, people who do not want their children.

There are abandoned children and it is not only economics—although our province is extremely deficient in providing a base for illegitimate children and for mothers who are left in states of misery and economic distress as a result of the birth of a child. They are unable to support them and in this context therefore, are willing to surrender the child, rather than not be able to make adequate provision for them in good conscience.

But there are psychological reasons. You do not have to read deep into literature or know much about human beings to know that this is a possibility, not a strong one,

nevertheless, one which we as legislators must take into cognizance, that a child will be abandoned, a child will be neglected, a child will be mistreated. A parent has not got the same regard for her own child in some contexts; sure, they are psychologically ill, that is just the point. One should undercut the argument by saying that if they had proper treatment they would not feel this way. The fact is that they do feel this way at this time, and therefore precisely for the welfare of the child, it is necessary for some third party, for a government agency, to intervene to protect the best welfare of that child in the future.

On the other side of the fence there are arguments touching the magnanimity and generosity of the role of the adopting parents. These people come forward, put themselves out, lend their good offices and their homes and their lives. If it is a first child—you know the problems of adjustment to the first child in any household—people who have put themselves in this position gratuitously and of goodwill ought not to be punished and ought not to be, by way of legislation, placed in an invidious position.

On the contrary, everything should be done to encourage this particular form of social goodwill and benefit. Legislation which runs counter to that is highly questionable. On the other hand, it is contended that there is no substitute for a natural parent; that I will not gainsay.

There are conditions nevertheless in which the natural parent, not acting in the natural parental role, does not provide the security of love, protection and what-not that an adoptive parent will supply in their place. That mere possibility must be taken into account and legislated for. And it seems to me we are primarily doing that today.

There is an argument that cooling-off periods might be considered and that the Minister's approach is simplistic over the British legislation. Whether it is a 60-day cooling-off period in which time there could be consideration by distraught parents, as to whether or not they wish to reverse their position and regain their child, very few people, I think, would argue that after the adoption order has been made, no rights whatever should accrue to the natural parent.

It is that interregnum, that period when the Crown wardship is instituted in the courts and the time that the adoption order is finally issued, that causes all of us a good deal of thought.

Should the cutoff point be, as in this legislation, the notice of the intention of the adopting parents to adopt the child? Personally, I think it has to be. Let us go this far—all that one knows about contemporary psychology, all the effects of the Hall-Dennis report in the background papers of that report from the Harvard psychologists and the psychologists of the United States and continental Europe as to the upbringing and care of a child, about which we have gained enormous insights since Freud and within the last ten years, a child must be brought close to the flesh of some loving human being as quickly as possible after birth. The longer the period in which that child is separated from the flesh—from the warmth of human affection, institutionalized in any way, treated impersonally or by diverse people who have no profound interest in the welfare of that child, simply caring for the child in an external way—the more traumatic the experience.

So one is in a veil of mystery, one can only guess about these things. We are told by those who are supposed to know; and we all have the greatest doubts about their expertise, I am sure, particularly psychological questions. We are asking the psychologists, the psychiatrists, people who are so-called child care specialists. In our own personal experience, I think we rather rely upon what we know by and large ourselves. And still they exist for a purpose. They do render and have rendered, insights that we in our ordinary life do not possess. At least, we should scout their opinions on one side of the fence, but we ought not to take a strong stand against them simply because of our ignorance.

Therefore, one is inclined to say what they are saying in this regard seems just and right, that the close proximity to the warm flesh of an individual—I put it in strictly physical terms—is the thing which gives comfort. This is the thing which renders the child secure, this is the thing that forbids against mental dislocation and years and years of re-adaptation, if the child is deprived of this relationship.

Therefore, if you say and believe this is the case, that a child must be placed in this warm proximity and this warm condition of care and loving regard at the earliest date possible, then immediately after birth is my proposition. If that is not feasible, as quickly as possible. Setting up cooling-off periods of 60 days is only compounding the ill.

While one could cite how we legislators seek to skirt issues, and find ourselves middle

grounds or get ourselves off hooks by adding addendums here or conditions there, this House is concerned, may I repeat myself, with the welfare of children. In this context I do not think our usual plenitude of machinations, legal and otherwise, obtains in the circumstances this afternoon.

So having argued it all out in my own mind, standing on my feet here, I come down on the side of the Minister and say that the legislation, with the greatest kind of misgivings, should be supported.

**Mr. Speaker:** Is there any other member? The member for Scarborough West.

**Mr. Lewis:** Mr. Speaker, I shall be brief. As you can see, sir, we in this party have had some difficulties with this amendment, because it is a critical amendment, not an easy one to deal with.

I would, on balance, without misgivings, really come down against the amendment for the reasons that were stated, I thought, admirably by my colleague, the member for Scarborough Centre. Albeit, I do not underestimate the deep feeling and anxiety that others of us will feel as reflected by the member for Lakeshore, certainly feelings from the children's aid societies themselves. I know they have a great deal to do with persuading the Minister and his department to introduce this amendment so quickly.

Mr. Speaker, one aspect of the discussion I resent. I resent that we should be faced with the amendment at all. I resent that we should be faced with the difficulty at all. There have been tens of thousands of adoptions in this province since The Child Welfare Act became law in 1965. And I want very strongly and very seriously to say to the Minister that this situation might better have been dealt with by undertaking a close examination of the practices and procedures within the Ottawa Children's Aid Society than to have acted quite so precipitately in bringing in an amendment.

And, indeed, if it is not presumptuous—and I do not think it is—I would very strongly suggest, Mr. Speaker, that the Ottawa Children's Aid Society's attitude toward adoption be very carefully explored by the child welfare branch of the department and by the Minister himself. I know from the informal conversations which have taken place that the Cabinet is not entirely comfortable with what occurred, and I am sure the Minister himself is not entirely comfortable with what occurred.

It was Lloyd Richardson, the executive director of the Metropolitan Toronto Children's Aid Society, who indicated publicly that of the 13,000 or 14,000 recent adoptions by that society, among all the difficulties they might have had on one count or another, they could not contemplate—and I daresay the vast majority of societies could not contemplate—a difficulty of this kind, because their attitudes, their approaches, their procedures were sufficiently careful and scrupulously sensitive to avoid getting into this kind of invidious position. The Ottawa Children's Aid Society, I suggest through you, Mr. Speaker, to the Minister, brought this upon itself and that is something the Minister might look at very carefully; very carefully.

Now, may I make the next point, Mr. Speaker, again in support of what my colleague, the member for Scarborough Centre said? In its wish to respond to the judgment of the courts, it seems to me and a good many of us on this side of the House in this party, that the government did over-react; that the government has taken a position which is too speedy, too rapid. And may I say, Mr. Speaker, that one does not underestimate either the need to assure or reassure the adoptive parents who have been subject to the Act between 1965 and 1969, or the significance of what was revealed by the court decision. But I say to you, sir, that when we have one exception out of tens of thousands of cases, we do not leap in and propose an amending clause which can work grievous hardship on the rights of natural parents.

One pauses for a moment, or two, one thinks it through very carefully, and one attempts to provide those supports, those periods of time which would allow the legislation to be implemented in a fair and judicious way for all the parties involved, the adopting parents, the adopted child and the rights of the natural parents.

Now, Mr. Speaker, by and large the Act has tended to do that. We have some even more fundamental views, differences of opinion, one might say. I think they will be enunciated this afternoon, those fundamental differences of opinion around the way in which the procedures are followed generally within the Act. But in this one area, surely the Minister has gone overboard.

The amendment, as I read it, indicates, in effect, that after Crown wardship, the door is closed. Certainly it can be, that within one day of Crown wardship the door is closed. Mr. Speaker, may I point out to members of

the House; and I am sure many of them are aware of it, that much of the practice of taking Crown wardship in Ontario frequently occurs ten days after the birth of the child.

Is the Minister really arguing that ten days after the birth of the child can be considered the cut-off day for reappraisal on the part of the natural parent as to her wishes for the child, her feelings about the child, or her desire to establish a family?

If one contemplates the trauma surrounding the birth of a child to an unmarried mother, Mr. Speaker, in this society, and the feelings that are set loose during the period of pregnancy, and then the immediate period after birth, is it right to establish by law an arbitrary cut-off, ten or eleven days after the birth? I suggest not. As a matter of fact, Mr. Speaker, I suggest that what the court found to be the right of the natural parents was probably legitimate; that it is good that the natural parents should have a period of time, a reasonable period of time, during which feeling around keeping the child can be expressed.

You do not visit upon a young woman in a hospital bed with all the perverse economic and moral pressures which this society sees fit to reinforce a final decision, for the future of her relationship with the child, in a ten-day period.

That is why I cannot accept this amendment. I cannot accept this amendment because it does not stipulate, by way of legislation or regulation, the rightful period of time, some legitimate period of time.

There are some who would argue 30 days, as indeed is the case in private adoption. There are some who would argue 60, there are some who would argue six months, there are those who would argue that the rights of the natural parents should exist for many months, perhaps years; and that all of that should be taken into account as part of the adoption process.

But very few would argue that the ten days is a legitimate period of time—if Crown wardship can be taken in that time, as it can, and often is—by societies whose judgments are not as considered and moderate and thoughtful as those of the Metro Toronto Children's Aid Society, or the Catholic Children's Aid Society of Metropolitan Toronto.

Look at what the committee reporting on the British Act for adopted children said, Mr. Speaker—and I commend it to the Minister

because I think it grasps the very substance of the argument:

We found little disagreement with the view that it is preferable for a child not to be taken away from his mother before the age of six weeks. Most witnesses agreed that a mother needs about six weeks to recover physically and psychologically from the effects of confinement and that it would be wrong to alter the provisions relating to the date of consent.

This is the article which my colleague from Scarborough Centre would have wished to read into the record:

Many organizations, including those specially concerned with unmarried mothers, deplore the making of adoption arrangements before birth—which still occurs—since their experience has shown that a large number of mothers who, before the birth decide on adoption, change their minds completely when the child is born.

May it be pointed out, Mr. Speaker, that for many mothers that change of mind occurs in week two, or week three, or week four or week six, and it is a legitimate change of mind.

Indeed much would be said, much must be said, about the principle of departmental encouragement to mothers to keep their children, and to give them the economic and psychological support in the immediate weeks after birth to make it possible to keep their children, rather than having the adoption procedures implemented in a way so rapid and breathtaking, as has become the fashion in certain areas.

Ten days, as can be the case under this Act, Mr. Speaker, we say is patently not enough. It is not enough without doing serious psychological damage, if not more, to the rights of the natural mother and to the natural mother herself.

May I point out, Mr. Speaker, what is I suppose the irony in one sense. The adoptive parents have a full six months at least during which time they can decide whether they can have the child, or whether the child is, or is not, appropriately placed. In another section of the Act, it says that the department must give support to the unmarried mother in her dealings with the putative father or in her readjustment to the community generally, for 60 days. What does that mean? It means that the unmarried mother is in a condition of such emotional instability at the point of birth in many cases, that in areas involving feelings, economics, future pros-

pects, relationships with the father, the government has to provide, by law, at least 60 days of support. But the government here, by law, Mr. Speaker, is making it possible to violate its own Act. It is making it possible to say, in this case, "We will take it all away after ten days if necessary. We will not observe the essential conditions we set down, reflecting on the needs of the unmarried mother in our own Act. In the case where we want to adopt a child out, we will have the sword come down in ten days' time". It seems to me that there are some grievous inconsistencies there which make little sense. It seems to me that the British Act understood, rather more sensitively, that there are so many competing emotions and feelings and values and needs that one does not allow decisions to be rendered in quite so precipitous a fashion.

I think, Mr. Speaker, that is basically what I feel, in any event. I can see, in a sense—certainly not in as compelling a sense as the Minister—what prompted the legislation. I can understand the anxiety on the part of some children's aid societies—although the good societies who have followed scrupulously and thoughtfully dealings with natural parents and adoptive parents, will not have much concern. What the Minister has done is to move in, to shore up, by legislation, an unthinking act on the part of an individual society. And that seems to me not to be the most commendable kind of motive for making such an important distinction in the Act.

You know, Mr. Speaker, the first part of the amendment to this Act provides an avenue of appeal for the mother to contest Crown wardship, for any reasons beyond those of adoption. I suppose, by that, the Minister would say it permits them to contest Crown wardship in cases of neglect or similar circumstances. And that is a very useful proposition. It accepts the point that children's aid societies and social scientists and social agencies and just decent-thinking human beings have been making for many years: the proposition that you should not cut off all rights of the natural parent immediately after Crown wardship, even in cases of neglect. So the amendment alters that, and the Minister has granted the parents those rights.

It seems odd. It seems odd that those rights are then to be lost in the area of the relationship with the child—at least to be lost very quickly in that area when obviously they could have extended it.

I suppose on balance how I feel then, is that the Minister should take this amendment back. He should take this amendment back and try to draft something which more adequately gives time to the natural parent to appropriately consider her feelings about the child.

Until that is done the legislation is largely wanting, because the Minister has moved too far. He has over-reacted to correct a very specific and not very widely felt problem within the Act.

Think upon it. Think of the thousands and thousands of adoption cases which have never been subject to such difficulty. And then wonder whether it is appropriate to correct by imbalance one isolated frailty. I suggest not. I suggest that in so doing, you have damaged the rights of natural parents in a disproportionate fashion and that is why the clause is wanting.

**Mr. Speaker:** Any other speaker before the Minister replies? The member for Beaches-Woodbine.

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Speaker, as much as I would like to see The Child Welfare Act amended and radically changed, I feel that this particular amendment I cannot support, and for some of the arguments that have already been given, but mainly because, not only is their haste to remedy a single instance where there was a problem after many years of satisfactory operation, but there is not adequate time for the Legislature to look into the special problems of adoption.

Historically, we have come to the practice of using the method of adoption to meet the needs of a large number of children who become wards of the state, through evolutionary processes that at some point need to be properly reviewed. There is a great deal of myth. You have heard it expressed by most of the previous speakers, about the process of adoption. The major myth is, of course, the myth that is supported by the legalistic members of the Legislature, those who are so rooted in law that they think by an Act of some kind they can produce that which nature has produced, or they can deny that which nature has produced—the concept that, by an Act of an adoption, there is going to be love, there is going to be a replacement of the filial tie, the natural human tie between a parent and a child. Of course, we know that is not true. The United Nations put out some years ago for UNICEF, “UNICEF and the Rights of a Child”. It

has been widely distributed. One of the sections, principle 9, reads in part as follows:

The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic in any form.

I submit to you that a large deal of adoption practice is indeed the trafficking in children. And this concerns me. It concerns me that we amend an Act which makes it possible to traffic even more shamefully in the future than we have in the past—and by that I mean, a great many of the parents. If you were to ask the director of child welfare since she took her position in The Department of Social and Family Services, about the adoption practice in Ontario, she would tell you about the large number of adoptions, she would tell you how successful they were, she would tell you how much money had been saved because these children who fall upon the Treasury of the province are now being cared for at the expense of individual people in the community who do not have children of their own.

But, if you ask the mothers who gave up their children, and if you ask the children themselves, you would get a different story. And precisely because that is true, we need, at some point to review what is the purpose of our adoption, what is the method of our adoption, how much does it respect the natural rights of all parties concerned. We get a lot of myth passed about protecting the adopting parent. Let me tell you, there is no adopting parent, that would be even considered, who had not already spent a great deal of time weighing the question “Should we, or should we not adopt?”

There is a tremendous ambivalence in people about adopting children. They go through a great long period of introspection and assessment and study. They are fearful of it. It is not something that is done in great haste. Nor should the decision on the part of the parent who is giving up the parental rights, be made in great haste. Nor should it be expected that it should be made in great haste. The fact that these parents happen to be in a state where they cannot support themselves, where they have to fall upon the mercy of the institutions and organizations that we provide in our culture, does not mean to me that the process should be hastened. Just the opposite. I think that most adoptive parents are quite prepared to wait until such time as the parent giving up the child was at comfort and peace within



herself or himself, about relinquishing their parental rights.

I know of no adoptive parent worthy of consideration who would want it otherwise. Who would want a child to come from a parent who was ambivalent about giving up the rights? Who would want a child to come from a parent who had been suffering under duress or coercion? I submit to you that a great many children are placed from parents who are indeed under that duress and coercion.

At very best, every natural mother has ambivalent feelings about her child. Every natural mother has that. And the mother grows through a contact and involvement with the child to replace the positive feelings and the feelings of love, over the feelings of resentment, irritation and all the things that result from having a dependent human being totally demanding your time. I think it is important to remember that in the relinquishing of a parental right, we are trying to rob people of a feeling that is there by nature and that we cannot possibly succeed in it. It is not possible to succeed in it.

We must respect the fact that the natural mother needs a period of time in which to resolve her ambivalent feelings toward the child that has been born. I spoke last evening to a young lady who had given birth to a boy a couple of years ago. Because she had no employment that she could turn to—and this you will hear repeated time and time again—she needed to be hospitalized for two months following the birth of the child, because of complications in the birth, she could not turn to friends or to family, because she herself was a product of adoption—an adoption that had failed, by the way—and some third of the children that came to our treatment centre in Warrendale over the years, were children who were failures in adoption. We need to think about that and to study that, we need time to look at that before we make these kind of amendments.

This particular girl had a period of time when she saw her child, but she saw no recourse, no way, that she could remain as a mother to this child, no way that she could see out of her dilemma. But she walks the streets today and every little boy she sees she thinks is hers, and every little boy that she sees, she has a longing and a hunger for, and I tell you, we have brutalized that person.

We have no assurance that the child, whether placed for adoption or raised in an institution, is going to be better off for

not having been mothered by this person. I say as long as that doubt remains we have no right to interfere in this way. We should be as a society, precisely because of the problems we are having at this time, around families, around parent-child relationships, around that which we want parents to communicate to their children for the sake of our society, for the sake of the human race; we should be doing those things that strengthen motherhood, the natural ties between a parent and a child.

Everything that we do as a society should strengthen that. We should say with a clear voice in all our actions whether the mother is married or not married, whether the mother has economic and psychological resources to care for the child or not; our position should always be that we strengthen those natural ties between parent and child that indeed is the substance and the foundation of our whole way of life, of our family life, of our society, and it concerns me that an amendment gets rushed into the House, we do not have time to sit down and look at it, we do not have time to study it; I say we must come to a more quiet consideration of this whole process of adoption. We may find, indeed, that no child should be adopted so long as a natural parent lives.

I am not saying that we have to, and I am not asking the hon. expert on everything over on the other side—well, I will leave it at that—to agree with it, but we need to look, and we need to study it. We need to evaluate whether or not it is better for us as a society in the present time and the methods we are using at the present time.

I think we need to look at the rights of the child from another standpoint. We are born with certain qualities and conditions and it has been my experience in dealing with some 2,000 children who have failed to make adjustments in foster homes, their own homes, adopting homes, that no matter what you do, or how good a parent you are to those children, or how much you love them, or how much you try to substitute that which the natural parent would give to them, it is impossible to replace the tie that they have to the natural parent, or the tie the natural parent has to them.

We have seen repeatedly, where parents who were considered inadequate, incapable of functioning as parents, where the law had stepped in and removed their parental rights, we have seen when they are offered help, when they are given sensitive help, that no parent wishes to be a failure as a parent,

and one of the human qualities is that we all wish to be adequate parents.

Every human being, man or woman, strives for success in that area, and I have known of no parent who did not feel a tremendous shame and hurt and degradation because they were declared unfit to be parents. I say we must support that natural wish, we must build on it, we must find ways to see that the force and the strength that is there, gets utilized in the social services and in the practices that we establish under these laws and regulations.

I fear that this amendment is going to do very serious harm to the total process of adoption, and I fear it because it will make possible the covering up of poor adoption work. I think any adoption worker in the province wants to make sure of one thing. Have the adopting parents cleared in their own mind their doubts and ambivalence about adopting? Are they sure that they want a child? Are they prepared to take the risks of parenthood? They want that clarity to be there before they make the decision to bring the child into the home.

I think, at the same time, any adoption worker worth his salt wants, also, the natural parents to be absolutely certain that they are prepared to give up their rights for ever to their child.

In both those considerations we have left out one party, and that is the infant involved, and the infant involved time after time after time, whether the parent has been kind to him or cruel to him, always seeks to find who was my real parent. Who was the real person I was born to? There is a natural cry for that. I have never seen a child who does not want to investigate that. I have seen it impossible to find roots for a child precisely because you could not trace back to their origin, and who was their parent.

Mr. Speaker: The member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, first of all may I be so bold as to thank the hon. member for Scarborough West for bringing to the attention of this House a latent defect in this bill.

I was not in the House when this bill was passed; a lot of the members were. I regret to say I have not had occasion as a solicitor to look too deeply into The Child Welfare Act. It was not until I heard the hon. member for Scarborough West speak that I was aroused to obtain The Child Welfare Act and to read it a little more closely, and I am

happy to say that the remarks of the hon. member for Scarborough West do have a lot of merit and I cannot see myself supporting the bill as written because of the amendment to section 31.

Mr. Speaker, not only can a judge within ten days make a child a ward; in fact I would suggest that the section which empowers him, or gives him the power so to do, is almost mandatory. Section 20 of The Child Welfare Act permits a constable, or other police officer, the director, a local director, or a person authorized by the director, or by a local director, to take without warrant and place in a place of safety any child apparently in need of protection—there is that word, apparently—it is rather a loose interpretation as it is.

A subsequent section also gives people that power but in a different way. Section 21(1) reads:

If it appears to a justice of the peace on information laid before him on oath (a) that there is reasonable cause to suspect that a child is in need of protection—

And I draw your attention to the word "reasonable" and the word "suspect":

—they can take a child to a place of safety.

Then section 23 reads as follows:

A child detained in a place of safety under section 20 of clause (a) of subsection 1, of section 21—

And I have drawn both these sections to the attention of this House.

—shall be returned to his parent, or brought before a judge within ten days of his detention.

The child must either be returned to the parent or brought before a judge within ten days of his detention, and thereupon the judge can dispose of the matter after giving notice to the parent to appear. So it is, as was stated by the member for Scarborough West, conceivable that within ten days an order would be made making a child a ward of the Crown while the natural parent of that child—I am using the word parent in the singular because the child may be the child of unmarried parents—while the mother is still in the hospital trying to compose herself and get her senses together. Even if she is not, is ten days sufficient time for a mother to even get legal aid considering how slowly the machinery grinds these days?

How much time would a lawyer retained by her have to prepare a proper case?

I hope I will be pardoned, Mr. Speaker, if I give an example from my own practice, and this is going back so far I cannot remember. I have a reputation for taking a lot of cases in the family court, although not very many juvenile cases at that time, and one of my colleagues asked me to take a legal aid case, it was then a legal aid case—that is going back 15 years at least—where the Crown, the children's aid, was trying to make permanent an order making four children wards of the Crown.

These four children were born to this woman of four different men, two of them had been husbands. Of the two who were not her husbands, she was currently living with one. And they were maintaining, for all intents and purposes, a normal home in what would be now called a common-law union. This was the first time that I had experience with this type of case, Mr. Speaker, and frankly it just jarred me, it absolutely jarred me. I thought I was entering a court of law and I would suggest that I would be extremely kind to that court if I referred to it as a kangaroo court.

First of all, they said I had to prove why these children should not be made permanent wards and I suggested that perhaps the Crown should prove why it was entitled to make them permanent wards. So they got a woman up, did not even swear her in, and she started to recite from a report that somebody had made. When I suggested I would like to have the person who had made the report present so I could cross-examine, they made a statement that this was not a practice that they carried on in that august chamber. I would point out, by the way, it was a futile gesture. I objected again when they started reading a report of what Dr. Blotz had to say on this matter, because I wanted Dr. Blotz there.

I do not know how many cases of that kind they had before I came into that courtroom, but the judge said to me they had never had an experience like this before and would I be kind enough to write him a brief of the law. And I did. And I found it quite educational myself. And the children were returned to the mother.

One of the reasons they gave that the children should be made permanent wards is that they could not get them to behave; they could not exert any authority on them in the children's aid shelter. And that was a reason why they should be made permanent wards, according to them. I was able to establish that the reason they could not assert any authority over them was that the children

wanted to go back to their parents. What they were using as an argument for making them wards, I was able to use as an argument for returning the children to the parents.

Mr. Speaker, I am not going to continue much longer. I just want to point out that here the welfare of the children was being handled by people who did not have a clue as to the law. And they were going to deprive the natural mother of the children because they said she was living—

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, if I may—there is nothing in the proposed amendment which would in any way affect the situation which the hon. member has recited.

**Mr. Ben:** I am not saying there is, I am just trying to point out that they tried to make these children permanent wards because the woman was living common law with this man. And there were cases on the books. The hon. Minister may remember the Eastman case in Hamilton, a leading case on it. That was a case that held just because a child is living in a home where the child's parent is living in a common law union with another individual and those parents, those two people, are sleeping together in the presence of the child, does not create that kind of an atmosphere which would tend to lead the child to juvenile delinquency. But evidently these people had not heard of this.

The way they were running things at that court still exists, because I have not had a case of that type since then. They may still be running it on a "as we see fit" basis.

And here, simply because the child was committed as a ward and thus transferred to the home of prospective adoptive parents, you try to say that an order cancelling that committal will not be made if those prospective parents indicate in writing the desire to adopt that child. The Minister sees fit to deprive a natural union while strengthening an unnatural union, which may collapse, and the effect may be then that you have completely destroyed what would have been a strong and natural union and have no unnatural union, so to speak, and a child is left with neither natural parents nor prospective adoptive parents.

I think that is very simple, I think it is unjust, I think it is deplorable, and I believe the Minister should withdraw this bill, redraft it and introduce it at the next sitting.

Mr. K. C. Bolton (Middlesex South): Mr. Speaker, like my colleague, the member for Lakeshore, I enter this question with a great deal of anxiety because so much could be said on either side. I was quite exercised about it, but I am now in the position where I can make a decision quite clearly after hearing this afternoon's debate.

I am anxious for those who wish to adopt and I wish to see some assurance that nothing in this legislation should interfere with the people who wish to adopt children. There was some suggestion earlier that this legislation might make it difficult for them to engage in this very important piece of social concern. But what has made me reach a firm decision is the emphasis on the danger which exists in this amendment that things will be done too hurriedly. Those of us who have been trained in non-directive counselling are inclined to delude ourselves at times that we do not exert any pressure on people to make decisions in such situations. I think most of us, and I think other social workers would agree with me, from time to time we do nudge people in the direction of a decision. The decisions made seems to be a case disposed of. And most of us have a very heavy case load.

So I think we would all have to admit there have been times when we have exerted—perhaps unconsciously, but on reflection we find it is true—we have exerted pressure toward a quick decision. It is true that in the best of circumstances, mothers are strangely worried immediately after the birth of their children, even if they have no real postpartum psychosis. It is not the time to make important decisions; it is quite wrong to ask of a new mother that she make a binding decision within ten days. No one has said this in the course of this debate and perhaps we hide the fact, but I think many of us have to clear our minds of any thought that those who are unmarried have therefore forfeited any parental right. We must clear ourselves of any idea that we must somehow punish a person by denying them the right of parenthood. If people are unworthy of being parents—and of course many of us might seem to be—it is not the right time to visit them with punishment within ten days of the birth of the child, nor is punishment of very much real value in any case.

I find myself supporting entirely what has been said by the member for Scarborough West and urge that this amendment be withdrawn because of this particular thing. It allows for a hurried decision and decisions

made under duress are always dangerous and, in most circumstances, illegal. I therefore support the withdrawal of the amendment for further consideration.

Mr. R. H. Knight (Port Arthur): Mr. Speaker, I rise to speak to this amendment with great hesitation. I had not intended to do so because never before as an elected person have I ever felt such a conflict of interest, being the father of three adopted sons.

I, of course, admire the Minister and his department and, I am sure, like many adoptive parents across this province, hail the recognition the department has for the problem here, because of this case in Ottawa, and for trying to do something to fill the gap.

The only reason I rise is not to sway the members' position one way or the other on this amendment, but merely to say as one adoptive person, and a responsible legislator, much as I want that gap filled, much as I do not want to lose my own children, let us say, and much as I know other adoptive parents would not like to think that they may lose theirs, I do not think that any of us as adoptive parents would want, for our own protection, to deprive the natural parents of the full opportunity of assessing the situation.

There is difficulty, of course, here, Mr. Speaker, to say what I am saying but I do feel that other adoptive parents would feel the same way and I offer no criticism to the Minister. I think that he has our interests, as adoptive parents, and the adopted children, the children who have been put out for adoption in this province, at heart. I am sure he has in this. But I must say that I, in my own mind, would like to be sure that the Act still leaves the natural parents with a sufficient amount of time to make a proper decision. I will leave it at that, Mr. Speaker.

Mr. J. Renwick (Riverdale): Mr. Speaker, I want to take a few minutes to clarify the problem as I see it, and endeavour to reinforce what has been said by other speakers asking the Minister to withdraw the bill and to give serious consideration to reintroducing it in an amended form after he has had an opportunity to work on it.

In all the time that I have been in the caucus of the New Democratic Party in the House we have never run across a bill which has caused us so much concern within the caucus, and it is quite evident, with all the ways in which the problem has been expressed, that it poses a very real problem of what, one could say conscience, for the members of this

party who sit in the Legislature. There is one element of the haste, which bothers me. The haste in introducing the bill, apart altogether from the question, which has been emphasized, of the haste in the course of the adoption procedures within the limitations of the bill. I am indebted to the departmental solicitor for having provided me with a complete set of court documents in this case, as well as two of the memoranda which went from the director of the child welfare to the Minister, in connection with the matter.

I want to speak about the haste, in the hope that the Minister will believe that he has been hasty in introducing the proposed amendment. The memorandum is dated the very date on which the Supreme Court of Canada gave its judgment in the case and went to the Minister from the director of child welfare and it has this to say, amongst other things.

This is the case of a child made a Crown ward and subsequently placed on adoption.

It has been assumed that by securing Crown wardship, all rights of the parent have been removed and that the child as the agent of the Crown would act *in loco parentis*.

It then goes on to say:

In carrying out the direction of section 84(2) of the Act, the society proceeded to place the child on adoption, if the child was in the adoption home for more than three months before the mother launched her appeal.

On the very first point on the haste, in connection with the suggestion that there be an amendment, it went on in the memorandum to say:

Would it be possible to introduce as an emergency measure, an amendment to The Child Welfare Act to take care of this urgent situation, and by so doing reassure the many thousands of present and future adoptive parents that their homes will not be wrenched apart by a similar court decision.

I would say to the Minister that it is not possible for a government department, in my view, to proceed so precipitously to deal with judgments of the court in cases such as these.

If there is one area which I, as a lawyer, respect in many ways, in the ability of the court to take on a task and to develop over a period of time, a way of dealing with a difficult problem. I think one such area is in the care and attention the courts, by tradition,

have exercised in coming to decisions in questions related to child welfare. It is one of the areas where the courts have pre-eminently been preoccupied, carefully to attend to the care of the child. I did not think it would have been possible for the government to have come so quickly to a decision to introduce this amendment without very careful study of the decisions of the court.

What concerned me, and not only the areas which have been expressed as matters of concern, but as a lawyer I was very much concerned to find that the decision, the final decision which was made, was a decision of the court of appeal of Ontario, composed of three members, which was unanimous, and that that judgment was unanimously, then, concurred in in the final resort, by the full court of the Supreme Court of Canada being a bank of nine judges.

Those were twelve judges who concurred in, basically, the reasons for judgment given by the county court judge in the original application. So you had 13 judges who felt that it was in the interests of this child, in these circumstances, that the child be returned to its natural parents. I realize that there was an intervening proceeding on the question of jurisdiction that also went to the court of appeal and to the Supreme Court of Canada. That does not alter the substance of the final resolve, that 13 judges decided, in this child's case that it was in the interests of that child, that the child be returned to the natural parents.

Careful reading of those judgments—

**Hon. Mr. Yaremko:** I wonder if the hon. member would just permit me to draw to his attention that the earlier hearing before the Supreme Court of Canada—in which Mr. Justice Hall gave dissenting reasons, and they were concurred in by Mr. Justice Judson in which they had expressed a contrary opinion. I do not know whether he had the opportunity of reading this.

**Mr. J. Renwick:** I do, Mr. Speaker, and I want very much to deal specifically now, before I go back to my argument, with that very point which the Minister has made because that is part of the substance of what I want to say.

The Supreme Court of Canada did not, on the earlier reference, on the question of jurisdiction, deal with the merits, and that is the precise point that I want to make. From the court of appeal for Ontario judgment,

this is in the intervening proceedings on the question of jurisdiction, states:

The court of appeal for Ontario based its decision only on this question of jurisdiction, and having expressed its view that no such jurisdiction existed, did not deal with the merits of the appeal.

His Honour Judge Good came to one conclusion in carefully detailed reasons, and His Honour Judge Honeywell, on appeal from His Honour Judge Good, came to the opposite conclusion, again in carefully detailed reasons.

It would seem that those merits should be dealt with by the court of appeal for Ontario and it is, therefore, my view that this appeal should be returned to the court of appeal for Ontario for consideration upon the merits.

My point, Mr. Speaker, in reply to the Minister's intervention, is that when this case went back to the court of appeal on direction from the Supreme Court of Canada, to be dealt with by the court of appeal on its merits, the Supreme Court of Canada specifically stated that it had not been dealt with either in the Supreme Court of Canada or at the court of appeal on its merits. The court of appeal in dealing with it on its merits was unanimous and came down unanimously in favour of the carefully reasoned decision of the county court judge, His Honour Judge Honeywell, rather than in favour of the other carefully detailed reasons of His Honour Judge Good, the provincial judge of the juvenile and family court and the Supreme Court of Canada unanimously confirmed the decision of the court of appeal of the province of Ontario.

So I repeat again, because of the Minister's intervention that it was 13 judges who came to the conclusion that in this instance, it was the proper thing to be done on the merits that the child be returned to the parent—not out of any concern for the parent but out of a concern for the principle which has always motivated the courts and that is, what was best for the welfare of the child.

And I, as a lawyer, Mr. Speaker, found great difficulty—and in this sense I suppose I could be considered to be a Conservative—I found great difficulty in being faced in the Legislature precipitately with an amendment which was going to reverse that particular view of the court—not in this specific case, of course, because this House would not do that—but for future instances and I therefore ask myself what this amendment is going to do, should there be other and similar situations

which require the interventions somehow of some person, other than the interventions somehow of some person other than the institutionalized framework within which The Child Welfare Act of the province is administered? I came to the conclusion that the bill is inadequate because of this.

I had hoped the Minister would perhaps see his way clear simply to say, "Well, let us wait to see what the effect of the decision of the Supreme Court of Canada in this case is". Let us wait for a year or two to see whether or not, in fact, it has the horrendous effects which is implicit in the language of the director of child welfare memorandum to the Minister issued as a result of a telephone call from the children's aid society in Ottawa, to the director of child welfare that the Supreme Court of Canada had confirmed unanimously the decision of the court of appeal of Ontario and that the child was to be returned immediately to the natural mother.

Now, I think, therefore, within the argument I want placed to the Minister, I should state what the court has held on the principle which guides it in such cases. In one of the judgments of the Supreme Court of Canada, that is in the intervening decision of the Supreme Court of Canada on the question of jurisdiction, there is a reference to a statement which is now repeated, I believe about the third time, by the present chief justice of Canada.

While he concurred in this judgment he did not himself give it. Mr. Justice Spence gave it, but in the course of doing it, he referred to a statement made by the present chief justice of Canada in a case which came before him in 1950. He referred to identical language which he used in a case which came before him 1957 and this case in 1969 repeats it and the statement is:

I regard it as settled law that the natural parents of an infant have a right to its custody which apart from statute they can lose only by abandoning the child, or so misconducting themselves that in the opinion of the court, it would be improper that the child should be allowed to remain with them and that effect must be given to their wishes unless very serious and important reasons require that having regard to the child's welfare they must be disregarded.

That is the end of the quotation and Mr. Justice Spence goes on:

I think that view is sound basis for a disinclination to find that the statute has

deprived the natural parent of any right to apply for a variation of the order, making a child the ward of the Crown unless it so provides in express words.

**Hon. Mr. Yaremko:** Excuse me, Mr. Speaker, would the hon. member permit me? Does not that wording and wording used elsewhere indicate that the minds of the judges were directed almost in the main to the rights of the natural parent and even in that quotation he made stresses that point, and it is a theme which runs through the whole of the judgments?

**Mr. J. Renwick:** Mr. Speaker, I do not read it that way because what it is in substance saying is that within our society, in the interests of the child, very strong reasons be given before a child is taken away from the natural parents, and I take that to be a reaffirmation, rather than what the Minister said.

Principally, the Court is concerned with the welfare of the child and there is that basic implicit assumption that the parents of a child are the best persons to take care of the child rather than having the child taken away from the parents.

I turn now to the bill, Mr. Speaker. It does three things. One, it repeals totally the very section which is the basis of the appeal in the Mugford case. In other words the precipitate part of the introduction of the amendment is just to delete entirely that section of the Act which provided the basis on which the Mugford case was heard and that is section 35 which is going to be repealed.

I think in repealing section 35, we must realize that they have repealed the judgment of the Supreme Court of Canada and in substitution for it, have inserted in another section, section 31 of the bill, the provision that not only may the child welfare society but also the parent of the child, take action and make application to the court to have the Crown wardship terminated.

Now, up to that point you would appear to have substituted at least another right of application to the court for the parent for the one which you have repealed, but what you have also done in this case is remove the opportunity from both the children's aid society and from the natural parent to take any proceedings after notice of intention to adopt is given. Mr. Justice Hall very clearly, in his part of the judgment in the proceedings on the question of jurisdiction, ends up his remarks by saying, "Well, all right, I am

not going to agree with my fellow judges on the three-to-two decision, I am not going to agree with them because in fact the children's aid society could do this and I would rely on the children's aid society to make an application to terminate the wardship in these circumstances."

He states:

It is to be accepted that a children's aid society, having the care of the ward of the Crown, upon being satisfied that it is in the best interest of the child to restore it to the natural parent, would accomplish that result by an application under section 31(1). There are no limitations on a society's right to do so. The section empowers the judge to terminate the wardship, if the judge is satisfied that the termination is in the best interest of the child.

My point there, if I have not expressed it as clearly as I would like to do, is that having given the parent a right within section 31 in substitution for the right which he had under section 35, which is being repealed by the Minister, he has then curtailed both the societies' rights and the parents' rights from the moment that notice of intention to adopt is given, and thereafter until the order of adoption is made.

Neither the children's aid society nor the natural parent can make an application to the court and have the matter heard, because in one of the additional clauses, which he adds to section 31, he specifically precludes the court from terminating a wardship for the period of time of the notice of intention to adopt the child where the child is residing in the home until the adoption order is made under part IV.

So I think that you have done two things, you have substituted for the parents' right to appeal to the court under section 35, a right under 31, and I do not think I can tell whether one is better than the other, but what you have also done under section 31 is curtail both the children's aid society and the natural parents' right to make an application to the court after notice of intention to adopt has been given until the order of adoption has been made.

In other words you have shifted the balance more completely in favour of the prospective adopting parent than was done before, or as, indeed, would have been necessary even if the Minister had wanted to take the limited view that he simply wanted to repeal section 35 of the bill.

That brings me in my thinking about this bill back to the fundamental point which has been made about the haste of the proceedings under the Act—and which has been emphasized by certain of the members who have spoken for our party, and by the member for Humber when he spoke, and by the member now for Port Arthur—and that is, it is possible and quite possible that a Crown wardship will be established as it was in the Mugford case within a matter of a very few days, and the dates would appear to me in that case to have been about 20 days—I think the child was born early in October, and before the end of October, October 26, 1967, the child had become a Crown ward.

**Mrs. M. Renwick:** Born October 5.

**Mr. J. Renwick:** My colleague from Scarborough Centre says born October 5; and on October 26 the Crown wardship was established. It is also not only possible, but probable, in a large number of cases—certainly in a sufficient number of cases to cause us concern, indeed concern whether it were to happen in only one case—that a notice of intention to adopt a child, and the child to be placed in the home of prospective parents within a matter of a very few days, and at that particular point in time, all of which could be accomplished within a 30-day period or less, the natural parents of the child and the children's aid society, by this amendment, would be totally precluded from making an application to the courts.

If that is the effect of the amendment, then without getting into the broader area of this whole question of the public policy which is involved in this, I simply say to the Minister that whenever there is this kind of conflict between private rights and public policy which leads ultimately to the vesting of rights in other persons to the exclusion of the original person. In other words, where the private rights of the natural parents of the child by reason of the public policy of the province leads to a termination of those rights, and a substitution therefor of rights in other persons, namely, the adopting parents, then again as a lawyer it seems to me when such an event takes place, that is a notice being given of intention to adopt the child, which results in cutting off the rights of the children's aid society and the natural parents to make application to the courts, the least the Minister could do would be to provide that notice be given to the known parent or parents of the child in order that for a stated period of time—and having been engaged in the practice of law it takes some time to deal with this type

of matter—for a least a period of 60 or 90 days, the natural parents would have a right, as would the children's aid society, to make an application to the court to have the matter determined. I say at least 60 or 90 days because the Act does provide, in substance, that except in very, very special occasions there will be no final order of adoption for at least a period of six months.

I know there are provisions for shortening it and there are other provisions for lengthening it. Therefore I say that for 60 or 90 days, after receipt by the known parents—and I assume there are cases undoubtedly where it is not known who the parents are, and I think by affidavit it could be clearly established by the children's aid society if the parents were not known—but in the case of the natural parent or parents, when this notice of intention to adopt results in a curtailment of the right of the children's aid society and of the parents to make the application to the court, then I think the notice must be given to those parents and they must be allowed a reasonable amount of time in order to take counsel and advice in reasonable circumstances and decide whether or not they should make an application to the court to have the question of the termination of the Crown wardship determined.

I make that suggestion, not because it results in allaying all my concerns about the whole of the problem which this case has raised, and the concerns which we have expressed in this party in any number of ways this afternoon, but certainly in terms of saying to the Minister, yes, there must be some change made in this statute if the government is insisting on putting it through.

I still believe, Mr. Speaker, that it would be wise for the government to withdraw this bill, to consider it again, at least over the recess on into the next session of the Legislature, not to treat it as emergency legislation, but to treat it as part of the on-going development of the evolution of an adequate public policy in a very difficult area.

I do not think anybody within the House at the time when The Child Welfare Act in 1965 was passed would take away from the fact that it was a vast improvement and we supported the bill at that time but I say, Mr. Speaker, to the Minister that this certainly was not the final word on this problem, and therefore I think that in a calm, deliberate way, he, and those advisers in his department, should look into the whole of the aspects surrounding the Mugford case and decide either in the next session, or if they should decide



to wait until experience points out whether or not in fact this is a judgment of the court which is going to create a substantial problem in carrying out the public policies of the government, to wait that length of time.

That is my first reaction and it remains my first reaction that that is exactly what should be done, and my second one, which is at least some assistance to us in dealing with this difficult bill, would be the proposal which I made a few minutes ago about the amendment.

I want to say one last word, having made those statements about it. If you will, in fact, read carefully all the evidence before the court as it is disclosed in the judgments, and presumably in the actual evidence which is much more fully stated, you will find the very arguments which are being used for the purpose of curtailing the rights of the natural parents in terms of the welfare of the child—not the welfare of the natural parents, but in terms of the welfare of the child—can just as readily be used for the purpose of advocating an extension of time and maintaining the rights as they can be used for the purpose which the Minister has seen fit to use them—for the purpose of curtailing the rights, and I end really where I began, Mr. Speaker.

I find it extremely difficult in this party and as a lawyer to find myself engaged in trying to assess a decision which 13 judges of the court have unanimously agreed should be made at three levels of the court as against, with great respect to him, the original decision which was made by the provincial judge of the juvenile and family court of the county of Carleton, I believe.

I think that should be sufficient to the Minister himself, as a lawyer, to give him pause before he is pressured into adopting what may very well be in the interests of the efficient operation of his department, but what may very well be at the expense of the basic and essential question which the court always considers, and that is, what is in the best interest of the children.

I ask the Minister to withdraw the bill and if he will not accept that suggestion, to give consideration to what has led up to the proposed amendment which I have made on behalf of this party.

**Mr. Speaker:** Is there any further speaker, before the Minister? The hon. Minister then.

**Hon. Mr. Yaremko:** Mr. Speaker, the debate in the House this afternoon, in addition to the remarks made by the member for Sarnia on Friday last, has pointed out all of the diffi-

culties. I shall not quarrel with the position taken by those who in the effect have come down on the side of the natural parent. The hon. member for Riverdale has touched upon matters which I also, as a lawyer, considered when this problem was thrust upon me. I may say that in relationship to the use of the word "over-react" that is not so. That we have acted with speed is correct. I wondered myself what should be done under the circumstances. It seemed to me to be a rather easy way out to say that this session is drawing to a close and the recess would give an opportunity of going into the matter and a decision made by then, but when I tried to examine, for myself, what additional wisdom the interval would bring to me or to those who were advising me, I could not find any.

**Mr. Brown:** Their minds are made up.

**Hon. Mr. Yaremko:** It was not as if we were suddenly confronted with a decision on November 17. The department and all those associated in the matter of adoptions had, of course, been long aware of the tack that the Mugford case was taking. I was aware of it and I must be frank to say that I had hoped that the courts, and especially the Supreme Court of Canada, would have rendered a decision which would not have necessitated legislative action.

However, they did take that action. I cannot quarrel with those who, in this Legislature, have come down on the side of the natural parent, in the light of the fact especially, as the hon. member for Riverdale has pointed out, that a review of the judgments indicates that the vast number of the senior judges, including those which he has numbered in the Supreme Court of Canada, have come down on that side. To any lawyer, that in itself would be a very sobering fact indeed.

But a judgment and a decision had to be made and I, as the relevant Minister, have taken the step. It is not mine alone, it was based on the advice that was put at my disposal by those who have had many years of experience, both prior to The Child Welfare Act, as we presently know it and in the years gone by. As I was acting to initiate the legislative process, there were meetings and consultations with those who have had the experience and I put to them some of the questions that I had in my mind. Indeed, most of which have been posed to this Legislature by the hon. member for Riverdale, and the general consensus was the amendment in the form that appears before the House on second reading at this time.

I would like the hon. members to be aware of what is being done. We do have in this province, the private placement of adoption, but the significant fact is, that is of the adoption of children who have not been found to be in need of protection, and it is in that private area where the law specifically states that any consent—and this is a basic factor, that those adoptions are based on consent—with the first seven days that consent is null and void. Of course in this jurisdiction it is not the case as in some other jurisdictions where plans for adoption can be completed before a child is born; we do not have that in any event within this province.

Further in the private placements, the parent has the right to cancel the consent within 21 days. This again is a parental consent and again it is a matter between the parties.

Then of course there is the continuing right to apply to a court to have the right to withdraw the consent prior to the adoption. But in all of that situation, it is by and large a private matter, apart from the fact that under the law, all placements must be registered with the department and apart from the fact that the children's aid societies, all can play a role in that stream.

**Mr. Lewis:** But it is a minimum of 28 days and could extend through several months.

**Hon. Mr. Yaremko:** Yes, that is the course, but the significant difference is that there does not appear in that area, the factor of Crown wardship. This is the significant difference. Crown wardship is not an act which is done unilaterally by any person. The application for Crown wardship is done at a hearing upon due notice having been given to the parties involved. In respect of the suggestion made by the hon. member for Scarborough Centre, that there should be a guardian of the child, in effect the whole of that proceeding is to determine guardianship for the child—it may be a baby or it may be a more mature child—to determine that the Crown should be the ultimate and complete guardian of the child.

**Mrs. M. Renwick:** The guardian should be in the court.

**Hon. Mr. Yaremko:** But the whole purpose, in effect, of the hearings is to create a guardian. The parent of the child is entitled to have representation by counsel and presently in the province—with all due respect to what the hon. member said about legal aid—these

cases have involved legal aid. I have to rely on the integrity of the children's aid society and the court.

If there is merit in what the hon. member for Scarborough West has said about some deficiency on the part of a particular society, that is a matter which will not and cannot be taken care of by legislation, it will have to be done in other ways and means.

**Mr. Lewis:** Agreed. The Minister need not have had the legislation, he could have taken care of that.

**Hon. Mr. Yaremko:** I bring to the attention of the hon. members, with respect to the time limits that have been touched upon within the stream which involves Crown wardship, if I may. We will not permit a child to leave the hospital for a period of ten days and a certain weight. I think the specific weight is either five or six pounds, a significant weight.

The mother may have left the hospital, as is often the case—I think they leave within half that period, so that that is a period of time. I know there may have been cases in which—and I am not an expert on these matters—where the premarital counselling may have been done under stress and strain from the point of view of the mother, but then again I would think in the vast preponderance of cases, that counselling has been right and proper.

The application for Crown wardship is not done automatically—as I think the hon. member for Middlesex South may have indicated. There is no automatic hearing for a Crown wardship—a taking to court. That is only done where there is an application where it is apparent that the child is one that is in need of protection. Otherwise a child goes out in the normal stream of life. I did not know whether the hon. member for Middlesex South grasped that.

We have a court hearing before a court which has been designed and set up to deal with this kind of matter. We have the appearance of the children's aid society, whose sole purpose should be the interest of the child because it is a children's aid society, not a natural parents' society or an adoptive parents' society, and a decision is reached. I point out to the hon. member for Riverdale that there is what in effect can be called a time lag or a cooling-off period because the parent does then have a right of appeal from the order of the court. That has not been touched upon by anyone, but there is an appeal, a primary

appeal, by the parent in respect of the order of the court. Our basic assumption has been that that right of appeal can take place within a period of 30 days, and adoptive parents are counselled that this period of appeal exists.

**Mr. J. Renwick:** Mr. Speaker, would the Minister permit a question? I simply want to ask him if he would clarify for us exactly what the appeal is that he is now speaking about.

**Hon. Mr. Yaremko:** It is section 36 of the Act:

A decision granting or refusing an order under this part may be appealed to the judge of the county or district court of the county or district in which the application was made.

It is an appeal to the county court. It is an appeal from a lower court to a higher court.

**Mr. J. Renwick:** Mr. Speaker, again just by way of clarifying what the Minister has said, I take that to be the appeal on the question of the Crown wardship?

**Hon. Mr. Yaremko:** Yes.

**Mr. Lewis:** Right.

**Mr. J. Renwick:** Which in fact was the case when the appeal was taken from His Honour Judge Good to His Honour Judge Honeywell.

**Hon. Mr. Yaremko:** No, that procedure was not followed.

**Mr. J. Renwick:** In the original instance?

**Hon. Mr. Yaremko:** In the original instance, no. For some reason they went in another direction rather than this one, and there is this right of appeal which has been assumed by everyone to be a period of 30 days. Because the Act does not presently spell out the period of time with respect to appeal—

**Mr. Lewis:** No, it does not. And it could happen that one could lose a child on the eleventh day.

**Hon. Mr. Yaremko:** Oh, no. One could not. The time factor of ten days is not a part of this, it no longer enters the picture. There is a ten-day waiting period in the hospital, which in effect means that there could be an application if the child was one in need of protection immediately thereafter. But that court hearing having taken place, there is then the right of the parent to appeal to a

county court judge from that decision. So if it is disputed that that child is a child in need of protection the parent has a right of appeal. That has always existed. And I intend to bring in legislation in the coming session to delineate the procedures, the steps, and the time period which is involved to affirm a definite period which everybody assumes by general law is there, because when you have a right of appeal, there of necessity must be a time to appeal and a procedure to the appeal.

The basic assumption was that once there was a Crown wardship determined—and that determination could only come in its finality after the time for appeal to the county court judge had passed—then the rights of the natural parent had come to an end. And it has been, in no uncertain terms within this Legislature pointed out to me that the Minister of Social and Family Services assumes the rights and responsibilities of the natural parent. Therefore, it was the basic assumption by everyone that this—which was hailed as the great step forward in The Child Welfare Act as it was passed in 1965—then ended the matter.

But the hon. member for Riverdale and, I think, the hon. member for Lakeshore, who had the opportunity, I think, of reading in detail all of the judgements, would have seen how scant reference was paid to the concept of Crown wardship. And this surprised me, as I went through the judgements—that this very significant step had not really fully registered with the courts. They permitted the child placed for adoption to be returned to its parents. And that could take place right up until the very day before the adoption order was made.

As a matter of fact there is a case pending presently, in which that set of circumstances has taken place. I think the child was in a foster home for about a year, and then it was placed in adoption, and on the eve of, or almost simultaneously with, the adoption, the application was made, and I think was granted, for the recovery of the child.

What we have done by virtue of the amendment in asserting the right of the parent of the child to intervene, is to give an additional protection to the parent that until such time as the child has been placed on adoption, the time of appeal from the order having passed, the parent now has the right to apply for a termination of the order. This is no longer based on the facts of the case as they existed at the time of the making of the order, this would be done on the facts

as they existed at the time of the application to terminate.

**Mrs. M. Renwick:** This is the consent to private adoption?

**Hon. Mr. Yaremko:** No, this is purely in the field where there is Crown wardship.

**Mr. Ben:** May I ask a question for clarification? Is the Minister aware that subsection 3 of section 1 of this Bill 243 takes away the right of appeal? It uses the words "shall not be terminated", which means that under no circumstances can any court interfere with it because it is being made mandatory. It says "the Crown wardship shall not be terminated", so you can take it up to appeal in any court you want but the courts have to say it is mandatory.

**Hon. Mr. Yaremko:** No. The hon. member must read subsection 3 in conjunction with section 1, which says: "subject to subsection 3"; and the words "shall not be terminated" have after them the qualification, "where the child has been placed in the home of a person who has given written notice of his intention to adopt a child and the child is residing in the home". It is true that where—

**Mr. Ben:** That is precisely what the hon. member for Scarborough West took exception to; you had made it mandatory. There is no right of appeal from this section.

**Hon. Mr. Yaremko:** Once that step has been taken the right to terminate Crown wardship has ended.

**Mr. Lewis:** But you have abolished section 35, Mr. Minister. If I could ask a question. I simply do not regard forcing the parent into a court as an appropriate right of appeal. There must surely be other human recourse around adoption.

**Mr. Speaker:** The hon. member has had the opportunity to debate. If he wishes to ask a question he may do so, otherwise he is out of order.

**Mr. Lewis:** Mr. Speaker, my apologies. How do you instill rights of appeal to clauses which no longer exist? You have abolished clause 35 entirely. As I see it, section 35 of The Child Welfare Act is repealed. Surely, you have to seek out an appeal procedure, sir, which has some application to what we are discussing. As you yourself said, there is no such specific setting up.

**Hon. Mr. Yaremko:** The hon. member is confusing, or at least, using the layman's term of appeal, rather than using a legal procedure.

**Mr. Lewis:** That may be.

**Hon. Mr. Yaremko:** Terminate is one course of procedure. There is always the right of appeal from an order of a judge—there must have been an order made at some stage of the game to have the right of appeal.

**Mr. Lewis:** Yes. But that does not help.

**Hon. Mr. Yaremko:** Mr. Speaker, this legislation was not brought in to cure a specific situation. We are confronted with a situation where a fundamental problem has arisen which will affect not one child, but as has been pointed out, right now there are 2,800 situations which could be affected by the decision in the Mugford case.

**Mr. Lewis:** How many?

**Hon. Mr. Yaremko:** And I could not honestly, I could not in all conscience, let this Legislature prorogue without having taken some steps to assure—

**Mrs. M. Renwick:** What about conscience regarding the natural mother?

**Hon. Mr. Yaremko:** If the hon. member wants to have my complete support, she must subscribe to the fact that she is speaking in the interests of the child. I am not placing emphasis on the adoptive parents, no more than I am on the natural parents.

**Mrs. M. Renwick:** Would the Minister permit a question on that remark?

**Mr. Speaker:** I would like to ask the Minister then, under the Act the welfare of the child is paramount. How, then, do we have two completely different kinds of stream by which children might be adopted—a stream where they can be made a Crown ward and be adopted in 11 days, and a stream where, in consideration of the child, the other child can be taken into the children's aid in seven days, held for 21 days, and still be able to be claimed by the natural parents, *ad infinitum*, until the adoption order is signed? The welfare of the child is paramount.

**Mr. Speaker:** The hon. member has asked a question and she must not debate further.

**Hon. Mr. Yaremko:** The hon. member, I am afraid, has not grasped the significance between the two situations. A Crown wardship is in relationship to a child in need.

**Mr. Lewis:** As a matter of fact he should have more time because—

**Hon. Mr. Yaremko:**—and it is in respect of a child in need of protection that all the elements of society that have been erected to protect the child, come to bear.

Our concern—as human beings, of course, must be with the natural parent and with the adoptive parent in relationship to the emotions that can be aroused. I pay great respect to one and the other. The hon. member for Port Arthur touched upon his views as an adoptive parent.

I may say that I have heard very strong emotional positions taken by adoptive parents, completely opposite to what he has suggested. Of course, both natural parents and adoptive parents, are human beings with their strengths and their weaknesses on both sides.

Experience has shown us, and I am counselled in this by those in the field, that it is in the interests of the adopted child, or the child in the adoption stream, to let the matter stand. My concern, as Minister, is not only with the individual children, but I, of course, am responsible for an adoption programme, and with all due respect to the views of the hon. member for Beaches-Woodbine, with which I do not agree, I may say, we are, in this province, devoting our time and energy to promoting adoptions; we are very proud of our record, and we will continue to do so.

When I tell you that there are, as of October 1, 1969, 18,824 children in the care of the children's aid societies, 12,715 as Crown wards, and 3,857 as society wards, and 2,252 as non-wards, that is a significant number of children who do not have the attention of parents, of natural parents.

Of the 12,715 Crown wards, 2,776 are on adoption. But you see, there are still a significant number of children who are in care for whom a parent must be found. So that, when it comes to the law of supply and demand, we have far more children who themselves are seeking homes and for whom we are seeking homes than there are presently adoption homes.

The stress that is being placed by the department, in the knowledge that the legislation has been good, is to develop techniques of encouraging more adoptions and we have even recently instituted the use of television, the most modern technique in, "Today's Child", a programme that in five short years has placed 2,500 children, most of whom were not blue-eyed babies, 11 days old, but were children that for—

Interjections by hon. members.

**Hon. Mr. Yaremko:** It is not a red herring. As I say, if there are steps to be taken with relationship to the practices and procedures and the attitudes of a children's aid society, and those engaged by the society, that should be taken in another field—

**Mr. Lewis:** Sure it is—

**Hon. Mr. Yaremko:** If there are steps to be taken with respect to making sure that the natural parent will be enabled to carry out wishes at the time of birth, in order to retain the child, that is also a question of action in other fields.

The point is that I touch upon these things because those are the things at which we are looking. I say I would rather take this step, and I hope it does not happen, although experience shows that perhaps some modification should be taken rather than to take no step at all, to leave a hiatus which could strike a blow both at the concept of Crown wardship and at our whole adoption programme. If either of those concepts were affected mortally, we would lose a tremendous amount.

I say to the hon. member for Beaches-Woodbine, he has talked of the myth of adoption. Of course other people take the position that there is a certain amount of mysticism in adhering to the belief that the welfare of the child is somehow automatically or inextricably or fundamentally by nature woven into an attachment with the natural parent. There are those who dispute that very strongly and experience unfortunately has proven that the case.

**Mr. Lewis:** Mr. Speaker, would the Minister consider a friendly question?

**Hon. Mr. Yaremko:** Yes.

**Mr. Lewis:** Would the Minister consider, in committee—there will be a couple of days, obviously, elapse—would the Minister consider in committee, since in one area we appeared to agree and it is obviously crucial to some of us, defining by way either of an amendment to this section or an explicit setting out of section 36, some time period during which recourse can be had by law, by the natural parent? Is that legitimate to think about amending in committee?

**Hon. Mr. Yaremko:** All that we would be doing is reiterating in legislation that which is a fact as I have stated. What the hon. member is suggesting is an appeal from the initial court order making Crown wardship.

**Mr. Lewis:** No. Would the Minister consider the suggestion in committee that a period of time be given during which the natural parent has the right, after the notice of intention, to reconsider the decision, without having to go to a court appeal for the purpose?

**Hon. Mr. Yaremko:** Well, that is the suggestion I think the hon.—

**Mr. Lewis:** Right—the member for Riverdale made that.

**Hon. Mr. Yaremko:** And I say to the hon. member for Riverdale, Mr. Speaker, through you, that was one of the very first questions I posed to those who were advising me—not only from within the department itself but those who are in the field either advising the department as others knowledgeable in the field, both from a legal point of view and from a child placement point of view, from the children's aid point of view. I wanted to see, whether there could be this period of time.

I was advised that in the balance of all the considerations that to put in a time period, a stated time period, would make the process so rigid that we have far more to lose than anything we could possibly gain in permitting this.

**Mr. Lewis:** I am surprised. I think the Minister's professionals are a bit premature.

**Hon. Mr. Yaremko:** This is the advice I was given to a specific instruction by me to sit down and think out—

**Mr. Lewis:** The Minister's instincts were right. Their recommendation was wrong.

**Hon. Mr. Yaremko:** —to think out some sort of a period.

**Mr. Lewis:** The Minister's intuition was right. Their response was perverse.

**Hon. Mr. Yaremko:** Then I thought what we might do if we did not have a time lag was start putting in descriptive situations, that if this were the case, or if that were the case, then only in those instances—

No, the member for Riverdale should not shake his head, because I was going to put a list of specific situations in which the kind of action that is proposed could be taken to limit the scope of the bill.

Again, I was advised that I could not possibly list a sufficient number of cases to include all of those in respect of which a

limitation could be made and exclude those in respect of which the limitation should not exist.

We did give those matters consideration, Mr. Speaker. Now in closing my remarks I have been acutely aware of the fact that in this situation there is no black and white. I suggest to you that the reasoning I have decided upon in my mind—and again with respect to the urgency of the matter, I do not know whether all members in the House were here when I read it, but the turning point in this decision to proceed with the legislation was the fact that I received a letter from the chairman of the Minister's advisory committee on adoption and foster homes, that action be taken in light of the Mugford case and that really tipped the balance.

If I had any idea of letting a recess go, the urgency of the matter was brought to my attention and ended it.

Mr. Speaker, they have been going into the matter of adoption for a considerable period of time and were well aware of the implications of section 35 and of the proceedings of the Mugford case.

The hon. member wanted to ask a question.

**Mrs. M. Renwick:** Thank you, Mr. Minister. Mr. Speaker, I have three questions of the Minister, two very brief ones. One, the document the Minister just spoke of. Was that included in the papers sent out to the hon. member for Riverdale, the document from the chairman of the committee which you said recommended the action of this legislation—was that included in the legal papers?

**Hon. Mr. Yaremko:** I read that into the record on Friday; part of it, the significant part.

**Mrs. M. Renwick:** Thank you. Secondly, Mr. Speaker, I would like to ask the Minister, does he not agree that the 2,200 children, I believe you said, who are children that are non-wards, are children that are in need also? That they are in need the same way as the other children? They are in need of a home and therefore they are no different than the other children for legislative purposes?

**Hon. Mr. Yaremko:** Mr. Speaker, that is not a question, that is a statement. Mr. Speaker, in all fairness to a gentleman who was in communication, I do bring to the attention of the House that the only person in respect of which communication has been received with relationship to the bill, and in

support of the natural parent, is Mr. Forman, of the legal firm of Jeffrey, Brown, Beatty and Gunn, who took the appeal to the Supreme Court of Canada, and in accordance with whose eloquence or exposition the supreme court found. I may say that in contradistinction to him the solicitor for the children's aid society also made representation that we take steps to look after this situation, and this we have done.

Mr. Speaker, I suggest to you that those who will be voting in favour of this bill will not be voting in favour of the natural parent or the adoptive parent, they will be voting in favour of the welfare of the child basically, and in favour of the adoption procedures of this province.

Interjections by hon. members.

Mr. Speaker: Does the Minister wish to accept any further questions? The Minister will not accept any further questions and therefore this debate is concluded.

The question before the House is for second reading of Bill 243. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: The next matter before the House is to determine the course of this bill and as I have said the first question is, shall it be ordered for third reading?

Shall Bill 243 be ordered for third reading? If not, to the committee of the whole House?

Agreed.

#### THE CORPORATIONS TAX ACT

Hon. J. H. White (Minister of Revenue) moves second reading of Bill 244, An Act to amend The Corporations Tax Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Is it the pleasure of the House that this bill be ordered for third reading? If not, to the committee of the whole House? Do I hear a dissenting voice that it is to be not ordered to third reading? The committee of the whole House? Is it agreed?

Agreed.

Clerk of the House: The 13th order, House in committee of the whole; Mr. R. D. Rowe in the Chair.

#### FACILITIES FOR CHILDREN SUFFERING FROM MENTAL OR EMOTIONAL DISORDERS

House in committee on Bill 138, An Act respecting facilities for children suffering from mental or emotional disorders.

Hon. T. L. Wells (Minister of Health): Mr. Chairman, I would like to move that the bill, as reprinted, be considered by the committee.

Mr. Chairman: Does this meet with the agreement of the House? This is Bill 138 and the reprinted bill for consideration.

Agreed.

Mr. Chairman: Are there any questions, comments or amendments to this bill, and if so, which section? Well, let us take the first 10 sections.

Mr. S. Lewis (Scarborough West): I have a question about section 4, Mr. Chairman.

Mr. Chairman: Section 4, anything before section 4?

Mr. J. L. Brown (Beaches-Woodbine): Yes.

Mr. Chairman: Which one?

Mr. Brown: That part which exempts government institutions.

Mr. Lewis: Well, he has agreed to that.

Mr. Chairman: Which section is that? Is it 4?

Mr. Brown: Oh, I am sorry, it is section 4.

Mr. Chairman: All right. The member for Scarborough West on section 4.

Mr. Lewis: Right. Mr. Chairman, I have a question of the Minister; perhaps he can indicate the answer easily. I am afraid I will have to refer to section 3 in the process. In subsection 2 of section 4, Mr. Minister, says, the first section:

No person shall establish, operate or maintain a centre except under the authority of a licence issued by the director, and the director may issue a licence upon such terms and subject to such conditions as are specified in the licence or the regulations.

It says that subsection does not apply to a facility established under section 3, and section 3 says:

A Minister with the approval of the Lieutenant-Governor-in-Council may establish and operate one or more children's mental health centres.

That is to say any mental health centres which are established by government are not subject to the regulations which the government sets for all other centres in the province.

Could the Minister explain to me why that would be so?

Hon. Mr. Wells: Mr. Chairman, that certainly is not the intention. The intention only is that subsection 2 will mean that those institutions operated by the government will not have to be licensed. They will certainly be operated under the same regulations that we will set up for all the other institutions under our regulations.

Mr. Lewis: By way of interest, why should not the centres established by The Department of Health be subject to conditions similar to those which govern centres all around the province?

Why should not whoever looks after the licensing of centres around the province also take a look at the centres established by The Department of Health? Does that not make some sense to the Minister? I do not know whether it is Doug Findlay, or whoever it is in your mental health division who will be doing the licensing, but assuming that someone will, should he not, or she not, or his or her team, not have access to The Department of Health's children's centres to see how they are operating and whether they conform to the regulations as established in this Act?

Hon. Mr. Wells: I believe, Mr. Chairman, they in effect will be operating the centres that are under The Department of Health. They will come under this division of the department now, the children's division, and they will in fact be operating these and they will be operating under the same, the types of conditions and regulations that we will suggest should apply to all other licensed facilities.

I think that if there is a problem here it is only a problem in the type of wording that is here. I think that it is a tradition probably with most bills in most areas that institutions

or bodies operated by a government are not licensed in the normal way that non-governmental agencies are licensed, and that is all that applies in this situation.

Mr. Brown: Mr. Chairman, speaking on that, it is my understanding—and a welcome one, I must say, to the new Minister of Health—that provisions of the Act define and regulate the operation of centres for emotionally disturbed and mentally ill children in the province. It is long overdue.

I would assume that the Act, plus the regulations, will very much be a standard-setting body which will set a floor below which no child, whether privately placed or whether placed in a government institution, supported by the government or supported by this Act of that regulation, will fall in terms of services available to him.

My concern about this particular section of the Act is that it does not define, it does not specifically say that the standards established by this Act will hold for all centres that provide treatment whether they are public or private, and I think it needs to be established if that is going to be true because we have the anomaly of certain categories of children coming under the Act, under this Act.

That is, those children who are most apt to be treated in government institutions established by provision of this Act, will be indeed those children where there is not a parent or an outside guardian, that is they will be children who are classified as Crown wards, and I think we need to establish that for this group of children who are not normally protected other than by government departments and agencies, that there be a level of service below which they will not be subjected.

I would like to say while I have the floor, Mr. Chairman, if I may, that I want to commend the Minister and the main reason that I am not prepared to go through item by item and argue the bill at this particular time is the fact that there have been appointed recently to the division, I believe, on mental health, or some new division that is being established, two outstanding people in the field of treatment of emotionally disturbed children, Dr. Ray Grant and Mr. Douglas Finlay. These are two persons who have long-standing experience and knowledge in this field, and I must say that it is very difficult for me to find issue with the intention of



your Act if I see these two people standing behind the department at some point either going to administer or carry out the Act. I do not think that the government could have taken any action that would have been more reassuring to those of us who have struggled in this field than to appoint people of this calibre.

I would have to say that Mr. Finlay is perhaps only second to one other in his expertise in the field of residential treatment and we will probably argue about that when we next meet. I have a great deal of respect for the appointments that you have made and I commend you on the Act and on the staff behind the Act.

**Mr. G. Ben (Humber):** Mr. Chairman, I do not want to rise, necessarily, to the assistance of the Minister; but because the hon. member for Beaches-Woodbine expresses such a concern, a legitimate concern, for centres operated by the government, I would draw to his attention that section 6 puts all these homes under the control of the regulations, because it provides that the director may revoke the license of the centres operating in contravention of this Act or the regulations.

I know the member is concerned, I only rise for that reason.

**Hon. Mr. Wells:** I would like to thank the hon. member for Beaches-Woodbine for his remarks. I think that we are very fortunate in having, as I said during my estimates, Dr. Ray Grant and Mr. Finlay to head up the children's services branch, which, as I explained, is a new branch that comes on an equal statute with the direct mental hospitals and then the school for the retarded and then the children's services branch. The three of them are under the mental health division director, and I would just like to assure the House that it is our intention that the standards established here will apply to all the institutions—government, or those that are licensed. The only exemption here is that the government ones will not have to obtain a license in the manner that the others will.

**Mr. Chairman:** Any comments, questions or amendments for any section between 4 and 10? Any section after 10?

**Mr. J. Renwick (Riverdale):** On section 10. I have not had time to write it out, but on the procedures for hearing before the board, we provided in the similar sections of The Professional Engineers Act and in other Acts that where a person was compelled to appear

before such a board and did attend and was required to give evidence under oath, he should be warned or advised that he does have the right under The Canada Evidence Act and The Ontario Evidence Act to protect himself against self-incrimination.

I was referring to subsection 7 of section 25 of The Professional Engineers Act. It was adopted after considerable discussion in committee on that bill, and on other bills having similar hearing proceedings, that a person whose conduct is being investigated can be present in person at the hearing or has the right to be represented by counsel or agent to adduce evidence and to make submissions; that any such person may be compelled to attend and give evidence in the manner provided in subsection 10, but such person shall be advised of his right to object to answer any question under section 9 of The Ontario Evidence Act and section 5 of The Canada Evidence Act.

It is a point which has been of great concern to me for a long period of time, that a person could be compelled to give evidence and is not advised by the body before whom he is giving evidence that he can claim the protection of The Evidence Act and of The Canada Evidence Act.

**Mr. Ben:** Mr. Chairman, is the hon. member for Riverdale moving such an amendment, because it would not apply to section 10. Section 10 deals with the calling of witnesses and not the summoning of a person who himself is charged. That would be the one point. And, secondly, I think everybody who is called to give evidence should be cautioned, if he is compelled to give evidence against himself, that he has the protection of The Evidence Act.

It should be given to him automatically, I do not think it is necessary that it come in here. But insofar as section 10 is concerned, this section deals with the calling of witnesses as distinguished from calling a person who himself is under investigation as The Professional Engineers Act referred to. Perhaps the member for Riverdale will read that again.

**Hon. Mr. Wells:** I welcome the comments of the member. I think the point is well taken. I think, perhaps, since the Attorney General has under his consideration a bill before the House that would apply certain principles that would override all these principles insofar as the operation of these administrative tribunals is concerned, I think

this can be taken care of in that way. If it is not, we can always amend the bill later.

**Mr. V. M. Singer (Downsview):** That bill is not going to be dealt with.

**Hon. Mr. Wells:** It is going to be dealt with in the fullness of time.

Interjections by hon. members.

**Mr. J. Renwick:** Mr. Chairman, my only point is, and I am not going to write it out, is to ask the Minister not just to wait for the Attorney General (Mr. Wishart) to bring forward those bills, but perhaps during the recess to make a specific point of ascertaining what that change is and introduce an amendment at that time so that whatever the appropriate amendment is, to make certain that a person who is compelled to give evidence, whether he is the person against whom the complaint is made or is a witness, should be given adequate notice of his rights to claim the protection of The Ontario Evidence Act and The Canada Evidence Act.

**Mr. Chairman:** Any other comments, questions or amendments on any other section of the bill?

**Hon. Mr. Wells:** Mr. Chairman, I am not sure it is necessary to have such an amendment as this and I think the provisions—

**Mr. Chairman:** There is no amendment before us—

**Hon. Mr. Wells:** No, well, all right—

**Mr. Chairman:** —at the present time.

**Clerk of the House:** Mr. Chairman, before the bill was called, I should have read that the Honourable, the Lieutenant-Governor recommends the following:

*That,*

the moneys required for the purposes of The Children's Mental Health Centres Act, 1968-1969, shall until the 31st day of March, 1970, be paid out of the consolidated revenue fund,

as provided in Bill 138, An Act respecting facilities for children suffering from mental or emotional disorders.

Resolution concurred in.

**Mr. Chairman:** Shall the bill be reported?

Bill 138, as amended, reported.

**Mr. J. Renwick:** Just a little bit too quickly there!

What is the amount of money which the Minister believes is going to be required out of the consolidated revenue fund between now and March 31, 1970?

**Hon. Mr. Wells:** I do not have that figure available right here.

**Mr. Lewis:** Has the Minister an approximation? Can he tell us whether a penny will be appropriated between now—can he tell us when the bill will become law and whether any money will be appropriated at all? Is it just to become law on a date proclaimed? Some of us are anxious to see whether or not it will be applied.

**Hon. Mr. Wells:** The bill will apply and money will eventually become acquirable. I am not sure just how much money will be available yet.

**Mr. Lewis:** Or exactly when it will apply?

**Hon. Mr. Wells:** Oh, it will apply very soon, as soon as the regulations are finished. I might say we are working on the regulations now and we are hoping to have them available shortly and we are going to have consultation with various people who might be concerned with the regulations. The new director of the division will be doing this. We are speeding ahead fairly well.

**Mr. Lewis:** There is a very unsettling pattern of enlightenment here this afternoon, Mr. Chairman. I would ask the Minister to keep it under control.

**Mr. Chairman:** Yes, the bill has been carried. I asked very clearly for further—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Lewis:** Just a moment, Mr. Chairman. When did the bill carry? I heard comment on the first ten clauses and I have heard nothing since. I have heard the clerk run through some clauses, but not you, sir.

**Mr. Chairman:** I asked the question before the resolution was carried, and then again afterwards, and looked around carefully and there was no reaction.

**Mr. Ben:** On a point of order, Mr. Chairman, I was observing you carrying that bill while the Minister was on his feet and answering a question of the member for Scarborough West and I was commenting to myself, what character you have.

**Hon. A. Grossman** (Minister of Correctional Services): Oh, Mr. Chairman, that calls for an apology.

**Mr. Ben:** It calls for an apology for him *sotto voce* to carry a bill while a Minister of the Crown is on his feet explaining the import of the bill.

**Mr. Chairman:** Order, please.

**Mr. Lewis:** We feel you have an impeccably good character, Mr. Chairman, and it is because of that good character that I am sure you will allow for the discussion on the bill.

**Mr. Chairman:** There were comments after the formal carrying of the bill which we allowed to proceed, and we should not have allowed those.

**Clerk of the House:** There is a resolution, Mr. Chairman, on The Corporations Tax Act, as follows:

The Honourable, the Lieutenant-Governor, recommends the following,

*That,*

every corporation as defined in The Corporations Tax Act shall pay to Her Majesty, for the use of Ontario, the taxes imposed by that Act in accordance with that Act, as amended by the provisions of Bill 244, An Act to amend The Corporations Tax Act.

**Mr. Chairman:** Shall this resolution be concurred in?

- Resolution concurred in.

## THE CORPORATIONS TAX ACT

House in committee on Bill 244, An Act to amend The Corporations Tax Act.

**Mr. Chairman:** Are there any questions, comments or amendments to any of the first ten sections?

The member for Lakeshore.

**Mr. P. D. Lawlor** (Lakeshore): All first ten sections, thank you, Mr. Chairman. Let this Minister earn his keep. He brings in the completely delusory hodge-podge Acts and no one understands a word they say, and neither does he, and—

**Mr. Chairman:** Order! Which section are we discussing?

**Mr. Lawlor:** All sections at once. I am concerned to have the Minister inform us as to, I think it is section 3, subsection 2, Mr. Chairman. He is seeking, apparently, as much as one can glean, if one were a gleaner, to bring his legislation, abortive and purblind as it may be, in line with the federal which is even more so. Is this the case, and what is he seeking to do with insurance companies resident outside the province over against those inside the province touching corporation taxes?

**Hon. J. H. White** (Minister of Revenue): The reference to subsection 3, subsection 2, perhaps could be dealt with first of all. We are splitting the non-life companies and all other insurance companies into two sections, because this has been done in the federal Act and our practice is to follow the federal Act. Perhaps I should say that subsection 10, of section 4, not of the bill, but the Act, deals with the non-life companies, while subsection 10(a) deals with all others. Do you think that answers the question?

**Mr. Lawlor:** What is the difference, I mean, what is the distinction in treatment between the two kinds?

**Hon. Mr. White:** Life insurance—the others, life insurance and other types of insurance. Can you give me the reference to the section dealt with in your other question?

**Mr. Lawlor:** Is there a different formula involved in both these types of insurance companies, in computing their income and liability to corporation taxes?

**Hon. Mr. White:** The computation of tax has been very substantially altered in the federal Act. We have amended a number of our sections to bring ourselves into conformity with that federal Act. In the process the computation of taxes has been changed to provide increased revenues from that source. The computations are not included in our bill because they are very long and technical and because if some, or all of the sections, were changed for technical reasons, or for clarity or for something else, we would have to come back with another amendment shortly afterwards.

In preference, we have made reference to the federal section, and the Ottawa members will be interested to know that the appropriate sections 68(a) and 68(b) start on page 15 of Bill C191, and go to page 22. I think there would be no point in my reading these seven

extremely complicated pages, I think they will not mean much to a listener, but I would be very glad to put this copy into the hands of my hon. friend and he can look it over at his leisure.

**Mr. Lawlor:** How much added income would it be anticipated that this operation in our legislation would mean to the province?

**Hon. Mr. White:** Five million dollars.

**Mr. Chairman:** Any further comments on section 3? Any other section between 3 and 10?

**Hon. Mr. White:** May I make one brief comment on section 5(a) of the Act. This is the *pro ratio* for short fiscal years and it will be retroactive to March 15, 1969.

I think I had been Minister for about a month when I learned about a very small corporation making no profit from the northern part of the province which had had a two month fiscal year. Because of the application of our capital tax, they had to pay the full capital tax for the year ending August 31, or whatever it was and for the two-month "year" ending October 31, they having made a change for internal accounting convenience.

That did not seem fair to the taxpayer and it did not seem fair to me. When the capital tax became a tax in addition to, and not in opposition to, corporation tax, then that inequity was magnified. I think we are on very firm ground here in making it possible, in the illustration which I have described, for the full capital tax that had been applied for the year ending August 31, for one sixth of that, to be applied to the two month year ending October 31.

**Hon. Mr. Grossman:** What could be more sensible?

**Hon. Mr. White:** While I am on my feet, Mr. Chairman, let me say that I regret there is no section in here removing from the rules, the 2,500 five-dollar companies; we had that in the Act.

When Mr. Benson's white paper was published, it was forecast that the interest from investments in the hands of this class of corporation would become taxable if the proposals were adopted by the House of Commons. And I am saying this in particular for my friend from Riverdale. It was his suggestion, one which I was hoping to act upon. Many of the 2,500 corporations, however, are

very small and very unsophisticated. We decided it would be very disruptive to them to inform them they were no longer on the tax rolls this year, and have to put hundreds of them back on next year, and so we are watching the federal developments to see if that proposal goes forward or not. If it should not go forward for any reason, then we certainly would drop the 2,500 five-dollar companies. As I say, that was our intention, we had it in the bill before the white paper came along.

**Mr. Chairman:** Did the member for Riverdale wish to comment on a section in the first ten?

**Mr. J. Renwick:** Mr. Chairman, I just want to make one comment.

The reason I was one of the ones who asked for this bill to go to the committee of the whole House was that when this bill, which is a duplication of the changes in the federal Act, comes before us on another occasion, if the Minister would see fit to issue in accompaniment with it, an explanatory memorandum, because it is extremely technical and no member in Opposition has got the time to spend to try and fit in, piecemeal, the amendments that are made, whereas an explanatory memorandum, briefly made, submitted along with it, or made in his remarks when he introduces it, of course, at second reading, would be most helpful.

**Mr. Chairman:** Any other comments on the balance of the bill?

**Hon. Mr. White:** In response to that, if I may, Mr. Chairman. It is a technical document, not all of which, incidentally, springs from federal changes, some which we have implemented ourselves. I had a number of sessions with—

**Mr. Chairman:** Is it the Minister's intention—it is 6.00 of the clock.

**Hon. Mr. White:** I will just be ten seconds. I had some number of sessions with the senior persons in my department so that I would understand what was being done, and the last of which was an hour spent one day last week.

I thought to myself at the time it would have been valuable to have a representative from each of the Opposition parties to hear that explanation. I was not sure of the propriety of it. I did not know if that kind of private consultation was fitting or not, but I invite the member for Riverdale to consider that and with a technical bill a year from

now, if he wishes, we can include him in one of those sessions.

**Mr. Chairman:** Shall the bill be reported?

Bill 244 reported.

Hon. Mr. Welch moves the committee of the whole House rise and report two resolutions, one bill with amendment and one bill without amendment and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the Chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report two resolutions, one bill with amendment, and one bill without amendment and asks for leave to sit again.

Report agreed to.

It being 6.00 o'clock, p.m., the House took recess.











# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 8, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 8, 1969

The House resumed at 8.00 o'clock, p.m.

## THIRD READINGS

The following bills were given third reading upon motions:

Bill 47, An Act to amend The Separate Schools Act.

Bill 205, The Assessment Act, 1968-1969.

Bill 222, An Act to amend The Municipal Act.

Bill 235, An Act to amend The Regional Municipality of Niagara Act, 1968-1969.

Bill 236, An Act to amend The Legislative Assembly Act.

Bill 237, An Act to amend The Executive Council Act.

Bill 238, An Act to amend The Separate Schools Act.

Bill 239, An Act to amend The Public Schools Act.

Bill 240, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 242, An Act respecting scholarships for Osgoode Hall Law School of York University.

**Clerk of the House:** The 12th order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the Chair, and that the House resolve itself into the committee on ways and means.

## ON THE BUDGET

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

**Mr. L. M. Reilly (Eglinton):** Mr. Speaker, once again, in participating in this debate, I would like to relay my words of appreciation to you, sir, on the way you conduct the affairs of this Legislature. It is not an easy task, and it is well done by you, sir.

In February, 1965, Mr. Speaker, I reminded this Legislature of the many abuses small businessmen suffered at the hands of various governments. I pointed out that the small businessman is not merely neglected

but treated very badly by all levels of government and that in recent years he has become an "enforced tax collector" for them.

I emphasized that the independent businessman is certainly not looking for a hand-out. He is independent and he wants to remain that way. But he, and others like him, are not well organized, not as well as many other groups. I asked then: what organization or what department of government exists specifically to assist the small businessman? He is a most important element in our economy and renders invaluable service to the public. But he is a victim of heavier and heavier burdens constantly imposed upon him by governments.

**Mr. V. M. Singer (Downsview):** By the Tories.

**Mr. T. P. Reid (Rainy River):** There is the culprit right there.

**Mr. Reilly:** Unfortunately, his treatment today is not any better. Governments at all levels have done little to help him, and much to hinder him.

**Mr. Singer:** Particularly at the provincial level.

**Mr. Reilly:** I am wondering, Mr. Speaker, if it is the intention of the federal government to destroy small business in this country altogether.

**Mr. I. Deans (Wentworth):** They are all in the same league, so it makes no difference.

**Mr. Reilly:** Finance Minister Edgar Benson, with his white paper on taxation, now proposes to turn the screws on small business even tighter. At present, a small Canadian company is taxed 21 per cent on the first \$35,000 of annual income and 50 per cent on the profit over that.

**Mr. Singer:** What does the Provincial Treasurer (Mr. MacNaughton) say to that?

**Mr. Reilly:** The white paper proposes the withdrawal of this low rate over a five-year period and substitutes an increase on the first \$35,000 of income, which raises the tax from

\$7,350 to \$17,500. More than 200,000 small corporations will be hit—and the majority of them are smaller Canadian-owned businesses.

How will this affect small business and the future of our nation? In my view it will be nothing short of disastrous! The consequences are so numerous and so severe that it is almost impossible to understand why or how the white paper was ever introduced in its present form.

**Mr. M. Makarchuk (Brantford):** It has not been white-washed yet, do not worry about it.

**Mr. Reilly:** Surely it is supreme folly for the federal government to further bleed small business—one of the most important as well as one of the most vulnerable sectors of our economy.

**Mr. D. M. De Monte (Dovercourt):** How about the small working man?

**Mr. Reilly:** I will come to them!

**Mr. T. P. Reid:** Tell me about Medicare; what the member is doing about it!

**Mr. Reilly:** To begin with, most small corporations are Canadian-owned. If the economic climate is favourable, we can expect many of these firms to grow and become big Canadian-owned companies—which, we hope, will remain Canadian and thus help increase overall Canadian ownership of our economy.

**Mr. C. G. Pilkey (Oshawa):** Tell us what the member did for the small insurance companies?

**Mr. Reilly:** Bombardier Limited of Quebec, manufacturer of Ski-doo's and other winter equipment, is an excellent example of a company which was small a decade ago. It has not only grown but is also making a worthwhile contribution to the exports so vital to Canada's economic health. Could this have happened if Benson's white paper proposals had been in effect in Bombardier's early years? I think not!

It should also be remembered that big business needs small businesses. For example, Canadian General Electric depends on thousands of small suppliers because they can produce components more efficiently and economically than could the larger company. If suppliers are forced to raise prices to meet higher taxes, large companies too will be forced to raise their prices. Will they be able

to compete against foreign imports, let alone export their products at a competitive price? If a number of those suppliers are forced out of business—and I submit, Mr. Speaker, that implementation of the white paper proposals could do just that—

**Mr. J. Renwick (Riverdale):** They do not determine the prices.

**Mr. Reilly:**—then the large companies would be in a very awkward position indeed!

Interjections by hon. members.

**Mr. Reilly:** Proponents of the white paper claim that gross tax abuses have taken place, that some businessmen have split their enterprises into smaller units in order to pay lower taxes. I do not doubt that is true, Mr. Speaker, but surely the government can find a way of dumping out the dirty bath water without throwing out the baby too!

**Mr. J. Renwick:** That is a new phrase. Say that again.

**Mr. Reilly:** Maybe I could borrow it from the NDP if it is—

**Mr. J. Renwick:** No, we did not invent that.

**Mr. Reilly:** Well, I have noticed that some of their members used it several times.

Interjections by hon. members.

**Mr. Reilly:** Small businesses have to finance their inventories, equipment and accounts receivable out of the present taxing arrangement.

**Mr. J. Renwick:** And from the banks at exorbitant interest rates!

**Mr. Reilly:** The white paper proposals will be a serious blow to their operations.

**Mr. Speaker,** why place small business in the same category as big business? Small businesses are not dealing in millions of dollars and should not be treated the same as the Royal Bank, General Motors, General Foods, Canadian General Electric or Dominion Stores. They do not try to borrow \$40 million or \$50 million at a prime rate. Of course, the larger companies are better risks and are deserving a better rate, and banks and lending agencies are naturally going to treat small businessmen differently. But to tax a small business on the same basis as a large corporation, probably with profits running into the millions, is iniquitous!

**Mr. P. D. Lawlor (Lakeshore):** We would welcome the hon. member over here!

**Mr. Reilly:** Fifty per cent on \$50 million leaves some working capital, but when you cut deeply into the profit of the small company—which is probably under-capitalized—severe taxation may very well be mortal.

Why remove the protection in Canada that is still available in the United States? Why not allow a little company to gain some financial strength—

**Mr. J. Renwick:** Why wash the hon. member's party's dirty linen in public?

**Mr. Reilly:**—financial strength in an era of tight money and very high interest rates?

**Mr. J. Renwick:** Is the member in disagreement with the Treasurer of the province?

**Mr. Reilly:** What is badly needed, Mr. Speaker, for small business, if they are to survive—

**Mr. S. Lewis (Scarborough West):** Is a new spokesman!

**Mr. Reilly:**—is some relief, not a heavier tax burden.

Mr. Benson claims that the letters he has been receiving have been running in favour of his proposals. I suggest that he does not read those which attack his proposals.

To reduce taxes for nearly 4,000,000 taxpayers should certainly win some favour for him, but did Mr. Benson read an interview with a businessman in the *Winnipeg Free Press* of November 8—

**Mr. J. Renwick:** I hope not.

**Mr. Reilly:**—which charged that Mr. Benson has ignored a risk factor in small, private enterprises, and that “the small businessman is being shot down in flames”?

Did he read another report in the same paper saying:

I am not very happy with that corporation tax. A little guy like me, earning just a little bit every year, and I am going to turn over 50 per cent of that to the government. Not bloody likely!

Interjections by hon. members.

**Mr. Reilly:** This, my friend, I am quoting from the same paper!

**Mr. J. Renwick:** What about Parkinson's law?

**Mr. Reilly:** To continue:

There just will not be any profit in future years. There just will not be any corporation tax from my firm.

That is the quotation. Did Mr. Benson read the views of one writer in the *Financial Post*, on November 15, who said: “The elimination of corporation tax at 21 per cent up to \$35,000 is unfair.”

**Mr. Lewis:** Shame!

**Mr. Reilly:** To continue: A man who risks building a corporation from nothing—

**Mr. J. Renwick:** One good thing about it, it has taken him off the anti-labour kick.

**Mr. Reilly:** “—will have no initial advantage over a civil servant with a fat pension, nor over any wage-earner”.

**Hon. A. Grossman (Minister of Correctional Services):** Thirty-buck Benson.

**Mr. Reilly:** Did Mr. Benson read, in the *Globe and Mail* of November 20, where Premier Ross Thatcher of Saskatchewan bluntly condemned Ottawa's proposals as the death knell for the backbone of prairie economy—small business and mineral development?

But now, at long last, the “silent majority”, as President Nixon would say, in this case the long suffering small businessmen of this nation—

**Mr. Lawlor:** The long suffering who? I do not get that.

**Mr. Reilly:**—are beginning to react. I hope their voices will be united in one long swelling cry of outrage and protest.

**Mr. Pilkey:** They will have to get into an international union.

**Mr. Reilly:** For example, in “Perspective—a Business Forum”—

**Mr. J. Renwick:** That is the best forum the member's party has ever had.

**Mr. Reilly:**—in the financial pages of the *Telegram* of Thursday, November 27, there was a story about a new group that has been formed. Under the title “Small Businessmen to Fight Tax Plan”, one article read:

Small businessmen in Canada are beginning to react, some of them violently, to the federal government's white paper on taxation.

An hon. member: All power to the small businessman.

Mr. Reilly: To continue:

They are dismayed by many of the proposals of the white paper, particularly the one to raise the present low rate of tax on the first \$35,000 of taxable income. They are also dismayed by the innumerable questions that they feel the white paper leaves unanswered, and by the undetermined but possible ill-effects its proposals may have on them in the future.

Another example was a Don Mills advertising agency, Campbell, Campbell and Mitchener, which has launched a new ad campaign against Finance Minister Benson's proposals for taxing small businesses.

Mr. J. Renwick: The voice of the people of Don Mills.

Mr. Reilly: One ad pictures a ghost—the white paper on taxation.

Mr. Lewis: A ghost, did the member say?

Mr. Reilly: Yes; it is handing a stone to a small baby—the small baby being the small businessman. The caption reads: "When asked for bread, what father would give his son a stone?"

The other shows a giant bureaucrat—again the white paper.

Mr. Lewis: How successful has that campaign been? Pretty compelling copy!

Mr. Reilly: And this ad shows a giant bureaucrat—this time, again, the white paper—reaching for a trembling small businessman. And the caption reads: "Fe, fi, fo, fum; I smell the blood of a small businessman".

Now a group of small businessmen—

Mr. Lewis: The member had better hire that firm; take that firm on for 1971.

Mr. Reilly: A group of small businessmen, which includes J. O. Hull, of Public Relations Services Limited—

Mr. Lewis: Oh yes; we know them.

Mr. Reilly: John F. Bulloch, John Bulloch Limited; D. L. Savage, Savage Sloan Limited—

Mr. R. F. Ruston (Essex-Kent): How small are they?

Mr. Reilly: —and Mr. Ken Campbell of Campbell, Campbell and Mitchener Limited—

Mr. J. Renwick: Campbell, Campbell and who?

Mr. Reilly: —have been sufficiently roused to form the Canadian Council for Fair Taxation, a non-profit organization to provide leadership for small businessmen right across Canada in fighting the white paper proposals.

Interjection by an hon. member.

Mr. Reilly: I can only wish them success! It is high time that someone had the guts to begin and to bring the small businessmen together so that for once they can protest with a united voice!

Interjections by hon. members.

Mr. Reilly: I share the fears expressed in the actions of all these gentlemen. But did Mr. Benson, I wonder, merely shrug off the formation of this Canadian Council for Fair Taxation with some glib quip similar to the one he reportedly made about a Canadian being able to live on \$30 a week?

Mr. Speaker, there is no doubt about it, the businessman is being taken and he is mad! Up to now, the small businessman has struggled along, paying more than his way and putting up with all kinds of injustices. Now he is to be taxed right out of his shoes—indeed he will be lucky if he still owns a pair of shoes when Benson gets through with him.

Interjections by hon. members.

Mr. Reilly: He has been a collection agency for government, including the Ontario Hospital Services Commission, Ontario Health Services, unemployment insurance, Canada Pension Plan and numerous other chores, including various sales taxes. At his expense, he had to work for the government and employ additional bookkeepers and equipment.

Mr. Benson has given businessmen a real issue and they are no longer going to submit weakly. I ask: why cannot Benson be honest? Why does he not admit his proposals are not genuine tax reform but simply a significant step forward toward killing off free enterprise and turning Canada into a totally socialist state with the federal government as its "big brother"?

The small businessman has been a good corporate citizen, a major force behind every community improvement effort. Now he has "had it".

Abraham Lincoln once said, "You can fool some of the people all of the time and all of the people some of the time; but you cannot fool all of the people all of the time." Well, Benson may be fooling a lot of the people all the time, but the small businessmen of this country are not among them. They are going to demand that Benson call his white paper by its right name—out and out socialism!

Now the small businessmen of Canada are going to stand up and be counted. They are not, as the socialists would like to have the public believe, against helping those who need help. They have always been in favour of helping the unemployable.

**Mr. Lawlor:** Do as little as possible.

**Mr. Reilly:** They have always been in favour of caring for the aged.

**Mr. Pilkey:** In the fullness of time.

**Mr. Reilly:** They have always supported those who cannot work and those who were sick.

We live in a country where men and women have traditionally had the opportunity to reach the pinnacle of their chosen endeavours.

**Mr. Lawlor:** Successful businessmen, like the member!

**Mr. Reilly:** They were limited only by their own initiative. Mr. Benson's objective appears to be to make it much tougher for them to do this. He is not only hitting small business but putting a heavier income tax burden on the very individuals who have initiative, energy and imagination—the very qualities most needed to make Canada a greater country.

One newspaper recently reported that Edgar Benson did not think tax increases would destroy initiative. Could anyone seriously believe that his tax proposals will not kill initiative?

**Mr. De Monte:** No!

**Mr. Reilly:** Who is going to work 60 or 70 hours a week to build a small business if he gets no extra benefit from his efforts?

**Mr. Lawlor:** We are willing, over here, to work twice as hard!

**Mr. Reilly:** Only last week, one man told me he would close up his plant, where he employed 50 to 60 people.

**Mr. J. Renwick:** He fired them, did he?

**Mr. Reilly:** He will not have the worry or the headaches or the heartaches that go with running one's own business. Why should he bother with all the problems if the government is going to confiscate his money on the pretext it can spend it more wisely than he? I doubt that.

Interjections by hon. members.

**Mr. Reilly:** Is the businessman not entitled to some consideration for the risks he takes, for the long hours, effort and creativity which ultimately benefit the whole community and the whole country?

I well remember one restaurateur who worked the clock around. If he or his wife were not on duty, his son and daughter were. For what? To fulfill the dream of being self-employed? Yes, but more than that, he did not expect something for nothing. He and his whole family were willing to work hard for it.

Last week, I also met a young fellow who had launched an advertising business three years ago. He was willing to sacrifice now for his future. In fact, he lived on exactly \$30 a week to give his company a chance to grow. Another young man in the electronics field told me he worked regularly until 2.00 or 3.00 o'clock in the morning to make his young, growing business successful.

All of these people appreciate what they have earned by their own hard work and appreciate the value of achievement. Why should this kind of initiative, this energy, be destroyed? Why destroy the small businessman who is willing to work longer and harder than most people? Why make it necessary for him to merge with another company, or a larger company, in order to exist?

Does Mr. Benson believe that he can spend money for social benefits better than the small decent businessman who is usually vitally concerned with the welfare of his employees, in a very personal way? If the purpose of increased taxation is to help the masses, Mr. Benson ought to know that the masses are composed of many individuals.

I suggest that the average small businessman is infinitely more concerned about his employees as individuals, than Mr. Benson will ever be. Large companies cannot know their employees and their problems intimately. Large unions do not seem to care about their members as individuals. If an employee refuses to join a union, he either falls into line or he has no job. For instance, three employees of a Burlington plant refused to pay

union dues and they were fired after six to ten years of service.

**Mr. R. Gisborn (Hamilton East):** Stop the crocodile tears.

**Mr. Reilly:** They had disagreed with the idea of socialism to which the union was committed.

**Mr. Lawlor:** Anyone notice that the member is up to his neck in soda water?

**Hon. Mr. Grossman:** That hurts a little, eh?

**Mr. Reilly:** The small businessman will usually go out of his way to protect his employees. He, indeed, has a heart and a soul, a compassion, an understanding.

Interjections by hon. members.

**Mr. Reilly:** Last week a businessman employing some 50 people told me about one of his employees who died suddenly at the age of 40 leaving a wife and three youngsters, the youngest of whom was eight.

**Mr. J. Renwick:** A lot of people die at the age of 40.

**Hon. Mr. Grossman:** That is a brilliant remark.

**Mr. Reilly:** That fellow is personally going to look after that family and help to finance it until the youngest is 21. Here is a man with a strong sense of moral responsibility, and he is not going to the government for help.

Interjections by hon. members.

**Mr. Reilly:** There is another case here, of a small businessman whose driver was involved in four accidents within a year. His interested boss found out that this man had a medical problem behind his driving difficulties, so the man was kept on the payroll although no longer able to drive. Indeed, when it was necessary for him to go out on a call, someone else went along with the driver and did the driving. Thus, it was uneconomical and bad business practice, but another case of heart prevailing over sound business judgment. But small businessmen are usually more genuinely interested and vitally concerned with their employees.

Interjections by hon. members.

**Mr. Speaker:** Order!

The hon. member for Eglinton is making a speech and not the member for Riverdale, and I would ask that the member for River-

dale would give the member for Eglinton the courtesy that he expects himself when he speaks.

**Mr. J. Renwick:** Well, I agree, Mr. Speaker, I just wanted to substitute myself for the member.

**Mr. Reilly:** Mr. Speaker, why is Benson against the small Canadian businessman? He is certainly not for him. Has he forgotten that most small businesses in Canada are owned by Canadians?

**An hon. member:** Have the member and his colleagues forgotten that they are owned by Canadians?

**Mr. Reilly:** Perhaps he has. Why then—

**Mr. E. Sargent (Grey-Bruce):** Why do the members not give him a chance to make his speech?

**Mr. J. Renwick:** Because he is echoing the views of the member for Grey-Bruce.

**Mr. Reilly:** Why then does he not encourage the right climate for small businessmen to grow, according to their own initiative and ingenuity? Why is government always taking?

Interjections by hon. members.

**Mr. Speaker:** May I request the hon. member for Eglinton to resume his seat until we have a reasonable amount of order and the members are ready to give this member the courtesy which they expect. We have members in the House who sit down of their own volition until order is given, and I think that they might at least extend that courtesy to each member.

The hon. member is expressing his own personal views; they are very strong, he has them, he is entitled to them, and I notice that he is to be followed by the member for Riverdale in this debate so he will have every opportunity, I hope, of expressing his views.

**Mr. Reilly:** Why, Mr. Speaker, does not Mr. Benson encourage the right climate for small businessmen to grow according to their own initiative and ingenuity?

**Mr. Lawlor:** Mr. Speaker, this man is an Irishman; he cannot help himself.

**Mr. Reilly:** Forcing small Canadian businessmen to curtail their profits through brutal taxation, rather than allowing them some money to put toward expanding their businesses, is weakening them to such an extent



that, eventually, they will go into bankruptcy or be bought out by larger businesses.

Interjections by hon. members.

**Mr. Reilly:** They will go into bankruptcy—I say there is no question about it—or perhaps they will be bought out by larger companies or American businesses. To me, this is asinine and totally incomprehensible. Let me remind Mr. Benson that small businesses do not have the evils of the conglomerate or a monopoly business.

Stiff competition between small businesses often gives the consumer better value for his money. Small businesses often provide specialty products or services which benefit the community and which are not provided by larger concerns because they do not represent a mass market. Most small businessmen have a community spirit. They provide that personal touch which still gives them at least some advantage over the large supermarket.

I suggest that, today, quality is not necessarily synonymous with size, and that there is still a rightful place in the market for small businesses. By nature, the small businessmen are active and involved in community projects; and it is no exaggeration to say that this country would not, and cannot, exist without them.

The small businessman is generally a man who fulfills a dream he has carried in his heart of being his own boss, and he thereby creates jobs for other people. How many small businessmen today, struggling to make their businesses grow, willing to accept all the vagaries and risks of the market place, will not throw in the sponge in hopeless frustration because of Mr. Benson?

Interjections by hon. members.

**Mr. Reilly:** How many young men who might have set up their own small businesses, tomorrow or next week, will not throw up their hands in disgust?

I suggest that Mr. Benson's white paper is like an iceberg. What shows is menacing and frightening enough; but what is hidden beneath the glossy surface of his smoothly presented proposals is infinitely more dangerous.

Interjections by hon. members.

**Mr. Reilly:** I suggest Benson's proposals will in no way upgrade people in this country. By destroying the backbone of Canada—the small business—he will wind up putting an untold number of Canadians out of jobs. In

effect, he may destroy all of the qualities which have made this country great, and which are so badly needed to make it greater still.

I agree with the Winnipeg lawyer, Mr. I. H. Asper, writing in the *Globe and Mail* Report on Business of November 27. He said: "Most commentators have reached agreement on several fundamental aspects of the white paper."

**Mr. Sargent:** A point of order, Mr. Speaker. Would the hon. member answer a question at this point?

**Mr. Speaker:** Ordinarily we do not interrupt in this debate on points of order unless it is very important. The hon. member can accept the question if he wishes, but it is not normal in this type of debate.

**Mr. Reilly:** I think perhaps I will finish this, Mr. Speaker. It may be that I will answer his question at the end of the remarks.

Interjections by hon. members.

**Mr. Reilly:** Mr. Asper said that most commentators have reached agreement on several fundamental aspects of the white paper. That it is not tax reform: it is social reform. That the word "reform" is a euphemism for "tax rise," that, if adopted in its present form, it will have a profound effect on economic growth, investment patterns, work incentives and risk-taking in certain areas. That last year's estate and gift tax escalation was only the first ingredient and the white paper represents the second. But there is more, much more, to come.

Interjections by hon. members.

**Mr. Reilly:** In other words, Mr. Benson is by no means through with any of us. Lord help the small businessman. Lord help the middle income man who is vital to the future growth of our country.

**Mr. Sargent:** He cannot get a loan from the member's government either.

Interjections by hon. members.

**Mr. Reilly:** I would heartily agree with my good friend across there, that most governments have a tendency to concentrate on the larger industrial plants and the small businessman does not have the same opportunity. I agree with him, and I have said so—

Interjections by hon. members.

Mr. Sargent: The member is flogging the wrong horse.

Mr. Reilly: We are well on our way already to becoming a completely socialist state. There is no question in my mind that it is Mr. Benson's intention to speed that process. A socialist state—with all its apathy, paternalism, and real danger to the democratic traditions we have always valued. Mr. Speaker, I believe that what is really at stake here lies in what is not said in the white paper.

Interjections by hon. members.

Mr. Reilly: This is the choice that Canadians must make: Is this country to continue as a nation of free people, dedicated to the worth of the individual and the individual's right to achieve through his own efforts and dedication? Or are we going to allow government to become so big and powerful that one day we become a nation of robots responding to the commands of a "big brother" in Ottawa?

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Speaker, as I enter this Budget Debate I find that it becomes increasingly hard, after so many months of almost continuous session, to find anything new to say that has not already been a part of the many hundreds of thousands of words that have been spoken in this Legislature this year. I would prefer not to have to duplicate any part of any of the debates previously heard in this Legislature, and I have a few comments on matters that somehow have been, I think, to the best of my knowledge, missed in the estimates; and perhaps to underline the importance of some of the things that have been said.

First I would like to refer briefly if I might, to some of the changes in rules and the implementation already begun of some of the new recommendations of the select committee on the rules, some of my opinions on the way they are working, with perhaps a brief reference, as well, to some of the agreements, whether *ad hoc* or whether general.

No one knows better than you, Mr. Speaker, the terrible morass of unfinished business we found ourselves in as we came back to the Legislature in October. Certainly, something drastic had to be done if there was any hope of wrapping up the business of this year and starting a new session in 1970 with anything like a clean slate.

The implementation of the rules alone, or any part of the rules alone, would not have

done it, Mr. Speaker, but a combination of new rules, procedures and agreements certainly has put us in the position we are in today. Mind you, noses have been broken in the process and a certain amount of frustration has resulted because of certain time limits arranged for some of the debates. As you know, Mr. Speaker, this House and the orderly procedures of this Legislature depend greatly on the ability of the Whips, the House leader and yourself to put together agreements, general agreements and *ad hoc* agreements, and I for one am grateful for the co-operation of the other two Whips and the House leader.

I think the workings of the Legislature this fall, and the progress of the business, are proof that it is possible to be both positive and political and at the same time reasonable. The departure from the kind of free-wheeling and lengthy debate that we are accustomed to was very sudden and rather dramatic and I wish to thank the members of this caucus for their co-operation on occasions when certain of the necessary restrictions were placed on speaking time.

I have always been of the opinion, Mr. Speaker, that agreements entered into either by the Whips or by the leaders, as long as the views of all the parties are represented, should never be subject to debate on the floor of the House and I will not deal with that matter any further. However, the rules and standing orders and the implementation of them are different things; and, as far as I am concerned, are subject to public examination here from time to time.

As I said earlier, I have no idea where we would have been if certain of the recommendations of the committee had not been implemented. However, I think now is the time to take stock of what further recommendations we should be prepared to implement for the next session of the Legislature and I have some opinions, which are only mine, with respect to how we should proceed toward the implementation or extension of any further recommendations.

To begin with, for the time being, I am firmly of the opinion that the referral of not more than three or four of the estimates to standing committees is going far enough for this point in time. There are many reasons for this, not the least of which are accommodation and facilities and staff. It is my opinion that during the life of a Parliament, major estimates could be examined three or four a year at a little more leisurely pace than has been the case during this last

month. My suggestion is that after presentation of the Budget, three or four new important estimates should be referred to the appropriate committee.

This would have the result I think, of subjecting each estimate to intense, and perhaps more leisurely examination. In this way, during the life of a Parliament, all important estimates would have been referred and examined in the same kind of detail that the three were examined during this last month. There have been suggestions that all estimates should go to a standing committee.

Personally, I think that this Legislature is not ready for such a move and at the same time I feel that the kind of examination that can take place in standing committee has a tremendous amount of value as opposed to the same number of hours or the same kind of scrutiny on the floor of the House. It must be remembered that the estimates are not available until the Budget has been presented and if at that time all estimates were referred to standing committees, the House itself would only be engaged in government business and Budget debate.

The overwhelming work of the House would be done in that case in standing committee and the session would no doubt be prolonged for a different reason but nonetheless prolonged. It must be remembered that 117 members in the Legislature are spread thinly when we are required to attend on a daily or twice daily basis to estimates committee, estimates going on upstairs, legislation going on upstairs and in standing committees, and efforts being made to keep up with the member's own private work.

I think the system can work all right provided the estimates referred to standing committees are given more time to report, possibly up to three weeks per estimate.

I am, however, of the opinion that we should never revert to the old system of all estimates being dealt with in the House, as well as the old formal written question period. I am convinced that debate has been sharper as a result of the need for parties to discipline their members, and members to discipline themselves. I am sure that the debate has been sharper, more incisive and more to the point and will continue to improve in that regard. Both Ministers and members are required to be in the House for the opening, or at least the question period and in general I think it has had a beneficial effect on the life of the Legislature and will continue to have a more and more beneficial

effect under this system as long as we do not expand it too far, or too quickly.

Mr. Speaker, I want to direct the attention of the members to a situation that is most deplorable and has been very scantily dealt with during this session. I am sure that the Minister of Lands and Forests (Mr. Brunelle) and the Premier (Mr. Robarts)—and I am sorry he is not here tonight—and other Ministers are aware of the delegations and the approaches that have been made by myself and delegations and groups from Algoma-Manitoulin with respect to the lack of any park programme on Manitoulin Island and the complete lack of any provision for access to the waters on the north shore of Georgian Bay.

Let me deal first with the Manitoulin and the lack of any positive park programme at all in that beautiful area. Time and again surveys have been made, suggestions have been made, and several areas have been examined. On occasion, the people on Manitoulin have had some reason to think that the department was seriously interested in doing something about this matter. The worst feature of all, is that the areas that would have some qualifications and would reasonably lend themselves to a park programme, have been gradually, over the period of the last two years, swallowed up by entrepreneurs. One has only to make a quick visit to the registry office to see what has happened on Manitoulin Island and the great stretches of that country that are being gobbed up by land speculators.

The Manitoulin, of course, is completely vulnerable to this kind of activity since large portions of the marginal farming land there have not recently been properly supporting families. This has led to frustration and discouragement as the young people have left the farms, the farmer has decided that there is no future for him, and finally someone has come along and offered him a price for his farm beyond his wildest dreams, then bought three or four farms in an area and locked up the gate and there they are.

I suppose the Minister of Agriculture and Food (Mr. Stewart) can possibly console himself with the fact that the present-day overproduction has been partially counteracted by this effort. But let me tell you, Mr. Speaker, that the important aspect of this action has been that great blocks of marginal land and shoreline have been picked up by Americans. I suppose that I am overly sensitive to this kind of action, perhaps since I still consider the Manitoulin as my home. But I can tell

you that a lot of people feel the same as I do about that beautiful country becoming another state of the union.

Well once again this government, while need for action has been brought to its attention in every way that is within my power, certainly has procrastinated and I greatly fear has missed the boat. One would have thought that this Ministry, oriented as it is toward southern Ontario, would have been concerned about making recreational areas available to the hundreds of thousands of people who are needing space for summer homes and for expanded holidays, but it is almost too late to do anything about it now.

I am not at all sure that there is any beach property that would be suitable for the kind of park property that the department needs or the kind of public access to waterfronts that is necessary. I do not know what a member has to do to bring this situation forcibly enough to the attention of this government for it to act.

The people in Manitoulin are not the type to march on Queen's Park or wave placards, or in any kind of controversial or dramatic way make efforts to bring this type of thing to the attention of this government. At the same time these people will not forget, and there is a growing bitterness about the fact that great stretches of the island have been allowed to slip away.

I remember on one occasion when I was speaking informally to the Premier about this matter, I received something of a suggestion that he would be in touch with the Minister of Lands and Forests and possibly something could be done.

There is one remaining tract of land that, as far as I know, very recently was available, and which could have been put together into a package and held for the future expansion of recreation. I refer to the Ontario Paper limits, a beautiful area of Manitoulin Island, but it is not likely to be available very long and I would hope that the government could seriously look at this before it is lost for all time for any public use.

Let me also mention the north shore of Georgian Bay, much of which is not in my riding, and I apologize to the member for Algoma if he does not agree with me. But there is a 200-mile stretch between Sudbury and Sault Ste. Marie in which only one substantial park, in Massey, is available for the travelling public. This is on Highway 17 on the Trans-Canada Highway. I would like

the members to take a look at the map of the north shore of Georgian Bay and consider that from Massey to Batchawana there is no park programme whatever, almost no access or possibility of access to the waters of Georgian Bay.

Time and again groups from that area and myself have approached the appropriate Minister to try and work out some kind of action that would make some of this property available, provide even the beginning of a park programme somewhere along Highway 17 on the north shore.

I can tell you that all you have to look at is the recent coloured map put out by The Department of Lands and Forests to see that there is hardly any area that is available now which could even amount to access to the whole north shore of Georgian Bay. Less than a month ago a renewed attempt was made by the North Shore Development Advisory Committee to persuade the Minister of Lands and Forests to try to do something about this. Even since that time some of it has disappeared and the remaining possibilities are very, very limited.

I am convinced that someday the message will get through and that somebody in this government will, in a panic, try to find some of this property and, as usual, find the door locked and the horse stolen.

Mr. Speaker, it is simply not enough for the Cabinet to hold conferences in Sudbury, Timmins and the Lakehead, at which they meet a lot of people and stir up bits and pieces of hope. I can tell you that every time that they read about \$43 million being spent on a Centennial Science Centre, or some other major project, no matter how worthy, how necessary or how relevant to the times, they just cannot help thinking that \$1 million or so could not be found somewhere during the last few years to save a little bit of that country for our own people of Ontario, for public access and for recreation; and which would also have the effect of injecting a little bit of economy into the only industry we have left, at least on Manitoulin, a three- or four-month industry to be sure, but the only one there is.

Mr. Speaker, I must not leave this topic without mentioning that the only department of this government that has even had a glimmer of the message and has done anything about it, is The Department of Agriculture and Food, through its ARDA branch. That branch has been prepared to work with me and to work with local farmers and has

put some tracts together for community pastures. It has realized that this property would become valuable, and even already has doubled and tripled in value in the last few years. While that programme is limited, at least it was an effort to do something in the area of holding some of this property for the future.

Perhaps the ARDA branch built more wisely than it knew; but, in any case, the Manitoulin did get some co-operation in that area. They have not had the same kind of co-operation from any other department.

I cannot speak about northern Ontario, Mr. Speaker, without reference to northern development, and I would like to direct a few remarks to the Minister of Trade and Development (Mr. Randall) about some of the actions of his department and the response that these actions provoke in northern Ontario.

I think I need only read two items that appeared in the Sudbury *Daily Star*, side by side on the front page, in the Friday, November 28 issue. When I quote from these two articles perhaps the members will realize the absolute lack of any association between words and actions in northern Ontario. The Minister seems to have developed the most remarkable facility to spread false joy up and down the province, raising people's hopes and then moving quickly on, before events dash them once more to the ground.

This has happened so often now that his image, at least in northern Ontario, simply is not credible any more; and while the people of northern Ontario are sometimes intrigued by his Barnum and Bailey approach to government, they know that his approach is an exercise in sheer irresponsibility, and that when the time comes to put his money where his policy is, he is no longer around. He is off on some other sales ploy that has caught his fancy.

I must admit that he is good at it. He could be called the super salesman of nothing, the clown prince of Ontario, making promises he cannot keep and running around the province radiating totally unwarranted confidence. For instance, under a bold title, "Working to Entice Industry to North, says Trade Minister," the article to which I refer goes on as follows, and I quote:

Stanley J. Randall, Ontario Minister of Trade and Development, said Thursday his department is doing everything it can to attract industry to northern Ontario.

In a speech to members of the Kirkland Lake district chamber of commerce, he urged department stores and wholesalers in southern Ontario to buy in northern Ontario whenever they can.

"They complain that northern Ontario centres are too far from Toronto and other southern Ontario cities but then they turn around and buy from Japan and Europe," he says. "I can guarantee them six hours delivery on goods to Toronto from any northern Ontario community."

Speaking on the development of northern Ontario, the Minister said that at development conferences in Timmins, Sudbury and Thunder Bay, "we emphasized the desire of the government to bring Queen's Park closer to the people of the north.

"We stressed the need for a vigorous and continuing dialogue on the whole range of questions related to the further development of the north."

Mr. Randall said his message to the north was, "Do the best with what you have got. I think that what you have got in northern Ontario and what you have got going for you with the government's help is substantial and is going to get better."

Mr. Speaker, the ironic part of this presentation is that on the same front page of that same Sudbury *Star*, and side by side with that optimistic text, another article appears as follows, and I quote:

Yesterday afternoon the McFadden Lumbering whistle gave its last ring signifying the end of the day's work as well as the lumbering in Blind River. The 65 men that are still employed are continuing to work through today but as the powerhouse is being shut down this afternoon the final whistle was given last night.

Thirty men have received their final pay with the remaining 35 maintenance workers continuing throughout December.

Will a furniture factory move into the area? This does not seem likely unless The Department of Lands and Forests release the maple cut. Recently when Rene Brunelle, the Minister of Lands and Forests, was in Sault Ste. Marie he was asked if this was possible. He evaded an answer by replying that a pulp and paper mill would hope to be in Blind River.

Some of the men left jobless will be seeking employment in neighbouring communities but a bleak future is in store for many.

I can only say that the *Sudbury Star*, ordinarily anything but critical of this government, has failed to recognize the irony contained in these two articles—one pointing out the Minister's false optimism and references to the many things that the government is doing and is prepared to do for northern Ontario, and the other laying out in graphic terms what is happening in the one-industry towns in northern Ontario, particularly because of this government's complete and total lack or failure to understand northern people and their problems.

The Minister has been referred to in this Legislature as a "super con man". He really does it very well. He cons people along to believing that they have a great future, a place to stand and a place to grow. He tries to develop false hopes in the hearts of these people while at the same time the calendar moves steadily to a date recognized years ago as the date when Blind River's McFadden Mill would close forever. Now that it has happened, the people realize that they have been hoodwinked by promises and speeches once again, that statements of intention to establish Cabinet committees to look after Blind River's problems were simply words, and the Minister of Trade and Development joyfully and irresponsibly made a laughing-stock of all those who pinned their hopes and expectations on these statements and promises.

The Minister of Trade and Development still seems confident that he can fool all of the people all of the time, but people are now wising up to what this portfolio is all about. They see that it is just an agency for government propaganda and that the Minister's chief role is to get this worn-out administration re-elected. A few more McFadden Lumbering situations and that task will be impossible, even for him.

Having underlined the irony of these two news reports lying side by side on the same page of the *Sudbury Star*, the question remains: what is the government going to do to keep Blind River a healthy community and prevent the unemployment which now looms? This is going to have to be a matter of deliberate policy, not vague promises. We have to have industry up there which will keep all the people busy. The alternative is unemployment assistance and relief on an increasing scale.

All this talk about helping the north, as long as it comes from the Minister of Trade and Development, is just hollow talk unless the government is prepared to put its money where its mouth is. We have had about

enough northern conferences geared to sell the image of a young, hopeful and progressive government, because now all the people are looking for and demanding is hard cash seeded in the right places to make work. The people are willing and ready to work. They have their own special skills and their own remarkable abilities but what they do not have is the capital that is drifting south. They have a right to the productive use of that money since it is the effort of the people of the north which has made Bay Street the successful affluent society that it is today.

The government must do two things as matters of urgency. It must funnel its own development funds into the north with a minimum of speeches and surveys and promises, and it must direct the funds of private investors through appropriate incentives so that the Canadian north will really come alive and so that the people of the north will share in the prosperity that is now so unfairly confined to southern Ontario.

Let me conclude on this slightly happier note. In 1961, as a member of a committee appointed to assist a delegation sent down here to wait on the then Premier and members of the Cabinet, I was present in these halls when the great Elliot Lake debate was in progress. Mr. Speaker, you and some of the members will remember that debate, I am sure. I remember sitting in the gallery and thinking, "Everything good is going to happen to Elliot Lake now". I remember how Cabinet Minister after Minister jumped to his feet to expound on the things they could each together do to keep that struggling city alive.

In the meantime, the streets were built, the street lights went in, the sewers and the water supply system were hammered through the rock, and the schools and the hospitals were built. Mr. Speaker, it is now a wonderful place to live, it is a young and vibrant community. While it was an improvement district it was assured of public support. But it is not an improvement district any more. In a burst of enthusiasm, in which I participated, it became a municipality, and it now has the doubtful distinction of being able to claim the highest *per capita* debt of any place in Ontario to my knowledge.

Right now is the time for the promise of support to be re-activated, because the township of Elliot Lake now has a debenture debt of over \$9 million, and a total assessment of something less than \$9 million.

Nothing can be done about it tonight, I realize, Mr. Speaker. The Minister is not

here and I will have to find another occasion to discuss this with him. There are no easy answers to a situation in which a lot of my good friends lost their homes and their businesses once before. As I have said, there is little point in pursuing this if neither the Minister, or his people are here—

**Hon. A. Grossman** (Minister of Correctional Services): Try to convince the rest of us.

**Mr. M. Gaunt** (Huron-Bruce): He has convinced me; I am all for it.

**Mr. Farquhar**: All right, I will work on it. They asked for it. The Minister is busy, no doubt, with more important matters and I will find an occasion to—

**Mr. E. Sargent** (Grey-Bruce): There is a poker game upstairs!

**Mr. Farquhar**:—assist the delegation of the town council to wait on him privately.

I direct your attention, however, Mr. Speaker, and that of the members of this House, to the fact that some way must be found, through the grant structure, to alleviate a situation which is completely impossible. Interest between seven and eight per cent will develop a mill rate of something like 135 mills in two years, which will be completely unmanageable in that situation. No doubt, however, that when we get together—the council, the Minister, myself and others—we will be able to find some way, I hope, to keep the community alive and operating until better days appear on the horizon.

Thank you.

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

**Mr. R. Gisborn** (Hamilton East): Mr. Speaker, I am sorry the member for Eglinton (Mr. Reilly) left his seat so quickly after he finished his speech. I did want to congratulate him on one or two points. Again he has been entertaining, spending most of his speech talking about the imposition of Mr. Benson's white paper upon the small businessmen.

I want to say that if we wait until the federal Liberals bring in a tax reform policy that we can start talking about, it is going to be a long, long time and I am afraid that many of us will not be around.

**Mr. C. G. Pilkey** (Oshawa): It will be a cold winter!

**An hon. member**: The hon. member will not be around.

**Mr. Gisborn**: At least if it takes them as long to develop any kind of a tax reform on a federal basis, as it took them to develop a mish-mash of a participatory Medicare programme in this country, it is going to be a long, long time.

**Mr. E. Sargent** (Grey-Bruce): Mr. Speaker, I want to speak on a point of privilege.

**Mr. Speaker**: Point of privilege?

**Mr. Sargent**: Mr. Speaker, we have on the left here, this group, and I want to say as a private citizen I am fed up with them. Mr. Speaker, this group here is using Queen's Park as a soap box.

**Mr. J. E. Stokes** (Thunder Bay): That is not a point of privilege.

**Mr. Sargent**: They remind me of a bunch of hippies, Mr. Speaker. I think we should lay down ground rules that if they are going to use this Queen's Park as a soap box they should guarantee the people the right to a fair hearing; and if they are not going to treat people equally they should not be able to use these facilities. It is an insult to the people of this province that this group, any time they want to get a hippie-like bit of press, they use—

Interjections by hon. members.

**Mr. Speaker**: Order!

**Mr. Sargent**:—they use Queen's Park to put on a rally. They will not give other people the right to their share of the debate. It is an insult to our intelligence to use Queen's Park, Mr. Speaker, as a soap box to present one side of the question. We should lay down some ground rules, Mr. Speaker.

**Mr. Speaker**: I hardly think this is a point of privilege. The hon. member for Hamilton East has the floor.

**Mr. Gisborn**: Yes, Mr. Speaker, when the hon. member for—

Interjections by hon. members.

**Mr. Speaker**: Order!

**Mr. Gisborn**: Mr. Speaker, when the hon. member for Eglinton was feeling sorry and giving us the crocodile tears for the small businessman, I agree that he had a point, if we could take the white paper seriously at this point. But certainly the dialogue will not start for some time and just what is going to be left of that white paper by the time the dialogue is completed, I do not know.

I would like to refer again, just briefly, to what has happened to the little working man, if we want to call him that; and I referred to it in my Throne speech contribution in early 1968. We remember the hoax that was pulled upon the people of this province in September, 1967, by the government opposite, inasmuch as they were going to present to the people a programme of a sort to provide a reprieve of the overburdening municipal tax rates, by implementing one part of the White report, and that was the municipal shelter tax rebate.

They brought that in, of course, but what they forgot to tell the public—and they have suffered from it ever since—was that it was a little bit of sugar added to the stiff increase in the Ontario hospital premiums since that time of \$27 a year for a single person and \$54 for a family; and if we remember, the PSI rates went up something like 19 per cent in the year and a half preceding that election gimmick.

Then we were faced with the increase in the OMSIP premiums by \$10.80 a year for a single person and by \$21.60 for a couple and \$27 for a family.

We also should be aware of the increases brought in for automobile licences. Members will remember the four-cylinder licence we used to buy for \$15 went up to \$20, the six-cylinder from \$20 to \$27.50, and the eight-cylinder from \$25 to \$35.

Then after we were told we would get this reprieve from the overburdening municipal tax, we had an increase in gasoline tax of something like 18 per cent a gallon, which was equivalent to a \$12-a-year increase out of the average driver's pocket.

I thought maybe I should mention some of the impositions that have been already made upon the little guy in this province—

**Hon. J. H. White (Minister of Revenue):** Why does the member not stop the new high-way expenditure programme? He is not helping.

**Mr. Gisborn:**—since the last election, and we do not know what is going to happen to him in the future.

The hon. member for Eglinton was talking about the hereafter when he was talking about the events in the white paper. Of course, if anybody plays the political line, it is that member for Eglinton, because he usually plays to that particular riding of his with either a smear about the trade union

movement or praises for the small businessman.

**Mr. Speaker,** last Monday, a week ago tonight, I took part in the debate on the OHSIP section of the estimates of The Department of Health, and I could not help but refer to the on-again off-again position of the Liberal Party on the Medicare programme. Then I referred to the fact that they had forgotten all about the hospital premiums and they had left that cost sort of in limbo, which is an important part of the whole total package. A day or two later, the hon. member for York Centre (Mr. Deacon) approached me and told me I was not aware of the Liberal programme as far as the Medicare programme was concerned, that I should learn their position on the hospital premium. He referred me to the dissenting report on the programme for tax reforms—the report of the select committee of the Legislature on the report of the Ontario committee on taxation—and I got the report and I read it; and I was quite surprised because it does point out pretty clearly the Liberal position on the hospital premiums.

**Mr. D. M. De Monte (Dovercourt):** What is the member's position?

**Mr. Gisborn:** The member heard our position quite clearly a week ago tonight.

Interjections by hon. members.

**Mr. Gisborn:** This is what they say—the Liberal Party in Ontario—and I think it should be on the record because a lot of people just do not know. The members for Parkdale (Mr. Trotter), Kitchener (Mr. Breithaupt), and York Centre, stated—and this is dissent on volume 3, regulation 38 (10):

We dissent with the burden of the argument advanced by the Smith committee and amplification of this recommendation, volume 3, page 452 (3). Hospital care insurance plan payments were \$3.25 a month for the single person and \$6.50 a month for the family prior to July 1, 1968, on which date they leaped up to nearly double at \$5.50 per month for the single person and \$11 a month for the family. Under the Smith "one-third-by premium formula," they would continue to rise. This represents a regressive imposition of the worst kind.

Then they go on:

If we are going to assist the lower income bracket of our population, we should wipe out the premium method entirely and



obtain funds for the Ontario Hospital Care Insurance Plan by a direct tax method. We believe this is by far the best way in which to finance our hospital scheme. It would in essence be financed the same way as the Canada Pension Plan is financed, and a further advantage of this payment would be that the taxpayer would be made clearly aware of the cost of health care. Just as we set out in our income tax returns our Canada Pension Plan premiums, we would, in the same way, pay for our hospital costs.

If an individual had an income low enough that he or she was not taxable, then there would be no hospital premiums to pay. If an individual had a high income, then he or she would pay a greater proportion of the cost—subject, of course, to a maximum amount, just as the Canada Pension Plan costs are subject to the maximum amount.

Mr. Speaker, if the Liberal Party consider the premium payment of the Canada Pension Plan a progressive tax system, then I do not know what a progressive tax system is. It is the most regressive method of taxation I have ever run across.

Mr. P. D. Lawlor (Lakeshore): The member wants a progressive theory with a ceiling.

Mr. T. Reid (Scarborough East): Mr. Speaker, on a point of order.

Mr. Sargent: Point of order.

Mr. Lawlor: Not privilege this time?

Mr. T. Reid: It is a very simple point of order. The hon. member is reading from a document which has been superseded by our position in caucus policy. Those three members were on the committee and that was their view at the time. Our position is very clear now. There is a document out on it, and we have introduced it in the House.

Mr. Gisborn: That is enough of a point of order.

Mr. T. Reid: The member is so damned misinformed he does not even know what a policy is.

Mr. Speaker: Order!

Mr. Pilkey: It is difficult to keep up with the Liberals, I must agree with that.

Mr. Gisborn: I got the point of order, Mr. Speaker, but I defy a Liberal to show me, in their programme, anything that relates to the Hospital Insurance Plan.

Interjections by hon. members.

Mr. T. Reid: Mr. Speaker, the hon. member has defied me to make a very simple statement.

If he had been in the House for—

Mr. Gisborn: Oh, no, we do not want any more of these Tweedledum and Tweedledee statements.

Mr. T. Reid: There is no Tweedledee and there is no Tweedledum. Actually it is a very simple position.

Mr. Speaker: Order.

Mr. T. Reid: Hospitalization and Medicare should be paid out of the general revenues of the province, there should be no premiums, period. Okay?

Mr. Gisborn: The hon. member had better get together with his leader because I cannot find it in the folder.

Mr. Speaker: Order!

Hon. Mr. White: On a point of order. Was the hon. member for Scarborough East referring to the Liberal policy this week, or the Liberal policy last week?

Hon. A. Grossman (Minister of Correctional Services): Or next week.

Hon. Mr. White: Because to my certain knowledge, they have had at least a dozen policies on Medicare.

Interjections by hon. members.

Mr. De Monte: You referred to Medicare as a 'Machiavellian scheme.' How about that position? And it is a Machiavellian scheme.

Mr. D. Jackson (Timiskaming): Mr. Speaker, maybe the Minister will get another policy up for us and then we will not have to worry about the last ones.

Hon. Mr. Grossman: It did not take us 30 years like the hon. member for Dovercourt's friends. Where did the hon. member for Dovercourt have his dinner?

Mr. De Monte: Where did the hon. Minister have his?

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

Mr. Gisborn: Nevertheless, regardless of the interjections from the Liberals to my right, they still have to convince me. I have

given them a fair chance in the last six months, to find out exactly how they were going to handle the hospital insurance premiums. The member for York Centre told me where I would find it, and I found it in the book where he told me to look, so what they are in favour of is a regressive tax where the man over \$5,000 stops paying any more, and that is a terrible way to hoax the people of this province.

Mr. De Monte: What does the member mean?

Mr. Gisborn: I am reading from the Canada Pension Plan method of premiums, that is that the member referred to when he spoke before. Mr. Speaker, we had the demonstration outside this building on Saturday, and the Liberal Party did a splendid job of—

Mr. De Monte: We had to pass out the writing, we could no talk about it.

Mr. Gisborn: —a splendid job of reproducing the Liberal story from the *Star*, and there is no place in there referring to the hospital insurance programme premium.

Mr. Speaker, the theme of my speech tonight was to strongly criticize the government for their procrastination in bringing forward the Gertler report on that very important subject, the preservation of the Niagara escarpment. We have now got the report and it is going to, of course, make the most of my remarks redundant because they were mostly critical for the delays.

We asked several times since October 1967, when the Prime Minister (Mr. Robarts) announced in Hamilton that he would find \$200 million for the acquisition of land to preserve the Niagara escarpment from Queenston to Tobermory, and we have waited until 1968, and in fact the report was given to the Prime Minister in June; we just received it a day or two ago.

I am going to reserve my comments on it until I have had a chance to read it. I think that it is important that everyone pays attention to it because it may be one of the most important documents that is received by the government and we should have action on it.

The concern over the declining value of the Niagara escarpment as a scenic and unique natural feature of the Niagara peninsula, has been growing for many years. This decline, brought about by rapid urbanization and related land use changes, has sparked numerous demands for the preservation of the escarpment; and that goes with-

out saying because if we can just relate to the many demands and many reports by experts in the field over the years. The importance of the Niagara escarpment as a natural resource and as an opportunity for outdoor recreation merits a scenic drive of the highest quality.

Driving for pleasure is the most popular outdoor activity and accounts for 45 per cent of all time spent in outdoor recreation, and people are prepared to drive up to three hours to reach an outdoor recreation site, but they prefer visiting areas closer at hand, and this is why we have pushed so hard for the public access to the beaches to the south of the Golden Horseshoe so that the many people in this area of the province can get to a recreational area within a short drive.

With the increasing leisure time available to our people, we continue to completely disregard the health and social enjoyment implicit in adequate recreational facilities, and parklands. Continued refusal to face a necessity for action to obtain the necessary land for public use will serve as a serious indictment on this generation and well may be cursed by future generations. I just want to lay those words on record because this party will push continually for the implementation of the substance of this report. I have no doubt that it will bring about the kind of a development and conservation of land in this province that will not in a long time be forgotten.

It is my hope that this government will not leave it and use it as the next election gimmick, but will proceed to get to work on it as soon as possible.

I have two other appeals to make, Mr. Speaker. This afternoon I put a question to the Provincial Secretary (Mr. Welch), and it was not a facetious question. It was a serious question, and although he is not here tonight in his seat, I would ask the members opposite to pay attention to my appeal because it will, I think, if they can persuade the government to bring this small measure about, gather them some votes that they will very badly need in the next election, and that is to try and convince the powers that be, to implement the retail sale of keg beer in this province.

That can be done very easily. I do not think anyone should be forced to buy the product as a bottled product just the way it is determined by the breweries and the warehousing companies in this province. They could develop a two-gallon keg and a four-gallon keg.

With the technological methods we have today, they could rig up a keg that would be easily bunged, as they call it, and already aerated so you could make good use of it. We have liberalized our liquor policies quite a bit in the last year or two. You can now sit out in your backyard or porch or at a picnic and legally drink your beer, and I know many people in the province would enjoy the right to drink their draught beer in other places than in the establishments.

My second appeal is directly to the Speaker of the House.

**Mr. T. Reid:** Mr. Speaker, on a point of order.

**Mr. Speaker:** A point of order?

**Mr. T. Reid:** My point of order is that the hon. member unwittingly misled the House on a point concerning the article by the leader of the Opposition (Mr. Nixon) to which he referred, sir, in his remarks on the *Toronto Daily Star*. I would just like to put two short paragraphs into the record to make sure the record of the House is correct.

**Mr. Jackson:** The member should read it all.

**Mr. T. Reid:** No, I quote directly from this.

The Liberal plan will eliminate the present flat rate of \$177 a year for a family—

This is in regard to OHSIP:

Our programme would be financed through a one per cent tax on personal income and an 0.8 per cent tax based on a company's total payroll plus the federal contribution of \$176 million.

**Mr. Lawlor:** He can make this in his own Budget speech—it is not a point of order at all.

**Mr. T. Reid:** The second paragraph in relation to this, and I quote directly:

**Mr. Lawlor:** That is not a point of order at all.

**Mr. Sargent:** The member asked for it; now listen.

**Mr. Lawlor:** He can complete his case on his own time.

**Mr. T. Reid:** Quoting:

The federal government put a ceiling of \$120 on the two per cent social development tax they collect from all taxpayers to finance their contribution to the national Medicare plan. I disagree with their deci-

sion, which has limited the contribution of 150,000 taxpayers who normally would pay more than \$120. With our proposal, the provincial Liberal caucus proposal, there would be no ceiling.

**Mr. Lawlor:** Now he has rescued the party—

**Mr. Gisborn:** Of course, Mr. Speaker, the member is wrong again. I said nothing about the social development tax. In their dissenting report, they were talking about the Canada Pension Plan formula, which right now has a maximum of \$83. At the time they wrote the dissent to the select committee on the White report, it was \$79. He cannot get out of that no matter how he squirms; he will have to show me more proof than that as to what they are going to do about integrating the hospital tax.

**Mr. T. Reid:** Well, do not misquote our document.

**Mr. Lawlor:** The member reminds me of Social Credit—

**Mr. Sargent:** Let us talk about the rally again.

**Mr. Gisborn:** My last and final appeal is to the Speaker of the House.

**Mr. I. Deans (Wentworth):** The Liberal members should be ashamed of their conduct.

**Mr. Gisborn:** I understand that there are approximately 20 attendants who work in the vicinity, on the periphery of the House itself, watching things and running little errands, calling members out when they are needed on the phone. I understand that they work five days a week and they get \$11 a day. I understand that comes to about \$1.37 an hour. I also was a little bit perturbed about one thing, and it is this point that made me rise in the House tonight and appeal to the Speaker to give some consideration for an increase in their pay. I was leaning over the shoulder of one of the attendants, and I understand quite a few of them are ex-servicemen, and he said, "Look at this"; it said he got \$11 a day for ten days, but deducted one—nine days—because of the Remembrance Day holiday. What they were saying to that person was that they want him to remember Remembrance Day by the deduction of one day's pay. I would ask the Speaker to give consideration to these gentlemen and see if there is not some area whereby he could make their amenities just a little bit better.

Thank you.

**Mr. E. P. Morningstar (Welland):** Mr. Speaker, I would like to extend my congratulations to the Provincial Treasurer (Mr. MacNaughton) on his 1969-1970 Budget. I am, of course, pleased to hear that we have a balanced Budget. As a result, I am particularly pleased to make some comments today regarding how our province's moneys are being spent.

Before I do so, sir, I would like to draw to the attention of this Legislature the tremendous growth and development in my own riding and the surrounding area—growth and development that has been brought about by this government. If anyone wants to get a close-up of where the action is in the Niagara Peninsula, the place to visit is Welland and its environs. The town of Thorold had a forerunner of this general activity with the construction of the first tunnel under the Welland Canal, an impressive project completed last year.

In Welland, construction will begin this year on two additional canal tunnels, one of which will carry vehicular traffic under the relocated stretch of the waterway at East Main Street. Two miles south of this tube one of the most imposing tunnels ever built in the province will carry railway and vehicular traffic over the existing canal, and below the relocated channel which will extend 8.3 miles from Port Robinson to Port Colborne.

These tunnels are major projects this year for our Department of Highways, working in conjunction with the St. Lawrence Seaway Authority. Also to be initiated this year by the department are two new bridges across the Welland River in the city's western area. Additional highway projects in the area this year include the widening of Highway 58 to four lanes at the city of Welland's northern entrance, and the extension of Highway 406 six miles from St. Catharines toward the city of Welland.

So it may readily be seen that activity of The Department of Highways alone will create a beehive of activity all around Welland.

But there is significant development in many other directions. Take industry, for instance. Atlas Steels Company, the biggest employer in Welland is well launched into a programme of modernization and expansion that will require an outlay of \$30 million over several years. Union Carbide is about to start on a new \$10 million plant for the production of graphite, and Stelco Page-Hersey is completing a new mill costing \$1.5 million.

The history of growth is also reflected in projects for many of the smaller, diversified industries and commercial operations—a great riding. At the Welland County General Hospital, good progress is being shown in a \$2.5 million project that will add 73 beds to the institution's 240 beds. Included will be a psychiatric wing. Construction has started on a new YM/YWCA that will cost \$450,000. The Welland branch of the Canadian Legion has just moved into a new \$400,000 building rather thoughtfully located on a thoroughfare known as Morningstar Avenue.

The city of Welland is into its fourth million dollars on its sewage treatment programme. The merged health units of Lincoln and Welland counties are operating efficiently under the direction of Dr. Leo Sturgeon. New subdivision development in Welland will be at a record pace with 600 new lots made available. Ontario Housing, including senior citizen housing, represents a \$1.5 million programme.

Welland is proud of a first in education, Confederation Secondary School, the first bilingual secondary school in the province. This was a \$1 million enterprise of the Welland Board of Education and it enabled the city to claim another first in the province—that of providing bilingual education from kindergarten to Grade 13.

The Niagara College of Applied Arts and Technology, serving Welland, Lincoln and Haldimand counties, has reached \$3.5 million of its long-range construction programme estimated at \$23 million.

When the relocated canal is completed in 1972, the city of Welland will have ideal new sites for industry on the east side of the new channel. It is also planning services to accommodate a population increase up to 40,000 east of the new channel. We are indeed an exciting community full of rich promise for the future.

**Mr. P. D. Lawlor (Lakeshore):** How is the pollution?

**Mr. Morningstar:** We have spent \$40 million on that, I have told the members.

So, as you can see, Mr. Speaker, we are on the move—as is the rest of our province.

One of the areas in which I feel a great contribution is being made—an area which is of particular interest to me—is that of the training and the development of our labour forces by The Department of Labour's manpower services division. As we all know, Mr. Speaker, Ontario is the richest and most

highly industrialized province in Canada and thus it requires a large supply of trained technical people. Each year Ontarians produce goods and services exceeding \$25 billion in value, and being the most highly industrialized province, Ontario has Canada's greatest share of skilled and semi-skilled workers.

The number of employed workers rose by 3.5 per cent last year while wages and salaries neared the \$14 billion mark. Over the years the teaching of trades through apprenticeships has proved to be the most effective way of making available the qualified tradesmen required by the many industries in our province. That is why The Department of Labour in the field of manpower development is dealing with a very important and sensitive area. As my colleague, the hon. Minister of Labour (Mr. Bales) noted in his introduction of his estimates, about the area of manpower development, "Not only is it vital to the prosperity of this country but also to the hopes and aspirations of thousands of our citizens for a better future."

This is not a simple ABC task because, as you know, we are living in the greatest era of technological change the world has ever known. In the face of this rapid change it is difficult to forecast the many kinds of skills our labour force will need in the future.

Thus, the working force not only must be trained to meet the needs of today but they also must be imbued with a body of knowledge and a sense of versatility that will enable them to meet the challenges of change in the future. Our constantly advancing technology has brought with it the inescapable need for projects which involve continuing education and the periodic upgrading and retraining of large segments of our labour force.

I believe we have one of the finest secondary school vocational education programmes on the North American continent and we also are developing a post-secondary school system of colleges of applied arts and technology that soon will be turning out graduates in record numbers.

In addition, the manpower services division of The Department of Labour is concerned with three different types of on-the-job training programmes, all of which have an essential and underlying philosophy. Each programme is geared to raise the skill levels of our provincial work force to the point where everyone will have occupational mobility and

opportunity to make a maximum contribution to society of which he is capable.

The first programme to which I am referring is apprenticeship training. This is a systematic programme of on-the-job training supplemented by periods of related training in a college of applied arts and technology.

Secondly, there is the four-year-old short-term training-in-industry programme. Under this programme, the province enters into an agreement with an employer for a project of one year for the training of adults for employment in limited skill occupations as well as for the upgrading of skills of people who, without such training, could become displaced due to changes in technology. These projects are conducted in co-operation with the federal Department of Manpower and Immigration. They take place in an employer's plant and consist of a course or series of courses according to the needs of the employer.

The third programme revolves around a new training technique—the "modular" or "block" concept. This concept is based on the recognition that many industries are inter-related and that a common core of knowledge and skills makes possible a new system of tradesmen training and certification.

Under this highly practical system, someone who is qualified in one trade or occupation can move to another without wasting his time repeating the training process in those areas in which he already is qualified.

In my opinion, Mr. Speaker, these programmes are extremely imaginative and constructive approaches, and cover the wide spectrum of training needs required by people today. But, now, if I may, I would like to turn briefly to some of the helpful programmes the manpower services division has introduced in the great county of Welland.

At present there are 315 active apprentices in various trades. There also are training programmes in effect in the James United Steel in Welland where 63 persons now are in training and 12 have recently graduated. At Port Colborne, Sunbeam Shoes is conducting its third training programme where it hopes to train 62 persons within the next few weeks. Horton Steel Works has completed two training programmes at Fort Erie where more than 20 persons graduated with skilled training. I consider this a very fine record.

Mr. Speaker, it is an all-too-human tendency to throw brickbats instead of extending well-earned compliments, or even to totally ignore worthwhile accomplishments.

So today, I wanted first of all to congratulate The Department of Labour of its 50th anniversary last spring as a separate arm of the government.

Secondly, I wanted to compliment the department's manpower services division on its efforts to help Ontarians improve their working skills, and hence their earning capacity. A great government!

In conclusion, Mr. Speaker, I would like to say how much I appreciate this opportunity of expressing my views to you, and the hon. members of this House. I can only add that I consider it a great privilege and honour to sit in this Legislature and be a part of a government which is striving so well to serve the best interests of all our people.

Thank you.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, in entering the Budget Debate, I have three or four matters of urgent importance, particularly to the people of northern Ontario. It is unfortunate that the Ministers who would be in a position to do something about them are not in the House tonight.

The first thing I would like to bring to the attention of the government is something that the Cabinet was made aware of at the northwestern Ontario development conference held in the city of Port Arthur during the month of September. It deals with the elimination of a municipality. Specifically, that municipality is Nakina, a town of close to 700 people, which will die unless government, either at the provincial or the federal level, or both, does something about it.

**Hon. Mr. Grossman:** We will look after it. There is no use waiting for the federal government.

**Mr. Stokes:** In the past, industrial development was confined mostly to the southern areas of Ontario. Up until a few short years ago, the north was a forgotten area, a rich lode, untapped and awaiting development. Any industry that did get a solid foothold shamelessly exploited and drained the north, funnelling her riches into the vast industrial complexes of the south.

A few far-sighted men now are awakening to the fact that the north must be opened, not for others, but for its own sake. Where there have been thinly populated areas rich in natural resources—a new frontier—they have conceived the mid-Canada corridor concept, an idea staggering in its potential.

But just as it seemed the north was to awaken, short-sighted men, interested in instant profits, have decided on a plan that can only be a step backwards.

Some eight years ago, word began to filter down to Nakina from high echelons of the Canadian National management that there was a possibility of a run-through at Nakina. Such a move would be a death blow to the town. Accordingly, the inhabitants began to hesitate about making any major expenditures. Major repairs needed on homes and properties were put off. Improvements were indefinitely postponed. With so uncertain a future and no concrete word from Canadian National and no idea how, or if, in the end the company would compensate them for the loss of their homes, the people feared to invest any further in the community. Some even refused to pay property taxes. Houses began to decay and real estate values dropped. Some men moved before the threat took hold, giving CN the argument to support their action that they could not keep men there. All this was the result of mere rumour.

Then, in 1964, Canadian National made a formal announcement of a run-through. The people rose as one and successfully fought for, and gained a reprieve. Five years of uncertainty followed, during which the Freedman report was published.

Again, Canadian National has stated that it is commencing negotiations for an extended run-through of the town of Nakina, from Hornepayne to Armstrong, with Hornepayne as a home terminal. If this is implemented, Nakina will be seriously affected.

Therefore, the people of Nakina wish to propose an alternative that will cause as little disruption as possible.

An extended run-through will entail removal of all 48 members of the running trades, thus ten rest house and station jobs will be eliminated. This will prove a drastic loss to the community and surrounding area. Gone will be \$560,000 in wages, 48 homes will be vacated, and there will be a loss of \$7,200, or about 25 per cent of the residential tax revenue.

Mr. E. J. Healy, manager of the northern Ontario area of Canadian National has stated that CN will purchase the homes at prices between Nakina values and that prevailing in the areas where the men will settle. However, CN have not indicated what they intend to do with the vacated homes. Will they pay property taxes on them? Will they maintain them? Or will they let them be registered for

tax arrears and revert to the town to add a further financial burden thereupon.

Average values of Nakina homes are about \$4,500, or one-fifth that of Toronto or Capreol. Should the Nakina men exercise their seniority in Toronto and Capreol, the cost of the homes required would exceed \$1 million. Who will pay the difference? The federal government? The provincial government? Or will the men themselves be forced to bear this staggering load?

They could go to Hornepayne where real estate, while higher than in Nakina, is substantially lower than farther south. However, Hornepayne already has a severe housing short, an inadequate sewage system, and a water supply that reaches only part of the town. The high school there is at maximum capacity, and offers only traditional, general subjects. Anyone wishing to take occupational or business courses must go to other places, such as Geraldton or Sudbury.

The Geraldton District High School, which serves Caramat, Jellicoe, Longlac, Beardmore, Arolland and Nakina, depends heavily on the provincial tuition which is paid for children coming in from the surrounding towns. In the event of the run-through becoming a reality, the high school stands to lose \$28,000 when the 26 pupils from Nakina transfer and move out.

In 1960, the provincial government authorized the improvement district of Nakina to build a new three-room addition to the public school worth \$70,000. Fully modern, educational facilities for the children from kindergarten to Grade 8 are provided by annual provincial grants totalling \$47,000. A run-through will reduce the school to two rooms, leaving the remaining facilities standing empty and useless. The Nakina Separate School, which now employs two teachers, will drop 40 per cent of its enrollment, and so only one teacher will be needed.

There are many CN pensioners and widows living in the community. Most own their own homes. The increase in taxes will be far beyond their means. Some unable to sell will be faced with financial crisis. Businessmen of the area will be affected by a 45 per cent drop in volume of business, resulting in staff reductions, and the closing of many small businesses.

Up until 1964, Nakina was a going concern. The province had invested huge sums to open the town. Highway 584 was constructed to connect the people of Nakina to Highway 11, 42 miles away, a very extensive undertaking. Ontario Hydro constructed a power line into

the town in 1958, and through federal and provincial assistance, the new Geraldton district hospital was built to serve the entire area. The population of Nakina, which was 763 in 1964, is down around 600 at the present time.

Then, in 1964, the CN made its drastic announcement. From that point, the trend has been downhill. In 1966, the Indian affairs offices were moved out, reducing the work force by five. In 1968, The Department of Transport weather station was moved out, taking another five employees. Now, the dark shadow of CN once again looms over Nakina. The company has decided that the new rest houses and facilities at Armstrong are more important than the town of Nakina. They claim that a run-through at Nakina would give them an annual saving of \$102,000.

Mr. Speaker, it seems to me that all big business is interested in is the almighty dollar. They do not care about the displacement of people who have most of their life savings built up in the small equity that they have in their homes. I have approached the various Ministers of this government, in particular the Minister of Municipal Affairs (Mr. McKeough), and the Attorney General (Mr. Wishart), when he was at the Lakehead during the northwestern Ontario development conference. They agreed that everything possible must be done to see that a town was not wiped out just because of the saving of a few dollars, and nothing has happened.

Negotiations are going on at the present time with the various brotherhoods of the running trades who will, to the best of their ability, protect the interests of those in the running trades. But other people in the municipality have nowhere to go but to their elected representatives and governments, both federal and provincial, and the various departments that are concerned.

The Department of Municipal Affairs, I am sure, realizes that it does have some responsibility in this area. Indeed, Mr. Freedman, in his report of 1965, states specifically what the nation's responsibility is. He says, it may not always be enough to rely on good, corporate citizenship and good union citizenship alone. They may need some reinforcements. That reinforcement would have to come from government whose responsibilities in this area must now be considered.

If a town collapses because of a lost market for the product of its only industry, or if the resource upon which its life depends is exhausted, government's responsibility for taking appropriate remedial action is usually

taken for granted. A similar responsibility should be assigned to it when adverse effects on a community result, or are likely to result, from changes in plant, or personnel or the less dramatic—but equally understandable—reason of industrial inefficiency. The commission has no difficulty in declaring that there is a government obligation toward a community whose existence or stability is threatened by a run-through or its consequences.

Assuming that both levels of government think that it is in the interests of the economy generally to permit a run-through of the nature that they propose in the municipality of Nakina—and if the various governments, both provincial and federal, and their respective departments, think that it is in the interests of the economy generally that this should take place—I think that particularly The Department of Municipal Affairs should be entering into a dialogue with the representatives of that community and giving them assurance that they will not be left on their own to pick up the pieces after corporate interests move out, or abdicate their responsibility to the communities, especially those industries such as railways who are responsible for the existence of those municipalities.

If The Department of Municipal Affairs, and, indeed, every department of this government, is not prepared to intercede on behalf of the municipality of Nakina, it should get some assurance from the company responsible that they will compensate those people for the loss of business, the loss of their homes, for the cost of moving from one place to another. If I may quote from Mr. Freedman again, he says:

After a run-through has been instituted there would still be a responsibility on the part of the nation toward an affected community. The responsibility would arise both at the provincial and the federal level.

The obligation of a province to take action for the salvation of one of its municipalities is hardly disputable. In the first place, the provincial-municipal relationship is direct. In the second place, and no less important from the practical standpoint, the municipality's problem is one lying on the province's doorstep. Very often it would be the province which would have to take the initiative, drawing the Dominion in as well.

The latter's responsibility derives not only from its constitutional control over the national railways, but also from the simple fact that a community adversely

affected by a run-through lies within the nation no less than within the province. Both, therefore, are involved.

He further states:

Action to place the town's municipal or debenture debt on a more realistic and equitable level, would not be beyond the competence of the province concerned. Then, too, wise policies at both the national and local level, of retraining and resettlement marked by adequate moving and adequate relocation allowances, would be of great assistance to those individuals whose economic future in the town have been extinguished by the operating change.

There are minimum steps which must be taken in discharge of the public responsibility of providing protection against the adversities wrought by technological change.

Through you, Mr. Speaker, I appeal to all members of the Treasury benches to become directly involved in this problem, to bring it to the attention of Cabinet. As surely as they are sitting in those seats over there, a town is going to die unless this government intervenes with Canadian National on behalf of all of the citizens, not only the employees of Canadian National, but all of the citizens of Nakina and all that area to the north that it serves.

As the brief that was presented to the Cabinet points out, hundreds of thousands of dollars of public money went into providing services, access, and what have you, to the municipality of Nakina. If the government allows Canadian National, for reasons of efficiency, to eliminate a municipality, it cannot sit idly by and allow the few people who will be left to pick up the pieces. Mr. Freedman says it has a responsibility in this field. The Ministers to whom I have spoken personally feel they have some responsibility in this field. I implore each and every one of the government members to look at this problem, make themselves aware of it and take some concrete actions either to prevent the run-through or to assure the people that they will be compensated adequately for any dislocation which results from the run-through.

I would therefore hope the members would bring it to the attention of the Minister of Municipal Affairs and, in fact, to the Premier (Mr. Robarts), to make the strongest representation possible at the federal level to try and prevent the run-through. In the event they are not successful—along with the efforts



of many, many other people on behalf of the people of Nakina—they should assure those people that their best interests will be looked after even if CN is successful in initiating a run-through.

Mr. Speaker, there is another question, another problem I would like to bring to your attention. It is something I have spoken of, particularly in exchanges with the Minister of Energy and Resources Management (Mr. Kerr), particularly in the question period and during his estimates of The Department of Energy and Resources Management. It concerns surveys that are ongoing at the present time in northwestern Ontario, joint surveys being conducted by the Ontario Water Resources Commission and the federal Department of Energy and Resources and Mines—I think that is the name of the portfolio.

On many occasions in the past, the Minister has assured this House that it was an all-Canadian survey and there was no foreign or outside involvement in these surveys. I am not suggesting for one minute, Mr. Speaker, that representatives of foreign governments are in here under the auspices of either the federal or the provincial government, but I do want to state and make it quite clear and be quite emphatic that there are foreign interests, vitally concerned with our water and our resources; which are looking at it very greedily and—make no mistake about it—when they finally pollute what little bit of fresh water they have left, they will be up here after ours.

I want to put on the record a letter that was received by one of my constituents from The Department of the Army, the Lake Survey District Corps of Engineers, 630 Federal Building, Detroit, Michigan. They mention the person and I am not going to divulge his name, but they say:

Dear sir:

The U.S. lake survey is investigating ice conditions on Lake Superior and Lake Nipigon. Because Mud River is on the northern shore of Lake Nipigon, it is a site from which information is needed. The U.S. lake survey will provide the necessary equipment, ice auger and measuring rule and will pay \$15 per month for these observations.

We would also be interested in any observations and measurements from the time of skim ice or slush ice formation in order to pin down the time of freeze-ups. A list of instructions for making observations is enclosed for your inspection. If

you are interested or know of anyone who would be, please let us know. If you have any questions, please call collect at Area 313-226-6125 or 6152 and ask for Mr. Assel, or Mr. Marshall, Monday through Friday, 8 a.m. to 4.30 p.m.

Sincerely yours,  
Raymond A. Assel,  
Ice and Snow Project

This is from The Department of the Army of the United States of America. He does enclose all the instructions, and my constituent was quite taken aback by this direct request by a foreign government to make surveys on his behalf. So he sent the letter and all the instructions to the Royal Canadian Mounted Police in Ottawa and asked them whether they thought he should be getting involved in this kind of a survey. They advised him that they were not competent to make a decision, but they would turn it over to The Department of External Affairs in Ottawa.

He received no reply for quite some time and he enquired as to where his correspondence was and asked that if they were not going to take some action, or give him some direction, would they return the correspondence to him. After several attempts to get that information he did receive word from the Minister of External Affairs' office which said:

I wish to acknowledge and thank you for your letter of July 20, 1969, requesting us to return the U.S. Army forms and letter which you forwarded last year to the RCMP, and which were subsequently passed to us.

Unfortunately a thorough search of both RCMP and departmental files has failed to produce the original papers of which you speak. However, we have come across photocopies of the forms and letters and are enclosing them herewith.

We regret our oversight in not returning the originals to you last year, but hopefully these copies will serve your purpose.

Under Secretary of State  
For External Affairs.

Following that, he got another letter from The Department of External Affairs, after considerable delay, admitting that it was actually not the proper procedure, but in view of the close co-operation between Canada and the United States of America, he should provide the information to them.

I just want to bring to the attention of this House, and in particular to the Minister

of Energy and Resources Management—and I hope he will read it in *Hansard*—that we are being studied by an agency of the government of the United States without the knowledge of this Minister, without the knowledge of the Ontario Water Resources Commission, without the knowledge of Ontario Hydro. Without the knowledge of anybody in this government, we have a foreign power making a detailed survey of ice thicknesses, water levels, something to do with a—

**An hon. member:** Drainage basins!

**Mr. Stokes:** Yes, drainage basins. You go into the north and you find there are people there without the blessing and auspices of this government. I think that this government has the responsibility to find out just what is going on within its borders. Here we have a foreign country coming in—and it could be Russia, it could be Communist China, it could be any other government—and sending people in to study us, finding out what our resources are. And we have no knowledge whatsoever of it.

I think it is time that this government asserted itself, and the control that it does have over its own resources. I do not think that we should sit idly by while somebody comes in unannounced, unhindered, unquestioned, to study our resources, without our knowledge, and without even being invited to do so.

I would hope that this government would take a very, very dim view of the actions of the United States. If they do not choose to do so directly, I think that they should voice a protest to the federal government, to The Department of External Affairs, and make it abundantly clear that before any of these studies take place they should at least have the decency to come in and ask and explain their reason for being there.

I would hope, Mr. Speaker, that those who are on the Treasury benches will make their colleagues aware of this, and protest to the proper people in the strongest possible terms. I do not think that anybody is trying to give me a snow job in this government; I do not think they are aware of what is going on.

But, since I have brought it to their attention, I hope that they will take the necessary

action to see that it is stopped—and tell the government of the United States of America and the U.S. army corps that we are quite capable of conducting our own surveys, and any information that they want with regard to our resources we would be glad to give to them, if we think it is in our interest that they should have it.

**Mr. R. J. Boyer (Muskoka):** Mr. Speaker, I wonder if the hon. member would give a little more information. I understand from what he said that the original letter which his constituent received would have been in 1968, is that correct?

**Mr. Stokes:** Yes. That is quite right.

**Mr. Boyer:** About what time? Early in the year?

**Mr. Stokes:** For the enlightenment of the member, I can tell him that I have turned a copy of this correspondence over to the Prime Minister. I did so after posing a question on this subject on Friday. The Prime Minister does have a copy of the correspondence and has promised me that he will look at it. I did not have an opportunity to discuss it with him in detail. But I can assure the member that any information that I have will be available to this government. I hope that they will not pass up the opportunity to voice the strongest possible protest for this invasion on our privacy, and for the underhanded way in which the U.S. has chosen to gain information of the resources of this province without our blessing and, indeed, without our knowledge.

Mr. Speaker, I did have two other topics that I did want to get into. But, with your permission, I will move the adjournment of the debate.

Motion agreed to.

**Hon. Mr. Grossman:** Mr. Speaker, on Thursday we will proceed with legislation and further with the Budget Debate.

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

Motion agreed to.

The House adjourned at 10.30 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 11, 1969  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 11, 1969

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

Prayers.

**Mr. Speaker:** This afternoon our guests, in the east gallery, are students from Riverside High School in Windsor; and in both galleries from St. John the Baptist School in Hamilton.

Statements by the Ministry.

**Hon. J. R. Simonett** (Minister of Public Works): Mr. Speaker, I should like to bring to your attention, and that of the members, that Mr. Frank Fogg, Queen's Printer, is retiring effective January 1, 1970.

Mr. Fogg entered the civil service in 1927 and shortly thereafter became associated with the offices of the Queen's Printer. He was appointed Queen's Printer in November of 1960.

I am sure it is not necessary for me to elaborate on his 42 years of loyal and dedicated service to the government. Mr. Fogg is well known by those in this assembly and outside.

We have all had the opportunity to benefit from his knowledge and experience as the Queen's Printer and I know you will join me in wishing him every success and happiness in his years of retirement.

The imminent retirement of Mr. Fogg has prompted the government to examine the role of the Queen's Printer in relation to that of the soon to be implemented programme of the Queen's Publisher.

I need not recite the functions of the Queen's Printer—I am sure we are all aware of the scope of these activities.

I will, however, take this opportunity to outline the functions of the Queen's Publisher, inasmuch as this activity is shortly to be introduced as a new service to the government.

The Queen's Publisher will be responsible for the provision of consulting services in the creative arts of editorial writing and graphics.

One of the main objectives of the Queen's Publisher will be to promote and assist in the development and establishment of a uniformly high standard of the design and

editorial content of all Ontario government publications.

In conjunction with these services a central bookstore will provide an outlet for publications. This central operation will provide for the cataloguing, efficient distribution and storage of government publications.

I should mention that the listing of the central bookstore catalogue is near completion and we anticipate that the central bookstore—to be located in the Macdonald Block—will be operational early in the New Year.

I would stress that the changes contemplated in the printing and publishing areas do not represent any deviation from present government policy of using commercial printing services.

In considering the potential scope of the Queen's Printer and Publisher, we are fortunate to have, in government service, one whose capabilities and knowledge extend to these fields of endeavour.

Mr. Speaker, I am pleased to announce the appointment of Mr. William Kinmond as Queen's Printer and Publisher effective January 1, next.

Mr. Kinmond is currently Co-ordinator of Press Relations for the Prime Minister (Mr. Robarts).

I know I speak for all the elected members of the legislative assembly when I wish Mr. Kinmond every success in his new position.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I wish to make a statement in connection with the report of the Canadian committee on mutual funds and investment contracts.

This report was made available on a Canada-wide basis on Tuesday afternoon of this week. I have already arranged for copies to be delivered to all members of this House through the legislative post office.

The study was commissioned at a meeting of the Prime Ministers and Premiers of the provinces of Canada in August 1966, acting

on a recommendation of the Canadian Securities Commissioners. In November 1966, the federal government agreed to participate in the study and add their support to the provincial governments. The committee was thus able to make recommendations to all eleven jurisdictions in Canada concerning legislation and regulations applicable to certain financial institutions.

I would like to particularly make note of the willingness of all jurisdictions in Canada to lend financial support and personnel to this study which is an excellent indication of the increasing tendency toward co-operation in the regulation of our financial institutions.

Mr. J. R. Kimber, QC, formerly chairman of the Ontario Securities Commission, was the first chairman of the study committee. When Mr. Kimber left this post to assume his new position as president of the Toronto Stock Exchange his duties were assumed by Mr. G. E. Grundy, FCA, then vice-chairman of the Ontario Securities Commission and now Superintendent of Insurance and Registrar of Loan and Trust Corporations.

Members of the committee were: Marc Lalonde, QC, federal government; Louis de B. Grovel, QC, province of Quebec; W. S. Irwin, province of British Columbia; K. P. Lawton, QC, province of New Brunswick; G. H. Rose, QC, province of Alberta.

Mr. F. C. Tapley, representing the province of Manitoba, was a member during the early stages of the committee work but unfortunately had to withdraw due to pressure of other duties.

Mr. J. C. Baillie of Ontario, the director of the study, and Mr. Claude Bruneau of Quebec, associate director, made an excellent team and did an outstanding job in organizing and administering the study. The province of Ontario provided the administrative services required and acted as bankers for the study.

I am certainly not able at this time to make comment on the recommendations contained in the report, however, I am pleased to inform the House that already a committee has been formed to make recommendations regarding legislative action. This committee will have representatives from The Department of Financial and Commercial Affairs, Department of Treasury and Economics, Ontario Securities Commission, and Superintendent of Insurance.

This committee will be supported by advisers from industry representing the legal, accounting and economic professions.

Interjections by hon. members.

**Mr. Speaker:** The reason we have statements by the Ministry before oral questions is to give the hon. members an opportunity to ask questions later.

Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a question of the Prime Minister.

Do recent statements attributed to him that the ten per cent charge may be placed—and according to recent surveys it is being placed by 75 per cent of the doctors in this province—does his statement indicating that this is to be considered as a deterrent charge represent government policy or a change in government policy?

**Hon. J. P. Robarts (Prime Minister):** I do not think, Mr. Speaker, it represents a change in government policy. I made this comment during a freewheeling discussion programme on radio. It was not contained in any statement I had worked out carefully as a statement of government policy.

I mentioned that the ten per cent was looked upon as a deterrent. I was being questioned on this radio programme about Medicare and OHSIP generally, and I made the comment that I think it does act as a deterrent. As a matter of fact I said on the same programme that I believe Mr. Munro, the Minister of National Health and Welfare, had made the same comment at one time or another during the various discussions that have taken place; and I have also seen this opinion expressed at other times.

That was the opinion I expressed on that occasion. It was not a change in government policy, it was simply a comment on the effect of the ten per cent charge.

**Mr. Nixon:** A supplementary question: is the Prime Minister aware of the serious connotation of accepting the need for a deterrent to the use of the medical insurance programme in Ontario? Is he aware that when he uses that phrase it indicates the government policy has changed from what was previously understood, and that it now is emphasizing and strengthening pressures that would keep people from using the full services of the medical practitioners?

**Hon. Mr. Robarts:** Mr. Speaker, I do not think it keeps people from using the full range of medical services they may want. I think we have to be very careful to assess where the escalating costs of this programme



are going to go. Experience in other jurisdictions has been that they can, if not very carefully watched, very easily get out of hand.

It was more or less in that connotation that I made the comment.

**Mr. Nixon:** Mr. Speaker, I have a further question of the Prime Minister in the absence of the Minister of Education (Mr. Davis).

Is it correct that \$15 million should be available as of January 1 for assistance in the provision of French language instruction according to federal-provincial agreements that were discussed during the last few days?

**Hon. Mr. Robarts:** Mr. Speaker, I do not know what the amount actually is; and I rather gathered from the discussions that the hon. member overheard yesterday in Ottawa with the Secretary of State that the amount had not been finally settled. Until I have an opportunity to check further with the Minister of Education I am not aware of what the sum actually is. He may be aware of what that sum is, I am afraid I am not.

**Mr. Nixon:** I think I read it somewhere.

Yes, further to that question: would those moneys be payable into the consolidated revenue fund of the province, or would they be administered by the Minister of Education?

**Hon. Mr. Robarts:** Mr. Speaker, once again I have a little difficulty, because I am not aware of the conditions which the federal government is attaching to payment of these funds, although I know there are conditions.

In the normal course of events we would put whatever funds came from the federal government into the consolidated revenue fund. In other words, our usual practice in receiving money for this type of programme from the federal government is to put it into the consolidated revenue fund and then the department, whatever department is concerned, would make its demand upon the consolidated revenue fund.

As I say the federal government, and the hon. member may have heard it discussed yesterday, the federal government is placing certain restrictions on the payment of these funds, I suppose to insure that they go for the purpose for which they intend them. Whether those conditions might make it necessary for us to deal with this money in a manner other than we ordinarily would, I am not certain.

Once again, I think for the detail of these matters the members would have to wait to ask the Minister of Education.

**Mr. Speaker:** The member for York South has a supplementary.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, by way of a supplementary question: in view of the silence of the Ontario delegation yesterday when the Secretary of State indicated that this programme was to go into effect on January 1, can we assume that the Prime Minister has an on-going programme, that he feels our programme can fit in, that he is not having the formula difficulties that Nova Scotia revealed they were having and that Ontario will get its share of the money whatever that amount of money may be?

**Hon. Mr. Robarts:** Yes, Mr. Speaker; I did not make a contribution during this discussion yesterday because, Ontario feels that it can meet the conditions, that the money will be forthcoming and the programmes are under way.

Now, the money will not be payable until January 1, 1970, so we will have to meet the cost up to that time ourselves. We would prefer to have the programme back-dated, but it is not going to be. We are quite certain we can meet their conditions and that we will receive our share.

**Mr. Nixon:** Another question of the Prime Minister, having to do with municipal matters: in view of his announcement that a gathering involving municipal representatives with the leaders of the government is planned for, I believe March of next year, would he reconsider his stand that municipal representatives should not in fact meet on a trilateral basis with the government of Canada and the government of Ontario to consider the needs of the cities?

**Hon. Mr. Robarts:** Mr. Speaker, I do not think I need reconsider my stand. I was asked—once again at a press conference by a CBC reporter, I guess on television—what I thought about this idea. Once again, I had not seen the statement which was issued, by whoever issued it. I had heard nothing about it prior to that moment in time, so I ventured the statement that we were already pretty busy with various conferences and discussions between the various levels of government and just at that moment I did not see much virtue in such a meeting.

Now that the member has asked me the question, I suppose I should elucidate to some extent.

In the first place, I have no indication whatsoever that the federal government is at

all interested in convening such a meeting. Second, we have a number of conferences going on and in prospect. We are having another federal-provincial conference in February to deal with matters of some consequence; we have been planning this provincial-municipal meeting for some considerable time, I told the municipal associations when they were in to see the Cabinet some weeks ago that we were planning such a meeting.

So I would think the whole idea of a meeting between the municipalities of Canada, the government of Canada and the ten provincial governments, if this is what is contemplated—and I do not know that it is, because I have not really seen the formal statement as to what is intended—but if that is what is contemplated, I suggest to you, Mr. Speaker, that it is going to require an enormous amount of thought as to the form it is to take, who is to be there, when it is to be held and what would be on the agenda.

We are fully aware of the problems of our cities and our urban problems in this country, and I am quite certain we all agree that the federal government some time, some place, somehow is going to have to enter into this—either that or broaden out the tax fields of which they are now so jealous, as far as the provinces are concerned and let us have a little elbow room. If they are not prepared to do that, I suppose we must look to them to provide some financial help to our cities.

But a conference such as is contemplated would, in my opinion, require a great deal of research before it could be held. Whether the member agrees or disagrees, the fact is there is no constitutional relationship between the federal government and the municipalities.

Mr. Nixon: But that is a different objection to the one the Prime Minister voiced earlier.

Hon. Mr. Robarts: Well all right, but I—

Mr. Nixon: The Prime Minister does not want to stand on that?

Hon. Mr. Robarts: I am not standing on that, I am simply stating that this is a fact.

Now, as I say, the leader of the Opposition may agree or disagree with the propriety of that situation, but that is in fact the situation. There is no constitutional relationship.

Now it may be that this is what the cities are after. It may be that in the fullness of time this is something that should be examined. But I still say to the member that

at this moment in time there is no constitutional relationship, so that it is not simply a question of saying are you in favour of having such a conference. It really gets down to what the relationships are going to be among the federal government, the provinces and our cities; are they going to remain as they are or are they going to be changed?

I have said before, and I will say it again now, that we would welcome assistance from the federal government in dealing with many of our urban problems. But we suggest that assistance can very well be handled through existing mechanisms. I think we would have to proceed very carefully indeed, if we were to contemplate altering, or interrupting, the relationships that presently exist between the provincial governments of this country and the cities.

Mr. Nixon: A supplementary question: can the Premier see any constitutional objection for a request from Ontario to the government of Canada calling for a conference on municipal matters at some time when it could be convened, and then for the Premier to upgrade the representation from the municipalities which was already in the Ontario group, so that they could take a place at the front seat of the table with the Premier and with his colleagues the other Premiers and Prime Minister? In that way the discussions might take place more or less under the wing of the province to avoid the constitutional problem that some people feel exists.

Hon. Mr. Robarts: Mr. Speaker, I do not think there is any constitutional difficulty in the federal government and the provincial government discussing, at any time, the problems of our cities, any more than we have any constitutional difficulty discussing any other topic we might choose. So my answer to the member's last supplementary question is no.

Mr. Speaker: The member for York South has a supplementary.

Mr. MacDonald: By way of supplementary question, and I suppose this is coming at the issue in another way: in view of the opinion that a pragmatic solution to an urgent problem is perhaps the best guide to constitutional reform, would the Prime Minister not, as has been suggested by the leader of the Opposition, involve the leaders of the municipalities in a conference, and indeed lend the weight of his office to holding such a conference in the hope that we can come up with solutions that may or may not provide

suggestions for constitutional reform for our second century?

**Hon. Mr. Robarts:** Mr. Speaker, I think this government's approach in all these problems has been completely pragmatic. I think our approach is that if there is a task to be done we will find a way of doing it, so that certainly I think we can find a way to do this.

But I think the place for us to start is to hold this meeting we have already booked and which we control and which will be under our auspices. This will probably be held in the latter part of March, and we have already indicated to the municipal organizations what we have in mind. We will do some more intensive planning with them on what the agenda is to be, and after we have had that meeting we can see what will happen. But certainly we can go ahead immediately as we see fit. I do not detect any great willingness on the part of the federal government at the moment to get involved in this situation.

**Mr. Nixon:** They would respond.

**Hon. Mr. Robarts:** Well they are pulling out of urban renewal, the member knows that; and they are casting out as many other programmes as possible. So just what is their position?

We will go ahead in the areas in which we have jurisdiction and power; and I have not a doubt in the world that the federal government will in due course be drawn into the discussion, and I would hope will make some contribution to the solution of these problems.

I would dearly love that contribution to be a little more elbow room in the direct tax fields for which we have been asking for some years. We will have the report of the tax structure committee, probably in the next month or so, and I think it is going to become very apparent that the federal government is heading for huge surpluses while the provincial governments and the municipalities are heading for big deficits. Now it is a real question as to how long we can adjust it—

Interjection by an hon. member.

**Hon. Mr. Robarts:** If the member would listen once in while, but—

**Mr. E. Sargent (Grey-Bruce):** I do not have to listen.

**Hon. Mr. Robarts:** I know the member does not have to listen; I do not think he knows how to listen!

Now, just let me tell him—

**Mr. E. A. Winkler (Grey South):** No courtesy at all.

**Mr. Sargent:** What does the member mean, courtesy?

**Hon. Mr. Robarts:** Just let me tell the hon. member!

I do not know how long we are going to be able to go on in this country with this imbalance. If the federal government does not want us to do these things and therefore will not permit us tax room to do them, maybe the federal government wants to take over the responsibility themselves. But somehow or other we—

**Mr. Nixon:** Get them involved!

**Hon. Mr. Robarts:** We are going to have to match up responsibilities and revenues in this country, somehow or other!

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

**Mr. Nixon:** Yes, Mr. Speaker.

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

**Mr. MacDonald:** Mr. Speaker, my first question I would address to the Prime Minister, in the absence of the Minister of Financial and Commercial Affairs (Mr. Rowntree).

With regard to the report on mutual funds which has just come down, is the government in a position to give us any reaction at the moment to the fact that half of the funds gathered by mutual funds leave this country and go to the United States? If the government is in a position to indicate its reaction to that rather startling fact, would some special consideration be given to this situation by the committee that the Minister has indicated is going to be established to study the report?

**Hon. Mr. Robarts:** Mr. Speaker, I cannot give the member any reaction to this report, because it was made public while we were in Ottawa and this is the first time I have had an opportunity to go over it.

Even though Ontario had a great deal to do with instituting this study and the conduct of it, it is a Canada-wide study and the report was released on a Canada-wide basis. Certainly I am in no position to comment on it at this time.

Although the point the hon. member makes is one that I am quite sure will receive consideration, I do not know, really, what one can do about it. It is not a statistic to hearten

one particularly; it is a matter which I agree should receive intensive consideration.

**Mr. MacDonald:** I have a second question, which in the absence of other Ministers I would like to put to the Prime Minister.

In view of evidence that has come to our attention of civil servants who have been—and I use the word advisedly—“demoted” from a temporary position to *per diem* employees, thereby losing fringe benefits, may I ask the Prime Minister how widespread this practice is in the civil service today and what justification can there be for demoting a person from a category of temporary employee? He continues to do the same work and yet is deprived of normal fringe benefits for an employee—

**Mr. Speaker:** Would this not be more appropriately addressed to the Minister in charge of civil service, who is in the House, the hon. Provincial Secretary?

**Mr. MacDonald:** I would be glad to re-address it to the Provincial Secretary.

**Hon. R. S. Welch (Provincial Secretary):** I would be delighted to have some examples of this particular practice, which I would take up with the commission. There are sessional people who are brought in on a *per diem* basis and are paid on a *per diem* basis. Is the member talking about this practice coming into the civil service generally?

**Mr. MacDonald:** No, not essentially. I am talking about people—

**Hon. Mr. Welch:** Well, if the member can give me some specific cases, I will be very happy to get him some specific answers.

**Mr. MacDonald:** I have a question, which again, I am going to put to the Prime Minister because it obviously involves a number of departments and their relationship to the federal government.

In view of a question put to the Minister of Transport in the federal House on November 21, in which he was asked whether it was the position of the government that the Ontario and municipal governments involved should not be consulted as to their views, or have any say, concerning the location of the site of the proposed airport for Metro Toronto; and in view of the reply of the Minister of Transport that he had already discussed that with the provincial government and at the request of the provincial government of Ontario had refrained from direct involvement with the municipalities; may I ask the Prime

Minister: one, is that an accurate statement that the province of Ontario asked the federal government to have no direct involvement with any municipalities? And if so, does the Prime Minister not feel that there is need for some sort of a co-ordinating body and that this level of government, being the intermediate level of government, should take action to set up that co-ordinating body so that you can have consultation rather than unilateral action and decision?

**Hon. Mr. Robarts:** Mr. Speaker, I do not know upon what basis the federal Minister of Transport made that statement. Certainly it is not government policy and no such statement emanated from me.

On the other hand, the Minister of Municipal Affairs (Mr. McKeough), who is in Ottawa today at yet another federal-provincial conference dealing with finances, has through his department been dealing with the federal government in relation to the proposed location. I believe there have been several meetings of an intra-government committee dealing with the location of this airport. I can only say that it certainly would not be the position of this government that the municipalities would not be consulted, because the ramifications of the establishment of a new airport besides the one being contemplated are just so enormous that everybody, at every level of government, is bound to be involved.

It probably will end up involving most of the departments of this government as well. Even though the federal government may have the final jurisdiction over where it goes, we will inevitably be in the position of providing roads, sewers, water and transportation of various kinds. With the resultant growth of population around an airport there will be the question of schools and health—the whole works. This is bound to affect the municipalities in the area.

As I say, I do not know the basis for this remark by the Minister of Transport. I do not know who said what to him, or one of his officials, to have him draw this conclusion; but certainly it is not the policy of this government to exclude municipalities from these discussions.

**Mr. MacDonald:** By way of a supplementary question: have the negotiations that have gone on between the provincial government and the federal government been expanded to involve the municipalities which may ultimately be the site for the airport?

**Hon. Mr. Robarts:** Mr. Speaker, I am afraid I do not know. All I know is they

have been meeting and the information I have is that the meetings have been satisfactory. The specifics on what they have discussed and with whom, I am afraid I do not know.

I think they have been discussing alternate sites, I think that has been part of it. They have not been looking at just one place.

It may be—and here I am speculating—it may be the time has not come when it is definite enough to get down to the municipalities that might be involved. I can only assure the member that sooner or later they are going to be involved, and involved deeply. They will have to be consulted and I am certain that we will consult them.

**Mr. MacDonald:** I have a final question which I would like to put to the Prime Minister.

In view of public statements and releases in the last few days indicating that—to give just two examples—Loblaws' profits have gone up from \$2,032,000 to \$3,700,000 in the past year and Oshawa Wholesale from \$3,100,000 to \$4,484,000, would the Prime Minister consider an examination of the prices, the increase in prices, at least in the food field if he is not willing to take a look at the broader field of prices?

**Hon. Mr. Robarts:** Mr. Speaker, I do not know what action the Ontario Food Council is taking in regard to the increase in food prices.

To relate this question to the problem of inflation, I think we are all very concerned. I know this was a matter of some discussion in the last few days in Ottawa, in perhaps an informal way.

I would like to see what ideas, opinions, courses of action and recommendations might come out of the committee the federal government has established. It is expected to report within a relatively short time and is looking at the whole area of inflation and possible voluntary wage and price increases and things of that nature. Members of that committee have been right across Canada and I would be inclined to think the course of action for us would be to wait to see what their decisions are.

Then there is the conference that has been called, I believe for February 16, dealing with the economic state of the country, which of course includes this whole question of inflation.

Is Smith the name of the chairman of that federal committee? In any event, he is a professor from Alberta.

I would think this whole matter is going to get a national airing at that time, which to my mind would be much more effective than anything we might be able to do as a province. We occupy only one part of the country; there are nine other provinces and, frankly, inflation has become a national problem.

We will have to play our role in whatever ultimate decisions are made as to what is to be done to control inflation. If it falls to us to do certain things that need to be done, that the federal government cannot do, why of course we will stand ready to play our part.

But certainly inflation is being examined, now, on a national basis; and we think that is the way it should be handled.

**Mr. MacDonald:** Mr. Speaker, by way of a final supplementary question: since the federal investigations are focusing on the causes of inflation in the area of the wages and income crisis but not profits, I raise this for the Prime Minister's attention—is an increase in profits in one year ranging from 30 to 40 per cent, in the Prime Minister's view, not a contributing factor to inflation? Will he, through the offices of this government, not see that this other factor contributing to inflation is brought into the studies?

**Hon. Mr. Robarts:** It is bound to be a factor and it will be included in whatever study is made of this matter. After all the three things go hand in hand: price control, wage control and the control of excess profits.

**Mr. MacDonald:** That is the first time we have had that admission.

**Hon. Mr. Robarts:** Well my gracious, all the member needs to do is look at what went on during World War II. These were the three elements that were controlled then.

I thought this was pretty elementary myself. How are you going to control wages and prices and not control profits? This is the A, B, C of Economics, twenty, is it not? So that I am quite certain this aspect of the matter will be considered, along with the other two.

Interjections by hon. members.

**Mr. S. Lewis (Scarborough West):** My gracious; that is a tough statement!

**Hon. Mr. Robarts:** Is it not though—my gracious! I have other expletives stronger than that for stronger occasions.

**Mr. E. W. Sopha (Sudbury):** Mr. Speaker, as one of the many thousands of television viewers captive of the CBC, I should like to ask the Prime Minister about two aspects of the constitutional conference, and particularly his views concerning them.

First, I should like to ask him whether, in the light of the habit or the practice of certain of the provincial Premiers to dwell at great length upon specific problems that affect their own provinces—for example, Mr. Thatcher's emphasis upon the freight rate structure—does he think that distraction in regard to special interest problems furthers the task of constitutional reform, or does it in fact retard the day when the Canadian people might expect to have some wide-ranging change in their constitution?

If he has that one, I should like at the same time to ask the other question that is very important to me.

Did he feel, as the head writers of journalese put it in almost all the English language dailies, that on the first day of the conference the government of Quebec in the stand it took in regard to direct payment in the field of social welfare was, in their words, "isolated from the nine other provinces"? I should like to know, was there a cleavage there? Were in fact nine provinces ganging up on Quebec and was Quebec out of step with the rest of the country? That is the way the CEC depicted it to us, in the very simplistic coverage the network gave to it. And I should like to hear from the leader of the government what he felt about that aspect.

**Hon. Mr. Robarts:** Mr. Speaker, I will start with question one: I think many of us were a little disappointed at the difficulties placed in the way of the Prime Minister of Canada in keeping the conference on the agenda the first day. That is probably the nicest way I can put it.

On the other hand, people who cover these conferences from the provinces that are far away from Ottawa face a somewhat different problem perhaps than does the province of Ontario or the province of Quebec. We have the capital of our country situated within our province, we are in constant communication with the government of Canada, and I think the people of Ontario understand that these last few days were to be devoted entirely to constitutional matters.

But in discussion with people from other provinces, it is made clear to me the people there perhaps feel if there is to be a conference held in the capital city and the leader of their provincial government is conferring with the leader of the national government, he should not come away from that conference without pressing certain matters which may not be constitutional but which those people consider to be of prime importance to them.

Now, that is the dilemma in which some leaders of provincial governments find themselves and I must admit they have some of my sympathy, although I must admit, too, the Prime Minister of Canada had some of my sympathy because it is not easy to chair a meeting when people at the meeting will not stay on the agenda. When you have a fixed amount of time to deal with many complicated matters, it does not help if the discussion ranges over all things.

One answer to this, of course, is the type of conference we are going to have in February when we will not discuss a single constitutional issue. We will be discussing what might be termed bread and butter issues, call them what you will, and there are many of them. We picked on three we thought might be a good and sufficient number for that conference. There are many, many others, including freight rates, the sale of wheat, and the causeway to Prince Edward Island. They are matters that may not be of immediate concern to the residents of the province of Ontario but which are of enormous concern to the people of some other province.

In relation to the second question, I felt it was rather unfortunate that the reporting was as it was, concerning the events of the first day of the conference. The situation briefly was this. Quebec does not want the government of Canada paying directly to individuals in that province. Well now, in the province of Ontario the federal government has been making these payments to the residents of Ontario for many, many years and it is not a position we could accept if they have been doing it all these years without constitutional power.

Nor do we think if they have the constitutional power we should take it away from them.

But I would like to say this, that I do not think Ontario would take a very strong stand if a different arrangement were worked out for the province of Quebec. We have to accept the fact that different parts of this country are dealt with differently every day

of the week and have been since the first day of July, 1867, so that it does not amount to nine provinces and the federal government being against Quebec. We did not agree with Quebec, in that we do not want to see the federal government's constitutional power to make those payments taken away from them, as Quebec asks, but I doubt very much if any one of the provinces would disagree if some arrangement can be worked out which will satisfy Quebec's particular approach to the problem.

**Mr. Sopha:** What would the Premier call that?

**Hon. Mr. Robarts:** I do not know what I would call it. I would keep away from some of the terms which have caused so much trouble in the past, they were inaccurate—and in my opinion a red herring—which did not get to the root of the problem at all. They distorted the whole thing and the thinking of people generally. You know, the mere fact of equalization—

**Mr. Sopha:** Journalese.

**Hon. Mr. Robarts:** Well whatever it is—politicalese, too, because it got all mixed up in elections and all sorts of things and it really distorted the whole problem and the whole picture considerably.

The mere fact that we have a whole range of equalization payments across this country simply means we are treating different parts of the country differently for different purposes, and who will accept that? Certainly Ontario has no objection to this. I am quite certain that my friend Mr. Bennett from British Columbia has no objection to it. He may not want it in his province but I do not think he would care if we were able to work out an arrangement that would satisfy the people in Quebec.

**Mr. Sopha:** The Premier and he seem to get along pretty well.

**Hon. Mr. Robarts:** Sometimes we do and sometimes we do not, but I like his province because he has great fishing out there and it is a very beautiful province.

**Mr. Sopha:** The Premier does not get along with Smallwood too well!

**Hon. Mr. Robarts:** Mr. Smallwood and I are pretty good friends, too, you know. He was kind enough to offer me his fishing lodge on one of his great salmon rivers—he is that good a friend of mine, and I accepted his

hospitality and I went down there and had a wonderful time.

So you see really we all get along pretty well together. As a matter of fact, there are not many arguments among the Premiers, there really are not, and I want to make that point very clear. I do not think you will find the provinces lining up against the province of Quebec.

I think we are very anxious to find a way of making an accommodation, and this will be the ultimate solution to this problem. I do not care how long we argue it but eventually this is what we will come to.

**Mr. Sopha:** That is what they did 100 years ago.

**Hon. Mr. Robarts:** This is what they did 100 years ago and certainly we need lots of fluidity and flexibility, and a little bit of free thinking and not too much rigidity and we will solve our problems.

**Mr. Speaker:** The member for Grey-Bruce has a supplementary?

**Mr. Sargent:** I would like to ask the views of the Prime Minister with regard to a lot of things about the constitution which to my mind are unconstitutional, but the premise of our old democratic system is representation by population. Mr. Prime Minister, we have the Prime Minister of P.E.I. with a population of some—

**Mr. Speaker:** The hon. member is not asking a question supplementary—

**Mr. Sargent:** Yes I am, Mr. Speaker.

**Mr. Speaker:** No, no. If the member would ask—

**Mr. Sargent:** The view of the Prime Minister insofar as—

**Mr. Speaker:** The question was in connection with television coverage. Now if the hon. member wishes to ask a question supplementary to that he may. Otherwise he does not have the floor.

**Mr. Sargent:** Well I have been here the last hour, and I have not heard television mentioned at all. I am talking about the constitutional conference, Mr. Speaker.

**Mr. Speaker:** Well then the hon. member is out of order. The hon. member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

**Mr. Speaker:** The hon. member for Kent now indicates he has a supplementary.

**Mr. J. P. Spence (Kent):** I wonder if the Premier would clarify the statement of the Prime Minister of Canada—we want to make the sales tax legal?

**Mr. Speaker:** The hon. member is not asking a supplementary question. The member for Sandwich-Riverside.

**Mr. Sargent:** How do you sort these things out in your own mind?

**Mr. Lewis:** That is his job, as Speaker.

**Mr. Speaker:** If I may point out to these two hon. members, the member for Sudbury asked the Prime Minister about his reaction to the CBC television coverage of the conference and certain things connected with it—

**Mr. Sargent:** How about the constitutionality of things?

**Mr. Speaker:** No—and two other hon. members have endeavoured to tack another question on that. In due course if the time allows they will have an opportunity to ask their questions. The hon. member for Sandwich-Riverside.

**Mr. Burr:** Mr. Speaker, a question for the Minister.

What steps has the air pollution control branch taken to eliminate the fog or the smog, or the smoke, near the Cornwall industrial dump, near Highway 401, which has been the scene of many accidents, several of them fatal?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, my information is that early last year—I am sorry, this year—in January, as a result of inspections and complaints by the OPP and representatives of air management branch, that particular dump, the burning from that particular dump, was ordered stopped.

However, on October 29 this year, for some reason or other, there was burning and this caused the accident I think to which the hon. members refers that was reported in the press. Our information is that the accident could very well have been caused by the combination of fog and smoke from the dump and since that time we have again ordered that

under no circumstances should open burning be conducted at this dump.

We now have an air management office in this area, I believe in Kingston, and we will have continuous surveillance and certainly continuous liaison with the OPP to see that there is no burning.

**Mr. Burr:** As a supplementary question, Mr. Speaker—until the mystery of the smog has been solved, because it is still apparently a problem—

**Mr. Speaker:** The hon. member should be asking a question, not making a statement about the smog.

**Mr. E. W. Martel (Sudbury East):** Funny how some people can get so much in, in pre-amble, and others cannot get a word in.

**Mr. Burr:** Would the Minister enquire of the Minister of Highways whether he has posted signs in the vicinity of this area warning motorists that they may come upon fog or smog—or what have you—suddenly and that, if they do, they should observe some appropriate low speed limit?

**Hon. Mr. Kerr:** Mr. Speaker, I will discuss this with the Minister of Highways and he will probably want some sort of report from people in the Kingston area, to see if this sort of sign-posting should be done in view of the fog that is prevalent in that area.

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

**Mr. Spence:** Mr. Speaker, a question for the Minister of Trade and Development. Is the Minister aware of the closing out of the Lake Erie Navigation and Coal Company in Eriean, this village being designated as a slow area? Would the Minister and his officials give consideration to the feasibility of another industry locating there to take up labour slack?

**Hon. S. J. Randall (Minister of Trade and Development):** Yes, Mr. Speaker, to answer the hon. member. We received a communication from the clerk of Eriean they were closing out and we have already indicated we will have the Ontario Development Corporation and the trade and industry branch go down and have a look at the facilities to see what they can be purchased for, or leased for other purposes. As the member says, they have already been designated so there should be an attraction there for some other industry to locate. We will try and find one for them.



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

**Mr. Lewis:** Mr. Speaker, I have a question for the Prime Minister. I am putting it to the Prime Minister because I think it does involve a matter of overall government policy. Does the Prime Minister have a view of the funding by the various military departments of the Pentagon of research projects at universities in the province of Ontario?

**Hon. Mr. Robarts:** Mr. Speaker, in the first place I am not aware of any. I read recently, I believe, a news report—and I did not read it very carefully—but I think it was something about the Pentagon underwriting a certain project in British Columbia. I am not aware of any programmes that are being financed by the Pentagon here in Ontario. If there were, I suppose before one could come to a conclusion one would have to look at what area of research it was in, what its purpose was, and so on and so forth, but none has been drawn to my attention.

**Mr. Lewis:** By way of supplementary question, in two parts, then, Mr. Speaker, might the Prime Minister check to see whether the *Congressional Record* of the United States Senate is right in indicating that \$1.4 million went from The Department of Defense in the United States to the funding of research projects by universities in Ontario, and is he aware that at the University of Toronto there is a \$161,000 project entitled, "Very High Altitude Missile and Decoy Gas Dynamics, Missile Area Dynamics for Broad Altitude Ranges," which has either just been completed or is still currently underway?

**Hon. Mr. Robarts:** Mr. Speaker, surely the second of those two questions I answered, when I said I was not aware, and then the member gets up and says, "Are you aware of this?" I said I was not aware of any, so I could not possibly be aware of what the member is asking me now. What is he trying to do, trap me into some kind of—

**Mr. Lewis:** No.

**Hon. Mr. Robarts:** —into an admission of some kind? I thought we were here to exchange information—for you to question us concerning government policy. I do not know, but I try not to adopt too much of an adversary pose in the question period. I do not think that is the purpose of this question period. It is to exchange information, but of course, my answer must be, no.

**Hon. A. Grossman** (Minister of Correctional Services): So stop throwing your missiles.

**Hon. Mr. Robarts:** However, I will tell the hon. member, within the next few days I probably will have an opportunity to talk to the presidents of most of the provincially assisted universities in this province, and I will raise this question with them.

**Mr. Lewis:** One final supplementary, then, Mr. Speaker. Now that the Premier is aware of research projects, and there are others I could name for him, with the sums and the various departments of the navy and the air force that are funding them—

**Mr. Speaker:** Perhaps the hon. member could ask his question without the preamble in which he states the Prime Minister is aware of something. He knows what the hon. member has said, but that is all he knows. So the hon. member might ask a supplementary question.

**Mr. Lewis:** Mr. Speaker, through you to the Prime Minister, would the Prime Minister consider a policy statement on the propriety of the Ontario universities accepting any funds for any purpose from Pentagon research sources, for use in the province?

**Hon. Mr. Robarts:** I will deal with the total question now that the hon. member has brought it to my attention.

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

**Mr. R. Haggerty** (Welland South): Thank you, Mr. Speaker. A question of the Minister of Energy and Resources Management. What steps are being taken now by the energy board to apply safety measures to the general public concerning gas transmission lines and feeder connections in municipalities that have been in operation and in many cases have been existing over the average 20-year life? In many cases it has been brought to my attention that some of these lines had been laid down some 30 or 40 years ago. What inspections are carried out now, and who are they carried out by?

**Hon. Mr. Kerr:** Mr. Speaker, there are regular inspections that are carried out, not only by the gas companies themselves, but by the employees of the inspection branch of the energy branch. They are constantly checking for leakage of any kind, particularly in respect to older transmission lines.

If there is any complaint by individuals, of course, they are immediately investigated.

This is a constant thing that is going on on a daily basis by the entire inspection staff.

**Mr. Haggerty:** A supplementary question to the Minister. Would he agree, then, that the lines that are, say in existence for some 20 years, are unsafe?

**Hon. Mr. Kerr:** No, I could not agree with that, Mr. Speaker. First of all I do not have enough knowledge to make a definite statement on a remark like that, or a submission like that. It is quite possible that the life of many transmission lines is more than the period indicated by the hon. member, but I understand that older lines certainly receive more attention from our inspection staff.

**Mr. Haggerty:** Another question of the Minister—

**Mr. Speaker:** Is this a separate question?

**Mr. Haggerty:** Another question, yes.

**Mr. Speaker:** In which case, the hon. member must await his turn again.

**Mr. Haggerty:** Of the same Minister?

**Mr. Speaker:** It does not make any difference.

**Mr. Haggerty:** Fine.

**Mr. Speaker:** We must pass the question period around. The member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** A question of the Minister of Trade and Development.

Was his department notified of the federal government's \$846,000 forgivable loan to the Duplate Company, Oshawa, to relocate part of its operation in Hawkesbury?

**Hon. Mr. Randall:** No, I have not heard of that.

**Mr. Pilkey:** Could I ask a supplementary?

Does the Minister not think that he should be made aware of plant relocation, specifically as it affects employment here in Ontario? In this case, 200 jobs are involved.

**Hon. Mr. Randall:** Yes, I think there should be more communication when they make this kind of a grant in Ontario. I might point out there were something like 278 loans made by the federal government last year, of which Ontario got \$1,400,000. I would like to know where the 278 loans went. They certainly did not come to Ontario, and I do not know where the \$1,400,000 went. We have not found out who those loans went to. I agree

with my hon. friend from Oshawa, I would like to know when they make loans in Ontario.

**Mr. Pilkey:** May I ask another supplementary?

Does the Minister think that he can work out some kind of liaison between his department and the federal government in regard to the provincial loans, and the federal government loans, so that they could judge the effect, the overall effect on the economy and the employment, and so on, in the province? I am wondering if he could work out this kind of a liaison between the two specific departments, whereby one could complement the other.

**Hon. Mr. Randall:** I have answered the question three or four times in the House in the last month saying that we are working with Mr. Marchand's department to try and tie our EIO programme to the federal incentive programme, and I am given to understand, from some of their officials in Ottawa, that they are quite agreeable to accepting a recommendation we made. It has not been approved officially by Mr. Marchand as yet, but I am hoping they will accept the merger of the two programmes, so Ontario gets the best of both worlds.

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

**Mr. G. Ben (Humber):** A question of the Minister of Health, Mr. Speaker.

Will the Minister's department accept accounts for the extraction of teeth, where those extractions were performed by doctors in many of the small hospitals in northern towns?

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, I am not exactly sure what the member means. Is he talking about doctors extracting teeth in a hospital, as a medical service, in place of a dentist?

**Mr. Ben:** That is correct Mr. Speaker, in many small northern towns—

**Mr. Speaker:** The hon. Minister has identified the question, he may now feel—

**Hon. Mr. Wells:** I will look into that Mr. Speaker, rather than answer it off the top of my head. Not being absolutely sure, I will look into it and check the facts.

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

**Mr. M. Shulman (High Park):** I would like to ask the Prime Minister, what role the

Conservative backbenchers play in the appointment of judges in this province. I would also like to ask the Prime Minister if he is aware of the press release or the press statement made to the *Oakville Journal Record* yesterday by the member of Halton East (Mr. Snow) in which he announced that a new judge is to be appointed in Halton East in ten days, and that Judge Kenneth Langdon is to be promoted in ten days?

**Hon. Mr. Robarts:** Mr. Speaker, I do not know of any of these particulars, but I would say that the government consults its backbenchers on a whole range of subjects dealing with the particular area—

Interjections by hon. members.

**Hon. Mr. Robarts:** —dealing with the areas that they represent. Who else would we go to? If I want to know something about a particular area, I go to my backbenchers and say, "What goes on in your riding in this regard, in that regard," or whatever regard it may be. So, there is a very close liaison between the government and its backbenchers.

Interjections by hon. members.

**Mr. Shulman:** As a supplementary question Mr. Speaker: Mr. Prime Minister, would it not be more advisable in the appointment of judges, to ask the opinion of the Ontario Law Society, rather than the member for Halton East?

**Hon. Mr. Robarts:** Mr. Speaker, in the appointment of any judge there are many opinions given. I believe this administration set up an advisory group of judges to pass on the appointments of various judges. We want the best judges we can get in our judicial system, and we are going to look after the people in the best possible way. And I think we own the machinery to do just that.

**Mr. Lewis:** Has the Premier asked his backbenchers about the—

**Mr. Speaker:** The hon. member for High Park has a further supplementary.

Interjections by hon. members.

**Mr. Shulman:** As a final supplementary, is the Prime Minister perhaps aware of the further statement in this press release in which the member for Halton East announced certain legislation that is to be brought to this Legislature next year?

**Hon. Mr. Robarts:** Mr. Speaker, I have no doubt that every member here has some

opinion as to what will be dealt with in this legislation.

**Mr. Shulman:** It is not an opinion.

**Hon. Mr. Robarts:** And if they have not, they should have. Because that is their jobs. I think he is just doing his job to find out what we are going to do next year, giving lots of thought and consideration beforehand—

Interjection by an hon. member.

**Hon. Mr. Robarts:** Listen—come off it. We must act like big boys here. We are here to provide a service to the people we represent.

**Mr. Shulman:** It is patronage!

**Hon. Mr. Robarts:** Of course you must involve yourself very deeply in what goes on in your riding, and also what goes on in the government.

**Mr. Speaker:** The member for Oshawa; a supplementary.

**Mr. Pilkey:** Yes, a supplementary. Would the Prime Minister consider discussing problems in the Opposition members' ridings as they relate to their riding as well as their own members?

Interjections by hon. members.

**Hon. Mr. Robarts:** Mr. Speaker, I very often get suggestions and queries from members of the Opposition concerning things going on in their ridings, and I accept these. I never have rejected them.

**Mr. Pilkey:** I am talking about soliciting.

**Hon. Mr. Robarts:** We take the attitude that no man has a corner on all the brains or ideas in this world. If hon. members have any suggestions, let me have them. We have had some very good suggestions from the Opposition from time to time which we have embodied in legislation.

**Mr. Shulman:** We sent you Cabinet suggestions.

**Hon. Mr. Robarts:** We will continue to do so in the future. Bring forward some good things, and we will be delighted to have them.

**Mr. Pilkey:** But would the Prime Minister solicit them?

**Hon. Mr. Robarts:** Now, Mr. Speaker, I do not know that I will necessarily solicit them, and I reserve the right to make my own choice.

**Mr. Lewis:** By way of a supplementary: Has the Prime Minister consulted with his Cabinet colleagues, the Provincial Secretary, the Minister of Mines, and the Minister without Portfolio (Mr. A. B. R. Lawrence), about the political future of his government?

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** Well, before the question; the member for High Park got his appointment as coroner through political appointment—

**Mr. Speaker:** The hon. member is on his feet to ask a question.

**Mr. Sargent:** I ask the Prime Minister—

Interjections by hon. members.

**Mr. Sopha:** He was president of the Parkdale Conservative Association.

**Mr. Sargent:** Yes. That was—

**Mr. Speaker:** The hon. member is using up time which belongs to other members.

**Mr. Sargent:** I would like to ask a question of the Prime Minister, Mr. Speaker. Can you not control the House?

**Mr. Speaker:** Will the hon. member ask the question?

**Mr. Sargent:** Right. Question to the Prime Minister: In view of the fact that, in our society, there is equity, and if we can give equity, and we feel in this sad House sometimes that there is a great despair. Toronto does not speak the same voice as the rest of Ontario.

**Hon. Mr. Simonett:** Or the Liberal Party.

**Mr. Sargent:** Would the Prime Minister—in view of his experience at the constitutional conference where you have one Prime Minister speaking with the same voice when he has only maybe 200,000 people and he represents seven million people—would he tell me his views, Mr. Speaker, insofar as having the city of Toronto as a province of two million people and the rest of Ontario as another province, so that we could have equity insofar as the rest of Ontario is concerned? Would he consider that, or let me have his views on that?

**Hon. Mr. Robarts:** Well, Mr. Speaker, my real problem is that I do not really know what the hon. member wants me to give my views on. Is he suggesting that we create an

eleventh province, and call it Toronto? Is that what he—

**Mr. Sargent:** I am anxious to hear the views of the Prime Minister. This is very important in my mind—that Toronto speaks with a different voice than the rest of Ontario. Then could we have—

**Hon. Mr. Grossman:** Oh no. You have got party politics now.

**Mr. Sargent:** What are the Prime Minister's thoughts on having a province of two million people for the city of Toronto, and another for the rest of Ontario?

Interjections by hon. members.

**Mr. Speaker:** I doubt if that question is of such immediate urgency that needs to be answered now.

**Hon. Mr. Robarts:** I would be happy to. I have an opinion about anything that you care to bring up on the floor of this House. I do not think much of making a separate province of Toronto any more than I think much of making a separate province of my own city of London, which is bigger than P.E.I. in population.

We have enough political divisions in this country without adding any more; and I am aware of this feeling, which I do not agree with. I am aware that some people feel different parts of the province are treated differently. Certainly it is the effort of this government to make sure that all parts of the province are treated alike. We try to do that and, no doubt the hon. member is aware there are various parts of Ontario that have the same feeling. It is quite impossible that five or six different parts of this province would all be treated differently. Because it does not work that way.

These are some of the facts of life with which we live, and I would never recommend the creation of any more provinces. I think we must find ways and means of living together and co-operating.

Now there have been various ideas advanced at these conferences over the last few years, that we should get into some different regions—that is the regional governments of Canada, which are the provincial governments. Perhaps there are too many—it all depends who is going to disappear.

If it were suggested that Ontario disappear and be joined with somebody else, maybe we would not like that any more than perhaps the people in P.E.I., would not care to become a part of Nova Scotia.

But, I think we all recognize the fact that there are some units that really are not economically viable, as the economists say, and perhaps not even politically viable. But you cannot get away from the fact that political organizations are not necessarily always the most efficient things in the world. But they represent a lot of history, and they represent a lot of people's thinking. It is just a little more difficult to tinker with them than would appear possible on the surface, when you look at it purely from the point of view, perhaps, of administrative efficiency.

**Hon. Mr. Grossman:** The member wants to be Premier of Owen Sound.

**Mr. Speaker:** The question period time has expired.

Petitions.

Presenting reports.

**Hon. Mr. Robarts:** Mr. Speaker, I would like to table the report of the Royal Commission on Atlantic Acceptance Corporation Limited. It is in four volumes. Perhaps we could have the four volumes tabled. The report is so large that it will be delivered to the members in boxes, rather than any attempt being made to put it on the desks.

**Mr. Shulman:** When will we get it?

**Hon. Mr. Robarts:** Today. Now. As soon as possible.

**Mr. Singer:** In my office?

**Hon. Mr. Robarts:** Well, it may be. We followed the usual procedure, I might say, of giving this to the press earlier today; and they have been confined to barracks, so to speak, until a few minutes ago. But we wanted them to be thoroughly briefed before the report was made public.

You will recall, Mr. Speaker, that during the early summer of 1965 there was a good deal of public apprehension arising from the failure of one of the large financial companies operating in this province. On June 14, 1965, Atlantic Acceptance Corporation Limited had defaulted on a \$5 million secured note. This resulted in the company being placed in receivership by order of the Supreme Court of Ontario. Many individuals and companies, including British Mortgage and Trust Company, were adversely affected.

The Ontario Securities Commission immediately undertook an examination of the default. However, it was apparent that the

heavy financial loss and its widespread impact required a detailed and a more wide-ranging study. On July 30, 1965, Mr. Justice Samuel H. S. Hughes of the Supreme Court of Ontario was asked to undertake a Royal commission inquiry into the failure of Atlantic Acceptance.

Mr. Justice Hughes was instructed to make a complete and public inquiry so that the people of Ontario would be given the full and detailed account of this company and its operation.

The Royal commission was to investigate the effect the failure of Atlantic Acceptance Corporation Limited had on the money market in Ontario and on the affairs of individuals, companies, corporations and organizations. It was also to inquire into the activities and conduct of all individuals and companies, corporations and organizations connected with the failure. Finally, the Royal commission was directed to recommend steps which might be taken to ensure, so far as this is humanly possible, that events such as those in connection with the failure of Atlantic Acceptance Corporation will not be repeated.

Mr. Speaker, I should now like to present to the Legislature the report of the Royal Commission on Atlantic Acceptance Corporation Limited. In doing so, I remind the House that this inquiry was one of the most involved and detailed ever undertaken in Ontario. I should like to speak briefly about the magnitude and the complexity of the task which faced the commissioner and his investigating staff.

The inquiry began by subpoenaing relevant documents. In total, these documents weighed some four and a half tons. The work of sorting and classifying them, before the detailed work of investigation could begin, was in itself a considerable task. During the concluding months of 1965 fresh revelations continued to accumulate, indicating an ever-widening area of inquiry. This eventually became international in scope.

The public hearings of the commission began on January 17, 1966. Evidence was given under oath by 182 witnesses. Many witnesses appeared on several occasions. A total of 5,124 separate exhibits were entered in evidence. Public hearings concluded on September 12, 1968. The commissioner then began to analyze the transcripts of evidence. These amounted to 127 volumes and contained nearly 17,000 foolscap pages. In addition, many other documents and transcripts of evidence were examined.

The following statistics may also be of interest: acting under the provisions of The Securities Act, an additional 204 volumes of transcript of evidence were taken under oath, and were either compiled by, or made available to the commission; 69 volumes of evidence were taken for the purpose of discovery in bankruptcy proceedings; 18 volumes were taken by officers of the United States Securities and Exchange Commission; seven volumes of voluntary depositions and four further volumes of evidence were taken in connection with a civil action and a criminal trial relevant to the commission's terms of reference. In all, more than 400 volumes of evidence were involved.

In addition, conversations were held by the commissioner in Germany with the assistance of The Department of External Affairs of Canada. Inquiries of a less formal nature were made in England, the United States, France and the Bahama Islands.

The writing of the report involved reading and analyzing this vast quantity of evidence in consultation with legal counsel and accountants; and it is not surprising that this took approximately two years. Mr. Justice Hughes completed the onerous task of writing the report in June of this year. The total time expended was thus comprised of about two years for preparing and receiving evidence, two years for reporting, and four months for editing and printing.

The question was asked in the House on December 2 whether Mr. Justice Hughes has devoted all his time to the conduct of the inquiry. I can assure the House that from the date of his appointment by Order-in-Council on August 12, 1965 until he signed the report on September 12 of this year, he was fully occupied in the conduct of this demanding investigation.

Mr. Speaker, I should like to take this opportunity to express, not only my personal appreciation, but the appreciation of all of us, to Mr. Justice Hughes and his staff for conducting a most thorough inquiry.

I should like to make one further comment in connection with this report. At the outset, the commissioner indicated to the government that he did not wish desirable changes in legislation, or the prosecution of offenders on evidence arising from the public hearings of the commission, to be postponed pending delivery of his report.

Many important changes in legislation, both here and in the Parliament of Canada, have resulted from the disclosures of this investigation. Prosecutions have been undertaken

against 12 people. Of this number, four have been convicted and imprisoned, one acquitted, one is a fugitive from justice having forfeited his bail, and the remainder are undergoing preliminary trial.

In addition, and as a result of the commission's investigations, one lawyer has been disbarred, one reprimanded by the Law Society of Upper Canada, four chartered accountants have been expelled from the Institute of Chartered Accountants of Ontario and one stockbroker by the Toronto Stock Exchange. One of the principals, the President of Atlantic Acceptance, Mr. C. Powell Morgan, died during the course of the inquiry.

I am not in a position to say what further prosecutions may be contemplated as a result of the tabling of this report. However, it will be the subject of much discussion and the recommendations will be given closest scrutiny and consideration by the government.

**Mr. Sargent:** Would the Prime Minister advise, Mr. Speaker, of the residue of the moneys left?

**Mr. Speaker:** This is not a point of clarification. And it is a question that cannot be answered at this time, in my opinion, and it is out of order.

**Mr. Sargent:** Mr. Speaker, on a point of clarification, I would like to ask this: Is there any way that the cost of this inquiry, Mr. Prime Minister, could be recovered from the moneys left in the residue of the company?

**Hon. Mr. Roberts:** I would think that really would not be possible. There are many people who are going to lose money as a result of the dishonesty that is revealed in the report—and in the recitation of what in fact happened. The residues, as you call it, I am quite sure will be divided according to legal principles among those who are entitled to it.

**Mr. J. E. Bullbrook (Sarnia):** On a point of clarification, if I might. Who, pray tell us, weighed the exhibits so that you are able to advise us that they weighed four and a half tons, and what significance has that?

**Hon. Mr. Roberts:** It has a good deal more significance than this question, Mr. Speaker.

**Mr. Speaker:** Presenting reports.

**Hon. Mr. Welch:** Mr. Speaker, I beg leave to present to the House the annual report of the Electric Control Board of Ontario for the year ending March 31, 1969.

**Mr. Speaker:** Presenting reports.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I beg leave to present the report of the standing public accounts committee for the second session for the Twentieth Parliament.

**Mr. Speaker:** Presenting reports.

Mr. Potter, from the standing health committee, presented the committee's report which was read as follows, and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 194, An Act respecting the care and provision of animals for research.

**Mr. Speaker:** Motions.

Mr. Demers moved that the standing legal and municipal committees be authorized to meet concurrently with the House for the remainder of this week.

Motion agreed to.

**Mr. Speaker:** Motions.

Introduction of bills.

Orders of the day.

#### CARE AND PROVISION OF ANIMALS FOR RESEARCH

**Hon. W. A. Stewart (Minister of Agriculture and Food)** moves second reading of Bill 194, An Act respecting the care and provision of animals for research.

**Mr. R. T. Potter (Quinte):** Mr. Speaker, for the past few weeks I have listened patiently while others have expressed their views on this bill; I wonder if I may now have an opportunity to speak on it myself.

I realize that I stand in danger of burdening many hon. members beyond endurance in respect of what they have already heard about this bill. Of those who have had quite enough, I ask indulgence. In case there are some who still feel inadequately informed, or unconvinced of the need for this legislation, I cannot escape speaking of my conviction that passage of the amended Bill 194 is vital, both to teaching and research in the life and health sciences of this province and to protect the welfare of animals used in our universities and in other research institutions.

We have debated both the principle and detail of this bill in the well-attended public forum of our committee hearings. We have

heard the arguments, studied the provisions, looked to the need, and considered the reasons for concern on the part of those who would be affected; now is the time when we must decide the future of this important and, for the past several months, controversial piece of legislation.

That this bill should have generated such public discussion is hardly surprising. It refers in part to dogs and cats, those companion animals which are pets and for which many of us have great affection, comparable even to the affection we have for our own children and other members of our families. It is only natural that these people should be concerned to make sure, that if dogs and cats are to be made available for teaching and research from the public pounds of this province, there should be clear, unequivocal, and adequate protection to ensure that any individual pet animal should not so be used. This protection is given in Bill 194.

The basic principles which Bill 194 seeks to establish are clear and have been presented in detail to this House by the hon. Minister of Agriculture and Food (Mr. Stewart). Bill 194 seeks to institute legislative safeguards to ensure that animals needed for teaching and research are made available, are acquired legally, and are cared for and treated humanely wherever they are used in the province of Ontario.

With the last two of these principles there has been agreement from virtually all concerned. The representatives of the teaching and research community and those of the humane society have each made clear their desire for legislation to eliminate "dog napping" and similar nefarious practices; they have welcomed those provisions in Bill 194 which require animal suppliers to be licenced and which will eliminate "dealers" who presently act as the middlemen between the municipal pounds and those who purchase dogs and cats for teaching and research.

Mr. Speaker, measures are needed to ensure that the animals which are used in teaching and research are purchased legally and that no person can so profit from the sale of a stolen pet. It is agreed that the provisions of Bill 194 meet this need.

Similarly, it is agreed that legislation is needed to safeguard the welfare of animals above and beyond the safeguards which are presently contained in the Criminal Code of Canada or the Ontario Society for The Prevention of Cruelty to Animals Act, 1955. Representatives of the teaching and research

community in Ontario have requested legislation requiring the inspection of their facilities and making open under the law their records and methods of operation for scrutiny by those who act in the public interest. They have stated categorically that the animal care facilities and procedures in the universities and other institutions should be open to rigorous inspection on a regular basis.

As is provided in Bill 194, inspection should be by well qualified personnel especially trained to ensure that animals of all species are comfortably accommodated and treated at all times in accord with high moral standards. These animals must be protected from neglect and they must not be permitted to suffer unnecessary or unreasonable pain during the course of teaching and research. This point of view has been agreed upon by the representatives of both the research community and the humane societies.

The only point of contention in regard to this principle lies in the composition of the inspectorate. The humane societies put forward the view that not only should there be government inspectors as provided in Bill 194 but, as well, inspectors of the Ontario Humane Society should be authorized to enforce those provisions of Bill 194 having to do with the housing and other standards of care applied to animals. In effect, Mr. Speaker, it is suggested that there should be double inspection, one on behalf of the public through the government and another on behalf of the private societies who employ their own inspectorate under The OSPCA Act of 1955.

It is claimed, and I quote from "Phase III, Crisis: In the life of the Humane Movement in Ontario", published by the Ontario Humane Society:

This bill creates an expensive force of "inspectors" who will be employed and supervised by The Department of Agriculture. Does anyone seriously believe that these inspectors will interfere with the powerful establishment which controls medical schools, universities, and government departments? Hardly likely!

It is further claimed that:

If the public are to have any faith in the integrity of the inspectors, they must be entirely independent, expert, and have sufficient authority to take the necessary action—

And so on!

With the latter statement I agree. The inspectorate must be responsible to the public

in whose interest they act. One cannot take seriously the charge that inspectors employed by the veterinary services branch of The Department of Agriculture and Food, would lack integrity, would not be expert, and would not discharge their responsibility to that department and, through this House, to the citizens of Ontario. The inspectorate presently employed by the Ontario Humane Society do not act under veterinary supervision and are not, according to the spokesman of that society, sufficiently expert to provide meaningful inspection of research and teaching procedures and facilities. They are not independent by virtue of employment by a private society and for the same reason they are responsible to that society and not to the people of Ontario.

Furthermore, Mr. Speaker, although it is not claimed that teaching and research involves inhumane treatment of animals, it has been stated that there is widespread suspicion that within our teaching and research institutions things are done which would not receive the approval of members or inspectors of the humane societies. Yet those same societies now employ inspectors who are entitled under present legislation to enter any premises where they suspect there is cruelty or inhumane treatment to animals. Despite this right, inspectors of the various humane societies of this province do not know, nor have they in the past, inspected on a frequent and regular basis our teaching and research institutions despite, in many cases, being specifically invited to do so. If they have not done so in the past and are not doing so now, and are not sufficiently expert to provide the degree of inspection which is needed, I fail to see why the present humane society inspectorate should be made responsible for officially enforcing the regulatory aspects of Bill 194.

The real work of the humane societies in this province takes place in large measure outside of our teaching and research institutions. Animals are, after all, in need of protection against inhumanity, against cruelty and neglect wherever they are used as pets, watch dogs, hunting dogs, on farms, in pet stores and innumerable other places. It is in these areas where we depend upon the humane societies to protect animal welfare and I would suggest that it is in these areas where their inspectors should concentrate their efforts.

It is not as if Bill 194 prohibits inspectors of the humane societies or indeed representatives of any responsible organization from



visiting teaching and research laboratories. Bill 194 only provides that the inspection done under this Act to enforce the regulations contained in it should be done by inspectors in the public service of Ontario.

Further in this context there has been the suggestion by the Ontario Humane Society that pain should be closely defined in Bill 194; the suggestion is that in respect of the use of animals in teaching and research the definition of pain should be more clearly specified. It has been suggested that pain should be defined in terms of whether or not it is necessary or unreasonable and that this definition should apply specifically to all teaching and research applications involving animals.

Mr. Speaker, if this is necessary in our teaching and research institutions then surely the same definition is necessary to be applied outside of these areas. We have received no indication that the humane movement considers the definition of pain in the Criminal Code of Canada to be deficient in any respect of animal use save that in teaching and research; and I wonder that this should be so.

For example, I am sure that any investigator requesting permission to perform experiments which involve beating dogs with leather bound sticks to see how high they could jump would be denied promptly the funds or the opportunity to conduct that experiment whether his request were made to his peers in the teaching and research community or to the government. Yet every day in this province horses are subjected to exactly the same treatment in order to make them jump over obstacles which are deliberately made higher and higher each day.

And I ask you, Mr. Speaker: is this humane?

One might say that it is necessary to inflict this degree of pain in order to make a horse jump over a high fence but on the other hand one could well ask the question, "Is it really necessary to teach horses to jump over fences in this modern world?"

Research workers and teachers using animals are limited in what they can do to animals in the name of science. They are limited, as is every other citizen, by the Criminal Code of Canada. Furthermore, and perhaps even more importantly, they are limited by the bounds of civilized morality. Unlike many other sectors in our society, the teaching and research community have set definitions and rules on their own work; they have voluntarily adopted the code of guiding

principles of the Canadian Federation of Biological Societies and recently have committed themselves to adhere to the ethical standards set by the Canadian Council on Animal Care as enunciated in their "Guide for Canada".

Teaching and research institutions are now required, by their own rules, to establish animal care committees which review experiments done on animals to ensure that they are conducted humanely, there is no unnecessary duplication, and that adequate precautions are taken to ensure that animals do not suffer unnecessary or unreasonable pain. No one realizes more than the individual research worker himself that an animal which is in pain is not normal and accordingly for sound scientific reasons, if for none other, pain and discomfort must be reduced to the absolute minimum for experiments to have any validity.

There is no essential argument with those provisions of Bill 194 which relate to the elimination of "dog napping" and to the establishment of standards which safeguard the welfare of animals used in teaching and research. While there may be some minor disagreement on detail, it is clear that most of us will agree that Bill 194 provides adequately for the establishment of these basic principles.

The fundamental argument, Mr. Speaker, revolves around those provisions of Bill 194 which relate to animal procurement, not animals alone, but specifically dogs and cats. There is not even disagreement concerning the need for legislation to make dogs and cats more readily available to our teaching and research institutions. It is quite clear from the evidence which has been presented by the Council of Deans of Medicine in Ontario and by others that the present practices by which dogs and cats are procured in Ontario through "dealers" are quite inadequate. There is, at present, a critical shortage which even now handicaps the education of doctors, nurses, and other health science personnel and research to develop new and better ways of caring for the sick. Inescapably this shortage will become more acute unless corrective measures are taken immediately for we must expand our teaching and research capacity.

In this province to provide better for the health care of all who live in Ontario, health care, Mr. Speaker, is a public responsibility, and it is our responsibility.

We must ensure that our medical schools and other health science institutions have the facilities which they require to teach those who will care for the sick. One of the

resources which is needed is a supply of animals. We cannot shirk our responsibility to provide this resource.

The basic principle which is at issue is that relating to the procurement of dogs and cats from the public pounds. Bill 194 seeks to establish the principle that impounded animals which have been abandoned by their owners and which are not wanted by anyone else as adopted pets, or workmate animals, should be made available for teaching and research in Ontario rather than wastefully destroyed. This principle, to me, is sound and valid.

Dogs and cats are needed for teaching and research. This is agreed. They are not available now in sufficient numbers and the shortage will become more acute in the immediate future. This too is agreed. Many thousands of dogs and cats, far more than are required for teaching and research are presently killed in the public pounds of Ontario. This is agreed.

Stray animals must be controlled in our municipalities, and they must be impounded. Bill 194 provides for greater opportunity than at present for people to reclaim lost pets and for others to adopt abandoned animals; all agree that these provisions are appropriate and are necessary. In fact, it is agreed that unwanted and unclaimed animals should be made available for teaching and research from municipal pounds; this principle has been accepted and, in fact, suggested by the humane societies.

Members may ask then, where is the argument?

The basic argument is that animals should be made available for teaching and research only in those municipal pounds which are not operated by humane societies and then only for experiments in which the animals are anaesthetized and are killed while under anaesthesia — the so-called “non-survival” experiments. All dogs and cats used in so-called “survival” or “non-acute” experiments should be especially bred for that purpose.

This second argument is based on the theory that all impounded dogs have once been pets and by virtue of their previous association with humans they suffer psychological or mental stress when used for “survival” experiments. The claim is that especially-bred dogs and cats are not likely to experience such mental stress under the same circumstances.

Against this theory we have heard the testimony of highly qualified veterinarians, leading among them being the dean of the

Ontario Veterinary College, that there is no psychological difference between especially-bred and “pound” dogs or cats. In fact, the cogent argument has been given that animals which have been abandoned by their owners and left to wander at large, experience a marked improvement under the standards of animal care they receive in our teaching and research institutions; rather than psychological stress, he points out, they experience psychological and physical benefits from being, many for the first time in their lives, well fed, comfortably housed, and cared for by professional veterinarians and experienced animal care technicians.

The suggestion that “pound” animals should be used only for “non-survival” experiments with the blessing of the humane societies implies, of course, that “survival” studies are in some way cruel or at best sufficiently suspect so that they are not approved by the humane movement. This implication cannot be accepted; to do so would be to say that operations and other procedures which are developed on animals and which are applied to permit the sick to survive their diseases are not humane.

To test the effectiveness of new procedures and treatments, for example replacing a diseased heart valve, it is necessary to determine how effective the procedure is in animals which survive and live under observation for long periods of time. Naturally, post-operative distress must be alleviated and this is done exactly as it is done in human beings. Obviously there is inevitably some distress following surgery but the point is that human beings suffer distress as well and it is essential that we learn how to control and reduce or even eliminate that distress by the use of new drugs and other post-operative procedures.

It is unthinkable, in fact contrary to Canadian law, to test these new drugs and procedures for the first time on sick humans. This work must be done on animals and on animals which are healthy, which survive experimental procedures, and which can perform all the functions of normal animals over a long period of observation.

Should these procedures be done on especially-bred animals? They are not different psychologically from other animals according to the best authorities available. In fact, in many instances a mixed population of “pound” dogs is better, from a scientific point of view, for research than a group of especially-bred animals. The object of research using animals is to test the applicability of new procedures

and new concepts of treatment which are designed to be used to treat sick people. We human beings are not genetically uniform; we are a very mixed group.

Is it not better, therefore, to use animals of mixed backgrounds for these purposes rather than a closely controlled, specially-reared, group of uniform dogs and cats or any other species for that matter? Is it humane to demand the killing of tens of thousands of unwanted pound animals, a small proportion of which are needed and entirely suitable, and at the same time breed and raise thousands of other animals for teaching and research? Quite apart from the economic waste, it is a needless waste of animal lives.

Regardless of how we may feel on this issue of "pound" animals versus specially-bred animals, it has been pointed out by practically all those engaged in research that they would much prefer specially-bred animals under properly controlled conditions. While we have heard arguments regarding the economics of such a programme, I am satisfied that properly operated breeding establishments would not prove to be much more expensive. I believe most of us will agree to this suggestion and certainly the Minister himself has indicated that it is his intention to pursue this problem and to try to arrange that facilities are made available to provide the necessary controlled dogs for research at the earliest opportunity.

But, Mr. Speaker, as was pointed out to us by Mrs. Christine Stevens, president of Animal Welfare Institute of the United States, such a plan, while ideal, will take time. For this reason, we must assure an adequate supply of animals, even if they are of inferior quality, in order to allow necessary research and teaching to continue and meet our present needs.

The argument that municipal pounds which are operated under contract by various humane societies should be exempt from this legislation is equally indefensible. Let us be perfectly clear that Bill 194 does not apply to humane society shelters. These are now exempt from the requirement to release animals for teaching and research and they should be so exempt. The shelters perform the very desirable and necessary function of accommodating animals which are injured, sick or in distress; these animals are collected by humane society personnel or are brought by their owners or other citizens for the alleviation of their suffering. The shelters function entirely to safeguard animal welfare, most are operated by volunteer workers, and their work should be encouraged and expanded.

Bill 194 applies to public, municipal pounds which receive animals collected as strays under the authority of a municipal bylaw. That the majority of large municipal pounds are operated by humane societies acting under contract and receiving public revenue for the service they provide, is a matter of choice for those societies. Stray animals are impounded in the interest of public health and safety; these animals are a public responsibility, they are collected, maintained, and destroyed at public expense.

If they can be used for a purpose which serves the public good, they must be considered a public resource and as such this resource should not be wasted.

The fact that the vast majority of unwanted and unclaimed dogs and cats in Ontario are presently destroyed in pounds located in our major cities and operated under contract with humane societies, is of special concern. These animals, a public resource, are presently killed, at public expense, by a private organization which has chosen to act in the public domain. The public good does not demand that these animals be killed. The public demands only that strays be impounded, and that opportunity be given for lost pets to be returned to their owners or for unclaimed animals to be given good homes.

Bill 194 does not hamper these activities; in fact it provides as never before for these functions to be performed efficiently and with legislative safeguards to protect the welfare of animals and the rights and expectations of those who own pets in Ontario.

The suggestion is made that Bill 194 should create two classes of municipalities in Ontario, those whose pounds are operated by agents other than humane societies and whose animals should be used in teaching and research, and those pounds which are operated by humane society agents and in which unwanted animals should be killed. There is no constitutional or other reason to support this suggestion.

Although the humane societies say they are not opposed to teaching and research, they claim they cannot agree to the release of animals from pounds operated by them; the clear inference being that teaching and research involving animals is inhumane and is contrary to their purpose of protecting animal welfare. Can one be in favour of teaching and research on the one hand, and yet be opposed to it on the other? Can one say that animals from non-humane society operated pounds should be used for teaching

and research because this is good and vital to the health of people and animals, and yet deny the use of identical animals from pounds operated by humane society agents?

One cannot have it both ways. Research cannot be, at the same time, both good and not good. It cannot be appropriate that some animals be used and yet inappropriate that other, identical animals not be used.

We are concerned with animals and we are concerned with people too. Our concern is with all the people in Ontario who will, each one, at some stage in life, require health care. We are responsible to ensure that these people obtain the best quality care we can provide with as great ease as it is possible to secure with the financial and other resources available to us.

Bill 194 is not, as it has been called in the press, "the animal bill". It is legislation which we must enact in the interest of Ontario. We must provide those resources, including in this case animals, which are needed to ensure that our future doctors, nurses, veterinarians, biologists and all manner of health care personnel are as well educated as their teachers can make them. We must not let our highly specialized research workers stand idle in their laboratories for want of the experimental animals they need to discover new and better ways of preventing disease, treating the sick, and of restoring and securing our environment.

We must protect our citizens and their pets from "dognapping". We must ensure that the animals which are used in teaching and research are well and humanely treated in accord with the moral requirements of our society.

We must not, and cannot, let the emotional harangue of the vested interests, of the vocal and misguided minority, dissuade us from supporting the true principles of needed, humane legislation.

The Animals for Research Act, 1968-1969 meets the needs of society today. We are responsible to the people who have elected us to provide legislation to meet those needs. We must discharge that responsibility and enact Bill 194, An Act respecting the care and provision of animals for research.

And now, to those who still remain blindly opposed to this bill, I have this to say:

May they never experience the tragedy of suffering from a disease whose cure is still beyond the reach of science, for it is only through research upon the animals whom this bill is designed to protect as well

as supply, that cures of such magnitude as the Salk vaccine have been discovered.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I feel that the hon. member for Quinte has delivered an excellent address, except for his last few remarks. Because surely, if he is going to put it on the basis that was involved in that statement, he is simply adding fuel to what has been an unconscionable fire burning since February 19 when Bill 194's precursor, Bill 73, was first introduced by the Minister of Agriculture and Food.

I do not know whether other members would agree, but I would believe they would, that there has never been an issue that has called for more acrimonious comments and letters, more exaggeration, more indefensible obscuring of what the issues might be, than this particular one. And it need not have been.

I would say to you, Mr. Speaker, that there is a small group within this province that is, in principle and personally, opposed to the principle of animals for research. Their views have not been discussed on the floor of this House; and I would hope that they would not be, because it is generally accepted by all parties, and most individuals have put their own views forward—that we believe in what the doctor from Quinte has indicated—that the forward movement of medical research and biological research, and basic research, even an understanding of life itself, has got to be based on the use of animals for experimental purposes. Let us have no confusion about that.

There is no one here that is talking from the position of an anti-vivisectionist, as it is generally understood. I for one am prepared to grant to the humane society, and their spokesmen, that, when they say they believe the same thing, they are speaking the truth and are not obscuring it. I hope we can put away that argument this afternoon, and put it away permanently.

I think that the Minister of Agriculture was wise in asking his colleague to make introductory remarks on this bill, because the Minister has forfeited his position as an honest broker in these circumstances. He has allowed himself to be drawn into a personal conflict, and on a personal basis, with spokesmen for other groups. Whether he is prepared to justify that or not, I would hope that he would not, because this is one of the options that is never open to a Minister of

the Crown. I believe it is not open to any of us as members of this House.

There is the feeling—and I will not refer to it again—that the Minister entered this discussion last February 19, and probably before, with his mind made up on what the conclusion would be. Now there have been changes to the original Bill 73, although we find it still on the order paper.

The bill before us, Bill 194, is an improvement, I am prepared to grant that. But the Minister's attitude has remained unchanged. I believe that for all of the manoeuvring and the use of committees, the withdrawal of the bill, a reference to the committee before second reading, an attempt to have us consider what is really an amended bill for second reading now and discussion in principle, when the Minister is aware, as are you, Mr. Speaker, that we must consider the original bill and not the amended bill, are all attempts to have the implementation of what I believe was a preconceived solution that the Minister was prepared to put forward.

He believes he is right and, as a matter of fact, he has—when I say that he has been inflexible, perhaps this is unfair—he has accepted certain changes. But, essentially, he has never given the people of Ontario, or perhaps those best able to advise on this matter, the sort of opportunity to come together without the pressures of a bill before them—without the pressures of the sort of hearings that have gone on at such great lengths in the committee on health, so that we could develop a rational approach to a problem that everybody believes must be solved, and must be adequately solved. It must be solved even if some people's views are not acceded to. So let us look at what some of these views are.

From the very beginning, we were treated to the opportunity to hear from the humane society and their experts, who had done considerable research. We have had one of the most prestigious groups, the deans of the medical schools, who have taken time from responsibilities that must be more demanding than anything we can imagine, to come to the Legislature and visit individual members, certainly the caucuses, and to make their views known in the way that they felt was most effective.

They have been criticized, most recently as yesterday in the Toronto *Globe and Mail*, for employing public relations officers to put their views forward more strongly.

I am not prepared to criticize them for that, but simply to point out that a group with that force in the community need not have done it. That they had only to come and express their views and to enter into, I would say, the kind of argument and negotiation—but a reasonable approach accepting the assurances from all who have the power to decide in this bill that we are adamant, that ample research facilities in the way of animals will be made available.

Now we do not care what the humane society or any group says; the animals will be made available. But we, on this side, blame the Minister of Agriculture and Food—and I say this with great deliberation—for bringing forward an issue, which should have had general support on all sides, in such a way that it has really fractured the political process in this Legislature for a full year.

I do not want to make this a political attack on the Minister. I know that he has been subjected to a great deal of negative comments in the committees, and in the press, and from individuals. I would venture to say that, if his mail were to be weighed it might balance the documents that the Royal commission was perusing in recent years and were referred to earlier.

So let us look at some of the facts or at least some of the information that has been made available. The numbers of animals required for research—and basically we are talking about dogs and cats—has changed as the views of experts have delved into the need more fully. One of the figures that was first presented to us, almost a year ago, was about 6,000.

The doctors, after canvassing their needs on a broader scale, and expanding these needs into the obvious requirements outside of medicine, and even down into the secondary level where the use of research animals is certainly legitimate—and as a former biology teacher and head of a science department I would be prepared to argue that case, because it is a correct one—that the numbers of animals needed expanded to approximately 12,000.

There have been those opposing the government's position who laid great store in the fact that those in support of the bill have been talking about needs approaching the figure of a million, and of course this is a misrepresentation of a misrepresentation, and need not be considered further here. It does not really matter what those needs are, as long as we know on a factual basis what

they are, and how they relate to the numbers of animals presently available.

We have been told, and frankly I have not been in the position to get information that refuted it absolutely, that public pounds could presently fulfil the needs of the medical, and the research, and the educational requirements of the province at the present time. I feel sure that there are those present who might be prepared to argue that; still the information has come forward from authoritative sources, if not, usually reliable. I hope that you will agree with me that those two terms are not mutually exclusive.

So even the many hours that have been spent in getting the views of those appearing before the committee, have not resolved the apparent conflict that has come forward in the hearings. It has been said by others and very effectively indeed, that the government did not show up well in the presentation of this legislation over the year and over the months; that the human society has suffered because of alleged misrepresentations and exaggerations and the fact that threats have been made involving, let us say, involvement in politics.

Things like that, that I have heard myself, which tended to detract from the authoritative-ness or at least the objectivity, the residual objectivity in the statement made from them, but certainly no one can detract from the sincerity of those who have come forward expressing views in support of that position.

I hesitate to be critical in any way of the information that has been put forward by the deans of medicine. Their position, in many ways, takes them beyond that sort of criticism. And yet over the many months in which we have had access to their approach, I would be prepared to say here, Mr. Speaker, that they have been subjected to certain excesses in the presentation that they have made.

For this reason it appears that the hearings on the bill before the health committee have really been hearings of extreme positions. A moderate approach has been spectacularly absent and I suppose that is true on all sides, political and otherwise. This may be the last opportunity in which we can put forward our views, in I hope as orderly a way as possible, and that is what I want to do in the time that is at my disposal.

I would first say that even the hearings that were accorded to by the Minister before second reading—not an unprecedented matter, but certainly an unusual one—have not in my view brought forward the unassailable require-

ments and figures from the medical profession and the research profession, which could not have been met on a reasonable basis by certain changes that could still be made in this bill.

The hon. member for Quinte has given considerable support for the provision of animals from controlled sources. This is obviously something that the government will undertake since it has come in for so much discussion. The member indicated further that there are many areas of research that are not best served even from animals from controlled sources. And I can understand that is quite possible.

And yet for many areas of advanced meticulous research and this was supported by the Hospital for Sick Children—researchers have no interest in anything other than experimental animals from controlled sources and are prepared to pay the price for them.

There have been many interesting suggestions made that our correctional institutions might very well leave off stamping out licence plates and undertake the care and feeding and the breeding and development of animals for research purposes.

I think that this is something that the hon. Minister should consider very carefully. It is obviously going to be an important industry in the future, something that could very well be taken on under the direction of the veterinary college or by those qualified who are in the hon. Minister's care. I think that he should consider this, but we cannot say that the bill is not necessary because we would be using animals from controlled sources, and obviously animals from controlled sources will never meet the whole need and they do not come anywhere near it at the present time, so one cannot oppose the bill on the basis that only animals from controlled sources should be used.

Nor am I prepared to argue with the Minister about whether these animals suffer more or less; I think it is completely irrelevant and has nothing to do with the principles of this bill at all, whether we should support it or not. We are concerned with human welfare here, basically; we are concerned with the provision of animals for research purposes.

Let us look at the position put forward, largely by the humane society, but certainly supported by many other citizens. It is true that the humane society has entered into contracts with a number of municipalities to provide controlled services for animals.

They provide shelters for a limited period of time so that animals that are picked up can be cared for and hopefully sent back to their original owners, and these are specifically excluded by the most opaque amendment I have ever read in my life that can be found on the first page of the bill. I have read it many times and I cannot understand it, but some, wiser than I, who have been following these matters in the committee for many hours claim that this amendment does, in fact, exclude the shelters, but includes the pounds.

Mr. Speaker, just so that you might know the amendment that I am referring to, I will read it to you. As a matter of fact the concept was proposed by my colleague, but the legislative advisors have re-worded it as follows:

Section one, subsection E—In this Act, pound means premises that are used for the detention, maintenance or disposal of dogs or cats that have been impounded pursuant to a bylaw of the municipality.

And, in parenthesis, I say the following has been added as an amendment:

But does not include any premises or part thereof that are not used by any body of persons, including the Ontario Society for the Prevention of Cruelty to Animals, or any society affiliated therewith, for the detention, maintenance or disposal of dogs or cats so impounded.

Now I find it an opaque amendment, but I understand that it is his intention—and, I am sure, legally so—to exclude the shelters that the Ontario humane society operates. And I am glad to see that put forward as an amendment.

But many municipalities, in searching for an agency to take on this—messy, is probably the best word to describe it—responsibility of animal control, have entered into contract with the humane society, whereby the humane society gathers in the animals, cares for them for a period of time set by local bylaw or local regulation, and then disposes of them as they see fit.

The member for Quinte has indicated that, in most cases, they are simply killed in a painless humane way. On the other hand, other municipalities—and I believe it to be correct—have not entered into a contract or an arrangement with the humane society, and have undertaken to provide these facilities themselves.

I think that the main reason the humane society is often involved is that they have

access to other funds, in a sense they are public funds, in another sense they are private. They are private in that they accrue to the humane society from bequests, they are gathered from public subscription for the work of the humane society. This permits the humane society to hire those people who should be, and in most cases are, professional in this particular part of the business; and, in a sense, essentially subsidizes a service which is then made available to the municipalities.

The humane society feels, as I understand it, that because they are providing a service, subsidized in a private sense through the humane society, their principles must be brought to bear on what happens in their pounds.

What happens in a public pound they may give representation on. But they feel a special responsibility for what happens in a humane society pound and for that reason they have been lobbying. They have been trying to get this bill changed, so that pounds operated by humane societies would be exempted from the requirement that their animals be made available for research.

I do not think that this means, in any way, that they are against the use of animals for research. There have been a number of documented stories, documented information that the humane society animals, from the pounds controlled by them, are used for either research, or the extraction of certain parts of the animals' blood for example, that has some use in the community for research purposes.

So the argument that the almost Minister of Health, the chairman of the health committee has made, does not hold water to that degree.

I think we should accept the fact that the humane society feels a special responsibility for the pounds under their direct care. They provide this service, to some extent subsidized by their private funds. Therefore they are prepared to fight, as they have fought, for the extension of the exemption to include those pounds.

We may be prepared to say they are wrong, that if the animals are going to be killed they might as well be killed in some useful purpose, under control and inspection. But the humane society thinks differently and has called for this exception. Now, the bill refuses to exempt the humane society pounds, saying that without those animals, the need that is evident, as far as the Minister of

Agriculture and Food is concerned, cannot be met.

I, for one, am not convinced that the need cannot be met from public pounds. I would say further that I am not convinced that, if negotiations had gone on properly, and at an early enough date, that they might still be accomplished if the personality clash between the Minister and those others who have been making representations had not gone, I believe, to a point of no return.

I believe that negotiations could have been brought about whereby animals from pounds controlled by the humane society would have been available on some sort of a system, while still granting them an exception under this bill that would not have been unfair.

The argument put forward by the member for Quinte that, in fact, we are segregating dogs; and giving some rights to some dogs, and not to others, I think, is ridiculous. We are concerned, however, with the rights of the humane society or the society for the prevention of cruelty to animals, as it pertains to the fact that they provide a subsidized service.

I think, without arguing the merits of that, we should at least have entered into some meaningful discussions which could have brought out of the nose-to-nose, eyeball-to-eyeball, confrontations which the Minister of Agriculture and Food thinks represent negotiation, we could have brought out a meaningful negotiation before the bill was brought forward; an agreement that would not have put us into this ridiculous mess, political and otherwise, over the whole year. Because, whatever position is taken, there are those who are quite prepared to say that it is a political position, that the politicians, once again, are disregarding human values. We feel that people are the main concern here, and that surely negotiations with people, reasonable people, could have brought about a bill that was supported by those who are concerned with the animals.

I believe the Minister of Agriculture and Food has made a great mistake and I hope that he has made a resolve that if ever again he has the responsibility of legislation as controversial, that he will approach it from an entirely different position.

I feel that the hearings so far, have heard many extreme views put forward in the heat of small "p" politics, if there is such a thing, from all sides. I feel that the positions expressed have been inadequate and that the Minister's conduct of this legislation has been

inadequate from the very first. I hesitate to talk about another committee.

The people in my party who have been sitting on these committees for many hours are hesitant to even consider sending this bill back to committee for further hearings of the type that they have had already. This committee or some committee, should have had an opportunity, following the Minister's decision that he could not live with Bill 73, when he withdrew it, that there should then have been a period of time when the heat was off, that a select committee of this Legislature would go into the laboratories, and into the universities, and into the schools. They should go to the pounds and talk in the outlying areas where the humane society actually catches the dogs and cares for them, returns them to their owners or kills them, and see what is actually going on, rather than making decisions in the high pressure atmosphere of the committee room in the other building.

I have heard from my colleagues on the committee. Their understanding is that the humane society, while the Minister has said that they are intransigent, have indicated that they would be prepared to turn over dogs from pounds which they control, for non-survival experiments. I think, while that may not be sufficient for the needs for the province, still it indicates that here is an area for discussion, and that the member for Quinte might very well be present on such a committee when the argument is put forward, "What good are you doing the dog, when the non-survival experiment is entered upon".

I believe that the government has handled this in the crudest possible way. I believe that the needs of the people of the province must be served, and I am not prepared to accept the statements made by some, not by all in the Ministry, that unless this bill is carried today, people will start dying and that the laboratories of the universities will close down. That is simply not the case. This was not the case when Bill 73 was withdrawn last spring, and I do not propose to be forced to respond in our reaction to this bill from such unwarranted pressure at the present time.

We are prepared to assure you, Mr. Speaker, and anyone who cares to listen, that we are adamant that ample numbers of research animals of any type, that can be obtained in this province or anywhere else, will be made available, but we are not prepared to be stamped into support of this



bill which we believe has been entered into so ill-advised.

We believe that this bill, in principle, does provide for the provision of animals, and as far as that part of its principle is concerned, it must be supported. But we believe that the provisions of the bill are not sufficiently researched, to give in on the provision that these animals will be made available on a equal basis across this province.

We believe that the government should have associated with this bill, a decision under which the Ontario Veterinary College, or some acceptable institution, will provide empounding facilities so that those medical faculties removed from the source of impounded animals now, will not have to suffer because of long distances and things like that. We believe that the Minister of Agriculture has not entered into sufficient meaningful negotiations or consultations with those people concerned, and for that reason, Mr. Speaker, I move, seconded by Mr. Gaunt, that Bill 194 be read a second time, this day six months hence.

**Hon. A. Grossman** (Minister of Correctional Services): That is a firm position.

**Mr. E. W. Martel** (Sudbury East): Just listen and learn now, just listen and learn.

**Mr. Speaker:** Mr. Nixon moves, seconded by Mr. Gaunt, that the motion for second reading of the bill before the House be amended by deletion of the words after "now", and the following be substituted in place thereof: "that Bill 194 be read a second time, this day six months hence."

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, as a substitute member of the standing committee on health, I wish to make a few observations on what I learned from the public hearings which have concluded this week.

When I attended Ryerson Public School in London, Ontario, a few years ago, there was in use a series of readers. In one of these there was a story told of several blind men in India, who went to visit for the first time, an elephant. The illustration showed the men touching various parts of the elephant, and the text contained the findings of the various men. One, who was feeling the elephant's side described the elephant as like a wall. Another, feeling its legs, thought an elephant was very much like the trunk of a tree. Another, holding its tail, thought an elephant was like a piece of rope.

To the members of the committee, Bill 194 was something like the elephant. To some it was a bill to improve the care of animals used in research; to others it was a bill to provide enough animals for research. To others it was a bill to destroy the humane societies, and to the government supporters on the committee, it seemed like a bill to destroy the Conservative Party.

As I saw—

An hon. member: Great bill!

**Mr. Burr:** As I saw it, the committee was faced with four problems: first, to provide sufficient animals for vital animal research; second, to ensure that no unnecessary pain was suffered by animals during the research; third, to devise a method of enabling the owners of pets to prevent their pets, if lost, from participating in survival experiments of which they might not approve; and fourth, to save the humane societies.

I feel that the committee was fairly successful in solving the first three problems and it is my earnest hope that the House will be able to solve problem number four, preventing the destruction of the humane societies.

One of the first lessons the committee had to learn was some of the jargon of animal experimentation. The two most important examples might well be included in the definition of section 1 of the bill. There are two broad classifications of experiment, non-survival and survival.

In the former, the animal is anaesthetized, experimented upon and put to death without regaining consciousness or feeling any pain. Survival experiments, however, may last for a considerable length of time and may involve pain.

It is generally acknowledged that for survival or long-term experiments, it is better to have animals bred especially for the purpose. There was some disagreement, but I believe this was the majority opinion. For the non-survival experiments other animals are probably more suited.

As I understand it, there is almost no objection to the non-survival type of experiment or to the use of pound animals in this kind of research inasmuch as no pain is involved and the animals are already doomed to die through being unclaimed and apparently unwanted.

If there was one weakness common to the various presentations made to the committee it was the failure to make clear which kind of experiments were being discussed by the

various speakers. Yet it did seem agreed that in Ontario medical schools and the veterinary college at least 40 per cent of the experiments involving dogs were of the survival type and at least 50 per cent of the experiments were of the non-survival type.

I have given this introduction, Mr. Speaker, because without it some members who were not present at the hearings will have difficulty in understanding fully the debate during second reading of Bill 194.

At the very heart of the controversy over Bill 194 lies the issue of cruelty to experimental animals. On the one hand, the medical students cannot understand this fear on the part of the general public because presumably they have never participated in or heard of such experiments. Many members of the public who have heard of such experiments feel the students are somewhat insensitive to this aspect. I should like to comment very briefly on this.

To the students I would point out that there do exist numerous documented experiments on record in which the treatment of experimental animals has been extremely cruel. I shall refer to only one series by one researcher, not conducted in Ontario, and I chose this because it contains many examples. This was mentioned before the committee.

Rats were run to death in revolving cages or were tied to restraining boards and were left until they died. Some were immersed in freezing water and others had all four legs broken. Turpentine was injected into dogs. Rabbits were rendered unconscious by suspension without anaesthesia. Small animals were placed in revolving drums with inner projections with their feet taped together.

Some animals were overfed to produce food shock and others were starved in order to atrophy ovaries and testicles. Animals were forced to perform intense muscular exercise until they bled from their paws.

Now, Mr. Speaker, these experiments were conducted in Canada but outside Ontario, under research grants from a foreign country.

Our medical students may not have heard of such cruelties as these but many members of the public have, and that is why they are concerned and rightly so.

To the alarmed public, I would point out, first, that of the many documented cruel experiments which have come to my desk, not one has been conducted in Ontario; second, that the attitude of the deans of medicine before the standing committee on

health and their ready agreement to the inclusion of a pain clause, which is now section 20 in the amended bill, together with regulations which will be based on recommendations of the Canadian Council on Animal Care, should guarantee to the people of Ontario that such experiments will find no place in animal research in Ontario. Several opponents of the bill expressed their satisfaction with these features of the bill.

The Minister has indicated in committee that his department is considering methods, that he has under active consideration, I would say, methods by which pet owners may provide their pets with a tattoo or perhaps a hidden isotope which would ensure that they would never be included in a survival experiment.

So as far as we can foresee or as far as we can judge, the protection for pet owners who would like to mark their pets is reasonably assured.

Now, some mention has been made by the leader of the official Opposition concerning extreme views. Personally, I thought that most of those who made presentations to the committee, or at least many of those, were very reasonable. However, I should like to comment on what we might call extremism. The extreme view of the anti-vivisectionist was well and sincerely presented before the committee. The extreme view of the lunatic fringe of scientists was not presented. But because it does exist and because it accounts for much of the public reaction against animal experimentation, I wish to put on record one statement. I shall not say what country this originates in or name the professor who gave this piece of philosophy, but this is what he said:

The infliction of the most acute agony on an infinite number of animals is justified if in the opinion of the least member of any medical faculty there is the slightest chance of adding to the sum total of human knowledge. And this without reference to whether this knowledge promises to be of any practical value or not.

What kind of philosophy is that, Mr. Speaker? I think this must be one of the most inhumane statements of principle made outside of Nazi Germany.

But, as I said before, nothing remotely resembling this extreme view was presented before the committee. On the contrary, those witnesses who were connected with animal research showed a genuine interest in good

animal care and the avoidance of unnecessary pain.

I have made these few remarks, Mr. Speaker, in order to show why the public has been concerned and, I hope, why their concern can be allayed somewhat by the provisions of Bill 194.

When the hearings began, the average committee member had the impression that specially bred animals with known genetic background and physical histories would cost about \$150 and that stray animals were to be had almost for nothing and, further, that stray animals were just as good, if not better for experiments.

The impression, therefore, was that there was a great untapped source of saving by enacting a pound seizure law. However, by the end of the hearings most of us—well, many of us—realized that the cost of breeding dogs for research was as low as \$40 and that \$50 or \$60 was a fairly reasonable estimate if profits and transportation costs were not involved.

We learned too that there was expense involved in the use of strays. These included pound fees or dealers' fees, transportation costs and numerous conditioning expenses, such as, quarantining, de-worming, vaccination, tests and of course upkeep which extended sometimes for as much as two months.

In short, by the time an experiment begins, the difference in costs for the specially bred animal and for the stray dog is negligible, especially when the total costs of an experiment may run into thousands and thousands of dollars.

The difference, if any, does not end there. Experience shows that about 25 per cent of the stray dogs die of unrelated causes, sometimes before the experiment begins, sometimes after it has been under way for some time.

Let Dr. Robert Wilson, the veterinary-in-chief at Toronto's Hospital for Sick Children, say a few words. He says:

A dog may appear healthy, but we have no information of its genetic background. In 17 consecutive autopsies at one time we found that 17 apparently healthy dogs had serious chronic kidney disease. Look at it this way. A single research project can cost as much as \$25,000 a year, without counting in surgeons' salaries. The animal represents a very small part of that cost. It seems stupid to invest the time and money on two or three top surgeons, nurses and high-priced equip-

ment and say that a \$10 dog, unsure, unsafe, is good enough.

Such testimony as this, Mr. Speaker, seemed to prove to the committee members that, on all counts—cost, controversy and results—the better subject for animal research is the dog especially bred for that purpose, rather than a former pet which has found its way into a pound and remains unclaimed. I should be surprised if any committee member should maintain the opposite view. Perhaps I should take my own advice, and mention that I am referring to survival or long term experiments at this point.

Although the Minister is now planning, or promoting, breeding programmes, unfortunately it will be some three years or so before these will supply all the dogs required for survival or long term or chronic research.

Let us assume then, Mr. Speaker, that the appeals for more dogs for animal research are valid, that delays are postponing great discoveries which may even save the lives of some of us who now sit in this Legislature. How many extra dogs are needed for this research? Where can we get them, while we wait for the breeding facilities—preferably in our universities—to become available?

According to the feasibility study made by the council of deans of medicine, 4,600 dogs were used in 1968-69, although 5,800 were wanted. This covers all the Ontario medical schools, and the veterinary college. For the year 1969-70, the estimated need by the dean is 6,900, and availability 5,000. Thus last year, we had a deficit of 1,200 dogs, and this year 1,900.

One of the handicaps under which the committee worked was the lack of definite information on such things as the number of non-survival experiments to which the humane societies do not object, because there is no pain endured by the animal, and also the number of survival experiments in which there may be some element of pain.

After the Ontario Humane Society presented some figures to the committee, a day or so later, Dr. Christensen, of the University of Toronto, appeared with estimates based on these figures. He showed that the number of dogs potentially available within a 100-mile radius of Toronto was as follows: From pounds run by the humane society—14,270. From pounds run by municipalities—5,202.

It would appear therefore, that the 5,202 potentially available dogs in the municipal pounds within 100 miles of Toronto would be more than adequate to make up Ontario's

anticipated deficit of 1,900 this year, and also the 2,500 next year, and the anticipated deficit of 3,500 in the following year, by which time some of the breeding facilities would be in operation. There would be no need to confiscate any dogs in any pounds under the care of any humane society in Ontario.

In using these figures, I am assuming that the total deficit of 1,900 for the year 1969-1970 refers to dogs for survival experiments. But this is not so. According to Dr. Armstrong and Dr. Sinclair's estimates, only 40 per cent to 50 per cent of the experiments are "survival", or "chronic", or "long term". Of these, some would require specially-bred animals;—which could not be obtained from pounds of any kind. Therefore, the deficit of 1,900 for the current year is really a somewhat smaller figure.

Because 50 to 60 per cent are required for the non-survival research, at least 1,000 of these could have been, and still could be, obtained from some of the pounds—even from some of the humane society pounds, if a diplomatic and reasonable approach were made. For the fate of an unwanted pet is the same whether it is put to death painlessly by the humane society, or whether it is put to death at the conclusion of a painless, anaesthetized, brief, non-survival experiment, on behalf of medical research or teaching.

This reduces our short fall then to no more than 900 animals. And what a furore has been created to get an extra 900 animals during a year.

Furthermore, Mr. Speaker, within a radius of about eight miles of Toronto, 4,700 dogs were destroyed in the pounds of the boroughs of York, North York and Scarborough and the township of Etobicoke in the past year. Assuming that only half of these dogs were healthy, there would still be more than enough—that is, 2,350—to make up this so-called deficit of, let us use the full figure of 1,900. And yet, Mr. Speaker, these pounds were never asked, or invited, or requested, to supply any dogs for research. Now, why not?

Some of these municipal poundkeepers might have been willing, even glad, to defray their expenses by selling some of their surplus unwanted strays. A phone call would have been sufficient to find out. Why was this inquiry never made? Why was this bill brought forward instead? Why does this government insist on taking by force what it has not even been refused?

It seems to be the opinions of the deans of medicine also that the animals need not

be taken from the humane societies because on page one of their brief, entitled "Breeding Dogs for Research", they say:

The need for a dog breeding programme in Ontario would virtually disappear if access were to be provided under legislation to obtain a proportion of those animals presently destroyed in the large municipal pounds.

I draw your attention to the words "municipal pounds", not pounds in general, not pounds in cities, not humane society pounds. The words are "municipal pounds". Also note the word "proportion". I will read it again, Mr. Speaker:

If access were to be provided under legislation—

That is Bill 194, I presume.

—to obtain a proportion of those animals presently destroyed in the large municipal pounds.

Why is there this insistence on destroying, or at least jeopardizing the existence of, the humane societies when it is clear that sufficient animals can be secured from the municipal pounds alone for over the next three years at least?

When I proposed in the committee that the humane societies be exempt, the Minister did not refute my contention that the 1,900, 2,500 and 3,500 dog deficit could be met without touching the humane societies. He merely replied that it would not be fair to treat municipal pounds and humane societies differently; that this would be discrimination, or words to that effect.

Let us examine this argument which has been mentioned also by the chairman of the health committee.

It is quite true, Mr. Speaker, that a pet that is lost and reaches a municipal pound has the same feelings as a pet that is lost and ends up in a pound under the care of the humane society. There is no question about it. No one disputes it. The difference lies in the fact that in one community many citizens, over a long period of time have concerned themselves with the problem of preventing cruelty to animals, have banded together, have given their time and their money to the formation of a humane society.

In other communities the municipal government has looked after the problem using the taxpayers' money for that purpose.

The humane societies originally provided a shelter for lost animals. Eventually, most of

them were asked by the community to provide a large pound to which the municipalities could send stray animals picked up throughout the community. For this service grants or fees were paid to the humane society. This relieved the municipal officials of an onerous responsibility and enabled the humane societies to extend their assistance to more animals. With some exceptions this has been a relatively agreeable arrangement.

The difference, then, is not a difference in animals, it is a difference in people. The private organizations, known as humane societies, will have to give up their principles or their pounds. If they give up the pounds, many, perhaps most, will collapse. The municipalities, which will now have to take over the responsibility of operating animal control in their communities by providing their own pounds, will be put to a great deal of expense.

They will have to acquire, or build, their own pounds. They will have to pay for all the work that is done in them. There will be no volunteer workers, there will be no bequests, there will be no donations, there will be no membership fees from humane society members. The educational work done by humane societies in the community will be sorely missed. The community will be the poorer as a result.

One of the most impressive witnesses appearing before the standing committee on health was the daughter of a Nobel prize winner, himself an animal experimenter, Professor Gisell, of the University of Michigan. His daughter, Mrs. Christine Stevens, told the committee out of her own wide experience that wherever animal seizure bills have been enacted, humane societies have always opposed this type of legislation for two important reasons. I shall quote Mrs. Stevens who obviously impressed every member of the committee:

Because it causes great distress to animal owners, and because it brings into laboratories on a long term basis, animals accustomed to a life of relative freedom—

Mrs. Stevens expressed very clearly the difference between the feelings of a pet and the feelings of an animal bred especially for research purposes by saying:

Freedom abruptly removed when they are institutionalized, has a profound depressing effect on dogs, and only the provision of much more space and much more attention than most laboratories are prepared to provide can possibly offset it. Pining for a lost master may add to a

dog's suffering. Sticking faithfully to his training as a housebroken pet, when he is confined in a cage, can cause very great distress leading, in some cases, to sickness and death.

This, then, is one reason researchers themselves prefer to use specially bred animals rather than stray animals. As one researcher put it:

When we used to get pound dogs here, we would sometimes find a healthy dog in perfect condition, well trained to heel, roll over, and so on. I always had a sneaking feeling it could have been stolen.

It should now be clear, Mr. Speaker, why pet owners and those who can understand the feelings of pet owners, oppose animal seizure laws.

I was hoping that the members of the committee could reach a compromise which would achieve the following four aims: I will repeat them although I mentioned them earlier: 1. Provide enough animals for vital and urgent medical research; 2. Assure ourselves and the concerned public that no unnecessary pain would be suffered by animals in any future experiments; 3. Devise a fool-proof method to enable pet owners to exempt their pets from survival animal experiments; 4. Enable the humane societies to continue their work.

I believe that the committee can feel reasonably optimistic that the first three objectives have been gained. There is absolutely no good reason, however, for our failure to achieve the fourth objective. As a former director and treasurer of the Essex County Humane Society, perhaps I can foresee better than some others the plight of these voluntary private organizations if this Bill 194 passes without exempting the humane societies from its provisions.

Mrs. Stevens and others have told us of the experience in other jurisdictions where animals seizure bills have been enacted. The results have been disappointing—public controversy has sharpened and continued. In New York state, after 20 years of pound seizures, there is as much bitterness as at the time of the passing of the bill. When will governments learn that they cannot continue indefinitely to use compulsion and confiscation against private groups?

Although the testimony presented to the committee has led me to believe that pound seizure is not a defensible measure, I am willing to compromise to this extent, that it be used in the case of municipal pounds on

the understanding that it will be a temporary measure until breeding facilities become available. In return, I ask that the humane societies be exempted, for the reasons already mentioned. Some municipal councils, foreseeing the additional expense that will be caused, have passed resolutions against Bill 194. Windsor city council is one of these.

This is a simple request. If you exempt the humane societies, who will object? Not the deans of medicine—they will have more than enough animals for their needs. Not the general public—they will applaud you. Not the backbenchers of your own party—they will cheer you.

I cannot think of anyone who will say an unkind word to the Minister if he would compromise on this point. If we can compromise, why cannot you?

Mr. S. Lewis (Scarborough West): Because they do not like Tom Hughes.

Mr. Burr: In the course of the hearings and in the clause-by-clause discussions in the standing committee afterwards, a clear picture has emerged, including: First, the superiority of specially bred animals for survival experiments; second, the feasibility of making sufficient numbers of these animals available within a period of about three years; third, the fact that no attempt has been made to acquire animals from at least some of the major municipal pounds; fourth, the Minister's insistence on a course of action which will harm, or even destroy many humane societies and will cause difficulties for those municipal councils which will lose the help of their local societies.

For these four reasons, and also for the exclusion of the humane society inspectors from research facilities, which is the fifth reason; and for a sixth reason, upon which my colleague, the member for Scarborough Centre, will elaborate, I had intended to propose a reasoned amendment which would have referred this matter to a select committee. I do not like the six-month hoist aspect. A select committee could have finished the job in a month or two. For the moment I am not sure whether I support the amendment of the official Opposition or not, I will have to think that over.

Mr. G. Ben (Humber): Mr. Speaker, is somebody on the other side speaking?

Mr. Speaker: I had notice of a government speaker but he is not in the House at the moment. The hon. member for Humber.

Mr. Ben: Mr. Speaker, in rising to support the motion of my leader, I regret extremely that the chairman of the standing committee on health and the other matters assigned to him is not present, because in rising, I specifically want to discuss points that he raised in his speech. There were a lot of inaccuracies in it and I felt that I should rise.

In beginning his speech, Mr. Speaker, the Chairman of the standing committee on health stated that we had debated the principle and the detail of this bill in a well attended public forum of our committee hearings. That is not correct. It is true that we heard many representations, but the members of the committee had neither an opportunity to debate the principle, nor in fact, to debate the detail of the bill to any marked degree. We moved, or we tried to move, a number of amendments. We sat quite late, but I would hardly call it a debate. It was more in the nature of a meeting of the standing committee on health, which it in fact was. But as far as debating the principle was concerned, with that, I do not agree.

The hon. member then went on to say, on many, many occasions during his speech, "that it is agreed, that it is agreed, that it is agreed." With many of the things we do agree, but there are many others with which we do not agree.

The hon. member stated that it is only natural that all people should be concerned to make sure that if dogs and cats are to be made available from the public pounds in this province for teaching and research there should be clear, unequivocal and adequate protection to ensure that any individual pet should not be used.

This, he went on to say, this protection, is given in Bill 194. Mr. Speaker, I disagree with that proposition, and I think the previous speaker disagreed with that proposition. In fact, an amendment was proposed by this speaker in the committee, and the member for High Park referred to it as "the Burr amendment". So be it.

There was not an amendment at all. If the hon. member who sat down wants to claim it as an amendment, or put his name to it, I am not adverse to it. But the fact was that it was brought up during the public hearing that perhaps there might be some way of identifying animals belonging to people who did not want those animals to be used for experimental purposes of any kind. It was suggested that there be some kind of a tattooing system.

The fact remains that at least that hon. member and this member speaking, feel that there is not clear, unequivocal and adequate protection to ensure that any individual pet should not so be used. So to this degree I am afraid I must disagree with the hon. Chairman.

Then he goes on again to talk about basic principles, and he states that Bill 194 seeks to institute legislative safeguards to ensure that animals needed for teaching and research are; one—and the numbers are mine—made available; two, acquired legally; three, cared for; and four, treated humanely wherever they are used in the province of Ontario.

We do not agree with that submission. They, the Tory government and the doctors, say that Bill 194 seeks to introduce legislative safeguards to ensure these points. But if so, why will they not permit inspection by the humane society people? This is a very important principle. This is a safeguard that is not assured. As I stated in the committee, the doctors and the other people who are supporting this bill, from the veterinary colleges and other institutions, adopt the attitude that they stand, not only at the right hand of God, Mr. Speaker, but with their lips pressed to God's ear.

However, I am afraid that I just do not accept that that is their high and mighty omnipotent position. I do not accept that they are beyond error, I do not accept that they are blessed with all the virtues that the God Almighty ever bestowed on humble man.

But that is the principle that this bill tries to inculcate. I do not abide by that.

It is true, however, that this bill will help to alleviate, or perhaps even do away with, dognapping and similar nefarious practices; and we do welcome such provisions.

The hon. member goes on to say that measures are needed to ensure that the animals which are used in teaching and research are purchased legally and that no person can so profit from the sale of a stolen pet. I think it goes further. I think it also prevents any person profiting from pets which are lost, strayed or unwanted, aside from stolen pets. And we agree that this provision is met in the bill.

He then went on to say that representatives of the teaching and research community in Ontario have requested legislation requiring the inspection of their facilities and making open, under law, their records and methods of operation for scrutiny by those who act

in the public interest. That may be so, but they are against the humane society people making such an inspection.

He went on to say they have stated categorically that the animal care facilities and procedures in the universities and other institutions should be open to rigorous inspection on a regular basis; but not by the humane society people.

The Chairman went on to say, as is provided in Bill 194 inspection should be by qualified personnel, specially trained to ensure that animals of all species are comfortably accommodated, treated, and so on, and so on. That, in our opinion, is a false assertion, Mr. Speaker. Because we tried to move an amendment which in fact would have demanded that all the inspectors—aside from the chief inspector who would be a veterinarian—would be graduates of a recognized course in animal care or husbandry from a school or college or university that is accredited—and the Minister refused that suggestion.

He said he was going to give the job to people who are qualified any way—ex-police-men he said—although I have not yet been able to determine what makes an ex-police-man such a highly qualified individual—or a person qualified as highly to take the course that he is going to give.

He already told humane society inspectors who are qualified, they cannot go in—and as I say, we tried to restrict the inspectors to those who graduate from these schools. Why? I can understand why: Otherwise it would be a new pool for patronage for which they would draw. So we disagree with that assertion, Mr. Speaker.

He went on further in his speech to suggest—as he put it:

But as well, inspectors of the Ontario humane society should be authorized to force those provisions of Bill 194 having to do with the housing and other standards of care plight to animals. In effect it is suggested there should be double inspection, one on behalf of the public of government and another on behalf of the private societies who employ their own inspectors under The OSPCA Act of 1955.

Mr. Speaker, the great fear is that the inspectors who are going to be appointed by this hon. Minister pursuant to this particular statute, are not going to be acting in the public interest, but in the interest of those of this province who are putting through this bill. And this is why a good portion of the

general public wants the humane society inspectors to go in there, because they feel that it will be the humane society inspectors who will be acting on behalf of the public interest and not the inspectors appointed by The Department of Agriculture and Food.

But this is, again, the way they tried to cloud the issue. To show you how impossible it is to sway this Minister and to demonstrate his absolute desire to avoid compromise, it was suggested—as a matter of fact one of the sections was attacked, because under that section only an inspector appointed under the Act, an inspector of The Department of Agriculture and Food, could institute proceedings under the Act—that anyone have that right. Sir, only an inspector? No one else?

Even if you, Mr. Speaker, were an eye witness to cruelty being carried on by any of the persons bound by this Act, you would be powerless to institute proceedings. You would have your common law right to institute proceedings when laws are broken denied you; and they talk about constitutionality? Why? Why are the inspectors going to be so sacrosanct that only they should have the right to institute proceedings? Why cannot any citizen who sees the law broken have the power as he has under the common law to institute proceedings?

No, this Minister feels that only his inspectors are qualified enough to go before a justice of the peace and lay a complaint. What unadulterated nonsense. But, he thinks he is being big and noble.

Then the hon. Chairman, very facetiously I thought, went way off the beaten track. And before I go on, I must say that I am a great admirer of the Chairman. He sat through those meetings and I think we should give a round of applause because I think he has been an excellent Chairman, not only in this particular instance while we were discussing Bill 194, but as a Chairman of the standing committee on health, correctional services and social and family services—excellent. And when he has had something to say, it has made a lot of sense, but here he sort of went off the beaten track.

He tried to imply, well let me just repeat his words:

Furthermore, although it is not plain that teaching and research is inhumane to animals, it has been stated that there is widespread suspicion that within our teaching and research institutions, things are done which would not receive the approval of members or inspectors of the humane society. Yet

those same societies now employ inspectors who are entitled under present legislation to enter any premises—and here I would ask you to listen to the governing words—“where they suspect there is cruelty or inhumane treatment to animals”. Despite this right inspectors of the various humane societies of this province do not now, nor have they in the past, inspected on a frequent and regular basis the teaching and research institutions, despite in many cases being specifically invited to do so.

Mr. Speaker, I take great exception to that statement. First of all, Mr. Hughes stated that he inspected almost every facility, research facility in this province, perhaps not in his capacity as an official of the humane society, but with the Canadian-wide association that inspects animal care.

Mr. Hughes made the same statement. But let me point out, Mr. Speaker, officials of the humane society are restricted in their rights to enter premises for the purpose of inspection to where they suspect there is cruelty, or inhumane treatment to animals.

Now, if they were to knock on a door of the Connaught laboratories—and Connaught laboratories has never restricted them coming in, Mr. Speaker, so I can use them as an example—and say, “We want to inspect your facilities,” Connaught laboratories could say to them: “Do you suspect cruelty or inhumane treatment to animals in our establishment?”

And if the humane society officials say: “No, we do not suspect, but we just want to see if there is or not,” the Connaught people could say: “We are very sorry, you cannot come in.”

That is the law, reasonable grounds. You can only come in if you have reason to suspect cruelty. That is law.

It is all right for the Minister of Correctional Services to interject, but this is the way the law works, and the humane society people have said they have no reason to suspect cruelty.

They have been permitted to go in there, but I am just trying to point out, that to make periodic inspections as was stated by Mr. Hughes, would entail enormous costs to the humane society, a voluntary organization supported by voluntary donations. And secondly, they would need a large staff and thirdly, they do not see any need for a continuous regular inspection. So I have to quarrel with the statement in this regard made by the hon. Chairman of the standing committee.

In Bill 194 it does prohibit inspectors of the humane society or the representatives of any responsible organization from visiting a



teaching and research laboratory to the degree that they have no legal right so to do, because the bill specifically exempts the provisions and operations of the Act which established the Society for the Prevention of Cruelty to Animals under the statutes of Ontario 1955. So that again is incorrect in his statement. Then the Chairman went on to say: "The Criminal Code is still in effect and gives the Humane Society an umbrella under which to operate."

Well, I would point out that it is very difficult to obtain any kind of a conviction under the Criminal Code, because section 386, I believe, provides that everyone who wilfully and without lawful excuse, kills wounds, and so on; it must be wilfully and that is a difficult thing to prove unless you are in fact publicly kicking a dog or beating him over the head; and secondly, it must be without lawful excuse.

Well, to carry on experiments in a recognized university of the province, there is a lawful excuse. So by what stretch of the imagination could they, under the Criminal Code, go into, say, the Connaught laboratories or the Best Institute and launch criminal proceedings when the person whom they want to charge would not be wilfully or without lawful excuse, killing, wounding, poisoning or injuring an animal! It is utter nonsense.

That is why there has never been a conviction as far as a laboratory experiment is concerned. Most of it involves cruelty to cattle and occasionally the beating of a dog or the mistreatment of a cat, but not in experimental purposes.

I think it has already been pointed out by the member who sat down, the hon. member for Sandwich-Riverside, that there are adequate animals throughout Ontario which could be utilized for experimental purposes. The reason the medical people complain of a shortage is because to them a shortage is when animals cannot be obtained the way they want them to be obtained. In other words, at their doorstep.

By their own figures, there are adequate animals, more than an adequate number of animals across Ontario for their purpose. But what they say is, "We have to go too far to pick them up". If we need animals, and indeed we do, then we should supply these animals and it is the responsibility of this government to supply the animals. If they have not the money to travel another 100 or 200 or 300 miles to acquire these animals, it is the responsibility of government, of we the people of the province of Ontario—to supply the

money and the means to travel the extra 100 or 200 or 300 miles to acquire these animals so that there be no shortage of animals for experimental purposes in this province. There is no need to resort to animals in the pounds and in the control of the humane society.

And the way they have been talking—they use the word "unwanted" animals, "abandoned" animals—this really touches me. What is the difference between an unwanted animal and an unclaimed animal? Well, there is a considerable amount of difference. It is quite conceivable that a child may lose a pet and a child, being a child, and careless in his thoughts and not always concentrating on one particular aspect of its existence, that child may not recognize that its pet is missing until three or four days have elapsed because that child has been busy doing other things—in the winter time he may be skating, may be playing hockey, may be throwing snowballs or the like. It is only when they cannot go outside because there is a severe snowstorm and begin looking around for something to amuse themselves that they find their pet is missing.

By that time the three days have elapsed and the pet is gone and they, the government, would call this an unwanted pet or they would call it an unclaimed pet. Maybe it is a strayed pet and nothing more.

And, Mr. Speaker, who says the public demands all stray pets be picked up? People who own pets are part of the public and if you were to ask them whether stray pets should be picked up, they would probably tell you to mind your own business. As far as they are concerned their pets are not astray, they are out for an airing and they know how to find their way home and they will find their way home. So do not give us this nonsense about a "lost" pet.

Pets are not lost. They may wander away from home for purposes that are best known to those animals themselves, and perhaps we should not inquire into those reasons, but the fact is they may be just wandering from home as often we human beings do.

So let us not use the phrase "not wanted" or "abandoned". Some pets may be abandoned and some pets may be unwanted but the majority of pets are wanted and some just wander away.

I listened to the whole speech and I was annoyed. Further on in his speech the hon. member said as follows:

In fact, it is agreed that unwanted and unclaimed animals should be made available for teaching and research from municipal pounds.

Well, as a matter of fact, that is true. It is agreed that unwanted and unclaimed pets could be made available for teaching and research from municipal pounds. As a matter of fact, the humane society agrees with that principle except that—I am sorry, I better not go into that. And then he goes on: “This principle has been accepted, and in fact suggested by the humane society”. Yes. Then his next sentence is: “Where then is the argument?” Well, there are arguments and there are many of them. First of all, the humane societies feel that pets taken from pounds should not be used for survival experiments. Secondly, the humane societies believe they ought to have the right to examine these facilities—if only as *ex-officio* inspectors of the province of Ontario—and thirdly, they believe there should be a longer redemption period. All these, weaknesses are manifest in the bill.

Fourthly, let me point out, Mr. Speaker, that under this bill if a teacher has a cage in the classroom containing hamsters which he uses for demonstration purposes, teaching purposes, even perhaps just to teach the function of sex and procreation, under the definition of this bill that is a research facility and must be licensed or exempted from licensing and is subject to inspection. If the teacher has toads, frogs, turtles or eels, which are vertebrates, also for that same purpose, that classroom becomes a research facility.

Now, I respectfully suggest, Mr. Speaker, that perhaps it may be carrying things to an extreme.

Hon. Mr. Grossman: It is not really. The member is going to lose his QC.

Mr. Ben: Well, look, if it will result in this bill being hoisted and a proper law forthcoming which would guard the sensibilities of all people, the Minister could have his QC.

An hon. member: That certainly is the devotion of a true animal lover!

Mr. Ben: At one time I interjected while hon. Chairman was speaking, Mr. Speaker, when he stated that dogs picked up experience a marked improvement in their lot under the standards of animal care they receive in our teaching and research institutions. I had to interject—yes, they are fattened for the kill.

I guess their philosophy is that even a dog must have its day and they give him his last good meal. But to suggest that dogs should be picked up for research purposes because they are going to be better fed and better housed—that to me is like saying we should

all ask for room in the cell adjacent to that last mile that people used to walk at one time before they changed the law.

Now further on the hon. member stated:

The suggestion that pounded animals should be used only for non-survival experiments with the blessing of the humane society implies, of course, that survival studies are in some ways cruel; or death is sufficiently suspect so that they are not approved by the humane movement.

That is a rather ridiculous statement. All these experiments where an animal is cut up are in some ways cruel but they are not wilfully cruel nor are they unlawfully cruel. They are simply cruel to the animal whether it is needless cruelty is something that is a subject of discussion perhaps in another forum. But anything that inflicts pain, whether it be on an animal or on a human, is cruel and we ought to keep that in mind.

I am not going into the question of using animals of mixed backgrounds, although I have to take the hon. Chairman to task when he repeated the statement of an individual from the University of Guelph who suggested there was no difference psychologically between an animal that was bred for experimental purposes and a domesticated pet.

Well, that is just unutterable, unadulterated rot—it is nonsense. There is a marked difference. Everybody knows there is a psychological difference between a pet and any kind of an untamed animal. This is what distinguishes a wild animal from a domesticated animal.

A domesticated animal has a certain psychological response to the tenderness of humanity of the people around it. This is something that a wild animal has not experienced. There is a world of difference. One lives in the world of the wild and the other one lives in a world of civilization and for him to quote that, I think is nonsense.

I think it has already been established that there are more than adequate animals to satisfy the needs, they just have to go further afield to get them.

I am not satisfied with my amendment as reworded. I had moved an amendment to some of these sections and the legislative counsel took it upon itself to reword them. I am not satisfied that the purposes are met. But we cannot go into that here, Mr. Speaker, because we are dealing with the principle of the bill, and that is what I am trying to do.

Mr. Speaker, the hon. Chairman went on to talk about the fact that the vast majority of unwanted and unclaimed dogs and cats

in Ontario are destroyed. That may be so. He also went on to say that these animals, a public resource, are presently killed at public expense.

Well, under his definition, Mr. Speaker, we are all a public resource; and if we follow his reasoning then perhaps our day in a laboratory is coming.

I think the hon. member for Sandwich-Riverside was perhaps correct in comparing this legislation with something that happened during the days of Hitler Germany because, Mr. Speaker, it is an argument for academicians, where the line is between our form of civilization and that civilization, if one may be permitted to call it that, in Germany under Hitler.

So if we start talking about what is a public resource, we might just find ourselves being a public resource, and treated as a public resource the way this government is prepared to treat dogs and cats which have wandered away from their homes.

Toward the windup the hon. Chairman suggested there was no constitutional or other reason to support this suggestion. What suggestion is not important! It is the principle, Mr. Speaker, because he is implying that if there is a suggestion there has to be a constitutional or other reason to support it.

I would point out to him that what we are entitled and empowered to do is not that which has to be on constitutional grounds; we are entitled to do anything which is not specifically prohibited by law, that is, by the Constitution.

So we do not have to have constitutional authority to do something; we could do anything that is not constitutionally prohibited. Therefore we can look after dogs and cats as long as this government does not constitutionally prohibit us from doing it, and this is what it is trying to do here.

Now there are a lot of statements; it was a very good speech the hon. Chairman made. He mixed absolute truths with things that were a little aside from the truth. Mixing the latter with absolute truths sort of gave them a little more credibility than they deserved.

He went on to say:

We must provide those resources, including in this case animals which are needed to ensure that our future doctors, nurses, veterinarians, biologists and all manner of health care personnel are as well educated as teachers can make them.

We cannot deny that. No one in this House denies that.

Then again:

We must not let our highly specialized research workers stand idle in their laboratories for want of experimental animals they need to discover new and better ways of preventing disease, treating the sick, and so on.

Yes.

But also, some of these are standing idle because they cannot get animals to experiment on and develop things which would be harmful to us. The fact is there is no need for anyone to stand idle for want of laboratory animals if the purpose has been approved. There are enough in the province of Ontario; all one has to do is to supply funds.

But perhaps the same thing pertains here as pertains with the children's aid societies. The time for questions ran out, Mr. Speaker, but I was going to ask a question of the hon. Minister of Social and Family Services (Mr. Yaremko). I was going to ask him: was he aware that the children's aid has been writing to doctors informing them that henceforth they cannot pay more than 90 per cent of the prescribed fees for the treatment of children in the care of the children's aid societies because this government will not give them enough money? And if the doctors do not want to treat them for 90 per cent of the prescribed tariff, then they cannot do business with them?

Well maybe this is why these research people are standing idly by, why they have not the necessary animals—because this government will not give them the necessary funds to acquire them.

He went on to say:

We must protect our citizens and their pets from dognapping.

Of course we must.

We must ensure that the animals which are used in teaching research are well and humanely treated in accord with the moral requirement of our society.

Of course we must.

We must not in Canada let the emotional harangue of the vested interests of the vocal and misguided minorities dissuade us from supporting the true principle of needed humane legislation.

Well this is where we differ.

The member may think that he speaks for the majority, we feel that we speak for the

majority. What makes him think that the doctors are the majority?

I say the people who have a humane instinct for the preservation of any kind of life are the overwhelming majority in this province; and I say to you, Mr. Speaker, that the doctors are the vested interests and they are the vocal and misguided minority, not the humane society people.

We are responsible to the people who have elected us to provide legislation to meet their needs; and the needs also involve the psychological needs and social needs of the people. We must preserve their mental health, as well as their physical well being. And I am not prepared to destroy the mental health of a large number of the people in this province just so society can get a few more dogs so we can live another five or ten years.

The people are entitled to live whatever life they do live in peace and security, mentally as well as physically. If we are going to sell our souls for an extended period of one or two years in the life span of man, then I think we really have sold our souls to the devil; and I am not prepared to do that.

For these reasons, Mr. Speaker, since this bill is full of loopholes—it does not live up to the principles that the government says are enunciated in there, it does not even contain principles—for these reasons I am supporting the motion to hoist.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I had the benefit of the first few days of the sessions of the standing committee in which public hearings were held on this bill. Unfortunately, I was not able to attend the latter days because of other commitments in connection with the legislative work. But one of the representations that was made, I must say, struck home with me.

It was from one of the most authoritative witnesses, Dr. H. C. Rowsell of the animal care council from Ottawa, a man who I think has the unquestioned respect of both the humane society and the universities in the research world.

Toward the end of his testimony, there was something of an anguished plea when he said: "I hope the day will come where the two organizations, the research bodies and the humane societies, will not be involved in hurling names at each other, engaged in something approaching a vendetta. We have a problem, but the problem is capable of a solution."

Now, I want to suggest to you, Mr. Speaker, that that was not only an anguished plea, it was also an accurate reflection of what had happened down through the months. In these hearings, we did get as rational a presentation as was possible from both sides. The extremism, for the most part, did not creep into the testimony, and therefore it was very useful.

But one reason why our difficulties have been compounded, Mr. Speaker, is that there is a third dimension, and that is that the Minister is involved in a vendetta against the humane societies.

Interjections by hon. members.

**Mr. MacDonald:** Well, if the hon. gentlemen are not aware of this, it is about time they became aware of it, because it is one of the realities of the picture.

**Mr. Pilkey:** They do not want to face reality.

**Mr. MacDonald:** Extremism has crept into the presentation of both the humane societies and the research bodies, but the Minister has been involved in a vendetta against the humane society.

Quite frankly, I am a little puzzled as to why. I got some answers to my puzzlement during the course of the hearings. At one stage, for example, on Bill 74, we learned that the Minister himself, or some of his neighbours down in Middlesex county, were subjected to what he thought was an abuse of the power of some of the inspectors of the Ontario Humane Society; and he is determined that this will never happen again.

Well this Minister has a record of taking rather extreme positions against those whom he thinks are determined to—and I use the vernacular—to "cross him up".

Ten years ago, the farming community of this province was torn apart in the so-called hog controversy because this Minister was determined that the people on the hog marketing board were not going to have their way. He drove through Bill 86 to impose restrictions on marketing throughout the whole of the province of Ontario to serve his purposes.

**Hon. A. F. Lawrence (Minister of Mines):** Sounds like the member has the vendetta, not the Minister!

**Mr. MacDonald:** About five years ago—or was it less than five years ago—the Minister became preoccupied with what he thought

was the mismanagement of the bean board, and he decreed that the bean board was going to be put out of business. Indeed, he put them under trusteeship; and like a Latin American *coup*, he took it over while its officers were engaged in discussions with other officials of the government in a London hotel.

Now the Minister has become obsessed with getting the humane society!

I acknowledge that in the last five years there has been difficulty in bringing these two groups together. I have read all of the correspondence, I have read all of the exchanges of letters, all of the representations that were made in the first instance between the universities and the humane society, between the humane society and the universities, and both of these bodies to the government. What has happened is that the Minister, who could have, and should have played a role of an arbitrator or a conciliator in bringing these two groups together, did not play that role; and he could not play that role, because he was emotionally involved in it himself. He was the third dimension in what has degenerated into a vendetta!

In fact, let us just look for one moment at the reluctance of the government to come to grips with solutions that were presented by the Ontario Humane Society. If the Minister's emotional reaction and involvement in this whole issue was produced, as he seemed to have revealed by the abuse of power—and it may well have been an abuse of power—by the abuse of power by some inspectors down in Middlesex county, surely there were other ways of coping with the situation—such as reporting to the humane society and making certain that that abuse of power did not take place again.

However, the humane society was sufficiently determined to do its job and yet be freed of those areas of activity which are capable of misrepresentation to the public, or an abuse of power, that some eight weeks ago, early in October, they presented to this government—to the Attorney General (Mr. Wishart)—because it fell under the Attorney General's jurisdiction—the proposal that the jurisdiction over the inspectors of the Ontario Humane Society should be taken away from them altogether. They suggested that the jurisdiction should be put under an independent tribunal which would be made up of an appointee from the humane society, an appointee from the government and an impartial chairman who would complete this tribunal.

Now if the Minister is really interested in a solution, instead of perpetuating the vendetta—or if this government were really interested in a solution—it seemed to me here was an evidence of good faith on the part of the humane society in an area where they were being accused by the government of abusing their power.

As far as I am concerned, I just cannot buy the argument of the Attorney General that they have not had time to look at this proposal. This proposal looks so much like a solution to an area of potential difficulty—the Minister contends it is an actual difficulty—that it was not beyond the capacity of this government to move in eight weeks, and bring in the necessary amendments to the legislation now before the House, or in Bill 74, placing jurisdiction over the inspectors of the humane society with this independent tribunal.

In short, Mr. Speaker, there is a double objective that we have been wrestling with now for some five or six years, back to about 1962, when the negotiations started. We have had one objective of assuring the necessary flow of animals for research, and I put it all in the context of making certain that there is no unnecessary cruelty. And this bill is a marked improvement along that line.

There is only a small percentage of people in the province of Ontario who object to that—those who fall into the category of anti-vivisectionists.

I have the greatest respect for anybody who holds to a view with great conviction. I respect the anti-vivisectionists, but I do not agree with them. This House does not agree with them; society does not agree with them; the Ontario Humane Society does not agree with them. So we do not need to have the issue clouded by that.

Overwhelmingly, there is agreement that there must be the necessary flow of animals available for research. But there is a second objective of equal importance. The more I have observed the ramifications of this whole problem, the more I am convinced of the necessity of somebody with the sensitivity of those involved in the humane society to make certain that, wittingly or unwittingly, there is not going to be an unnecessary infliction of cruelty on animals in our society.

Animals cannot help themselves. We have to take the necessary steps to make certain they are not abused. If it were not for the humane society, we certainly would not have become civilized to the point of protecting

animals against cruelty or even considering the kind of improvements contained in these bills.

We can achieve these two objectives; and I submit that, if the Minister had been playing a constructive role instead of being involved emotionally in the vendetta, and giving it this new dimension, we would have solved this problem a long time ago.

It brings me, Mr. Speaker, to the final point I want to make. I am not going to deal with the substance of this bill, my colleagues have dealt or will deal with it.

Clearly this bill needs more study. The Minister contended that they had studied it; that they had exhausted their research on it; that they had consulted everybody; and that the bill before us was almost a definitive document.

Well, the Minister contended that a year ago, and only under pressure that became irresistible, even for this Minister—and he can resist more pressure than anybody I know, even though it is backed by common sense—he withdrew Bill 73. Earlier this fall I asked the Minister if he would consider giving an opportunity for further representations on this bill before a standing committee of the Legislature. Characteristically, his instinctive reaction was no.

Hon. Mr. Stewart: Oh! I did it the next day.

Mr. MacDonald: I said characteristically the Minister's instinctive reaction was "no." He did say "no," but he went out of this House and with all of the pressures from his own backbenchers—and I suspect some of his own Cabinet Ministers—he decided that here was a way, not only to find a solution to the problem, but to get him off the hook. His colleagues were more concerned with the ramification of the issue than the Minister was. So admittedly, he came in the next day against his original snap judgment—his snap judgment is always to say no—and he said it would go to the committee.

Now what happened, Mr. Speaker? This bill that was a definitive document, which was the essence of perfection, has had many very good amendments. When we listened to the representations before the committee the Minister himself, in many instances, acknowledged that they were amendments and accepted them.

We had scenes before that committee—perhaps the most remarkable one was the occasion when Mr. McCreath, a lawyer—I

understand he used to be campaign manager for Arthur Maloney, so I suspect his relationships to the Tory Party are well known—came and really backed the Minister against the wall.

He, in effect, said to the Minister: "This is what you say is your bill, but your bill does not achieve the objective that you have stated." The Minister had to say: "Well, if it does not achieve our objective we will amend it."

Maybe he would have dismissed it if it came from anybody else, but at least he conceded that perhaps his bill was not fulfilling his own stated objectives.

So we have a bill much improved over what it was before, Mr. Speaker. But it is not yet a perfect bill. There are still areas which need further study.

The motion that the leader of the Opposition moves was a six months hoist. We are going to support that motion because it is in the direction that we think we should move. If we had had an opportunity to make an amendment, it would have been a reasoned amendment for reference of this matter to a select committee to continue the study, to continue the study that was done under the haste and the pressures and all the tensions that have characterized the last week or ten days of the hearings of this committee. We can move to a solution.

I must say that I went into the hearings of the committee—those that I had an opportunity to share in and to observe—persuaded that the proposition of animal breeding stations for survival experimentations was not a necessary proposition. Or at least I wondered about the feasibility of it.

As far as I am concerned, the evidence that came before that committee was overwhelming. The considered view of the people in the research field was that animals whose background is known are better. They have been reared, and they have been kept under controlled conditions, and they are better for experimentation. The cost is not as prohibitive as some of the research people tended to suggest, and as the government has tended to argue. Indeed, we had one witness who came before the committee and pointed out that you could, in the next year, build the necessary facilities for breeding stations and operate them as well for a year for approximately \$1.8 million.

Then he pointedly observed that that is the annual contribution that this government

puts into subsidizing the breeding of racehorses—because it suits his purposes to make subsidies for the breeding of racehorses. That would seem to put the whole thing into perspective rather quickly.

If this government is willing to spend \$1.8 million to subsidize the breeding of racehorses, why would it not in its own interests—instead of being adamant and bone-headed—make the money available for breeding animals to make better research possible, to avoid all of the emotional cross-currents in society; and to threaten the existence of the Ontario Humane Society?

We do not want to pass a bill here which is going to destroy the good work of an organization that has performed a unique role down through the years. The Minister, I repeat, has permitted himself to become engaged in what is nothing other than a vendetta against the Ontario Humane Society.

One of the reasons why this bill should be given a hoist—I would like to add this—if we could amend the amendment, it would be for continued study in a select committee to work out the ways and means by which we can not only perfect this bill, but also to give this government an opportunity to move immediately to the building of these breeding stations—so that we can have the necessary animals and extricate yourself from continuing conflict with the work of the humane society.

As I indicated, we will support the motion for a hoist, but with the additional indication of why we think it should be hoisted, and what should be done during the traditional six-month period that the hoist motion involves.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, my remarks are going to be very limited indeed. The argument which I proposed to put forward essentially has been put forward by the member for Sandwich-Riverside here this afternoon.

It has been my feeling that this government should have moved, and could have moved, toward the establishment of breeding stations for animals used for research purposes a number of months ago. I think it could have been done quickly with the minimum of cost. I see no reason why these stations could not have been established at the Guelph reformatory, Burwash—these institutions, I am sure, could have performed a very useful function in this regard.

I think the member for Sandwich-Riverside has made a good point. I think the scientific benefits of using animals bred specifically for

chronic or survival experiments is a good point. Certainly, the variables are greatly reduced and consequently there is an increase in the precision and the reliability of the results.

People have argued, and this has been argued time and time again by the deans of medicine and by other researchers that to do this would greatly increase the costs. Well, I think the hearings in the committee certainly shot that argument down. I think the figures that have been presented by the member for Sandwich-Riverside this afternoon are also quite pertinent and revealed that this is just not so.

It certainly seems to me that from the social point of view the use of these animals in chronic experiments relieves the laboratories from the odium or stigma attendant with the possibility, even though it is slight, that they are using pets for this purpose. These animals could be raised by the laboratories or by government farms as I have mentioned and I think this could be done with a very minimum of cost involved.

The use of these animals, bred for the specific purposes, certainly prevent the frustration of experiments which may involve costly delays in laboratory work through the discovery of diseases not apparent when the animals were purchased. Since the variables are reduced, then of course fewer animals are required for research purposes.

There is another point that I want to deal with briefly, Mr. Speaker, and it has not been touched upon this afternoon. I was disappointed that this Bill 194 does not provide for some type of research review board. I think the research review board could actually determine whether in fact a particular piece of research is necessary from the standpoint of whether it has been done before or whether the researcher could justify the proposed research when judged against what may already have been done in that particular area of research in question.

The deans of medicine, of course, do not agree with that position. They say that this hampers research and that it would cramp their style. It seems to me, that anyone embarking on a research project should be able to establish the need and the objectives of the intended research, and if they cannot do that, Mr. Speaker, in my view then, I think it is fair to say that nothing useful will come from the whole exercise.

It is similar to what is being done in England at the moment. The deans of medicine say that under the English system, research

is being hampered and the programme of research in England has not moved forward as it should have moved forward, but the people with whom I have talked about this matter and whom I would consider objective observers of that programme indicate that this is just not so.

It seems to me that a central indexing or a cataloguing system of all the research that has been done previously, would be a very worthwhile endeavour and could certainly be incorporated in this bill. This would mean that anyone attempting a research project could then look up or seek the information as to whether the particular project had been done previously and that would be catalogued. All of the pertinent information derived from that particular research project could then be laid out in front of the person who desired to initiate a project of a similar nature. I think that this is a very worthwhile thing and certainly one that should have been in my view incorporated into this bill.

The amendment that has been proposed by my leader, Mr. Speaker, has been proposed for obvious reasons. We think there are a number of areas in the bill that need further study and further discussion. Whether the Minister, in the six months mentioned in the motion, could set up a select committee and have this matter studied or take some other procedure in trying to come up with the best possible bill, would be up to the Minister and would be up to his judgment. Certainly it needs more study. It is deficient and I wholeheartedly support the amendment of my leader.

**Mr. Speaker:** The member for Prince Edward-Lennox.

**Mr. N. Whitney (Prince Edward-Lennox):** Mr. Speaker, I have listened with a great deal of interest to most of the remarks that have been made this afternoon and I would like to add a few brief comments.

It was my privilege to visit the Connaught laboratories with members of the committee on agriculture and food. While there we saw some of the work that they are doing; we were shown animals, including dogs that were bred for research purposes and these animals came to the screened part of the cages showing interest in the members and a desire for affection, just the same as other dogs that are pets.

Consequently, it is my opinion that pain and suffering is something that all animals feel and I think that consideration should be given to that very point. Consequently, I think

this review board that it has been proposed to set up will find out the detail of the desire for animals, the need for animals, the quantities and what they expect to accomplish. In my opinion this is a step along the right line.

Also, during the spring and summer months, after Bills 73 and 74 were introduced, I received a great many letters. There were big advertisements in the papers, and I received many good letters. I appreciated the feelings, the emotionalism that people have about their pets, and about animals. I also realized more and more the animal theft that has been taking place in this province, and I say that the passing of this bill, by making the theft of animals unprofitable, will do more to prevent theft than anything we have had in the past.

Consequently, as things are now, I feel that no cat or dog in Ontario is safe, but when this bill is passed I would say that far more cats and dogs will be safe in the future. And that is where I disagree with the advertising that was done by the humane society.

I wish to say further, that there were other matters concerning the humane society. There were cattle seized in eastern Ontario, and in this particular regard, I was asked to go and see the seized cattle. I was aware that a veterinary put in the cause of death of one animal, partly as a result of malnutrition, and partly as a result of the shock of being transported by truck, which was his opinion.

I think that with the passing of Bill 74 there would be safeguards about that sort of thing happening. I understand that these animals were seized while the man was away from home, no veterinary was called in, nothing was done. I do know that this is getting away from the principles of Bill 194, but I am using it as a reference simply to state that, if an ordinary farmer trucked cattle under those circumstances, he might very well be charged by the humane society, but here, in this instance, they went ahead and did it without seeking a veterinary's opinion, or anything of the kind.

Throughout this whole matter, I would like to say that I have commenced to question some of the operations of the humane society.

Many years ago, I acquired a dog from them and I was very happy with them. I had a very high regard for them. I have a very high regard for the people who support them, and a very high regard for a great deal of the work that is done. But I do feel that they have had an attitude that they



were pretty well perfect, and that we, as legislators, were some kind of cruel people to even suggest that changes could be made.

I hope that, as time goes on, agreements will be reached. I do not think that this bill will put the humane society out of business. I do feel that it will lay the ground work so that there can be a greater co-operation between the humane society, and our other people than there has ever been, because I do know that the humane society can do, and has done, a lot of good.

**Mrs. M. Renwick** (Scarborough Centre): We need greater co-operation between the universities and what they are doing.

**Mr. Whitney:** But when they came out with a bulletin that stated that a bunch of goats were abandoned last September and no one fed them or looked after them at all, but, that in the previous April, those goats were seized at 4.00 o'clock in the morning—I cannot help but wonder why they were seized at 4.00 o'clock in the morning—after several months.

It seems to me that they could have been seized before that. Maybe they were not aware of this situation, but still it looked quite dramatic, you know, to make this seizure at 4.00 o'clock in the morning.

**Mrs. M. Renwick:** But what inspector?

**Mr. Whitney:** Then continuing from that—

**Mrs. M. Renwick:** What inspector? Establish the facts! The Minister of Agriculture and Food said the same sort of thing dis-

cussing Bill 74. He should establish facts—and soon!

**An hon. member:** Oh shut up over there.

**Mrs. M. Renwick:** That is not very Parliamentary.

**Mr. Whitney:** Continuing from that, I noted the remarks from the hon. member for Humber, and he mentions the fact that dogs were straying. They were not really lost; but, at the same time, straying dogs can be a menace to livestock.

We know that many of our stray dogs associated with coyotes—that some coyotes who have been captured recently have been hybrids, a cross of the two. We know the situation is not proper, and so I feel that this bill is going to do a lot of good.

I do not say that it is going to be perfect. No bill is. A good portion of the business of this House—every session since I have been here—has been a matter of amending and changing legislation as previously enacted. So I feel that this will be true of this bill.

As time goes on, the members will see ways and means by which it could be improved. I believe that the Ministers responsible will endeavour to do that. But I do feel that the passing of this bill will make me feel a lot safer myself, as far as the safety of my own dog and cats are concerned.

**Mr. Speaker:** Perhaps the hon. member for Scarborough Centre would move the adjournment of the debate. I am sorry—this is to continue after dinner.

It being 6.00 o'clock p.m., the House took recess.









# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 11, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 11, 1969

The House resumed at 8.00 o'clock, p.m.

## CARE AND PROVISION OF ANIMALS FOR RESEARCH (concluded)

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

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, I rise to support the reasoned amendment of my colleague, the member for Sandwich-Riverside (Mr. Burr), to send this bill to a select committee. There is increasing evidence that this bill could well be subject to abuse by use of animals in research for chemical-biological warfare purposes. Not just under the Defence Research Board, but under this bill as it stands, Mr. Speaker, even by private enterprise.

Allow me to explain.

One, Shirley's Bay, near Ottawa, is a Defence, Chemical and Biological and Radiation Establishment, known as DCBRE. It is pretty difficult, Mr. Speaker, to find out much about Shirley's Bay but I would like to point out several facts, and I will deal with these items as one, two and three. Shirley's Bay is the first.

To lead off, here is a small news item, and I will just read the title, "U.S. Flies In Germs, Gases For Defence Tests—Cadieux". That small item, Mr. Speaker, was presented to me by a concerned citizen. There is not even a date on the paper, but I presume that it would have been a few months ago. In the House of Commons, on June 3, 1969, on page 10536 of the *Commons Debates*, under "Biological Warfare: Transfer of Materials across Canadian Territory", Mr. David Lewis of York South said:

Mr. Speaker, I should like to direct a question to the Prime Minister: in view of the fact that Canada is a signatory to the Geneva protocol of 1925, against the use of chemical and biological warfare, will the Prime Minister inform the House whether Canada's part in the diabolical research and development of chemical and biological weaponry is being reviewed in

the present review of our defence policy with, I hope, a view to terminating it.

Mr. Lewis followed up his question, by saying:

I wish to direct a further supplementary question to the Secretary of State for External Affairs: on Wednesday last I asked the then acting Minister some questions about the possibility of the transportation of germs and other elements of chemical and biological warfare over Canadian airspace. May I ask the Minister to inform the House whether any shipments of such material take place from the United States into, or over, Canada by plane, truck or train.

Now, Mr. Speaker, it is difficult to find out information from Shirley's Bay, however, I would like to quote to you, and briefly, from this month's edition of *The Last Post*, December 1, 1969. And the source of this material in *The Last Post*, unless otherwise indicated, that is all the quotes, are from a history of the Defence Research Board of Canada, by Captain D. J. Goodspeed, Queen's Printer 1958.

Quote one about Shirley's Bay in CBW warfare:

The first was the Kingston Laboratory, organized by the army early that year as a BW station under the army's Directorate of Chemical Warfare led by Dr. G. B. Reed, a Queen's University professor.

Point two on Shirley's Bay, and I quote from the same source:

The Kingston Laboratory was expanded by one building and beefed up in staff.

And that was, I believe, in the 1950s, Mr. Speaker.

Shirley's Bay is also discussed in this article: Seymour Hersh, who spent three years researching his history of chemical biological warfare in America, recently said, "Although you never know it from reading the Canadian press, Canada is very highly regarded in the military here for its role in CBW research and development."

Now, Mr. Speaker, it is very difficult for a private citizen to get information, but according to this article:

Suffield research papers are widely circulated in the U.S. CBW labs, he wrote in his book. "U.S. chemical corps officials have circulated papers from another micro-biological research centre in Ottawa." This is obviously Shirley's Bay, which took over the Kingston Laboratory BW research in 1960; very little information is available on the nature of work at Shirley's Bay.

**Mr. Speaker:** I think if the hon. member would relate to the House the relevancy of her remarks concerning Shirley's Bay to the bill before us it might be helpful.

**Mrs. M. Renwick:** Thank you, Mr. Speaker. I am about to read letters inquiring as to the use of animals at Shirley's Bay with a view to the purposes of Bill 194.

**Mr. S. Lewis (Scarborough West):** The Minister has already asked a question about it in the House.

**Mr. Speaker:** There are certain members in the House who were not on the committee and who I think have some doubt as to the relevance of the remarks.

**Mrs. M. Renwick:** Thank you, Mr. Speaker.

To continue, a private citizen, concerned about Shirley's Bay and the use of animals therein for purposes of research, Mrs. H. B. Harris, 119 Gladstone Avenue in Galt, Ontario, wrote on June 10 to Mr. Pierre Trudeau, Prime Minister of Canada. I will take from her letter, Mr. Speaker, these remarks:

I would like to know what agents are being produced in the mentioned research centre in Ottawa; whether animals are being used, and if so, how many animals are used yearly and from what source these animals are being obtained.

I would like to know if the agents produced are being sent by rail or air to the U.S.A. to be stock-piled in that country.

I need hardly add that this information is of vital concern to anyone in Ontario who is concerned about the future of the human race and the prevention of cruelty to animals.

Mr. Cadieux, the Minister of National Defence, wrote to Mrs. Harris on July 14, 1969; and I take three lines, Mr. Speaker, which read:

This work is carried out at the Defence Chemical Biological and Radiation Estab-

lishment at Shirley's Bay and the Defence Research Establishment at Suffield.

Mr. Speaker, Mrs. Harris was not to be daunted; maybe that tenacity can be attributed to women generally. She wrote back on July 17, 1969, to the Minister of National Defence and she said:

Now that the preliminaries are over, may I have the answers to the questions contained in my letter to the Prime Minister on June 10, in the third and fourth paragraphs?

I would like to know what agents are being produced in this centre you named; whether animals are being used in the research; if so, how many animals are being used yearly and from what source are they obtained?

That is just a portion of the letter, Mr. Speaker, signed by Betty Harris.

From the Minister of Defence on July 31, 1969, a letter to Mrs. Harris, 119 Gladstone Avenue, Galt, Ontario, and I will take a part of it, Mr. Speaker, in the interests of time. It says:

Without revealing details, however, it may be said that animals are used as they are used in medical research generally, which is concerned with man's welfare, both in peaceful and defensive environments. The animals employed are obtained from the same source from which other medical research laboratories obtain them.

And the letter continues to say:

The most humane technique according to the guiding principles of the care of laboratory animals formulated by the Canadian Federation of Biological Societies are observed in all such work. I am confident that the procedures followed are as reasonable and humane as in any other medical research.

Small laboratory samples of chemical materials have been shipped to the United States.

Mr. Speaker, there was a question on the floor of the House of Commons from Mrs. MacInnis to the Minister of National Defence, which was put on the order paper, and to which the Minister of National Defence, Monsieur Cadieux, was kind enough to reply at 1.30 p.m. today in response to my pursuance of an answer to the question.

The question from Grace MacInnis, December 10, 1969 was as follows:



Mr. Speaker, I would like to ask the Minister of National Defence whether the National Defence Department is conducting chemical and bacteriological warfare experiments on animals at Shirley's Bay and Downsview?

Monsieur Cadioux's reply, Mr. Speaker, relayed to me by telephone today, was, and I quote:

If I recall correctly, animals are being used on an *ad hoc* basis. The animals employed are obtained from the same sources from which other medical laboratories obtain them and the most humane techniques, according to guiding principles for the care of laboratory animals formulated by the Canadian Federation of Biological Societies, are observed.

Now Mr. Speaker, in the standing committee on health we depended on the information which was only brought to us by people who wanted to come. Dr. Rowsell's statement on animal care, made to me personally when the Minister urged him to answer my questions and urged me to question him at the end of the committee meeting which ended at midnight on Tuesday, was to the effect that Shirley's Bay was closed down and was now a communications centre. Mr. Cadioux assured me that it is just the reverse, it is the communications centre that is no longer there and the lab continues.

I would like now, Mr. Speaker, to look at the other location mentioned by the Minister of National Defence, Suffield, Alberta, where animals are used for research. I would like to say that Jim Eayrs, professor of international relations at the University of Toronto, wrote on July 15, 1969, in the Toronto *Daily Star*, I believe; and this is a paragraph, Mr. Speaker, out of a long article of much interest:

Suffield has always opened its gas chambers and its germ tunnels to British and American CBW establishments. The British found this facility not just convenient but crucial. Without Suffield's wide open spaces there would be no Porton Downs.

The Americans have their own facilities but that has not stopped them using ours.

Most of the field trials of chemical warfare agents which were being conducted in the free world, the official history of the Defence Research Board—not to be confused with Pennies' account—tells us, of the 1950's were done at Suffield. The chief emphasis was on the testing of CW ammunitions for both United Kingdom and

the United States equipment. This reckless hospitality makes us as much responsible as any country for the balance of toxic power, the chemical and biological weapons race now threatening to get out of control.

Mr. Speaker, as I said before, *The Last Post* says that unless otherwise indicated, the quotes are from a history of the Defence Research Board of Canada by Captain D. J. Goodspeed, Queen's Printer, 1958.

May I briefly point out the validity of my first remarks, Mr. Speaker. Jim Eayrs' article, I suppose you might say, pointed out the horror of it.

The first point about Suffield; in a brief before the Senate Committee on Science Policy last year:

In 1967, the man then in charge of Suffield, Archie Pennie, was asked how the *tripartite* pact works. Asked if each country is "a specialist in a specific field", Pennie replied: "Yes, this is true. There are particular areas where we are better suited, as a result of staff or training facilities, to do certain aspects of this kind of work.

Which aspects?

We have a large establishment on the prairies, at Suffield, where we have an open-air laboratory. We have a tract of ground made up of 1,000 miles of territory. This is very useful when one is contemplating or assessing the usefulness of candidate agents in this type of field.

From *The Montrealer*, September, 1967; he explains further:

The programme is jointly operated, in this particular testing area, so it may be a programme testing some type of agent or candidate agent which has arisen as a result of U.K. or U.S. development work.

Skipping over a couple of pages, Mr. Speaker, to point two about Suffield. Hersh cast some light on the reasons for the acceleration of activity at Suffield during the past year.

Suffield has become colossally important to the CBW people here in the last year.

Remember Hersh is from the United States, Mr. Speaker.

Ever since the uproar came out over tests within the United States [he said in October] it is a known thing in Washington that Suffield has now become the U.S. prime testing area.

Recently, Canada has been specializing in non-lethal incapacitating agents at Suffield, and its research has borne fruit for

the U.S. in Viet Nam. Early in February, 1962, when the U.S. began chemical warfare, using defoliants, crop destructing agents, insecticides and non-lethal incapacitating agents, Canadian research and development technology saw its first application in a war zone against a population.

Then to close on Suffield, Mr. Speaker, from the last page:

Canadian Press reported on June 22, 1968, that Dr. Stephen Rose, a biochemist at Imperial College, London, had revealed that the irritant and nausea gas, GS, had been developed in Britain, the U.S. and Canada, and field tested in Canada.

The DRB admitted this was true. A. M. Pennie, Suffield CBW director in 1967, confirmed Canada's pivotal role in this area in his interview in *The Montrealer*.

Point three about Suffield, Mr. Speaker, would be the inevitability of animal use. Numbers of animals are inevitably involved in Suffield. There is a real possibility that the diminution of grants within the U.S. will lead to additional money being used in Canada under this bill, without control, without even the control of a Defence Research Board—government to government on a privileged basis. But there is no control in the bill as to the type of research under the aegis of private enterprise.

This becomes an issue far more compelling, Mr. Speaker, than the vendetta between the government and the humane society.

For example, Mr. Speaker, at Fort Detrick, in Maryland—and I have this on the authority of a doctor who worked there in the last two years—they used 750,000 animals a year.

Point three, Mr. Speaker, would be also from this month's issue of *The Last Post*, and I would like to stress this section, sir, if I may. I would like to read from page 14:

It is very difficult to obtain information from the Defence Research Board, about even its non-classified research. The only way to glean some information is to discover which universities, scientists and graduate researchers have received funds from the DRB to do specific basic research work, and to learn just what they are being paid to research.

Through some biologists, it was also possible to obtain semi-classified copies of Suffield research abstracts—reports which are made available only to those university researchers who need them for their own work for the DRB.

It is worth the trouble. There have been four universities in recent years which have

been favoured with these grants to their staff—McGill, Saskatchewan, Toronto and Ottawa. Particularly interesting, is that according to the MacDonald commission on federal support to Canadian universities, the DRB spent \$34,800 on biological and \$97,000 on chemical war research in grants to university labs in 1966-1967.

In 1967-1968 no grants were given for chemical warfare research, while \$46,900 was provided for the biological warfare research.

And that, Mr. Speaker, is from *The Last Post* article by Richard Liskeard, a freelance writer who is based in Vancouver.

Mr. Speaker, we come now to our own universities. From the Defence Research Board 1969-70 list of renewed grants to Canadian universities, I am looking here at half a dozen grants. The first four are to Ottawa—a total of \$29,000. I cannot tell from these research items whether animals are being used or not.

But, Mr. Speaker, for the University of Toronto—this is not chemical-biological warfare, but we have contract No. 9050-14, Clark G.M., for a study of combined effects of thermal trauma and simulated fallout on early mortality in mice—a grant of \$7,500.

Mr. Speaker, it is very difficult for a member of Parliament to get information too, especially as recently as from midnight Tuesday night to now. So I sought the Defence Research Board of Canada reports and I found that the only issue available is that for 1967. In talking to professors in the field, I find that the 1968 report is not available to them, that they have asked for it and been told there is one copy in the library in Ottawa and they must resort to that one copy. We learned today that the purported reason was that they are waiting for the French translation.

In this report, Mr. Speaker, are listed all grants for work of the nature of which I speak.

I would like to speak momentarily on the fact that in those letters from Ottawa they referred to the Canadian Council on Animal Care and The Care of Experimental Animals, a Guide for Canada." Dr. H. C. Rowsell, executive director of the Canadian Council on Animal Care appeared before our committee on health. Dr. Rowsell says he inspects universities from coast to coast. He says he has no staff whatsoever. He says he has an assistant's position which is open. He says he has two secretaries and begins his brief by

apologizing that he cannot get all his mail answered because of his lack of staff.

When we in the committee questioned Dr. Rowsell about industrial research he had just visited two sites of industrial research. He had just gone, he said, to Sheridan Park at Port Credit.

Later I will explain, Mr. Speaker, why we on the committee feel uneasy passing a bill like 194 when this is what is held up for protection for animal care.

I would like to express, Mr. Speaker, my revulsion and abhorrence. That is why I support the reasoned amendment and will move an amendment to incorporate the words "for peaceful purposes only" on the relevant clause in section 22.

Everybody knows, Mr. Speaker, that the work is going on, but this bill opens the door wider to research of this kind in Ontario. I would say, Mr. Speaker, that it is wrong if this bill goes through without taking this dimension into account. It might be a good omen that these notes I have prepared in haste since leaving committee room one—at midnight Tuesday night, I and other stricken members, Mr. Speaker, that is only 48 hours ago—as I say it might be a good omen that I have written them on the long yellow foolscap pad that I picked up in my conversations with the lady whom almost every member who has spoken on this bill so far has mentioned in this House, and I would not like to fail to do so: she is Mrs. Christina Stevens, president of Animal Welfare Institute of the United States.

You see, Mr. Speaker, in this committee we have only seen the people who wanted to come, the people who wanted to present briefs. I would point out that on November 6, 1969, in an answer to the member for Grey South (Mr. Winkler) who asked: "Will the committee be empowered also to call any witnesses they desire?" the Minister of Agriculture and Food (Mr. Stewart) said, "Yes. That is enhanced in the statement I read which gives full right to call for witnesses and the production of documents."

And I would say, Mr. Speaker, that lends full support to taking this controversial bill to a select committee and at a select committee subpoena and bring the people who will bring us the information to help us truly draft a bill for whatever purposes are required and not leave an open bill as it is at the present time.

I would plead with the Minister, Mr. Speaker, to take this fact into account and to amend the bill. And I would plead also with

the Prime Minister (Mr. Robarts), who rescues this House on occasion when it falls into chaos. I would say to any member who has unrest in his soul about Bill 194: No man of courage will sit by. He should fight and fight hard to remove the stigma of 194, to remove this stigma from the Conservative Party and from the province of Ontario.

**Mr. Speaker:** The hon. member for Kingston and the Islands.

**Mr. S. Apps (Kingston and the Islands):** Mr. Speaker, I rise to take part in this debate as one of the members of the health committee who attended all the meetings that were held in listening to the various presentations made for and against Bill 194. On going over the bill very carefully, I think it is one of the finest bills that has ever been presented to look after the humane treatment of animals. And I disagree with the member for Scarborough Centre.

**Mrs. M. Renwick:** Better look after the humane treatment of people—people!

**Mr. Speaker:** Order, the hon. member for Scarborough Centre was not interrupted during her remarks.

**Mrs. M. Renwick:** I am sorry, Mr. Speaker. I apologize.

**Mr. Apps:** I do not believe that this leaves any stigma on the Progressive Conservative Party and—

Interjections by hon. members.

**Mr. Apps:** Mr. Speaker, I have listened very patiently. Now would hon. members please listen to me—not for very long—for 10 minutes. I am going to try and logically tell them what my feelings are in connection with Bill 194.

**Mr. D. C. MacDonald (York South):** The member used to be able to sustain one body check without collapsing.

**Mr. Apps:** Now as I mentioned, I think this bill will improve the lot of dogs and cats tremendously throughout the province of Ontario. It is going to do away with dog stealing, which I think every member in this Legislature feels is a bad thing and something should be done about it. Bill 194 does something about it and this is good.

Second, it eliminates the dealers. Almost every piece of correspondence I have had has decried the fact that dealers were allowed to rove round the country, pick up dogs here

and there and sell them where they wanted for the price that they could get. This bill eliminates the dealers. Surely this is good.

Again, this bill increases the length of time dogs and cats must be kept in pounds. Now, surely this is good. Let me read section 24 of the bill:

The minimum redemption period shall be three days, excluding the day in which the dog or cat was impounded, or such longer period as the regulations prescribe and holidays shall not be included in calculating any redemption period.

In addition it says:

The council of a local municipality may, by by-law, fix a redemption period that is longer than the minimum redemption period prescribed by or under this Act and shall file a copy of any such by-law with the director.

Now, in some cases, dogs have not been kept for as long as a day. So surely, when we increase this to three days, plus Sundays and holidays, this is good. Nobody can argue with that.

Again, this bill takes away the profit motive from the sale of dogs and cats. They have to be purchased from the municipality. Not the dog catcher, not the pound, but from the municipality. Many of the letters that I have received against the bill say you should take the profit motive away from dealing in dogs and cats. This bill does. Surely this is good.

It also gives assurance that only unwanted and unclaimed dogs and cats, which would otherwise be destroyed, are to be sold for teaching and research. And the right to purchase these animals from the public pounds is restricted to the registered research facilities in the province of Ontario. It provides for proper licencing and inspection of these research facilities. Surely this must be good.

It provides for the licencing of supply facilities. And in all of these aspects, it is one of the best bills, I think, that has ever been devised. I think you could compare this bill with any bill that you could find anywhere in the North American continent.

All right. There have been arguments that the universities can obtain the number of dogs and cats that they need without putting this bill into effect. May I read a paragraph from the presentation of the deans of medicine of the universities in Ontario? I quote:

In 1967 and 1968, approximately 5,000 dogs and 2,000 cats, and far greater num-

bers of mice, rats, rabbits and other species, were used for teaching and research in Ontario. With the increase in health and science resources in this decade, utilization increased in the early 1960's at a rate of between ten and twenty per cent per year. But, since 1967, the use of animals in research facilities has been completely limited by the inadequacy of the supply.

Every university where dogs and cats are used is unable to provide animals in sufficient number for its teaching and research laboratories.

Now these men are honourable men. They are not going to appear before a committee such as the health committee and tell lies. And I believe this paragraph—that there are not enough animals to look after the research needs of the universities of this province.

Now, what about bred animals. Animals that are bred for research. I think it was brought out very clearly by Mrs. Stevens who has already been quoted on numerous occasions, that there were not enough bred animals in the United States to look after their own requirements, so obviously we cannot buy enough of them over there. And we have not enough of them here, so obviously we cannot get enough animals that are bred for research purposes.

So it is evident that there are not enough animals available. What do we do? We have reached an *impasse*. In the first place, universities say, we cannot get enough animals. In the second place, the humane societies say, well, although we are not against research, we do not want you to take the animals from our shelters and pounds.

So we are stuck. We have no place to go. So what do we do—

**Mr. C. Ben (Humber):** For survival experiments?

**Mr. Apps:** All right, for survival experiments. And many survival experiments are important. I think that was clearly brought out during the hearings. So we are up against a brick wall. We have no place to go.

Is it therefore not surely logical that somehow we give a little bit on either side? Is it not logical that we, in this province, start to breed animals for research? I think it is; and the Minister has indicated before the committee that he is prepared to do just that.

Interjections by hon. members.

**Mr. Apps:** All right! In the meantime, is it not logical for the humane societies to

say let us separate our shelters from our pounds?

Is that not a logical step? If they want to co-operate, is this not a logical thing to do? We kept the shelters right out of it. They are not involved at all. And what we are saying to them is, let the universities use the dogs that you gather in your pounds, that you are going to do away with. Nobody wants them, we have given you three, and in many cases, five days, for someone to pick these animals up if they have lost them. Surely that is long enough. Anybody who has lost an animal for five days, and has not enquired about it really does not want that animal very much? Except perhaps in a very few circumstances.

**Mr. Ben:** Will the hon. member accept a question?

**Mr. Apps:** No. I am going to finish, then the member can ask me a question.

**Mr. Ben:** Then it will be too late.

**Mr. Apps:** I do not think the humane societies need to close up if this bill goes through. I think they should give a little. They have a bill here that is the best bill you can find anywhere. I think the humane societies should give to the extent of allowing animals in the pounds, which, in the most cases are contracted from the human society.

In other words, the municipalities are contracting with the humane society to gather up these dogs. Surely to goodness they can say, we will separate the pounds from the shelters, let the universities and research facilities take the dogs from the pounds. In the meantime the Minister says: All right, we will start to breed animals, so that in the next three or four years we can have enough animals to do everything we would like to do.

**Mr. Ben:** The hon. member will not accept a question, tell me—

**Mr. Apps:** All right, Mr. Speaker, would the hon. member go ahead and ask a question now.

**Mr. Ben:** Would the member please tell this House, since he accuses the humane society of not giving—and I suggest that they have, because they are prepared to permit the pound animals to be used for experimentation providing they are not used for survival experimentation—would the member please tell us where, since this started, the medical people have given one thousandth of a centimetre?

**Mr. Apps:** I think all the medical research people are asking is to have enough animals provided so that they can do the research that they feel is necessary and they have indicated to us that they just do not have those dogs and cats.

**An hon. member:** As of when?

**Mr. Apps:** The dogs and cats are there.

**Mr. Ben:** All right. So we will give them the dogs and cats in the pound provided they are not used for survival experiments, and providing the humane society inspects the facilities—and they can use the ones they are getting now.

**Mr. Apps:** In none of the hearings has it been brought out that the humane society have been checking research facilities in Ontario. They do not do it in England, they do not do it in Michigan. They have never done it here, and we are providing—

**Mr. Ben:** Oh yes, they have.

**Mr. Apps:** Oh, sit down! Sit down, for crying out loud!

Interjections by hon. members.

**Mr. Apps:** All right, supposing the humane society may have given a little bit. I think the government has given a great deal. They have made many amendments in this, and I think that the basic thing right now is the impasse over how to get the dogs at the present time that the medical and university research facilities need.

What I am saying, and I am going to say it again, is that the government and the Minister has indicated to us that he is prepared to start looking into very carefully the providing of bred animals—it has been suggested by many people. I am saying the humane society should separate the shelters from the pounds, and make available those animals that are going to be put away anyway for research facilities.

Now I have tried to keep emotions and everything out of this, and I think this is the very key thing. If you could solve this you could solve the whole thing. I am trying to suggest to this House, to the humane society, and to the government, a way in which this can be done over a period of three or four years. I think that it is a logical solution and I think that it can be done, and I am going to support this bill in the hope that this can be done in the way I have suggested. Thank you, Mr. Speaker.

Mr. Speaker: I have the hon. member for Niagara Falls on the list next.

Interjections by hon. members.

Mr. G. Bukator (Niagara Falls): I do not want to take anybody's position. I have lots of time.

Mr. Speaker: May I suggest that the NDP has had a speaker, the Conservative Party has and now the Liberal Party should surely be entitled to one. The hon. member for Niagara Falls.

Mr. Bukator: I did not know what the interjections were. I hardly started, and I wondered where I stood. But I would like to remind the House and specially the Minister that when he brought in Bills 73 and 74, I suggested to him at that time that it was my opinion that he should have consulted the people who were affected by the bill before he brought the legislation into this House.

I make reference, naturally, to the humane societies and how they would be affected by this bill time past and the bills were withdrawn. Bill 194 was brought in to replace the other two bills, as I understand it, and I attended the meeting where the Minister did an exceptionally good job of defending Bill 194 with his statement in the new buildings across the way here.

It was a good attendance. One of the members of the Conservative government came to me—a private member—and said: "What do you make of Bill 194 now? What do you think?"

I said at the time: "The Minister made a good statement. His points are well taken."

But at this moment I would not care to express my opinion on this very important bill until I have heard others speak on the same issue.

As late as two days ago there were several speakers presenting briefs. I walked by the same member at that time and I asked him the same question he asked me: "Now that you have heard the other sides, how do you feel about Bill 194?"

He naturally said he was supporting Bill 194, and I then said to him—and I say to every member in this House—the reason he is supporting Bill 194, being one of the backbenchers of the Conservative government, is because it is party politics.

He did not consult his conscience, because if you were to take all of the sound arguments

that were put before us in this last couple of weeks by people who belong to organizations, and private individuals, I believe he would have been in the same position that I am now.

I doubt very much that there are half of the members in this House who want this bill to pass at this time, and then simply because of the late amendment and nothing else.

I thought the humane society did an exceptionally good job through Mr. Hughes in putting the points of the humane society before the committee. There is a place for the humane society. They have been in existence for many, many years and they have done an excellent job.

The experts told us in that committee that the animals that they house and take in are not proper for research anyhow, and the cost to condition that animal, whether it be a cat or dog, would be much more than if they bred the animals for research to start with.

So I say to you, Mr. Speaker, through you to this assembly, that the humane society has a place in our society, in our particular way of life. Many of the things they had to contend with and work with at one time are now taken from them. And this is a step in the wrong direction.

There are inspectors who can do an exceptionally good job who are being taken out of the field because of Bill 194, I think. The humane society problems are blended in together with this one bill and ought not to be. In my opinion the humane society ought to be allowed to continue the way they have done all these years.

If I have an animal and I want that animal disposed of, then that particular society will dispose of it as I would like that animal to be disposed of. I think that is the way it ought to be done. I know this bill provides for that.

I know, too, that there is a fear today among many people who have animals, who wonder if their animal, if their cat or dog will end up in the humane society pounds or whatever they call them, or whether they will be under the knife and being cut up in a fashion these people do not want their animals to be butchered.

Naturally they do not want any part of this bill because they believe that will happen if this bill becomes law.

So I say that in this House we ought to take a good look at this bill. I am pleased that when I was not here this afternoon that my leader did see fit to hoist this bill because the humane society and the government do not see eye to eye on these issues.

I believe that we can come together to settle these problems in time. I have been asked questions and I have asked questions in this House on occasion.

I remember the former Prime Minister, when it came to these issues, he said in the fullness of time these problems will be worked out. I say to you, Mr. Speaker, if this House would hoist this bill and sit down and discuss a few of these points a little further, then in the fullness of time we would have a bill that most people would be satisfied with.

Mr. Homes came in the other night and made a presentation on his own behalf. He said he was a vegetarian and did not apologize for that. He researched this bill exceptionally well, and I liked his manner, I liked his approach, I liked the way he presented his case.

He even found errors in the bill, which is something that many of the members have not found, and he went on to say that through conscience we ought not in the name of research cut up any animal on God's earth because that creature was put there for a purpose, not to be cut up by man. Maybe that man had a point.

He also said there was a time when people were burned at the stake because of their religions. Today we do not look upon that as being a popular approach. Far from it.

There may be a chance that Mrs. Bowman who made the presentation about the computers was right—Bowlan I believe her name was. She made a presentation and she said the computers you have today and the facts that we have before us with the research that has gone on in the past, if they had fed this information into the computers, they would have a mint of knowledge—if the experts could handle these machines instead of cutting animals up.

They could get the same information and the same knowledge through the machines rather than cut up the animals. It seems to make sense to me.

There may be a lot of information there for us.

We are living in a highly specialized age. Computers are doing an excellent job in many fields. Maybe they can give the doctors the information they need through the machines rather than cut the animals up for that purpose.

I realize that people who speak to the extreme of not wanting animals to be cut up do so because they do not feel they ought

to be. Yet it is through research that mankind benefits.

I think I could tolerate that type of research, but it could be done by computers in this day and age rather than animals being cut. I would like to know how many of you people who have attended colleges and high schools had an opportunity to cut up snakes and frogs. I wonder how much you benefited by that particular action, except to kill the snake or the frog.

**Mr. W. Ferrier (Cochrane South):** Oh, I only cut up pickled earthworms!

**Mr. Bukator:** There is a man who has a conscience. He only cut up pickled earthworms, but somebody had to pickle them so they did away with them too.

I say to you, Mr. Speaker, that this particular bill does not answer the problems of the province, both in the research department and for the humane society, and especially for the humane society.

When the presentation was made, the humane society said, and I heard them because I attended those meetings even though I was not a member of that committee, they said that their experts who went about inspecting would go so far as go to the colleges and see that those animals were properly housed up to the point where they began to do their experimental work on them. They would not interfere in that area.

All they wanted to know was that those animals were properly housed at the institutions or the colleges or the universities wherever they had them, and this makes sense. That is their job and they are going to be deprived of doing that.

Gentlemen, I do not want to interfere with your conversation over there, but I can assure you that if you listen you might get something out of this because I did when I listened. There is a very good reason for moving the hoist on this particular bill.

This government, this Minister, the Cabinet are responsible men in most cases. I do believe that they want to do the right thing. There will be no harm done if this bill does not receive Royal assent in this sitting. There will be no harm done to wait a few months to sit down with the people who have now put their case, Mr. Hughes especially. I have heard it said about that man that when he spoke on these issues he said different things to different groups but when he made his presentation in that House at that meeting he made his position very clear and he said

exactly what they did do, what they intend to do, and what they want to do, and that they could not do it with this particular bill, and I would say you need no more evidence than that.

If that is the case, then this bill ought to be withdrawn. Let us amend it to suit them, at least, because they have done a job and through trial and error have proved to me—have proved to many citizens—that they are the institutions to look out for the humane treatment of the animals of this province. Beyond that point, if you need animals for research, then I think you should have a special bill for that purpose and that purpose only, and you divorce the two institutions one from the other. Then, I think, Mr. Speaker, you would have what the people are looking for.

So I say, through what I have heard, I do not find it difficult this evening to vote against this bill in the form that has been presented to us in the House with these last amendments.

**Mr. Speaker:** It has been indicated to me that the next speaker would be the hon. member for Brantford (Mr. Makarchuk). The hon. member for Scarborough West has the floor.

**Mr. Lewis:** We have a very amicable caucus, Mr. Speaker, and there are no problems in that regard.

I must admit, Mr. Speaker, that my view of this bill over the weeks has been one of rapidly waning interest. That may be heretical, but I would have thought that reasonable minds and sober members of the Legislature could have arrived at some basis on which to formulate the arrangements between research and the humane societies in a way that did not engender all the passion that seems to have resulted. I must say that very often I felt—and I suspect other members of the Legislature felt—that if one-tenth of the time of this House were focused on children, or, indeed, on human beings generally, that has been focused on animals, then we might have achieved some fairly impressive social advantages in other areas of legislation. But we were beset, Mr. Speaker, I suggest to you, by the obvious obsession on the part of the Minister and the government—an obsession which clouded the political objectives. In fact, the obsession became the objective. Those in this House who have suggested that a vendetta was apparent between the Cabinet and the humane societies have, of course, hit the nail on the head. And anyone with a moment to divine what has taken place,

understands that all the irrelevant passion that has been spent on this issue is a reflection of that vendetta, and I do not know why, many of us in this caucus cannot imagine why the Cabinet was so aroused by the modest insistence of the humane societies in certain areas. But obviously they were. Whether that was a profound difference of personality, or whether it was just a reflection of competitive politics, only time will tell.

Mr. Speaker, I rose to speak tonight to support my colleague from Scarborough Centre who has shown an absolutely relentless and indefatigable tenacity about digging to the source of this bill. It is very easy to deal with a bill like this on the face of it, and its simple components about the care for animals and the supply of animals for research purposes. But to split away the layers, and to cut through to the core of some of the principles which underlie that which will result when the bill is passed, takes some real tenacity. I must say that the member for Scarborough Centre did it in a matter of 48 or 72 hours, and in that period of time I think has demonstrated, Mr. Speaker—and I do not think that there can be any quibbling with it—has demonstrated not only that chemical bacteriological research takes place in this province at places like Shirley's Bay, under the aegis of the Canada Defence Board, but has also demonstrated that it is taking place at some of the universities in the province of Ontario. Indeed, in that whole vast resource of private industrial research we know not what is taking place, nor does the Minister seem to be concerned.

She puts a position which appears to be irrefutable. If that could be found in 48 hours, then what more is there to learn were we to turn our minds to considered evidence and witnesses, if we had a month or two to do so? If one wants to understand, if I may be simplistic about it, Mr. Speaker, how the two tie together, then I would request the Minister to explain to us when second reading debate is over as he winds up, how you can pursue chemical bacteriological research without the use of significant numbers of animals.

Mr. Speaker, when we are looking at the gut principle of the bill, really what we are discussing is not simply the care and provision of animals relating to research. We are discussing that very difficult issue about—if I can put it this way—value-free science. It is the old argument of the scientists that science is a neutral pursuit and that whether you are producing A-bombs, or whether you are



engaged in chemical bacteriological warfare research, you have no responsibility beyond the scientific pursuits: The use to which the results of the experiments are put are left in the hands of the politician, and the scientists disclaim responsibility. Curiously enough, Mr. Speaker, the Legislature in this case also disclaims responsibility unless the plea of the member for Scarborough Centre is listened to.

We in this party do not disclaim that responsibility. We do not accept the principle of value-free research. We say, as C. P. Snow once said, that you explode this nonsense about research. There is amoral research conducted in the society, and if the politicians can possibly preclude it then that is what the politicians must do. Very rarely in a provincial House does the opportunity fall to us by way of legislation to take a stand which will prohibit, or inhibit, or constrain, human activity which is so profoundly destructive. One has curiously enough that opportunity in this bill. And we are not going to be ambivalent about the position we take, Mr. Speaker, since it is directly tied to the principle of the bill. I want to point out to you, Mr. Speaker, relating to a fact of earlier in the day and to news items of the last 24 or 48 hours, that we, in Canada, particularly we in Ontario, become increasingly addicted to research whose motives are questionable.

It is not an accident that there is so much research funded in Canadian universities and in Ontario universities by the American Department of Defence, by the American Department of the Navy, of the army, of the Arctic Institute, of the National Aeronautics and Space Administration, and NATO; all of these agencies supporting various research experiments in our universities. And we never question the use to which the research can be put. Indeed, it is only latterly that we have questioned the classification of the research.

And whenever the researchers, or the scientists or the Minister of Defence, Mr. Cadieux, or the Minister of Agriculture and Food is pressed, they say, as they have often said: The research is for defensive purposes, for protective purposes. And we once again engage in the most specious argument of all, what is defence and what is offence in research?

My colleague, the member for Scarborough Centre—she has taken the material away with her—when my colleague mentioned the project going on at the University of Toronto, funded under the chemical bacteriological research section of the Canadian defence board, involv-

ing various effects of fallout, I think it was, or radiation activity on mice, thermo-radiation activity on mice, who was to say that that research is designed as defence for Canadians against the possibility of fallout, or that that research is rather designed to measure the impact on people which appropriate dosages of fallout can provide? And how does one split hairs in this endless tangle about what is defence and what is offence in the pursuit of such research?

Of course, it is a tangle, and of course the components are inseparable, and of course there is no answer. And any society which tolerates any of this research funded in those ways cannot possibly make an appropriate accounting. Just as we would ban arbitrarily, no questions asked, every penny of money that came in from the American Defence Department to Canadian universities no matter how seemingly neutral, so we would use this bill as a vehicle, Mr. Speaker, to end any gains in the field of CBW research in Ontario at all.

And that, Mr. Speaker, coming to the crux of it, is the fatal defect in this bill. This bill says that it is An Act respecting the Care and Provision of Animals for Research, it does not ask: "Research to what end?" It does not ask that question.

It assumes in as facile a way as any piece of legislation that has come before this House that research is somehow neutral. We should not in this bill be talking about research facilities, Mr. Speaker, we should be talking about research programmes. We have to distinguish between what is legitimate research and what is unethical research.

And that is not a job for the Minister of Agriculture and Food, that is a job for the Minister of Health; that is a job for the Minister of University Affairs. It is not a part of this Legislature to pass this Act to provide animals for the fields of unethical research in certain facilities. That is not what we are engaged in in this Legislature; nor will we tolerate it.

Hon. A. Grossman (Minister of Correctional Services): The member sure scraped the bottom of the barrel to come up with that.

Mr. Lewis: There may be, Mr. Speaker, in the minds of some members, nothing sinister or conspiratorial in the bill. The point of the matter is, Mr. Speaker, of course, that the bill lays itself open to private research over which there is no control whatsoever, except that the research be humane! That is all; not a single control over the kind of research

that is pursued. And in no other areas of government is that control exercised.

Within the bill, of course, we have the opportunity to exercise that control. We say: "If you are going to engage in chemical-bacteriological research, we will not provide you with the animals. Unless you accept the qualification for peaceful purposes only, we will not provide you with the animals."

You know, Mr. Speaker, the Canadian government signed the Geneva protocols which say that all the research in this area would be used for peaceful purposes; but the American government did not sign the Geneva protocols. My colleague, the member for Scarborough Centre, pointed out that the products of the research in these various institutions go regularly, in small quantities albeit, fortunately in small quantities, back to the United States, for use in whatever programme they may wish to pursue. There is a great deal of interchange of the various research material amongst governments, particularly the British, the American and the Canadian. And who is to say, Mr. Speaker—

**Hon. Mr. Grossman:** Mr. Speaker, is this not out of order?

**Mr. Speaker:** Order, please! I have been listening very carefully the last few minutes and this is really not on the principle of the bill as I see it.

Interjections by hon. members.

**Mr. Lewis:** If the Minister of Correctional Services sees—

**Mr. Speaker:** This is not the Minister of Correctional Services, it is Mr. Speaker who is raising the point.

**Mr. Lewis:** Yes, I appreciate that. I thought I sensed a small nudge from the Minister, but perhaps the Speaker was about to intervene at that very moment.

**Mr. Speaker:** I assure you I was just weighing it myself.

**Hon. Mr. Grossman:** I raised the question and I still do.

**Mr. Lewis:** I can appreciate why this dimension of the bill is one they do not wish to discuss. Preferable it be that the bill simply emerge as a small and not very consequential difference of opinion between government and the humane society, with some marginal adjustments in how to provide and care for animals. But the bill has

a greater implication and the principle of the bill does not permit us to preclude that implication. And that is what we are arguing to. I can bring it fairly quickly to an end, Mr. Speaker. I point out to you, sir, that there is no federal clearance required if certain American departments of government or private industry wish to pursue private CBW research in the province of Ontario, just as they pursue such research in universities at this moment. Nothing at all. No constraints. No reviews. No scrutiny.

**Mr. R. Gisborn (Hamilton East):** No government interest!

**Mr. Lewis:** And there is no reason whatsoever why this bill should not contain that prohibition. It would give the principle some meaning. It would ask the question, to what end, rather than pretending that research is some kind of computer-like, non-human, non-effecting pursuit.

**Hon. Mr. Grossman:** Comes under the heading of dialectical materialism.

**Mr. J. Renwick (Riverdale):** It does nothing of the sort!

**Hon. Mr. Grossman:** Of course it does, such rot!

**Mr. Lewis:** I recall in the committee the other night when it was raised that this bill could at least be used to prevent this unpleasant prospect, the Minister said—and he was quite right—"Well, such research may be going on now for all I know; it may be occurring at this very moment". If it is occurring in the province of Ontario in private research areas, it is unconscionable. And if there is anything we can do in this bill to prohibit it ever occurring again, then let us do it. We simply want to close the door in unequivocal terms.

The very fortunate thing is, I repeat, that you cannot do chemical-bacteriological work without the use of animals. You cut off the supply of animals by looking to what the research end is, and you cut off the research. That is a pretty useful contribution in human terms for any government to make. You then prohibit and deny any possibility whatsoever that anything of this kind can occur in the province of Ontario.

There is a sort of ambivalence about it. At one point one feels guilt about not acting; at the other extreme one senses folly in not acting. I say that because I was reminded—

and I leave the Speaker with this—I was reminded of—

**Hon. Mr. Grossman:** Sure is hard to make a decision—so the member avoids it.

**Mr. Lewis:** It is. Yes. And I was reminded of Lord—

**Hon. Mr. Grossman:** We have to make it though.

**Mr. Lewis:** I was reminded of Lord Acton's little aphorism which has always struck me as a rather compelling one: "There is another world for the expiation of guilt, but the wages of folly are payable here below."

**Hon. Mr. Grossman:** The member does not believe in that other world.

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker—

**Mr. E. W. Martel (Sudbury East):** The big guns are getting in here now.

**Hon. Mr. Wells:** Mr. Speaker, I feel that as the Minister of Health I do have some responsibility and indeed should express some views, both personal and on behalf of this department, which has a great responsibility for many of the endeavours connected with the research that will be done under this bill. I would like to begin by saying that I think that the member who has just preceded me has often accused me of throwing a red herring across the trail. I think now he is throwing a very large red herring across the whole consideration of this bill and I intend to merely bring the discussion back to its proper perspective and deal particularly and explicitly with the real area of concern—

Interjections by hon. members.

**Hon. Mr. Wells:** —which is medical research.

Now, I think that, as I say, as Minister, I would like to begin by reading into the record as part of my contribution to the second reading of this bill and in speaking against the amendment, a letter that has been written by the dean of medicine at the University of Western Ontario—

Interjections by hon. members.

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

**Hon. Mr. Wells:** —which I think this needs to be read into the records. Now it deals with an article that appeared in the paper the other

day but I think that the information is worthy of—as I say—being put on the record. The dean's letter says:

Statements that a million animals are needed or wanted in Ontario did not originate from the council of deans of medicine or from people speaking on our behalf. We presented data to the standing committee on health to show that the need exists in Ontario for 6,900 dogs in 1969-70 and that 10,000 dogs can be predicted to be required in 1972-73. The projected need is for 5,000 cats. There is currently a critical shortage of dogs and cats only. All other species are adequately supplied from commercial suppliers and accordingly utilization reflects the current need.

The data presented to the standing committee by the Canadian Council on Animal Care shows that a total of 221,906 animals—185,747 mammals—were used in the Ontario universities in 1968, of which dogs comprised two per cent of the total or 2.4 per cent of the mammals used. Cats account for .6 per cent of the total numbers used, mice 51 per cent; rats 24.2 per cent and chickens 12.1 per cent made up the bulk of the animals used. Even if the total need for dogs and cats had been met, the total number of mammals used or needed in the Ontario universities in 1968 would not have exceeded 190,000. With the expansion of university health sciences facilities in this decade, animal utilization has increased at a rate of between 10 and 20 per cent per year. Accordingly, it can be predicted that a maximum of 320,000 animals—267,000 mammals—will be required in 1970. Less than one-third of the million animals that has been claimed we require. Approximately 20 per cent of all animals are used for teaching purposes. The remaining 80 per cent are used in research for which funds are obtained from such agencies as the medical and national research councils, the heart association, cancer societies and others. All grant applications are examined extensively by review boards composed of senior scientists in Canada and elsewhere to ensure that the proposed research is original, meaningful and necessary and that there is no unnecessary duplication of research effort or spending.

The Council of Deans of Medicine welcome the provisions of Bill 194 which allows for registration, inspection and regulation of the animal care facilities and procedures in the teaching in research institutions of Ontario. We have initiated and supported provisions which safeguard the

treatment of research animals. Our universities should be inspected by qualified experts and the public should be fully assured, through legislation, that the privilege of using living animals for teaching and research is in no way abused.

The Council of Deans of Medicine regrets the polarization which has become so evident between the research community and the humane movement in respect to the procurement provisions of Bill 194. The aim of the humane societies is to prevent cruelty to animals. We share in this purpose and heartily subscribe to the principle that those animals which are used in teaching and research should at all times be well and humanely treated.

The letter is signed: D. Bocking, M.D., Dean of Medicine, University of Western Ontario and Secretary of the Council of Deans of Medicine in Ontario.

Now, I read this into the record, as I say Mr. Speaker, because I think it states on behalf of the council of deans of the medical schools in this province their position on this bill. I would like to say that I think the purposes of this bill are threefold. Firstly, to provide an adequate supply of experimental animals for teaching and research purposes in this province to meet our growing need particularly in the field of health. Secondly, to establish high standards for the care of experimental animals and for the conduct of research on animals and to institute mechanisms for the enforcement of these standards through licensing, registration and inspection by qualified inspectors, supervised by veterinarians. Thirdly, to eliminate traffic in stolen animals and to provide the public the safeguards which do not now exist for their pets which may be accidentally lost.

The background history, Mr. Speaker, of this bill goes back for nearly a decade. The very rapid growth of scientific research in medical schools during the 1950's created a much greater demand for experimental animals of all types. Not only was there greater interest in the mechanisms of disease but also there was increased demand for a large number of animals for the training of surgeons and physicians to bring these scientific advances into clinical practice. For example, the initial application of the heart-lung by-pass pumps which have made possible a whole new era of surgical operations on the heart, was done almost entirely in dogs and each hospital team introducing this technique or in changing it any way first established its safety by surgical operations on dogs in the laboratory.

The demand for laboratory animals far exceeded the supply available at the beginning of this decade and in 1962, Mr. Speaker, representatives of the medical schools requested the humane societies to assist them by providing for research purposes healthy dogs and cats which otherwise would be destroyed in the pounds operated by the society.

A series of meetings of representatives of the humane society movement and the medical schools have taken place over the years since 1962 and at some of these meetings officials of The Department of Health have been present. Unfortunately, and I say this Mr. Speaker, unfortunately through all this time no positive results have been achieved. In fact, since 1962 the sources of dogs and cats for medical research in this province have been further reduced by virtue of the fact that the humane societies have entered into contractual arrangements with more than 90 municipalities in Ontario with the result that animals collected by them under the bylaws of the municipalities were unavailable to the medical schools for teaching and research.

In 1964 the Prime Minister of this province announced the expansion of facilities for research and teaching in response to needs identified by the Hall Royal Commission on Health Services. I think that we can take pride that this government was one of the first to respond to the needs identified in this area by that Royal commission. There followed at the federal government level at this time also, Mr. Speaker, a substantial increase in the vote to the Medical Research Council to support the direct cost of medical research and the establishment of the health resources fund to assist with the capital cost of new and expanded teaching and research facilities.

Since 1964 the government has been assisting the universities with the enlargement of their training programmes for all health personnel—doctors, dentists, nurses and the many other health care specialists. Substantial progress has been made to date but the need for continuing and greater efforts in the face of financial constraint in the years ahead led us to the adoption of a co-ordinated 10-year health resources development plan for this province. This plan establishes priorities in the use of available funds in relation to the needs of the people of this province.

Mr. Speaker, two of the highest priorities are for the training of more health manpower and the expansion of the type of research

which may be expected to influence directly the quality of health services available across this province in our hospitals and our medical centres.

Mr. Speaker, the recent expansion of the teaching and research effort in the health field has led to renewed attempts to solve the problems of shortage of experimental animals. My predecessor in this office and officials of The Department of Health were present at some of the extended discussions which have taken place over the past two years with representatives of the humane societies and the medical schools.

The Act before us today is the result of these discussions and the ones that have gone on in these last few months and its strength is that it not only provides the means for making available unwanted and unclaimed animals to meet the educational and research needs in the health fields for our universities, but also it provides safeguards, not presently in existence, to pet owners, to the animal owners in our province. And it guarantees standards of care for experimental animals of all types which I believe, I really believe, will be a model for many other jurisdictions.

On the basis of the questions that have been asked several sections of the Act, I think, warrant special comment, Mr. Speaker.

First, the bill makes no provision for anyone to act as a dealer in Ontario who will profit from buying and selling animals for research purposes.

Secondly, the right to purchase animals from municipal pounds for research is restricted to registered research facilities in this province. The Act offers new protection to ensure that only abandoned, unwanted and unclaimed dogs and cats, which would otherwise be destroyed in the municipal pounds are sold for teaching and research.

The pound operators are required to hold unclaimed animals for a minimum retention period of three full days. This period, of course, Mr. Speaker, may be extended without limit by the municipalities by their by-laws.

Furthermore provision is made for the return of any animal identified by its original owner while in the possession of a research facility. These measures are to protect the owners of dogs and cats, but they also provide a vehicle whereby those dogs and cats which are presently being destroyed in far greater number than are required for research, will be made available for health research in our teaching and research facilities.

A second important provision, Mr. Speaker, of the Act, makes it necessary for anyone operating a breeding or supply facility to be licensed. In order to qualify for a licence the operator must be experienced in the care of animals and have the resources to maintain a satisfactory standard of accommodation for the animals which he is keeping. If he fails to live up to the exacting requirements of this Act and its regulations or is found guilty of cruelty, maltreatment or neglect of animals, he is liable for substantial direct penalties which include a fine or imprisonment, and more important the cancellation of his licence to operate the supply facility.

Similarly, Mr. Speaker, all research facilities must be registered under this Act. To qualify for registration they must demonstrate satisfactory accommodation, equipment and materials for the proper care of animals. The regulations governing animal care and the conduct of research in these facilities will comply with standards provided in the code of ethics of the Canadian Council of Animal Care. The same rigorous conditions relating to closure of any facilities found in violation of the registration requirements, of course, Mr. Speaker, apply to the research facilities as they do into case of supply facilities.

The code of ethics for the care of experimental animals is a very comprehensive document which describes explicitly the requirements for animals in terms of environmental control, nutrition, anaesthesia during experimentation, and methods of euthanasia.

Mr. Speaker, pain and suffering cannot be completely eliminated from medical research in animals or, for that matter, medical care in human beings. But it must be reduced to a minimum for animals in the same way as it is for patients who are under medical treatment. I believe that the code of ethics which was prepared by the Canadian Council on Animal Care—which, as we all know, is a national organization and includes representatives of two departments of the federal government, the national research agencies, the universities and the Canadian Federation of Humane Societies—is a good code of ethics. It is proposed to incorporate to the fullest extent possible in the regulations which pertain to Bill 194, the provisions of this code of ethics to ensure that the conditions under which animals are maintained and under which research—medical research is carried out are beyond criticism in this province.

Mr. Speaker, as I said earlier, I feel compelled as Minister of Health in this province,

guiding a department which has the responsibility for the total health care of the people of this province, to speak out at this time; I find myself in no conflict in supporting this revised Bill 194, which we have before us today. This bill states that the public interest is best served by making available for health research and education those animals which remain unclaimed and unwanted in municipal pounds, and which otherwise would be destroyed.

Mr. Speaker, the need for these animals for health research is evident now and the need will continue to increase in the years ahead. I would urge the members to reject the amendment and vote in favour of this bill.

Mr. Speaker: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have a few points to comment on this particular bill but first I wish to extend my sympathy to the Minister of Agriculture and Food. It certainly has not been a vintage year for him this year. He started out with the problems of the milk commission, that did not work out—

Mr. Speaker: The hon. member will please confine his remarks to this particular bill.

Mr. Lewis: This is the principle of the bill.

Mr. Makarchuk: This is dealing with the Minister's bill. He tried the GFO, that did not work out. And then there was the Middlesex by-election and that did not work out. Now he has got this bill, so it really was a pretty harsh year.

There is no argument, I think, on this side about the necessity of providing animals for teaching and research. Certainly, we are very much in favour of the provisions of the bill for the care of animals. Now if we can only extend the same kind of provisions and regulations for the care of the North American Indians it would be very commendable as well and I think we should think about that while we are planning on animals.

Mr. Lewis: Not a bad idea.

Mr. Makarchuk: The other point that I wish to touch on is the fact that was introduced by the member for Scarborough Centre. This is the possibility that these animals may be used for bacteriological and chemical warfare research. As we go about devising bills to ensure that there is no inhumanity towards the animals—for this we certainly have to

provide a bill—however, we do not see the point in preventing, in one case, inhumanity to animals in order that we can, on the other hand, promote inhumanity to man. This is what we are doing in a situation of this nature.

I understand the member for Scarborough Centre will be introducing an amendment to the bill to ensure that all research is done for peaceful purposes and I think this is very commendable. I think we should support it and I hope the Minister, in good sense, accepts this particular amendment.

We discussed humane legislation for animals, and I think that it is very hypocritical on our part to write this humane legislation for animals and at the same time use the results from these animals as a means of destroying humanity completely. This is something that is possible, and this is something that can run from the bill, from the research that can be done using animals that are provided this way. I think, again, this can be prohibited. This can be introduced in the legislation, or should be written into the legislation. I think it should be there.

Just recently, the President of the United States made an announcement that they are getting out of bacteriological and chemical warfare. Of course, the announcement was made to counteract the adverse publicity that was generated by the mass murder in that village in Viet Nam.

Mr. D. M. De Monte (Dovercourt): Is this on the point?

Mr. Makarchuk: Certainly it is on the point. Knowing the slimy nature of the American Pentagon, I would not be a bit surprised that they have arranged for other groups and other nations to continue this type of research. It seems to me rather out of character for the American military establishment to refuse or to stop research into chemical or bacteriological warfare.

Maybe this is where we are acquiring a new industry in Ontario, without the help of any promotion from this end, of course. I suggest that when this amendment comes up, the Minister gives it very careful consideration because it has grave and deep implications, not only to the people in Ontario but to the people of this world.

Mr. Lewis: Hear, hear! Never strikes the Tories to ask: "Research for what?"

Mr. Speaker: The hon. Minister of Correctional Services, I believe, wants to speak.

**Hon. Mr. Grossman:** Mr. Speaker, there are a lot of experts over there on chemical warfare; they know all about what people are doing across the world.

**Mr. Martel:** Does the Minister want to look into it at all?

**Hon. Mr. Grossman:** Will the member just give me a chance? Perhaps I may add a little to it. The hon. members do not have to agree with me, but they might give me a hearing.

**Mr. Martel:** Did the Minister look into it at all?

**Hon. Mr. Grossman:** Look into what? I looked into the contents, Mr. Speaker—

**Mr. Lewis:** We have the Minister surrounded.

**Hon. Mr. Grossman:** I looked into the contents of this bill, and I do not think it behooves anyone in this Legislature to attempt to use it for that old dialectical materialism as when they give us that bloody nonsense—

Interjections by hon. members.

**Hon. Mr. Grossman:** —that they usually do. For example, Mr. Speaker—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Grossman:** For example, Mr. Speaker—

**Mr. De Monte:** They do not know what the word means.

**Mr. Lewis:** The Minister is not fighting Joe Salsberg now.

**Hon. Mr. Grossman:** I am not too sure I am not fighting some Joe Salsberg here at this moment. It is a lot of nonsense. Not too sure about that at all.

In the first place, Mr. Speaker, I do not know how we got involved in bacteriological warfare, but—

**Mr. J. Renwick:** It is very simple.

**Hon. Mr. Grossman:** Well, of course, if it is that simple then I would say if there is some nation across the world engaging in research in bacteriological warfare—and I would hope there is not, and those who are doing it would cease it as quickly as possible—

**Mr. Martel:** Well, if Ontario is doing it you would vote against the bill, would you?

**Mr. Speaker:** Order!

**Hon. Mr. Grossman:** —then at least, Mr. Speaker, I would hope that somebody is protecting me by doing some research so that I will not be destroyed by bacteriological warfare if somebody is going to use it. That is a lot of nonsense, Mr. Speaker. That is not the subject under discussion here at all. First I would like to compliment the hon. member for Quinte on a very, very well delivered speech on this particular subject. It was well done, it was intelligent, it was sensible and it was to the point, which is the important thing.

Now, I had not intended to speak on this, Mr. Speaker. I also wanted to compliment the hon. member for Kingston and the Islands. He also gave a very intelligent dissertation on this. Now, as I said, I was not intending, Mr. Speaker, to speak on this subject at all. I really was not, but as I looked across the way at those intelligent and brilliant faces on the NDP benches, I was thinking of the late J. S. Woodsworth, and I was just thinking how he would turn over in his grave—

**Mr. Martel:** Again! He did it with Medicare.

**Hon. Mr. Grossman:** —if he could watch his decendants, political descendants, stooping to the lowest forms of demagoguery in order to catch votes on the basis that "Anything goes so long as we get into power." That is precisely what they are doing. It is a disgusting sight, Mr. Speaker, it really is. They have decided, it is obvious, one just has to look at them to know that they know that this is a bill that should be passed—

**Mr. J. L. Brown (Beaches-Woodbine):** How can the Minister say that?

**Hon. Mr. Grossman:** —but they have decided, Mr. Speaker, that there is a lot of emotion attached to this. A lot of people, quite properly, feel very strongly. They are very emotional about their pets. Of course, they are. And they, the NDP, said to themselves: Now wait a minute, there are thousands of people who feel this way about their poor little pets, and so what we are going to do: "We are going to do what the NDP in the last five or six years have decided to do—to hell with principle—the kind of principles J. S. Woodsworth used to stand for: We are going to go out after those for votes because we want power."

**Mr. Martel:** Mr. Speaker, on a point of order!

**Hon. Mr. Grossman:** “—and to hell with principles!” And that is precisely what they are doing.

**Mr. Speaker:** Order! On a point of order!

The hon. member for Sudbury East on a point of order.

**Mr. Martel:** The hon. Minister has misconstrued everything. We have not opposed the principle of the bill. He has put words in our mouths—

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): What is his point of order?

**Mr. Martel:** The point of order is that the Minister has made the point that we are opposing the principle of the bill of animals for research, and there has not been one member here that has said that. He is misleading the House.

**Hon. Mr. Grossman:** Mr. Speaker, in the first place I did not say, if I recall—and *Hansard* will show it—that they were opposing the principle of the bill. As a matter of fact, they have not got the courage to oppose the principle of the bill. They want to be on both sides of it. Of course, they do. And as a matter of fact, the hon. member for Scarborough West said that precisely. He said they are “very ambivalent” about it; “It is so difficult to make a decision.” Of course, it is difficult to make a decision.

**Mr. Lewis:** I told the Minister it was difficult to decide if there was more guilt or more folly in their position.

**Hon. Mr. Grossman:** Of course it is difficult to make a decision. So what do they do? They say, “We cannot make a decision, so we will go along with the Liberal amendment, and sort of delay it for another six months.”

**Mr. Martel:** The Minister’s clients are misleading him.

**Hon. Mr. Grossman:** In the first place, what will the delay do, except create a lot of hardship and a lot of mental turmoil for many people who are concerned about their pets and do not really understand the bill? They, the Opposition, are ambivalent. They do not have to make a decision, so they just do not make a decision; they postpone it for a while.

**Mr. Lewis:** Is not the medical school in your riding?

**Hon. Mr. Grossman:** Mr. Speaker—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Grossman:** Mr. Speaker, they know perfectly well that this is a good bill. It should be approved as quickly as possible, and they are taking the very hard political approach. They want to garner as many votes as they can from it, and this is the view they are taking. How do they do this? “We, the NDP, speak for those nice little dogs. We also try and make it look like we are concerned about the people who may get some advantage from the research of this thing.” Mr. Speaker, my late father died at the age of 90, and for about 25 or 30 years he was kept alive by insulin and I think, sir, I would not be faithful to his memory if I did not give the opportunity to a lot of other people who may be gaining from this kind of research to cure some other disease.

**Mr. J. Renwick:** Who is objecting to them?

**Mr. Lewis:** We all prefer not to die from bacteriological fallout.

**Hon. Mr. Grossman:** Perhaps it might be cancer; perhaps it might be heart disease, and those people are entitled to as much concern from this Legislature as my father was from this kind of research. The hon. members of the Opposition know this; they know it in their hearts, and I can see in some of their faces they do not like doing what they have been told to do in caucus and they are going ahead with this.

Mr. Speaker, the fact remains, in my view, that the late J. S. Woodsworth would have stood up in his place in this Legislature, and said: “We stand foursquare for the bill which the government has brought forward.” But of course, and maybe the NDP is correct—maybe they have decided—in fact they have decided, because their leaders have said so, at that great meeting they had out west. They said: “To hell with principles—we want to be elected!” That is precisely what they said, and this is what they are showing right now, Mr. Speaker.

**Mr. Lewis:** Talk about demagoguery!

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Grossman:** As far as the Liberals are concerned—well, we do not expect too much more of them anyway. The hon.



leader of the Opposition (Mr. Nixon) gets up and he says, "Hoist it for six months." What a courageous stand that is.

An hon. member: He thought it was a good speech until now.

Mr. J. Renwick: Is this the government!

Hon. Mr. Grossman: Mr. Speaker, they are all, of course, "ambivalent" about this. It is a difficult decision to make, but the government cannot be "ambivalent" about it. The government has to make a decision, and we have made the decision and it is the right one.

Mr. Speaker: The hon. member for Riverdale.

Hon. J. Yaremko (Minister of Social and Family Services): Is the hon. member going to make a pledge not to make use of medical services—

An hon. member: What a ridiculous statement!

Mr. J. Renwick: Mr. Speaker, is the Minister of Social and Family Services—has he entered the debate or have I been recognized?

Interjections by hon. members.

Mr. J. Renwick: Mr. Speaker, what has basically come through in the bill which is before us for second reading is very much the tip of an iceberg and it has unearthed a basic and fundamental problem facing not only this government but the whole of the society in which we happen to live at the present time. Let me put it perfectly clear. What we are talking about is a legislative assembly which reflects in its laws the moral values of the society.

There are a lot of people, Mr. Speaker, who constantly say you cannot legislate morality. Well, I adopt the words of the late Dean Roscoe Pound of Harvard law school, which are carried in the pocket of my colleague, the member for Scarborough West, that in fact we legislate about very little else. We are talking about standards and values within the society.

Let me also make it perfectly clear that the basic problem which people have answered and which we have answered in the affirmative and which I believe, so far as I can know, each of the parties in the House has answered in the affirmative, is the moral question: Is it proper and justifiable to use animals for medical research in order to provide for the betterment of human beings? And I think that the answer to that question is

a moral issue. Let us not duck the problem. That is a moral question. I happen to be one of the persons who disagrees with those who quite legitimately believe that it is immoral; and I respect their views. I happen to believe that they are in fact a minority in the society. But if this assembly is to mean anything, in terms of reflecting values, we have to respect the views of those persons who hold that it is not moral.

And I can say to the members of this assembly that our party a long time ago when this bill was first introduced in its emasculated form, which still stands on the order paper and which the Minister did not have the courage to withdraw, we answered that question affirmatively in our caucus after considerable debate, that, "yes," it was, on balance, morally justifiable in this society to use animals, to cause pain and if necessary to cause death, and to leave animals disabled and continuing to live for the purposes of human betterment through medical research. Let us put that categorically on the record and let us make it abundantly clear. That is our position. It is a position which we reached because it is a moral question.

Let me state the other side. There are those, who I happen to believe are a small group in our society, who believe it is immoral. I respect their views. I do not happen to respect the views of those amongst the scientific community who have from the time of Hume, in the atmosphere of the industrial revolution, in the growth of corporate capitalism, assumed that there are no longer any values that can be philosophically and politically justified. Let us get it right.

The course of the philosophical development of the western tradition from Hume onward—and I wish my colleague, the member for Lakeshore, was here, because I am no philosopher, but I want to make it perfectly clear that from that time on, there was a constant train of thought which indicated that the use of the brain, the rational use of the brain, was a justification in itself for the development of anything. And that those who exercised moral judgments were, if anything, suffering from an aberration at the very worst and at the very best were trying to subject the society to the individual subjective judgments of one individual and why were those any better than anyone else's judgments? Let us get that part of it perfectly clear.

What I am saying to the government and what has caused them so much trouble is that they have failed to recognize that they

are dealing with a fundamental problem and this party is basically, in its substance and in its essence—and I leave it to those who know more about J. S. Woodsworth than myself, to know whether or not we follow in his train—concerned about moral issues in society.

Let us get this perfectly clear, Canada is a microcosm of what is happening in the United States of America. Canada is part and parcel of an area which cannot stand detached from a reflective concern about what is taking place in that country. And do you know what is happening, Mr. Speaker? At least in my judgment, we have had the integration and the growing integration in Canada of government with the corporate capitalist system. That is taking place every day, sometimes it is disguised as international capitalism, but they are working hand in hand at the present time.

We have not had, as yet—until my colleague, the member for Scarborough Centre, brought it to the floor in this House—a recognition that not only is there an integration of the corporate capitalist system with the government, but we are now recognizing that there is an integration of the corporate capitalist system, the government and something called the military complex of our society, even if it is only on the fringe, as recognized by the small samples which are sent back to the United States.

But the last domain—which in our universities we assumed to pride ourselves that we could stay detached from the rest of the world—was something called technology, something called technological revolution, and the corporate capitalist system has been engaged in encroaching and bringing within its sphere, that area. Part of that technological revolution is dignified by the term “science” and dignified by the term “research,” dignified by those terms. And the very thing which that has done to our society is to say to us that no values can be exercised in that field, that they are free on their own to carry on whatever they want to do, regardless of the human values or the human consequences that flow from it.

And of the areas of research which are involved, the most sacred cow of all is medical research. I believe that medical research is essential and necessary for the development of our society. I happen to believe, however, that this particular assembly reflects the values of our society.

I do not think the scientists reflect the values of our society, I do not think that those who are within the bureaucracy of the civil service of government reflect the values

of our society; I do not believe for one moment that the corporate managers of our society reflect those values.

I want you to know, if you cannot see it clearly every day, that what the younger people in this society, joined by a great number of other people, are saying—and focus at the present time on the question of the war in Viet Nam—is that we are going to reintroduce into this society the question of moral values and that moral judgment is not something that can be denigrated on the grounds that your judgment is no better than mine, that integrated within the rationality of man is an essential moral and ethical component that nobody can destroy.

And that is what we have been seeing and what I have referred to as the tip of the iceberg that this government unearthed by introducing this bill—this bill about the care and provision of animals for medical research in Canada. I am saying to government, they have to think about this problem. Are we prepared to say at the expense of the moral values of our society that we are going to allow this constant and continuous integration and domination of those moral values by the corporations, by the Liberal government at Ottawa, by the area of scientific research and the university community, to the extent that they are involved in it and by the military complex with which we are governed?

That is the problem, that is what is causing the hang-up, that is what is causing the problem and I come back to the very simple point that I started with—let us make our position perfectly clear. I am not particularly concerned about responding to the remarks of the Minister of Correctional Services in this province. I am speaking to this House and I am saying to you: Yes, it is a moral problem; yes, we in this caucus resolved it; and yes, we in this caucus are not prepared, not prepared to say that simply because it is going to be used for something called scientific research, medical research, military research, simply because it is going to be integrated within that complex that we can in any way abdicate our responsibility for inserting in this bill, a reflection of what the broad group—

Hon. Mr. Grossman: Will the hon. member permit a question?

Mr. J. Renwick: Mr. Speaker, I accept no interjections.

What the broad group of the people in this society are concerned about—and I say I respect those who have different views about

the moral question, I do not respect those scientists who think that they can operate in a value-free atmosphere—but the broad concern in the province of Ontario, which we in our way are trying to bring to the attention of the government, is that people are concerned about the values which would permit a government to introduce a bill without having exercised care and attention about the moral values which are reflected in this area.

Now let me just complete my remarks by saying it is a very strange thing which has been commented upon in a sense of irritation, a sense of upset, by members of all parties. Why have we spent all the time on this bill when we have not dealt at this length with, for example, the problems of the Indian community in our society?

**Hon. Mr. Grossman:** Because the hon. member figures there are more votes in this bill for him.

**Mr. J. Renwick:** Why have we not spent more time on the question of the guaranteed annual income for the people in our society? The reason, Mr. Speaker, is very simple. If, in any way, this government can reflect in what it does, what the corporate managers want, what the scientific community wants, what those people who believe that there is no place for values want, they stumble in. They will not accept their responsibility in this area to make certain that their bill reflects the moral values of this society.

That is what we are saying to the government. That is why we are voting the way we are going to vote on this bill. That is why we are saying to the government, "Take a little bit of time to survey this bill in the context of what is happening in this society". When we do that, Mr. Speaker, I am certain that we will come up with a bill which will solve this problem, the fundamental moral problem about the use of animals for medical research.

At the same time, it will solve the problem that that research is to be used for purposes which are subjected to the kind of controls which only a democratic legislative assembly representative of and reflecting the moral values of the community can exercise. We are not prepared to abdicate that responsibility. We will not abdicate it; we insist that the government accept it.

**Mr. Speaker:** Does any other member wish to enter the debate before the Minister replies? The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have listened with great interest to the debate today and I certainly do admire the great concern that the legislators are taking on this matter. I guess until this time I have not been too concerned about the animals that are dissected in research labs and are used in classrooms and university classrooms and so forth. I probably will not be until this bill goes through and is passed and is put into effect.

I disagree with the use of pets for research. I realize that the bill is not to use pets for research, but I have a little dog at home right now called Bowser and I have got four children who think an awful lot of that dog. I have to personalize because it is the only way I can get my point across.

I have visions of Bowser possibly winding up in the research lab, because it would not take much for the dog to be lost, possibly on a trip to Toronto or possibly on the way up north. For that animal to be found by someone else, probably not a dog-catcher, but some other child possibly, and for that person to lose the animal and perhaps not bother to check with the pound or to find out where it is—and then it could, you see, be reclaimed for research and wind up on the slab. But, it is still the same dog.

**Hon. Mr. Grossman:** Does the member's dog have a tag?

**Mr. Knight:** Conceivably in a few years' time, my own children could be involved in research of some kind as students and could come across Bowser again on a research slab. I am trying to introduce the human element here, Mr. Speaker, which I think people who own pets in our society can identify with, and this is why you have had so much opposition to this bill. Once an animal has become the member of a household, it takes on a whole new value. It becomes something different altogether. I see problems developing in the next few years after this bill goes through that are going to turn people vehemently against the government that put in this legislation and made this legislation possible.

I have been speaking to some of our humane society authorities at the Lakehead recently, trying to reassess their position on it. They tell me that it is their understanding that most of these animals that are in the pounds will go to the humane society shelter usually, if it is an animal that is healthy and could be placed in another family. But the animals that go into the pound are

animals that have just about had the cookie and they are really of very little use for research. So that you do not really satisfy the problem of the lack of animals for research. This is what they tell me.

As far back as I can remember, the humane society has always been the last word, as far as I was concerned, on animals. I mean, if I see a dead cat on a street, I call the humane society. They will pick him up; no one else will. Or a dead dog. Or if I know of an animal being abused, the humane society will always come in and do it and they have always been good enough to be the recognized authority on the proper care of animals in the community.

But suddenly, because we need animals for research, we are willing to trot over, listen to them perhaps, but nonetheless ultimately just roll right over their feelings in this matter. I cannot do it. I think too highly of them.

The other problem that I see here for the humane society is that this bill will cause the humane society to lose image. People who commit their pets into the hands of the people of the humane society do so with great confidence and great belief that the humane society will see to it that the animal gets proper treatment. But what this bill says is any public pound, humane society or otherwise, is forced by law to turn the animal over. So here you begin the deterioration of this great society, the deterioration of its authority and the confidence that people place in it. I think that the amendment introduced by the leader of the official Opposition is a good one. Those are my main reasons for stating that I will support the amendment.

**Mr. Speaker:** Does any other hon. member wish to speak to the bill before the Minister replies? The hon. Minister of Agriculture and Food.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, first of all I want to say I acknowledge and appreciate the interest and the concern that has been expressed by very many members who have spoken today. Our friends in the Opposition, as one would expect them to do, have taken the political approach to this bill. There is no question about that, but that is the name of the game.

**Mr. MacDonald:** The Minister has been taking the political approach.

**Hon. Mr. Stewart:** But I would say this, that we have to live with this situation in this

Legislature. We recognize this and fortunately there are enough of us who feel that the rights of people should be our concern, as much as the rights of animals.

**Mr. Speaker,** I do not believe that at any time did I ever interject in any member's speech, not one word at all. I would appreciate it if I could have that same treatment.

**Mr. MacDonald:** It is not wholly true.

**Hon. S. J. Randall** (Minister of Trade and Development): I am sure it was; he has been listening all day.

**Hon. Mr. Stewart:** Let me say I do not know how the hon. member, the leader of the NDP would know because he has not been in the House all day, except for a very short time.

**Mr. MacDonald:** The hon. gentleman gets up and accuses us of being political, yet he is up on his political podium and now engaging in political cut and thrust. I was out at the legal bills standing committee hearings and when I spoke this afternoon it was the Minister who interrupted me.

**Mr. J. E. Stokes** (Thunder Bay): Right.

**Mr. MacDonald:** Right! So do not get up and say you never interrupted.

**Hon. Mr. Stewart:** Well, all right!

**Mr. MacDonald:** Your halo is down about your middle. It has slipped badly.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** Oh well, now, your Marxist halo is glowing. It has come out clearly tonight too. Let us not forget that.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** Now, Mr. Speaker, the hon. leader of the Opposition referred—and I will try not to be political—

Interjections by hon. members.

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

**Hon. Mr. Stewart:** I want to congratulate the hon. member for Quinte (Mr. Potter), who was the chairman of the standing committee on health which listened to the very many presentations on this bill and many excellent presentations. Many presentations that led us to reconsider some of the things that were in

the bill, and to make positive amendments that I think have improved the bill.

I would like to say that, this afternoon, the hon. member for Quinte, as chairman of that committee, made what I thought was an excellent speech, and very much to the point. And it was very well supported, as I would like to think, by the member for Prince Edward-Lennox (Mr. Whitney) and by the member for Kingston and the Islands who, in my humble opinion, summed up what this bill is all about in the least number of words that was used this afternoon and he hit right on every point, all the way through his speech.

That is what the bill is all about, and I think that it was an excellent presentation. So much for that.

Reference was made to the fact by the leader of the Opposition that no rational consideration of the problem before the pressure of the legislation was really gone into prior to the drafting of this legislation. Well, Mr. Speaker, if I had the time which I would like to have, I could go through this minute book that I have here, and report, in the summary, of the medical and veterinary schools of Ontario and the Ontario humane society joint committee meetings dating back to 1962.

But I do want to read, if I may, a brief that was presented by Mr. Hughes to the Attorney General (Mr. Wishart), on December 6, 1963. And from this brief—I do not intend to read it all because it is about six or seven pages long but it is summed up as follows:

The Ontario society has therefore reached the conclusion that the best solution to the present problem would be for the government of Ontario to enact legislation that would license and regulate dealers in animals for scientific research.

Now the significant words here are the "licensed dealers." Then the brief goes on to say, "that the government appoint their representatives, or the inspectors, to do the work." And it is concluded by this paragraph saying: "It is respectfully submitted therefore that the government of Ontario enact legislation as recommended in this brief."

Now that brief was considered by various people, and it was amended and again a copy was prepared for presentation to the Attorney General after review by the joint committee, which had been established and to which I referred earlier. Again I refer to the brief:

That the Ontario humane society and the representatives of the universities of Ontario have therefore reached the conclusion that

the best solution to the present problem would be for the government of Ontario to enact legislation that would license and regulate dealers in animals for scientific research.

The problem of the animal dealers is the result of the constantly increasing demand by universities and laboratories for the increasing number of animals for research purposes. If legislation could be enacted now to license these dealers, a great deal of trouble will be prevented in future years, certainly as the demand increases, so will the number of dealers.

It is respectfully submitted therefore that the government of Ontario enact legislation as recommended in this brief.

This appears over the typed signature of T. I. Hughes, General Manager.

Now, Mr. Speaker, we introduced Bill 73. But after years of negotiations between these two bodies, when it was completely obvious that there was just no possibility of resolving the differences that had developed.

Why, I do not know. But it just could not be done. Now it has been suggested there were many reasons for this. Perhaps there were. I am not aware of them all. I am aware of some.

But what really is the purpose of this bill? And, as I said earlier, it seems to me that the member for Kingston and the Islands summed it up very well in a very few words. I must say that many members on both sides of this House spoke well on this bill, and the purpose for it.

But if we are to presume, and I do not detect that there is a difference of opinion amongst the members of this House, that we are agreed that animals must be used for continued research and teaching purposes, and if we are agreed that we respect the opinions of the people who feel keenly about antivivisection, as many of them do—and I respect them completely for their opinion, and their stand although I cannot agree with them—they are entitled to that opinion. But I think we must assess what this bill is intended to do. First of all it is to provide humane treatment of animals used for research and teaching purposes, and, secondly, it is to stop dog stealing, and, thirdly, it is to provide an adequate legal source of animals for research.

Now it has been said that the humane society will disappear, that it will cease to provide service to the municipalities in animal control by-laws since it is supposed to offend the principles of the humane society. Yet they

say use animals bred for the purpose; use animals from municipal pounds—but do not use our pound animals.

Now, Mr. Speaker, for an organization dedicated to the humane treatment of animals, it seems strange to many people that it is proper to use some animals, but not proper to use other animals. I have great difficulty in finding the sense in that kind of a proposal.

**Mr. MacDonald:** The Minister missed the whole point of the hearings.

**Hon. Mr. Stewart:** To withdraw humane society services to municipalities, I must confess, is regrettable. But that is their privilege, just as it is the right of the municipalities to engage whom they wish to enforce their animal control by-laws. One needs only to refer to what has happened in recent days.

In the presentation that was so eloquently made by the general manager of the Ontario humane society before the committee on health, he prefaced his remarks by saying that the humane society got into the business of providing pound or animal control by-law services similar to a reluctant bride. I thought that this was a particularly touching illustration.

But when I recalled the statements in the press—and I do not need to refer to them all, we all saw them—“Scarborough Rejects the Humane Society Bid to Run Dog Pound”, “Humane Society Campaigns to Oust Scarborough Council”.

Well I suppose that things go wrong in every household from time to time.

Let me say that Mr. Hughes is quoted as having said in the *Telegram* of November, 1969, that the Ontario humane society is not opposed to animals being used for research—only to animals being made to suffer pain for the sake of research. And, with this, of course, we would all agree. I think, too, then of the number of municipalities that have indicated to me in the last few weeks their complete desire and their welcoming the opportunity, in some cases, to take over the operation of their own pounds.

On October 14 last I met with municipal officials from five municipalities in this province that are now served by the Ontario humane society. I must confess I was asked to meet with them. I did not engineer the meeting at all. I quote in part, from an editorial comment that appeared in the *Aurora Banner* on November 12, written by

the mayor of Aurora, in his column “Reports by Mayor Dick Illingsworth”. He says the following:

The meeting with the Minister was held on October 14, and Bill 194 was reviewed in detail, and the reasons for the bill discussed. There is considerable difference of opinion as to the reasons for the bill, the interpretation and the control.

The society has recently published a folder titled “Crisis in the Life of the Humane Movement in Ontario”—and includes many statements which, in my opinion, appeals to the emotions and does not present the real facts of the matter.

I have the highest respect for the members of the Ontario humane society and the work they are carrying out in the prevention of cruelty to animals, but I do feel that with respect to Bill 194 they have let their normal good judgment and wisdom be clouded and influenced. In studying Bill 194 I can find nothing with which I as an individual or as a representative for the town of Aurora, can find any major fault. Insofar as our present agreement regarding the operation of the Aurora shelter is concerned, the only change—and this is fully covered in section 22 of the Act—is that after the redemption period, and if the animal has not been claimed, or is not suitable for sale, or as a gift and prior to destroying the animal, it may be sold to the operator of a registered research facility who has placed an order with the pound keeper.

It is to be hoped that the society will continue to operate canine control for municipalities if the Act is proclaimed. However, if it is against the principles of the society, it would be my recommendation to council that the town of Aurora take over the shelter as it is located in Aurora and operate it in conjunction with the other municipalities on a cost share basis in a similar manner as that presently carried out by the society. While we have not had the opportunity to work out anticipated costs, it is not expected that they would increase to any great extent over the 50 cents per capita requested by the society.

**Mr. H. Worton (Wellington South):** Who is that from, Mr. Minister?

**Hon. Mr. Stewart:** That is from Dick Illingsworth, mayor of the town of Aurora.

Then I refer to another item that appeared in the *Stouffville Tribune* under date of

November 6, in which councillor Jim McKellar, of Stouffville, says:

I did not agree with Bill 73, but I do agree with Bill 194 and I am a dog lover too.

He went on to say that he would be prepared to support the bill.

Now really and truly when members look at these reports one—

Interjections by hon. members.

**Hon. Mr. Stewart:** Oh yes, there were many, many other municipalities that have already indicated they were prepared to do this.

Let me suggest this, Mr. Speaker, if I may, and I want to do this—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** Mr. Speaker, would you let me finish? The time is running along and I should have some order.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** Mr. Speaker, I recognize the concern that the humane societies have expressed regarding the bill and the principles upon which they operate their shelters and the reasons why they operate their pounds. Certainly one could not help but be well aware of this after the series of meetings that we held with five elected directors of the committee that worked on this bill that we are discussing here this evening. We met with them on a number of occasions; there is a very detailed explanation of the number of meetings over the signature of the president, Basil Capes that was submitted to us, and I have a copy of that right here before me. We are well aware of what was said by the humane societies concerning this.

I do not for one moment want to suggest—

**Mrs. M. Renwick:** Get the humane society in and let them—

**Hon. Mr. Stewart:** —that we should destroy the humane society movement. I would be the last to suggest that this be done. I point to the fact that in the publication of the humane society entitled *Humanely Speaking*, over the signature of T. I. Hughes, published in November of 1963, Mr. Hughes—and I do

not intend to read the whole editorial, Mr. Speaker in the interests of time, but I just want to read, and I quote:

The primary aim of the society is to prevent cruelty to animals, cruelty as best defined as unnecessary suffering. If then in fact unnecessary suffering is caused to one or more animals during the process of obtaining, holding and using animals for research, then the policy and duty of this society is to take such lawful action as is within its powers to reduce or abolish that suffering and further to prevent the repetition or recurrence of that suffering. Surely the real answer is for legislation to be enacted by the government of Ontario and indeed for every other province of Canada, that would regulate this trade, so that the animals would be guaranteed adequate food, water, shelter and care. Such legislation should also ensure that animals are only obtained by lawful means and after the ultimate purpose for obtaining the animal has been openly and fully disclosed.

Now, really, I do not know how one could do more than to refer now, Mr. Speaker, if I may, to the new sections 20 and 21 that are in this bill to which I direct the hon. members' attention.

Here we have put right in the bill the necessity to relieve pain in every way possible, not only during the operation or research itself through anaesthetic, but also through the use of analgesics to relieve pain following the operation.

We have stipulated in section 21 the necessity for animal care committees who will provide for the responsibility of seeing that those animals are properly and humanely treated. It does seem to me, Mr. Speaker, that with these amendments, the humane society can now feel, as I hope they will feel, quite sincerely, that we have done everything that is humanly possible to do to provide by the use of anaesthetics and analgesics and humane euthanasia, to relieve their concern for the animals that are in these various places being used today.

Now, while we have drafted this bill, as I said, with various humane society officials, we have proposed amendments that I think mean a lot to the bill.

But I want to say this, that I have been impressed with the arguments, the reasons, the logic that has been advanced concerning the wisdom of establishing private breeding farms throughout Ontario for the production of dogs that could be used for survival research and teaching purposes.

But until we can reach that objective, Ontario needs this legislation, and I say to my hon. friend from Port Arthur, with great respect, what protection have you for your pet today?

**Hon. Mr. Grossman:** None at all!

**Hon. Mr. Stewart:** None at all! Your pet can be stolen, as countless pets across this province are being stolen today. And they can end up on that laboratory table that you talk about.

But under this legislation we will eliminate pet stealing because we have completely taken the financial gain out of the bill, for anyone who handles animals, by the insertion of a new section through these amendments.

I say to my hon. friend from Port Arthur that under the mandatory requirements of this bill, the poundkeeper, if your little pet gets lost and he finds your pet, must trace the owner if the owner can be found. You have the obligation to put a tag on that animal, to tattoo that animal, and in any other way identify that animal so that it can be traced to you.

When we have done this, Mr. Speaker, then I think we have done so much more than we have ever done in the past. We have done something about looking after these animals in these research and teaching facilities. I am not going to get into the need and the necessity for such action, but surely, this must be the purpose and the objective of what we are trying to do.

Now, let me say that we have to have, in my humble opinion, the most careful scrutiny, the most careful inspection of these research facilities and the supply facilities. The deans of medicine have said that they have no objection at all to visits from the humane society at any time.

**Mr. Stokes:** The Minister would not put it in the bill.

**Hon. Mr. Stewart:** I did not put it in the bill for this reason, and it is not because I do not recognize what the research facilities have already said, that their doors are, I understand, open today to humane society inspectors. But when we draft legislation that has the power and the authority to put a man out of business by this bill, completely close off and stop it from operating, then in my opinion that kind of legislation must be enforced by government-appointed inspectors responsible through a Minister to this Legislature.

That is why we take that position, and I say in this House tonight, as I said in the

committee the other evening when we discussed these amendments, that I would welcome the opportunity if, indeed, some apply from the inspection branch of the humane societies across this province, and they were properly qualified, to appoint them as our inspectors, as the team of inspectors that would work in this bill, but I think we have to first of all be sure that the qualifications are right and proper. My hon. friend from Humber made a very valuable contribution in the committee the other night. He might wonder why I say this because we locked horns pretty thoroughly at times, and we probably will again.

**Mr. MacDonald:** With whom does the Minister not lock horns?

**Hon. Mr. Stewart:** He suggested that we should have graduates of our agricultural colleges or schools as the inspectors under this bill. There is a good deal of merit in that, but I would like to think that we would not be restricted in this if there were qualified people who did not necessarily have a university or college degree as inspectors under this bill. I think we want that flexibility.

I would welcome the opportunity to appoint to the animal review board, members of the Ontario humane society, or affiliates, or directors, elected directors, because these are people responsible to the people who have elected them. Certainly we want the strongest type of animal review board that we can possibly have.

I suggest to you, Mr. Speaker, in winding up this debate, that we have the opportunity now to step forward into the future with a piece of legislation that can be a model for those of us who really feel about animals, and who respect the feeling of people and at the same time, provide for the degree of progress that we must assure, if human and animal health is to improve in the future.

I ask the members of this Legislature, Mr. Speaker, through you, to support this bill in second reading and get on with the job of providing care and comfort and for the welfare of the animals that are used in these research laboratories.

**Mr. Lewis:** Not a word about the use to which the research is put!

**Hon. Mr. Randall:** The Opposition benches are defeated again.

Interjections by hon. members.

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



The motion is by hon. Mr. Stewart for second reading of Bill 194, to which an amendment was moved by Mr. Nixon, seconded by Mr. Gaunt, that the motion for second reading of the bill be amended by striking out all the words after the word "that" and substituting therefore the following: "That Bill 194 be read a second time this day six months hence".

The vote is on whether the bill will now be read a second time.

The House divided on the question, "Shall the word 'now' and all other words sought to be struck out stand?" which was affirmed on the following vote:

AYES	NAYS
Apps	Ben
Auld	Bolton
Bales	Brown
Belanger	Bukator
Bernier	Bullbrook
Boyer	Burr
Brunelle	Davison
Carruthers	Deacon
Carton	Deans
Davis	De Monte
Demers	Edighoffer
Downer	Farquhar
Dunlop	Ferrier
Dymond	Gaunt
Evans	Good
Gilbertson	Haggerty
Gomme	Jackson
Grossman	Knight
Guindon	Lawlor
Haskett	Lewis
Henderson	MacDonald
Hodgson (Victoria-Haliburton)	Makarchuk
Johnston (Parry Sound)	Martel
Kennedy	Nixon
Kerr	Peacock
Lawrence (Carleton East)	Pilkey
Lawrence (St. George)	Pitman
Meen	Reid (Scarborough East)
Morrow	Renwick (Riverdale)
McNeil	Renwick (Mrs.) (Scarborough Centre)
Potter	Ruston
Price	Sargent
Randall	Singer
Reilly	Smith (Nipissing)
Reuter	Sopha

AYES	NAYS
Robarts	Spence
Rollins	Stokes
Rowe	Worton
Rowntree	Young-39.
Simonett	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Villeneuve	
Wells	
Whitney	
Winkler	
Wishart	
Yaremko-49.	

**Clerk of the House:** Mr. Speaker, the "ayes" are 49, the "nays" 39.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Some hon. members: No!

**Mr. Speaker:** Then, of course, it will go to the committee of the whole House.

**Hon. A. F. Lawrence** (Minister of Mines): Mr. Speaker, in moving the adjournment of the House, I should point out that I understand the standing committee on legal and municipal laws will be resuming its sitting downstairs almost immediately.

**Mr. R. F. Nixon** (Leader of the Opposition): How lucky can we get!

Perhaps the House leader would tell us what we are going to do tomorrow?

**Hon. A. F. Lawrence:** My understanding is we will be moving to the committee of the whole House and, hopefully, completing the order paper.

**Mr. Speaker:** Does the member for Riverdale wish to ask a question?

**Mr. J. Renwick:** No, Mr. Speaker, I will have to be satisfied with that order of business.

**Hon. A. F. Lawrence** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:45 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, December 12, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 12, 1969

The House met at 9.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** At the moment we do not have any visitors but this morning we do expect students from Conestoga College in Waterloo and Silverthorn Collegiate Institute in Etobicoke, and I am sure that they will join us later.

Statements by the Ministry:

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, in distributing the report of the mineral resources committee, I should like to present some background information for the hon. members.

Just about a year ago I appointed a technical investigating committee to report to me on the need for feasibility of province-wide control and regulation of pits and quarries; to give consideration to the principle of designating for pit and quarry use lands at present owned for that purpose, together with other deposits which are now known or which may be located in the future; and to suggest some sensible way in which, in the future, worked-out operations could be rehabilitated in the public interest.

The committee was made up of representatives of The Department of Mines, The Department of Municipal Affairs, the regional development branch of The Department of Treasury and Economics, and others.

The two conflicting conditions which I hoped could be reconciled were: firstly, the unquestionable requirement for very large and constantly increasing quantities of the raw materials needed to maintain the pace of construction in the urban areas of the province; secondly, the obvious fact that in many cases, the operators themselves have failed to take the necessary steps to ensure the aesthetic appearance of the area in which they work.

Jurisdiction, at present, for regulating such operations, is vested in the municipalities, but we have received representations from municipalities themselves, from the aggregate producers, and from the public, that in many cases the municipal councils do not

have the facilities, the staff, the experience, or the money to properly police or plan for this very important industry.

Briefly, the committee has recommended that the province assume the jurisdiction over the industry, and properly plan for future needs so that some of the undesirable current conflicts can be avoided in the future.

The report has now been sent out to the municipalities for their comment by February 15, so that, hopefully, with the concurrence of the municipalities, the government will be in a position to announce a course of action early in the 1970 session of the Legislature.

Naturally, I would welcome any views of any hon. member of this House as well by that time.

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, you will recall that in my Budget speech I mentioned my department was contemplating operating additional provincial park facilities during the winter months. We have now decided to operate three provincial parks for camping and snow-oriented recreational activities this winter. This programme will be carried out as an experiment to determine just what demand exists for winter camping and how suitable our present provincial park facilities are in providing for this demand.

The three parks to be operated this winter are: Pinery Provincial Park on Lake Huron, Sibbald Point Provincial Park on Lake Simcoe, and Arrowhead Provincial Park in the Huntsville area. Pinery Park has been operated during the winter for a number of years on a day use basis and we will now be extending the services to accommodate winter campers.

Plans call for the plowing of main roads, provision of fuel wood, water, and heated comfort stations. The recreational opportunities at these parks will vary from downhill skiing, skating and tobogganing at Pinery, to ice fishing and skating at Sibbald Point, and cross-country skiing and snowshoeing at Arrowhead. There will be opportunities for snow-mobiling in all three of these parks.

using trails or areas designated for this purpose.

We have been receiving an increasing number of enquiries regarding winter use of parks. Recreation activity surveys clearly indicate the increasing use of existing winter recreation facilities. It is anticipated that the operation of three provincial parks this winter will provide valuable information for determining future winter park programmes.

Saturday, December 20, will be the first day of winter operations for these three parks. Regular fees will apply.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I had a question of the Provincial Secretary, as I look around. Is he aware of recent substantial thefts of liquor in the Toronto area? I have information here indicating how substantial they are. Do the officials of the liquor licensing and the liquor control board feel that there is any connection between these thefts and the possible use of the liquor on licensed premises? It is apparent from the size of the thefts that it would not just be sort of a personal preparation for Christmas.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, I have read of these particular thefts. Licensees have a regular routine through which they must go in order to make their purchases and I suppose there is supervision with respect to supplies insofar as our licensed establishments are concerned. I must admit I have not discussed this with the officials of either board, but I would be very happy to do so and report back to the member.

**Mr. Nixon:** Would the Minister agree that with recent concern in Ontario with the influx of, say underground money, Mafia investment, there is at least a possibility that some licensed premises might be in a position at least to attempt to make use of these large thefts? The Minister assures us that there are procedures that are laid down and this, of course, would be the best defence. Is there any further comment?

**Hon. Mr. Welch:** The hon. leader of the Opposition speculates on this subject, and what I was pointing out earlier is that licensees can only acquire their supplies from certain sources, so that at any time there could be an audit between their acquisitions from those particular sources and whatever supplies they have on hand. I really have nothing further to add to this except that I

would be very glad to direct his concern to the board.

**Mr. Nixon:** Okay.

Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs pertaining to the report that was received by the Legislature yesterday. Will the Minister direct trust companies and other trustees to resign such trusteeships which involve responsibility to more than one class of security holder in the same corporation?

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Mr. Speaker, that specific item I am being asked to comment on is one of some 100 items. I would think that the point is well taken because I think there is a tremendous amount of merit in that point and I think that on balance—and I am speaking generally—my own personal reaction to that specific recommendation is that it is a good one and should be advanced simply in the name of having in mind the true nature of trusteeship and so on. But the whole subject of the recommendations of Atlantic, contained in the Atlantic report, and in the mutual funds report, is being the subject of study and we are putting a team together to proceed with it.

Some of the matters in the Atlantic case, I might say, have already been dealt with. I think we have a good deal of relationship to what our present position is and what remains to be done. The point that is raised is probably a very valid one.

**Mr. Nixon:** A supplementary question—and perhaps I should have asked a more general one to begin with—if I might ask a question in a supplementary manner then, based on what has already been discussed. Can the Minister assure the House that these various recommendations are going to be given immediate concern by his department, and could he give us the details of the mechanics of this survey of the report and how he intends to assess the values of the recommendations?

**Hon. Mr. Rowntree:** Let us take the Atlantic report. I think the first thing to do is to try to take the recommendations and analyze them and find out exactly which of those recommendations have already been implemented. Some of them have been, and I think the commissioner states that in his report.

Then we will take the remainder of the recommendations from a legislative point of view, as though we were anticipating immediate legislation, and approach it from the point of view of legislation being advanced. In this



department, our policy—I speak for myself, and, I think, all other departments on this point—when his legislative programme is through for one year, the Minister will immediately start a file containing legislative suggestions for the next year.

I think that there will be some several months required to do that. In the meantime, a related matter comes up, and that is, I do not think that we need go through any further public hearings in this sense of legislative consideration. On the other hand, it is entirely possible that the public would want to make representation to the department, and I would expect to hear from various interested parties with respect to specific recommendations contained in the report.

**Mr. Speaker:** The member for York Centre has a supplementary.

**Mr. D. M. Deacon (York Centre):** A supplementary to the Minister: Would the Minister consider that these regulations are applicable only to finance operations, or is he thinking of them in application to all corporate security operations and financial operations of a more general nature?

**Hon. Mr. Rowntree:** On the question of financial institutions or financial corporations to which the press seem to have given considerable attention, already the securities commission has dealt with that and has a separate definition. We required this in earlier legislation some two years ago. They were not segregated in the sense of coming under a separate directorate, but they were separated by definition. There are those institutions which are involved solely in the raising of money which is normal to any corporation, but instead a making a product with that money and engaging in industry which would be an industrial corporation.

Where they are involved in money matters, then there is a definition which was developed by the securities commission, and already there are special requirements by the securities commission with respect to their operation that exists at this time. It is just a little early, at this point, to talk about what the detailed results of our consideration will be only 24 hours after the release of the four-volume report. That is one item that has been dealt with in some degree.

**Mr. Deacon:** A further supplementary: I did not make myself clear to the Minister. There are several areas and I suggest three: 1. The role of the independent director; 2. The role of auditors and their responsi-

bility for an instantaneous picture of the whole corporate entity, not just the main company; 3. The role of trustees and their potential conflict of interest between different tasks of debtors or security holders. Does the Minister consider that these should be brought into purview for general legislation as distinct from the financial institution?

**Hon. Mr. Rowntree:** Those items, I do.

**Mr. Speaker:** Has the hon. leader of the Opposition completed? The member for York South.

**Mr. D. C. MacDonald (York South):** My question is to the Minister of Financial and Commercial Affairs. This is his batting morning apparently. With reference to the Toronto *Daily Star* story of December 10 entitled, "Empty Freezers in Two Homes May Mean an Empty Christmas", has the bureau of consumer protection investigated this alleged bankruptcy and the unavailability of food to stock these freezers, despite continued payments of \$24.40 per month?

**Hon. Mr. Rowntree:** I do not know of that specific case. But our department has been active in this field of purchase of bulk meat supplies; whether they are related or not to the added purchase or lease of a freezer unit. In this matter, we have been working in the past months—I think the past year—in conjunction with The Department of Agriculture and Food, which also has a particular interest in the meat aspect of it. There were convictions arising from prosecutions in this field. But the matter the hon. member refers to, I will check on; and it might facilitate matters if he would let me have the name with reference to the press item he mentioned.

**Mr. Speaker:** Are there further questions? The member for York Centre.

**Mr. Deacon:** A question of the Minister of Trade and Development. Has the Minister found foreign corporations unwilling to invest in Canada unless they have full ownership and control?

**Hon. S. J. Randall (Minister of Trade and Development):** No, I have not found that.

**Mr. Deacon:** On what basis does the Minister feel that it is necessary to allow them or for him to continue a policy of bringing in companies on the basis of full ownership and control? Does he not consider it important for Canadians to have an ownership position and control position?

**Hon. Mr. Randall:** We have not adopted that policy yet. The federal government is looking at it. We are interested in any guidelines they lay down. When they do, we are quite prepared to live by them.

**Mr. Deacon:** A further supplementary: Does the Minister feel it is important for him to wait for the federal government to lay down policy and guidelines? Cannot we in Ontario make our own decisions?

**Hon. Mr. Randall:** Not unless we want to become a "banana republic," we cannot make our own decisions.

**Mr. S. Lewis (Scarborough West):** He is just quoting his speech to the Tories.

**Mr. W. Ferrier (Cochrane South):** I have a question of the Minister of Mines.

Interjections by hon. members.

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

**Mr. Ferrier:** In view of the federal government's intention to do away with the emergency gold mining assistance in a year's time, will the Minister make representation to the federal government on behalf of the gold mining communities of Ontario to have such assistance extended for a further period of time, with the provision that a significant portion of the subsidy be used by the gold mines to pay the gold miners a more adequate wage?

**Hon. A. F. Lawrence:** Mr. Speaker, this is a matter of government policy which, if agreed to, would be announced at the proper time and the proper place.

**Mr. Speaker:** The member for Algoma-Manitoulin.

**Mr. S. Farquhar (Algoma-Manitoulin):** I would like to ask the Minister of Mines a question in connection with his report tabled this morning. Would the Minister advise whether this report, which will lead, no doubt, to a new provincial mineral resources policy, will cover all mines in Ontario including uranium mines?

**Hon. A. F. Lawrence:** Mr. Speaker, this particular report, at the moment, just suggests legislation in respect of sand and gravel pits and rock quarrying, primarily in southern Ontario. But there is no question in my mind that if we get the concurrence of the House and the concurrence of the government, and the approval of the majority of the

citizens, including municipalities of this province for this policy, that it would lead us into far greater administration in respect to environmental control of the whole mining industry to a much greater extent than we now have, this would then, of course, include uranium mining.

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

**Mr. F. A. Burr (Sandwich-Riverside):** A question of the Minister of Highways. Has the Minister posted any signs in the vicinity of the Cornwall industrial dump, warning motorists that they may encounter sudden fogs, smogs, and so on, and suggesting or advising that speed should be reduced to a low limit if they do so?

**Hon. G. E. Comme (Minister of Highways):** Mr. Speaker, I do not recall the department's posting any signs, but it is my understanding that the city of Cornwall has ceased burning in this dump. It is only used now as a land-fill area and they are going to move their facilities to some other property.

**Mr. Burr:** As a supplementary question, is the Minister not aware that the problem does continue and about 500 truckers have signed a petition—which is right here, about 14 feet long—complaining that the problem exists and they would like action on it?

**Hon. Mr. Comme:** All I can say, Mr. Speaker, is that I imagine if they sent this petition to the hon. member, they think he is the one who can cure the problem.

**Mr. Burr:** As a supplementary question, Mr. Speaker, will the Minister give this petition to the Minister of air pollution control, please?

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

**Mr. Deacon:** A question of the Minister of Financial and Commercial Affairs: Is the government appealing the Orde-Wallington decision?

**Hon. Mr. Rowntree:** With respect to the Orde-Wallington matter, I can only state, as I have indicated to certain members of the Legislature who have spoken to me about this matter directly, that I can only express my surprise and disappointment that the charges arising from the Orde-Wallington case did not prove successful before the courts.

The staff of the securities commission has carefully reviewed the matter with the law

officers of the Crown. For the information of the members of the House, the prosecution in these cases was conducted by The Attorney General's Department on behalf of the securities commission. I am instructed that there is no right to appeal Judge Damon's judgement of November 10, 1969. I can assure this House that careful consideration is being given to all aspects of the case.

I am certain as well that the report of the hon. Mr. Justice Hughes on Atlantic will have some bearing on securities legislation and regulations, as well as the control exercised in these matters by either the Toronto Stock Exchange, the investment dealers association or the broker-dealers.

**Mr. Deacon:** Supplementary to that, what steps is the government taking to ensure that firms that are not subject to the surveillance and policing of the stock exchange or investment dealers—I am not sure what practice the broker-dealers have—are now operating with sufficient capital so that a repetition of this case could not occur, even tomorrow?

**Hon. Mr. Rowntree:** The standards which are set by certain of the associations may be satisfactory as far as they go, and by saying "as far as they go", I am referring to the question of the extent of their membership, because I think this is what the hon. member has in mind.

The fact is that there could be licensed dealers or business firms in certain of these areas, licensed to do business but not members of an association. I will have a further statement on this, I hope before the House rises the first of the week, but the intention is that the rules cover all those doing business, regardless of whether they belong to one of the recognized associations or not.

**Mr. Deacon:** Mr. Speaker, a supplementary, does the rule involve the government carrying out the responsibility of audit and inspection that is now carried out by the associations of which other brokers are members?

**Hon. Mr. Rowntree:** That would be the idea.

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

**Mr. Lewis:** I have a question of the heir apparent, Mr. Speaker, the Minister of University Affairs. When the Minister meets the committee of university presidents next week, will he instruct them to sever all future research projects which are funded by the American military establishment?

**Hon. W. C. Davis (Minister of Education and University Affairs):** Mr. Speaker, I notice from the press this morning the hon. member had raised this issue with the Prime Minister (Mr. Robarts) yesterday. I have been doing some little bit of research myself just to find out exactly what some of the facts may be. I am still in the process of obtaining this information, but I would like to give the hon. member some information at this precise moment.

I am dealing now just with the University of Toronto, which, I guess, has been the largest recipient of research support. It has received some \$14.4 million from Canadian government sources, about \$3.1 million from private sources, about \$1.2 million from the Ontario government, and about \$0.6 million from the U.S. government sources—this includes some \$30,000 from the Office of Naval research, \$533,907 from the U.S. Air Force, and some \$66,000 from NASA, and \$0.5 million from U.S. private sources.

Mr. Speaker, I do not now want to go into a lengthy explanation but perhaps I could, early next week, outline the way these research grants are obtained in this jurisdiction, compared to the practices in the United States. The traditions that exist here differ from, say at Livermore MIT or at the University of Chicago where the research laboratories are more directly related or involved with the Pentagon—or shall we say, the military research establishment—whereas our traditions here really have related more closely to the practices in the U.K.

I think the point that has to be made, Mr. Speaker, is that all the research projects, from my information, are in the public domain. They are not related to anything secret or to anything that is confidential on the basis of going only to the agency in the United States.

They are basically public research. The findings will be available to the public and they do not necessarily relate to the war industry in the United States. I have a long list of very interesting projects here. The projects are sought out by the individual professors; they are approved by the deans ordinarily, and relate to the field of particular interest of the research person at the universities. I would be delighted to get a copy of some of these materials for the hon. member as they relate to many areas of interest that are not directly connected and have, I think, some genuine interest for the total community, not just, shall we say, the war industry, as he described it, in the United States.

I cannot explain, very frankly, what all of these projects mean; I am sure he will understand them. York University, for instance, may I think be receiving \$101,000—in September 1969—for brain nucleic acid changes during learning. I do not think, Mr. Speaker, that this relates, necessarily, to any sinister or questionable field of research.

The member from Windsor referred to the very-high-altitude missile and decoy gas dynamics project receiving \$161,000. Mr. Speaker, I am no expert in this field, but those who are involved in it tell me that it also relates to the space programmes, the ability to place people or satellites into space. It is not entirely related, once again, to the military establishment.

Mr. Lewis: Not entirely, the Minister says?

Hon. Mr. Davis: No, that is right. And I am no expert; I have done all this in the last 12 hours.

Mr. Lewis: The Minister can see it is partly related.

Hon. Mr. Davis: Sure it is partly related. You know, all things—

Mr. Lewis: Partly related—

Mr. Speaker: Order!

Hon. Mr. Davis: Mr. Speaker, if one wants to get into this, there is a relationship between many things. The University of British Columbia, over which we have no control whatsoever, is doing some research in spectral problems for elliptic operators. I do not know what that is, very frankly. These are some very interesting ones.

Interjections by hon. members.

Hon. Mr. Davis: The University of Toronto—

Mr. Speaker: The hon. member for Scarborough West has asked a question, and he might give the Minister the courtesy of allowing him to answer.

Hon. Mr. Davis: I am trying—he asked a question of the Prime Minister yesterday—I am trying to give him as much as I have.

Hon. A. Grossman (Minister of Correctional Services): He does not want it.

Mr. Lewis: All right, go ahead.

Hon. Mr. Davis: The University of Toronto has received some moneys for plasma

dynamics and some word I will not even try to pronounce. But once again I think perhaps these are of some interest. I will get some of these for him.

Mr. Lewis: It is a pity the university presidents did not give it to the Minister.

Hon. Mr. Davis: The University of Windsor, there is a grant here made in August, 1969. I am getting all this from *The Congressional Record* of the Senate. I did not go to Washington to get this, Mr. Speaker, I did not go that far. Collisional and radiation processes in atoms and molecules is being researched for \$66,000 at the University of Windsor.

There is a list of others, but I think the main point, Mr. Speaker, that has to be made here is that these research grants, from whatever agency—quite different from the practice in the United States—are sought out by the individual research people themselves. They are approved by the deans who are involved in this and the material that is researched is totally available in the public domain. I think this is the point that has to be made.

Mr. Speaker, to come to the question that the hon. member asked—whether I, as Minister of University Affairs, on the basis of the information, which is rather sketchy at this moment, will direct the presidents next week—I guess it is Tuesday or Wednesday when we will be discussing matters of some interest—whether I will ask that they direct all people within their establishments not to seek out research grants of any kind from our neighbours, whatever jurisdiction they may represent? I think, Mr. Speaker, the hon. member himself when he analyzes this carefully, will perhaps see this is not a very logical approach to take.

Mr. Lewis: By way of supplementary, Mr. Speaker, since the Minister has conceded that at least one project for \$161,000—a very-high-altitude-missile and decoy gas dynamics project—may bear directly on the military, can the Minister tell us, Mr. Speaker, what public interest there would be beyond a military interest in such a project? And why it is allowed?

Hon. Mr. Davis: Mr. Speaker, as I say, I am no expert in space or missile situations. I am interested in it, obviously, I think we all are, and there is no question that there can be some very excellent peaceful utilization of space exploration, the development

of means and methods whereby one can project satellites into space. If one goes into the history of this and the whole development of the NASA project, there would not have been men on the moon if it had not been for the development of solid fuels and so on. Without rocketry, you do not get people on the moon; would not get the satellites that we will all be using—this is where the hon. member, I am sure, is somewhat contradictory. He will watch television, he will see programmes that are being relayed into his own home, if he has a TV set, by the communications satellite, that was put up there by the development of the type of fuels and research we are referring to here this morning. So, obviously, Mr. Speaker, there must be some peaceful use of these particular research projects.

**Mr. Lewis:** Funded by The Department of the Air Force or the Navy?

**Hon. Mr. Davis:** Funded by NASA, sure.

**Mr. Lewis:** No, on a point of order, Mr. Speaker, that project is not funded by NASA, it is funded by The Department of the Navy for Polaris—possibly—use.

**Mr. Speaker:** The hon. member for Essex-Kent has the floor.

**Hon. Mr. Davis:** Mr. Speaker, on a point of order, so we understand, it is the air force, it is not the navy.

**Mr. Lewis:** It is not NASA. It is not the air force. It is the navy.

**Hon. Mr. Davis:** I am just going by *The Congressional Record*.

Interjections by hon. members.

**Mr. Speaker:** The hon. member for Essex-Kent has the floor.

Order, please!

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Education. Has he given any consideration to increasing grants to the school areas which are going to lose money due to the revisions of The Assessment Act with the lowering of the business tax on distilleries?

**Hon. Mr. Davis:** Mr. Speaker, there is a section in The Secondary Schools and Boards of Education Act, which the members approved, that relates to the problems of equalizing factors, and so on, and when the regulations are approved for this coming year, I am

sure all these matters will be taken into consideration.

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

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to direct a question to the Minister of Education. I wonder if he would tell me whether he agrees with the statement that emerged from the discussions on educational television that nothing going on on television today can be considered educational. This is a statement which apparently came out of that conference. Would he agree with that definition of educational television for Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I was trying to follow the hon. member. I am a little confused. Would he restate what I would agree with or disagree with?

**Mr. Pitman:** Would he agree with the statement that emerged from that conference on educational television, that nothing that now is presented on network television can be considered as educational television?

**Hon. Mr. Davis:** Mr. Speaker, I do not know what conference the hon. member is referring to. I know what discussions we had with the Secretary of State in coming up with what we think was an acceptable definition, and I do not think it was restrictive in that sense of the word. The definition implied something that we all accepted, that the educational television networks or licences would not compete in any way—or hopefully would not compete—with the private sector or the regular networks. I do not think there was any real debate about this. No one wants to be in that competitive sort of position. I think this is perhaps what the hon. member is referring to.

**Mr. Pitman:** If I might just ask a supplementary question which might clarify it? The concern, I think, which the Minister might have, is that some of the public affairs broadcasting which is now carried on on the networks might very well be appropriate to educational television.

**Hon. Mr. Davis:** Mr. Speaker, I do not want to go into this in great detail. We raised the point with the Secretary of State, taking, say, the space shots from Cape Kennedy, which are done by the networks—CBS, ABC, CBC, and so on—and we suggested that those are the kind of things that from the educational standpoint should be available to an

educational TV system. There is no disagreement that this was an area of education of public interest. Even though it could be shown on the networks, it would also be quite proper for us to show this—when I say “us”, I mean the authority, or whatever agency in any province—to have this available to the school system without relating it to the networks.

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

Petitions.

Interjections by hon. members.

**Mr. Speaker:** Order!

Presenting reports.

**Mr. Demers,** from the standing committee on legal and municipal affairs, presented the report of the committee which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 234, An Act to amend The Landlord and Tenant Act.

Motion agreed to.

**Mr. Speaker:** Shall this bill be ordered for third reading?

**Mr. Nixon:** No; will it go to the standing committee here?

**Mr. Speaker:** The committee of the whole, House.

**Mr. Nixon:** The committee of the whole, right!

**Mr. D. A. Evans (Simcoe Centre):** Mr. Speaker, I beg leave to present the report of the standing committee on government commissions.

**Mr. I. Deans (Wentworth):** Mr. Speaker, if I may, sir, I wish—

**Mr. Speaker:** Order! This is a report from the chairman of the committee?

**Mr. G. Bukator (Niagara Falls):** Mr. Speaker, I have a minority report from the standing committee on government commissions.

**Mr. Speaker:** Now the hon. member for Wentworth.

**Mr. Deans:** Mr. Speaker, I wish to present the minority report on behalf of this party in regard to this report of the committee.

**Mr. Speaker:** I must say that this is a most unusual occurrence in the Ontario House. For many years minority reports were not accepted. I believe there is a Speaker's ruling some time ago that allows them to be presented, as they have been done this morning, without any statement other than their presentation; and so consequently I have received them and had them delivered to the Clerk.

Motions.

Introduction of bills.

Orders of the day.

**Clerk of the House:** The fourth order, House in committee of the whole; Mr. R. D. Rowe in the chair.

#### THE HIGHWAY IMPROVEMENT ACT

House in committee of the whole on Bill 229, An Act to amend The Highway Improvement Act.

**Mr. Chairman:** Are there any comments, questions, or amendments to any section of this bill? If not, shall the bill be reported?

Bill 229 reported.

#### THE SCHOOLS ADMINISTRATION ACT

House in committee of the whole on Bill 241, An Act to amend The Schools Administration Act.

**Mr. Chairman:** Are there any questions, comments, or amendments to any section of this bill?

**Mr. R. F. Nixon (Leader of the Opposition):** Does the Minister have anything to say about Bill 241?

**Hon. W. G. Davis (Minister of Education):** The amendment that we discussed in committee has been made to the last section of the bill, Mr. Chairman.

Bill 241 reported.

#### THE CHILD WELFARE ACT, 1965

House in committee of the whole on Bill 243, An Act to amend The Child Welfare Act, 1965.

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Chairman, I have an amendment to make. I move that subsection

2 of section 1 of the bill be amended by renumbering subsections 4 of section 31 of The Child Welfare Act, 1965, as subsection 5, and by adding the following subsection:

(4) The notice of intention to adopt referred to in section 3 shall not be given until any appeal under section 36 from the decision granting the order of the Crown wardship, or from a decision granting or refusing an order under subsection 1, has been finally disposed of, or until the time limited under section 36 for making such appeal has expired.

Mr. Chairman, I shall be moving at the appropriate time that the bill be further amended by renumbering sections 3 and 4 as sections 4 and 5 respectively, and by adding the following section:

(3) Section 36 of The Child Welfare Act, 1965, is amended by adding thereto the following subsections:

(1) (a) The appeal shall be made by filing a notice of appeal with the clerk of the county or district court and serving a copy thereof on the other parties within 30 days after the making of the decision.

(1) (b) The appellant or person served with notice of appeal may, upon at least two days' notice to each of the other parties, apply to the judge to fix a date for the hearing of the appeal.

(1) (c) The appeal shall be a hearing *de novo* and the judge may rescind, alter or confirm the decision being appealed or make any order or decision that ought to have been made.

Mr. Chairman, in speaking to the amendment, this clarifies further the intent of The Child Welfare Act. Both in and out of this House there have been misunderstandings and misinterpretations of the meaning of Bill 243 and of the periods of time available to parents before any decision resulting in the giving up of their parental rights has been finalized.

Today's amendment sets out in statute a period in which to commence an appeal that in practice has always existed, and delineates that period as 30 days. This is a message that I tried to get across in the House. I may say that the hon. member for Sarnia (Mr. Bullbrook), who is not in the House today, accepted the fact that I had indicated to him that there was this appeal and that we had taken steps with respect to The Summary Convictions Act to spell out in legislation this 30-day appeal. Now we are moving to put it right into the Act so

that it will become obvious and apparent to all.

The significant part, Mr. Chairman, is this. It further provides a delay in the giving of notice of intention to adopt, referred to in the earlier amendment which terminates the right of the parents for the same 30-day period, or during the period that an appeal is pending. It will still be possible that, during any part of that period, the child would physically reside in the home of the potential adopting parents. But it would be of no legal significance until the appeal time and any proceedings with respect to any further appeal to the Ontario Court of Appeal had been completed.

Mr. Chairman, I add at this time that it has always been an important requirement of the Act that written notice be given to the parent of the child prior to a court hearing for a wardship order. Particulars of such notice are set out as a statutory form to the Act, form 10. This formal notice is being redrafted to include explicit notice to the parents of their right to appeal and of the right to seek termination of the Crown wardship.

It will also now include a notification that in the event that Crown wardship is obtained and the child is placed in a home with a view to adoption, all parental rights to the return of the child will expire after those statutory appeal proceedings have been carried out, or the statutory time for appeal has elapsed. By this measure, the parties involved will clearly understand their rights and the consequences of their action.

Mr. Chairman, if I may just give an example of what we intend doing with the notice, I have had my people mock up the notice with some paragraphs of what would be attested to in print, some in bold print, so that the people will know their rights and responsibilities, as follows:

Hearings under The Child Welfare Act are held in provincial court, family division. They are not open to the public and the press are informed only if the judge feels it is in the public interest to do so.

Legal counsel may be provided by the duty counsel on the day of a hearing. If you wish your own legal advisor but feel you cannot afford to retain counsel, you should apply to the nearest office of legal aid to discuss the matter.

If you, as a parent, are under 21 years of age, the court will appoint a guardian *ad litem* to protect your interest at the time of the hearing.

The judge may make one or several orders respecting your child at this hearing. He may dismiss the application, he may adjourn it; he may adjourn it and require the children's aid society to supervise the child in your home; he may order that the child be made a ward of the society for a period of time up to, but not exceeding, 12 months. He may order the child to be made a ward of the Crown; he may order you to pay part of the cost of maintaining the child in the care of the children's aid society. Any order of the judge may be appealed to the county court within 30 days of the making of the order at this hearing. At the appeal hearing, new evidence may be presented and points of law also made.

If your child is made a Crown ward and at some future time, after the time allowed for appeal, your circumstances change and you wish the child returned, further steps may be taken but only if the child has not been placed in adoption. You should ask your local children's aid society if they will return the child and apply for termination of the Crown wardship, or apply yourself to the provincial court, family division, for termination of the order.

Termination will not be granted if the society has already placed the child as a Crown ward in adoption. As the agent of the province, the children's aid society, having the care of the Crown ward, assumes the rights and responsibilities of a legal guardian for all such children.

If you are confused or uncertain of your rights, your child's rights, the procedure of the court or any matter relating to the hearing, discuss it fully before the date of the hearing with your children's aid society, your legal counsel or officers of the court.

That is not, Mr. Chairman, the final wording. That is our first rough draft of what we propose to place in the notice of hearings so that the parent involved will have as much detailed information as to his rights and the consequences of any action taken.

In order that the House may follow the effect of this, I will take a very simple example. A child born, let us say, on July 1, would ordinarily leave the hospital on July 10, if the mother requested the children's aid society to take charge of the child.

The society would secure an appointment for a court hearing, possibly by July 15. If a hearing was held on July 15 and the judge

makes an order for Crown wardship, the parent then has until August 15 in which to do one of two things: (a) file an appeal, or (b) apply for termination of the order.

For this period the child will remain under the supervision of the children's aid society and no written notice of intention to adopt the child could be given by any potential parent during this time.

In summary, this would mean that in this example, a minimum of 45 days would have to elapse from the date of birth of such child to the date that the parental right to recover the child finally terminates.

I have computed what the time would have been for them in the Mugford case—the time available to the mother—and under this provision it would have been 52 days from the date of the birth of the child to the ultimate expiry of the period.

I only wish to give certain statistics, Mr. Chairman. In 1968 some 5,229 children were made Crown wards. Of this number, 2,917 or 56 per cent were already in care as non-wards, often for several months. Of the total number, another 1,761 or 34 per cent had been in care for many months as society wards, some as long as two years. Only 551 or 10 per cent were admitted to care the day that they were made Crown wards.

Mr. Chairman, I believe that this amendment achieves what I gathered would be the sense and intent of a large number of legislators, the sense and intent of many of the parents involved—both the natural parents and the adoptive parents—outside of the legislators, and certainly, I think, it meets the requirements of those who are charged with the responsibility of the adoption procedures of this province.

There cannot be any hard and fast position. There is no black and white. We have to come up with the best possible answer under all of the circumstances. I believe we have done so having due regard to the emotions of the natural parent and to the adoptive parents. But primarily I think we will have looked after the needs of the children who seek parents.

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

**Mr. G. Ben (Humber):** Mr. Chairman, from what has been said by the Minister, I do not think it is all as bright as he would cause us to believe it is. It still does not protect the interest of the mother to the degree that we would like. He talks about a 30-day appeal and under the Act—not under the amendment



but the Act that is in existence—it could be simply 40 days from the birth of a child. Under the Minister's own figures a very minute proportion, relatively speaking, involves children who are committed and put in prospective adoptive homes. That is where notice of intentions has been given. I think he said something like 500—

**Hon. Mr. Yaremko:** No, no, no, no. That figure of ten per cent indicates how a very small percentage of the cases coming into the stream are made Crown wards at the first court hearing, ten per cent. Ninety per cent of those who are made Crown wards have been temporary wards for a considerable period of time.

**Mr. Ben:** Under the circumstances, then, perhaps we should provide that even that ten per cent ought not to be made wards immediately if it involves new-born children. If only ten per cent are made wards, or committed as the Act states to Crown wardship, there was justification in the argument that this ten per cent should be treated like the 90 per cent and perhaps what the hon. Minister should do is bring amendments forward to section 24, which would obligate the judge hearing the application in the first instance to adjourn the matter—after the child is brought before him—for at least 30 days before making a formal decision.

Under those circumstances, with another 30 days allowed for appeal, as it is now going to be provided in this bill, the minimum would be at least 60 days. It will be a little longer than that, but at least 60 days. I think too much emphasis is placed on the fact that mothers may sign up before birth, or they might sign up after birth, and sometimes almost simultaneously. I find it deplorable that—

**Hon. Mr. Yaremko:** If I may, Mr. Chairman, bring section 25 to the attention of the hon. member, and this is where the judge finds the child to be a child in need of protection and he has one of three courses open to him: (a) the case be adjourned *sine die*; (b) the child be made a ward of and committed to the care and custody of the children's aid society, or (c) the child can be made a ward of the Crown.

So the judge at the first hearing has a good deal of latitude as to what he may do and my impression is that in the vast bulk of the cases, the adjournments are made and the Crown wardship is not proceeded with immediately.

**Mr. Ben:** I think, Mr. Chairman, that the Minister would better be serving his own interest if he would stay seated. I think that it is a principle which we follow in this House, that if there is an injustice to one person, there is an injustice, and if there is an injustice to ten per cent of the people it is a worse injustice.

**Hon. Mr. Yaremko:** But if there is an injustice to one child, I will look after it.

**Mr. Ben:** It is quite true. There is an injustice to ten per cent of children and there was an injustice in the Mugford case. It is true that the judge may do certain things. What I suggested to the hon. Minister is that the Act be amended to make it compulsory that the judge hear it and adjourn it for 30 days.

Under section 25 the judge may adjourn it *sine die*. He may make the child a ward; he may make the child a temporary ward. It is permissible under that section. I say that there should be an amendment to make it mandatory for him to adjourn the matter for at least 30 days. There is a difference between "shall" and "may" and perhaps somebody ought to remind the hon. Minister of the law training he had. Please recognize that fundamental difference.

I was starting to talk about the mothers signing away their rights. It seems strange to me that the law would even permit a woman to sign away, before birth, a child that she is carrying. It is like signing away a patrimony before one even knows what it is or what the value of it is. To me that is iniquitous and I suggest that a lot of pressure is brought in many instances by people to persuade a young girl—an unmarried girl—to sign away her child for life before she sees the child and has the pleasure of cuddling it and seeing what she has brought into this world. And I daresay the same thing applies to a woman who has given birth and is induced to do something of the same nature immediately after birth. All we are doing is asking a little more protection. If this Minister gets up in this House and says only ten per cent will fit in the category that we described, then I suggest that is ten per cent too much. I also might point out to the hon. Minister, insofar as this amendment that he has brought in is concerned, that in addition to section 4, it should not read that the notice of intention to adopt referred to section 3 shall not be given until any appeal, and so on. What it should read is that the notice of intention to adopt referred to in section 3 shall not be

accepted until an appeal under section 36, and so on.

How can you prohibit somebody from giving a notice? It may be a defective notice, but you cannot prohibit him from giving you the notice, and what you should provide in that particular amendment is that a notice of intention to adopt shall not be accepted or be effective until the time for appeal has expired.

Mr. S. Lewis (Scarborough West): Mr. Chairman, I must admit that we do not really find this amendment satisfactory. But we want to engage in some discussion with the Minister in order to understand all the implications, so let me try to make a point with him, if I may, and let him correct me if I am wrong.

The amendment comes through in response to the Sylvia Mugford case. Whatever else one feels about protecting the Ottawa children's aid society or closing the loopholes that the Minister may feel exist in the Act, the reality is, and certainly the press stories of latter days would seem to indicate that the best thing that could possibly have happened was the reunion of Sylvia Mugford with her natural child. And let it further be said, Mr. Chairman, that that was not only a feeling of the press stories; it was evidently a feeling of the judges who sat on the case. If I may remind the Minister of some rather feeling words that Justice Walter Schroeder gave in the Ontario Court of Appeal, I will just quote them to set the perspective. He said:

One cannot overestimate the importance to a child of living, moving and having its being in an environment shared by its own blood kin where it will enjoy the warmth and affection of the mother who gave it birth. These are but part of the intangible values which flow from a custom deeply rooted in our way of life, against which superior material advantages which a child may enjoy in the home of strangers in blood, cannot accurately be measured on the most delicately balanced scales.

The law is on the side of the natural parents unless, for grave reasons endangering the welfare of the child, the court sees fit not to give effect to the parents' wishes.

That is the way courts understood it and that is the way the articles of the last few days have understood it.

May I remind the Minister and the House of the chronology of the Mugford case and how the Minister's current amendment would

have destroyed the possibilities of Sylvia Mugford ever reuniting with her child. The child was born on October 5, 1967. Crown wardship was taken on October 26, 1967—21 days later. In January, 1968, Sylvia Mugford wrote a letter to the children's aid society saying: "I want my child back". In February 1968, Sylvia Mugford wrote an ambivalent letter to the children's aid society. The society forged ahead and adopted the child out in the middle of March and on April 10, 1968, Sylvia Mugford said: "I am going to take you to court, if I do not get my child back".

Mr. Chairman, the point that I would make about the Minister's amendment is that Sylvia Mugford would have had to voice her protest by November 2, 1967, if she was ever to have a chance to receive the return of her child under this amendment. This amendment today would have precluded any possibility for Sylvia Mugford to have the child.

That is what you have effectively done today. What you have said is, despite the experience of this case—which demonstrates, it seems to us, in an unanswerable way—that you have to have a period of time during which factors correct themselves. Despite all that evidence, you are now bringing in an amendment which would have made it absolutely impossible for that hearing to take place—because Sylvia Mugford did not even lodge a protest until January 1969.

Is that wrong? Not at all. It was just two and a half months after the birth of the child. It was right after the period when her own parents indicated they would take her back into the home and provide her with the economic security, and the psychological support which seemed to be lacking. Is it not strange therefore to bring in an amendment which would deny justice to the one case on which the entire thing has hinged?

It is as though in retrospect, you will visit retribution on all others like Sylvia Mugford who may one day wish to be reunited with their children.

What you are doing is forcing mothers into an appeal procedure. That really irks us on this side of the House. An appeal procedure to a higher court in order to terminate Crown wardship and you move the focus from the question of adoption to the question of Crown wardship.

I really think the Minister and his department, if I may say frankly, Mr. Chairman, still do not understand the essential issues that are involved. One has to give the mother some time and that time should be associated with an awareness of the intention to

adopt. It need not be delimited by this 30-day transaction for appeal. It has to have some relationship to the adoptive process, allowing more time when reunion can be effective.

I was on an open line radio programme, I guess yesterday morning or the morning before last—I cannot recall—with Lloyd Richardson, director of the children's aid society. During the course of the programme, there was a phone call from a young woman who said: "Mr. Richardson, six years ago I was an unmarried mother—I had a young child—there were enormous pressures placed upon me by my family to immediately have the child adopted. They said they would desert me if I dared to keep the child, since I so badly cheated society".

Those were the words. "But the children's aid society encouraged me to keep the child", said this girl. "And three months later I married the putative father. We have had three children since, and we have lived happily ever after".

It was a very warm and idyllic tale.

The reality, of course, is that just like Sylvia Mugford, as with this woman, that is the way it usually happens. You do not force a person into an abrupt appeal procedure. You give the natural mother all kinds of support. So that seems to us to make rather more sense than this amendment.

**Hon. Mr. Yaremko:** The hon. member will be interested that, in 1968, some 15,000 got service along the lines that he was talking about.

**Mr. Lewis:** Along which lines?

**Hon. Mr. Yaremko:** The counselling by the children's aid society.

**Mr. Lewis:** Right. Then is not what we are saying, Mr. Chairman, is that it is fairly elementary that those children's aid societies who take the whole adoption process very seriously and do not feel that unwed mothers should be discouraged from keeping their children—the way the Ottawa children's aid society feels—those societies do not feel that there is some kind of terrible ignominy attached the way the Ottawa children's aid society feels? Many societies are mature and sophisticated and sensitive. For them there is no anxiety on the part of this party.

We have anxiety about the adoption process generally, and we will deal with that when we get to the Minister's estimates and other aspects of the Act. But we do not have any anxiety about those societies abus-

ing this clause which they have lived with for years.

What we have anxiety about are the individual societies like Ottawa, which have not done the kind of preparation which is required, which have not treated the matter sensitively, and to whom you are giving, by an amendment like this, a grant to continue acting in a relatively irresponsible, in fact in a largely irresponsible fashion. I do not know why.

This Act will not affect any of the societies who behave properly. But it will encourage certain societies to behave improperly.

It seems to us that the period of time, whatever it may be, should be attached to the intention to adopt, which is the point at which the natural mother really is forced to a conclusion—not forced to lodge an appeal against Crown wardship, which is not an adoptive matter at all—within 30 days of Crown wardship being taken. I guess as I speak, slowly arguing us into a position which sees the frailties of the amendment—

**Mr. Nixon:** It has been that way before.

**Mr. Lewis:** It has been that way before. I admit. And certain of my colleagues identify that right away. But, Mr. Minister, let me end by asking: Why would you bring in an amendment which would have precluded the reunion of Sylvia Mugford and her child, despite all the courts and, evidently, a good many journalists and human beings in the society, and the Minister from London South, your Cabinet colleague, the Minister of Revenue (Mr. White)—even he was involved, I am told—knowing Mr. Foreman in London and knowing of the Mugford case.

Why would you introduce an amendment which runs counter to the experience of the case and the decisions of the judges? Why do you do that? Can you explain that to me? I would appreciate an answer.

**Hon. Mr. Yaremko:** Mr. Chairman, I gave that very full explanation on the introduction of the bill and the second reading.

The Mugford case has brought about a situation which endangers two fundamental concepts—the concept of Crown wardship, and the concept of a definitive programme of the placement of children on adoption. There must be some period of time at which the parties know that there has been a change in relationship. And I think that the Toronto *Daily Star* used a very simple, but a very apt expression, that no children should be permitted to be "ping-pong balls".

The hon. member, and he is speaking on behalf of his whole caucus, places the whole emphasis on the unmarried mother. Much as I sympathize with the mother, our programme through the children's aid societies indicates this province has gone a long way when one third of the unmarried mothers keep their children. There are just under 6,000 who are under The Family Benefits Act of our programme who are enabled to keep their children.

I am mindful, too, of the fact that the adoptive parent also has emotions—and with all due respect to the learned judge, Mr. Justice Schroeder, he is posing a traditional view on the relationship of children to parents. The traditional view of the mysticism—

Mr. Lewis: A traditional view! Blood relationship is a traditional view.

Hon. Mr. Yaremko: I know that it is strong, but I have seen adoptive mothers whose affection and feeling for their children is no weaker than that of a natural parent, and they would go into fire itself, just as any natural parent would, to recover the child. Those are fundamental issues, but they are not the fundamental issue—which is the welfare of the child.

In the Mugford case, the Ottawa children's aid society, in fact, held up the placement of the adoption of the child from October 1967 to March 1968, in order to give the mother plenty of time, because she did change her mind back and forth. The hon. member is painting a picture of children's aid societies that seem to be waiting to pounce on the defenceless mother, and the defenceless child. I do not know in what generation he is living—

Mr. Lewis: Oh come on!

Hon. Mr. Yaremko: —or in what society he is living. That is not the situation in 1969 in Ontario; it has not been the case for some time. I am not going to say that every case is going to be a perfect case. Certainly there is not going to be a perfect case; we would never reach perfection, but I have to make up my mind. I have to counsel my colleagues in Cabinet and government, and government supporters, that this is the right thing to do from the point of view of the children involved, and the programme.

I will not refer to the hon. member for Humber. The hon. member for Humber went on tangents which are completely outside the

scope of what we were discussing here. I say this, I have to have confidence in the judges; I have to have confidence in the children's aid society. If there is work to be done in this field, we must embark upon it both at the judicial level and at the children's aid society level, to bring about a standard that the hon. member refers to, and that certain societies may have.

I say to him that those societies—and I think I know the ones he means which have that high standard—subscribe to the amendments proposed. They subscribe to the first one, the original intent, but they have come to share with me the view that there must be this period of time, and they are prepared, I think, to live with this. Adoptive parents will know, in those few instances where a child is placed immediately after Crown wardship in the physical custody of adoptive parents, that for that interim they are merely foster parents, that they will live with that fact. But I tell you that in any adoptive home that will have a situation where there will be a child that will have been placed immediately after Crown wardship, those adoptive mothers will not sleep for 30 days, they will be lying awake and they will be knocking on their solicitors' offices the morning of the application to have the finality determined.

We have an instance, and it is before the courts now, where a child was in a foster-parent home for a full year, and then it was placed on adoption in a home, and literally, as the adoptive parents were on their way to court for the final order of adoption, the natural mother was on her way in the same direction for an application, and did recover the child. I pass no judgement on the merits of that case, but if that situation were to be permitted to continue—

Mr. Lewis: Who permitted it to continue? Is that the Prescott-Russell case?

Hon. Mr. Yaremko: Yes, it was the Prescott-Russell case.

Mr. Lewis: Well, you know what the outcome was; again they ruled in favour of the natural mother.

Hon. Mr. Yaremko: The judges are ruling in favour because they have to rule under the law as it is, and the law as it is on the books, retained in a way, that concept of the rights of the natural mother. I was not present—at least, I was present, but I do not think anybody appreciated—at the time of

the 1965 Act, that there had been this significant retention of former procedures at the time that Crown wardship was being instituted. The two things really do not go hand-in-hand together. Once this Legislature has given me the responsibility of assuming the rights of and responsibilities of a parent, then we are bound to carry them out.

I will say this, that in the original amendment there was a cutoff period which could have been very short, and the hon. member really took that ten-day period and carried it to its extreme as if every case were a ten-day period. We have to have these situations for Crown wardship because there was a child that was born on a parking lot within this city, and the children's aid society had to move in immediately, almost instantaneously, to assume wardship in order that it might assume parental obligations with respect to that child. I do not say that this is the perfect answer; I am no Solomon to say that this is the line to be drawn. We are going to draw a line which I think will meet the needs of our society at the present time, and then all of the parties will, to a measure, have been taken care of, but primarily the needs of the child which is seeking a home.

**Mr. Chairman:** The hon. member for Scarborough East.

**Mr. T. Reid (Scarborough East):** Mr. Chairman, I am very much a layman in this discussion, but I have been following it very carefully in the House and in our own caucus and talking to members of the New Democratic Party as well. I just have a couple of statements I want to make. I am married, I have a son who is not adopted, and I, sir, have come to this conclusion: that once parents have adopted a child, and once that child is living with those parents, I think the so-called right of the natural mother must cease at that point. I have come to that conclusion.

I listened very carefully to the remarks of the member for Riverdale (Mr. J. Renwick) last night when he talked about fundamental conflict in society, about deeply felt values in our society, and that we, as legislators, have to choose between the deeply felt value and the logical or conflicting value. Then we really get into a very difficult area of legislation. I suspect that this is a fundamental piece of legislation like that.

I have listened to the member for Scarborough West talk about the natural rights. He feels very—

**Mr. Lewis:** We do not necessarily disagree with the Minister, but we said it should be employed after adoption.

**Mr. T. Reid:** That is the point I want to make. If that is agreed upon, then we are concerned with the technique or the means, the amount of time which the natural mother has to make her final decision, and what form that decision must take, or whether a change from the original decision was taken.

I must say that when the member for Scarborough West said he was concerned about getting involved in a legal hassle over a decision that the natural mother is taking, that this disturbed me also. Somehow or other there must be a cleaner way, a non-complicated way of enabling the natural mother to make a decision up to 30 days as to whether she wishes to keep the child or to have that child adopted. Why do we have to get into courts? I am not a lawyer, I get confused by law, but I just do not see how the human decision of a natural mother has to get tangled up in the courts.

I know the Minister has explained it three or four times but he has not got through to me, and if he has not got through to me, someone who is not a lawyer, I think he is not getting through to the people in the province, the ordinary people in the province. I do not think there is a conflict between the point that I stated first of all—that is, that once the child is in the home of adoptive parents, that child is there, and the adoptive parents should not have to worry about someone putting into process legal actions to get that child back.

Once that child is in that home, that child must be there to stay. I think that is the only way to have stability. I think if I were an adoptive parent—I could imagine being an adoptive parent—I do not think that if I were an adoptive parent I should have to worry about whether or not that child might be taken away from me. So I accept that.

On the other hand, I think the natural mother must have enough time, and I do not see why it has to get thrown into a legal hassle in some cases—of course not all cases. So there you have very confused feeling about the issue and some of the problems.

I would like to ask the Minister one question because in a sense I cannot figure this out. Am I correct in thinking that if parents adopt a child and everything is going all right and the child is in their home, that up to six months the parents might decide that they have made a mistake? Or suppose one

of the parents dies, making it impossible for the single parent to keep the child? What happens to that child if the parents decide they cannot, for very valid reasons, go through with the adoption? Does that child then go back to the children's aid society? Is that correct?

Hon. Mr. Yaremko: That is correct.

Mr. T. Reid: Here is where I get a bit confused. Perhaps, then, if that is the case, the natural mother should have another option. Do you see what I am getting at? Is that provided in this legislation?

Mr. Lewis: No, it is entirely precluded.

Mr. T. Reid: Entirely precluded?

Mr. Lewis: It is impossible for her ever to be reunited within this legislation.

An hon. member: That is the danger of this amendment.

Mr. T. Reid: That is a single point. On the one hand, I say if I am an adoptive parent and I adopt a child, fine, no one is going to take that child away from me. But if, for very valid reasons, before that six-month period is up, my wife and I decide it just will not work out and we want that child to go back then I think there must be in this legislation an option whereby the natural mother, and perhaps the natural father, too—why do we always forget about him—should find out that that child is able to come back to them if they so wish.

I am sorry, Mr. Minister, it is not my field; I just think it is very important. I wonder if you could clarify that last point?

Hon. Mr. Yaremko: First of all, with respect to the matter of the court procedure, I can appreciate the hon. member's concern that we have a formalized procedure. But it is a necessity because the act of Crown wardship is the taking away of parental right; it is taking away the rights and shifting them to me.

Now I do not know whether the hon. member in *sotto voce* indicates that he disapproves of the concept of Crown wardship?

Mr. Lewis: No, Chairman. I simply say to the Minister that in the taking of Crown wardship for adoptive purposes it is frequently a very facile formality. It is never argued, or very infrequently is it argued, to reflect the wishes of the natural parent and the needs of the child. It is just, as it was in the Mugford case, read as the decision of the

judge; just a simple formality—automatic—a little *entente* between the children's aid society and the juvenile court.

Hon. Mr. Yaremko: Mr. Chairman, I have had the opportunity of reading the transcript of evidence in the hearing—

Mr. Lewis: So have we; not the transcript of—

Hon. Mr. Yaremko: I am talking about the transcript of evidence, which as it happens is a private—

Mr. J. Renwick (Riverdale): Which transcript?

Hon. Mr. Yaremko: The transcript of evidence at the hearing of the Crown wardship.

Mr. J. Renwick: A year later or on the original application?

Hon. Mr. Yaremko: On the original application of the Crown wardship.

Mr. J. Renwick: You are talking about the application that was made in October, 1967?

Hon. Mr. Yaremko: Yes. I have read that and I have noticed the concern and the attitude of the judge in this situation because, for the hon. member for Scarborough East—the court hearing is not along the lines of the usual confrontation of the parties. If the parent, the unmarried mother, is under 21 there is a guardian *ad litem* appointed for her; you have the children's aid society involved; you have the judge, and it is a judge of the family division. We are fortunate that we are developing a judiciary in this field so that it is not a trial, as in the layman's vision or concept of a trial. It is a hearing after which the judge comes to a certain conclusion. I outlined them earlier "a", "b" and "c", you may do one of three things.

Mr. Lewis: He acts according to the recommendation of the children's aid society, almost always.

Hon. Mr. Yaremko: The hon. member has dislodged my train of thought. The six-month period is a probationary period and it can be lengthened or shortened upon application to the judge. It is a period in which is determined whether the judgment of the children's aid society *vis-à-vis* the adoptive parent, will actually work out. I do not think anybody could ever take the position that once the adoptive parents took the child, then they were bound to keep it. You know it would be as though they were stuck with the child as a responsibility because that is not the

basis of determination. The thing to be determined is the interest of the child and if—

**Mr. T. Reid:** Once the child is actually in the home for that probationary period, is it only up to the parents to decide whether it is going up to work out?

**Hon. Mr. Yaremko:** No. The children's aid society is on the scene all the time.

**Mr. T. Reid:** The children's aid society could take that child out?

**Hon. Mr. Yaremko:** That is right. They have the right.

In the example the hon. member pointed out, where one parent dies, it does not necessarily mean that the adoption would come to an end. It could still be proceeded with, but the children's aid society would examine the situation in the light of the one parent and see whether it was still in the best interests of the child to remain.

It would be impossible to equate rights of adoptive parents and natural parents. It is impossible because if you had the situation which the Mugford case now says is the law under the statutes, the child could be a ping-pong ball, back and forth.

**Mr. J. L. Brown (Beaches-Woodbine):** Not a possibility.

**Hon. Mr. Yaremko:** Beg your pardon?

**Mr. Brown:** That is not true.

**Hon. Mr. Yaremko:** Not true? I am surprised the hon. member says that, because he probably knows how some children have just gone from foster home to foster home all over the place.

**Mr. Brown:** That has nothing to do with the Mugford case.

**Hon. Mr. Yaremko:** It certainly has. The Mugford decision indicates the unfortunate vacillation of the mother involved.

Interjections by hon. members.

**Hon. Mr. Yaremko:** I am not critical of the mother and I prefaced it by the use of the word "unfortunate". I am very sympathetic toward the mother in this case.

**Mr. Brown:** Could I ask you a question about this?

**Hon. Mr. Yaremko:** When you read that, you can see that the mother had great difficulty in making up her mind.

**Mr. Lewis:** That is right, and you do not put the child up for adoption without great difficulty.

**Hon. Mr. Yaremko:** I have indicated there was a period of time there—

**Mr. E. W. Martel (Sudbury East):** How much time? Ten days?

**Mr. T. Reid:** Could I finish up?

**Mr. Brown:** I think we are on the same thing. If you would not mind, I would like to clear this issue which has been brought up.

**Mr. T. Reid:** But I want to get back to the issue I brought up.

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

**Mr. T. Reid:** Mr. Minister, I did not quite understand what you said. Did you say that once a child goes into a home of adoptive parents for a probationary period, which may be greater or less than six months, that the natural mother cannot get that child back after that point?

**Hon. Mr. Yaremko:** Under the new amendment.

**Mr. T. Reid:** Under the new amendment?

**Hon. Mr. Yaremko:** Yes, heretofore she—under the Mugford case, it was possible.

**Mr. T. Reid:** This is what I like about this amendment. It says that once that child is in a new home with adoptive parents, that those parents have that child protected to a greater extent than they had before. That is essential, I must point out.

How about the specific case I raised: Under the new legislation, if the child goes back to the children's aid society, does then the natural mother or natural father have the right, so called, to get that natural child back if that adoptive process is terminated?

**Hon. Mr. Yaremko:** Yes. The hon. member will notice that we are losing sight of this. In the amendment to subsection 1, we are now giving the right which had not existed heretofore, to the parent of the child to apply for a termination of the Crown wardship.

**Mr. T. Reid:** That does not answer my question.

**Hon. Mr. Yaremko:** When the child returns to the children's aid society, the right to terminate resumes.

**Mr. Brown:** I would just like to pursue a little bit what I have listened to in the entire debate on this adoption issue, and that is that some kind of an attempt be made to be the great protector of the child and to justify all kinds of abuses, legal and professional, against children, against natural parents, and against adopting parents, all falling back on the excuse that the hon. Minister is interested in the protection of the child.

I want to ask him very specifically: is the Mugford child now protected, is the interest of that specific child now best served, or, does he think that that child is not now getting what the child needs? Is it his contention that the total case ended up to the harm of that child? I want to hear from the hon. Minister about that because he has been implying that all his amendments to the Act, his amendments to the amendment, everything he has done, everything that the professionals have advised, everything they tell him to do, is all in the sake and interest of the child's benefit and welfare. I ask him: Has the child in the Mugford case been harmed by the decision of the court?

**Hon. Mr. Yaremko:** If the hon. member asked me that question 15 years from today, I might be able then to pass judgement. As I say, I am not in disagreement. I am not passing judgement on the specific merits of the Mugford case at all.

**Mr. J. Renwick:** But you are precluding the same thing from happening again.

**Hon. Mr. Yaremko:** Yes, I am thinking not only of that child that has been returned to the mother. I am thinking of the tens of thousands of children who in the years ahead will be looking forward to getting adoptive homes and I am responsible for developing a programme in this regard and it is the considered conclusion that this step must be taken in order to—

**Mr. J. Renwick:** Whose considered conclusion?

**Hon. Mr. Yaremko:** It is my considered conclusion. It is the considered conclusion of all of those very fine agencies that the hon. member for Scarborough Centre (Mrs. M. Renwick) has referred to. This is not an amendment that has been brought about to suit the whim of the Minister or any particular group. I can say that with this particular amendment, the easy way for me as Minister would have been to say: "Well, I need time to study."

**Mr. Brown:** That would have been wise.

**Hon. Mr. Yaremko:** That would have been easy—

**Mr. Brown:** It is easier for you to continue with this folly.

**Mr. J. Renwick:** It is easier for you to do this than to be wise.

**Hon. Mr. Yaremko:** I can just see the NDP, if I had not taken action and something had occurred in our adoptive procedures. They would have taken my skin off, inch by inch. It is very easy for the NDP to be vacillating, to take positions when they do not have responsibility.

**Mr. Brown:** We are not the decision party.

**Hon. Mr. Yaremko:** I am taking this step because I feel I am discharging my responsibility as Minister of Social and Family Services—

**Mr. Lewis:** You have been poorly advised.

**Hon. Mr. Yaremko:** —with, at present, 18,000 children under my care. I pass no judgement on the return of the Mugford relationship. There is no Solomon in our midst. The mother herself, whatever she may feel about it today, is in no position to judge in perpetuity whether the action that has been taken is the best action. We are all human beings. We do the best we can. The amendment I brought in is to deal with human beings.

**Mr. Brown:** Mr. Chairman, I would like to take the point one step further. Indeed you cannot prejudge whether the child is worse off being returned to the natural mother or whether the child would have been better off to remain with the adoptive parents. Life is not so certain that we can predict these things. The risks to the child are going to be essentially the same in both instances. We cannot preclude that there is going to be a difference. You have been basing your entire action on the protection and the safety of the child and the welfare of the child. You have come into the Legislature and asked us to do gross and intolerable things in legislation without having any basis on which to assume that in this particular instance, this particular child was harmed by the action that was taken by the courts. In fact, if one just used common sense and reasoned with the courts, one would be led to assume that many wise people who sit in judgement daily in these affairs came to the conclusion that



the welfare of the child indeed rested in a return to the natural parent.

I can accept that without having any other knowledge about it; I can accept that fact. What concerns me is that under the guise of protecting this child—who has already been protected by the courts, in a number of historic decisions—under the guise of coming now to that child's protection, you want to make it impossible for the same thing to happen to another child in the province of Ontario. That is number one. And that I oppose with all my vehemence and all my strength.

But I am now further concerned because, once the pressure started to give time to the natural parents, to stop this abuse of the adoption procedure, and I want to go into that a little later, you came back with a further amendment which now brings, first of all, the whole adoption procedure into confusion, and secondly gives you one more weapon in your battery of weapons that you have available to use against the rights of natural parents with respect to Crown wardship.

Instead of providing 30 days for the parent to make a decision following notice of intent to adopt, you have now made it necessary for parents to appeal against Crown wardship within 30 days, and the nature of Crown wardship and adoptions are two different things. They are two orders of separation from the natural parent, if you will. To have your child a Crown ward of the province of Ontario is one level of separation; to have that child given permanently in adoption is another level of separation. And if you tie the one process to the other process, you have further confused the steps by which a natural parent can claim her right to her child.

I do not think you want to interfere grossly with the natural rights of parents for their children. There may be people in your department, in the professional ardour of their work, in the burden of the tasks that they have to carry, who may have come to the conclusion that there is an element in society that cannot be parents. If we can disregard their natural rights, because they are not good parents, and we can trample over those natural rights, we can set up procedures that violate them time and time and time again. I do not happen to believe that. I believe there are other solutions.

**Hon. Mr. Yaremko:** Mr. Chairman, on a point of order, I want to disabuse the hon. member's mind. I have not, within my own

department and neither have I in my contacts with the children's aid society and the people associated with it, come into contact with the mentality as laid out by the hon. member. I do not accept it.

**Mr. Brown:** I am not talking about mentality. I am talking about the fact that under the pressures of work and the burden of what they are asked to do by society and the inadequate tools that they are given, they become preoccupied with the fact that it has been impossible, with their resources, to rehabilitate these parents; that it has become increasingly easier to come to the Legislature and violate those massive parental rights through legislation than it is to get legislation that will expend funds that make it possible to rehabilitate these people. The historical trend in the department of child welfare in Ontario has been to increase the haste with which permanent wardship can be taken, increase the process of adoption and to increase the haste with which the natural rights of the parents are abused.

I say to you that that is something I do not think is professionally sound. I do not think it is legally sound and I think you have been advised badly on both scores. Your legal advisors, I think, are mistaken in advising you and pressuring you against your own natural instincts in this matter, to interfere too hastily and too permanently in the natural rights of parents.

Your professional people, I think, have lost sight of the fact that we have not exhausted a rehabilitative capacity in making it possible for natural parents to be parents. It may be that we will find when we bring more resources to bear, when we spend more energy in trying to maintain the natural tie, rather than the energy in trying to sever the natural tie, that the largest percentage of the parents who now have their children taken away through Crown wardship can indeed be adequate parents. We may find that and we then have a law that makes it impossible for that to be done.

How are you going to go through a rehabilitative process that will take anywhere up to two or three or four years with parents who are presently not adequate and, at the end of that time, when they are adequate to have their children, have it legally impossible for their children to be returned? It has always been difficult to have a child return to its natural parent. But I have been involved in a number of cases, where this has been done. Through the rehabilitation of the family, the restrengthening of their basic

capacities to be parents, through a recognition of their natural wish to be adequate parents, it has been possible to return children to them.

There is always the difficult one. It has always been a problem of going back to the courts and having to demonstrate that these parents are now adequate parents. I think we need to be very, very careful in this. This is really my point.

The fact that we have come today with further amendments, to me is just some legal trickery, or hoodwinking on the part of your legal department. You are talking about 30 days as though it is the same 30 days that we were talking about in the last debate. It is not. Then we said that 30 days must be relevant to the announcement of the attempt to adopt the child. Your 30 days gives reference to the fact that the mother must appeal or the parent must appeal against the Crown wardship of the child within 30 days, and that if she does not appeal at that point, that at some later date, when there is an intent to adopt the child, she has no appeal right.

She has to second-guess you; she has to second-guess herself, she has to look into the magic ball and predict that sometime in the future, nine months from now, six months from now, three months from now, you are going to attempt to adopt that child and she will have to take action now and make it possible for her to protest that. This is a cumbersome and unnatural way to treat the natural parent and I am concerned about it and I do not like what is being done in it.

I say to you that the bill as you have dealt with it, both in the first amendment and the second amendment, had defects that result from poor legal advice and some poor professional advice. And I am not casting aspersions on the professionals in terms of their capacity or the legal advisors in terms of their legal capacity. I am simply saying, with reference to the nature of this bill, you have not been well advised in either case.

Mr. Chairman: The hon. member for Parkdale (Mr. Trotter).

Mr. Brown: I would like to hear some comments from you, Mr. Minister, about this.

Hon. Mr. Yaremko: Mr. Chairman, we have evolved a procedure which I think is fair. There is no point in the hon. member and myself arguing against each other. We have completely different points of views.

Mrs. M. Renwick (Scarborough Centre): You are getting yours directly from Betty Graham.

Mr. E. Dunlop (York-Forest Hill): Where did you get yours?

Mr. Lewis: That is right. You said your instincts—

Hon. Mr. Yaremko: No, that was not—

Interjections by hon. members.

Mr. Chairman: Do the hon. members wish the Minister to reply? If not, then they may regain the floor if they wish to continue.

Hon. Mr. Yaremko: I do not permit myself the luxury of living by my instincts.

Interjections by hon. members.

Hon. Mr. Yaremko: When it comes to putting rigidity into any kind of a scheme, I may say this to the hon. member for Scarborough West, he should talk to his colleague from Beaches-Woodbine because you are completely opposed—

Interjections by hon. members.

Hon. Mr. Yaremko: No. I listened to the broadcast. You were not mouthing the words of John Brown, NDP.

Mr. Brown: We are two separate people.

Hon. Mr. Yaremko: Yes, completely separate and different. The listeners who were listening to CHIN heard one message from the member for Scarborough West, and other messages are being given by the member for Beaches-Woodbine today.

Interjections by hon. members.

Mr. Lewis: On a point of order, just so that the record is correct in this, because it is an important debate. I not only indicated that the amendment we would put would follow the intention to adopt, but I specifically said, on the programme, that my colleague from Beaches-Woodbine makes the following argument even beyond that. And that was discussed as well. The entire range of views of this caucus have been put on this issue. The only further thing we have in total unanimity apart from the range, is in opposition to what you are putting to this House.

Mr. Chairman: The hon. Minister.

Hon. Mr. Yaremko: That is a different point of view. We take the position that in

the procedures which will be made in respect of Crown wardships, in respect of the information that will be given to the parents, the counselling that societies will be giving, we have made it abundantly clear to the parent that the Crown wardship procedure is an integral part and could play a very important role in the total adoption procedures.

There is nothing further for me to say to the hon. member for Beaches-Woodbine because he and I are completely at opposite ends of the pole in this regard. I believe this is in the interest of the child; my emphasis is on that. He puts all the emphasis on the unmarried mother. That is—

**Mr. Brown:** That is a red herring!

On a point of order, Mr. Chairman, I do not put all the emphasis on the unmarried mother one bit. I put the emphasis on all three parties, if the Minister will bother to listen. That is one of the major problems with the department—they do not listen.

**Mr. Chairman:** The hon. member is not speaking on a point of order.

**Mr. Brown:** All right, I am not.

**Mr. Chairman:** He may enter the debate when the Minister yields the floor.

**Hon. Mr. Yaremko:** What the hon. member means is that we do not necessarily listen to him—

**Mr. Brown:** Or anybody else.

**Hon. Mr. Yaremko:** That argument I accept. He may be one of the very few people that I do not listen to, as if he were some oracle at the top handing out Solomon-like judgements. I admit I am a human being and this, I believe, is in the interest of all three parties, but the emphasis still is on the child and the tens of thousands of children we will be looking after in the years ahead.

**Mr. Brown:** Mr. Chairman, I would like to say to the Minister that if he had bothered to hear—not listen, just hear—I have emphasized that in the practice and historical development of adoption as a method of caring for children who are not with their own parents, we have allowed ourselves, as indeed we have in all the work with orphans and children separated from their parents, to become preoccupied with the child alone.

We have felt that we could excuse anything we did if we simply used the cute little phrase, "For the benefit and welfare of the child." But the child does not exist in a

vacuum. There is the parent behind the child. And, in the case of adoption, there is the adopting parent. I say to the Minister that the group that has been most ignored in all of his discussions is the adopting parent. The Minister has failed to provide, in the amendments he has brought forth for their protection, for the adopting parent to be properly protected. The natural parent must have had time to willingly and totally and thoroughly give up the child to adoption procedures. And, if the legislation does not provide for that, then the Minister is erring against the adopting parents in the community, and I am glad the Minister has raised the point because I want to talk about that.

The reason there is a problem in Ontario in finding adoptive homes is not because of the legislation. It is not because of the waiting period. It is not because there is behind each child a natural parent who must relinquish that child—that is not the problem in the adoption procedures, in finding adoptive homes.

The reason that we cannot find adopting homes is because we do not have good public relations coming out on adopting parents. They go in to get a child, they are ambivalent. They have not had one in nature, and they struggle through the decision, will they adopt? They resolve many of the ambivalences and conflicts they have about the question. Then they go through the adoption procedure, and you can ask them—do not take my word for it—time and time again there is a feeling that they are insensitively dealt with, that they are misunderstood, that they are violated and abused by the very people who are looking for adoptive homes.

I say to the Minister the reason the adopting homes do not increase is not because of the law, and not because of the waiting period, it is because you do not have a large number of adoptive parents out peddling the good works of the adoption procedures throughout the community.

It would be different if they were dealt with more sensitively, what does that mean? It means that we are dealing with some very important basic forces in people; and it takes time. If there should be a formula constructed, it should be like this: That the legal aspects of the adoption should be the least significant aspect, sir. But the human, the psychological, the emotional aspect, of the adoption should be the greatest procedure and most intricate procedure.

Therefore a law should provide for the maximum amount of time in which the natural parent can learn to separate from the child, the adopting parents can have time to deal with their ambivalence and their doubts, and the agency which has to act as negotiator between the two have time to do it, carefully, fully, thoroughly, with as much professional knowledge and dynamic assessment and consultation available to them as possible. Because this is where the breakdown comes at the present time. And we serve neither the adopting parents, the natural parents, or the child involved, if, by law, we short cut the process that is an essential human process. How do we get people to take into their family a child that is not born to them in love? How do we get a natural parent who has a tie she can neither separate from, explain or deal with to relinquish that tie? How can we best serve the child in the meantime?

The assumption of the department has been that the best way to serve the child is to make it a Crown ward. I say that is the most efficient way. You can process a can of beans the same way. But that is not the best way from the standpoint of the child and the child's welfare. The child as an infant can be cared for whether he is a Crown ward, temporary or not. And you can establish structures that will deal with his human needs as an infant, without having to take Crown wardship.

The haste to take Crown wardship, means I do not want other people interfering in my arbitrary decision. Cut them out; give me absolute control over the child, so I can do what I will with it. Does that mean better service for the child?

It does not mean better service for the child. It means there is a grave and gross danger that the child shall be abused. And the child has been abused. And the history of child placement in Ontario is one of abuse. The record of the children that the province takes care of because their parents cannot, is not something that we can be proud of. There are still too many children who get abused.

After all, when the state says to a parent: "You are unfit. We will assume parental rights and take parental care of the child and provide the care and maintenance of the child", then I would assume that society would want to do that in a superior fashion.

I would assume that they would want at least do as well as the average parent in the community with his limited resources. But

that is not the case. We can always get second best for these children, and that is what happens. That is where the danger lies.

I do not expect the Minister to answer me, because I know he does not have the answer.

**Mr. Chairman:** The hon. member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I do not think any of us have all the answers to this problem, but I realize we have to make up our minds one way or the other on these problems.

The other day the hon. member for Sarnia supported the Minister's bill. I rose on that occasion and I supported the bill. I repeat, I support the government's policy in this matter.

We have heard a number of emotional statements. For example, just before I rose the hon. member for Beaches-Woodbine said: You do not hear adoptive parents going around praising the system in the province of Ontario. They have never had any children of their own and in many cases they do not know what to do.

I admit, I may in this bill have a vested interest because I have had a child of my own. I have gone and adopted a child, and I have had another since—so I have had an opportunity to see the system as it works.

**Mr. Martel:** The member is a little better educated than—

**Mr. Trotter:** And I have no hesitation as an adoptive parent in rising and praising the Metropolitan Toronto children's aid society, I do not know if it is perfect. No doubt they need improvements and they will learn more as time goes on. But I think it is ridiculous to sit and listen to a major attack against the system. It is not perfect; but it is certainly a lot better than has been in many parts of the world.

We are faced with a serious problem in this province that many children need good homes. No doubt if a child is born in natural circumstances within a family, and he is brought up with his natural parents, this is the best. Maybe some of us who are adoptive parents are second best. It may well be—but certainly it is better than an orphanage.

And there are some of us who could give some idea of what the inside of these places can be. And there is a tremendous difference in what the system is today than there was even 30 years ago.

So I realize the Minister has had a hard decision, and that there is no question here that any of us want to be particularly hard on the natural parents. But it is not so much whether who is suffering, the natural parent or the adoptive parents, it is what about the child? And an adopted child cannot be used like a lacrosse ball doing a grand bounce here to there and everywhere. From what I have learned of mental health as applied to adopting children, the very best you can do is arrange to take the child straight from the hospital to the adoptive home.

I know a number of people who have adopted children, and incidentally, I can tell the hon. member for Beaches-Woodbine, through you, Mr. Chairman, that they have a high respect for the adoption facilities that we have, certainly those in Metropolitan Toronto.

I cannot personally speak for every children's aid in this province; but certainly the province has a relatively good reputation as the adoptive procedures are at the present time in 1969. But I know for a fact, or from experience, that other people, who have had a child who has been in a number of foster homes and then finally adopted, that there is more difficulty in raising the child and getting the newly adopted child to settle down.

I have known parents who have adopted—in one particular instance, two children—and the one that has been through a number of foster homes has had more difficulty in settling down.

Despite the fact that this is an emotional issue, and the members in the NDP have made some emotional speeches, I have to say to them that in the world as it is today, what do you do with the thousands of children who need homes for whom there is no place, unless we do have adoptive parents?

**Mr. Lewis:** If you would support the natural parent a little more, you would not have that many children to place for adoption.

**Mr. Trotter:** The hon. member for Scarborough West says that if we supported natural parents more, we would not have this problem. It may well be that a society changes and our society may be different 30 or 40 years from now and that the unmarried mother will keep the illegitimate child. It may well be, but I rather question that this is the best thing for the child in a society as it is today. I would seriously question that argument. I do not know all the answers, but I would very much question that argument. When I was

speaking on this matter before I stated that I was of the impression that in the courts the judges leaned over backwards to see that the child stayed with the natural mother or in some cases with the natural parents. I have known instances where the children's aid society has attempted to obtain wardships and the courts have said no. My own personal opinion of some situations was that many children would have been better off with the care of the children's aid because the law has been so strict that a child almost needed to be completely abandoned before the children's aids are allowed to move in.

And so when we are asked to make a hard decision, whom do you believe—the judges, the politicians or the children's aid? Well, none are perfect but I would lean to believe the children's aid advice. Certainly many of our judges, some of them very able, were born and raised in a day and age where things have completely changed and the judges themselves are hidebound by law as it is and because many of them do not desire to see it changed. I have disagreed with the Minister on many occasions and on many issues, but I will say to the Minister, through you, Mr. Chairman, that this is one issue that he could have avoided by doing nothing—by not doing a thing—and he has had the courage of taking what I think is good advice and bringing in this bill.

I am of the opinion that even the way the bill was, before this amendment was brought in, the natural mother did have a 30-day right of appeal against a court order. I think that was there anyway under almost any court order. But in any event, it is spelled out in the amendment and I would support it, but we come to the same conclusion, Mr. Chairman, that we have to make a decision. We cannot allow a child to be left in limbo, as the Mugford decision leaves the child and I hope that this bill becomes a law in the immediate future.

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

**Mr. J. Renwick:** Mr. Chairman, in the atmosphere of the remarks of the member for Parkdale, I have endeavoured to drain the issue—as he has—of any emotion. I happen to believe that it is an emotional issue, but since apparently we are not allowed to deal in emotional terms, as said by the member for Parkdale on this issue, without—

**Mr. Trotter:** I am not stopping you. I just gave my opinion.

**Mr. J. Renwick:** —without destroying the validity of what we are saying, I am going to

say to the Minister that I did not have the opportunity to be in the House when he introduced this particular amendment. The first thing which has struck me when—it probably has been said before—I did read the amendment is, of course, that it does not provide for a repetition of the Mugford case. You have ruled it out completely. What you have inserted is a continuing appeal procedure and you have tied it completely to those circumstances in which the original hearing took place and then appeal from that decision.

It is quite true that further on in the amendment you have used the phrase that on an appeal under section 36, it can be a hearing *de nova*. For those who do not know what a hearing *de nova* within 30 days after the original decision has been made is, I will explain: It means that it simply does not give an opportunity for changed circumstances to lead to a change of the mind of the person who wants to make the application. You are tying the person to the original circumstances for practical purposes under which the original order was made.

**Hon. Mr. Yaremko:** The hon. member will realize that under the procedures that are set out, there is also the alternative of an application to terminate Crown wardship, at which time on that application any change of circumstances could be brought out.

**Mr. J. Renwick:** I understand that, but my problem with the amendment is that under the circumstances of the Mugford case, the Mugford case can never repeat itself.

**Mr. Lewis:** That is right. He knows that.

**Hon. Mr. Yaremko:** Unless the supreme court rules on it again.

**Mrs. M. Renwick:** Well, hope to heaven they do, sir. With all due respect they must—

**Mr. J. Renwick:** I do not know quite how to communicate with the Minister. I have seen a number of occasions where there has been a problem that we wanted to deal with and we pass a law which appears to be dealing with that situation, and in fact it does not deal with it.

The circumstances of the Mugford case are very simple. There was a change in circumstances which took place in March 1968. That was roughly five months after the Crown wardship order was made in October 1967. It was that change of circumstances which led to Miss Mugford consulting a lawyer and taking her appeal through the courts, because

she was about three weeks late in advising the children's aid society.

She was prompt in advising the children's aid society, but she was three weeks late in asking the children's aid society to return her child to her because three weeks earlier the child had been placed out for adoption—placed in the prospective adopting parents' home. Is it too much to ask the Minister to make provision within a reasonable time after that event occurs—that is if the child is placed in the home of prospective adopting parents—is it too much to ask the Minister that the mother be notified and that she then has a 30-day period to finally make up her mind whether or not her circumstances at that time will permit her to take the case to the court?

I do not think that the amendment which you have introduced accomplishes that purpose. I think what you have tied your amendment to is a series of appeal procedures based, in substance, on the same set of facts, and as one lady who telephoned me about this, and then sent me some information about her own circumstances, said:

Will they not give a person an opportunity to change her mind—one opportunity to change her mind? Not to take a series of appeals for the purpose of finding out whether or not the original order was warranted, but to allow the person the opportunity to come back to the court and simply say, "Look, the circumstances have changed. They are not the same ones on which the original judgement was based, and I want to put this case before the court and I want the court to make the decision."

We have tried, within the compass of the Mugford case, to come up with what we have expected to be a reasonable amendment to meet that situation, and the Minister has not done so. The point is that in all the advice that the Minister has taken, I do think he has taken advice from the children's aid societies. Obviously, he has taken advice from his advisory committee because he said, in substance, that it was that final advice from the advisory committee of the Minister that led him to introduce the bill which he originally introduced. But he has not consulted any of the persons who were involved in it. He has not consulted any of the mothers who lost the rights to have their child, then appeared to have won it again in the supreme court and now to have it taken away. And the lady to whom I referred sent me these notes about it. She said that the adoption bill as is, that is before any appeal—

but I assume that with even this limited appeal should feel the same way:

Is heavily prejudiced against the unwed mother who is, after all, not an object to be punished but a human being; who, whatever her circumstances, still cares deeply what happens to her child. The children's aid society has always maintained that there is only one solution to the unwed mother's problem, to give the baby up for adoption.

**Hon. Mr. Yaremko:** Does the hon. member believe that statement?

**Mr. J. Renwick:** Let me go on, let me complete the statement.

**Hon. Mr. Yaremko:** Do you believe that statement? Does the hon. member for Scarborough West believe that statement?

**Mr. J. Renwick:** I am telling you what a person who has had the experience—which neither you nor I have—expresses.

**Hon. Mr. Yaremko:** I am not doubting her position, I am asking, what do you think about that as a statement of fact?

**Mr. J. Renwick:** Having talked to this particular person, I happen to believe that this, in her circumstances, is a justifiable statement. That is what she believes and I am prepared to say, if you think it is important—

**Hon. Mr. Yaremko:** You are prepared to make a generality.

**Mr. D. C. MacDonald (York South):** You are making a generality.

**Mr. J. Renwick:** Let me complete the statement. I am delighted to have the response from the Minister, because, as I said before I referred to this statement, the Minister had not consulted any of the unwed mothers. And when I introduce the statement of one who telephoned me, he wants me to generalize about it. It is exactly the point.

The hon. Minister has not consulted any unwed mothers to know whether that statement is true any more than I do as a general proposition, and that is what is wrong. That is what the court said. The court said, "You have made a mistake." Do you understand? Do you understand that the court said in the Mugford case, that you made a mistake? Thirteen judges said it.

**Mr. Brown:** That is what they cannot stand. They have got to be right.

**Mr. J. Renwick:** And the Minister is not prepared to accept that. He has brought in a bill and he was not going to give the appeal, and now, because there has been some pressure to introduce an appeal, he has introduced an attenuated form which does not deal with the Mugford case. How can I make it more plain? The Minister made a mistake.

**Hon. Mr. Yaremko:** It does deal with the Mugford case.

**Mr. J. Renwick:** The Minister is introducing an amendment which does not deal with the Mugford case, what is he going to do about it?

**Hon. Mr. Yaremko:** The amendment does deal with the Mugford case. Period.

**Mr. Lewis:** In a totally negative way.

**Mr. J. Renwick:** It does not deal with it. Let me ask the Minister this: In mid-March, the Mugford child was placed for adoption. The children's aid society was notified on April 10, that Miss Mugford, because of intervening changing circumstances permitted her to make the request, after a very difficult period for her, and the reply was, "No, you are too late, because three weeks ago the child was placed out for adoption."

As I read this amendment, once the event had taken place, and the child was placed for adoption and the notice was given, she would not be able to come again to the court. That is correct. Therefore, she is not able to change her mind about it.

For the record I just want to place the position of, particularly in my judgement, a very intelligent person, who is now a student at one of the universities, she is now a woman of 26, and her child is five years old and is with the mother, and she called to relate to me what her experience was. I put it to you that this is an experience which this lady tells me is repeated time and time again and she says:

Had she the time or had I the time to do it, there were several persons whom she knew in the same circumstances that were faced with the same kind of pressures. She said:

They take girls who are upset by the situation, and drum it into their heads that they must give up their babies, and as quickly as possible, in case they might get attached to them. These girls are not given a chance to get over the trauma of

their situation, stabilize themselves and seriously consider whether or not they could, or should, keep their child. The children's aid society does not attempt to help girls find other viable solutions to the problem. They never seriously attempt to help a girl who could, and often should, keep her child.

A girl is exploited when she is at her lowest emotional ebb, and encouraged to give up her child, which she might not do if other alternatives were presented to her. She is made to feel that if she keeps her child, the problems will be insurmountable. This simply is not true in many cases. I know of several girls, pressured into giving up their child, who have deeply regretted it ever since, especially when three or four months later, they realize they could keep the baby and want to.

When my daughter was born I decided to keep her. I was in an excellent position to do so, but I had to fight like anything against the children's aid and others who did their damndest to convince me I was wrong. It is easy to break down under such pressure. A nurse in the hospital at that time came to me and said I should do as I planned to, no matter what.

I could go on for several pages concerning people I know who have been pressured. I am 26 now, my daughter is five, and I am glad I kept her. It has not been all that difficult. The unwed mother is a human being, she has the right to be notified of impending adoption of her child and the right to change her mind once she is away from those intent on punishing her by denying her the right to have the child.

She goes on:

I would suggest that information regarding legal aid to make appeals be provided for the unmarried mother, and would further suggest that the children's aid change its negative one-solution approach to this problem. I am willing to speak to any one of you who objects to Mr. Renwick's proposal. Some of you need to think a little seriously about such things before legislating on them. I support Mr. Renwick's proposal as do many I have spoken with. We have been there and we know what it is like. Mr. Robarts does not. The first step might be to talk to the many girls who have been exploited by the children's aid and our adoption laws have suffered hell because of it.

I simply give you the views of what appeared to me to be a very intelligent lady in the society who is faced with the problem and who is, as I said, at present a student in one of the universities in the province.

It seems to me that somehow or other, if the view of persons such as the lady to whom I have referred—and I am quite happy to give the Minister the name of the lady concerned, as she would want me to—reflects the result, in the opinion of girls who are faced with being unwed mothers, about the pressures and the lack of alternatives and the lack of choices with which they are faced, then I say to the Minister, very clearly, that the Mugford case reflects exactly that situation again.

Therefore, we have, I believe, two situations which are identical, because the Mugford Crown wardship was made on October 26, which was 21 days after the child was born, at the very point in time when this lady says a girl is at her emotional ebb. She is subjected to pressures which suggest that there appears to be no other alternative and the Crown wardship is established.

As I read the Minister's amendment, all it really provides is the 30-day period from that Crown wardship. There may be, within the framework of the language that he has used, the possibility that for three, four or five months afterwards, that action can be taken provided the children's aid society has not placed the child for adoption. But the unwed mother does not have any control over that.

It may be the next day after the Crown wardship; it may be six months later; it may be three or four years later. And during that time, because of the Minister's amendment—of course, in the original amendment that came in, the mother would have the opportunity to apply to the court for an order terminating the wardship.

That is entirely chance. It would be as I say, the 30-day period or it could be two, three or four years. All I am saying to the Minister is that that period of time should be determined and she should be notified of it when the child is placed for adoption, and notice of intention has been given. Then the mother should be notified of it. In those circumstances, at the end of that period, she should say, "I have come to the end of the road, the decision has to be made in favour of myself or in favour of the prospective parents; I am going to re-assess my situation and I am going to decide whether or not I can go to the court and persuade the court to terminate the wardship."



It seems to me that within that kind of framework, it would make very good sense to us in the Legislature to provide basically for the Mugford case. Not very much more. That is the period of time after—

**Hon. Mr. Yaremko:** Mr. Chairman, the hon. member is using the Mugford case, which is not relevant to the proposition that he put forward. The decision of the Mugford case—and the hon. member as a lawyer, would read the decision of the judges—the decision found a certain specific thing which the legislation provided for.

They found that the mother was not unmindful of her parental duties, had not deserted the child. Therefore, they came to the conclusion in the law, as the statute had it, the mother was entitled to the return of the child. They did not go into the question of the examination of the home, or any of those details. That was beyond the scope of their inquiry.

**Mrs. M. Renwick:** The Department of Social and Family Services is not!

**Hon. Mr. Yaremko:** I am sorry. I had not intended to throw the member off. He was talking about the procedure of giving the natural mother notice of the intention to adopt.

**Mr. J. Renwick:** There was a double part to the decision. Let us be perfectly clear. It was not a procedural game that was played, it was tied up on its merits. Right. The decision was made on its merits by the court of appeal and supported by the Supreme Court of Canada, supporting the decision of Judge Honeywell and reversing the decision of Judge Good in the juvenile and family court, on the merits under section 36 which says:

Where a parent has abandoned or deserted his child or has allowed his child to be brought up by another person at that person's expense or by a children's aid society for such time and under such circumstances as to satisfy the court that the parent was unmindful of his parental duties, the judge shall not make an order for the delivery of the child to the parent unless the parent satisfies the judge that, having regard to the welfare of the child, he is a fit person to have custody of the child.

Under section 35, which the Minister is repealing, even in the negative legalese of the language of that section, the "unless" clause was a positive, affirmative finding of the court that, having regard to the welfare of the child, she, Sylvia Mugford, is a fit person to

have the custody of the child. That is what they determined.

**Hon. Mr. Yaremko:** Mr. Chairman, they determined the first part. They determined that there had been no desertion and that she was not unmindful, that is what they determined.

**Mr. J. Renwick:** They determined that there was no desertion because they determined that Judge Good was wrong.

**Mr. Lewis:** Right!

**Mr. J. Renwick:** They determined that she was not unmindful of her duty they went on, in accordance with that section, to affirmatively find that she was a fit person, having regard to the welfare of the child, to have the custody of the child.

So it was quite open to the court, even if they had found that Sylvia Mugford had not abandoned or deserted her child, which they did find and they went to a great length, because they had to specifically tell Judge Good that he was wrong in his understanding of what those phrases meant in the context of this section. He went on to say that on this question of whether she was or she was not unmindful of her parental duties, the court had to deal with that aspect of it because that was the basis of Judge Good's decision.

The court, using that section, established the other affirmative proposition. That is that Sylvia Mugford, having regard for the welfare of this child, was a fit person to have the custody of the child. That is my judgement. Because of the Minister's interjection, I turned to that to point out that it was not some kind of a negative procedural game where they might have found one thing and they might have found something else. Because the essential question was that they decided, it was in the interests of that child, having regard to the child's welfare, that the child be returned to the natural mother.

The member for Parkdale made the point that the judges seem to tend to favour the natural mother. Judges in this particular area of law over many, many years reflect in a very real sense what people believe to be the case; that on balance the natural mother's right, if it is in the child's interest, is paramount. I do not see anything wrong with that. I do not think there is anything which makes us believe that somehow or other that is an incorrect proposition for our society.

I do not know how to put it. I am saying to the Minister that the reason the bill is before us is the Mugford case. If the Minister wants to legislate the Mugford case totally

out of existence, which was his original bill as presented, all right, that is one understandable role. But if he wants to provide a limited period of time, in order to provide for balancing the natural concern of the prospective adoptive parents, and the private rights of the natural mother of the child, and have it within a time compass and deal with the Mugford case to provide a situation where that cannot be repeated—or where the Mugford case can be repeated but within a limited time context so that it will not be an open-end right—then I think that he has got to withdraw this amendment and adopt the kind of amendment which my colleague, the member for Scarborough West, placed earlier when I was unable to be in the House.

Can I ask the Minister whether he considers that there is anything so fundamentally wrong with the amendment which we propose; that it, at least, has the benefit of covering the Mugford situation in a reasonably adequate way having regard to the balancing of interests which is required. Is there any reason why he cannot withdraw his amendment and accept this amendment so that we can feel: "We dealt specifically with the problem. We have recognized the legitimate position of persons in the position of Miss Mugford". We do not just turn around and say that 13 judges of the courts were wrong, and we do not just say that we are so right about our public policies that we should not take into account what has come out in the Mugford case, and certainly if what the lady whose remarks I put on the record a few minutes ago is right, if my colleague, the member for Beaches-Woodbine is right, surely there is an area for making that kind of adjustment in this statute.

I ask the Minister: Is there something fundamentally wrong with what we are proposing that makes him feel that he must stick to his version of what this appeal should be? Or is his version of this appeal just a grudging reaction by him and his advisors to the pressure which has come on since he introduced his bill? What is wrong with the procedure which we propose?

I think it is appropriate and proper that I should ask that question. I believe the Minister is fully aware of what the terms of our proposed amendment were. I think perhaps I had better put it on the record so that the record will show exactly the difference between what the Minister is proposing and what we are proposing.

Had the Minister not intervened with his amendment, we were going to move, that

sub-clause 1 of clause 1, of Bill 243, An Act to amend The Child Welfare Act, 1965, be amended as follows: Subsection 1, of section 31, of The Child Welfare Act, 1965, read as follows:

1. Subject to subsection 3, where a child has been committed as a ward of the Crown, the children's aid society having the care of the child, or a parent of the child, may apply to a judge for an order terminating the Crown wardship at any time up to the expiration of 30 days after the director has given notice by registered mail addressed to the parent at the last address of the parent known to the director, advising the parent that written notice of intention to adopt the child has been received from the person in whose house the child is residing, and if the judge is satisfied that the termination is in the best interests of the child, he shall order that the Crown wardship be terminated.

And further that sub-clause 2 of clause 1 of Bill 243, be amended by adding to the proposed subsection 3 of section 31, the words:

Except pursuant to an application under subsection 1, commenced during the 30-day period provided therein.

So that the proposed subsection 3 would read as follows:

Where a child has been committed as a ward of the Crown, the order under clause (c) of section 25, shall, subject to section 34, remain in effect, and the Crown wardship shall not be terminated where the child has been placed in the home of a person who has given written notice of his intention to adopt the child, and the child is residing in the home, until an adoption order is made under part 4, except pursuant to an application under subsection 1, commenced during the 30-day period provided therein.

I put it on the record and I would ask the Minister to respond to that question: Why is it not possible for us to accept this amendment which brings within its ambit the very situation which has been drawn to the attention of the House by the judgement in the protracted proceedings in the Mugford case and have it deal specifically with, and provide a solution to, that problem—but providing a solution within a specified period of time which would give the opportunity for this question to be decided initially at an appropriate time and in a way which I hope would avoid excessive appeals to the court,

or rushed appeals to the court, and would provide an opportunity—as the lady to whom I have referred and as obviously Miss Mugford felt—an opportunity to change her mind at a particular point in time, and deal with the problem in that way?

Would the Minister respond to that question?

**Hon. Mr. Yaremko:** Yes, Mr. Chairman. May I say this to the hon. member and his associate in the same party, whose language is that I “grudgingly” brought this amendment in; I have not grudgingly brought in anything. I have welcomed the opportunity of making clear to the unmarried mother, and those concerned, what her rights are. And if they were there, but unknown, it is fit and proper that they be spelled out where they can be seen and this I have done. It so happens that the amendment has done this fortuitous thing; it has delineated this 30-day period because it has given me the opportunity of saying that a notice of intent during that period—intention to adopt—will not have any significance.

I have considered the proposal of the hon. member not only after he had made it, but I think, if I recall correctly, it was one of the ideas that also entered my mind in trying to come to a satisfactory conclusion. It seemed so simple that you say, well, before you take the step you give notice. But then you come to deal with the complete ramifications of such a simple procedure of 7,000 such cases or reopening—and I shall use language that the hon. member for Scarborough West used—reopening the anguish of the mother who, having gone through one traumatic stage of her life, will be called upon perhaps to relive it all over again and come to—

**Mrs. M. Renwick:** But by now she can cope—

**Hon. Mr. Yaremko:**—an agonizing decision.

**Mrs. M. Renwick:** She can cope better at that time.

**Hon. Mr. Yaremko:** She may or she may not. The wounds may have healed; time may have brought about its cure, and suddenly she is reminded by virtue of the hon. member's suggestion to use registered mail—and I am amazed that when he is dealing with such a fundamental human right that he would think such a thing as a registered letter to the last known address would be sufficient. I was confronted with determining if notice were to be given, how would it be

given. Certainly I have never accepted the concept of a registered letter when it comes to dealing with human rights. I am sure if I were to bring in an amendment whereby the notice of the hearing for the Crown wardship could be accomplished by registered mail, he would not go for that. It would not be acceptable to him.

**Mr. Lewis:** The Minister does not know the processes.

**Mr. J. Renwick:** Would the Minister just let me respond to that question?

**Hon. Mr. Yaremko:** Yes.

**Mr. J. Renwick:** About the notice: I suppose a registered mail notice is a cold document, but surely in Miss Mugford's case it would have been better than no notice—so that she would have known on March 15 that an event had occurred which precluded her, and will preclude persons in the future, from taking any steps. There must be some way in which a person can be notified without us saying it is an inhuman way of notifying.

In many instance, the children's aid societies, if they are adequately operating, in the Minister's department, will know where the parent is. It is just a convenient way of saying for practical purposes: “Well, all right. If, in some circumstances, you cannot find the person, then there is some way in which you can justify not having contacted the person to give her notice of her rights, not for the purpose of saying it is a wrongful way of giving information.”

Is it not right that it is better for a person to receive a registered notice terminating her right, or advising her that within 30 days it will be terminated, than to receive no notice at all? And have to do what Miss Mugford did?

**Hon. Mr. Yaremko:** I may say this, I believe that the best route is the one we have taken. There is a hearing for the Crown wardship, and the parent will have been counselled by the children's aid society during the period of pregnancy, certainly at the time of birth. Whatever the circumstances of that young lady's particular situation may have been, I do not doubt for a moment, but I do not accept as evidence, as the hon. member who read it said, that that is a condemnation of the children's aid societies in general. I have brought out the fact that, in 1968, some 1,500 women received counselling by children's aid societies, and that indicates an attitude which

is completely contradictory to what has been said in that letter.

**Mrs. M. Renwick:** Who does that council consist of?

**Hon. Mr. Yaremko:** When I say—and I have mentioned this to the hon. member for Beaches-Woodbine and he not only did not hear me, he did not listen to me—when one third of unmarried mothers, I believe, keep their children within this province, when we have just under 6,000 on family benefit, all of these figures indicate that, within this province, we are developing a society in which all of the elements—natural, adoptive and the interest of the child—are brought to bear.

It would seem to me that, if we have this kind of legislation, if the kind of notice which we envisage is given to the parent so that she is fully aware of the consequences of any action that might be taken—and surely I cannot envisage a recognized children's aid society being unmindful of the fact that the mother at the time the Crown wardship must be fully aware—if she is given notice and if she is not in a position to make a final determination and the fact that only such a small percentage are brought into Crown wardship on the first hearing, ten per cent, indicates the attitude of—

**Mr. Lewis:** That is a significantly large percentage.

**Hon. Mr. Yaremko:** It is a significantly large number. But it is not a significant percentage. Not the emphasis that some of the—

**Mr. Lewis:** Talk about processing children!

**Hon. Mr. Yaremko:** —some of the hon. member's associates were putting on it. We have come to the considered position that to have all of the agony and all of the decisions to be made at the early stages are in the best interest of all of those concerned.

**Mr. J. Renwick:** But, Mr. Chairman, would the Minister clear this up for me? I noted, when he referred to the transcript of the evidence when I interjected, that there was some hesitancy, and I want to be absolutely certain that we are talking about the same transcript of evidence.

I have not seen any of the transcripts of evidence. But there was the application. The child was born on October 5, 1967—and then there was the application, and the order for Crown wardship was made on October 26,

1967. Is the Minister referring to the transcript of evidence of that original hearing under which the Crown wardship was established. And, if so, I think it would be most helpful if the substance of it were put on the record so that we can understand what the circumstances were, and the extent to which Miss Mugford was entitled to put her position—the extent to which any counselling or advice, that the record would show, had been given her, that the record would show that the alternatives available to her were made known to her, and that she clearly understood what her position was.

Now, that I think is very important, because I find it difficult to believe that within 21 days of the birth of a child to an unmarried girl or woman that the person within 21 days without very, very sympathetic, expert counselling by qualified people, is really going to have a range of options to her.

Or is the Minister perhaps confused in his dealing with the transcript of evidence a year later when, having been told that she could not get her child back, she then started in the process under section 35, and went back to Judge Good and he gave his reasoned decisions, which again were upset by Judge Honeywell in the county court, and leading on to the rest of the court proceedings. Is it that second transcript of evidence a year later that he is referring to?

**Hon. Mr. Yaremko:** I was referring, Mr. Chairman, to the first transcript of evidence, the hearing for the Crown wardship, which leads me to the point that the emphasis of our department will be on two things. We will have this legalistic procedure, but we will continue our efforts—and we must have had some measure of success in view of the figures that I have given—to ensure that the children's aid societies are giving the kind of counselling that their professional standards demand. I may say that the Ottawa children's aid society has been certified or accepted by the child welfare league of America.

I think the hon. member for Beaches-Woodbine would be familiar with that organization, and they have received accredited membership, or whatever the procedure is, which indicates that they must be living up to the standards which have been set forth. I would imagine that an interesting sidelight to the type of notice that we would develop is that all children's aid societies will also be mindful of the fact that our department is bringing to the attention of the parents their rights and responsibilities in this field. I am hopeful

about a combination of a recognition of rights by the parents, the counselling by children's aid societies which will adhere to the high standard, and an understanding by our family court judges who, by and large, have a major role to play in this field.

**Mr. J. Renwick:** Mr. Chairman, I would like to ask the Minister, is that transcript a lengthy one? Or is it a brief one? And who gave the evidence that was before Judge Good at that time? Believe me, Mr. Chairman, I am not interested in either castigating the children's aid society or his hon. Judge Good or anybody else. I am trying to get down to find out just what kind of information was available to Judge Good on the basis of which he made his decision. I have not seen the transcript. If it is a lengthy one, then it poses a problem and I have another solution. If it is not a lengthy one, could the Minister put it on the record, or let us have at least an opportunity to consider it ourselves before proceeding with this section?

**Hon. Mr. Yaremko:** Mr. Chairman, it is not a lengthy one and it involves the testimony of a mother. The hearing was not a public one and the transcript is not a public transcript, so I do not think it would be in the best interests to make it public at this time. The Mugford case has been settled. What we have to determine here is not the merits of the Mugford case. We have to determine, as our own conscience guides us, what action we will take in the light of the ramifications of the legal precedent set by the Mugford case.

**Mrs. M. Renwick:** Deal with them case-by-case for a little while.

**Mr. J. Renwick:** Mr. Chairman, could I ask the Minister, because of our concern about this problem, if he would stand down the bill and allow us an opportunity to look at the transcript of the evidence for the purpose of deciding, in my mind, in any event, just what role the children's aid society played in placing the case before His Honour Judge Good who, sitting even in the capacity of the juvenile and family court, really can only act basically on the information which is presented to him. Therefore, it would appear to me to be important to us that we have an opportunity to look at that transcript.

**Hon. A. F. Lawrence (Minister of Mines):** You can look at it, anyway!

**Mr. J. Renwick:** Pardon?

**Hon. A. F. Lawrence:** Can you not look at it anyway?

**Mr. J. Renwick:** It bears on the point that we are talking about.

**Hon. Mr. Yaremko:** I do not think that any interest would be served in making public a transcript of a case that has been settled. We are not here to decide the merits of the Mugford case. We are called upon to deal with the law. I believe that the points the hon. member raised were touched upon at the initial hearing, but we are not here to retry the Mugford case.

**Mr. J. Renwick:** I know we are not.

**Hon. Mr. Yaremko:** The Mugford case has established a legal precedent and what this Legislature is called upon to do, is decide whether it will accept the legal interpretation that the highest court of the land has passed on a statute of this Legislature. Or will we, in the light of that action, be prepared to take action which will enable an adoptive procedure which we wish to see in effect, actually take place?

**Mr. Lewis:** Mr. Chairman, I began some time ago by saying that there were certain questions and perhaps marginal points that one would make. I think the debate evolved along pretty obvious lines in terms of our feeling about the amendment. Could I end by asking the Minister three or four very simple questions which may illuminate it further? Then, perhaps a closing comment: Would the Minister be willing to show in private to members of this caucus the transcript of the initial wardship hearing?

**Hon. Mr. Yaremko:** Mr. Chairman, I am hesitant to give a categorical answer, yes or no, to that. I say I do not believe that is in the best interest or necessary for the determination of the legal position which we have to determine at the present time.

**Mr. Lewis:** Mr. Chairman, one could make this point first; that, of course, it has a very profound universal application. If, in fact, the material presented to the juvenile court judge at the point of the original wardship hearing was as formal and expedient as one might expect it to be, then it casts a reflection on all similar wardship hearings across the province involving the ten per cent of applicants that the Minister described.

I am inclined to believe, Mr. Chairman, and those of us in our caucus are inclined to believe, that those hearings are largely formal procedures—that, in fact, the children's aid society takes a view which is relatively superficial in terms of estimating all the factors involved.

The Mugford case was further complicated by the fact that the children's aid society apparently did not have much feeling for the wishes of the mother, and might well have implied that to the judge. Let us face it, Mr. Chairman, nothing is as strong as the bond between the juvenile court judge and the children's aid society whose actions he affords and interprets day in and day out. Nothing sinister in that, but it is simply a reality of the juvenile court procedure. I must admit that I have certain suspicions when the Minister does not even wish to share the transcript with men and women as scrupulous and confidential as those in the NDP caucus.

Hon. Mr. Yaremko: I do not accept that last statement.

Mr. Lewis: If you were confident of what was in that original transcript, it would be on the floor of this Legislature.

Hon. Mr. Yaremko: I am not confident of that last statement and I have had a personal experience. I am judging not on hearsay evidence; I have judged that statement on a direct relationship that the hon. member has had with the Minister of Social and Family Services.

Mr. Lewis: May I say to you now to protect the last remnant of my worth over here, I have had no direct relationship with you at all.

Hon. Mr. Yaremko: I am talking about on the floor of this House.

Mr. Lewis: On the floor of this House?

Hon. Mr. Yaremko: Mr. Chairman, the hon. member's opinion of what is scrupulous and what mine is in this regard are poles apart. He proved it on the floor of this House.

Mr. Lewis: May I ask, just by way of casual inquiry, when our polarized scrupulosity was in evidence? What are you referring to?

Hon. Mr. Yaremko: I am talking about certain documents which came into your hands which, had they been presented to me, I would never have accepted as a member of the Legislature. That is the difference between your concept of being scrupulous and my concept.

Mr. Lewis: What documents?

Hon. T. L. Wells (Minister of Health): The Indian documents.

Mr. Lewis: The Indian documents. I see. You mean the members—

Interjections by hon. members.

Mr. Lewis: —the members of your branch who resigned and gave documentation of why they resigned? You would not have presented that to the House.

Hon. Mr. Yaremko: Not the way the hon. member did.

Mr. Lewis: I am so sorry. So sorry in retrospect to have presented the material publicly.

Hon. Mr. Wells: No morals.

Mr. Lewis: Mr. Chairman, back to the bill. Now that we have that new definition of political morality finally in the arena, can we get back to the bill?

Hon. Mr. Wells: You have no political morals.

Mr. Lewis: Mr. Chairman, lest *Hansard* has noted that the Minister of Health said I had no political morality, let it be noted that it came from the Minister of Health, so that it will have the worth which the public would normally credit to that Minister.

Hon. Mr. Wells: It is quite an appropriate and true statement.

Mr. Lewis: I would like to ask the Minister of Social and Family Services, through you, sir, when he says that he took no judgment—in effect, no value judgment—on the Mugford child as to whether it would have been better in the adopting home or with Sylvia Mugford, the natural parent. He knows, of course, that he is playing a semantic game with us.

Of course, he has taken a position. He has taken a very unequivocal position and could he tell us, on this side of the House, what it is that prompted him to bring in an amendment which will never again allow, in the province of Ontario, the reunion of mother and child, two or three months after the wardship event? What prompted you to do that? You did take a position. You said, "Sylvia Mugford, if I had known that you could be reunited with your child, I would never have allowed it to happen. Now that I know, I shall cut it off."

Can you tell me, out of curiosity, what prompted you to make that decision? It seems to be such a pretty tough decision to have made.

**Mr. Brown:** An immoral decision.

**Hon. Mr. Yaremko:** That decision, Mr. Chairman, had been made when this Legislature adopted The Child Welfare Act of 1965 and the concept of Crown wardship, whereby the state assumes the right and responsibilities of parents. It has been a basic assumption that that was the point at which the right of the natural parents had terminated. That had been the assumption. That was what the legislation provided for.

The Mugford case proved it otherwise. We are taking steps to put the legislation where this Legislature believes it was when it passed the legislation.

**Mr. Lewis:** May I say: Where one small part of this Legislature believed it was—the government part. The rest, the vast Opposition, did not think that that was the case at the time.

Let me ask the Minister another question, Mr. Chairman, in terms of this bill. If you are reinstating what you felt to be in the bill, if you view the Mugford decision therefore as, in effect, an unjust decision, you are then doing it, I take it, to protect the rights of large numbers of adopting parents and adoptable children. Is that in effect what it is doing?

**Hon. Mr. Yaremko:** Yes.

**Mr. Lewis:** Right. Can you tell me, out of curiosity, how many adoptions have taken place in the province of Ontario since 1965, The Child Welfare Act? Your chairman of the branch is beside you, the director of the branch; she should be able to tell you.

**Hon. Mr. Yaremko:** I can tell you—25,000, in round figures.

**Mr. Lewis:** Approximately 25,000 adoptions since 1965. A presentable number. How many of those adoptions, have you any idea, were Crown wardship adoptions? How many of them went through the non-formal mechanism of voluntary, I am sure—

**Hon. Mr. Yaremko:** I would say, a large proportion.

**Mr. Lewis:** A large proportion. Seventy-five per cent? Eighty per cent? Through the public channels of wardship. I would think—the Minister nods sagely—20,000 let us say, if I can read it right. Twenty thousand adoptions through the Crown wardship process since 1965. Mr. Minister, in the last little

while, say in the year or two since the case has been heard, how many challenges under this section have you had through the courts? The case has been public for some considerable time. How many challenges have you had?

**Hon. Mr. Yaremko:** I do not know. They would be a very small number because I would think that everyone was awaiting, as we were, the—

**Mr. Lewis:** The decision.

**Hon. Mr. Yaremko:**—ultimate decision of the Supreme Court of Canada.

**Mr. Lewis:** Right. The decision of the Supreme Court of Canada was made on November 17. We know that date very well because your director of child welfare could barely wait to get her memorandum off to you to have you change the legislation.

**Hon. Mr. Yaremko:** What date did you say?

**Mr. Lewis:** November 17!

**Hon. Mr. Yaremko:** Oh.

**Mr. Lewis:** See how well it is settled in my mind.

**Hon. Mr. Yaremko:** It is a good thing you have a seat-mate.

**Mr. Lewis:** It is. It is. We work collectively, rather than in isolation, it serves good purposes I must say.

That is almost a month ago. How many appeals have you had in the last month in this onslaught of publicity, this onslaught of publicity about Sylvia Mugford? How many have you had, all over the province?

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): Are you abhorring the publicity?

**Hon. Mr. Yaremko:** I think there have been a half a dozen, or a few more—

**Mr. Lewis:** Just a moment. Just a moment.

**Hon. Mr. Yaremko:** Six or eight, in addition to the Grouleau case. The Grouleau case which has—

**Mr. Lewis:** Yes I know. The Grouleau case was a long time ago.

**Hon. Mr. Yaremko:** The decision has been just handed down. At about six.

Mr. Lewis: That ran about simultaneously to the Mugford case, and a recent decision which is now under appeal as I understand it.

Hon. Mr. Yaremko: Yes.

Mr. Lewis: It is under appeal. Right.

I know about the enquiries. I talked to the children's aid society. I have not yet found, since November 17, a single children's aid society that has had any formal legal procedure at all. Do you know of some children's aid society that has had formal proceedings since the decision? No, you do not know of a children's aid society!

Would one not assume that when this vast gap in the law was revealed, a torrent of natural mothers would pour throughout, reclaiming their children? Would that not be as one might expect?

Hon. Mr. Yaremko: No, it just proves that the negative scope that you have been emphasizing, during the course of this debate, is not all that bad.

Mr. Lewis: Let me suggest, Mr. Chairman, what it proves is very simply this: The amendment you have moved in this House need never have been moved at all. In the vast majority of cases—barely with one exception—the procedures are followed and the amendment has no relevance to them at all.

Twenty thousand public adoptions, as it were, through the Crown wardship process you attested to, with one single exception in the Ottawa case. Sure there have been phone calls to some of the societies by anxious adopting parents. I talked to Lloyd Richardson barely 48 hours ago. But in not a single instance, since the results of this case, has the largest children's aid society in the province of Ontario received any calls which would cause them to think the natural mother would now gain access to the child or assert rights to the child. And why? Because the Metro Toronto Children's Aid Society sensibly and scrupulously adhere to the processes of adoption.

Then why this amendment? There is no reason to suddenly have this kind of amendment, except one. The amendment serves to shore up and to reinforce the malpractice of certain individual societies. That is all it does.

Mr. Chairman: Is the hon. member speaking to the amendment before us or to the bill?

Mr. Lewis: I am indeed. I am speaking to the amendment which the Minister has put

forward. That is all the amendment does. It says to Ottawa Children's Aid Society, "You want to abuse the practice of decent adoption procedures? You go ahead and do it, because we are going to cut off rights 30 days after Crown wardship. We will no longer make you subject to any equitable laws whatsoever. We will just cut it right off, so that if you want to behave irresponsibly and recklessly, that is entirely your right".

Hon. A. Crossman (Minister of Correctional Services): Why do you not call off your personal vendetta?

Mr. Lewis: What are you talking about? The Ottawa Children's Aid Society—

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Lewis: Mr. Chairman, may I ask the Minister, just in personal terms, in terms of what he calls his human instincts, to which he gives very little credit—curiously enough, those on this side of the House are inclined to give more credit—how do you justify what was done in the Ottawa Children's Aid Society case? How can you justify the Sylvia Mugford case? Can you explain that?

Really, Mr. Chairman, is that not what the whole clause, this amendment, this entire procedure comes down to? Is there another children's aid society in the province of Ontario—there may, I suppose be some—but can you tell me if the Metro Toronto Protestant or Metro Toronto Catholic have letters from the mother within weeks of birth asking for the return of her child, expressing ambivalence about her feelings toward the child, that it would have driven ahead with the adoption? Is that not the clearest danger signal that could ever ring for a children's aid society, that there was trouble pending? Does it not make sense, therefore, Mr. Chairman, not to reinforce that kind of procedure, but to talk to the Ottawa Children's Aid Society about it, sit down with them and discuss with them what occurred and resolve it, and scrupulously re-examine the procedures and hope that it will never happen again? But do not introduce an amendment which preserves the same procedure.

Hon. A. F. Lawrence: It permits an appeal.

Mr. Lewis: That is precisely what you are now doing, and in the process of doing it, you are so encumbering it with a legal mechanism—this appeal to a high court and the



separation of wardship from adoption—and you are so complicating it that you are rather seriously confusing the adoption processes and placing the values, the emphasis in an entirely wrong direction.

I do not understand why your professionals and your legal advisors have acted the way they have. I would have thought you could come to this House and say: "Look gentlemen, we have pretty good adoption laws in my view in Ontario. I am prepared to defend them as the Minister of Social and Family Services. Very little has gone wrong in the last four years. We have had one isolated case which seems to cast a reflection on the law. We are going to sit back and see what happens because we have confidence in the children's aid societies.

That would have seemed a perfectly acceptable thing to do. But to move in and to move this amendment which is so prohibitive and so restrictive and essentially negative—often it will be destructive—is not tolerable to us. That is why we have to oppose the amendment, and we have to oppose the further alteration you have made in it, which is no alteration at all, which would work hardship on, I suppose, the great number of cases which are happily resolved after two, or three, or four months. Is that too much to ask for the rights of the child in the natural process? I think not, Mr. Chairman.

**Mr. Chairman:** Shall the Minister's motion carry? The hon. member for Riverdale.

**Mr. J. Renwick:** Mr. Chairman, on the amendment introduced by the Minister, could I ask a question of him about this statement that the interpretation—not what the legislation says—but the interpretation which was held to be incorrect, adopted by your department of what the legislation means? How did they come to the conclusion that section 31, or the procedure by which a person becomes a Crown ward, precluded the children's aid society itself from taking action after a child was placed with prospective parents for an order terminating the wardship?

If the Minister will recall, Mr. Justice Hall, supported by Mr. Justice Judson, in the Supreme Court, said that they came to the conclusion that the parent did not have the right. They were in the minority, but they specifically said the children's aid society had the right to come to the court and terminate the wardship at any time up to the final order of adoption, and that that is on the clear basis of section 31 as it now stands.

That is before the amendment, and that is exactly what it says.

The discretion is given to the children's aid society to apply to a judge, and it would appear to me that from the internal workings of your department the decision was made that once a child is placed for adoption, we are never going to exercise that discretion. Do you know of any instances in which a children's aid society then made an application to a judge for an order terminating the Crown wardship after a child had been placed for adoption and before the final order of adoption?

**Hon. Mr. Yaremko:** The action is a removal of the child out of the adoption.

**Mr. J. Renwick:** The legislation clearly states that where a child has been committed as the ward of the Crown, the children's aid society may apply to a judge for an order terminating the Crown wardship, and if the judge is satisfied that the termination is in the best interests of the child, he shall order that the Crown wardship be terminated. What I am asking is: Did the Minister, at any time, or did the children's aid society in the province at any time, exercise a discretion that yes, it may well be in the best interests of the child to terminate the wardship even though the child has been placed for adoption?

**Hon. Mr. Yaremko:** I have not got that particular breakdown in front of me but I know that there have been 3,988 terminations of Crown wardships by adoption orders in 1968; by return to parents, 52; by the applications under section 31, 69; by reaching the age of 18, 412; and then sundry other reasons, 152.

**Mr. J. Renwick:** But you have not got any particulars as to whether or not there was an application to the court to terminate the wardship after the child was placed for adoption? I would assume that there were none.

**Hon. Mr. Yaremko:** There were 69 in 1968.

**Mr. J. Renwick:** Sixty-nine applications by the children's aid society under subsection 1 of section 31, to a judge after the children had been placed for adoption? Do you feel now that it is therefore necessary to curtail the children's aid society so that that procedure cannot be used in the future, because that is what this amendment does.

**Hon. Mr. Yaremko:** No, the children's aid society's rights will not be affected. They will just remove the child out of the custody of the adoptive parents. That right remains.

**Mr. J. Renwick:** I do not know; I may be confused. Were the 69 cases a removal of the children under some other section, or was it an order of the judge terminating the wardship while the child was still residing with the prospective adoptive parents?

**Hon. Mr. Yaremko:** The exact physical location of the children I would not know in that instance.

**Mr. J. Renwick:** Under this amendment what you are now doing is putting into statute law the interpretation which was made that the children's aid society's right to apply to a judge after a child has been placed with prospective adoptive parents, is going to be removed as well. This section does so, Mr. Chairman. Does the Minister agree?

**Hon. Mr. Yaremko:** My interpretation and my questioning on that was that the children's aid society would not be affected in this regard.

There was a news story which was headed, "The Children's Aid in the Same Boat", and it was attributed to Mr. Foreman from London. I have checked into it and was advised that that is not the effect of the bill.

**Mr. J. Renwick:** Mr. Chairman, if I may ask the Minister to look at the bill. Unless I am not reading it properly, and if so I stand to be corrected, the bill in subsection 1 of section 31 reads:

Subject to subsection 3, where a child has been committed as a ward of the Crown, the children's aid society having the care of the child, or a parent of the child, may apply to the judge for an order terminating the Crown wardship.

And so on. Then subsection 3, to which the whole of that clause is subject, provides that:

Where a child has been committed as a ward of the Crown, the order shall remain in effect and the Crown wardship shall not be terminated where the child has been placed in the home of a person who has given written notice of his intention to adopt the child, and the child is residing in the home until an adoption order is made under part 4.

And that curtails the right of the children's aid society.

**Hon. Mr. Yaremko:** No, they remove the child and then the child is no longer residing in the home of the adoptive parent. Then they apply for a termination of the order.

**Mr. J. Renwick:** Under what section does the children's aid society remove the child from the home of the adoptive parents?

**Hon. Mr. Yaremko:** The children's aid society is in *loco parentis* until the final adoption order is made. The Crown wardship is exercised through the children's aid society, which is in *loco parentis* and therefore has the right to remove the child.

**Mr. J. Renwick:** In other words, what the Minister is saying is that this provision of subsection 1 does not need to be there at all. In other words, Mr. Justice Hall was quite unaware of the procedures which you follow because you do not use subsection 1 of section 31, and never have used it. Is that what happens? In other words, in your administrative discretion as the guardian of the child through the Crown wardship, you remove the child from the home of the adoptive parents, for whatever the reasons may be, and then you apply for an order terminating the wardship because the child is no longer in the home of the adoptive parents. So in fact, subsection 1 of section 31 has never, ever been used.

**Hon. Mr. Yaremko:** It has. It has been used as it existed in some 69 cases. Those terminations were where the children were in foster homes.

**Mr. J. Renwick:** Had they been placed for adoption?

**Mr. Lewis:** Not if they are in foster homes.

**Hon. Mr. Yaremko:** No, not in those, but the children's aid society is in a unique position that it becomes the guardian of the child.

**Mr. J. Renwick:** I think the point is made from what the Minister's reply has simply re-asserted, that what in fact has happened is that subsection 1 of section 31, which gives a discretion to the children's aid society, has in fact, never, ever been used. That is my conclusion from what the Minister has said in the circumstances where a child has been placed in a home for adoption.

**Mr. Brown:** That is the Minister's right.

**Mr. Lewis:** That is right; that is incredible.

**Mr. J. Renwick:** All I am saying is that I do not understand why your department would interpret it that way. My understanding has always been that if the legislation gives a discretion, then there is a continuing

obligation on the person to whom the discretion is given to determine at any given time whether he should, or should not exercise it. He cannot make some kind of a decision and say, "Now, today my discretion is terminated and I am not ever going to deal with that question again," because the obligation is to exercise a discretion when it is required.

So, what Mr. Justice Hall and Mr. Justice Judson were saying is: "Well, we realize the problem; we believe the legislation." The framework of the legislation really meant that the children's aid society—in the circumstances of the Mugford case, if an appeal is made by the natural mother, for example, after the child has been placed for adoption—in the exercise of a discretion granted to it, could take into serious consideration what the natural mother wanted. But, quite obviously it did not and has not done so.

Either my interpretation is right, or the memorandum which the Minister got on November 17 from the director of the child welfare branch is wrong, because she said, in that memorandum in the opening part, that this reversed their interpretation that the natural mother had no rights whatsoever to make such an application. That is my understanding.

I know we have our problems in expressing ourselves in legislation so that it will be clear, but if anyone reads section 35, under which the action was finally taken through to the Supreme Court of Canada, I do not see how anyone could come to the conclusion that in some way or other it could be interpreted as taking away the rights of the natural mother to make use of this application.

Let me make that distinction, not to substitute the natural mother with some sort of parental right, because the parental rights were in the Crown, but the statutory right to make an application to a judge for the protection of the child. That is not the exercise of parental right, because the parental right is quite clear and the judges were well aware of that. It goes on at great lengths about stating that when a Crown wardship is established, the Crown stand in *loco parentis*.

The judges were not saying that she was exercising some right as parent. All they were saying is that she exercised a right to apply to the judge for the protection of her child and that is what the section said. But your director came right back to you and said this destroyed the Crown wardship. It did not destroy the Crown wardship at all. All it

did was to get into a form the very question that we thought was in this legislation.

I am not trying to say that we thought it at the time. We were thinking in these terms, but we thought that when you read these sections that is exactly what it meant and that it was possible for the parent of the child to make the application to the court after the child had been placed for adoption.

But apparently the interpretation which was placed was that not only did the Act place the Crown in the position of the parent insofar as the custody and the care of that child was concerned, but that in some way or other, section 35 did not give the parent any right. Yet the section is very clear, and the final decision of the court was very clear, that, yes, the right existed.

You have the two situations. You have the right under section 35, which is clear so that anybody who read it would not dream for a single moment that it did not mean what it said in the first instance. Then you have subsection 1 of section 31, which could have been used in the circumstances, where the child has been placed for adoption. But quite clearly it required it to be used if a particular case justified its being used. But it was not used because on April 10, when Miss Mugford wrote to the children's aid society, it wrote back and said, "We are sorry the child was placed for adoption in March".

There is something seriously wrong internally in your department about what the law means. If this is true here, then—and I use this word not in a critical sense—what we have got is a usurpation by your department of what the law meant and the substitution by the department of its versions of what the procedures should be.

**Hon. R. S. Welch** (Provincial Secretary): I do not want to interrupt the member if he was just finishing. This is the time, I think, to move that the committee rise and report.

**Mr. J. Renwick**: May I make one brief point? I would revert to the information that was given to me by the lady, which I put on the record, which says that she would suggest that information regarding legal aid to make appeals be provided to the unmarried mothers under the circumstances of the pressure which this lady referred to, and that any legal advice which she might have got was totally wrong. You must make certain in all these cases that there is adequate legal advice given to the natural parent about what the law means—not what this department believes the law

says, but what the plain English language of the law says.

**Mr. Chairman:** Shall the motion carry?

**Mr. J. Renwick:** No.

**Mr. Chairman:** In view of the fact the motion has not carried, I should point out to the committee that it is my view that right from the beginning of the debate on this bill this morning, the debate has been pretty well on the principle of the bill, which was carried at second reading, and that the debate for the most part was out of order. Some of the members, however, did come back to the amendment before the House from time to time. But most of the debate this morning was on the principle of the bill, which was passed at second reading.

I might say, had I been in the Chair from the very beginning, I would have attempted to control it; unfortunately I was not. If it was fair for some members to speak out of order, I could not restrict others.

**Hon. Mr. Welch** moves the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

**Mr. Lewis:** Would you care to indicate who did not speak in order?

**Mr. Chairman:** I would have great difficulty finding the ones who did speak in order.

**Hon. A. F. Lawrence:** Kind of hard to keep within rules when you are filibustering.

The House resumed; Mr. Speaker in the Chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report two bills without amendment and asks for leave to sit again.

Report agreed to.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, on Monday we will carry on with the consideration of the legislation in committee of the whole House and prepare for the wind-up of the Budget Debate.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.05 o'clock, p.m.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 15, 1969  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 15, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have guests in the west gallery from the Pineland Public School, Grade 8, of Burlington; and a little later in the afternoon we will have guests with us from the Lake Erie Regional Development Council, London.

Statements by the Ministry.

Oral questions.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I have an answer to a question from the hon. member for High Park which had to do with the underwriting of the Commerce and Industry Insurance Company.

In answer to the question of December 8 in connection with this company, I wish to state that as of December 30, 1968, the combined capital and surplus of the above company was \$914,339 and not \$250,000 as suggested. The total admitted assets were \$1,523,181. The increase in capital and surplus in the fiscal year 1968 amounted to \$90,984. The net premiums written were \$122,919.

With respect to the current year, the net written premium income to September 30, 1969, is reported at \$47,491; and the net earned premium income \$145,920.

The reference to \$4.5 million of premium business appears to refer to amounts of insurance coverage in this company and associated companies, and is not premium income. The largest amount of net retention on the books of the company with respect to business written this year, appears to be slightly less than \$36,000. The company is owned by the American Home group and is only a small part of the group's overall operation.

**Mr. M. Shulman** (High Park): What was the date at which these figures were taken?

**Hon. Mr. Rowntree:** The period as at December 30, 1968.

**Mr. Shulman:** As a supplementary question, Mr. Speaker, has the Minister's in-

spector not, subsequent to this, made a further examination of that company and found that the figures the Minister has presented have deteriorated and are not true at the present time, as of last month?

**Hon. Mr. Rowntree:** My information is that there is nothing in error with respect to the company's operation. The company is simply not writing the amount of business that was indicated in the member's question.

**Mr. Shulman:** Could the Minister make a further enquiry as to the current position of the company, not last year but this year?

**Hon. Mr. Rowntree:** The company is actually writing very little business, or retaining very little business.

**Mr. Shulman:** Would the Minister enquire as to last month's position?

**Hon. Mr. Rowntree:** Yes.

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question of the Provincial Secretary. Just while he is taking his place perhaps I could ask a question of the Treasurer: Is he aware that an organization called AMIK Association, which is a non-profit group organizing Indian co-operatives and corporations, must lay off its field staff because of the failure of the Treasury Board to approve a grant for them, which it considers was promised by the Minister's colleague, the Minister of Social and Family Services (Mr. Yaremko)?

Is he further aware that the restrictions in the operation of this association will go into force immediately unless the government takes some action to provide it with the money that had been, in its understanding, previously promised?

**Hon. C. S. MacNaughton** (Treasurer): Mr. Speaker, no, I am not aware of the matters referred to by the hon. leader of the Opposition; but I shall be happy to look into it and see what can be done.

**Mr. D. C. MacDonald (York South):** By way of a supplementary question on this: would the Minister, while he is investigating that, investigate the advisability of making moneys generally available from the community development branch to these Indians, as a lump sum, perhaps in relationship to the Union of Ontario Indians or some Crown corporation, so that they will not be caught in this sort of *ad hoc* approach to their needs?

**Hon. Mr. MacNaughton:** Mr. Speaker, I shall be glad to pursue that matter too.

**Mr. Nixon:** Mr. Speaker, I have a question of the Provincial Secretary. Is he aware that the Liquor Licence Board of Ontario has decided that it can no longer permit clubs and groups, such as Legion branches, to hold regular social evenings, that these groups must now request banquet permits for the purpose of holding social evenings which had, up until this time, been permitted by the liquor licence board? Is he further aware that in most cases, most Legions are operating in areas which are not covered by general permission, and that this will entail sending away and paying for a banquet permit for each such regular social occasion?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, I am not aware of these details at all, because prior to making a policy announcement some months ago in connection with service organizations and fraternities and labour clubs, this was the method for these clubs to hold such events—namely, to make application for special occasion permits which were granted in the normal way.

As members know, there was a policy decision announced here some months ago whereby those particular clubs which had some beverage alcohol privileges already, could add alcohol or spirits to their list of available beverages. It was felt by some at that time it would not be necessary to have special occasion permits and there would be some saving along that line. I think rather than attempting to answer this specific question, I will ask the member to let me have the background of his question and I will check into it, because this is the first indication I have of there being any difficulty in this regard at all.

**Mr. Nixon:** As a supplementary, Mr. Speaker, I would be glad to do that, because apparently it is affecting Legion groups particularly, which have, up until this time, had the opportunity of having these social occa-

sions on a regular basis which is no longer permitted.

**Mr. Speaker,** perhaps I might direct this question toward the hon. Treasurer. Can he give further information as to the government plans to bring forward regulations having to do with lotteries in the province of Ontario? Is he aware that certain statements have been reported in the press, today's *Telegram* particularly, indicating the tenor of the regulations that the province is considering, and that under these circumstances, perhaps a bit more information to the House would be very useful?

**Hon. Mr. MacNaughton:** Mr. Speaker, like the hon. leader of the Opposition, I very briefly saw the article in the *Telegram* to which he referred, just before coming into the House. The matter of regulating lotteries under the new permissive arrangements under the Criminal Code are being pursued very aggressively, I believe, by the Attorney General (Mr. Wishart), and it would be my opinion that the development of any regulations associated with the matter would be the responsibility of the Attorney General. Up to this point I have received no proposed regulations prepared by the Attorney General concerning the situation to which the hon. leader of the Opposition has made reference.

**Mr. Nixon:** Mr. Speaker, a further question of the Treasurer pertaining to statements made by him in Ottawa. Would he agree that they are in conflict with the position taken by the federal government, as to the effects that some of the situations referred to in the federal financial white paper might have on the province of Ontario, and is there any way to get some further information for the benefit of the members of the House as to these effects?

**Hon. Mr. MacNaughton:** Mr. Speaker, firstly I would agree that there are several areas of disagreement between the province of Ontario and the government of Canada associated with the projections outlined in the white paper. Certainly we are not prepared yet to agree with the forecast of revenue increases that the new proposed tax base will produce, as outlined in the white paper. We believe, and stated this as forcibly as we can, that we think they have underestimated their revenues rather substantially. The manner in which these conclusions were reached was, as far as I am aware, consistent with the manner in which they were projected—in other words, we used the same sampling devices as the federal government



did, but when we put them through the computer the results came out differently. This information can presumably be made available.

What we did agree to at the conference was to compare the computation of the figure arrived at by the federal government with our own computation and determine from that whether there are areas that can be reconciled one way or the other. The federal Minister agreed to undertake such a comparison with us and that will be undertaken very shortly.

**Mr. Nixon:** A supplementary question: Would the Minister agree there is a tendency perhaps to make these estimates somewhat different depending upon the point of view and the position of the person making the estimate? I ask the Treasurer to consider his own regular under-estimate of the revenue of the province, of which we are sometimes critical, and if the same expertise and machinery are used in his checking of the federal estimates, then probably they are even lower than he says, because he always aims low himself.

**Hon. Mr. MacNaughton:** Of course, Mr. Speaker, I agree with the generality of what the leader of the Opposition says, and that is that forecasting the revenues is not an exact science. I have stated that publicly, as the hon. leader of the Opposition knows—not only publicly but in this House. But our concern is that given the same set of circumstances at the federal level and the provincial level, if we still find ourselves in disagreement, and in that case we have both agreed we should pursue this.

I could elaborate on this to some extent. The federal Minister of Finance asked everyone who came to the conference to bring forward proposals, and in the course of doing that he agreed what we were setting out was in support of those proposals. Then we felt it not only sensible but responsible to bring to his attention the areas of difference that appeared to exist, and this we did.

I might say the discussion that followed was on as amicable a basis as is possible and the agreement was reached that these figures would be compared first of all to see that they were based on the same facts, and certainly the sampling was identical.

It was based on, I believe, 100,000 representative incomes. The federal government computer tapes were made available to us and when we translated those computer tapes into figures based on information available

to us, we came up with this discrepancy. This is not to say we are right and they are wrong, but the discrepancy appeared and we felt it only appropriate to place this before the Minister.

**Mr. Nixon:** How big was the discrepancy?

**Hon. Mr. MacNaughton:** We were of the opinion that the revenues could be anywhere from two to three times greater than what he reports them to be.

**Mr. Nixon:** That is quite a discrepancy.

**Hon. Mr. MacNaughton:** It is quite a discrepancy. I could not agree more with the member and I say, Mr. Speaker—

**Mr. MacDonald:** That is worse than the Treasurer's own Budget.

**Mr. Nixon:** Very similar, I would say, to the way he handles the same situation.

**Hon. Mr. MacNaughton:** I am not going to be critical of anyone who finds it as difficult as we do to forecast revenues against growth factors in the same manner as we do, but when we are comparing oranges with oranges, rather than oranges with bananas, and these discrepancies appear, then I think we should get our heads together and examine it in the interests of everybody.

**Mr. Nixon:** Mr. Speaker, now that the Minister of Social and Family Services is in the House perhaps I could put a similar question to him as I put to the Treasurer.

Is he aware that the failure of his department to extend the grants to the AMIK Association, of which he is no doubt familiar, will lead to the dismissal or laying off of staff of that organization so that their work among the Indian community will come to a halt?

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, I do not know what word the leader of the Opposition used, but our department has been in continuous contact with the AMIK organization to make available these funds.

I may say, Mr. Speaker, now that I have the opportunity, that it was The Department of Social and Family Services that has been the strongest supporter of AMIK. Really it is we who have brought out the concept which they are supporting, and it is our adoption of their concept in general, and the specific work it has been doing, that I think has great potential for the future.

We have two considerations—the short-term need for funds, which is what we are dealing with at the present time, and the long-term plan. But my understanding is that the provision of immediate funds is being processed at this very time.

**Mr. Nixon:** A supplementary question. Would the Minister undertake to contact the executive-director of AMIK Association to assure him that the fund will be forthcoming?

**Hon. Mr. Yaremko:** Mr. Speaker, our basic communication is with the board of directors; we deal with the board, that is our basic channel and our basic line of responsibility. We deal with the board of directors, and they in turn are responsible for the management and direction of AMIK Association corporation.

**Mr. Nixon:** A supplementary question. It would be true, I presume, that the Minister would deal with the board of directors, but why could his community development officer not deal with the people on the staff of the organization?

**Hon. Mr. Yaremko:** That is being done. There is a four-way communication in all of this aspect.

**Mr. Nixon:** Are they going to get the money?

**Hon. Mr. Yaremko:** I may say to the hon. member that the basic principle of AMIK has long been adopted by our department, and, as the Minister, I am most concerned that their work be continued in all aspects.

**Mr. Nixon:** The Minister is going to give them the money, the money they require to keep operating?

**Hon. Mr. Yaremko:** My understanding is that it is being processed at this very moment.

**Mr. Nixon:** Good.

**Mr. MacDonald:** Mr. Speaker, I have two supplementary questions and they are related.

When the Minister states it is “in the process,” is he indicating that a decision has been made and that he is processing, in a bureaucratic way, the provision of the money?

And secondly, in order to avoid this need for individual projects, has the government, or has the Minister and his department, considered the proposition of making moneys *en bloc* through the Union of Ontario Indians or some Crown corporation? This would let

them have money available for all of their projects and enable them to make the decision as to priorities in its use, in the fashion that has been done in Manitoba where it has all been handed over to the Indians to run their own show.

**Hon. Mr. Yaremko:** Mr. Speaker, the hon. member for York South has just run a great many aspects into one. He has, regrettably, no grasp of the various aspects which he has run into one. We are dealing with AMIK, which is a corporation—

**Mr. MacDonald:** That I am aware of.

**Hon. Mr. Yaremko:**—completely independent, and run by a group of Indians, except that they have representatives and they are dealing with Indian corporations. With AMIK we are dealing with two aspects. We have provided them with administrative funds, and then we have been making the funds directly available to the corporations in northwestern Ontario that have been undertaking the specific projects.

What is happening in Manitoba is a matter, as I understand it, between the federal authorities and the Manitoba people. The province has not entered into that picture at all to my knowledge.

With respect to the Ontario union, they have not come forward with any such proposal to us. We have been discussing with them the matter of the corporation aspect and that is still a matter of discussion between the two parties.

But I say in respect of AMIK and the unfortunate use of the word “bureaucratic”, Mr. Speaker, that I doubt any aspect of this government or any other government is moving quickly to make funds available; it is through the community development branch. But the estimate as approved by this Legislature requires an approval by the Lieutenant-Governor-in-Council, which requires a processing through the Treasury Board and then through the Cabinet as a whole. That is a procedure which has been laid down by this Legislature and one by which I am bound.

But I do say, in this regard, when I received word of the telegram which the hon. member for Kenora (Mr. Bernier) made available to me, I checked into it and put the whole machinery of the department to work on this one aspect.

**Mr. MacDonald:** By way of a final supplementary question. Since the Minister is not aware of all of the complexities of the very

in which it is being handled in Manitoba, and since, in fact, the community development moneys are being handled through the Indian brotherhood so that they have control of them and the decision as to priorities, my question to the Minister, I repeat: would he make moneys available in Ontario in the same way as was requested by the Indian-Eskimo Association and the Union of Ontario Indians through some Crown corporation kind of setup a year or a year and a half ago?

**Hon. Mr. Yaremko:** As I indicated to the hon. member, Mr. Speaker, that matter, of a corporation, is in the process of discussion with the Ontario union.

**Mr. MacDonald:** For how long? Five years?

**Hon. Mr. Yaremko:** Mr. Speaker, the matter is now in the hands of the Ontario union. Can I make it any more clear?

**Mr. Speaker:** Does the hon. member for York South have further questions?

Was there a supplementary? I am sorry.

**Mr. L. Bernier (Kenora):** A supplementary, Mr. Speaker! Yes, to the Minister of Social and Family Services: Could he tell the House if he has received the budget from AMIK for its 1970 administrative expenditures?

**Hon. Mr. Yaremko:** I do not think so, Mr. Speaker.

**Mr. MacDonald:** My first question is to the Minister of Health. Is it accurate that the government is in the process of redrafting the pesticide control legislation, and that in doing so, it has brought into consultation the pesticide applicators? If so, what other interested parties have been involved in this early consultation on legislative formation?

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, as I have said many times here in regard to all legislation, we are always looking at it to update it. We are looking at certain changes in The Pesticides Act. We have talked to people who are on the pesticides advisory board, who represent both government and the pesticides business, and we will be talking to many other people before the Act is finally brought in its rewritten form.

**Mr. MacDonald:** By way of a supplementary question: Is it accurate that the pesticides applicators have been involved already in consultations in the drafting of the new legislation? If so, why did they get that kind of priority?

**Hon. Mr. Wells:** Mr. Speaker, I would doubt very much they have been involved in any of the drafting of the new legislation. They may have offered some opinions, as those members of that business who are on the pesticides advisory board. But I am sure they have not been in on the drafting of the legislation, because the pesticides advisory board itself has asked me if it could take a look at the draft legislation. It does not seem to know much about it. So we will be consulting with many people on this.

**Mr. MacDonald:** Mr. Speaker, in the absence of the Prime Minister (Mr. Roberts) I wonder if I could put this question to the Provincial Treasurer. Am I correct that the federal-provincial conference on February 16, in dealing with economic matters, is not going to deal with the freight rates issue? And, if so, what is the explanation for the fact that that issue, which was advanced rather vigorously by some provincial Premiers, and is of great interest to some parts of the province of Ontario, particularly northwestern Ontario, is not included in the agenda?

**Hon. Mr. MacNaughton:** I cannot answer that, Mr. Speaker. I am not aware yet as to what has been included or excluded from the agenda. If the hon. member has that information, he is ahead of me in this instance. I do not know.

**Mr. MacDonald:** The Prime Minister made a statement on Friday about the economic issues, and indicating that freight rates were excluded.

**Hon. Mr. MacNaughton:** Yes. Well, if he did not mention it then, certainly freight rates were brought into the overall discussion, as the hon. member is aware, and I—

**Mr. MacDonald:** But will it be on the agenda?

**Hon. Mr. MacNaughton:** I cannot answer that. I think it would be appropriate that it was. But I cannot answer that because I have not seen even a tentative agenda as yet.

**Mr. MacDonald:** The other Ministers have escaped for the moment—I am sorry, the Attorney General is here.

**An hon. member:** He did not escape!

**Mr. MacDonald:** With reference to the court proceedings in Kapuskasing last June, resulting in the conviction of one Claude Comeau, the owner of the Queen's Hotel, from Hearst, on charges of assault on two

Indians—Paul Bird and Elizabeth Stephens—would the Minister consider payment of the legal costs sustained by the Union of Ontario Indians in a private action which became necessary when, through a series of errors and misunderstandings, the local Crown attorney failed to proceed with the case?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, I would be very glad to look into the matter and see if something might be done in this matter. I am not aware of the circumstances the hon. member reports. I would be glad to look into it.

**Mr. MacDonald:** The Minister has written extended letters on the matter.

**Hon. Mr. Wishart:** Yes, But I cannot recall, standing here at this moment, the background.

**Mr. MacDonald:** I shall ask the Minister again tomorrow, if I may.

**Mr. Speaker:** The hon. Attorney General has answers to previous questions?

**Hon. Mr. Wishart:** Mr. Speaker, I was asked a question by the hon. leader of the Opposition some days ago as to the range of salaries of the provincial police. I have had that answer for some time and will take the opportunity now to give it.

For the cadet, the amount is \$5,844 to \$6,835 in the year 1970, moving to \$6,183 and a maximum \$7,227 in 1971. The probationary cadet goes from \$7,788 in 1970, moving up to \$8,257 in 1971. A constable is \$8,414 in 1969, going to a top of \$9,483; in 1971 the range will be from \$8,936 to \$10,044. A corporal will get \$9,940 to \$10,331 in 1970, moving in 1971 from \$10,540 to \$10,957. A sergeant, in 1970, will receive from \$10,749 to \$11,166; and in 1971 the range will be from \$11,401 to \$11,858. For other ranks, such as staff sergeant, detective sergeant and traffic sergeant it will be \$11,610 in 1970, moving to \$12,327 in 1971.

**Mr. Speaker:** I believe the hon. Attorney General has answers to other questions as well. Would the House agree to receive all of these answers successively? If so, the hon. Attorney General may proceed.

**Hon. Mr. Wishart:** Mr. Speaker, I find that I did not bring my glasses in and some of this print is fine. I will be able to give them in a few moments.

**Mr. Speaker:** Any more questions? The hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Yes, Mr. Speaker, I have a question of the Minister of Energy and Resources Management. In view of the fact that the Minister, on numerous occasions in the House, has said that there was no U.S. involvement in on-going surveys conducted jointly by the federal and the provincial governments, in regard to water levels and things of that nature in north-western Ontario, would the Minister care to comment on the article in Thursday's *Toronto Daily Star*, datelined Washington, which states:

The U.S. Army Corps of Engineers, commenting on the allegations of spying on northern Ontario waters, said the corps gathers information on ice conditions there as part of a joint U.S.-Canadian effort.

Would the Minister care to comment on that? He denied any knowledge of it previously in the House and now this U.S. authority says it is a joint effort.

**Hon. C. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, my information still has not changed, as given previously to the hon. member. As a matter of fact, after hearing his remarks in the Budget Debate or the Throne Debate—I am just not sure which debate it was that dealt with this particular subject—I again checked with people in my department and they assure me that there is no formal arrangement between either OWRC or Ontario Hydro and the U.S. Army Corps of Engineers regarding water resources in northwestern Ontario. If there are personnel from that organization in the north, I would be very surprised if they in any way are working with representatives or employees of either my department or the Ontario government.

The hon. member, Mr. Speaker, said that the report from Washington is that it is a joint U.S.-Canadian effort. To my knowledge there is not even this arrangement with the federal government, so if he has any further information I would be happy to look into it again further.

**Mr. Stokes:** As a supplementary: In view of the fact that I have made all of this information available to the Prime Minister, will the Minister make representations to the U.S. Army Corps of Engineers and ask them if they would be good enough to come to him before making detailed surveys of our resources in northern Ontario, and will he ask them what was their reason in doing so? There is conclusive evidence that they have been enlisting the aid of people in northern

Ontario to detail this information. Will he make representations on behalf of the people of the north to assure them that these surveys will not be conducted in a subversive manner, and assure these people that their interests in northern Ontario will be protected?

**Hon. Mr. Kerr:** Mr. Speaker, I will make enquiries to find out through the proper channels whether or not, in fact, the U.S. Army Corps of Engineers is carrying out any surveys whatsoever in Ontario.

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

**Mr. Shulman:** A question of the Minister of Health Mr. Speaker: in view of the letters sent out by his Deputy Minister, Dr. Charron, to the doctors of this province, announcing that in future all laboratory services will be available free through your department, is it the intention of the Minister's department to give any compensation to the numerous private labs that will have to shut down and the numerous persons that will be put out of work, as a result of this change?

**Hon. Mr. Wells:** Mr. Speaker, I do not think at this point the question of giving them any compensation has ever been thought of and I would doubt that we would.

**Mr. Shulman:** As a supplementary question then, Mr. Speaker, can the Minister explain why it was less than a year ago that his department brought in a policy of charging for all these services which encouraged private labs to go into the business, and some six months later the Minister then reversed his policy and did exactly the opposite?

**Hon. Mr. Wells:** Mr. Speaker, the basic reason is that as of October 1 the facilities under which the labs are operated came in under the OHSIP arrangement and they are now included as part of the cost sharing arrangement with Ottawa, so, therefore we do not charge for the services at the labs any more.

**Mr. Shulman:** All right: Would the Minister explain what difference there is as to the cost if the services are done by a private lab or a public lab?

**Hon. Mr. Wells:** In the federal-provincial sharing—and I cannot explain it all to the member here, I have not got all the details before me—there are certain lab costs in The Department of Health labs which are in-

cluded on a sharing basis and the lab services come under this arrangement.

We are now, under our plan, making available at no charge to the doctors, these lab services. As I understand it—and I had nothing to do with the decision when the fee was put in, the fee was included at that time in order to finance the work of the provincial labs—it was hoped that some of the prepayment plans would pay for these lab tests. I think OMSIP did pay for them—but PSI always refused to accept the bills from patients who had lab tests done at the provincial labs, and sent them in for payment. We decided it was the best thing now to handle them all as they had been in the past.

I have talked to some of the private labs, Mr. Speaker, and the ones that I have talked to have told me that they did not foresee any change in their business and also that they had established their relationships with the doctors who were doing business with them. They have been able to show that they could provide a good service and the doctors are free to stay with them.

**Mr. Shulman:** But they have to pay them and they can get it free if they come to the Minister's department.

**Hon. Mr. Wells:** No, they can still claim and the patient can send OHSIP the bill if it is from another lab. Lab services are an insured service.

**Mr. Speaker:** The hon. member for Peel South had a question.

**Mr. R. D. Kennedy (Peel South):** To the Minister of Municipal Affairs, Mr. Speaker.

Would the Minister look into the reassessment in Mississauga, which is being completed on an actual value basis and where the indications are that there are going to be substantial tax increases, perhaps beyond ability to pay in some cases?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** In Mississauga?

Interjections by hon. members.

**Hon. Mr. McKeough:** Mr. Speaker, in reply to the member's question I would not be prepared to look into—I think to quote his terms—"the reassessment in Mississauga." The reassessment in Mississauga is part of a continuing reassessment in Peel county which started two or three years ago.

I may say from observation, the same agonies which they are going through now in Mississauga have been experienced by other

areas of Peel county, and I think have worked out, if not to everyone's satisfaction, to a greater equity in the tax roll in Peel county. As of now all of Peel has been reassessed, with the exception of the town of Brampton, which is to be reassessed next year.

The reassessment, of course, has been carried on by the Peel county assessment department, which will be part of The Department of Municipal Affairs as at January 1, but as of this moment they are part of Peel county and any, "looking into", to use the member's words again, should be done by them.

I think what also has to be pointed out is that the assessment notices having been mailed, and the roll having been closed, there are provisions, of course, for appeal to the courts of revision and beyond if that is necessary. I think, however, the member would be well advised to tell anyone that if they are dissatisfied with their assessment, they should appeal to the courts of revision and see what happens there, and if they are not happy with what the court of revision does, then to appeal it further.

I think in any reassessment the great problem is one of education and of realizing that although one's assessment may increase a number of times—five or ten times—there may well be, and should be, a corresponding drop in the mill rate. This is something which is explained time and time again, but when you receive an assessment notice, which is something in the neighbourhood of market value, having been assessed at much less than market value in the past, it is a bit of a traumatic experience I will admit.

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

**Mr. K. C. Bolton (Middlesex South):** Mr. Speaker, a further question of the Minister of Municipal Affairs, relating to the transition from municipal to regional assessment departments, with particular reference to London.

Is the Minister aware that of the 120 people who are to be employed in London starting on January 1, only five have been told what their employment is to be, and 115 know they will have a job in the new setup, but they do not know what their duties will be—they simply know the address of the new office. They are advised they will be employed at their present salaries, regardless of the assigned duties. They have lost wage increases granted by previous employers; no arrangement for representation of the employees has

been made; the appointments of all persons except the director and the assistant-director—

**Mr. Speaker:** I wonder if the hon. member has a question to address to the Minister of Municipal Affairs. There seems to be a long series of questions; perhaps he would ask one question at a time.

**Mr. Bolton:** If you would rather have it that way, yes.

**Mr. Speaker:** I would like to urge that these are all related and I would like to ask if, perhaps, am I correctly informed, and if so, will the Minister take some action in this matter? I would be happier to put them together unless you rule otherwise; they are related to the total situation.

**Mr. Speaker:** Is the hon. member asking the Minister to answer each question successively at this particular point?

**Mr. Bolton:** I would like him to follow whatever procedure suits him best, as long as the answer is clear.

**Mr. Speaker:** Perhaps the hon. Minister would—

**Hon. Mr. McKeough:** I thought you were doing so well, Mr. Speaker, I did not necessarily want to get into it.

No, I am not aware that only five out of 140—

**Mr. Bolton:** That figure was 120.

**Hon. Mr. McKeough:** I was not aware five out of 120 have had their jobs definitely tied down, but I am not surprised this is the case. The sequence of events, of course, is the appointment of the area director, the appointment of the regional commissioner, and the appointment of the other senior officials is the next step along the way.

Just what the specific responsibilities of the remaining 115 will be, will largely depend on the determination, or in part depend on the determination, or the five who have been appointed. I would suggest that any of the 115 should contact any of the five and I think they will get satisfactory answers from them.

I do not think it is reasonable to assume that on January 1 we will know what the whole 115 are doing. As a matter of fact, I think it may take up to six months before they are sorted out, before the staff in the area, in the region, know the capabilities of the people concerned, and give them civil service testing if that is required.

There is, of course, the point which the member has made, that none of them will lose their jobs, they will all have jobs and they will have jobs at no less a rate of pay than they are enjoying presently.

**Mr. Bolton:** A supplementary question, Mr. Speaker. I am incorrectly informed, am I, Mr. Speaker, that the red circle list has already been prepared of those who are to be reduced to inferior positions, or lose their jobs? I am happy to have that assurance.

**Hon. Mr. McKeough:** Yes, none will receive less than they are receiving as of March 4, plus normal increments, or normal merit increases which may have happened since then.

**Mr. Bolton:** Thanks.

**Mr. Speaker:** A supplementary?

**Mr. D. M. De Monte (Dovercourt):** No. It is a question.

**Mr. Speaker:** The hon. Minister of Financial and Commercial Affairs has the answer to a question.

**Hon. Mr. Rowntree:** Mr. Speaker, the hon. member for Riverdale (Mr. J. Renwick) posed a question in connection with Computel Limited, and the proposed takeover of University Computing Company.

I am informed that there has been no breach of The Securities Act, and no breach of the code of the Toronto Stock Exchange regarding takeover bids. But with respect to this code, may I say it has now been superseded by the provisions of The Securities Act, 1966, and that they have complied with the Toronto Stock Exchange timely disclosure requirement.

In fact, the company proceeded under a specific exemption, namely, section 80 of The Securities Act covering private agreements with individual shareholders. Hence, no takeover bid was required to be filed with the Ontario Securities Commission. It is my understanding that there also was no conflict of interest involved with respect to the matter.

**Mr. Shulman:** As a supplementary question, Mr. Speaker, would the Minister not agree that if one can avoid the timely disclosure rule by buying control of the company just through one individual, the timely disclosure rule is worthless?

**Hon. Mr. Rowntree:** A single purchase can be negotiated under the present rules without going through the exchange, or indeed with-

out going through the commission in such circumstances. It may be this matter requires amendments, and this is presently being considered.

**Mr. Shulman:** As a further supplementary, does the Minister not think it odd that the head of the exchange should use this exemption to avoid letting the shareholders in his company know what was going on?

**Hon. Mr. Rowntree:** I have no comment on that.

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

**Mr. De Monte:** Mr. Speaker, I have a question of the Minister of Labour. Are the claims of workmen in large corporations, such as International Nickel, handled by special sections of the workmen's compensation board?

**Hon. D. A. Bales (Minister of Labour):** No, they are handled by the regular procedure through the board, the same as other claims.

**Mr. De Monte:** By way of supplementary, do any of the large corporations then have any direct lines? By that I mean direct telephone lines into the workmen's compensation board?

**Hon. Mr. Bales:** No, Mr. Speaker, they do not. With reference to International Nickel, I am sure the hon. member is aware the workmen's compensation board does have an office in Sudbury and there is a direct Telex system from that office to Toronto.

**Mr. Shulman:** As a supplementary question in relation to Inco: has the Minister yet got the rates which I asked him to get some months ago? He said he would bring them to this House. In comparison with Inco and in comparison with—

**Mr. Speaker:** I hardly think that is supplementary to the question asked by the member for Dovercourt.

**Mr. Shulman:** Well, he was asking about—all right!

**Mr. De Monte:** I have a further question of the Minister of Labour, Mr. Speaker.

**Mr. Speaker:** The hon. member has had his one question. If sufficient time remains we will come back to him.

The hon. Attorney General, I believe, is ready with his answers now.

Hon. Mr. Wishart: Mr. Speaker, there was a question asked by the member for York South in connection with the prosecution of Sunnybrook Food Market. I have a report from the Crown attorney, Bruce Affleck, in which he reports that they sent a copy of the information.

The information specified that Brian Kard, an employee of Sunnybrook Food Market Limited, was authorized to carry on the business of said corporation on April 13, 1969, which was a Sunday. The argument of the defence was that the information did not specify that the employee was authorized to carry on business on the Lord's day.

I should point out that on the first hearing of that charge, a conviction was obtained. There was counsel, a conviction was registered, a fine assessed of \$250, and costs, with the alternative of 30 days. That was appealed by way of trial *de novo* before his honour Judge Hall. Although the information read "that Sunnybrook Food Market, Keele Limited, on or about the 13th day of April in the year 1969 did in connection with the business of its ordinary calling, to wit the supermarket business, authorize Brian Kard to carry on the business of the said corporation, contrary to The Lord's Day Act."

I think all the elements really were there to show it was business on Sunday, but Judge Hall gave effect to the defence argument that since the information did not charge that Kard was authorized to carry on on Sunday—although the business was being carried on by him—and quashed the conviction and ordered the fine returned to the appellant.

Mr. Affleck reports to me that in view that this is *obiter*—outside the actual judgement—but the judge held it was a technical deficiency.

Mr. Affleck says: "In view of this *obiter*, I propose to proceed with further charges against this corporation. There is a charge pending in Oshawa and another one in Whitby." And he has undertaken to keep me informed as to those.

That is simply a matter of the judge's decision on a very technical point, and I do not think I should comment further on it here. We are proceeding with further charges against that company.

Mr. MacDonald: In that connection, by way of a supplementary—to a layman it appears like legalistic quibbling from the bench. Does that mean that there is need for an alteration in the Act to avoid this kind of legalistic quibbling in the future, so that we

can equate in the minds of the judges, as well as the general public, that the Lord's day and Sunday have been synonymous for quite some time?

Hon. A. Grossman (Minister of Correctional Services): The member needs an English translation.

Hon. Mr. Wishart: I would not say it requires a change in the Act. We shall certainly add words to the information.

Mr. V. M. Singer (Downsview): They just draw the information a little more carefully.

Hon. Mr. Wishart: But we are, as hon. members are aware, having this whole area looked at from the point of view of law, procedures, and so on.

Mr. J. Renwick (Riverdale): Who is looking at it?

Hon. Mr. Wishart: The law reform commission.

Mr. Singer: It is not our Act anyway.

Hon. Mr. Wishart: No, it is not our Act.

Mr. MacDonald: The judge did a fair job of wrecking the intent of the Act.

Hon. Mr. Wishart: The hon. member for Riverdale, Mr. Speaker, asked a question on November 26 with respect to syndicated crime. I have had enquiries made. The answer which I would give is as follows:

On November 26, the hon. member asked a question relating to specific cases before the courts involving what the member referred to as "syndicated crime".

The hon. member is using a term that was utilized by Mr. Justice Roach in 1962 when he was enquiring about criminal activities in this province. In that context, the term referred to criminals who had acquired exclusive control or monopoly over certain types of crime in an area. I am advised that, in the opinion of my advisers, such syndicated crime does not presently exist in Ontario. However, it would be an oversimplification of a very complicated problem to leave the matter at that point.

In today's criminal activities the monopoly aspect has become impractical as a sole criterion on which to base our definitions and modern police forces have defined "organized crime" as a continuing and self-perpetuating criminal conspiracy, motivated by profit which thrives on fear and/or



corruption. This term has replaced "syndicated crime" in police terminology, but the difference in concept must be continuously borne in mind.

I would now advise the hon. member for Riverdale that in this context there are approximately 14 persons charged before Ontario courts who are, in the opinion of my advisers, engaged in organized crimes. There are, in addition, over 25 persons engaged in similar activity charged before other courts in Canada, but outside of Ontario. At the same time, the police are continuing an investigation in the whole area of organized crime, so that further prosecution will be undertaken as the evidence becomes available.

I do not believe, Mr. Speaker, that it would be proper or appropriate for me to discuss particulars of these cases and I do not intend to do so.

**Mr. Speaker:** The hon. member for Brantford (Mr. Makarchuk).

**Hon. Mr. Wishart:** Mr. Speaker, I have an answer for the hon. member for Grey-Bruce (Mr. Sargent) to the question which he asked some time ago and he has been seeking an answer in the House. Perhaps I might be permitted to put the answer on record.

**Mr. Speaker:** Is it agreeable to the hon. leader of the Opposition to do this?

**Mr. Nixon:** Yes it is agreeable.

**Mr. J. W. Snow (Halton East):** Even though he is not here?

**Hon. Mr. Wishart:** It was October 28, Mr. Speaker, while my estimates were before the House that the hon. member for Grey-Bruce enquired as to the purchase of electronic surveillance equipment by my department for the Ontario Provincial Police, and he has asked about this a number of times during the question period. For the fiscal year 1969-1970, the amount provided to the Ontario Provincial Police for electronic surveillance equipment was \$1,090.

Mr. Speaker, on November 10 the hon. member for High Park asked a question. I have the question. The way the hon. member asked it was not a proper statement of the facts. He said:

Did the Attorney General look into complaints that were sent to him in reference to Ontario police making investigations as to the background of individuals in Ontario at the request of the American police department, and send these reports to the American police?

It was the reverse. The request was made by Judge Tuchtie of the Ontario police to look into an American citizen's background. So I wish to advise the hon. member, Mr. Speaker, that the situation I reviewed was the reverse to the one he originally described, but I think we are speaking of the same matter.

It involved a complaint and an allegation received by a judge from an American resident, which was couched in rather extreme language. The judge was concerned as to the validity of the letter and asked the chief of police for Hamilton to make an inquiry to ascertain whether the correspondent did exist.

The inquiry was made in the United States and the judge was advised accordingly. The action of the police force as reported to me was quite proper and the persons who have written to me will be appropriately advised.

**Mr. Shulman:** I wonder if we have two different cases, Mr. Minister?

**Hon. Mr. Wishart:** No, I think it is the same case exactly.

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

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

About a month ago the Minister indicated he would come in with a report regarding a new cost sharing arrangement with the Grand River conservation authority regarding the building of dams. Would the Minister indicate this time if the arrangement has been worked out, if not when will the report be available?

**Hon. Mr. Kerr:** Mr. Speaker, a cost sharing arrangement has not been made as yet. One of the problems is that some of the municipalities in that particular watershed are not anxious to go ahead with this particular programme. That, and the fact a decision has not been made as to whether or not, in the event that the federal government is not in this programme, the province will pay a straight 75 per cent grant.

**Mr. Speaker:** The hon. Minister of Public Works has the answer to a previous question.

**Hon. J. R. Simonett (Minister of Public Works):** Mr. Speaker, I would like to take this opportunity to answer two questions

asked by the member for High Park in this Legislature last Monday.

First, there has been no report sent to our department about the dangers of Sno-Pake, a typewriter correction fluid. In some of the literature relative to safety matters received in our office from the United States, there was reference to the fact that Toluol, the vehicle used in this preparation, was considered toxic.

We did check with The Department of Health on this matter and I am advised that Toluol has a TLV of 200. TLV means "threshold limit value", and I believe represents the parts per million allowable in the human body. This is the same TLV as is given for ordinary varsol, another cleaning fluid. Toluol is used in many commercial preparations and we are advised there is absolutely no reason why the use of Sno-Pake should be discontinued. This is really out of the field of Public Works and I can only suggest that if there are any further questions in this regard, they be referred to the hon. Minister of Health.

The second question was with respect to the last safety inspection by my department within the Ontario Hospital at 999 Queen Street West. May I advise that our safety branch has not carried out safety inspections within any of the Ontario Hospitals. The Department of Health has its own safety inspectors for these institutions in order that they might deal continuously with any matters in this regard which may affect the well-being of the inhabitants.

**Mr. Shulman:** Sir, on a point of order.

Last week the Minister of Public Works rose in this House and said his department did make the safety inspections in the Ontario Hospitals. I challenged him and asked him when the last one occurred. He rises today and says exactly the opposite. Can we not rely on what this Minister says at any time?

**Hon. Mr. Simonett:** Mr. Speaker, when the question was put to me last week I tried to explain that at that time—and I do not think I was misinformed—I thought our people were checking on the state of repair of all government buildings, but I was informed when I went back and talked to our people that these inspections were looked after entirely by The Department of Health.

Now I suppose the Minister can be wrong, but the hon. member asks many questions and twists many questions many times, and

I do not think that we think he is trying to misinform the House. Any of us can be wrong occasionally, and I was wrong on this occasion.

**Mr. Shulman:** But then, sir, as a supplementary question I would like to ask the Minister how this reply fits in with the statement of his Premier, in this House March 12, 1969, when he said:

This Minister's department is responsible for inspecting all Ontario government-owned buildings.

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**Hon. Mr. Simonett:** Mr. Speaker, I think I just explained that. I was of the opinion that we were responsible, too, but I understand now, and I just found this out in the last week, that we are not inspecting Ontario Hospitals—

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, I would like to direct this question to the Premier.

How many high school bands and glee clubs across the province have requested financial assistance to help raise funds to meet their obligations in visiting Expo this coming year?

**Hon. J. P. Robarts (Prime Minister):** I have not the vaguest idea. This is the type of question that should go on the order paper and I will obtain an answer.

**Mr. Good:** Mr. Speaker, the Premier's letter to me today states there are so many that they cannot provide funds for them and I would just like to know how many there are.

**Mr. Speaker:** I think the hon. member's question may probably be put on the order paper or directed to the proper department, rather than being placed in the oral question period as a matter of urgent public importance.

The hon. Minister of Energy and Resources Management has the answer to a question.

**Hon. Mr. Kerr:** Mr. Speaker, this is the answer to a question from the hon. member for Humber that I had promised to get for him. It is an old question:

Has the Minister's staff or the Ontario Water Resources Commission traced the source of the cyanide which is being discharged periodically into the Humber River in the areas of Dundas Street and Scarlett

Road, killing the fish life, as reported to the Minister by this member on June 10 last?

Mr. Speaker, the information I have is that subsequent to the fish kill in the Humber River, staff of the OWRC, The Department of Lands and Forests, and the Metro Toronto works department, jointly conducted an intensive investigation of possible sources of contamination.

Two suspected sources of contamination have been located. One source in the borough of North York has now been eliminated. In the case of the other, located in the borough of York, the industry has been directed to discharge its waste into the sanitary system and not the storm sewer.

An attempt was made to identify a trucking company with black trucks, as indicated by the hon. member, but none could be found. However, from a conversation, the sanitary engineer for the borough of Etobicoke has learned that the borough's work forces periodically clean out their catch basins with a suction truck painted dark green with black trimmings.

The only other thing I can say, Mr. Speaker, is that if the hon. member can provide a name or a licence number for the truck he has observed, we will investigate further. The hon. member also indicated that if we could give him the names of some of the firms that were hauling industrial waste in the area, he might be able to identify the particular truck. There are six companies in liquid waste removal: Accurate Septic Tank Service Limited, John E. Dean Company Limited (Jedco), R. W. Bremner Company Limited, Reg Garbut and Sons Limited, Bulk-Lift Systems Limited, and D. L. Briggs.

Mr. G. Ben (Humber): Is the hon. Minister aware that on October 2, 1969, he gave the first part of his statement as an answer to the question? Secondly, is the hon. Minister trying to keep this thing quiet so we cannot find the culprits? His department did give me the names and addresses of the most likely suspects. Is the Minister aware that the so-called truck that would be cleaning out the Etobicoke basins surely would not also be cleaning out the city of Toronto basins? Lastly, is the Minister aware that by—pardon the vulgarity—shooting off his mouth in here about it, the people will probably be tipped off now?

Hon. Mr. Simonett: Who asked the question here first?

Mr. Speaker: I think probably the hon. Minister has given an answer and the questions now raised as supplementary questions by the hon. member for Humber are not properly supplementary questions at this time. The time has elapsed for the question period.

Petitions.

Presenting reports.

The hon. Attorney General.

Hon. Mr. Wishart: Mr. Speaker, I beg leave to table the Ontario Law Reform Commission report on family law. This is part one, relating to torts.

Mr. Speaker, I think I should just mention we just have a limited number of copies of this report at the moment but we will be getting some further copies printed. I will then make wider distribution to persons interested.

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, if I might.

What constitutes the present distribution? The Attorney General speaks of wider distribution. Will the Opposition members receive—

Hon. Mr. Wishart: What we have generally done is to make the report available to members of the House, and then to commissions and bodies interested, but in certain of our reports we have gone quite beyond that. For instance, we made Mr. McRuer's report available to law firms, and some to judges and to Crown attorneys, so that all would be acquainted with that type of thing.

Mr. Bullbrook: I was just wondering, might the members of this House anticipate receipt of the report before we prorogue?

Hon. Mr. Wishart: I am sorry, I could not hear the hon. member.

Mr. Bullbrook: Does the Attorney General think that we members will get a copy before we prorogue?

Hon. Mr. Wishart: I would think so. We are working on getting them available now.

Mr. Speaker: The hon. Minister of Municipal Affairs.

Hon. Mr. McKeough: Mr. Speaker, I beg leave to present to the House the annual report of municipal statistics of The Department of Municipal Affairs.

Mr. Speaker: The hon. member for Armourdale.

Mr. G. R. Carton (Armourdale): Mr. Speaker, I beg leave to table the report of the select committee on corporation law respecting credit unions.

Mr. Singer: Is that the one we read about?

Mr. Carton: I am glad, Mr. Speaker, that the hon. member for Downsview interjected, because I feel, rightly or wrongly, that there is an explanation due to the members of this House for the advance press stories.

Mr. Stokes: Pure speculation, eh?

Mr. Carton: My sole contribution, and in fact, my only utterances made with respect to this committee have been fourfold:

1. There is a committee.
2. I am Chairman.
3. We have been studying credit unions.
4. I was hoping the report would be printed in time before we prorogued.

Other than that, my contribution has been totally and completely non-existent. Where, when, or how any other material came to the attention of the press is completely beyond my knowledge. I prefer to think that it was done inadvertently, or as the result of some super sleuthing on the part of the press.

Suffice it to say that as Chairman, it is somewhat perturbing to have much of the substance of one's report, whether speculative or factual, appearing in the press prior to presentation in the Legislature. It is anticlimactic to the highest degree, but what is more important, I feel that when this happens, and it does so on countless occasions, an injustice has been done to the hon. members of this House. And for this I apologize as Chairman.

Mr. Speaker, the hon. members are aware, the interim report of the select committee, which dealt basically with the operations of commercial corporations in the province of Ontario, was presented to the Legislature on April 4, 1967, by its then chairman, now the hon. Minister of Mines (Mr. A. F. Lawrence). Subsequently, on July 23, 1968, in the legislative assembly of Ontario, the hon. Prime Minister moved, and the hon. Provincial Treasurer seconded, a resolution, which read in part as follows:

That a select committee of this House be appointed to continue the inquiry and review of the law affecting the corporations in this province as reported on by the select committee of this House appointed on June 22, 1965, and re-appointed on July 8, 1966, and in particular, to inquire into and review the law relating to mergers or amalgamations, the rights of dissenting shareholders in the event of various funda-

mental corporate changes, the purpose, function and scope of the annual return, the field of corporation finance, the law relating to the protection of the creditor, and the dissolution of the ordinary commercial corporation in Ontario.

And further, to inquire into and report upon such specialized types of corporations as insurance companies, loan and trust companies, corporations without share capital, credit unions, finance and acceptance companies, co-operatives, and extra-provincial companies together with the legislation of other jurisdictions relating to the same matters—

As members can see from our terms of reference, apart from some tag ends relating to the commercial corporations, we were re-constituted to study and bring in reports dealing with specific types of corporations such as credit unions, co-operatives, financial companies, insurance companies, trust companies, extra-provincial companies, and so on.

The committee, having regard to the time limitations imposed by the ever-increasing length of our present sessions, entered upon its task and has now completed its first phase—namely, credit unions. The report itself is quite lucid, and enables even the most uninformed, upon reading it, to grasp the problems involved and trace the recommendations reached by the committee.

Credit union members today are demanding an increasing variety of services, and the future development of the credit union movement depends upon its ability to offer its members comparable services now available in competing financial institutions. If the credit union movement is not to decline in Ontario, it must be enabled to compete effectively with other financial institutions, which through a growing flexibility in the extent and manner of their competition, are already making inroads into the consumer financing field.

On balance, the committee was cognizant of the overriding importance that the expansion of services should not jeopardize the investments of the members, and that the financial stability of credit unions be ensured in the public interest. This has been accomplished, I believe, in the recommendations of the committee as set out in this unanimous report of the tri-partisan committee.

In conclusion, I would be most remiss were I not to add a spontaneous note of appreciation and gratitude to the members of the committee who functioned as a unit throughout its deliberations. Together, we have experienced an educational and stimulating study. I am proud of the report and prouder still to have been associated with my fellow legislators in my capacity as Chairman.

Equally rewarding was the opportunity to work with our eminent counsel, Mr. John W. Blain, QC, our research director, Saul Schwartz, and our secretary, Frances Nokes.

Mr. Speaker, I, therefore, table this report on credit unions, hoping that it will meet with the approval of all concerned, and trusting that it adequately reflects our in-depth study of the credit union movement and its contribution to our economic way of life—that, in effect, it will encourage the growth and consolidation of the credit union movement.

Mr. J. Renwick: Mr. Speaker, I would not want the occasion to go by without expressing, I am sure on behalf of the other members of the committee, our appreciation of the very able way in which the member for Armourdale conducted the committee and worked toward the production of this report. I think it will turn out to be a landmark in the law relating to credit unions and I wanted simply to express the appreciation of the members of the committee to the chairman for the work which he did in connection with it.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I would be glad to join with the member for Riverdale in thanking the member for Armourdale for the fine job he did. Despite the fact he said that he did not do too much, he was very modest; there is no question that the member for Armourdale was a very good chairman to work with and to work under. I also want to compliment the staff that he retained; they were an excellent staff.

In reading the report I noticed that it was exceptionally well written, and I think it is one of the finest written reports that I have seen brought before this House. I want to congratulate both the chairman and the staff that worked so hard.

Mr. Speaker: The hon. Minister of Trade and Development.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I would like to table a return to a motion given by the hon. member for Windsor West (Mr. Peacock) earlier in the session.

Mr. Speaker: Motions.

Introduction of bills.

Mr. J. Renwick: Mr. Speaker, before the orders of the day, could I ask the House leader if Bill 234, An Act relating to Landlord and Tenant is, in fact, reprinted and

the books, and may we expect it to be called today? I could not find a copy of it.

Hon. Mr. Welch: I am advised that it arrived just at the time of the opening of the House and will be in the books sometime during the course of the afternoon.

Mr. Speaker: Orders of the day.

Clerk of the House: The sixth order; House in committee of the whole, Mr. R. D. Rowe in the chair.

#### THE CHILD WELFARE ACT, 1965

House in committee on Bill 243, An Act to amend The Child Welfare Act, 1965.

Mr. Chairman: Bill 243, An Act to amend The Child Welfare Act, 1965. We were considering certain amendments which were moved by the Minister. Any further discussion on the amendments?

Mr. J. Renwick (Riverdale): I only have a very brief comment. I took some time on Friday speaking about it. I assume that the Minister is not prepared to withdraw his amendment and substitute the one that we had recommended.

I think, to put the difference between the two amendments concisely, that the Minister's amendment provides for a 30-day period at the beginning of the process from the time of Crown wardship being established until notice of intention to adopt is given. The amendment which we proposed would have given a longer period of time, and at the end of the period, about the time when notice of intention to adopt is given, proceedings could still have been taken.

In our view, this latter proposal is much more acceptable, because, first of all it covers the Mugford case; and, secondly, rather than arguing the matter at the beginning of the period, on the basis of the facts as they then existed our amendment would have permitted an actual change of mind because of a change in circumstances. For those reasons we will oppose the amendment proposed by the Minister and again ask him if he would accept the amendment which we proposed.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman it appears that the discussion on the Minister's amendment is drawing to a close and I want to say something myself about the positions that have been put forward.

I could not help but feel, particularly on Friday, that a certain degree of emotionalism that was not really consonant with the kind of decision we were expected to make here, had crept into the debate.

We, in our party, have been assessing the arguments put forward by the Minister, and those that have been put forward by the hon. member for Riverdale, because we feel that certainly this is a matter that has very important ramifications for those parents who have accepted the responsibility of adopting children under the statutes of the province, and who have very far-reaching responsibilities because of that.

We are trying to achieve a balance in this House between the responsibilities of the adoptive parents, and certainly our responsibility to provide every opportunity for the natural parent to make up her mind—or their mind, in a few cases—without any undue pressures.

Obviously, it is so easy to say that we are trying to legislate in the interests of the child, but this does not contribute anything to the discussion other than perhaps to infuriate those who have a view different from our own. We, on this side, are prepared to support the Minister in his amendment, because we feel that at least he has come down in some position which attempts to achieve a balance between these conflicting rights.

I was quite struck by the statement made by the lawyer who was appearing for Miss Mugford in this case, in which it was his view that the natural parent should have an unlimited right to reclaim the child without this being cut off at all. There is no doubt that, as the hon. member for Riverdale has said, circumstances do change. And I am sure that there are a large percentage of cases where a baby is given up for adoption where, in the months to follow—perhaps in the years to follow—the circumstances would change—and the mother would regret this decision. But there must be a cut-off. We must consider the feelings and responsibilities of the adoptive parents as well.

I know these are not being set aside by anyone here. But, on balance, we feel that the emphasis on the responsibility of the children's aid society in assisting the young parents, or the parent, in making the decision to put up the child for adoption, or to retain the child herself, must be relied on.

I have been a bit shocked, as a matter of fact, to hear things said about the fact that some of the children's aid societies are in-

competent in this regard. This is something that I trust does concern the Minister very deeply—since, if we cannot rely on this organization to give good advice, and we are thrown back on our own predispositions in this regard, then I think we are approaching a situation that is chaotic.

I am quite prepared to accept the statement from those who are very knowledgeable in this field—that the children's aid societies vary in their competence and their attitude. We, in this House, have set them up with great responsibilities in the community which we are prepared to support with our trust, and our dollars, and which the Minister must himself be responsible for.

So I think a position that is viable is one that supports the government's position, which does set up a point beyond which the adoption is final. While it may be too soon, on the other hand there have been no alternatives offered, other than just a small change in time or an arbitrary change in the time. We have to count on the Minister and the children's aid societies in taking this tremendous responsibility of advising the young mothers, not from any position of prejudice, but from a position of surely a sensitive reading of the realities of the individual case.

So for these reasons we are in a position, with some reluctance, to support the government's amendment.

**Mr. J. Renwick:** I want to just comment because of what the leader of the Opposition has stated. I take it that the Liberal Party is going to take the position that they were prepared to have the Mugford case, or any future case similar to the Mugford case, in the position that it would not be able to come before any tribunal; and that, therefore, they are consenting with the Minister to the reversal of the Mugford decision?

**Mr. J. E. Bullbrook (Sarnia):** That is not correct at all.

**Mr. Nixon:** And the member knows it.

**Mr. J. Renwick:** I am simply saying that he is consenting to the reversal of the Mugford decision because the amendment proposed by the Minister would not, in similar circumstances—

**Mr. Bullbrook:** We are telling the member what we think.

**Mr. J. Renwick:** —in the future, permit a person in the position of Sylvia Mugford to reclaim her child.

The second point I would like to comment about is this: I do not know whether the leader of the Opposition did not understand our amendment—I thought we had furnished him with a copy of it—but our amendment very clearly does establish a cut-off date. Any cut-off date must be arbitrary. The Minister's is arbitrary, ours is arbitrary. But there is no question whatsoever that the position of this party is that only in relation to a 30-day period around the time of notice of intention to adopt, would there be any procedure by which Crown wardship could be terminated.

We have not in this party related it to any extended period of time. We think in most cases, in most cases—in fact the situation is not going to arise, but in those cases where it does arise, we believe that the additional area of latitude which was provided in our amendment, is a very sensible and intelligible solution to the necessity of providing that kind of arbitrary period.

We think it is a sensible and a reasonable solution because it specifically provides for giving notice to the natural parent whose rights were in fact, at some point in the very near future, going to be terminated, to allow that person a final opportunity to reassess the position. That is the position which we have taken throughout this matter and I just wanted to clarify it in the light of the remarks made by the leader of the Opposition.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Chairman, I do not intend to reiterate the remarks I have made, although it will be my intention to issue a statement so that the public clearly understands what this Legislature has done. There seems to be understanding on this side of the House, there is understanding in the official Opposition side, but either there is a complete misunderstanding or a lack of a desire to understand on the part of the NDP as to what we are doing.

**Mr. J. L. Brown** (Beaches-Woodbine): The Minister does not want to give them the benefit of the doubt!

**Hon. Mr. Yaremko**: I was very interested in a resolution passed by the NDP provincial council over the weekend.

**Mr. Nixon**: Is the Minister sure this is going to add anything to the debate?

**Hon. Mr. Yaremko**: It says, "The NDP Endorses Plan for Adoption Limit," and I thought that finally they had understood what was involved. I say that a vote for this

amendment is a vote for the child and the children involved, and that is the primary consideration.

**Mr. J. Renwick**: Mr. Chairman—

**Mr. Nixon**: See what you have done? We are now going to have a full afternoon's debate.

**Mr. J. Renwick**: You know, if anybody else stands up to comment about the NDP position on this matter and indicates that we do not understand what we are talking about, then this debate will go on for a considerable period of time.

**Mr. G. Ben** (Humber): Why? Because the NDP does not understand?

**Mr. J. Renwick**: What we are saying to the Minister is that if there is one thing that we do understand about this amendment, it is that it reverses the Mugford decision. The Minister's amendment precludes a situation similar to the Mugford decision coming out.

I am not going to enter into a long discussion about how much we understand or how much we do not understand. Some of us from this caucus were in attendance at the meeting at which the resolution of this party, a very proper and appropriate one, was passed. We did not base our comments on a news report of it. At their request this morning we furnished a copy to some members of the government party so they would understand the resolution specifically passed at the provincial council meeting of this party. It is totally in line with the amendment which we proposed. It also faced up to a very difficult situation.

Again I say to the Minister, and I say to the Liberal Party, that this particular amendment prevents in the future, a situation similar to that in which Sylvia Mugford found herself. Therefore, we believe our case to be more reasonable, more intelligent, more flexible and more in line with the same contention that we had to fight the Minister about, regarding boards of review, that if people are going to have either rights granted to them or their rights curtailed, they are entitled to get notice of it, and to have a reasonable period of time after that in which to make up their minds as to what they are going to do.

If there is anything unreasonable about that or if the Minister thinks that somewhere in his bill there is provision for that kind of notice, then I think he should stand up and explain it to us. We clearly understand

what the Minister is doing; we clearly understand that when he originally introduced the bill, he then had to come forward with another amendment because of the points which we raised, and it does not lie well in the Minister's mouth to tell us that we are not aware of what the bill which he introduced and had to amend on the floor of the House, has accomplished.

**Mr. Bullbrook:** But it lies in the member's mouth to tell what the Liberal Party thinks. It is good for him, but not good for the Minister.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, up until this time I think it goes without animadversion that the child welfare legislation of this province, since about 1965, if you consider only the two contending parties, has been weighted heavily in the favour of the adopting parents. The Mugford decision raised grave doubts as to the wisdom of that particular policy. And the amendments, both of the amendments before you, acknowledge that there must be, perforce, a cut-off date. No one is being unreasonable about that. Everyone accepts the time of adoption as being conclusive and final and no further step taken, at least as far as this side of the House is concerned.

The real quarrel comes as to what other date, in reference to the Crown wardship situation, will be relevant and come into effect. It is the feeling that probably this whole issue cannot be resolved, at least it is my feeling that it cannot be resolved, on the floor of this House conclusively. And I have reason to believe the Minister would agree with this.

It is precisely the discretion, intelligence and sense of justice of the children's aid society in its administrative function, that will balance out the chagrin, the grievance, or the heartache that may be caused to either the natural parent or the adopting parent.

If there is a real reason, even a suspicion, not too strong either, on the part of a children's aid society that a natural parent has severe reservations, is under undue stress, and may subsequently call and beg for the return of the child, then it would be the better part of discretion of the children's aid society not to go forward with an adoption until a considerable period of time has elapsed, until this feeling of natural rapport has worked itself out one way or the other.

The problem in the Mugford case arose because of the precipitate action on the part

of the Ottawa children's aid society. We are not having that difficulty in the Metropolitan Toronto jurisdiction. Therefore, our argument here is somewhat academic. But we are obliged to set some limitation and some date; and we find here that there would be adopting parents who, in place of a possibility of the Crown wardship being questioned on a notice of intention, would, nevertheless, be prepared to take that chance and risk. The possibilities would be weighed by conversation, and even in face of it they would no doubt say, "No, we will take the child, and are well understanding that the natural parent may come forward in that interim time." It is not, I have resolved for myself, preclusive of adoptions, or of adopting parents, taking the child for this little period of time, which would be at the very greatest extent, 30 days.

Mr. Chairman, there is another aspect. The Minister turned to the appeal provisions, finally spelling them out as to what the time limitation on this sort of appeal would be under section 36, which he said he understood would be 30 days—even as the previous legislation stood—but to make the doubtful doubtless, he has now embodied it in black and white, and the grounds for the appeal from the initial Crown wardship may very well be completely different from the type of grounds which we have in mind and envisage.

The grounds for appeal would be restricted to what the appeal disclosed, not to subsidiary or to other matters that came to pass in the interim which may be crucial to the interests of the natural mother. The Crown wardship is taken with too great facility and with too much speed, and if taken ten days after the birth of the child, or shortly thereafter, the type of evidence and the general résumé presented to a court, upon which the appeal which you are setting forth is erected, may be sorely circumscribed.

Within the next period of time, while the child is still the ward of society and not out for adoption, or even up for adoption, numerous other grounds of great weight and moment may come to pass. Under your legislation the natural mother then is again precluded. I think we need a stretch of time here without impinging upon the rights of the adopting parents, and at the same time substantially protecting—to the length that is deemed discreet and possible in this House—the rights of the natural parents. We, in a real endeavour to balance out the weight and gravamen, and the inevitable heartache that is involved in this thing, have sought this middle ground.



This is not an extreme contention that we are making. On the contrary. All of us are talking about a 30-day period. The only questions are when does it run from? And what are the rationale that may be introduced before a judge to review the weight of the natural parents' contentions—their need, and their sense of loss, on the one side of the fence—against a very foreshortened and certainly more arbitrary determination such as is envisaged in terms of your amendment.

I think there is more merit, on the overall balance and in a completely objective way, to what we are proposing in this regard—in balancing out the various interests of the party, and of course, always the ultimate, best interests of the child, that the child in these circumstances is not its own spokesman, and that there are other social forces operative even then which do redound immediately upon the best interests of the child.

It is felt that the best interests of the child lie with the natural parent. Everyone seems to accede ultimately to that particular thought. And, at the discretion of the judges, we have embodied it in our amendment—as we say, “specifically in the best interests of the child”—and when it is presented to the judge, then the future and destiny of this child will be looked after.

The matter is always subject to judicial review. It is simply a question of what space of time, what amplitude, will you give to hearing the complaints, justified or unjustified, of a legitimate parent of the child, in going before the judge, should there be any question raised.

Again I say, I think you have foreshortened it unduly. Why this weight should fall in this particular direction of your latter legislation puzzles me somewhat. It may be because of the social difficulties in obtaining adopting parents. But I understand that that is not so. Perhaps with Catholic children to some extent, but I understand in the other—

**Hon. Mr. Yaremko:** I can tell the member that the problem is to find adoptive parents and adoptive homes.

**Mr. S. Lewis (Scarborough West):** Well, this is not inhibitory of that. Do something with your department.

**Mr. Lawlor:** If such is the problem, I can hardly think that the Minister can argue validly, if at all, that this is inhibitory of adopting parents.

What we are proposing, it seems to me, is eminently reasonable on the part of any

adopting parents. First of all, if the children's aid society has doubts, then do not let the child out for adoption. Secondly, if the child is let out for adoption, then the adopting parents are well informed that they may delay the 30 days, if they wish, from the notice of intention to adopt, before taking the child into their actual care. And let that time efflux before so doing—which would not cause any grievance or a false rapport to be built up between adoptive parents and child.

Most adopting parents, in my opinion, will do so. They say, no, we will take our chances, we will adopt, and we will bring the child into our home, well understanding that there is a possibility that a natural parent will come forward; because this would be subject to the review of the courts in which, I am certain, we can place our trust in this regard.

In the Mugford decision, by and large, the full panoply of 13 judges, men of great astuteness and men of great goodwill in this regard, seeking to resolve this kind of social ill, so well did—and against the weight and against the intent of your present legislation.

**Mr. Chairman:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** I think that I have information pertaining to this very situation we are discussing in this amendment, and which I feel I should offer today for the committee's consideration.

**Mr. Chairman:** On this amendment?

**Mr. Knight:** On this amendment—exactly, sir.

**Mr. Chairman:** Is it on this amendment, not on the principle? The principle of the bill was decided on second reading after thorough debate. It is just simply this amendment which we should be discussing today.

**Mr. Knight:** It is discussing this amendment which, as I understand, says there should be a 30 day cut-off period, a 30 day minimum for the natural mother to make her decision. And if, as the member for Riverdale has suggested, by supporting this amendment I am in favour of reverting the decision of the supreme court, then I am. In this entire case I have not heard anything said about the effect on that little boy in this case, the child.

I have personal experience, sir, as to exactly what the effects are on a child who has been passed from home to home—because I have had such a child, and it is most serious, sir. I think it should be taken very much

into consideration, at this time, as we are voting on this amendment. A child who has to sort of establish security, and renew that security with each set of parents, as it were, becomes a very confused and a very insecure child.

I think this is very important, therefore, that a definite time be established—let it be 30 days if you wish—and that, after that, the children's aid be able to go forward and find a home for this child, to find continuous security for that child.

But from discussing this matter with certain people in the children's aid society, whom I respect very highly—extremely dedicated people with whom I worked—I find that now the custom is to wait, possibly two months, before putting the child out, although the law may say 30 days; you may very well find when it comes down and is put into practice, the natural parent may very well have 60 days rather than 30 days. But I think we have to give the people involved, the people that are doing the job, the people who are administering this Act, flexibility to bring all sides together.

My interpretation of the children's aid attitude toward this, is that all are worthy—the natural mother, the child, and the adoptive parents—and all of them must be taken into consideration.

Granted, the priority of their importance may change as time goes on. First, it is the natural mother, who has top priority; then it is the child; and then the adoptive parents come into higher priority.

So I am going to support the amendment, sir, because I do feel that, under this legislation, the natural mother does have sufficient time. I am satisfied, in my own mind, that the way in which the children's aid society is putting this legislation into practical application, is the right one. It protects the natural mother, and, at the same time—because I believe that there has got to be a cut-off period—there has got to be a time when we can say, "Okay, that is finished, now we must go forward with certainty in the interests of the child."

I am going to support the amendment.

Mr. Chairman: The member for Humber.

Mr. Ben: Mr. Chairman, it is only now that I have had an opportunity to look at this proposed amendment, and frankly it is just obfuscation. It does not accomplish anything.

It does do one thing; it obscures the meaning and the sense of that particular section—

Oh, which amendment is on the floor? This is not on the floor?

Interjections by hon. members.

Mr. Ben: I am sorry. I would just say this, Mr. Chairman, if this discussion has revealed anything it has revealed one thing at least to me, and that is that no child should be made a ward of the children's aid society—that is, that no child should be committed as a ward of the Crown without the intervention of an ombudsman or the official guardian—or if you want to call it by any other name, a devil's advocate. A child should not be committed *ex parte*.

Mr. Lewis: You are quite right. That Crown wardship should be looked at—

Mr. Ben: Perhaps, Mr. Chairman, you are going to step on me for being out of order; but I am convinced, on reading this, that no child should be committed as a ward without some outside party intervening on behalf of that child and parent or parents known or unknown if they are not present.

Mr. Chairman: The member for Sarnia.

Mr. Bullbrook: Mr. Chairman, I wonder if I might say a few words in connection with the amendment. I rise to not wholeheartedly support the amendment because I think it goes without saying even those who speak from what is purported knowledge and with such vigour themselves must have some degree of concern as to the propriety of their own thoughts.

I am sure the hon. member for Riverdale and the hon. member for Scarborough West have availed themselves of the opportunity, as I have over the last week, of attempting to talk to people knowledgeable in the field. I have spoken to Mr. Foreman, who is the solicitor who acted on the case.

I wonder if I might amplify some remarks I made a week ago Friday but relative to the amendment brought forward by the Minister. I was under the impression, and I believe it was a matter of policy—and I hope I do not disclose any confidences in saying that it was the intention of this department pursuant to a question I put to the Minister in this House about two weeks ago—that The Child Welfare Act would be taken outside its present exemptions under The Summary Convictions Act.

This is my understanding, and there therefore would be an appropriate appeal provision provided in connection with what

was intended to be implemented by the Minister so that the remarks I made were under the assumption there was to be an appeal period. I entirely agree with any remarks that have been made in this House that the position of the natural mother should not be terminated without any right of appeal.

To do otherwise, Mr. Minister, through you, Mr. Chairman, would be abhorrent, but I thought we had a meeting of the minds in this connection and that is why I unequivocally supported the Minister's original proposal to amend the Act, that is the bill itself, but it is much better to have law than a hope for law and you have seen fit to codify now your intention as to an appeal provision, and so I therefore—

**Mr. J. Renwick:** Would the hon. member permit a question?

**Mr. Bullbrook:** No, I will not. I am just going to have my say and then I am going to sit down. I therefore further support the bill as amended and therefore the amendment.

But I want to say this to you: I am always taken in this House by the rational approach—sometimes a lengthy approach but a rational approach—taken usually by the member for Lakeshore, and I avail myself on many occasions outside this Chamber to discuss with him the implications of various statutes as we see them. I would, with respect, point out to him that the appeal as I understand it will be an appeal by way of trial *de novo* and it is inherent in that very procedure that the rights and relationship and ability of the parties at the time of the trial *de novo* are the salient feature. So that in assessing the protection to the child, as is required under this particular section of the Act, the judge at that time, as he did in the Mugford decision, will look at the position of the natural mother at that time. It then becomes a question of what is the appropriate time.

**Mr. Lawlor:** Are you sure it is a trial *de novo*?

**Mr. Bullbrook:** That is my understanding and I am subject to correction, that is why I tried to make it not dogmatic.

**Mr. J. Renwick:** It is *de novo* under section 36, not trial *de novo* under section 31.

**Mr. Ben:** Hearing *de novo*!

**Mr. Bullbrook:** There still is the right to look at all the ramifications as far as the natural mother is concerned, and the welfare or protection of a child is concerned, under

that section at the time of the initiation of the appeal. Those are the considerations inherent in the original application as I understand it, for the creation of the Crown wardship. I think that if circumstances have changed in the intervening period then the judge on trial *de novo* has every right to look into those changed circumstances.

The key consideration that comes to my mind is this. We say 30 days. Some people say 90 days, some people say six months. We have to terminate sometime the position of the natural mother and it is very strange to me, Mr. Chairman—this might have been mentioned previously—that we are throwing this section in under section 31 really, which affects more, as you are aware, of the rights of children born out of wedlock.

I think perhaps in a re-evaluation of this entire statute we might bring your amendment into a more appropriate section relative to children born out of wedlock, because the effect of this particular amendment also is to affect the rights of natural parents—mothers and fathers—relative to creation of Crown wardships in circumstances be they out of wedlock or not. The Mugford decision does translate itself into one other thing—if I might, the entire statute requires a good looking at from all points of view.

I think you probably agree in this respect but the point I want to make prior to sitting down is this, and it concerns me as someone not well versed in the implications of the statute, I want to say this to you. We have to pick a time, in my opinion. The proposal that would have been made by the hon. member for Riverdale or his colleague from Scarborough West, in my opinion, has two great failings and the first is that it might well inhibit—and this is the key—it might well inhibit adoptive parents.

It is all well and good to be concerned for the right of the natural mother, and I respect very much the knowledge and concern expressed by the hon. member for Beaches-Woodbine in this regard, but the fact is that surely to goodness from a practical point of view, when you are going to ask a couple to take a child into their home with the hope that there will some day be filial relationship extant and undertaken by them, that you cannot shroud them with the thought that sometime in the future, no matter what length of time is, they might be faced with a response from the natural mother saying: "No, that situation must be severed."

The hon. member for Port Arthur again hit the nail on the head. One hesitates to

dwelt on this, but he has personal knowledge and he expresses great personal concern.

That is we have got to consider the welfare of the child! One has to consider that if perchance there was a relationship of three, four, perhaps five months established between parents hoping to adopt a child and the child himself or herself, and that that might be severed as a result of some initiation on the part of the registrar, I think is an unbearable thing for adoptive parents to contemplate. And while one recognizes the sincere concern expressed by some members on the left, I certainly advocate the position taken by the leader of our party that the position, although arbitrary at 30 days, is a reasonable period.

The adoptive parents and the child himself surely must be able to be assured of a relationship established without this, as I say, hanging over their heads.

Mr. Chairman: The question then. All those in favour of the Minister's motion to amend, will please say "aye". All those opposed, will please say "nay".

In my opinion, the "ayes" have it.

Call in the members.

Mr. J. Renwick: Mr. Chairman, we would be glad to wait until the end.

Mr. Chairman: Before we vote on this, it has been indicated that we should stack any amendments. Are there any other questions, comments or amendments to any other section of the bill?

Mr. J. Renwick: Yes, I have a comment on what is now the third section of the bill, that is the second part of the Minister's amendment. I make the comment because of what the member for Sarnia said about this question of the appeal being a trial *de novo* and I simply point out that under this, section 36, with the amendment the Minister has now brought in, will be on appeal a trial *de novo*.

That, of course, does not make the original appeal on the question of terminating the Crown wardship a trial *de novo*, as I understand it. If I am wrong, perhaps the Minister would comment on it.

Hon. Mr. Yaremko: There are two aspects. One is that there is a court hearing for an order of the Crown wardship. This section 3 states the procedure for the appeal from the order of the Crown wardship. But back in section 1, there is still provision for an

application for termination of the order under section 31.

So that there are two courses open to the natural parent; one an appeal in which there is a trial *de novo* and any evidence which was available, but which was not put forward before the court can be introduced. Under section 31, if there is a change of circumstances, then those change of circumstances can be announced.

Mr. Chairman: Any other questions, comments, on any section?

All those in favour of Mr. Yaremko's motion will please rise.

All those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 57, the "nays" 18.

Mr. Chairman: I declare the motion carried. Shall the bill, as amended, be reported?

Bill 243, as amended, reported.

#### TORONTO HOSPITALS' STEAM CORPORATION

House in committee on Bill 230, An Act to incorporate the Toronto Hospitals' Steam Corporation.

Mr. Chairman: Bill 230, An Act to incorporate the Toronto Hospitals' Steam Corporation. Are there any comments, questions or amendments?

Hon. T. L. Wells (Minister of Health): Mr. Chairman, I would like to move two technical amendments to two sections of the bill. Should I do it now?

Mr. Chairman: Which sections?

Hon. Mr. Wells: Section 11 and section 15.

Mr. Chairman: Is there any discussion or questions before section 11?

Mr. Ben: Yes. Why are you bringing in a bill when the stack is already as high as the tower of Babel?

Hon. A. F. Lawrence (Minister of Mines): Do you not ever get here for second readings?

Mr. Chairman: Anything else before section 11?

Mr. Ben: No, I was downstairs.

Hon. Mr. Wells: Before section 11, Mr. Chairman, I might say that I did give the

assurance to the hon. member for Humber that I would look into the matter of air pollution, and I am informed by people in the hospital services commission and in The Department of Energy and Resources Management that there is practically no sulphur dioxide emission from the gas fuel that will be burned in this plant. There will be a very slight emission perhaps when the oil is used at the intervals that it is used—perhaps one month in the year.

**Mr. Chairman:** Section 11, Mr. Minister?

**Hon. Mr. Wells:** Section 11, Mr. Chairman.

I move that clause (a) of section 11 of this Bill 230, be deleted therefrom and the following clause (a) be substituted therefor:

(a) Subject to subsection 2 of section 9, the powers conferred on a company incorporated for the purpose of owning, operating, or supplying a public utility under The Public Utilities Act, provide:

(1) the corporation shall notify in writing the municipality or authority on which duty to repair has been imposed, and the municipality or authority having jurisdiction over any highway, public lane, or public communication on, over, under, or across which the corporation proposes to put down, place, install and maintain conduits, pipes, wires, poles, rods, cables, transformers, machinery, apparatus, devices, appliances, equipment, materials, structures or works, and submit to such municipalities or authorities its plan therefor;

(2) such conduits, pipes, wires, poles, rods, cables, transformers, machinery, apparatus, devices, appliances, equipment, materials, structures or works as the corporation deems necessary or desirable on, over, under, or across any public highway, public lane or public communication, shall be put down, placed and installed in such location and manner as the municipality or authority on which duty to repair has been imposed and the municipality or authority having jurisdiction over any such highway, lane, or public communication, may direct, and such highway, lane or public communication restored to its former state, and any dispute between the corporation and such municipalities or authorities as to their location and manner of putting down, placing and installing shall be referred to the Ontario Municipal Board to be determined, and the decision of the Ontario Municipal Board shall be final;

(3) the incorporation shall indemnify and save harmless the municipality or authority

on which duty to repair has been imposed, and the municipality or authority having jurisdiction over any such highway, lane or public communication against, from and for any and all damages, claims, losses, costs and expenses sustained or incurred by reason of the negligent use, operation, maintenance, installation, placing and putting down of the conduits, pipes, wires, poles, rods, cables, transformers, machinery, apparatus, devices, appliances, equipment, materials, structures or works by the corporation, its agents, servants, employees, contractors and sub-contractors.

**Mr. Chairman,** the purpose of this is to assure any work done by this corporation will dovetail with the work being done by the city of Toronto and the municipality of Metropolitan Toronto. In other words, both the corporations will have the right to see where these works are going to be done on any public streets or thoroughfare and they will have the chance to dovetail them together so that we will not see the common complaint where the roads are dug up one day, paved over and then dug up the next day for some other service.

**Mr. Nixon:** Mr. Chairman, might I ask the Minister if he can give specific authority to the planning department of the metropolitan area in this connection, or who has the final authority as far as the decision to change the nature of the works?

**Hon. Mr. Wells:** The nature of the work here?

**Mr. Nixon:** Yes.

**Hon. Mr. Wells:** It would be the corporations of the municipalities—not the planning boards but the corporations.

**Mr. Chairman:** Shall the Minister's motion carry?

**Mr. Ben:** Just a second, Mr. Chairman. It is very facile of the Minister to bring such an amendment saying he is going to do this and this. Experience has proven that it is not so.

**Mr. R. Haggerty (Welland South):** Right.

**Mr. Ben:** One of the most deploring and depressing sights in the city of Toronto—and I am not going to speak for the other municipalities that make up Metro Toronto because I am not that familiar with them—but one of the most depressing sights of the city of Toronto is to see a newly laid roadway

being dug up to put down public utilities, and this notwithstanding that they have what they call a public utility co-ordinating committee in the city of Toronto which is supposed to co-ordinate the activities of utilities with the works department of the city of Toronto.

You can cry and you can scream and you can wail as much as you like that the taxpayers are entitled to have their roadway at least cool down before it is dug up. But no, the public utilities feel they are beyond the control of the elected people, because there is nothing in the Act to control them.

The only way this will work is if you give a right to the municipality to simply veto any expansion of facilities of these utilities unless they have given adequate notice. In this particular instance it should take the municipality at least two years of planning before they can be submitted for budget purposes, so I suggest the public utilities should be under the same obligation.

But just having them submit a plan to a municipality? So what? They submit a plan and they figure that is open sesame, that they can just start opening the streets and sidewalks, and the byways of the municipality, and lay on their conduits, anywhere they please, because they have this power.

If this government wants to control these utilities it will not do it by this sort of Act. It should compel all the public utilities in a built-up area to build public utility tunnels so that all of them are centred in one area. One only has to look at the diagram of the underground portion of King and Yonge Streets, of King and Bay Streets, to get an idea how all kinds of services and conduits criss-cross all over the place.

This is what is going to happen if this amendment is carried. All they are going to do is submit their plans saying they have completed their obligations under clause A of section 11 of the Act, whatever it is going to be called, and the municipality cannot do anything to them because this is all they have to do under this amendment—submit their plans and indemnify the city for replacing any roadbed, and so on. So what?

Go along Bloor Street just after you cross the Humber bridge travelling east. There was a beautiful road there and the asphalt had not even hardened when along came the gas transmission people and began cutting out these graves from the bridge all the way up to South Kingsway.

So the utility repaired it! As a matter of fact, in the city, utilities do not repair; what

they do is pay the city to repair and maintain the excavations for the sum of \$2 a square foot, if my memory serves me correctly, and thus the city assumes responsibility. That is another deplorable thing, the way the municipalities take the utilities off the hook. Anyway, there was a newly laid road bed, all cut up, and you could see these patches running all the way from the Humber River up to South Kingsway.

**Hon. A. F. Lawrence:** Have you read the amendment?

**Mr. Ben:** Certainly I read the amendment; all they are required to do is give them notice and then indemnify them!

**Hon. Mr. Wells:** No, no!

**Mr. Ben:** Where is there a prohibition? Where can a municipality refuse to permit them to lay those utilities? Under The Public Utilities Act they cannot!

**Hon. Mr. Wells:** Well, Mr. Chairman, in section 2, in the middle, it says, "In such location and manner as the municipality or authority on which duty to repair has been imposed".

**Mr. Ben:** Now, you show me, Mr. Chairman, and you have my permission to ask the Minister to quote you if you wish, where in The Public Utilities Act, or in this amendment is it stated that a municipality can say to the public utility, "No, you cannot put your utility system down".

**Hon. Mr. Wells:** Right there!

**Mr. Ben:** No sir! It just tells the municipalities that all they can do is say, "We do not want you to put them there; put them there, over there". But they cannot stop them. They have absolute right, in The Public Utilities Act to dig holes and put in those services, and no one can stop them.

**Hon. Mr. Wells:** Let me ask the member: If the city of Toronto agrees with this amendment will you agree with it?

**Mr. Ben:** No, I will not agree with it, even if the city of Toronto agrees with it; because for the last 10 or 15 years the city of Toronto has had the greatest collection of nitwits running its council—

**Hon. A. F. Lawrence:** When were you there, George?

**Mr. Ben:** This is prime evidence of that fact, that they would permit such a thing to go through!

They take taxpayers' money, they spend it for rebuilding roadways and sidewalks, and then, as I say, before a year is up they permit utilities to come in under legislation passed by this government and tear up their sidewalks.

Surely at some time in their existence they ought to have a sidewalk or a roadway that is not full of patches.

Bay Street! How many of you here, when they walk down Bay Street—perhaps it is only the Minister of Mines and a few others—how many of you can recall walking down Bay Street without having to walk around at least one obstruction which entails breaking of the sidewalk or breaking of the roadbed? How many of you can recall one instance in your life? You tell me the date!

**Hon. A. Grossman** (Minister of Correctional Services): I can. Half a dozen times—on June 10, 1958, for example, and on August 15, 1959.

**Mr. Ben:** Well, you could remember, you are about that old!

**Hon. Mr. Grossman:** You are silly, George!

**Mr. Ben:** Can anybody here tell me that in the last 20 years Bay Street was ever in a condition that there was not at least one excavation going on? Why? It is because you pass laws like this!

**Hon. Mr. Wells:** Mr. Chairman, I would like to say that I of course agree with the hon. member, he is really speaking in favour of the amendment. I agree with him. I do not like to see a road newly paved and then torn up a month later for some more work to be done, then patched, and then torn up a month later. The plain, simple facts here are that the reason I have moved this amendment is that under the original section 11(a) this corporation merely had the same powers as under The Public Utilities Act. We talked, since the printing of this bill, with the city of Toronto and their solicitors, and they felt that while the provisions were perhaps adequate, they would like something more definite. So we wanted to put in something more specific and to do exactly what the hon. member has suggested to make it so that the corporation would show where they are going to put their services and would dovetail their work with the work to be done by the city and have them installed in a manner that would be acceptable to both the city of Toronto and Metropolitan Toronto. This is why I am moving this rather lengthy amendment at this time to try and do this on behalf of the solicitor of the city of Toronto

who has presented this problem to me over the last week or so.

**Mr. Ben:** It is a pity the Minister mentioned the solicitor for the city of Toronto. If the Minister would check the records, he has a zero batting average and I have 1,000 batting average. Any time we have come up against each other in a crunch, he has been wrong and I have been right. And I am not just saying that to salve my own ego. I am just trying to point out that even in his own wording here, it says: “. . . such locations as the municipality or authority on which duty to repair has been imposed”. Under The Public Utilities Act, the duty to repair has been imposed on the utility which does the excavation.

It is only in the city of Toronto—normally the city of Toronto enters into a contract with the utility whereby the utility pays a certain sum to the city of Toronto and city of Toronto work crews then do the repairs. But under The Public Utilities Act it is still the utility that is responsible for returning the roadbed or the sidewalk to a proper condition of repair.

So the amendment which the Minister mentions says nothing, and I should think having the guidance of the Minister of Mines, who is used to digging both up north and in this Legislature, he would know something about it.

**Mr. Chairman:** Shall the hon. Minister's motion carry?

Agreed to.

Are there any further comments, questions or amendments to—

**Hon. Mr. Wells:** Mr. Chairman, I further move that section 15 be renumbered—

**Mr. Chairman:** Are there any comments up to and including section 14?

All right, the hon. Minister's motion then.

**Hon. Mr. Wells** moves that section 15 be renumbered as subsection (1) of section 15 and that the following subsection (2) be added to section 15:

(2) An exemption from taxes under this section shall be deemed to have the same effect as an exemption from taxes under section 4 of The Assessment Act.

The reason for this, Mr. Chairman, is in order to determine the proper sharing of taxes between Toronto and Metro, it is a technical matter.

**Mr. Ben:** First of all, I think we should move that that particular section be deleted. Why should there be an exemption for them at all? Why should the citizens of the city of Toronto pay and have to carry the burden of supplying facilities to this particular corporation, Mr. Chairman, when the benefit is enjoyed by not only everybody in the Metropolitan Toronto area, but in Ontario generally?

Why should the city of Toronto citizens have to carry that burden? Why do you create more exemptions? Is the trend now to wipe out all exemptions? If the Minister is prepared to give this corporation an exemption, fine, then the Minister should move another amendment to this particular section stating that the province of Ontario will give to the city of Toronto a grant in lieu of the taxes which it loses on the corporation property.

The Minister should be ashamed of himself bringing in this kind of stuff. And the hon. member next to him keeps on grinning and grinning and grinning. It will catch up to him because this is in his riding there. I imagine how they feel is they are going to compel every nurse to go out and vote for the hon. gentleman when his time comes. Well, they may vote for him on looks but I do not know if they are going to vote for him on performance.

Interjections by hon. members.

**Mr. Ben:** What we should move is that section 15 be deleted.

**Hon. A. F. Lawrence:** Go ahead and move it.

**Mr. Chairman:** Shall the motion carry?

Agreed to.

**Mr. Ben:** Can I still move that section 15 be deleted?

**Mr. Chairman:** No, the motion has been carried for the amendment to section 15.

Are there any further comments, questions or amendments to any other section? The hon. member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, before all these sections are carried, I would ask the Minister whether I can assume it goes without saying the operation of the plant will certainly come under The Pressure Boilers Act and The Operating Engineers Act of Ontario?

**Mr. Chairman:** To which section is the hon. member referring?

**Mr. Gisborn:** I am referring to the—

**Hon. A. F. Lawrence:** The member should have been here for second reading.

**Hon. Mr. Grossman:** It is out of order.

**Mr. Chairman:** The bill has been approved in principle, we are dealing with it clause by clause. We have covered up to and including section 15.

**Mr. Gisborn:** It is a simple question, it is not involved in the principle. If you read the bill, there is nothing that relates to the—

**Mr. Chairman:** Then the hon. member must refer to the section of the bill.

**Mr. Gisborn:** It is an important question.

**Mr. Chairman:** The hon. member must refer to the section of the bill. We have dealt with it in principle.

**Mr. Gisborn:** All right, Mr. Chairman, I will refer to section 19:

The corporation shall allow the commission or its representatives at all reasonable times access to the steam plant to view the state and condition of the steam plant.

This will then involve the other legislation that controls the operation of steam plants, namely, The Pressure Boilers Act and The Operating Engineers Act of Ontario, in which a chief engineer of any plant has the full control of anyone entering that plant. Now, I ask the Minister if it goes without saying this plant will be governed by the two Acts of Ontario related to the operation of steam plants.

**Hon. Mr. Wells:** Mr. Chairman, the answer is "yes".

**Mr. Chairman:** Shall the bill, as amended, be reported?

Bill 230, as amended, reported.

#### CARE AND PROVISION OF ANIMALS FOR RESEARCH

House in committee on Bill 194, An Act respecting the care and provision of animals for research.

**Hon. Mr. Grossman:** Is the hon. member going to read a certain editorial?



**Mr. Chairman:** Are there any questions, comments or amendments to section 1 of the bill?

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman—

**Mr. Chairman:** Section 1?

**Mr. Burr:** One. I wish to move an amendment, seconded by the member for Timiskaming (Mr. Jackson).

**Mr. Chairman:** A seconder is not needed in committee.

**Mr. Burr:** Thank you. I move that section 1(e) of Bill 194, An Act respecting the care and provision of animals for research, be amended by the deletion of the word "not" in line 5 and by the deletion of the words "any person or body of persons including", so that it now reads:

1(e) "Pound" means premises that are used for the detention, maintenance or disposal of dogs or cats that have been impounded pursuant to a bylaw of a municipality, but does not include any premises or part thereof that are used by the Ontario Society for the Prevention of Cruelty to Animals or any society affiliated therewith for the detention, maintenance or disposal of dogs or cats so impounded.

**Hon. Mr. Grossman:** That affects the principle of the bill.

**Mr. Chairman:** If the hon. member would just hold it for a moment, I am trying to determine whether this does, in fact affect the principle of the bill.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Oh yes it does.

**Mr. Chairman:** Yes, I would rule that this motion is out of order because it is simply a negation of the provision of section 1 of this Act.

**Mr. Burr:** Mr. Chairman, may I speak on a point of order?

**Mr. Chairman:** Point of order.

**Mr. Burr:** My point of order is that it is surely not the principle of the bill to destroy or place in jeopardy the existence of the humane societies.

**Mr. Chairman:** The wording of the hon. member's motion is a negation of the intent of that paragraph of section 1 of the bill which has been approved in principle. The motion is therefore out of order.

Are there any further comments, questions or amendments to section 1 of the bill?

**Mr. Ben:** Section 1, yes. It should be amended to provide, "but shall not include a classroom wherein animals are kept only for observation purposes."

**Mr. Chairman:** Could I have the written motion, please?

**Mr. Ben:** If I can write it fast enough, Mr. Chairman.

**Mr. Chairman:** There is lots of time, we will hold the proceedings for the member.

**Mr. Ben:** Someone has used my pad—oh, I found one.

**Mr. Chairman:** In keeping with the spirit of the season, I shall be very charitable.

**Hon. Mr. Grossman:** That is a well researched amendment, I can see that.

**Mr. M. Gaunt (Huron-Bruce):** It is.

**Mr. D. C. MacDonald (York South):** He spent all his time on research and did not get around to writing his amendment.

**Mr. Ben:** I hope the Chairman can read it.

**Mr. Chairman:** Is this the hon. member's motion? Mr. Ben moves that section 1(h) be amended by adding at the end the words, "but shall not include a classroom wherein animals are kept for observation purposes only".

**Mr. Ben:** Actually the wording is wrong, Mr. Chairman. What it should be is, "but shall not include the keeping of animals in a classroom for observation purposes only".

**Hon. Mr. Grossman:** Why?

**Mr. Ben:** Why? There are many animals like hamsters, and others, which are kept in classrooms by teachers to show the biological function and the keeping of these animals is controlled by the board of education.

Now the question arises, the Minister will either have to send inspectors into every classroom, or into every school, because every school has, I think, a fish tank in it, and if it has got a turtle in it, then it has a vertebrate or—

**An hon. member:** No. The turtle is no vertebrate.

**Mr. Ben:** A turtle is a vertebrate.

**Hon. Mr. Crossman:** No. They tell me you are wrong.

**Mr. Ben:** Well, I am sorry. The turtle is a vertebrate.

**An hon. member:** That is right, sir. In case you did not know that, you know now.

**Mr. Ben:** So, whoever told you that it was not is wrong. Either they will have to go in and send their inspectors into every school in Ontario, or else they will have to exempt them under the provision contained in this Act. You simply are not going to be inspecting them all. I do not think you would get enough forces for it. Besides, you already have the school inspectors going around. So why not exempt it in this amendment?

**Hon. Mr. Stewart:** Mr. Chairman, I can appreciate what the hon. member is suggesting here. Might I say, though, that it seems to me that it is logical to retain the clause of the bill as is, without exempting these classrooms for animals that are kept for observation. Because it does seem to me that, if this is indeed the case, then most classrooms, as the hon. member suggests, could be exempted.

But I think it is necessary, for purposes of registration—so that we know what is going on in the various high schools—to leave it in the bill. Then, if that is the case, it can be exempted. We are not going to attempt to provide inspection for every blessed classroom as the hon. member suggests. But I do think we should know what is going on in those various classrooms through the conditions of registration—

**Hon. Mr. Crossman:** We should retain the right.

**Hon. Mr. Stewart:** We would retain the right if we are exempting them. It does seem to me that we are giving something away that I am sure he does not want to give away—because he wants animals treated humanely and proper facilities and proper care provided to those animals in those various classrooms. That is the point we are trying to get at.

**Mr. Ben:** I am just trying to maintain a little common sense in this bill. A fish tank which contains a turtle would come within this section. If they have toads or frogs, it would come within this section. A lot of people do not appreciate how wide—

Interjection by an hon. member.

**Mr. Ben:** Well, fish too. So you have this problem. Now the Minister says: "Well, we will be able to find out what goes on. I trust that the Minister is being jocular. Is he suggesting that the people of this province, through their elected representatives, do not know what is going on in these schools; that the board of education does not know how these fish tanks are being handled; that the board of education does not know how many animals are kept in the classroom, and in which classes? Is this what you are suggesting?"

If you are suggesting that, I suggest, Mr. Chairman, that the hon. Minister ought to take to task his colleague who sits, I think, one desk removed. What good is it going to do if you take a survey and find out how many animals there are? You either have to decide that you are going to inspect them, or you are going to exempt them. So why make laws that you are not going to enforce?

I am interested that these animals be looked after, but I think it is carrying it to extreme when having a fish bowl, with some fish in it, becomes research. It seems ridiculous, and I might point out to you that it is possible that they only may have the fish bowl out in the vestibule for decorative purposes—and that becomes research. Now why do you not come back down to earth, Mr. Minister?

**Mr. Chairman:** Any further comments on this motion? The hon. member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, I was not a member of the committee and did not participate in the discussion of the amendment to subclause (e). I cannot understand the reason for the double negative. Why did we add those words at all? Is there a way of expressing it so that it will be more readily understood—putting the positive side, instead of the double negative?

**Mr. Chairman:** I must say that we are dealing with a motion for an amendment to paragraph (h) moved by Mr. Ben. Any further comments on Mr. Ben's motion?

Those in favour of Mr. Ben's motion say "aye". Those opposed please say "nay".

In my opinion the "nays" have it.

Are there any further comments to any other portions of section 1, beyond section (h)?

**Mr. Deacon:** I again ask the Minister the reason for the double negative in subclause (e).

Why could we not express that in a way that would say what is not excluded instead of having the double negative?

**Hon. Mr. Stewart:** All I can suggest, Mr. Chairman, is that when we dealt with the section in committee, the hon. member for Humber wanted this section clarified so that it would specifically include the pounds operated by the humane society, but not their shelters as such.

The wording was drafted here by legislative counsel, in conjunction with the legal branch of our department, to do what the hon. member for Humber wished to have done to make it clear. I hope that it is.

You have pointed out something that perhaps does confuse it a little, but I can tell you the intent of this legislation is to exempt the shelter aspect of the humane society, but not the pound service that is provided to the municipalities by animal control bylaws.

**Mr. MacDonald:** Why can you not just put it in that way?

**Mr. Nixon:** Just leave out the wording that came up—

**Mr. Ben:** This is not the wording that—you are mixing up my words, Mr. Minister.

**Hon. Mr. Stewart:** No, that is right. Here again, I am not a lawyer, and a lawyer has drafted this as it was intended. Do you disagree? Does it not do what you wanted done?

**Mr. Ben:** Mr. Minister, I have always argued that any wording ought to be clear to the layman. This is not clear to the layman. My argument was simple. It said simply that the shelter facilities operated by the humane society, or any affiliate or branch thereof, are exempted from the provisions of this Act.

**Hon. Mr. Stewart:** I tried, Mr. Chairman! In the committee we were quite sure that the original section or subsection (e) of section 1 spelled out quite clearly what we were trying to do.

Why we had to add something else I am not too sure; but on the insistence of the hon. member for Humber we were trying to clarify it to a greater degree.

Now, if we have beclouded the issue. Quite frankly I think the original did the job quite well. I could not really see any reason for moving the amendment in the first place, but I have no objection to it. We know what it is intended to do.

**Mr. Chairman:** Any further comments, questions or amendments to section 1?

Section 2, the hon. member for Halton East.

**Mr. J. W. Snow (Halton East):** Mr. Chairman, I have an amendment to move to section 2.

I move that subsections 2, 3 4 and 5 of section 2 of the bill be renumbered as subsections 3, 4, 5 and 6 respectively, and subsection 2 be amended by adding thereto the following:

The Lieutenant-Governor-in-Council shall offer an appointment to the review board to a person who is a member in good standing of the Ontario Society for the Prevention of Cruelty to Animals or of an incorporated society affiliated therewith.

**Mr. Chairman,** the effect of this amendment would be that the Lieutenant-Governor-in-Council must offer this appointment to the review board. The review board is to be made up of a minimum of three people, to serve not more than five years, I believe it is, on this licensing and registration review board. This amendment would require that the Lieutenant-Governor must offer one of the positions on this board to a member in good standing of the Ontario Humane Society, or one of its affiliates.

**Mr. Chairman:** Any comments to Mr. Snow's motion? The hon. member for Humber.

**Mr. Ben:** I do not know if I can move a further amendment. It is in keeping with what he says. Under this particular section, as an amendment as is proposed, the Lieutenant-Governor-in-Council could offer the appointment to a person who they know will refuse it, and thereby bring about a situation where there is no person on the licence review board who is a member of the Ontario Humane Society or an affiliate.

I propose a further amendment, and that is striking out all the words after the word "shall" in the second line and inserting thereafter the words:

Invite the Ontario Humane Society to the licensing and review board, and if a person is so nominated, he shall be appointed to the board.

**Mr. Chairman:** Perhaps we could have the written motion.

**Mr. Ben:** Yes. Disregard the top part as it was in keeping with what the hon. member for Halton East already moved. I do not think we are apart, Mr. Chairman, at least I trust that we are not apart.

**Mr. Chairman:** Then the amendment to the amendment moved by Mr. Ben is:

The Lieutenant-Governor-in-Council shall invite the Ontario Humane Society to nominate a member to the licensing and review board and if a person is so nominated, he shall be appointed to the review board.

**Mr. Ben:** If you want to put, "the licensing and registration review board".

**Mr. Chairman:** I am attempting to determine the difference between this motion exactly—

**Mr. Ben:** I am abbreviating, Mr. Chairman. Perhaps it would facilitate it if we made use of the phrase, "licensing and registration review board", which is the proper title. I was just shortening it to the word "board".

**Mr. Chairman:** I think probably the amendment is in order. Any discussion or debate or questions on Mr. Ben's amendment to the amendment?

**Mr. Lawlor:** Mr. Chairman, just a question on the wording of the amendment of the member for Halton East. He simply says they shall "offer". Surely Mr. Ben's amendment goes much further than that and does, I suspect, what the first member intended it to do.

The mere offering of a member to sit on the board, suppose it is accepted or suppose it is not accepted, but taking first of all the possibility of acceptance, then an appointment must come subsequent upon it. No provision is made in the first amendment for the possibility of an appointment, whereas the second amendment rectifies that situation. I think they both mean the same thing, but one fails in saying what it does mean.

**Mr. Chairman:** The hon. Minister, on Mr. Ben's amendment to the amendment.

**Hon. Mr. Stewart:** As far as the amendment that has been moved, may I speak to the member for Halton East's statement?

**Mr. Chairman:** I think the hon. Minister may refer to both amendments at the same time if he wishes.

**Hon. Mr. Stewart:** I have no objection to the amendment made by the member for Halton East. I have some reservations, however, concerning the amendment that was made by the hon. member for Humber.

This point came up in committee the other night and it does seem to me that we

should leave this without frustrating the Act in any way. I have no reservations whatever about offering a membership and indeed I would hope that someone from the humane society or its affiliates would accept an appointment to the licensing and registration review board. But, when it becomes compulsory, as indicated in the amendment which the hon. member for Humber provides, then it is incumbent upon the Lieutenant-Governor-in-Council to appoint someone from the Ontario Humane Society regardless of who that may be.

**Mr. E. R. Good (Waterloo North):** What is wrong with that?

**Mr. MacDonald:** What difference does that make?

**Mr. I. Deans (Wentworth):** As long as they are happy with the person.

**Hon. Mr. Stewart:** No. This is where I think if we are going to have an Act in which such power is given to this board, as is given—and believe me it is very great power—it would seem to me that we should have a completely free hand in whom we appoint to that board.

This is why I would support the amendment that has been moved by the hon. member for Halton East and I would ask the hon. members to so do, and reject the amendment proposed by the hon. member for Humber.

**Mr. Ben:** Mr. Chairman, one of my colleagues here commented that when I moved the amendment in committee, the hon. Minister blew his top, and yet he is sort of keeping his cool on this one. I would point out that the amendment I have moved today is not quite the same as that I moved in committee.

The one I moved in committee made it mandatory that a member of a humane society be on the board. Here it is not mandatory.

Firstly, an invitation is extended and must be extended, that is mandatory. But it is not mandatory that the humane society accept the invitation and nominate the person. Secondly, I draw to the Minister's attention, through you, Mr. Chairman, that the person being nominated need not be a member of the humane society as the amendment by the hon. member for Halton East would require.

I appreciate what the Minister said in committee. I recall his refusing to be tied down to having a member of the humane society on this board. Fine. Such bitterness

may exist between members of the Ontario Humane Society or its affiliates, and The Department of Agriculture and Food or the people appointed by the department, that it would not be feasible to carry out the purposes of this Act having such bitterness on the board.

However, trusting in the good judgment of the Ontario Humane Society to appreciate this difficulty, and having had perhaps an unfounded belief that this Minister would see the point I was trying to raise and would also have a little faith in the humane society, I saw an invitation being extended and the Ontario Humane Society being astute enough to nominate for appointment to this particular board, a person who could and would co-operate.

This does not restrict the Minister to appointing a member of the humane society to the board; all it does is restrict him to appointing the person they nominate, if in fact they do nominate someone, and it could be other than a member of the Ontario Humane Society. It gives the Minister the leeway that he was crying for when we had this bill in the committee stage and this amendment was first brought up.

As pointed out by the hon. member for Lakeshore, with all due respect to the hon. member for Halton East, his amendment does leave it sort of up in the air. The Ontario Humane Society people could then accuse the Minister of having offered this appointment to some insignificant, minor official of the board, who ostensibly was in the back pocket of the government. This, I am sure, even the Minister wants to avoid. Whether it be true or not, he would not want the suggestion to be made, and I am leaving this open for him.

**Mr. Chairman:** Any further comments on Mr. Ben's amendment?

**Mr. MacDonald:** Mr. Chairman, I just want to make a brief comment. The Minister protested very strongly when I suggested in earlier stages of this debate that his relationships with the humane society had degenerated into something that could only be described as a vendetta. I am curious to know whether it is a private amendment by a Conservative backbencher, or whether it is a government amendment—normally when amendments like this come in they are brought in by the government. Could I clarify that? Is this a government amendment or is this a private amendment?

**Mr. D. A. Evans (Simcoe Centre):** It is a private amendment.

**Mr. MacDonald:** It is a private amendment. Well, I say to my hon. friend from Halton East he is bolstering, unwittingly perhaps, the image that the Minister does keep this organization at arm's length, in spite of its importance in the field, and that he is not willing to co-operate with it—as we move into a new period with this legislation, in the hope we can bridge some of the gaps and chasms which have been created between the government and the various organizations in this field. This amendment says that:

The Lieutenant-Governor-in-Council shall offer an appointment to the review board to a person who is a member in good standing of the Ontario Society for the Prevention of Cruelty to Animals or an incorporated society affiliated therewith.

The purpose of legislation is to be specific so that you know exactly what you are going to do. If the King's English means anything—or the Queen's English means anything—you “offer” an appointment. You may or may not get a response; even if you do get a response you may not appoint them. That possibility is certainly within the four corners of that amendment and I suggest to you that is absurd.

**Mr. L. M. Reilly (Eglinton):** How would you offer it if you did not do it in this way?

**Mr. MacDonald:** If your purpose was to “offer” an appointment to the review board and you offered it to them and they made a reply and you did not appoint them—

**Hon. Mr. Stewart:** I would be in a ridiculous position.

**Mr. MacDonald:** My position at the moment, Mr. Chairman, is precisely that of Mr. McCreath when he bearded the Minister in the committee hearings. He said to the Minister, “This is what you say you want to do, this is your stated objective, but your bill does not do that.” The Minister beat something of a retreat and said, “Well, if our bill does not do that we will change the bill because that is what we intended to do.”

I think in this instance the Minister should level with everybody involved. If it is your intention to put in somebody from the humane society, do not indulge in this sort of vague business—that you will “offer” them an appointment. Accept the kind of an amendment that has been made by the hon. member for Humber, that you give them an

opportunity, you invite them to submit a nominee.

That means if they do not want anybody on the board, they do not accept the invitation; therefore it is not mandatory. As the member for Humber indicated, if they come to the conclusion that to make the legislation operative that they cannot nominate somebody who has been engaged in this battle, but they put on somebody else who may, or may not, be a member of the humane society—at least it is a nominee of the Ontario Humane Society.

Why would the Minister have an objection to that? It seems to me that the kind of an amendment which has been presented to you by the hon. member for Humber at least puts into specific terms what I assume the mover of the original amendment, the hon. member for Halton East, wanted to do. And if this is what he wanted to do, at least the amendment provided by the hon. member for Humber is clear and precise and not full of all these vagaries about “offering” an opportunity, with no assurance, so that when they make the offer that anything is going to follow in terms of an appointment to the board.

**Mr. Chairman:** The hon. member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, it is rather refreshing to see a member of the government back benches come in with an amendment. I compliment the man and although it has not been spelled out as well as the member for Humber spelled out his amendment to the amendment, I still think the intent was there and I want to compliment this man on so doing. It just adds a little more coal to the fire, Mr. Chairman.

This bill is not what the people want, and this is a good illustration of it. Even among your own people you do not have the full support of your government, and it is about time—and it may not be too late, Mr. Chairman—to withdraw this bill even at this stage of the game, and give the people what they want.

But I might say in connection with this amendment, we have no other choice but to support the member for Halton East and our good friend from Humber. I think it is about time we faced the facts of life, and I think this gives this Minister an opportunity to pick a member of his particular choice who may favour him and his legislation and that is why he wants it the way the bill spells it

out now. We certainly do not want it on this side of the House.

**Mr. Chairman:** Those in favour of—the hon. Minister?

**Hon. Mr. Stewart:** Does the hon. member wish to speak?

**Mr. Chairman:** The hon. member for Halton East.

**Mr. Snow:** Mr. Chairman, going through the remarks of the hon. leader of the New Democratic Party, I want to assure him and the House that this is not a government amendment but rather an amendment I put forward. The amendment I put forward today is a little different from the one I put forward in the committee in the late hours one day last week. At that time my amendment called for the appointment of a member in good standing of the humane society to this board of review, this licensing board.

The amendment I put forward today says that the Lieutenant-Governor must offer such an appointment to a member. There is a different wording, I agree, and I have changed my amendment for a reason—the reason being that if, and I doubt this, all members of the humane society should feel deep down in their hearts that they were not in support of this legislation, all members of the humane society might conceivably try not to accept an appointment.

The Minister, in order for his legislation to be operative, must appoint such a board; he must appoint a minimum of three persons to the licensing and registration review board. Now, in my amendment I am saying that the Minister or the Lieutenant-Governor must offer one of these three appointments to a member of the humane society. If all members of the humane society were to say, “No, we will not accept such an appointment”, then the whole effect of the legislation would not be ruined because he could then appoint someone else.

**Mr. MacDonald:** Would you permit a question? Could I ask the hon. member who has moved this amendment a question?

“The Lieutenant-Governor-in-Council shall offer an appointment to the review board to a person who is a member in good standing of the humane society.” Now interpreting that strictly, in accordance with the words, suppose they make an offer to somebody they know is violently opposed to this legislation; and he says, “I will never accept it”; then

they can stop right there. You do not end up with a member of the SPCA on the board.

**Mr. Snow:** They will not do that.

**Mr. MacDonald:** What do you mean, they will not do that? That is what this amendment permits; an offer to one person who says "no", and then there will be no representatives on the board!

Now the import of the amendment moved by the hon. member for Humber is to make certain there shall be a member on the board and this, presumably, is what the hon. member for Halton East wants. The way you become assured that will happen is to invite them to appoint somebody; and when they have that nomination, then the government appoints them, and your objective will be achieved.

But as it now stands, the Minister advising the Lieutenant-Governor could appoint, for example, Tom Hughes. And the possibility of Tom Hughes sitting on the board might be rather nil. So he refuses it, and you have fulfilled the requirements of this amendment and nothing more happens.

**Hon. Mr. Stewart:** What the hon. member for York South has said to the hon. member for Halton East is, of course, a theoretical proposition that is within the four corners of the amendment. As he has suggested, in theory—

**Mr. MacDonald:** That is right, therefore it is a bad amendment.

**Hon. Mr. Stewart:** Well, perhaps it may not be as broad as my hon. friends opposite would like it to be, but let us suppose if we were to follow the amendment proposed by the hon. member for Humber, that we ask for a nomination from the Ontario Humane Society; and that having asked for that nomination we are then required to appoint to that board whoever they may nominate. And suppose—and we all know that within the humane society itself there is a very strong anti-vivisection movement, there is nothing wrong with that, that is a part of the society—but suppose they were to nominate somebody who had very strong anti-vivisectionist leanings—

**Mr. MacDonald:** That is nonsense!

**Hon. Mr. Stewart:** It is just as sensible for me to suggest this as it is for the member to suggest, as he has suggested to the member for Halton East—

**Mr. MacDonald:** Mr. Chairman, on a point of order!

I do not want to interrupt the Minister, but the Ontario Humane Society has said that it does not accept the position of the anti-vivisectionist. The Minister is insulting the intelligence of an organization.

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

**Mr. MacDonald:** He is suggesting that they would appoint somebody from a minority group which is out of step with their overall policy.

**Hon. Mr. Stewart:** Mr. Chairman, one of the great reasons—and we are not, I hope, going to get into debate on the principles of this bill—but one of the objections of the humane society to this Bill 194 and to its predecessor Bill 73, was that it offended the anti-vivisectionist group within the humane society.

**Mr. W. G. Pitman (Peterborough):** That is not true!

**Hon. Mr. Stewart:** I am saying it is part of it. I am not saying it is all.

**Mr. Pitman:** A small part, a very small part.

**Hon. Mr. Stewart:** I did not say it was all of it, I am saying it is a part of it and always has been, because they have told us that themselves. This is the truth.

**Mr. MacDonald:** The Minister is proving he is engaged in a vendetta.

**Hon. Mr. Stewart:** Well, Mr. Chairman, I regret very much hearing that charge. Nobody has been dragged through this thing more than I have, and tried to resolve it more than I have tried to resolve it with the people who are responsible for setting policy within the Ontario Humane Society and its affiliates.

This is a fact of life; and whether the member agrees with this or whether he does not, that is his private opinion. All I know is that I can live with myself with what I have attempted to do, and I have attempted to do a very great deal. But I do not wish in any way that the intent and purpose of this bill be frustrated by any amendment made to section 2 in the appointment or the establishment of this licensing and registration review board.

I intend fully to carry out what the hon. member for Halton East has suggested. I think it is a good amendment, it is a reasonable amendment; I intend to follow it out. But I do not want anybody to tie my hands, to say, or to have to say to the Lieutenant-Governor-in-Council, "Thou shalt appoint whomever the humane society may nominate"; because

I wonder if that is really what we want to accomplish in this legislation.

**Mr. Nixon:** Mr. Chairman, speaking in support of the sub-amendment, I just want to point out to you, sir, that the board is made up of a minimum of three members, and surely the humane society to begin with will not appoint someone—if the sub-amendment were to carry—who could not contribute effectively to the deliberations of the board.

But even in the unlikely event that should occur, the board can still reflect government policy, or perhaps the independence of government policy the Minister might wish in the important powers that this board would exert.

I ask him seriously to consider this matter, because we saw the hon. member whose amendment is before us doing a bit of lobbying this afternoon. Evidently he was quite effective, but surely it is possible for us, in discussion in this House, to persuade the Minister, who is in a reasonable frame of mind, almost as usual, that the amendment put forward by the hon. member for Humber would not produce the problem the Minister has conjured up, but would in fact solve the problem remaining in the amendment by the hon. member for Halton East.

**Mr. MacDonald:** Mr. Chairman, there are only two points I wanted to make and one of them has already been made by the leader of the Opposition. At the lowest number, you are going to have three members on this committee, so even in the unlikely event the nominee of the humane society nominated is an obstructionist, he is going to be outvoted, at least two to one on every occasion.

So it is unlikely, to begin with, and even if he were that kind of a person and they were so ill-advised as to appoint that kind of a person, he would still be outvoted.

But the thing that saddens me about this proposition is that the Minister is so adamant, is so determined to stick to his position even when he was proved wrong, that he is willing to accept an amendment from somebody in his own back benches—and that in itself is a reflection of the continued dissatisfaction with this bill. He accepts it in order to save face and to keep the revolt under cover as much as possible. But he will not accept an amendment from this side which is going to make the original amendment meaningful—because the original amendment is a vague amendment open to misinterpretation.

You offer somebody a job and they do not accept it so you end up with nobody on the board. That is the kind of game the Minister

has been playing too much of in the last five or six years.

**Hon. Mr. Stewart:** No, it is not; it is not!

**Mr. MacDonald:** If the Minister is really sincere and really willing to acknowledge the revolt against the inadequacies of this bill that exists in his own government ranks—and we have a symbol of it in this amendment coming from his own government ranks—then he and his law officers will be willing to accept an amendment from the Opposition side of the House which at least implements the objective of the original amendment brought forward.

But if the Minister wants to continue in being stubborn and adamant and unyielding and bone-headed in his approach to it, let him continue.

**Hon. S. J. Randall** (Minister of Trade and Development): The member means like him.

**Mr. MacDonald:** This is precisely the way he has operated from the outset.

**Mr. Deans:** Is the Minister sitting in his own seat?

**Mr. MacDonald:** Mr. Chairman, the Minister of Trade and Development should be silent because he is not in his seat and therefore he has no voice.

**Mr. Chairman:** His voice is out of order anyway.

**Mr. MacDonald:** When he gets to his seat his interjection will not be useful.

**Hon. Mr. Randall:** No one is more vehement than the member for York South.

**Mr. Chairman:** The hon. member for Humber.

**Mr. Ben:** I am at a loss to understand the Minister's attitude. When we were in the committee stage, I had moved an amendment to this section. The amendment included a paraphrase of the sub-amendment here. It also included an amendment which would have changed the figure "3" in the third line to the figure "5", so there would be a minimum of five members on that review board.

The Minister took strong objection to it. So be it. But I would ask the Minister a number of questions. Firstly, would the Minister be any happier if, with the consent of the House, my sub-amendment was amended to read that the humane society shall submit a list of nominees from which the Minister



shall appoint at least one? This will give him a choice, because we are trying to be reasonable here. And, secondly, I ask the Minister this: Why should not an anti-vivisectionist be appointed to this licensing and registration review board?

**Mr. MacDonald:** Let us not confuse the issue now.

**Mr. Ben:** No, just on the principle of the thing, why? After all, we represent every segment of the population and I daresay the anti-vivisectionists have just as much right to express their wishes as anybody else in this province.

**Mr. MacDonald:** The member is unwittingly bolstering the Minister's argument.

**Mr. Ben:** I believe in getting an expression of opinion from all segments of the population and I cannot understand the Minister's repugnance to it. I found them rather reasonable and understanding people. I may not agree with their views, but that is neither here nor there. I disagree with a lot of views expressed by people and they disagree with my views, but that is democracy. The Minister seems to take the attitude that putting one of those people on the board is akin to making the devil the chairman.

The Minister told us in committee stage that three was only the minimum number he was going to appoint, and he was going to try to get a cross-representation of the opinions in this community, but that three was only the minimum. So if there was an anti-vivisectionist appointed—I cannot see the Minister doing it, but for the sake of argument—he would be outvoted two to one, and if you appointed a man from the humane society, he would be outvoted two to one. If the Minister lives up to his intentions as expressed to us in the committee stage, he is going to be outvoted four to one, because the Minister gave us to believe there were going to be more than three members; three was just the minimum. So they are going to be outvoted, say, four to one.

Now, the third point is this, Mr. Chairman. The Minister always asks us to believe in his good faith and his good intentions. He asks us to accept he is beyond reproach and he is going to live up to everything he says, that he is a pillar of virtue beyond reproach, like Caesar's wife.

But, Mr. Chairman, we on this side say that the same can be expected from the officials of the humane society, that they are also just and honourable men, whose word can be

relied upon, and that the Minister ought to trust them and their integrity as much as he asks us to trust him and his integrity. The only reason why we should not be asked to trust in their integrity, is because we should not be asked to trust in the Minister's integrity. The only reason for his refusing to have faith in them is because he does not have faith in himself.

I suggest to the Minister again, if he wishes me to move to amend my amendment with the leave of this House, to provide that the humane society shall give him a list of persons, prospective nominees, and let him pick one out of three, fine, but what we are trying to be is reasonable. We are not trying to put ourselves in the position that he is in, and I subscribe to what was said by the hon. member for York South. So we ask him to be frank and co-operative and understanding as we are trying to be under the circumstances, and accept this amendment.

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

**Mr. Pitman:** I hoped the Minister might wish to answer the member for Humber directly, but I shall be very pleased to carry on.

I would like to rise in support of the amendment put forward by the member for Humber, for this reason. It seems to me that we have had over the past year and a half a degree of vilification and acrimony over the matter of this piece of legislation, perhaps more than we have had over any other piece of legislation in this present session.

The Minister, in his opening remarks, gave us a history of divisiveness that has gone on in the province between those who are concerned with medical research and those who are associated with the humane societies of Ontario. I would think that he would have a long-term interest in trying to bring these groups together. I do not mean just the groups who are members of the humane societies, and those who are directly associated with the medical research going on across this province, but he would want to give some symbol of hope, some symbol of expectation to those who have been so moved to write the letters and send the telegrams and create all the stir that has gone on within these walls over the past number of months.

It seems to me, Mr. Chairman, that this particular section could be the basis of a new element of understanding. It could be a bond whereby we might very well begin to bring

people together again. If it is anything which this Legislature should be doing, Mr. Chairman, I suggest it is this. It should be reconciling.

Certainly there are people who have very different views about the way in which animals should be treated in this province. I disagree with those who are anti-vivisectionists. I take a look at what has been done in the medical sciences over the past number of years and I cannot agree that we can look upon every animal life as being sacred and that we cannot use animals for certain kinds of research, but there are people who do have these feelings.

The great majority of people, I suggest to the Minister, are people who want to be assured that what the Minister has said in this House will, in fact, be the case. For that reason they see this particular board perhaps as the beginning of their hopes, that animals will not be mistreated in any way in this province, either by dealers, as the Minister has pointed out, nor by those who are engaged in research. That is why I find it completely incomprehensible that the Minister would not seize upon this amendment which the member for Humber has put forward, and which has already been given support by my leader here, the member for York South, as a way of bridging the gap which now exists among those who are concerned with this problem.

The humane society, I suggest to the Minister, cannot look upon his amendment as anything more than an extension of the view of the government. After all, the government might well, in good faith, extend an invitation to a person who is a member of a humane society who feels that he cannot accept the appointment, or on the other hand he may very well extend the invitation to a person who is a member of the humane society but who, perhaps, does not associate himself with the views of the majority of the members of the humane society. As well, he may very well appoint someone who—there is at least some suspicion—is simply going to be a further extension of the power of the Minister, or a further extension of the power of the government within this board.

It seems to me that these suspicions have a basis, so that no matter how much we accept the good faith and the good intentions of the Minister—and it is not so much what is true as what is thought to be true—as long as the humane society cannot feel that they are being offered this opportunity to participate in assessing all of the evils

which they themselves feel will come as a result of this legislation, all the reasons for which they have opposed this legislation over the past number of months, unless they feel that the Minister has offered them an opportunity to participate in this board—

**Mr. Reilly:** Is that not exactly what is happening?

**Mr. Pitman:** I must reply to the government whip, that in all honesty, surely, this cannot be construed as the case when the amendment which is being moved from the government side is one which simply allows the Lieutenant-Governor to offer an appointment to someone who is in good standing in the humane society movement. And, in all honesty, the Prime Minister (Mr. Robarts) himself could go out some day and buy a membership in the humane society and be offered the appointment the next day.

I am trying to exaggerate and be ridiculous to indicate to what extent people in any humane society may very well see this, and what I am suggesting to the Minister is that this surely is an opportunity to start healing the wounds, to start allaying all the fears and suspicions, to bring down, to de-escalate all the fury and anger and frustration that has gone on in this province over the past number of months which has been described by those who have been in the committee and those who have been in this Legislature.

I would seriously ask the Minister if he is not convinced of this, at this point in time, that we would be quite willing to adjourn the House and let him talk to those in his own benches. I am sure that they see the rationality of finding a basis for healing the wounds, and so I appeal to the Minister that this is perhaps the most important section of this bill and it is worth his time and his consideration.

He may take an action on the spur of the moment—and I can well imagine the sense of concern he must have, having gone through this knothole, being dragged through this month after month. I can well imagine his feelings toward those who have perhaps created a good deal of embarrassment for him, who have pressured him, who have importuned him, who have caused him, perhaps, several sleepless nights.

I am sure that is the case, but at this particular moment in time he may very well make a mistake, a mistake which will make it more difficult for him to create those bonds of unity which surely are the responsibility of the government in Ontario today.

I hope he will be very, very careful when he decides about this amendment.

**Mr. Chairman:** Ready for the question?

**Hon. Mr. Stewart:** Mr. Chairman, may I speak to this? The members have suggested some very excellent reasons as to why we should accept the suggestion of the hon. member for Humber. There is no basis whatever for any vendetta, as has been described, between myself and the humane societies.

Let me suggest this to you. When Bill 73 was introduced we were confronted with the humane societies as being very much opposed to it. We met with the Ontario Humane Society directors; and several of the affiliates asked to meet with us individually, that is as individual groups or corporate bodies. There were so many of them that I wondered how we would find time to meet them all individually. I therefore suggested to them that I would be very happy to meet with them, but I would appreciate it if they would meet with us together, that is, as a group, and send a few from each of the affiliates to meet with us. I believe, if memory serves me correctly, we met with 20 of the 23, which I thought was a fairly representative group of directors from these various humane societies.

They indicated their objections to Bill 73; and their points were well taken. We recognized their concern. However, we have to remember that in the earlier suggestions, even of the Ontario Humane Society in briefs that had been submitted to the government, that dealers were licensed in those briefs, as I indicated on second reading of this bill. It was proposed that dealers should be licensed and should be allowed to carry on.

However, when we licensed dealers in Bill 73 the members or the directors of the various humane societies changed their position in this regard and insisted that dealers should be eliminated entirely. This of course was their prerogative; and, if they wanted it that way, we had no objection to eliminating dealers as such, provided that there was an alternate source of providing animals.

At the conclusion of that meeting—and it was a good meeting which lasted all afternoon, held in the very same room in which the health committee held their hearings—they wanted to continue discussions and negotiations with us. I said that was fine and whom would they like us to meet with?

They made several suggestions. And several said, "We will not have that person or this person". Finally I said, "Well, you nominate

whoever you wish. We will then sit down and work with you".

The result of it was that there were two, I believe, appointed by the affiliates, and three from the Ontario Humane Society itself—that is, elected directors—who met with us in a series of meetings which extended over several months. That series of meetings is public knowledge.

Mr. Capes published the list of the meetings, what was accomplished, and what was said at each one. I am sure all of you have copies of that report.

Unfortunately, even though Mr. Capes himself, who was then president of the Ontario society, said that they would be prepared to recommend to the general membership the bill as it stood, that is Bill 194, the membership turned it down, and would not support the five elected directors who brought in that report and who had helped to draft the bill—

**Mr. MacDonald:** What is the relevance of this history?

**Hon. Mr. Stewart:** The relevance is this, as I see it. If we were to ask the humane society to nominate somebody who would sit on the licensing and registration review board, we would immediately put that person in the position—if it was a mandatory requirement that they nominate—that no matter what he did or said, he would immediately be ostracized, as some of those directors were by the humane society itself. You may say this is queer—but this actually happened. I suggest to you—

**Mr. MacDonald:** You just want to perpetuate the warfare.

**Hon. Mr. Stewart:** No, I do not want to perpetuate the war at all, not at all.

I am suggesting that I would like to sit down with some of the people in the humane society, and say to them: We want to set up this licensing and registration review board. And to assure that I will do this, the hon. member for Halton East has introduced this amendment. There is no question about it, I intend to do it. This I intend to do. I want to have the freedom of doing this without tying it down to the nominee that is appointed by that board.

**Mr. Pitman:** The amendment of the member for Halton East does not obligate you to—

**Hon. Mr. Stewart:** It obligates me to accept whoever is nominated by the Ontario Humane Society.

**Mr. MacDonald:** It does not.

**Hon. Mr. Stewart:** I do not have a copy, I would be pleased if I did; but that is the way I read it.

**Mr. Pitman:** Somebody ought to read it to the Minister.

**Hon. Mr. Stewart:** The amendment of the member for Humber does, not this one.

**Mr. MacDonald:** In other words, you do not—

**Hon. Mr. Stewart:** Not at all. I want to have the choice. I want to have the choice of making the decision as to who we invite to sit on the board. I can tell you I have several people in mind, believe you me.

**Mr. Ben:** Could I ask the Minister a question? How about the suggestion I made that he invite the humane society people to submit to him a list of nominees, and then he can have the pick of them?

**Hon. Mr. Stewart:** We will get ourselves into the same predicament again.

**Mr. Ben:** To you it is a predicament, to us it is natural justice.

**Hon. Mr. Stewart:** That may well be, and you may say that you do not trust me. That is quite obvious. You do not trust me.

**Mr. MacDonald:** Right!

**Hon. Mr. Stewart:** I suppose that is your job, but I am as anxious to get this thing satisfactorily resolved as anybody is. I have already discussed this with a few people in the humane Society, and they feel the approach I am taking is the right approach. I intend to do that, just as I agreed to accept the amendment of the hon. member for Halton East.

Interjections by hon. members.

**Mr. Bukator:** That is exactly the point. This Minister will take someone who believes and agrees with what he has in mind. The humane society will not have representation of their people to tell their story, and that is exactly what his amendment wants. He is going to pick someone of that particular group—as he has just clearly stated it, that is the way I read it—who will submit to whatever he believes is right with his group, so he will have a nice, cosy little unit such as you Ministers have in your Cabinet.

**Hon. Mr. Randall:** By choice.

**Mr. Bukator:** But it is not going to be the choice of the people; that is what we object to.

Interjections by hon. members.

**Mr. Bukator:** Well now, I tell you, you must have more important things to check on than what we do in our caucus.

**Hon. Mr. Randall:** I just said that you had the same thing in your caucus as we have in the Cabinet.

**Mr. Bukator:** Oh, I see.

Well, getting back to the amendment: this hon. Minister, at least I have given him that many marks so far, is only going to indicate one thing to me, if he does not accept my friend's, the hon. member for Humber's amendment, that he wants to play the cosy little game of running the whole show himself. And we do not buy that kind of selling.

**Mr. Chairman:** Any further question? We vote first of all on Mr. Ben's amendment. I am sorry. The member for Halton East.

**Mr. Snow:** Mr. Chairman, I would just like to have one more word on this before the vote.

First I would like to assure the hon. member for York South that I am not revolting against the government, or against this bill by moving this amendment. I am indicating where it can be improved, and I intend to support the bill.

I do not think there has been anyone—or very few in this Legislature—other than the Minister himself—as involved as me with this bill, and its predecessor, and in working with it and in working with my own humane society in Oakville to try to come to a satisfactory solution.

I am in support of this bill, as it has been amended in committee, and will support the balance of the bill 100 per cent, including the amendments that I have moved. I am satisfied that this amendment will assure me that there will be a member of the humane society on that board. That is what I am concerned about. I have, I guess, enough faith in our government, in our Minister, that we will have a proper representation of the humane society.

**Mr. Chairman:** Those in favour of Mr. Ben's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

**Mr. Nixon:** Mr. Chairman, we would like to divide on that. The custom will be to stack these votes, and we—

**Mr. Chairman:** With the concurrence of the committee, we can defer this vote until the end of the bill along with any other divisions.

Agreed?

Now those in favour of Mr. Snow's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "ayes" have it.

Subject to the vote, the division will be deferred until we deal with any other division which may arise on the bill.

**Mr. MacDonald:** Mr. Chairman, how can you vote on the main amendment when you have not voted on the sub-amendment?

**Mr. Chairman:** The division must be taken on the amendments.

**Mr. MacDonald:** When you declared that the "ayes" have it, you are assuming that when the vote is finally taken the steam roller is going to operate, and on the basis of that you go ahead and pass the main amendment.

**Mr. Chairman:** The amendment to the amendment was defeated, but a division was called for.

**Mr. MacDonald:** Yes, and I submit to you—I do not want to argue with you—that you cannot vote on the main amendment until you have had the division on the sub-amendment. Otherwise you make a mockery of the postponement of the division on the sub-amendment.

**Mr. Chairman:** I am advised that we can do exactly as we have done.

**Mr. V. M. Singer (Downsview):** Mr. Chairman, on the point of order.

With great respect, I do not see how you can possibly do it. The Minister of Mines was hoping you had done it, and he was just jumping the very hurdle that is posed by the member.

All right, he retracted!

But you cannot really, unless you are presuming that something will happen, unless your second vote, or your second request, was attended upon; which really had to mean, in the event, that when the division is called, the government's position is sustained. Then what happens to Mr. Snow's motion?

That is in fact what you were saying in short form. Now I think that gets pretty awkward, so I think you have to leave the whole thing until the vote is taken. Otherwise the stacking is—

**Mr. Nixon:** If it is any simpler, we will do the voting right now.

**Mr. Chairman:** Well, we have the concurrence of the committee to defer this vote. However, I am informed by the Clerk that my action in placing the amendment to section 2 of the bill is quite in order.

**Mr. MacDonald:** No; I cannot see that—

**Mr. Chairman:** Well, may I just—

**Mr. MacDonald:** Mr. Chairman, may I present you with a hypothetical case. Suppose we postpone this division for an hour or two—

**Mr. Chairman:** Right!

**Mr. MacDonald:**—and in that hour or two the Conservative backbenchers become so seized of the importance of making certain that the humane society has a representative on the board, and that the amendment moved by the hon. member for Halton East, does not guarantee this, so they finally vote for the sub-amendment—

**Mr. Chairman:** It would be so amended—

**Mr. MacDonald:** And if they vote for the sub-amendment, then it seems to me at that stage you take a look at the amendment.

**Mr. Chairman:** And in the event that is the way the vote goes upon division, then Mr. Snow's amendment will have to be so amended.

**Mr. MacDonald:** But you do not pass the member for Halton East's amendment before you have an opportunity to vote on the sub-amendment.

**Mr. Chairman:** What do you want me to tell you—that I am—

**Mr. Singer:** Mr. Chairman, you cannot possibly deal with the member for Halton East's amendment until the other one is out of the way in one way or the other.

**Mr. Chairman:** I am informed by the Clerk that the procedure that has been followed is quite correct. However, I will again put the question before the committee as to whether or not they wish to defer this

vote in order to properly deal with it to the satisfaction of the committee.

If it is the wish of the committee that we now have the division, we can do so.

Mr. Nixon: Well then, vote now. We do not want to set a bad precedent.

Mr. Chairman: All right. The matter is somewhat confusing.

Mr. MacDonald: Can we not vote without ringing the bell?

Mr. Chairman: The matter is somewhat confusing and in order that the committee be satisfied with the action we will have a division at the present time.

Call in the members.

Mr. Chairman: As many as are in favour of Mr. Ben's motion will please rise.

Order!

As many as are opposed to Mr. Ben's motion will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 38, the "nays" are 49.

Mr. Chairman: I declare Mr. Ben's motion lost.

In order that there be no misunderstanding, shall Mr. Snow's motion carry?

Carried.

Shall section 2, as amended stand as part of the bill?

Section 2, as amended, agreed to.

Are there any questions, comments or amendments to further sections of this bill? Would the hon. member indicate the section?

Mr. Ben: Section 22.

Mr. Chairman: Are there any comments, questions or amendments to sections 3 to 21 inclusive?

Mr. J. Renwick: On section 21.

Mr. Chairman: I asked if there were any questions, comments or amendments on sections up to and including section 21. Apparently there are none until we come to 21.

The hon. member for Riverdale on section 21.

Mr. J. Renwick: Mr. Chairman, I have an amendment to propose to clause 21, of the

bill. I have not had an opportunity to have it typed, but I will do so before we reconvene. The amendment is that subclause 3, of clause 21, of Bill 194, be amended by adding at the end thereof, the words:

And that the research project proposal is for peaceful purposes only.

And that subclause 4 of clause 21, of Bill 194 be amended by inserting after the words "section 20" in the third line, the words:

Or that animals are being used in a research project for other than for peaceful purposes.

So that subclause 3 of clause 21 would read as follows:

The operator of a research facility, shall, prior to conducting any research project in which animals are to be used, file or cause to be filed with the animal care committee, a research project proposal setting forth the nature of all procedures to be used in connection with such animals, the number and type of animals to be used, and the anticipated pain level that any such animal is likely to experience, and that the research project proposal is for peaceful purposes only.

And so that subclause (4) would read as follows:

Where an animal care committee has reason to believe that there is, will be, or has been, an offence committed against section 20, or that animals are being used in a research project for other than peaceful purposes in any research facility in connection with which it is established, the animal care committee shall order:

(a) that any research in connection with such offence be stopped or not proceeded with; and (b) that where such research has caused in any animal severe pain or illness that cannot be alleviated, that such animal forthwith be humanely destroyed.

Mr. Chairman: I do not think it necessary to read the motion of the hon. member for Riverdale—perhaps he could have this properly typed during the supper recess, I think there will obviously be debate on this motion.

It being 6.00 o'clock, p.m., the House took recess.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 15, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 15, 1969

The House resumed at 8.00 o'clock, p.m.

CARE AND PROVISION OF ANIMALS  
FOR RESEARCH  
(continued)

House in committee on Bill 194, An Act respecting the care and provision of animals for research.

Mr. Chairman: Perhaps the hon. member for Riverdale would provide me with the motion he had presented to the committee before the supper hour.

Mr. J. Renwick's motion was that subclause 3 of clause 21 of Bill 194 be amended by adding at the end thereof the words:

And that the research project proposal is for peaceful purposes only.

And that subclause 4 of section 21, of Bill 194 be amended by inserting after the words "section 20" in the third line the words:

—or that animals are being used in a research project for other than peaceful purposes.

The hon. member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Chairman, I think the amendment speaks for itself. I think it is abundantly clear as to the thrust of it. I do want to make two or three distinctions which I think require to be made in proposing this amendment to the bill. There has been, and I am sure there will be, the obvious retort that in some way or other the phrase "for peaceful purposes only" is not a phrase which lends itself to any accurate description.

I would suggest, Mr. Chairman, that it would be quite possible for the animal care committee established for a particular research facility, be it the research facility within a recognized university, or be it within a private industry, to come to a legitimate decision as to whether or not the purposes of the experimentation were for peaceful purposes only. It is not, Mr. Chairman, with any thought of giving the animal care committee the final decision in such a matter, but simply to have the animal care committee make that decision, so that the government,

either the government of the province of Ontario or the federal government, will realize that there is a problem to which they must address their attention.

It seems to me that it is quite possible for a committee in a particular research facility having had a research project proposal put before it, to make a determination about that.

The second aspect, of course, of the same question is that should the animal care committee then find that there was a research project, either one which had come before them and which they had thought was for peaceful purposes and which turned out otherwise, or a research project which had not come before them for some reason or other, and was not conducted for peaceful purposes, they could prohibit it from continuing.

Now, the second distinction that I would like to make is that for peaceful purposes only is not a semantic device for determining whether there are offensive or defensive purposes involved. I want to make that perfectly clear. The opposite to peaceful purposes is warlike purposes, and warlike purposes in the realm of warfare today connote both offensive and defensive activities. I do not think it is possible to make the distinction as to which is offensive and which is defensive. Indeed, in many areas, particularly the areas which we are concerned with, of chemical and bacteriological warfare, one can make a case that they are for defensive purposes as well as for offensive purposes.

In other words, it is for the purpose of defending against the use by an enemy of chemicals, or bacteria for offensive purposes which requires you to have research for the purpose of defence against that offence. So I want to make that distinction clearly that we are not talking about warlike matters, whether they be offensive or defensive because that is not a matter which falls within the jurisdiction of this Legislature. And it would seem to me that pending the passage by the federal government of adequate legislation in that field, and the determination by the federal government of matters relating to national defence, be they offensive or defensive measures, then I think it is absolutely

essential that this government accepts this proposal which is put forward in this amendment, until such time as that decision is made at the federal level.

Mr. Chairman, in relation to the very same distinction, I make the further distinction that unless one uses the opening phraseology of section 91 of The British North America Act which relates to the peace, order and good government of Canada, strangely enough I do not think that there is—and I stand to be corrected—I do not think there is a national defence power in the federal government.

All I am saying is that until such time as there is adequate control or legislation which supersedes the provincial legislation in this area related to the needs of national defense, for warlike purposes, be they offensive or defensive, it seems to me that we cannot in this House pass this kind of legislation without making certain that so far as activities in the province of Ontario are concerned, whether they are within the university or educational establishments which carry on this kind of research, or whether they are research which may now or in future be carried on by private industries established in this province, they are for peaceful purposes.

I think we have an obligation to insure that, to the extent that animals are used for this kind of purpose, we should restrict that use to this phrase "for peaceful purposes."

Now it has also been said, Mr. Chairman, and I refer specifically to the editorial in the Toronto *Daily Star* over the weekend, that some way or other this question of animal research had escalated into considerations of international affairs. Well, I want to say to the Minister: Yes, it is very much related to it. Because the very kinds of research that we are concerned about, and have been talking about, cannot be carried out without the use of animals for that purpose.

Therefore, I think the government has got to take a very clear position to rule out any matters related to defence, and any experimentation within the province of Ontario related to defense, and leave that matter to the federal government.

Let us say, well all right so far as this government is concerned, we will ensure that the matters that are subjected to our control be controlled by us, so that we know exactly what kind of research is being carried on.

I want to point out that it is not an extrapolation of an argument for the purpose of talking about international affairs. I want to point out very clearly what the Minister is probably aware of.

Any one today who reads closely in the Press—and one need not read all that closely—notes the devastating effects of what takes place when sophisticated nations decide to go into this kind of work. I also want to point out that, in my view, it is not possible to develop these kinds of uses of bacteria and chemicals for war-like purposes, without experimenting with animals. I quote only very briefly from an article related to details of chemical war in Viet Nam published in the most recent issue of the *Guardian* which points out:

In a typical flight a plane, loaded with barrels containing hundreds of pounds of chemical defoliant dips to a height of 150 feet with a speed of 110 miles per hour. The tail of the plane releases a fine blue mist. Four minutes later it is over and 200 acres of crop, forest, or jungle are destroyed. The spraying at first seems not to have harmed the vegetation. The first changes begin a week later. The plants are dried, and the leaves crackle and crumble in the hands. Three months later the countryside has died.

They are using, in this example, the main chemicals 2-4D which was developed during the Second World War, 2-4-5T and DNOC. Arsenic products are also used. The Pentagon maintains that the chemicals are harmless to man, and are mainly intended to remove leaves for surveillance.

Well, if that is in any way an accurate description of the devastation which is wrought, and if it is also true that they are not harmful to man, then the only way in which those kind of chemicals can be determined not to be harmful to man is through some prolonged experimentation on animals for research purposes.

It is interesting to note that—certainly this article, and I think others, have supported this, that supplying the poisons were the Dow Chemical Company, Diamond Alkali, Uniroyal Chemical, Thompson Chemical, Hercules, Monsanto, Ahrul and Thompson and Hayward companies. Now I am not suggesting that all those companies operate in Ontario, but certainly some of them do. Certainly Dow Chemical does, and I believe Monsanto does, and I believe one or two others do.

Now to the extent that we have in this Legislature, any responsibility for the purposes which animal experimentation can serve—and I think it is quite proper and quite appropriate, and is not an interference with free enterprise, is not an interference with

any of the traditional things which may be said about private companies carrying on business in the province of Ontario, but is directly related to the very fundamental problem that we have in this Legislature—to the extent that it is at all possible for us to do so we must make certain that these experimentations, whether they are in private hands or in public hands, whether they are within the university or carried on by private industry, will be carried out only if they are for peaceable purposes. And we can make absolutely certain of that so far as our jurisdiction is concerned—if it is a problem about national defence that that is for the federal government—but insofar as we are concerned it is the matter of which we are aware—a matter on which we are prepared to take this stand—and I recommend to the Minister that the amendment which I place before you is quite adequate to accomplish that purpose.

**Mr. Chairman:** The leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, I believe that has been put before us quite commendably. I can foresee, however, some difficulties in its application. I was interested to hear the member for Riverdale mention by name the defoliants used in Viet Nam—2-4D and 2-4-5T. Being a farmer myself I can tell you, sir, that we use these as weed control chemicals on our own farm and I would expect that they would have been tested, no doubt, on animals at one time to prove that they would be safe to use under those circumstances.

It is going to be very difficult to judge and differentiate in the type of experimentation brought forward, and so I simply put that to you, Mr. Chairman, as an indication that even though these chemicals may be used by the American forces in Viet Nam as defoliants, that no doubt testing took place previously and for good and sufficient reason without any association with a non-peaceful purpose.

I appreciate what the hon. member said about the responsibility being at the federal level to make at least some differentiation and to make some policy decisions concerning the preparedness of this country for our defence and whatever the policy would dictate. But we are prepared to support the amendment because we believe that this bill might very well provide animals in large numbers for extensive use in those facilities that might be used for research purposes that have recently been banned as far as policy is concerned in the United States.

It is general knowledge that some research is taking place in the province of Ontario that is of this type. But it is my own view that it might better be a policy decision outside this particular bill that would indicate what the government of Ontario is going to do in response to, let us say, the pressure of outside funds to be made available for research which might be of an unpeaceful nature in this province.

I think the Minister of University Affairs (Mr. Davis) should be involved, and probably the government as a whole, with a statement from the Prime Minister (Mr. Robarts), might very well clear up the situation once and for all, so we would not be in any danger of becoming sort of a haven for the kind of research which apparently recently has been abandoned. At least a statement about its being abandoned has come forward in the United States.

I think there is a real possibility that those beyond the regular inspection staff which is set up under this bill might have an opportunity to visit some of these facilities at the university level and perhaps even those being made use of by The Department of National Defence in Ontario. It has been brought to my attention that in the United Kingdom the members have the right to go into these facilities just to see what is going on. One area where there has been some criticism of the Minister's approach is that the committees looking into the matters associated with this bill have really not had an adequate opportunity or not made the opportunity to go out into the field, the educational field, in the research areas, to see what use is made of research animals in Ontario. So far we have largely been satisfied with information provided by the government and by those in the community who have been prepared to put it before us. I think personally that this is inadequate and that the Minister should be sure that the members of the House or others would have ample opportunity to visit facilities, if in fact the bill goes through without the provisions in this amendment.

I would say we are prepared to support the amendment. I would personally like to see the government policy be made clear in some means other than perhaps the acceptance of the amendment as it applies to this bill. But I would also say, if the amendment were to be accepted that I can see certain problems in making rational decisions as to what research should be permitted. And I simply draw to your attention again, sir, that the chemicals mentioned by the hon. member, specifically,

would undoubtedly have already been researched as to what their effect would be on mammalian organisms before the Americans ever concerned themselves with their use in Viet Nam.

**Mr. Chairman:** The hon. member for York-Forest Hill.

**Mr. E. Dunlop (York-Forest Hill):** Mr. Chairman, I was surprised that the leader of the Opposition decided to support this amendment. The very example he gave with respect to 2-4D is a clear illustration of why the amendment should not be supported. It is extraordinarily difficult to sort out research as to its end use.

The nature of research, of course, is to find knowledge. How knowledge is applied is quite another thing. We may have to have some system to ensure that knowledge is properly applied, but in its acquisition I do not think we can determine the end use to be made of it.

The hon. member for Riverdale—and in the standing committee, the hon. member for Scarborough Centre (Mrs. M. Renwick)—appears to have fears based upon a list of projects which has been printed in the *Congressional Record*, and apparently came to light in Canada because it was published as part of an article by Professor Melvin Watkins in the April issue of a journal called *Canadian Dimensions*.

I have looked at that list and I find that most of the research is not biological in character, and that for the half dozen projects which are biological, there is no way in which one can tell whether or not they involve animal experimentation. They may or may not. Many of those projects are very good and will benefit mankind. Bureaucratic intervention as to determination of whether or not a particular piece of research is or is not for peaceful purposes, I think, could provide red tape which would gum up the administration of research in a most serious way in this country.

The leader of the Opposition's example has convinced me, if I were not convinced before, that this amendment should fail.

**Mr. Chairman:** The hon. member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Chairman, I rise to speak in support of the amendment and to impress upon my colleagues of the Legislature that there are numerous persons concerned with whether or not we are a facility and are adding our

assets to a facility to accommodate the United States and our country which is now giving voice to cutting back on such things as chemical biological work. I would quote Professor James Eayrs, from the University of Toronto, professor of international relations, when he said in his article of July 15:

This reckless hospitality makes us as much responsible as any country for the balance of toxic power in the chemical and biological weapons race now threatening to get out of control.

**Mr. Chairman,** the use of animals in any university research is like money. It is a very good point to be made under this bill that the use of animals for universities should be under The Department of University Affairs.

As to who in our society is going to control research experiments, we have not yet found out, but I would like to speak, sir, and not at any great length, on what I, as a citizen and as a person who is concerned in this problem from an aspect that is certainly not political. It is an aspect that is sociological and affects all of us and our families now and in months and years, I hope, to come.

I would like to say, sir, that we have established one or two facts which we almost understand before I make my remarks. One is that Mr. Cadieux on Thursday last, by telephone to me personally, said—and I quote from his remarks which we took down verbatim:

Animals are being used on an *ad hoc* basis.

I was enquiring, Mr. Chairman, about Shirley's Bay, near Ottawa—

The animals employed are obtained from the same source from which other medical laboratories obtain them and the most humane technique, and so on, are used on the animals.

**Mr. Chairman,** the source of animals for the Ottawa-Kingston area is the Kingston vivarium.

**Mr. Dunlop:** Is that the source of the animals for Shirley's Bay.

**Mrs. M. Renwick:** My understanding, Mr. Chairman, to the hon. member's question, is that the work at Shirley's Bay, or at least part of it, has been carried out in the past by people from the university at Kingston.

**Mr. Dunlop:** Is that the source of the animals for Shirley's Bay?

**Mrs. M. Renwick:** Mr. Chairman, I am sorry I have not asked Mr. Cadieux yet the

source of animals. He said it was the same source as—

The animals employed are obtained from the same source from which other medical research laboratories obtain them.

**Mr. Dunlop:** Commercial suppliers?

**Mrs. M. Renwick:** All right, Mr. Chairman, that is open to debate. The following remark certainly is not. Mr. Cadieux in his letter of July 31, 1969, to Mrs. M. B. Harris, of Galt, said:

Small laboratory samples of chemical materials have been shipped to the United States.

Now, Mr. Chairman, I am not a technologist, a scientist, I am not even a sleuth, because I still do not know, really, what is coming into Ontario; but I am very concerned. I would say that the minute aspects of those chemicals which are being shipped from Canada to the United States from the two areas that Mr. Cadieux mentioned on July 14—I will have to find the exact terminology; I believe it was chemical and biological that Mr. Cadieux speaks of in his letter of July 14, 1969, to the same Mrs. Harris in Galt. He speaks of chemical and bacteriological warfare. I will read that paragraph, Mr. Chairman, so that it is not just taken out of context:

Most countries that maintain armed forces have an interest in the study of chemical and bacteriological warfare. The degree and intensity of the work and study varies, naturally, with the size and responsibility of the respective forces. In the U.S.A. and U.S.S.R. considerable sums are expended both in the defensive and offensive aspect of this work.

And on the next page to that letter, Mr. Chairman, Mr. Cadieux signs his name to these three lines:

This work is carried out at the Defence, Chemical, Biological and Radiation Establishment, Shirley's Bay, and Defence Research Establishment, Suffield—

which, Mr. Chairman, is in Alberta.

Now, the aspect of its being minute quantities, and the aspect of its being defensive, would have to be examined, Mr. Chairman. I will start, sir, by looking at one example of a minute quantity. I will not read the horrors that are in "Weekend Mainstream" of the Toronto *Telegram* May 24, 1969, in which they list more than a dozen types of either chemical or biological items that are used in bio-chemical warfare. They varied from

choking gases, vomiting gases, to napalm, to biological agents. This article, by Mark de Villiers, *Telegram* staff reporter, says:

And the biological agents? These arouse even more deep-seated abhorrence than the gases, but as far as the military are concerned they are useful because of the large number of agents available and because of the unlimited possibilities of defence. Also they are alive and so reproduce themselves, which spreads their effectiveness. Given the proper meteorological conditions, biological weapons can cover a greater area than thermo-nuclear weapons.

Now I am sure we would all be sitting here nervously—it says here, Mr. Chairman, that they can penetrate into bunkers which nuclear weapons cannot penetrate—we would be sitting here, each one of us, shaking, as I have since I began looking at this aspect of this bill, if we thought there was a nuclear station nearby. But although we do not have the knowledge of chemical-bacteriological warfare, many people in the field, in the universities and in the Press, have expressed to me personally that they are horrified that we are not aware of what is happening and what is around us.

Mr. Chairman, when I began my opening remarks in regard to this bill, I took them from an article in *The Last Post*, December 1, where Captain Goodspeed, D.J., was quoted from his book of 1958, "History of the Defence Research Board". Otherwise they were from *The Montrealer*, September, 1967. This article was not an editorial, Mr. Chairman. It was just simply research gathered together on chemical-biological work in Canada. It referred to Shirley's Bay, and it referred to the fact that in the area of Kingston-Ottawa-Shirley's Bay, at the Kingston laboratory of the army, in the early 1940s, the first chemical-biological substance was discovered. This would make sense, Mr. Chairman, to those of us who are in my age group since in the 1940's we were at war. They could not build the sort of thing in Britain that they were building here, and they had not begun to build them in the United States.

Mr. Chairman, one of the items that was listed in that article was botulinus, and I am only going to deal with one, Mr. Chairman. It said that botelinus was invented under a doctor from Queen's at the Kingston lab, and the bacteriological agent is a very highly toxic substance. I would like to read from a medical journal and give you the source who, oddly enough, Mr. Chairman, is one of the doctors that is doing the heart transplants on dogs at

the Banting Institute. He is doing neurosurgery at the Banting Institute, and he is alarmed, Mr. Chairman. He is rightfully alarmed, as we are, that we, who do not have knowledge of bacteriological substances with greater than thermonuclear power, are leaving ourselves with an open-ended bill by not supporting the sort of clause that is in this amendment.

Dr. John Pierre Bouchard of the Banting Institute says, and he was reading to me to-night at seven o'clock from a book called "Medical Microbiology", 1962 edition, Los Altos, California:

Botelus, most powerful of several types of toxic cholostidium botulinum. There are five toxics known. The most powerful is type A. It has been prepared in pure crystalline form. It has been programmed as the most toxic substance known. One milligram contains approximately 20 million mice lethal doses.

That is one-one hundred thousandth of 2.0. That is less than a teaspoonful, Mr. Chairman; the lethal dose for 20 million mice, less than one teaspoonful.

The lethal dose for man is not known. Probably less than one microgram—and these are the doctor's remarks.

Now there is one—  
this is the continuance of the article, Mr. Chairman:

—one-one hundred thousandth of one gram, the milligram, is said to kill 1,000 men very quickly. It is not known how much is needed to kill one man because they have never tried it on anyone.

And this doctor worked, oddly enough, on this toxic and he said even when there were young people working on it, they said some small quantity of this in the wrong hands would be disastrous. A tablespoonful in the water supply is enough to kill a city.

Now when this germ contaminates food—as we first knew it in our society food poisoning—it takes 18 to 96 hours to take effect after an injection.

Interjections by hon. members.

Mr. Chairman: Order, please!

Mrs. M. Renwick: It hits the respiratory muscles and one cannot breathe.

Mr. Chairman: Order, order please!

It seems to me that the details and the depth to which the hon. member is going are somewhat superfluous to the motion before us.

Mrs. M. Renwick: That is all there is, Mr. Chairman.

The question is: Are we doing offensive or defensive work? The hon. member for York-Forest Hill believes that the material for the member for Riverdale and the member for Scarborough Centre came from "Dimensions"—the Canadian universities in the service. That was an aside, Mr. Chairman, that is why it was handled by my colleague from Scarborough West (Mr. Lewis). That was another subject altogether. That was American grants from the Pentagon in our universities.

It is interesting to notice that there was one at McGill on assessment of military performance under the enhancement of drugs.

I would like to deal more specifically with something that is here now, Mr. Chairman, and cannot possibly be classified as defence and for that reason we must all look when we have an open-ended bill in the province of Ontario. The Defence Research Board has not published its 1969-1970 renewal grants to Canadian universities, except that there is one copy in the library for those of us who would like to see it; they are waiting for the French translation.

In The Department of DCBRE and that, Mr. Chairman, is the Defence, Chemical Biological and Radiation Establishment at Shirley's Bay—and that is defence, Mr. Chairman. This is the study, a study of TUV ultra-violet resistant latent on edotqoli: "This observation is made after inoculating large numbers of mice by both intra-paratenium and intra-cerebral roots."

Mr. Chairman, in our language, yours and mine, that is taking a substance and trying to make it stronger through ultra-violet light—the run rays—which would kill the aerosol viruses, which would be induced on the animals used at Shirley's Bay.

I would ask, Mr. Chairman, that serious thought be given to this problem.

The Voice of Women went to the Senate science committee in the spring and said they had visited Shirley's Bay and Suffield—Suffield, which the cattlemen in Alberta want to drop now, they have had all they can take at Suffield. They want the land and they want Suffield to go somewhere else.

There is a well-founded rumour from the Calgary *Herald* that the town around Suffield is going to close and that the establishment, Mr. Trudeau hopes, will be finished by 1970. I would just say, Mr. Chairman, I hope it is not coming to Ontario.



I was not speaking, Mr. Chairman, even about this type of research. I used it only as an illustration. This is the 1970 report, straight from The Department of Health. Some of my information came from the Pentagon. This is from the Pentagon to The Department of Health, and this is a project at Queen's University: "Reaction to insect bites, causes and effect, \$17,644. Terminates August 31, 1970; started in May 1, 1966".

We do not have much problem with mosquitos that I know of, but that is not the kind of example I have used, Mr. Chairman, and that is what I want to drive home. I have used one example of offensive, rather than defensive work, and the problem with this bill is that it does not have a provision to distinguish between legitimate and illegitimate use of research facilities and to this end we are handing over public pound animals.

Mr. Chairman, I would ask every person—I am not saying this is political, I am saying it is sociological—the responsibility rests with every individual. It should be a body other than the provincial Legislature that is deciding whether this kind of work can be done on our soil in the province of Ontario.

Mr. Chairman: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): I support this amendment on this side of the House personally, and as a member of the Liberal caucus, for a number of reasons. I think the most important is that it is about time that research institutes in Ontario—particularly those connected with the universities—and research being done within universities was very closely looked at in terms of whether the research is or is not for peaceful purposes.

I am the first to admit the difficulty of deciding what is a peaceful and what is a non-peaceful purpose for a particular research project. I think the time has come for this question of definition to be posed before the people of this province and I see this amendment as one way of posing that very important question. I think it must be done and it must be done soon.

The one question I would like to ask the Minister—and I apologize if he has answered this question before. Is it possible for this legislation, if it included the amendment, to cut off the flow of animals to a federal research institute operating in Ontario? That is the only question I have of the Minister.

Mr. Chairman: I wonder if the hon. Minister would like to answer that question at this moment or save it for later.

Hon. W. A. Stewart (Minister of Agriculture and Food): No, I will save it.

Mr. Chairman: The hon. member for York South.

Mr. D. C. MacDonald (York South): I would like to make a brief comment in support of this amendment, Mr. Chairman.

One of the unexpected results of the reference of this bill to the standing committee on health, was the revelation that nobody, including the Minister, knows exactly what is going on in this field. That in itself is rather an interesting point. When Dr. Rowsell presented his very useful documentation to the committee, he informed us that he had visited every research laboratory across this country, including the province of Ontario, and he gave us pretty categorical assurance that there were no animals being used in a number of areas of industrial research.

On the basis of his evidence apprehension as to what extent animals were being used in industrial research, was stilled—for the moment at least.

My recollection is that some question was raised as to whether this covered the whole field and whether wittingly or unwittingly Dr. Rowsell said yes, in short, he, Dr. Rowsell, the executive secretary of the Animal Care Council in Ottawa, who is perhaps as knowledgeable about research all across the country, was not aware of the fact that animals were being used in defence research.

So, in the first instance, there was a general denial that any were being used, when the question was first raised. Gradually, we are getting bits and pieces of information by way of confirmation. The hon. member for Scarborough Centre said she is not a sleuth. You would really need to be a super sleuth to dig out this information. And only when some isolated piece of it is gained, then can you go to Mr. Cadieux, or the Pentagon, or somewhere, and get confirmation that it is going on. In short, Mr. Chairman, no one, including the Minister, knows exactly what is going on in this field.

Mr. Dunlop: That is the purpose of the bill.

Mr. MacDonald: That is the purpose of the bill?

Mr. Dunlop: Registration of research facilities is one of the purposes of the bill.

Mr. MacDonald: Does the member mean to say that all of these secret defence activities will be revealed by this legislation?

**Mr. Dunlop:** I do not think the member will find out anything about defence.

**Mr. MacDonald:** Well I am rather interested, Mr. Chairman, in the observation of the hon. member for York-Forest Hill, because the general reaction of the government has been one of almost derision since this aspect of the whole question has been injected into the debate for the last while—and now we have a complete reversal.

The hon. member for York-Forest Hill is, in effect, suggesting that if we pass this bill, all of these secret defence investigations that have been going on are now—

**Mr. Dunlop:** Mr. Chairman, I made no such suggestion. I do not think it is likely that an Act of this Legislature, which does not bind the Crown and deals with an agency that is under a different jurisdiction is likely to have any effect on defence research. What I suggested was that the registration provisions of this bill will mean that all other research in Ontario will be known to this government.

**Mr. MacDonald:** Well, that is rather interesting—that the hon. member is now keeping the area nicely circumscribed so that this government is not going to intervene and assist in informing the public of what is going on in the defence research laboratories if they happen to come under federal jurisdiction.

**Mr. N. Whitney (Prince Edward-Lennox):** The member does not want us to be knowledgeable.

Interjections by hon. members.

**Mr. MacDonald:** Forgive me, Mr. Chairman, I was overwhelmed with the profundity of that interjection.

Interjections by hon. members.

**Mr. Chairman:** The hon. member for York South has the floor.

**Mr. MacDonald:** Thank you, Mr. Chairman, I am very glad to learn that I still have the floor.

**Mr. Chairman:** The hon. member for Prince Edward-Lennox is next.

**Mr. MacDonald:** Very good!

The point I was moving toward, by way of conclusion, Mr. Chairman, is that since we have now discovered a whole area of research, it may or may not come under the jurisdiction of this bill. If the interjection of

the hon. member for York-Forest Hill has at least some validity, it may well be that they can continue outside the purview of this bill, and that, I think, would be wrong.

Quite frankly, the purpose of this bill is that all animals in the province of Ontario that are used for research purposes shall be known to this government. And, quite frankly, the rider that “if it is being used for non-peaceful purposes then it should be excluded” is a useful rider; (a) to smoke out the information; and (b) to make certain that in this area too we are going to have some jurisdiction in terms of seeing that the whole objectives of the bill are going to be lived up to.

**Mr. Chairman:** The hon. member for Prince Edward-Lennox.

**Mr. Whitney:** Mr. Chairman, I have enjoyed listening to the debate thus far, and I particularly approve of the remarks made by the member for York-Forest Hill.

My own feeling about this whole matter is that the big protection of Bill 194 is the fact that the research people of this province have to go to the animal review board, and give justification for the number of animals they require, their reasons and so on. The justification must be there and it is a built-in protection.

Now then, in regard to research, that is something about which I am very frank to say I do not know very much. But nevertheless, as the hon. member for York-Forest Hill has said, research can contribute to our knowledge. Just the fact that some of the results of research might be applied in regard to defence, or something of that kind, does not necessarily mean that they will be applied, either by the United States or anybody else.

I think all people will admit that out of the last war, bad as it was, and with all the undesirable effects, there was nevertheless a great advance made in technology and knowledge, that might not otherwise have happened for another 50 years.

Therefore I would say that we have our good neighbours to the south, and if they can acquire some knowledge that could be useful in case of defence or anything of that kind, all well and good. But our problem is to see to it that whatever benefits obtained from research are utilized for the welfare of mankind and at the same time, that the animals are protected and used in a humane way. And that this dognapping and all the rest of the abuses be stopped. I think this

bill is a good bill. I think it is one of the greatest pieces of legislation that has ever taken place in this province since I have been a member.

**Mrs. M. Renwick:** The member will not think that when the chips are down.

**Mr. Chairman:** The hon. member for Middlesex South.

**Mr. K. C. Bolton (Middlesex South):** Mr. Chairman—

**Mr. T. Reid:** He has condemned the government for the last 20 years.

**Mr. Whitney:** The member will not be here for the next 20 years.

**Mr. Chairman:** Order! The hon. member for Middlesex South has the floor.

**Mr. Bolton:** I have a fair degree of patience, Mr. Chairman.

**Mr. Dunlop:** Then the member is in the right racket.

**Mr. Chairman:** You and me both!

**Mr. Bolton:** Mr. Chairman, I would point out that we are discussing one particular clause of this bill, with specific reference to research. It is on this point that we wish to speak: the matter of the nature and the purpose of research.

The last speaker said he knew very little about research, and I am perhaps in his company. But I do know some questions need to be asked if we are to be informed about research.

It is a matter of concern to all of us, as we do share in results and responsibility. So I propose these questions should be asked.

What constitutes genuine research can be determined by an answer to these questions, in part. Who pays for the work? What is the nature of their interests? If it be true—which I have heard asserted with a great deal of documentation, I think—that experiments are being made in Shirley's Bay relating specifically to bacteriological warfare, from which I suggest no one derives any benefit, we need to know who is paying for this work. It is being paid for by American funds, and they have determined not to do the research in their own country—then I want to know why. If it is dangerous there, why is it not dangerous for us? We would like to ask who is paying for this research.

**Mrs. M. Renwick:** They used up all our dogs a couple of years ago, too!

**Hon. J. R. Simonett (Minister of Public Works):** paid by the NDP.

**Mr. Bolton:** If the research is genuine, and has public value, the question is always asked: Are results immediately published in open literature for those who can assess its value? We should not only speak as we do in this Act about research facilities, we need to ask about research programmes. What is the purpose? What is the nature of the work being undertaken? And I think that there are a great deal of unnecessary objections and fear about these few words we are asking to have inserted.

We are not against research. We recognize the difficulty of determining what research is, for one purpose or for another. But we are quite clear about this one thing. We reject the concept that our animals shall be used for research that is definitely, and clearly, and unmistakably for anything other than peaceful purposes.

**Mr. Whitney:** How about defence?

**Mr. Chairman:** Any other member? The hon. member for Brantford.

**Mr. M. Makarchuk (Brantford):** I was wondering if the Minister would indicate at this time whether he has any intention of accepting the amendment or not?

**Mr. Chairman:** The hon. member is quite out of order.

**Mr. S. Lewis (Scarborough West):** What do you mean he is out of order?

**Mr. I. Deans (Wentworth):** There is nothing out of order.

**Mr. Chairman:** Order! The hon. Minister has not even had an opportunity to reply to any—

**Mr. Lewis:** He can step in at any time.

**Mr. Chairman:** The hon. member has no right to ask what the Minister's intentions are until he replies to the comments.

**Mr. Lewis:** This is not second reading, this is in committee.

**Mr. Chairman:** Well if the hon. member has any comments to the motion before us other than to merely ask the Minister if he intends to accept it, he may proceed. If not the hon. Minister has the opportunity to speak now.

**Mr. Deans:** Well let us hear the Minister!

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Chairman, I am sure that all of us interested in peace—as we all are—would be in sympathy with the motion that has been proposed by the hon. member for Riverdale. However, I think he summed it up himself pretty well by saying that it is so difficult to discover or discern the difference between offensive research and defensive research. This is very very difficult to do.

**Mr. J. Renwick:** All the problems are difficult!

**Mrs. M. Renwick:** Making germs stronger—

**Hon. Mr. Stewart:** Mr. Chairman, I wonder if I might have the opportunity to say a few words. I have listened with great care to what was said. I made a great many notes of what was said because I think everyone was debating seriously this resolution that is before us.

**Mr. Chairman:** Yes, I must point out that the debate is not limited because the Minister is replying at this time. The members may have an opportunity to speak again if they find it desirable.

**Mr. Nixon:** We absolutely find it desirable.

**Hon. Mr. Stewart:** I think this really sums the whole matter up. What is peaceful research? Now several illustrations were used of what could be considered warfare research and chemical and biological research work. For instance we have experiments going on here in Toronto at the university. These are unclassified research projects. People are invited to come in and see them. Several high school students have been invited to come in and have come to look at these research projects that have to do with animals being subjected to heat that would produce sub-lethal burns and then subjected to a type of radiation.

One might say that was an offensive type of research but surely we are finding the answers in that research to what could be done to protect people who had been subjected to that kind of injury. Then one looks at other types of research; for instance, the fight against poliomyelitis, against polio, in the development of the Salk vaccine. First of all they had to isolate the poliomyelitis virus, develop it, isolate it, and at that place one could say that here it was a very dangerous biological product developed as a result of research which could have been used certainly

for an offensive purpose. But the next step after having isolated the virus was to find the vaccine that would control it and then to develop the agent by which it could be used and the method of its use.

Now which was the offensive research and which was the defensive research? If we are to say that we should not have used animals at all in this particular experiment, and we are to say that the development of that particular virus to such a degree, or organism to such a degree, would have been an offensive act, then perhaps we would never have developed the Salk vaccine. But when you consider what that has meant to the world today, really there just cannot be any doubt of it at all. Then one should consider the vaccine that was developed to control rinderpest in cattle during the First World War and what that has meant to the Asiatic countries where that vaccine has been used. Now, where would we have defined whether it was offensive use or defensive use, because first of all we had to isolate the disease and then find a cure.

**Mr. G. Ben** (Humber): But the motion is "for peaceful purposes."

**Hon. Mr. Stewart:** Exactly!

**Mr. Ben:** Well, all these things that you have described have been for peaceful purposes so—

**Hon. Mr. Stewart:** Oh no! In the first stage all of them could have been considered as offensive purposes; every one. Now the amendment limits our research people in this province to not getting into these particular fields to do this research. To me this is quite wrong. There are many things that I have talked about here—

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

**Hon. Mr. Stewart:** Well, I am not coming at all I am just talking about the practical application of the resolution that is before us—the practical application of the amendment.

Now then, you referred a moment ago that this botulinus toxin which everyone agrees is a very severe and a very lethal type of toxic, but the very fact that we were able to discover a means to control it is something that I think has been a very great accomplishment. As a matter of fact the control procedure has already been used and it would seem to me that we should be prepared, as we are, in those matters of defense. We can-

not say that all research possible under this legislation should be for peaceful purposes only, because really we could not develop those defensive means whereby we can protect ourselves against what somebody else might be able to do. I suggest we have to look at that possibility very carefully.

Now as far as the Alberta situation was concerned, the hon. member for Scarborough Centre mentioned this matter about the cattlemen in Alberta being greatly disturbed about the situation out there. The cattlemen have been living with that situation for years. Whenever there is a shortage of pasture due to drought, they turn their cattle in, through an agreement with the federal government, on the Suffield area, or the British Bloc as they call it out there, and use it for pasture purposes. There have been no restrictions whatsoever. It is a very pleasant working arrangement between the two groups and there have been no problems as I understand it.

**Mrs. M. Renwick:** I do not feel that Suffield is pleasant.

**Hon. Mr. Stewart:** Mr. Chairman, I did not interrupt the hon. member when she was speaking and I hoped she might do me the same favour. I am simply putting what I am saying before the committee. Now the hon. member for Scarborough East asked the question: "Could this legislation cut off the flow of animals to federal research labs?"

**Mr. T. Reid:** Could it?

**Hon. Mr. Stewart:** Could it legally? Well, frankly, it would seem to me that our legislation cannot override federal legislation. We cannot, in my opinion, cut off the flow of animals to research laboratories operated by the National Defence Board of Canada. Many of their animals are obtained through their own breeding facilities, and I am referring to the colony animals. There are very few dogs or cats used—very few of them. I talked to the vice-chairman in charge of national defence this very day at Ottawa, and he has assured me of this.

We believe that the federal laboratories are outside, that is the federal national defence laboratories, are outside the jurisdiction of any provincial legislation. I think that we agree on that. I am no lawyer but I would think that this was constitutionally sound.

But I would say that any laboratories—that any university laboratories—operating within the province, and using national defence funds

for various purposes should come under this legislation.

For instance the Salk vaccine development, to refer back to an illustration, such labs should certainly come within the jurisdiction and purview of this legislation. I would think that was a reasonable approach to this legislation.

Now I must confess that I have been impressed with the arguments that have been advanced concerning the use of animals for peaceful research, but we have discussed this with a great many very highly qualified scientists—

**Mrs. M. Renwick:** Such as?

**Hon. Mr. Stewart:** Such as a good many that I have talked to today.

**Mrs. M. Renwick:** Name two or three, please, Mr. Minister.

**Hon. Mr. Stewart:** Yes, I can tell you of two: Dr. H. Sheffer, the vice-chairman of the Defence Research Board of Canada; Dr. Gilbert Robinson, vice-president in charge of research administration of the University of Toronto. These are two I would think eminently qualified men in this field, one at the university level and one at national defence level. It would seem to me that both of these men have found—and we have been assured by others—that there is just virtually no way that you can distinguish between peaceful use and non-peaceful use because of the closeness of the two.

One can be considered defence of our country, defence of the people to whom we as provincial legislators and as citizens of Canada must be responsible for defensive purposes. But on the other hand, to achieve that result, perhaps there are times in that research programme when it might be said that we have embarked on what could be said to be the development of offensive research for offence purposes. Now really, this is the reason that I feel that the proposed amendment goes perhaps beyond what we can deal with here, although I am sure we all strive for the objective of peace and we hope that none of these things which we talk about here this evening will ever be necessary. But by the same token I do not want us to emasculate this legislation to the place where at any time somebody could say that we in the provincial Legislature have not been concerned enough with the defence of our own people in this country to have in any way emasculated that defence programme through any amendments to this legislation.

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

**Mr. J. Renwick:** Mr. Chairman, I just want to clear up a couple of misconceptions that the Minister and one or two other members have who have spoken on the bill. The member for Prince Edward-Lennox and, I believe, the member for York-Forest Hill were labouring under the impression that the registration requirements of the review board have something to do with the topic which is under consideration. I would point out that the mere fact of the registration of a particular research facility under one of the sections that has just been passed—

**Mr. Dunlop:** Oh I just said that in answer to a silly remark by your leader, not to suggest that registration would apply to defence research in federal facilities.

**Mr. J. Renwick:** Nevertheless, I think the point should be made because, regardless of the reasons which motivated the member for York-Forest Hill, it was the substance of the remarks made by the member for Prince Edward-Lennox.

Of course, what the Act simply says is that if certain conditions are fulfilled, registration shall be granted, and that is the end of it. In the amendment which I proposed, Mr. Chairman, it was not any government body which was charged with this review of the kind of research which was going to be carried on; it was an endeavour to have the individual institutions who establish research facilities—be they universities, other educational institutions, private research, or other forms of public research—in establishing their particular committee to which those research project proposals would be placed, to be required to exercise a question of judgment on whether they were for peaceful purposes. That is all that the amendment says. It was not the interjection of some government body for the purpose of carrying that out; it was within the particular facility itself. The body or persons who control it are required to set up this animal care committee, and it was the obligation to insist that those members of that committee exercise a judgment on whether it was for peaceful purposes or not.

Now that is, I think, the answer, as I see it, to the argument put forward by the member for Prince Edward-Lennox, and I think it was also partly included in the remarks of the Minister.

The second point is, of course, that I was not talking about offence and defence. I very

clearly made the distinction at the beginning that to the extent that there is going to be research carried on in Canada for military purposes, or defence purposes, for purposes that fall within the purview of the federal government, then it is their responsibility to set up the methods and the systems by which that research is carried on and the way in which it is carried on and the purposes for which it is carried on.

But I think it is quite possible until that kind of overall federal control in that field is set up for the animal care committees of the particular bodies that own or operate these research facilities which are going to be registered, to determine in some way initially that question of the peaceful use.

And I think, if the Minister will look at it in the way in which my colleague, the member for Middlesex South placed the question, he will readily be able to determine whether or not it was for a peaceful use. That question is quite a separate and distinct question from whether or not there may be some beneficial result for mankind, or whether there shall be some detrimental result, because what the member for Middlesex South said is: "Who is paying for it, where is the money coming from, what are they intending to do with it?" You can determine that quite readily in the early instance, certainly within the educational institutions of the province, and I think you should be able to determine that, or the animal care committee should be charged with the responsibility in a particular facility for determining that kind of question.

Then, if they have any problem, it is up to the director, who is a government official to be appointed under this Act, to decide whether or not something else should be done about it. One of the things which he can do is report this to the government; then this government can deal with the federal government if it is a matter related to the national defence of this country.

I just wanted to say, Mr. Chairman, that there is nothing in our amendment which would require somebody to exercise the wisdom of Solomon as to whether or not some ultimate beneficial use may derive from the research. What we are asking is that so far as research is carried on in this province by the use of animals supervised by this government, under this bill, it should be for peaceful purposes; and if it is going to be for any other purpose, then that is a matter for the federal government. The federal government would have a responsibility to deal with it

from that point of view and to justify it from that point of view.

**Mr. Singer:** Do they not have, anyway?

**Mr. J. Renwick:** Of course they have it but they do not use it.

**Mr. Singer:** Do they not have to justify it to their own Chamber?

**Mr. J. Renwick:** Of course they do, but at the moment there is no system by which this is done at the federal level, and until such time as there is adequate federal legislation in this whole field which will protect the public interest, it has got to be done, and can be done constitutionally, by this government at this level.

**Mr. J. E. Bullbrook (Sarnia):** Are you saying that if the federal government does not occupy it, the province has the right to? Is that what you are saying?

**Mr. J. Renwick:** Yes. I simply say that there is no constitutional impediment to inserting these words in this section; that is what I am saying.

Interjections by hon. members.

**Mr. J. Renwick:** All I am saying, Mr. Chairman, is that I am not going to get hung up on the problems of constitutional law because there is no constitutional law prohibition of the insertion in this Act of the words which are included in the amendment.

**Mr. Singer:** Why do you not fight the battle in Ottawa rather than here?

**Mr. MacDonald:** Are you in support of this now, or has your caucus changed its mind?

**Mr. J. Renwick:** The member for Downsview says, "Why do you not fight the battle in Ottawa rather than here?" What I am saying is that if there are going to be research project proposals in the province of Ontario which are dealt with under this bill—which is within the purview and the constitutional competence of the government of the province of Ontario—then I think it is quite constitutional, quite appropriate and quite proper that the research, be that research in private hands or in educational or other institutional facilities which are going to be registered by this government, should be done for peaceful purposes. The question is, who pays for it? And that is one of the ways that you get at the purpose of it.

**Hon. A. Grossman (Minister of Correctional Services):** Was the cobalt bomb for peaceful purposes?

**Mr. J. Renwick:** Mr. Chairman, I have been asked a question by the Minister of Correctional Services, whether the cobalt bomb was for peaceful purposes. My answer to him is that for the purposes of the amendment which I propose, it would depend as to who was paying for it and what their purpose was when they instituted the research.

**Hon. Mr. Grossman:** Well now, suppose they had done that, we would never have gotten the cobalt bomb.

**Mr. J. Renwick:** No, it is not correct, Mr. Chairman, and the Minister of Correctional Services does not then understand the argument. If it's going to be for a warlike purpose, it is up to the federal government; if it is for a peaceful purpose it can be done by this government.

**Hon. Mr. Grossman:** You could always have argued, Mr. Chairman, that that would have been for war purposes. You never know that. It is ridiculous.

**Hon. A. F. Lawrence (Minister of Mines):** What you are really saying is that if it is not for peaceful purposes we cannot control it.

Interjections by hon. members.

**Mr. J. Renwick:** Mr. Chairman, I cannot hear. Obviously a lot of questions have been raised on this. Perhaps I could try to answer them one by one. The Minister of Mines is—

**Hon. A. F. Lawrence:** I was just wondering: If it is not for peaceful purposes, how would you control it?

**Mr. J. Renwick:** The federal government's obligation would be to determine whether or not it was in the public interest that it be carried on, and then they could establish such facilities and such controls as they wanted to for that purpose; but I do not think that is an answer to the question that we leave it in this province as though we have nothing to do with it.

**Hon. A. F. Lawrence:** We might have more control over it if the restrictions were not written into the legislation!

**Mr. J. Renwick:** No, Mr. Chairman, there is no control in this bill over what we are talking about. What we are talking about is the animal care committee established, for

example, by Dow Chemical of Canada Limited if they were going to engage in research; or the animal care committee established by the University of Toronto, or the school of medicine at the University of Toronto if it was going to engage in research. Then those men who are on those committees would be charged with the responsibility of saying, "What is the purpose of this work?" And if the funds were derived from the defence establishment in the United States and did not have the approval of the federal government at Ottawa, then I say to you that this province should not permit that kind of research project to go forward. If, then, there is some merit—

**Mr. Dunlop:** May I ask the member a question?

**M. J. Renwick:** Well let me finish the sentence and then you may!

If there is some valid purpose to be served in terms of offensive or defensive operations of the military establishment of Canada, then it is up to the federal government to say: "Well, in these circumstances, under these controls and with our full knowledge of it, we will permit it to go forward." That is not the responsibility of this government, but this government has a responsibility to ensure that the research work which is done in this province is for peaceful purposes.

**Hon. A. B. R. Lawrence (Minister without Portfolio):** What are peaceful purposes?

**Mr. J. Renwick:** Peaceful purposes are the kind of decision that the Minister without Portfolio, the member for Carleton East, would be able to make if he were charged with that responsibility.

**Hon. A. B. R. Lawrence:** God? God?

**Mr. J. Renwick:** No, not God.

**Hon. A. B. R. Lawrence:** It would have to be God.

**Mr. Lewis:** Oh, stop, You know when you are engaged in some sort of bacteriological research.

**Mr. J. Renwick:** All I am saying is—

Interjections by hon. members.

**Mr. Chairman:** Order please!

**Mr. Dunlop:** The question I would like to ask the hon. member, because I have considerable admiration for his legal skills, is this: with the restrictive words that he pro-

poses, would it not be that the investigator would simply be able to say to the animal care committee, "Oh, no, this does not apply at all. My research is in bacteriological warfare?"

**Mr. J. Renwick:** Mr. Chairman, I do not think he would be able to say that, because if I understand the thrust of what the member for York-Forest Hill has said, that anyone going to engage in a research facility in a particular proposal would be required to put it before the animal care committee, and if the animal care committee decided it was not for peaceful purposes—in other words that the funds were derived from the military establishment in the United States, or that the funds were derived through one of the subsidiary companies which are engaged in supplying the United States government defence department for the purpose of use in offensive warfare—for example in Viet Nam—then the animal care committee would be obligated to say: "Well, no, you cannot carry it on." Then the person who wanted to carry that on would have to go to Ottawa and persuade that particular government that it was a necessary ingredient of the defence of this country that it be carried on and that the proposal then be subjected to some kind of approbation or rejection at the federal level.

I think what the member for York-Forest Hill has so very clearly brought out is that whether we like it or not, somebody, somewhere has got to start to make the distinction. And having made the distinction here, then the right questions must be asked, to establish if it is for a non-peaceful purpose or a war-like purpose; and then it is up to the federal government, discharging its constitutional responsibility for the defence of the country, to determine whether or not that should be carried on. Not for the purpose of whether in some general sense it could be used by some other power for an offensive purpose, but whether it was required for the defence of Canada.

**Mr. Dunlop:** Mr. Chairman, I would also like to know from the member whether he really thinks the test he and the member from Middlesex South have suggested is a sufficient test? He suggests that whoever finances it gives one a good idea as to whether it is for peaceful purposes or not.

I have had some opportunity to become reasonably familiar with research financed by the Canadian Defence Research Board, and much of that by the Pentagon in Ontario. It usually has titles like this: "New Approaches



to Blood Transfusion," and projects with titles like, "Healing of Wounds and Burns."

Now, the very fact that this is supported by the military establishment, as he calls it, does not mean it is venal or nasty research. A great deal of it has a tremendous application to civilian purposes and I think the test he suggests is just a lot of eyewash.

**Mr. Chairman:** May I point out that much of the arguments being presented right now are quite repetitious. We have heard just the same remarks several times during this debate and earlier.

**Mr. J. Renwick:** Well, Mr. Chairman, the member for York-Forest Hill ended up his remarks by saying it was eyewash. I simply say to the member that if he will understand that I am not saying—I am not saying that if it is for a warlike purpose that therefore it is venal or bad. All I am simply saying is that the government—

**Mr. Dunlop:** You said whoever paid for it made the difference.

**Mr. J. Renwick:** No!

**Mr. Dunlop:** Well, you intimated that.

**Hon. A. B. R. Lawrence:** That is what your innuendo was.

**Mr. Dunlop:** That was clearly what your friend from Middlesex South said.

**Mr. J. Renwick:** Mr. Chairman, let me, if I can, try to get across one last time what I am talking about.

"If one accepts the proposition that the federal government of this country has a responsibility for the defence of the country, in all its aspects, and the defence of this country may connote offensive operations and defensive operations, and offensive methods and defensive methods, or they may be identical—then all I am saying is let us start to ask that question about the kind of research which is being done in the field of chemical and biological or bacteriological warfare and let us say to ourselves honestly and clearly: "Yes, we believe it is important this be done because of the defence obligation of the federal government."

Now having said that and asked those questions and faced up to them, you and I may not like it but if the decisions are conscientiously made in accordance with the federal policy in that field, then I say fine—

**Hon. A. B. R. Lawrence:** It is silly though. Did not Nobel develop the explosives. He did.

**Mr. J. Renwick:** No, Mr. Chairman!

Then I am saying as the other corollary to that, that if we in this Legislature are passing an Act which provides that animals may be used for that kind of research work, then there is an initial and fundamental obligation on this government to say: "So far as we are concerned we are interested in peaceful research purposes. We will exercise a very pragmatic judgment. We will not exercise the wisdom of Solomon but what we will say insofar as this government is concerned—we will not permit it to be carried on, if you want to submit your research project proposals to the federal level and have it justified for warlike purposes, for the defence of the country, then go up there." That is not the job or obligation of this government, and they cannot at the same time shirk their responsibility by turning down this amendment.

**Mr. Chairman:** Any further questions? The member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, I would like to extend a plea to the members in the government that as much as they are able to do so—and I think, personally, individually to a great degree they are concerned—that they take a look at Bill 194 in the light of wisdom and protection for all of us, not just for one side of the House or the other. Any political harm in my view, Mr. Chairman, of this bill, will not come tonight to the Conservative Party, it will come later if they put this sort of thing in Ontario. It will be its own end. I do not think tonight, Mr. Chairman, is the night to get any wisdom out of this problem, if we are going to just make it political.

**Mr. Chairman,** I would like to speak slowly on a couple of points that I think have to be made. When the hon. leader of the Opposition rose to support this amendment, he mentioned that the committee was being criticized for not having gone to on-site research. Mr. Chairman, we stand also to be faulted and I would ask the Minister: Did he know that animals were being used for the type of research that we have discussed here tonight, for instance, at Shirley's Bay. Would the Minister answer that? Did the Minister know, when he began this bill, about that type of research using animals, which will soon become public animals? Could I just have that answer?

**Mr. Chairman:** This question has been asked before and answered to my knowledge.

**Mrs. M. Renwick:** I think, yes. I think the Minister answered in the House that he would find out because he honestly did not know. I would say once knowing, late as it was, in order to pass this bill with some wisdom, it might have been a wise effort on the part of the Minister not to say to me that it is Mr. Lane of the health committee who will do it; and Mr. Lane says it is the member for Quinte (Mr. Potter), the chairman, who does it; but to undertake himself to bring before us people who are knowledgeable about different kinds of research, or take us to some places where research is being carried out if that is what is required.

The point that I am trying to make, Mr. Chairman, first of all as a member of the standing committee on health, is that we saw only those people who wanted to come. This does not give any of us, including the government, a wise attitude towards Bill 194. We saw strong pro, strong con, but we did not see people who were interested—

**Mr. Chairman:** Order please! We are getting back to debating the principle of the bill again.

Interjections by hon. members.

**Mr. Chairman:** Order please!

The principle of the bill was considered at second reading, the standing committee has already reported, we are now dealing with an amendment to section 21.

**Mrs. M. Renwick:** Very well. I thought it was wise of the leader of the Opposition to point out the flaw in the committee.

Speaking to Mr. Dunlop's remark about the list of contracts from the Pentagon.

**Hon. A. F. Lawrence:** That is the third time you have not referred to the hon. member for York-Forest Hill correctly.

**Mrs. M. Renwick:** This is a different aspect of it, I would say to the hon. Minister of Mines, it is a different aspect to the remarks of the hon. member for York-Forest Hill; it is an aspect, Mr. Chairman, which is important.

The member for York-Forest Hill held up the list of 53 grants direct from the Pentagon that are being used in our universities, and individually they can be termed innocuous and unclassified. In fact I learned from the Pentagon recently, Mr. Chairman, that all

contracts that come from the United States to our universities go through the defence department of the host country, and they are all solicited from our country.

The list that the member for York-Forest Hill referred to as having been delivered by Mr. Mel Watkins was actually a list which Senator Fulbright's office assured me was delivered on the floor of the Senate by Senator Fulbright himself. It was a list not only of the grants in Canada, it was a list of all Pentagon grants around the world. Senator Fulbright's reason surely must have been to point out to those persons interested in peace in his country that the contracts which were being cut back in the U.S. could very well be now disseminating around the world, as indeed they cut back the bomb testing after they had the incident in the Aleutians.

Now I would like to say that the list was Senator Fulbright's list, Mr. Chairman, it was not Mel Watkin's list.

**Mr. Dunlop:** I just said: "In a paper by Mel Watkins."

**Mrs. M. Renwick:** All right. I think the important thing, Mr. Chairman, is that Senator Fulbright cannot be called a socialist, communist or anything else, he can only be called an intelligent man who is trying to keep a large universe in peace.

I would now like to speak to the remarks of the member for Prince Edward-Lennox who is not here, Mr. Chairman.

**Mr. Chairman:** Order! Let us speak to the amendment to section 21.

**Mrs. M. Renwick:** Then I would like to correct some remarks that have been made.

The member for Prince Edward-Lennox said that surely we are entitled to this kind of thing for defence. Now I would point out that in the Voice of Women's brief to the Senate committee on research, it was pointed out very clearly that the defence science that is going on in our country is for army protection, not civilian protection, Mr. Chairman. And to the members in the Tory government who are saying, "What about our grandchildren," I would say that we do not have any defence in our country for their grandchildren.

**Mr. Chairman:** Order! We are straying away from the amendment to this section.

**Mrs. M. Renwick:** I think, Mr. Chairman, the point has to be made of the difference between defence and offence and our asking

for this kind of clause to control research that is going to use public animals.

**Mr. Dunlop:** The member for Riverdale pointed out that this had nothing to do with federal jurisdiction.

**Mrs. M. Renwick:** These are public animals that are belonging to the people of Ontario; and the people of Ontario, Mr. Chairman, have a right to know what they are being used for.

I would like to say that Canada has no submarines and no nuclear bombs, in short, it has no defence, Mr. Chairman. The Voice of Women pointed out very clearly, when they went to Ottawa, that Canada had major testing facilities well beyond "her own defensive needs" and that was already stated in the history of the Defence Research Board by D. J. Goodspeed.

Mr. Chairman, the Minister of Correctional Services has the *Last Post* on his desk. I presume he is going to try to do a hatchet job, but he cannot do a hatchet job on D. J. Goodspeed when he wrote the history of the Defence Research Board.

**Mr. Lewis:** He is going to blow the bugle on the government.

**Mrs. M. Renwick:** With the Defence Research Board, Mr. Chairman—

**Mr. Chairman:** Order please!

This has nothing to do with the Defence Research Board, it is an amendment to section 21 and we should stick more closely to this. It has been pointed out that what the Defence Research Board does is *ultra vires* to what we do here so please keep to the amendment.

**Mrs. M. Renwick:** Well, all right, Mr. Chairman.

Speaking to the amendment, "for peaceful purposes," for the use of the animals procured under Bill 194, the Voice of Women reminded the Senate committee in Ottawa that Canada had signed the Geneva protocol; it was therefore obliged to carry out the spirit of that protocol and that the United States of America did not sign this protocol, not to use germ warfare and that we are assisting—and this is the point that has to be recognized, Mr. Chairman, even by the government if they want to maintain power in Ontario. There are hundreds of women out there who bring life, along with me, into the world and they do not want to see it shot down with Bill 194. The Voice of Women will come and bring a speech, Mr. Chairman, and this

government can mark my words, we will make you take a look at what you are doing.

**Mr. Chairman:** Order please!

Interjections by hon. members.

**Mrs. J. Renwick:** Mr. Chairman, time will tell. We have had paraded before us, as committee members, heart valve patients, kidney transplants, and I would say, Mr. Chairman, we should have had brought before us some of the scientists who have worked on chemical biological work at Shirley's Bay, using so many animals that two years ago this government failed to supply animals to those—

Interjections by hon. members.

**Mrs. M. Renwick:** The writing is on the wall, Mr. Chairman. Do you know what the women of the men on the opposite side are saying, that this bill will do them in. Now, I would say, Mr. Chairman, do not make it political, take a good look at Bill 194.

**Mr. E. A. Winkler (Grey South):** What has that got to do with it?

**Mr. Makarchuk:** Mr. Chairman, just a few points on this same particular bill.

First I want to disabuse some of the ideas that were thrown about here earlier by the members on the opposite side, indicating that it would be difficult to say which is research for war purposes and which is research for peaceful purposes. I admit that in some cases this may be a problem to decide. Certainly the case mentioned by the member for York-Forest Hill dealing with the healing of wounds, has a very useful peaceful application.

But let me tell you of another case that has been used in the United States where animals were used, and this is where dogs were taken, certain portions of them were shaved, they were smeared with napalm. They were then ignited and let go, to see which quality of napalm had the best sticking quality and the best searing quality. Now by no stretch of the imagination, Mr. Chairman, can that be termed research for peaceful purposes.

I am not saying this has been going on in Canada or that it may go on in Canada; but what we are saying is that there is a possibility that this type of research—and there are other types of research of similar nature, dealing with bacteriological warfare—can be done in Canada with the use of the animals that we will provide in this bill. The development of botulism germs, germs that would have great potency, in other words

there would be no protection against them. Again, by no stretch of the imagination, is this a matter done for peaceful purposes.

We had a situation during the last war where anthrax was considered for use in germ warfare and it was tested on an island off the coast of Scotland. This particular island has been declared as unfit or denied to human habitation and will be denied for human habitation for approximately 100 years.

We have a recent situation where, because of slipups in this kind of research, they had a sheep kill in Utah last year where something like 6500 sheep were killed by the American army. It was later denied and then admitted. We had, just recently, a case where people were infected through germ warfare on Okinawa and certainly similar situations can happen in Canada if we indulge in this particular research.

The other point is that if we deal with research that aims at war, we create the psychological climate that makes us think that war is possible, that we can win a war, and in the next war there will be winners and losers. This, my friends, is a lot of bloody nonsense. The only people who would be the winners in the next war has been put, I think, very capably by a deposed member who said the only lucky people will be the ones who will be dead.

And it is rather hypocritical at this time of the year, the time of the year when we have peace and goodwill, the Christmas season—

Interjections by hon. members.

**Mr. Chairman:** Order! Let us keep to the amendment to section 21.

**Mr. Makarchuk:** —that this particular government should reject, should refuse to take a moral judgment, to refuse to take a moral stand on whether we are going to have peaceful research or not peaceful, or research for war.

**Mr. Chairman:** Order!

This is not what the discussion should be about, we are on section 21.

Interjections by hon. members.

**Mr. Makarchuk:** Instead of accepting this particular amendment and making that moral judgment and telling the people of the world that we, in Ontario at least, have decided to go against this trend, this government has decided to step on the side of the people who

operated Buchenwald, Auschwitz and were responsible for the massacre at Mai Lai.

Interjections by hon. members.

**Mr. Dunlop:** Those are very offensive remarks which should be withdrawn.

Interjections by hon. members.

**Mr. Winkler:** Mr. Chairman, on a point of order. I wish to say that every Canadian should be ashamed of the final words of that member's speech. Every Canadian!

**Hon. A. B. R. Lawrence:** I think the member should be asked to formally withdraw those remarks.

**Mr. Chairman:** Will the member withdraw his remarks?

Interjections by hon. members.

**Mr. Chairman:** Order, please! Will the member withdraw those last remarks?

**Mr. Makarchuk:** Mr. Chairman, I said, in rejecting this particular amendment, this government is taking the steps that were taken, the steps and the directions that were taken by the proprietors or the perpetrators, the same as the individuals who operated Auschwitz, Buchenwald—

Interjections by hon. members.

**Mr. Chairman:** Order please!

**Hon. A. B. R. Lawrence:** Mr. Chairman, will you ask the member for Brantford whether he will withdraw or not?

**Mr. Chairman:** I ask the member for Brantford if he would withdraw the objectionable remarks.

**Mr. Lewis:** He did not say anything, he just said—

**Mr. D. H. Morrow (Ottawa West):** Mr. Chairman, the hon. member imputed improper motives by the members of this party—

**Mr. MacDonald:** He did not, Mr. Chairman.

**Mr. Morrow:** —in saying what he said.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order. It is interesting to see at what point this government finally gets exercised.

**Mr. Nixon:** That is not a point of order.

**Mr. Chairman:** The point of order, please.

**Mr. MacDonald:** I am speaking to the point of order.

Interjections by hon. members.

**Mr. MacDonald:** Why is the government so aroused? What we have been saying is that this government will not make a moral decision as to the abuse of research purposes in this province. If you are on the road to ignoring the moral values involved and he cited examples as to where that has led elsewhere.

Interjections by hon. members.

**Mr. Winkler:** The member is a fine one to be talking about morals.

**Hon. C. A. Kerr** (Minister of Energy and Resources Management): He is believing his own claptrap!

**Mr. MacDonald:** Is that right? The hon. member believes his own nonsense. You have refused to make a moral judgment.

**Mr. R. V. Boyer** (Muskoka): Mr. Chairman, I submit that the hon. member has no point of order. The question is, whether the hon. member for Brantford will withdraw his offensive remarks.

**Mr. MacDonald:** He does not have to.

Interjections by hon. members.

**Mr. Chairman:** Order please! Does the member for Port Arthur wish to speak?

**Hon. V. Yaremko** (Minister of Social and Family Services): That is a direct communist lie.

**Mr. J. L. Brown** (Beaches-Woodbine): What does the Minister know about it?

**Mr. Chairman:** Order please!

The member for Port Arthur has the floor.

**Mr. R. H. Knight** (Port Arthur): Thank you very much, Mr. Chairman.

I have found the debate very useful and I think the amendments by the New Democratic Party, especially the member for Riverdale, has served a useful purpose in giving the members of this Legislature the opportunity to express how deeply and seriously they take the matter of the experimentation for warfare, biological, chemical or otherwise, in this province or in this country.

But I do not see how we can pass legislation that we cannot enforce. I think I have

heard it said many times from this party, especially its leader, they have told the government there is no sense in bringing in legislation that you cannot enforce. This is the way I feel about it. It seems to me it is pretty common knowledge that if there is a research project going on that is vital in any way, it is going to be classified, and if it has to do with biological or chemical warfare and this kind of warfare, you are not going to even get near that experiment.

I just wonder how a little animal inspector is going to get in to find out what is going on.

**Mr. MacDonald:** You did not listen to the hon. member for Riverdale.

**Mr. Knight:** I did not have to listen. You are suggesting that we include in this bill a statement—

**Mr. Chairman:** Please confine your remarks to the amendment.

**Mr. Knight:** Oh, I am sorry, Mr. Chairman.

This is just my main point. I just do not see how this department can enforce such an amendment that it be strictly for peaceful purposes:

1. Because as it has already been explained, how do you determine what is defensive and what is offensive, therefore, what is peaceful?

2. How in the world can you get through these barriers of a classified project? You would almost be demanding that any research project that is undertaken in this province must be made public, and I do not think that it is always in the interests of the people that every possible research project be made public.

**Mr. MacDonald:** Anything that our universities do should be public.

**Mr. Knight:** This is my hang-up—you know, everything does not have to be hung out in the public all the time. If you hang it out for the public in this province, you are hanging it out for the people all over the world, and one must accept the fact that we do after all have enemies, whether we like it or not, and I am not for seeing this province tie the hands of our federal government with this kind of legislation. I think our federal Department of National Defence has to be free to do its job without us telling them how to do that job. So I do not think we could possibly force this kind of legislation without turning Ontario into another Quebec.

Mr. Chairman: Order please!

Any further questions? The member for Humber.

Mr. Ben: Yes. A lot of words have been said here this evening touching on the amendment of the member for Riverdale.

Mr. Chairman, I agree with what was said by the last speaker, and other speakers here, that if this amendment carries it is going to be difficult, if not impossible, to enforce. But I say: "So what?" There is more to passing legislation than simply crossing the t's and dotting the i's to make sure that everything is completely ship-shape and that every possible sanction in it can be imposed or every demand carried out.

There is also such a thing as expressing in legislation the moral opinion of a community, and it is for this reason, and this reason alone, that I support this resolution. I do not think there is any possible way of enforcing it. Ninety per cent of what has been said by the hon. member for Scarborough Centre, in my opinion, was just a lot of window dressing and political mish-mash, but it is the principle that is important. After all, whether a certain item is defensive or offensive—for example a gun—depends whether you are looking at the muzzle or at the breach—

Hon. Mr. Simonett: What is the difference?

Mr. Ben: —and I imagine that most things that come out of laboratories can be looked at in the same way. When people first played with the smashing of the atom it was for peaceful purposes, or with a peaceful concept in mind. This happened long before the second World War and it was not until the second World War that the Americans, through the Italians, became concerned that perhaps the Germans might find out the military potential of nuclear fission, or fusion, that they started to try to manufacture atomic weapons and finally did. But I point out to you that since it was used, all research on atomic warfare has been towards a peaceful purpose, so again it depends how you look at it.

The fact remains that I feel that we have a moral obligation whenever the situation presents itself to express our own indignation at the use of animals for research other than for peaceful purposes. I do not think that we ought to cloud the issue, as I submit the hon. Minister of Agriculture and Food has, by bringing into play the words offensive or defensive, because again, as I made the example of the weapon, it depends at which end

of the stick you are. If you are holding the stick you can always maintain that you are holding it for a defensive purpose, but if you are on the receiving end of the stick your attitude would definitely be that the person is holding it for an offensive purpose. Surely to heavens everybody in this House should feel that it is his obligation to rise and say that mankind *per se* ought not to be carrying out any experiments other than for peaceful purposes. And that is my attitude, and that is why I am going to support the amendment and for no other reason.

Mr. Chairman: Ready for the question?

Mr. Lewis: Mr. Chairman, I would like to ask the Minister a question if I might, so that I firmly understand it. As I understand the bill at the moment, it indicates that no research facility shall be registered under the Act unless it meets the requirement of pens, cages, compounds, tools, implements, buildings and dietary materials necessary to properly care for and handle animals that are in the research facility. That is the crux of registration and it is contained in section 5 of the bill. If that is true, Mr. Chairman, can I ask two questions.

If university projects in Ontario are funded by Pentagon or military funds from the United States, the research moneys being involved either directly, indirectly or marginally, in experiments that could be called chemical-bacteriological whether for offence or defence, there is nothing in this Act to inhibit those experiments being carried out, so long as they met the conditions of the registration, proper care and tending for the animals involved. Am I right in that assumption?

Hon. Mr. Sewart: That is in university laboratories. It would go even further than that because sections 20 and 21 of the bill, as amended, and now presented for the committee stage consideration, would also apply.

Mr. Lewis: Right. As I recall, without reading them very quickly, related to the elimination of pain and the careful scrutiny of care for the animals that were—

Hon. Mr. Stewart: And distress!

Mr. Lewis: And distress under research. So that subject to the provision of ameliorating the plight of the animal, the nature of the research, regardless of its source of funding, proceeds without scrutiny from government.

If that is so in the case of universities, Mr. Chairman, may I ask another question then of the Minister? Suppose private companies in Canada were funded for research purposes directly, indirectly, or marginally in the field of chemical-bacteriological research by parent companies in the United States. The one that comes to mind, obviously, is Dow Chemical, but there are a great many others with branch plants in Canada and in Ontario. Again, providing they met the provisions of section 5, would they be entitled to pursue that research—sections 5, 20 and 21, as the Minister points out—in the private industrial research sector of our economy?

Hon. Mr. Stewart: Yes, that is right.

Mr. Lewis: Well then, Mr. Chairman, it seems to me that the argument we are making, if one can put it to the Minister, is pretty conclusive. In the case of many of the private industrial research sectors some of the companies having branch plants in Ontario have been for years, and are presently engaged, in the development of chemical-bacteriological materials for the most destructive of human purposes. Sorry, Mr. Chairman.

Mr. Chairman: Well this same argument has been presented several times this evening.

Mr. Lewis: I am trying to tie it directly into the amendment that has been made.

Mr. Chairman: Well, you are repeating the same words practically that we have heard several times.

Mr. Lewis: Well, my apologies for that, Mr. Chairman. I will draw it to a close then. I will say to the Minister then, Mr. Chairman, that it seems to me that the amendment is conclusive in requesting what it requests. What the bill, in effect, is doing, is providing any avenue of research at all using animals, subject to reasonable care for their pain and distress. That means, that the end, however heinous or offensive it might be, that is alluded to by my colleague from Brantford, that end can also be achieved if there are no strictures on the research at all—

Hon. Mr. Simonett: You are trying to get—

Mr. Lewis: I point out to the Minister, through you Mr. Chairman, that the argument he used is the same argument that has always been used to escalate defensive and offensive responses both to the arms race and to bacteriological warfare; the endless argument

being that unless we provide the channels on our side we cannot properly contain the other side, and all of us know the eventual annihilative end that that will lead to.

Therefore, what we are saying in this amendment, Mr. Chairman, by way of inserting the words, is that we are asking the government to, in its own modest jurisdiction, call a halt, in whatever way it can, however peripherally, to what has been occurring. Where there is the slightest possibility of doubt, the government would say: "No, you cannot proceed," whether it is on a basis of looking at the funds, or whether it is on a basis of looking at the project, or even whether it is on a basis of referring it to the federal government. It seems to me that nothing can be more compelling or more sensible than that kind of argument, given the obvious vacuum within which the bill operates, its focus being, as it is, purely on the protection of the animals involved and not at all on the purposes for which the research is intended. Now, surely the Minister might, within those constraints, be inclined to accept this amendment without imperilling his bill at all, or imperilling the research.

Mr. Winkler: May I ask the hon. member a question?

Mr. Lewis: Surely.

Mr. Winkler: Would he tell the Legislature: does he agree with the concluding statement of the member for Brantford?

Mr. Lewis: Well, inasmuch as the member from Brantford—well the answer—

Mr. Chairman: Order please! The question is out of order.

Interjections by hon. members.

Mr. Winkler: I think I have a right to ask it!

Interjections by hon. members.

Mr. Chairman: Order. Order!

Are we ready for the question then?

Mr. Lewis: Well, I indicated what I felt when I spoke.

Mr. Chairman: All those in favour of Mr. J. Renwick's amendment will please say "aye".

All those opposed will please say "nay."

In my opinion the "nays" have it.

**Hon. A. F. Lawrence:** Mr. Chairman, as there is no sub-amendment before the House, I would assume that it would be in order to stack this vote.

**Mr. Chairman:** Shall we stack this vote with any future ones?

**Mr. Lewis:** No, I would think not. I would think this is a vote which should be isolated in this House.

**Mr. MacDonald:** Agreed!

**Mr. Chairman:** Call in the members.

**Mr. Chairman:** All those in favour of Mr. Renwick's motion will please rise.

All those opposed will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 29, the "nays" 47.

**Mr. Chairman:** I declare the motion lost and the section carried.

Section 21 agreed to.

On section 22:

**Mr. Ben:** Mr. Chairman, this is with reference to section 22(1). I move that section 22(1) be amended by adding the word "inspectors" in the second line, the words "who shall be graduates of a recognized school of animal care or husbandry" and by deleting all words after the word "necessary" in the third line, so that the subsection shall read:

(1) The Minister shall appoint a chief inspector who is a veterinarian and such other inspectors who shall be graduates of a recognized school of animal care or husbandry as he deems necessary.

I have another amendment to this section. Do you want me to move them all at once or one at a time?

**Mr. Chairman:** We had better deal with the one first. Is this another amendment to the same section?

**Mr. Ben:** Yes. Not the same subsection, but on the same section.

**Mr. Chairman:** Well, we had better deal with them one at a time.

**Mr. MacDonald:** Mr. Chairman, might I just clarify this point? An amendment on a subsection that is dealt with does not necessarily carry the whole section, so there is an

opportunity to move an amendment on another subsection?

**Mr. Chairman:** Yes, I would say so.

**Mr. Ben** has moved that section 22(1) be amended by adding after the word "inspectors" in the second line, the words "who shall be graduates of a recognized school of animal care or husbandry" and by deleting all words after the word "necessary" in the third line, so that the subsection shall read:

(1) The Minister shall appoint a chief inspector who is a veterinarian and such other inspectors who shall be graduates of a recognized school of animal care or husbandry as he deems necessary.

The member for Humber.

**Mr. Ben:** Mr. Chairman, I am going to try to be very short and to the point because the hour is fast approaching for adjournment.

We, through the Minister of Education (Mr. Davis), have spent a good portion of the taxpayers' money to set up community colleges and to expand our university and other college facilities. Among the schools that we have set up and expanded are those which teach animal care and husbandry as distinguished from the veterinary college at Guelph and the MacDonald School of Agriculture. I think it is only right that we should encourage our young people to become more proficient and more knowledgeable in animal care and animal husbandry.

In order to do so, we must have for them a field where they can exercise that which they learn at the colleges that we have supplied with the taxpayers' money. Not only that, but I do feel that because of the importance to many of the people in the province of the principles we are discussing in this bill, namely, the care and treatment of animals that are used for research purposes even if they are not used for research purposes, because we must also keep in mind, Mr. Chairman, that not all the dogs and cats that are or will be impounded pursuant to this Act will end up on an experimenter's table.

So we therefore should appoint the best we can possibly obtain and I suggest that the best we can possibly obtain are those who have taken a course which the government has set up of the kind we are describing here.

There are others: for example, the inspectors of the humane societies have completed a course in animal care and no doubt the Minister may call upon, or can call upon, this particular field for his inspectors.



I have subsequent amendments which will bring that into consideration, but basically it is my opinion that we ought to strive to get the best. No doubt about it, there are some individuals in society who with very short training can qualify. There are many people, for example, who are not veterinarians but have operated pet shops and have the necessary feelings or rapport with animals and who would make excellent inspectors. But we must take a long-range view of this and we must strive to start with the best and maintain the best all along.

And the way we can do it is by insisting that all inspectors be graduates of the schools which we in this province, through The Department of Education and University Affairs, have established. We must give the people we are educating a right to exercise the trade or professions we have taught them. In this way we give them almost an exclusive field.

For that reason, I am asking the support of this House on this particular amendment.

I am sorry, Mr. Chairman, I also move that all the words after the word "necessary" be struck out.

The words following that particular word give the inspectors the exclusive right to lay informations. I would point out that to my knowledge this is the only piece of legislation where the right to lay an information and prosecute is vested in a particular class or person.

We have The Summary Convictions Act and it should govern. I cannot see why in this particular Act we all of a sudden start to subscribe to the principle that only inspectors appointed by this government have the right to lay an information.

If we follow the reasoning here then only inspectors, safety inspectors, appointed by this government should have the right to lay an information if there is a breach of construction safety rules and regulations. This would preclude, for example, the union steward or even the union business agent, or somebody on the job from laying an information where one should be laid, where there is not an inspector present for example.

Under those circumstances you are making it difficult to enforce the Act. I suggest that following the common law right every citizen should have the right to lay before one of Her Majesty's justices an information where there has been a breach of an law, provincial, common or federal, and for that reason I have asked that all the words after the word "necessary" be struck out.

Mr. Chairman: Anyone else to speak on this before the Minister replies?

Mr. MacDonald: I leave to some of my legal colleagues any comment on the validity of the amendment with regard to power to lay an information, but I must say with regard to the earlier part of the amendment that I cannot get very excited one way or another. Obviously the thrust of the amendment is a desirable one, that we should have qualified inspectors, but with all of the apprehensions that the handling of this bill has created I would still hope that we can have faith in the administrators of the bill to make certain that the inspectors are qualified.

We have been assured that those who were not professionals are going to be operating under the direction of a veterinary surgeon, so that I wonder whether this is really a necessary amendment.

It seems to me that even the minimum modicum of common sense and faith in the operation of this bill would result in that kind of thing being assured. So while I think the objective of the amendment is unquestionable, I think its necessity can be questioned because I would think we could count on it.

Mr. Chairman: The member for Halton East.

Mr. V. W. Snow (Halton East): For some reason or other I find myself agreeing with some of the remarks of the hon. member for York South which is rather peculiar.

Mr. MacDonald: Are you in agreement with me or in disagreement?

Mr. Snow: In agreement, as I said. I must say the part that I agree with is the part—

Mr. Chairman: Order please!

Mr. Snow: —when the hon. member said that he thought this amendment was unnecessary, because I really feel their amendment is unnecessary, I feel it would be a detriment to the bill and to the people of Ontario.

I certainly agree that all our inspectors under this Act should be qualified people knowledgeable with animals able to detect when an animal is being properly cared for or not.

But I can see many people who would make excellent inspectors under this Act such as, perhaps, some of the inspectors now in the employ of the humane societies throughout the province. I can also see, perhaps, officers of the law who may not be ready for retirement or a man who may have to

leave, for instance, the provincial police force or one of our local police forces who would make an excellent inspector under this Act. I can also see where many farm type people—farm oriented—I do not know who is any better qualified to know about the care of animals and when they are being cared for properly than people that have been born and raised and brought up on the farm.

We talked many times about some of our farm people who have to be re-trained for other jobs and this would be an excellent place where some of these people could be employed. I would certainly like to speak against the amendment because I feel that with such an amendment this would certainly disqualify many of these people that I have mentioned from acting as inspectors under this Act.

**Mr. Chairman:** Before I put the question, does the hon. Minister of Agriculture and Food wish to say anything?

**Hon. Mr. Stewart:** Mr. Chairman, I have nothing to say but to appreciate what has been said by the hon. member for York South, because in this I agree with what he has said; and I certainly support the position taken by the hon. member for Halton South.

**Mr. Snow:** Halton East, Mr. Minister.

**Hon. Mr. Stewart:** Halton East, I am terribly sorry!

I think they have summed it up extremely well and I have nothing further to add. But I would like to say with regard to the striking out of the words to which the hon. member for Humber referred: Really I do not think there is anything wrong with the inspectors under this Act initiating procedures to enforce the provisions of this Act and the regulations.

Now really, Mr. Chairman, it seems to me if we are going to have inspectors to do a job under this Act that they should have the right to do that job.

**Mr. Nixon:** But no one else could?

**Hon. Mr. Stewart:** Just a moment—

**Mr. Ben:** Point of order! The Minister—

**Hon. Mr. Stewart:** Mr. Chairman I am not misleading the House!

**Mr. Ben:** Point of order!

**Hon. Mr. Stewart:** If you will allow me to continue—

**Mr. Ben:** Point of order!

**Hon. Mr. Stewart:** I have listened to a lot tonight. Surely I have a chance to say what I want to say.

**Mr. Chairman:** The member has a point of order.

**Hon. Mr. Stewart:** He has not a point of order, because he is trying to say something that I want to say. All right.

**Mr. Ben:** On a point of order, I say that the Minister is misleading the House when he implies that by this deletion inspectors will be prohibited from initiating action. The part deleted would have given them exclusive right to initiate actions. They still have the right to initiate actions as any other citizens under the law—

**Mr. Chairman:** Order please!

This is a debate, not a point of order.

**Mr. Ben:** It is a point of order.

**Hon. Mr. Stewart:** Mr. Chairman, you are quite right. There is no point of order. The hon. member, being a lawyer, which I am not, should know very well that anyone can lay an information under the Criminal Code. All we are talking about is the exclusive right of these people as inspectors to initiate proceedings to enforce the provisions of the Act and the regulations. Surely there is nothing wrong with that.

**Mr. Chairman:** Those in favour of Mr. Ben's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost, and section 21, subsection 1 carried.

**Hon. A. F. Lawrence** moves the committee rise and report two bills with certain amendments and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report two bills with certain amendments and asks for leave to sit again.

Report adopted.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, before the motion for adjournment

is put may I ask the Deputy House Leader as to when it is the government's intention to fulfill their promise to bring the workmen's compensation board before the Legislature at this session?

**Hon. A. F. Lawrence** (Minister of Mines): I have no information on that whatsoever.

**Mr. MacDonald:** There is, on the record—and I can get it for the Minister—the assurance that this will be done.

**Hon. A. F. Lawrence:** Well I would suggest the member direct that question to the leader of the government tomorrow.

**Mr. MacDonald:** Okay. The Minister might warn him so he will be in a position to answer.

**Hon. A. F. Lawrence** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 o'clock p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 16, 1969  
Afternoon Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 16, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our guests this afternoon in the east gallery are from the Sir Robert Borden Secondary School, in Scarborough.

Statements by the Ministry.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): **Mr. Speaker,** I wish to make a short statement to the members of the House concerning my department's investigation into the Whiterock enterprise.

The hon. members will recall that on November 6, 1969, I signed an investigation order under Section 24(1a) of The Real Estate and Business Brokers Act in the matter of Whiterock Estates, Whiterock Developments, Rekab Investments Limited, Palit Holdings Limited, Basvan Investments Limited, Black Forest Investments Limited, Loroland Developments Limited, Coldo Investments Limited, Gary Bluestein and Monty C. Beber or of such other persons, partnerships or corporations as may be related to or associated with the above noted, relating to trades in real estate or to the due administration of The Real Estate and Business Brokers Act.

I have now had opportunity to be apprised of the facts by way of an interim report from my department's officials who have been assigned to this matter. Together with this report, recommendations have been made, the ramifications of which impel me to consult with the Minister of Justice (Mr. Wishart) and in this connection I can only state, **Mr. Speaker,** that all hon. members of the House will appreciate the position that further details at this stage might be unfair to the parties involved. After my consultations with the Minister of Justice I shall be in a position to determine the course of action to be followed.

**Mr. V. M. Singer** (Downsview): Has the Minister anything to say about Meadows?

**Hon. Mr. Rowntree:** No, I have not that report yet.

**Mr. Speaker:** Ordinarily I might say to the hon. member that we have arranged that there be no questions, for clarification or otherwise, of statements by the Ministry, because the next order of business is oral questions, at which time the Ministers are subjected to questions on their statements.

Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): **Mr. Speaker,** I would ask the Provincial Secretary if he has anything to report on the problem that I brought to his attention yesterday that some social clubs are experiencing with the liquor licence board's decision.

**Hon. R. S. Welch** (Provincial Secretary): **Mr. Speaker,** following receipt of the information from the leader of the Opposition I have sent the papers down to the liquor licence board and asked for some clarifications. I have not received the reply from his honour yet, but as soon as I do, I will communicate with the leader of the Opposition.

**Mr. Nixon:** Thank you. I have a question of the Provincial Treasurer, **Mr. Speaker.**

In view of the statement made by William Allen, former Metropolitan chairman, and others, having regard to municipal finance, is the Treasurer prepared to recommend to the government that a stronger position be taken with Ottawa, that would perhaps lead the federal government into session, conference—call it what you will—with municipal officials so that their financial needs can be better understood, both provincially and federally?

**Hon. C. S. MacNaughton** (Treasurer): I rather think, **Mr. Speaker,** that that question should be directed to the Prime Minister (Mr. Robarts). It is proposed to confer with the municipalities to determine the extent to which their problems and ours can be reconciled, but I hardly think I want to make any specific comment on the propriety or otherwise of having a federal-provincial-municipal conference. I think that should be asked of the Prime Minister.

**Mr. Nixon:** As a supplementary question having to do with municipal finance—

**Mr. D. C. MacDonald (York South):** The Prime Minister answered last week.

**Mr. Nixon:** Am I correct in assuming the Treasurer has extensive facilities for predicting growth of programme cost and growth of revenues at any level of government that he chooses to question as far as his experts and the computers at their disposal are concerned. If it is so, then can the Treasurer make available to the House something more detailed than his former statements about the growing needs of municipalities and how they relate and how they correlate to the present tax base? Perhaps I am calling for a fuller statement following last year's white paper—that is the provincial white paper—but still this is a matter of growing concern and I wonder if we cannot use the facilities of The Treasurer's Department in at least a more public way? Perhaps he has the information himself.

**Hon. Mr. MacNaughton:** Mr. Speaker, I think that is quite possible but it will require some detailed work. It can be done and there may be some merit in it. I do not think that it is something that we can produce overnight in specific terms, but the global character of the situation is well known, I think, to everyone. That is, the extent to which the requirements of the municipalities associated with the province in terms of expenditures are going to continue to escalate while the revenues probably will continue to decline, these figures are well known in general terms. They are the findings of the tax structure committee and I think the hon. leader of the Opposition heard something about this last week himself.

**Mr. Nixon:** That stuff is now two years old.

**Hon. Mr. MacNaughton:** No, it is not. It is updated; it has been updated and confirmed. I am not in a position to state the amounts here, because those discussions, as far as amounts themselves, were undertaken in confidence at the conference, but the trend is reconfirmed.

**Mr. MacDonald:** By way of supplementary to this point, Mr. Speaker, can the Provincial Treasurer indicate when this updating of these relevant figures by the tax structure committee is going to be publicly available?

**Hon. Mr. MacNaughton:** I cannot, Mr. Speaker, until there is some agreement reached by the federal government and the provincial governments to allow the actual release of the figures and—

**Mr. MacDonald:** Why are they holding them back?

**Mr. Nixon:** I think there should be an independent survey here.

**Hon. Mr. MacNaughton:** Yes, there have been independent surveys. Let me say, first of all, that as recently as the Smith committee report, the findings were—

**Mr. Nixon:** That is not very recent.

**Hon. Mr. MacNaughton:** No, I am trying to say and explain this in orderly sequence. The Smith committee report confirmed this trend, as the hon. leader of the Opposition knows. Anything that has transpired between now and then—the work of the continuing committee of the advisers to the tax structure committee confirms the continuing trend—it is not changing, it is not being mitigated in any way. The disparity of the situation continues. There can be no question about this.

If I may take a moment, Mr. Speaker, the matter of dealing with municipalities is one, of course, that I think the government has expressed very great interest in. Certainly it was expressed quite specifically at the last conference, that in order to enable the provinces to provide the assistance for the municipalities that is required, then either some form of transfer payments from the federal government through the provinces to the municipalities is going to be required, or a greater share of occupancy in the growth tax fields is going to be required.

**Mr. Nixon:** Or re-arrangement of provincial priorities.

**Hon. Mr. MacNaughton:** Or re-arrangement of some priorities and the access to the funds required to carry out those constitutional responsibilities. This has been a consistent approach to the federal government and I can assure you, Mr. Speaker, and I can assure the House, the approach has not lessened in any way.

**Mr. Nixon:** A further supplementary question. Would the Minister agree that a survey, an extension of predictions of municipal finance, would be in order, which is without any reference to the tax structure committee and coming exclusively from the Treasurer's office of the province of Ontario having to do with our municipalities? Would he undertake to see that one of those is prepared, so that we could have it in the House at an early time?



**Hon. Mr. MacNaughton:** Mr. Speaker, I will be glad to pursue that with the people who can provide that information.

**Mr. Nixon:** Mr. Speaker, further to the statement made by the hon. Minister of Financial and Commercial Affairs. Am I correct in understanding he is referring the matter of these land investments to the Attorney General to see if charges might be laid?

**Hon. Mr. Rowntree:** That is correct.

**Mr. Nixon:** Is there any implication in the hon. Minister's statement that we might expect legislation, perhaps at the next session of this House, that would, in a more direct manner, control this sort of enterprise?

**Hon. Mr. Rowntree:** I can only speak on the question of legislation from the point of view of my own department, which has to do with the operations of The Real Estate and Business Brokers Act. It is possible that legislation will ensue from this investigation.

**Mr. Nixon:** Might I ask a supplementary question? When did he refer this matter to the Attorney General?

**Hon. Mr. Rowntree:** During the course of the investigation The Attorney General's Department has been kept in touch with developments from time to time, but the matter was referred to them yesterday.

**Mr. Speaker:** A supplementary question?

**Mr. J. Renwick (Riverdale):** Mr. Speaker, as the Minister's statement was so unsatisfactory, from the viewpoint of those persons who may have entered into contracts or agreements with Whiterock and associated companies, could the Minister give some indication or some statement as to what he thinks a person who believes himself to be a signatory to such an agreement should now do, in terms of either the completion of the contract, or claiming to disown the contract, or other steps which may be taken in terms of a return of a deposit, for example?

**Hon. Mr. Rowntree:** At this stage I want to discuss the matter myself with the Attorney General. I think it is a fair question as to what these people could do. Any of them who have not been in touch with the department, I think should contact the real estate branch immediately and at least record their position.

**Mr. Speaker:** Has the member for Riverdale completed his supplementaries?

**Mr. J. Renwick:** I take that to mean anyone who is concerned about his position *vis-à-vis* Whiterock should get in touch with the Minister's department and that some guidance will be forthcoming to him.

**Hon. Mr. Rowntree:** I am not just certain yet. There are several possible situations which might develop out of this matter.

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

**Mr. P. D. Lawlor (Lakeshore):** With respect to the interim report, would the hon. Minister consider giving access to members of this House to peruse that report so that they may advise people in this regard?

**Hon. Mr. Rowntree:** No. Not at the moment.

**Mr. Singer:** I did not hear the answer.

**Hon. Mr. Rowntree:** No. Not at the moment.

**Mr. Singer:** Mr. Speaker, by way of a supplementary. Do I understand from what the Minister has said that, where correspondence from persons affected, either in Whiterock, or in Meadows, has been referred to his department, that the Minister or his staff are communicating with the people who have expressed enquiries, either to him directly or to members?

**Hon. Mr. Rowntree:** Well, we have.

**Mr. Speaker:** Has the leader of the Opposition a question?

**Mr. Nixon:** A question on this same subject to the Attorney General, if I may. I understand this matter has been referred to him for at least some period of time. Is the Attorney General prepared to make any statement as to the information that has been placed in his hands regarding the land investment undertakings that have been discussed in the statement by the hon. Minister, and is he contemplating laying charges?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, I attended with the Minister of Financial and Commercial Affairs, and his staff and his legal branch, some days ago and we went through the Whiterock Estates matter to a considerable extent. There is a good deal of searching to be done in the registry office in this matter, because it is my information that there are quite a number of corporations, partnerships or associations, of

one kind or another, involved. We are continuing our studies, continuing our communication with the Minister of Financial and Commercial Affairs. I cannot say yet whether we shall find it possible to lay criminal charges.

**Mr. Singer:** By way of supplementary to the Attorney General. Has the Attorney General had a chance to look into the Meadows situation which is a somewhat similar situation?

**Hon. Mr. Wishart:** I do not recognize that. It may not have come to my personal attention, but it may be investigated.

**Mr. Nixon:** A question to the Treasurer, Mr. Speaker: I wonder if the Treasurer can inform the House if the Treasury Board has approved the payment from The Department of Social and Family Services to the AMIK corporation that deals with Indian development?

**Hon. Mr. MacNaughton:** Mr. Speaker, the matter has not come before Treasury Board yet. Treasury Board meets regularly on Wednesday morning, tomorrow morning, and we have not had a chance to approve it. If it comes forward from the Minister of Social and Family Services (Mr. Yaremko), I think I can fairly say Treasury Board will not object to it.

**Mr. Nixon:** So the delay is in the department rather than at the Minister's office?

**Hon. Mr. MacNaughton:** No. But Treasury Board does not meet until tomorrow morning.

**Mr. Nixon:** Yes. But they also met last week. Dismissals from AMIK were made last night.

**Hon. Mr. MacNaughton:** This will probably be dealt with tomorrow morning, and I think I can anticipate a favourable decision on it. I have not had the approach made yet. The Minister of Social and Family Services is aware of the situation, as he explained to the House yesterday.

**Mr. MacDonald:** He was slow in getting to the Treasurer. That is the problem.

**Mr. Nixon:** Very slow.

**Hon. Mr. MacNaughton:** He has other things to do some days, I guess, the same as all of us.

**Mr. MacDonald:** As good an excuse as any.

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

**Mr. MacDonald:** Mr. Speaker, I have two questions of the Attorney General.

Is the Attorney General in a position to respond to my query yesterday as to whether his department will underwrite the costs involved in the private action that had to be taken on the assault charges against one Claude Comeau, by Paul Bird and Elizabeth Stevens in Kapuskasing?

**Hon. Mr. Wishart:** Mr. Speaker, I am prepared to answer the question, but I think in view of the length of the question, which I received from the hon. member after his oral question, I should give him some of the background first.

I think he should have this, and I think the members of the House should know that when this matter was first raised by a question, some few days ago, we directed an enquiry and wrote to the senior Crown attorney, Mr. Caldbick. We asked him to interview Crown attorney Cloutier, of Kapuskasing, in connection with this matter, particularly the suggestion that he was not prepared to prosecute this charge and the way the charge was laid by the justice of the peace.

I should like to read the reply, which I had directed through my senior Crown attorney, Mr. Caldbick, by Cloutier. He says:

I have received a copy of Mr. Dick's letter of September 11, 1969, together with a copy of Mr. Karswick's letter dated September 5, 1969.

I should interject that Mr. Karswick was the private prosecutor who went up on behalf of the complainant and the union of Indians.

I spoke to the justice of the peace in question, Mr. Trowsse. He advised that he was called to the Ontario Provincial Police station at supper time—about 6.15 p.m.—and immediately attended. The information was laid and sworn to at that time. There was no difficulty whatsoever. Perhaps, Mr. Bird thought the police officer should swear the information.

I am advised by the police and Trowsse that there was never any discussion as to whether the Crown attorney would be prosecuting in this matter. At no time did I advise anyone that I would not be prosecuting. I always prosecute the cases on the list. When I am unable to do so, I make arrangements for you—

That is Caldbick:

—to attend. It is to be noted that before the first hearing, Mr. Karswick asked that the matter be remanded to May 26, a date of his choice.

I think it is important, Mr. Speaker, that I point out here there was no hearing till May 26. Prior to that date Karswick, who was acting, asked that the case be remanded.

I attended at the court on May 26 and elected to prosecute summarily in order to allow Mr. Karswick to prosecute. This was not done to get out of the prosecution but rather to enable Mr. Karswick to prosecute.

I have to point out there that a private prosecutor cannot prosecute an indictable offence. It had to be elected to be a summary procedure, if Mr. Karswick was to proceed.

No one at any time asked me whether I would prosecute or not except Mr. Karswick, who was present and advised me that he would be prosecuting. Mr. Karswick was very pleased to see that all matters had been attended to so that he could go ahead with the prosecution of the case. He certainly did not express any displeasure at any time. To the contrary, I think he would have been very upset if I had elected to prosecute by indictment, thereby preventing him from prosecuting. I am informed that on April 26, 1969, Mr. Bruce Lennan of the human rights commission, Port Arthur, had already ordered a full transcript.

On May 26 there was a heavy docket in Hearst in the morning and court had to be held in Hornepayne in the afternoon. It made no sense to commence the Comeau case in the morning, and Judge Leger offered to re-attend at 7 p.m. in the evening.

It seems to me that the nature of the injuries are somewhat exaggerated in Mr. Karswick's letter. If he felt they were as serious as he says, he could very easily have arranged to have had a more serious charge laid. But he chose not to do so.

It is to be noted that Mr. Karswick gave no submission as to sentences. If the injuries were as he describes them, he certainly did not express such opinion at trial.

I am very disturbed at Mr. Karswick's allegations that the Crown attorney would have nothing to do with this case. As a matter of interest, I had to make all kinds of arrangements for him including arranging for witnesses to be present, reports by police officers, and so on. Mr. Karswick is

very misinformed in this respect, or is attempting to justify his attendance at Hearst from Toronto. For your information the case involving Mr. Claude Comeau, his wife and two other persons, was as a result of a charge laid by the Ontario Provincial Police in Hearst, and not a "private complaint" referred to in the third paragraph of page three of Mr. Karswick's letter. Constable Morrisette laid the charge.

**Mr. E. W. Sopha (Sudbury):** Well, who was this fellow Karswick?

**Hon. Mr. Wishart:** Karswick was a private solicitor who prosecuted for the Union of Ontario Indians.

**Mr. Sopha:** I want to understand this. The Minister says the police laid a charge.

**Hon. Mr. Wishart:** It was a suggestion that the police would not prosecute Como. But a private charge had to be laid and our letter from our Crown attorney points out that the police did lay another charge against Como and prosecuted it.

Mr. Karswick seems to have expressed great displeasure if not indignation at the fact that it was necessary for Mr. Bird to retain a solicitor from Toronto. Well, he certainly did not express it until this time. This point seems to be raised only now that the matter of his bill is being discussed as set out in his letter.

**Mr. J. E. Bullbrook (Sarnia):** What a leveling effect.

**Hon. Mr. Wishart:** Quoting further:

I would have prosecuted this case at no expense to Mr. Bird. However, Mr. Karswick wanted to prosecute the case which he did. If the situation had been that I refused to prosecute, it would have been easier for Mr. Karswick to retain able counsel in this area thereby saving a lot of money for the victims.

It was very unusual to have a group of representatives from the human rights commission together with CBC representatives at the trial of this action.

**Mr. Sopha:** Oh boy! Sounds like an NDP plot.

**Hon. Mr. Wishart:** It was arranged completely by the private prosecutor, and there is the Crown attorney's report. I would still, however, for the sake of the Indian persons who are involved, examine the question of

whether payment of Mr. Karswick's bill can be assisted, but the facts were certainly not set forward correctly or fairly in the material that was given to the hon. member for York South.

**Mr. MacDonald:** Mr. Speaker, I have a supplementary question, and could I just preface it by a quotation from the letter of Mr. Karswick, a copy of which I think the Minister has.

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

**Mr. MacDonald:** A letter dated September 5, in which he says, on the top of page 2:

I was advised also that after enquiries were made at the local court office, that this matter was regarded as a "private complaint" and therefore the Crown Attorney would not be prosecuting.

I am not in a position to judge the merits of the arguments as to what went wrong at that stage, but my question to the Attorney General is: Whatever went wrong, there is a feeling among the Indians—manifested, for example, in an article in the Indian magazine that goes all through the Indian communities—that this is further evidence of the difficulty of Indians to get equal justice before the courts, equal to that of other people.

That being the case, whatever may be the merits or de-merits of the earlier dispute, would the Attorney General not agree that there is merit at this stage in his department underwriting the cost? If he thinks the bill is too high, have it axed, but underwrite the cost.

**Hon. Mr. Wishart:** I have said I would examine this situation. Although the Indians, whether they are rightly or wrongly advised—and I think they were perhaps wrongly advised of certain features of this matter—engage a private solicitor when they do not need to, when they do not follow the procedures, and when we had a Crown attorney there who said he would have prosecuted the case without expense to them, I am not sure that in every such case we should come to their aid and pay the bill.

**Mr. MacDonald:** On that point may I ask the Attorney General another supplementary question? How could this confusion and misunderstanding with regard to whether or not the Crown attorney would prosecute the case have arisen if there had not been some degree of reluctance in the initiative taken by the Crown attorney? If the Crown attorney had said, "I am prosecuting this case," why

would they have gone up looking for somebody else, because they did not personally look—they had to have the intervention of the Union of Ontario Indians to hire a lawyer—

**Mr. Sopha:** He says Karswick wanted to prosecute—

**Mr. Speaker:** The hon. member is asking a question and not engaging in an argument please.

**Mr. MacDonald:** I am asking a question. The Union of Ontario Indians had to be brought into the picture, and finally to hire Karswick, so let us not blame Karswick for rushing in to get this case in northern Ontario. He was brought in by the Union of Ontario Indians.

**Hon. Mr. Wishart:** Is this a question?

**Mr. MacDonald:** Yes.

**Hon. Mr. Wishart:** When the hon. member says Mr. Karswick had to be brought in by the union, I am not sure that it is right. That is not the way it appears to me.

**Mr. MacDonald:** No outside solicitor would have been sought if the Crown attorney had acted in the first place.

**Hon. Mr. Wishart:** The Crown attorney was not asked to act. Apparently there was a move on foot to bring somebody else in, because the Indians, unfortunately, apparently did not trust and did not wish to follow our usual procedures.

**Mr. MacDonald:** The Minister is now getting closer to the basic problem.

**Hon. Mr. Wishart:** They wanted to go outside it. They did. Now they say, "Pay the bill." I do not object to assisting them if it is reasonable, but I do not think we can accept this kind of situation every time it occurs. The Indians have an attitude that they do not feel they are going to get fair treatment by the Crown attorney and seek private assistance elsewhere. It may be that they will have to stay with that procedure, on this occasion, but I just want the facts to be correct here. My Crown attorney did not at any time refuse or indicate that he was not willing to prosecute. I appreciate that there is this attitude on the part of Indians and perhaps there was a reason in the past for this attitude.

**Mr. MacDonald:** I appreciate the Attorney General's assurance he will continue to review this, and I shall leave it there for the moment.

My second question to the Attorney General is, in view of the story this morning on the front page of the *Globe and Mail* to the effect that Metro and The Attorney General's Department are making arrangements to replace police with a special prosecutor in minor traffic cases, could the Attorney General give us some fuller explanation of this? Specifically, is there going to be only one prosecutor, and secondly, is this new approach going to be restricted to Metro or is it the kind of approach that is going to become extended across the province of Ontario?

**Hon. Mr. Wishart:** Mr. Speaker, this story or news in the *Globe and Mail* this morning arises, particularly I think, out of a discussion I had with the Board of Police Commissioners of Metropolitan Toronto some week or ten days ago. I mentioned it in answer to another question in this House when we discussed a good many of the procedures which might be taken to improve the administration of justice, the enforcement of law, the image of policemen and so on. One of the things that we have talked over for some time and one of the things that was particularly talked about on that occasion, was the possibility of having someone in the court, rather than a police officer or a police constable acting as the prosecutor in these minor cases, the traffic cases and some of the liquor cases. This is a common procedure in many of our provincial judges' courts, which used to be known as the magistrates' courts in Ontario. In minor cases, the Crown attorney does not go in as a rule. In some of the areas he does if he is not too burdened to do so. The enforcement of law in these minor cases, we have regarded as the municipalities' responsibility, in bylaws and some of the minor cases a policeman appears and leads the evidence.

It was felt in our discussion that the image of the police, the attitude of the public toward the police might be better or might be raised, if the police did not appear as the arresting officer, the person bringing the accused before the court and also as the prosecutor. We are trying to move toward that. This approach, which we indicated might be taken by the legal department of Metropolitan Toronto, is partly a result of that conversation and our attitude that this would be much better than having the police wearing a uniform, carrying on the prosecution. This is done in other jurisdictions and we are trying to reach that here.

To do it across the province—the other part of the question—how far can we go? I just do not know how far I can say we can

accomplish it. It would mean the appointment of additional Crown attorneys or part-time Crown attorneys to accomplish the complete responsibility of prosecution. It is a goal we are attempting to move to, but I am not in a position to state how far I can move just at the moment. That is our approach.

**Mr. M. Shulman (High Park):** A supplementary question, Mr. Speaker: Is this change a result of the recommendation made by the National Safety Council, nine years ago, which was brought to the Attorney General's attention during the estimates?

**Hon. Mr. Wishart:** The answer is no.

**Mr. Speaker:** The hon. member for York South still has questions?

**Mr. MacDonald:** I have a final question of the Provincial Secretary. In view of the revelation to be found on pages 194 and 195 of volume 1 of the Atlantic Acceptance report—that one John Belli made available \$5,000 as a contribution to a "political fund" in relation to getting a licence from the liquor licence commission, is the Provincial Secretary aware of this? And can he inform the House as to what "political fund" received this money?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Yes, the NDP.

**Hon. Mr. Welch:** Mr. Speaker, I am not aware of this at all and I would not have the slightest idea what the obligation was about at all.

Interjections by hon. members.

**Mr. MacDonald:** May I ask, by way of a supplementary question, since the report spells out that a lawyer came with Mr. Belli and made the case that this was beyond the terms of reference of Atlantic Acceptance itself—therefore they proceeded with no further investigation—would the Provincial Secretary take steps to complete the investigation so that we can track down this illegal activity?

**Hon. Mr. Welch:** There is an assumption to the question that there has, in fact, been some illegal activity. Let me make it quite clear, that as far as I am concerned, the liquor licence board of this province is certainly beyond that type of conduct. If the hon. member made some reference to that I would be very happy to follow up on this particular matter, but certainly there is no question in my mind, insofar as the liquor licence board is concerned.

**Mr. MacDonald:** Mr. Speaker, by way of a further supplementary question: If \$5,000 were contributed to a "political fund" in association with getting a licence, would the Provincial Secretary agree that that was an illegal activity? And therefore, would he complete the investigation for which the basic facts are here, but which was not completed?

**Hon. Mr. Welch:** I think this is a hypothetical question, Mr. Speaker.

**Mr. MacDonald:** What is hypothetical about this question?

**Mr. Sopha:** The best offence is a good defence.

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

**Mr. H. Worton (Wellington South):** Mr. Speaker, I have a question of the Minister of Education. Is he aware of, and does he approve of, an expenditure by the Ontario Institute for Studies in Education, concerning a promotional programme that they put out—1,000 bags, called "Grab Bags for Kids", with contents like "essence of out house", "odour of drunks", "vomit and smell of an Irish slum"?

**Mr. MacDonald:** That is a good question.

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I read that report. I do not think the report contains the total availability of material as I understand it. As somebody said, that is only the frosting. The programme has been developed—

Interjections by hon. members.

**Hon. Mr. Davis:** I do not know who receives credit for that particular remark. The programme is being developed, Mr. Speaker—in fairness to those who are experimenting with this—to gain some understanding by the profession and by the students in the school system—and I think this is perhaps readily known by the academic world—that children do learn a great deal by, shall we say, involvement in an environmental sense with situations, not just from the so-called printed word. As to the source of the materials that are being used, as I say, that source is entirely definitive, Mr. Speaker; I cannot comment with any degree of accuracy as to whether all of these things are totally necessary. But I do not think there is any question that the concept of involving children in the learning experience, with something other than the textbook, the printed word—this is

what they are attempting to do—has some merit that is worth considering.

Interjections by hon. members.

**Mr. J. E. Stokes (Thunder Bay):** I have a question of the Attorney General. In view of the fact that I drew his attention to an incident of alleged brutality, perpetrated by the OPP against a member of the Moose band in Moosonee, and in view of the fact that I also brought to his attention an incident alleging unnecessary roughness, to put it mildly, against a member of our native group in Beardmore—about which I have just written him personally—will he assure the House and me personally, that steps are being taken to correct this alleged brutality and unnecessary roughness to members of our native group?

**Hon. Mr. Wishart:** Mr. Speaker, the incident at Moosonee was investigated by Chief Inspector Ferguson of the criminal investigation branch of the Ontario Provincial Police. Investigation carried on by him is quite full and complete and I have it here before me. However, as a result of the incident which happened there, charges have been laid in the provincial judge's court and it is felt that certain evidence that we wanted to get on oath will come out of that hearing from the witnesses; the charges have not yet been heard. The case was set for earlier but has been remanded and has not yet been heard. We wish to add to the report of the chief inspector the evidence which will come from that hearing before the judge. So this report is being carried on and will be complete, I anticipate, shortly. I will be glad to make the facts known then.

With respect to the incident at Beardmore, that investigation is not complete and is being carried on. I anticipate that the hon. member will be one of the persons who will be interviewed and whose evidence we hope we will obtain in that matter. That is not yet complete.

**Mr. Stokes:** If I might ask a supplementary—what charge, or charges, have been laid in connection with the Moosonee incident?

**Hon. Mr. Wishart:** There is a charge against Alec Vincent, I believe, of being drunk in a public place. The witnesses who observed his conduct, the arrest, and the alleged brutality, will be called before that court to give evidence. I may say to the hon. member, there is evidence from the investigation that the injuries Vincent received, for which he was

taken to the hospital by police, were apparently not from what was said to be a blow by a policeman, but were cuts from a broken bottle from a fight in which he had been engaged and which had been observed by a number of witnesses. We want all this evidence in at the court hearing, as the hon. member can understand.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question—what would the determination of whether or not Alec Vincent was drunk in a public place have to do with impeding the completion of the examination and study of this matter?

**Hon. Mr. Wishart:** Because it is alleged that at his arrest he was struck by a policeman in a brutal way, and all the evidence surrounding the incident will appear in the court hearing. His drunkenness was apparently associated with a good deal of violence on his part with other persons—which goes to the relevance of his drunkenness.

**Mr. J. Renwick:** By way of a supplementary question, has the Minister of Justice any idea when this charge will be heard on the question of being drunk in a public place?

**Hon. Mr. Wishart:** It was set for October or early in November, and then it was asked, I believe, that it be adjourned—I think by the defence. I can perhaps find that answer. Mr. Speaker, I will look up the date.

**Mr. Speaker:** Perhaps at the end of the question period—

**Mr. J. Renwick:** A further supplementary question then. Would the Minister of Justice give very serious consideration, if there is any delay in that charge being heard in the court, that he will proceed to complete his investigation while all the evidence is at least as fresh in the minds of the persons involved as it is at the present time?

**Hon. Mr. Wishart:** Yes, Mr. Speaker, we are anxious to complete the investigation, but there is certain evidence that one does not get without some effort. No one has to talk to an investigating officer, but if they are called as witnesses and put on oath, at least that evidence will be available, and it seems essential to us that the best evidence be produced and that all the evidence be produced. I do not know the date that was originally set for this hearing but it seems to me that on my file I will find that there was a request for the matter to be remanded, and I believe by the defence, but I am not

certain. I could check that out, Mr. Speaker, for the hon. member.

**Mr. Stokes:** May I ask one final supplementary with regard to that Beardmore incident? Can the Attorney General assure me that the investigation of it will not be conducted by another police constable who is a buddy or a partner of the person who is alleged to have used unnecessary roughness?

**Hon. Mr. Wishart:** In the Moosonee case, the investigation has been carried on by Chief Inspector Ferguson, and while some of the evidence in the Beardmore case may have been taken by a member of the detachment there, I am quite certain that the balance of that investigation, which as I mentioned was not complete, will be carried on by some senior police officer outside the area.

Mr. Speaker, if I might, I have the answer, I think, for the hon. member for Riverdale.

**Mr. Speaker:** It is not appropriate at the moment. It is time for the official Opposition to have a question. These have all been New Democratic Party questions and I will try to give the Minister an opportunity a little later.

The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** I have a question of the Minister of Education, notice of which has been given, Mr. Speaker.

Has the Minister made any regulations or issued any written instructions to chairmen of school boards or directors of education under clause 4, item (d), of Bill 228, An Act to amend The Department of Education Act, which gives the Minister power to make such regulations “governing estimates that a board is required to prepare and adopt and expenditures that may be made by a board for any purpose?”

**Hon. Mr. Davis:** The answer, Mr. Speaker, is no.

**Mr. T. Reid:** By way of supplementary. Based on a letter I received from a chairman of a board of education in Ontario of December 12, does the legislation mean that the Minister now has the authority under the item in clause 4 to step in and say to any board that any expenditure it makes could be disallowed if he, the Minister, so decides? That is to say, is the section only a disallowance section if the proper regulations are formulated, or is it more than a disallowance section? Can it become a much more powerful tool to determine the priorities of the

expenditures of boards of education in this province?

**Hon. Mr. Davis:** Mr. Speaker, I think the hon. member is asking for a legal interpretation, and really I think it is a question of semantics to a degree.

The legislation, I think, is relatively clear cut. It gives the Minister certain authority relating to expenditures which really exist to a substantial degree in existing regulations in any event. But this is now in statute form and, as I say, I think it speaks for itself.

**Mr. T. Reid:** A further supplementary, Mr. Speaker: Does this so-called non-controversial amendment—this term was used by the Minister in this House when he introduced the bill on November 20, 1969—not represent a major change in the board-province relationship?

**Hon. Mr. Davis:** Mr. Speaker, I do not think it does. If the hon. member reads very carefully the grant regulations as they presently exist, or the regulations that were developed to pay the subsidies to the boards during this past year, he will recognize that there was an upward limitation of 115 per cent. The boards had to come within an upper limit established by this government in order to qualify for the subsidies. This was done under regulations, Mr. Speaker, so I do not think it represents any major departure in policy. It is a question, shall we say, of establishing it in legislation. We have done this to a degree in the past through regulation in any event.

**Mr. T. Reid:** Final supplementary on this, Mr. Speaker. In view of this particular letter which I have received from a chairman of a board of education in the province, which states that this chairman believes this to be a fundamental shift in government policy does the Minister intend that the regulations will only spell out total percentage increases as opposed to disallowing specific expenditures or disallowing specific increases in board expenditures?

**Hon. Mr. Davis:** Mr. Speaker, traditionally the grant regulations have been made available as early in the year as possible and these are matters of government policy. To try to indicate to the hon. member precisely what will be in the grant regulations in 1970, Mr. Speaker, I am just not in a position to do at this point.

**Mr. T. Reid:** I am sorry, Mr. Speaker, a final question arising out of the supplement-

tary, and the final one. Am I correct in understanding from the Minister's remarks that he intends to spell out these regulations as stated in the amended version of the Act only in the grant formula, or will there be new regulations applying to the expenditures of school boards?

**Hon. Mr. Davis:** Mr. Speaker, once again these matters are all matters of government policy. As I say, traditionally the method of operation has been directly related to the grant regulations, and I anticipate, certainly at this precise moment, that we will be operating through the grant regulations again in 1970. Although this is not definitive, I would anticipate this is what would be done.

**Mr. Speaker:** We now have either the opportunity of the member for High Park asking a question, or receiving the answer from the Attorney General and Minister of Justice to the member for Riverdale. It is immaterial to Mr. Speaker.

**Mr. Shulman:** We will have the turn of my question, if I may.

I have a two-part question of the Attorney General, Mr. Speaker. Is the Attorney General aware of the severe disquiet in Oakville which has resulted from the appointment of a second judge in Oakville yesterday—which was so accurately forecast by the member for Halton East (Mr. Snow)—who is a layman? Is the Minister aware that now both judges sitting in Halton county have no legal training?

The second part of my question is: How does the Minister justify this appointment in light of the comments made by the Prime Minister on this subject a few days ago in this House in which he said that the law society had been consulted? What is the point of consulting the law society if the government does not follow their advice?

**Mr. Sopha:** What is the member trying to do? Raise the quality of justice?

**Hon. Mr. Wishart:** Mr. Speaker, one of the judges who sits in the county of Halton sits on the criminal side and has been appointed for some years and was a lay appointment before the new Act came into force. There is no rule in the new law, and in fact it follows largely one of Mr. McRuer's recommendations that on the juvenile and family court side the important thing is not necessarily legal training but someone of broad understanding and sympathy. There is nothing out of the way and we do not intend, as a matter of policy in every case, in the



appointment of a juvenile and family court judge, to require that he have legal training. But the rule is that before anyone can sit under the new Provincial Court Act on the criminal side, and take the criminal cases, he must have at least five years at the bar of Ontario. So, when the hon. member says, "Is the Attorney General aware of this?" I say, no, I am not satisfied there is any disquiet at all.

**Mr. Shulman:** Will the Minister answer my second question? Does the Minister intend to answer my second question: What is the point of consulting the law society if the government does not follow their advice?

**Hon. Mr. Wishart:** If the hon. member had listened to the answer, I pointed out that one of the judges in question was appointed before the coming into force of The Provincial Courts Act.

**Mr. Shulman:** This appointment yesterday!

**Hon. Mr. Wishart:** One of the judges? The hon. member spoke of two, he said that there were two who did not have legal training. I pointed out to him that one of them was appointed before the coming into force of The Provincial Courts Act—a lay judge, in fact they are both lay judges. The second one was appointed in accordance with the rule that the juvenile and family court judge does not have to be of legal training or legal background.

**Mr. Shulman:** As a supplementary question, Mr. Speaker—

**Hon. Mr. Wishart:** I would like to correct that, the law society is not consulted.

**Mr. Shulman:** The Prime Minister said it was.

**Hon. Mr. Wishart:** The Act provides that the names of persons who are proposed for appointment may be, by the Attorney General, submitted to the Judicial Council, that is the Chief Justice of Ontario, the Chief Justice of the High Court, the head of the law society who is known as the Treasurer, the chief judge of the provincial court. In every case, since that Act came into force, no one has been appointed without the Attorney General having sent the names forward for consideration by the Judicial Council.

**Mr. Shulman:** And rejected by them. As a supplementary—

**Hon. Mr. Wishart:** And in no case has anyone been appointed who has not been approved by the Judicial Council.

**Mr. Shulman:** As a supplementary question, Mr. Speaker, is the Minister aware that yesterday's appointment was the fifth judicial, non-legal appointment made out of the Ortona barracks in Oakville? Does the Minister get his nominees from the head of that barracks, and why does he not get the the law society?

**Hon. Mr. Wishart:** Mr. Speaker, I do not accept the facts that are stated by the hon. member at all. I do not think they are correct for one moment.

**Mr. MacDonald:** A family compact.

**Mr. Speaker:** Has the hon. member for Lakeshore a supplementary?

**Mr. Lawlor:** Would the Attorney General consider that this might be called a very colourful appointment in more senses than one since the existing judge is named Black, and the new one is named Green?

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

**Mr. R. Haggerty (Welland South):** A question of the Attorney General and Minister of Justice. Is it now established policy of the Ontario Provincial Police to provide heavy escort of police and cruisers to guard all shipments of nickel to and from the International Nickel Company refinery at Port Colborne, Ontario? Would the Minister agree that this same service could be supplied by other agencies, such as Brinks?

**Hon. Mr. Wishart:** I have great difficulty, Mr. Speaker, in hearing more than half of that question. I wonder if the hon. member could repeat it.

**Mr. Haggerty:** Yes. Is it now the established policy of the Ontario Provincial Police to provide heavy escort of police and cruisers to guard all shipments of nickel to and from the International Nickel Company refinery at Port Colborne, Ontario? Would the Minister agree that this same service could be supplied by other agencies such as Brinks?

**Hon. Mr. Wishart:** Mr. Speaker, I think the hon. member is aware that the price of nickel, due to the protracted period of strike, has reached a situation where nickel has become almost a precious metal so far as price is concerned. This situation is probably one that will right itself as production resumes.

I do not, for a moment, pretend to say that I know every case in which the provincial police are called on to take care of the security in certain situations. It may not be a firm or continuing policy at all, and I would not for a moment suggest that it would be necessary in those other cases about which the hon. member enquires.

The Ontario Provincial Police, under the direction of the commissioner, and in consultation with the Attorney General as to the policy he should follow, will meet situations as they arise in his judgement.

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

**Mr. E. A. Winkler (Grey South):** Mr. Speaker, I have a question of the Minister of Social and Family Services. I would like to ask the Minister if a Mr. Richard Lightbown, as reported in the Toronto *Telegram* of last evening as being associated with the Company of Young Canadians, is the same man who was a member of the Indian community services development branch of his department?

**Hon. J. Yaremko (Minister of Social and Family Services):** Yes, Mr. Speaker.

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

**Mr. G. Ben (Humber):** While he was a member of the Company of Young Canadians, and a member of the Minister's department, was he drawing remuneration from both sources?

**Hon. Mr. Yaremko:** No, at the time he was working for The Department of Social and Family Services he was a full-time employee of the department, not associated, I believe, with the Company of Young Canadians.

**Mr. Ben:** The Minister is sure of that, is he?

**Hon. Mr. Yaremko:** I am as sure of that as I am of the total activities of any of the department employees. So far as I know, Mr. Lightbown at that time had no official contact with the CYC.

**Mr. Ben:** On that same thing, I asked the Minister whether he was sure, Mr. Speaker, because I did not want him pulling answers out of the hat. I wanted to know that he was sure in that he did check. Did the Minister check to determine whether he was occupying both positions at the same time?

**Hon. Mr. Yaremko:** I have had no reason to check that, Mr. Speaker, up until this moment.

**Mr. Ben:** Fine, then would he please check before he says he is sure?

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. Is the Minister satisfied that all avenues have been explored and that all actions have been undertaken that are within the scope of his department in regard to the Orde-Wallington fraud case?

**Hon. Mr. Rowntree:** As far as our department is concerned, I read into the record a statement yesterday with respect to the matter, affirming that in the opinion of The Attorney General's Department, there were no grounds for appeal whatsoever. I might say that that would appear to be the final word on the matter. It is a matter of some disappointment to our department, I might say.

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** A question, Mr. Speaker, of the Minister of Energy and Resources Management, a two-part question.

Would the Minister advise if the \$800 million nuclear project at Douglas Point has been stalled and will it probably be abandoned? And secondly, I would like him to advise, if he can, who recommended the Girdler-Spivac process for the promotion of heavy water at Douglas Point—Ontario Hydro or Atomic Energy of Canada?

**Hon. Mr. Kerr:** Mr. Speaker, I have no information that the \$800 million plant at Douglas Point is to be stalled or abandoned. I am assuming that the hon. member is talking about the proposed Bruce generating station. I have no information to the effect that there is any change in plans regarding construction of that station and the answer to part two is, Atomic Energy of Canada Limited.

**Mr. Sargent:** Will the Minister advise if the project is in full force now or is there a delay?

**Hon. Mr. Kerr:** Mr. Speaker, I do not believe construction has started. I believe they are still clearing the site. I do not believe any attempt or start has been made on actual—

**Mr. Sargent:** But they do plan to proceed?

**Hon. Mr. Kerr:** As far as I know, as of now, there has been no change in plans.

**Mr. Sargent:** Will the Minister check and find out?

**Hon. Mr. Kerr:** Yes.

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

**Mr. Stokes:** Mr. Speaker, I would like to ask a question of the Minister of Mines.

In view of an advertisement that appeared in the *Navajo Times* of Window Rock, Arizona, will the Minister look into the possibility of clearing native Indians in northern Ontario for positions that have been advertised for maintenance, electrical and plant operating personnel for Griffith Mines, just south of Red Lake?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, if the member would either send us a gift subscription or send over the paper itself, I would be glad to look into the matter.

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

**Mr. Ben:** Mr. Speaker, I have a question of the Minister of Social and Family Services. Is he aware that the Catholic Children's Aid Society of Metropolitan Toronto has sent a circular letter to all doctors informing them henceforth it cannot pay the ten per cent over and above the OHSIP payments because, I quote:

This agency cannot any longer pay the additional ten per cent of the account because our budget was reduced by \$260,000.

Is the Minister aware of this and what is he going to be doing to correct the situation so that children will continue to receive the best treatment possible?

**Hon. Mr. Yaremko:** Mr. Speaker, I was unaware of that letter until the hon. member brought it to my attention. I will proceed to check into the matter.

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

**Mr. Deans:** Mr. Speaker, I have a question of the Attorney General in regard to the recently concluded Ontario Police Commission inquiry into the police sections in Grimsby. I would like to ask the Attorney General

whether he believes that the conclusions and the recommendation of the commission are in keeping with the public interest?

**Hon. Mr. Wishart:** Mr. Speaker, I had a conference arranged with the police commission for tomorrow morning, but I understand now the House will likely be sitting and I may not be able to keep it. But I want to have a discussion with the Ontario Police Commission in order to discuss this among other things. I cannot tell the hon. member how soon we will reach a conclusion as to what we shall do there, but I would like to assure him that the matter is under consideration.

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

**Mr. D. A. Paterson (Essex South):** Yes, Mr. Speaker, a question of the Minister of Energy and Resources Management. Early in 1970, will the Minister be taking away from the county health units the jurisdiction and staff involved in environmental health? If so, what will be the effect on the existing staff of those county health units?

**Hon. Mr. Kerr:** Mr. Speaker, to my knowledge there has not been any plan to make this change as suggested by the hon. member. There has been some indication that all matters of environmental care will be under The Department of Energy and Resources Management. However, this is a specific branch of The Department of Health which is tied in with the local medical officer of health and to my knowledge there has been no plan or no suggestion of a plan to transfer from one department to the other.

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

**Mr. Shulman:** I have a question of the Attorney General, Mr. Speaker. Is the Attorney General aware that a week ago last Thursday Judge James Black, in the Milton provincial court, was forced to send an 18-year-old lad to jail who had been convicted of nothing because when the judge wished to refer him for a mental examination, he was refused admittance at the Clarke and the Lakeshore institutions because they were full, and at the Hamilton hospital because they refuse to accept someone who was not convicted? Will the Minister take steps to see that this type of thing does not occur again?

**Hon. Mr. Kerr:** The hon. member will have to stop reading that *Journal-Record*.

**Hon. Mr. Wishart:** I will check the facts of this matter, Mr. Speaker, and see what should be done.

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

**Mr. Haggerty:** Mr. Speaker, a question of the Minister of Energy and Resources Management. When will the Ontario Energy Board remove the authority for inspections and installation of new natural gas equipment and existing equipment, which are carried out presently by employees of the gas companies, such as Consumers', and place all inspections under the control of government employed inspectors?

**Hon. Mr. Kerr:** Mr. Speaker, as I indicated during my estimates, and mainly as a result of the explosion at Malton, we are contemplating changes in the Act, which will require government inspections for all new installations and also periodic or continuous inspections of existing transmission lines.

This is one of the recommendations, although this in no way indicates that inspections up to the present time carried on by employees of the gas companies have not been efficient. After all they do have a great deal of interest in making sure there are no problems and these are all competent inspectors, but this may be complemented by people from my department.

**Mr. Speaker:** The oral question period is now complete. Before we pass on, because tomorrow might well be a busy day, I would just like to say one or two things about the question period as it appears from here so that when the members of the House and the Whips are arranging another session they might perhaps bear these in mind.

May I thank the members for their assistance. The members have been very good in asking their one question and then allowing the turn to go to the other caucus.

There are two or three things which seem to produce some little heat and some little disappointment. The first is that it has been my observation that a large proportion of the time, whether it be an hour or a half hour, is taken by the questions from the leaders of the two Opposition parties and the supplementaries based thereon by all members. I find no fault with this, but I merely point out that is one of the things I have noted.

The second thing that causes me some concern is the fact that the Ministers who are asked questions, often have to take them as

notice because they do not have the answers, and then, as the Attorney General did today they come with the answer later. In order to be fair, I ruled the answer to a question must be in the turn of the party that had asked the question, so that the other party would have its proper time, and therefore we have not always received, as we did not today, the answers from the Ministry. This is another point which I think needs some clarification for another session.

Thirdly, there is always this point which is sometimes very difficult to determine and that is, how many and how long should the supplementary question period on each question proceed. The members have been very good in observing Mr. Speaker's discretion on this, and he cannot always be right—or can very seldom be right—but nevertheless, the certain point beyond which supplementaries go, brings us into a debate, rather than a question period.

Those are the three matters which have appeared to me in the Chair. I know I have discussed them with the Deputy Speaker who has been in the Chair on some of these occasions, and we feel these are points which the members, the Whips and the leaders should be considering as we enter into a new session in the days to come, and have the matter of the question period and how it should be operated to be decided.

**Mr. Shulman:** Sir, on a point of order, surely it is not fair that either party should have a turn taken up when they ask a question and a second turn taken up when the Minister answers it. This obviously is not correct.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Write a letter about it.

**Mr. Speaker:** Petitions.

Presenting reports.

**Hon. Mr. Welch:** Mr. Speaker, I beg leave to present to the House the following reports: The annual report of the Ontario College of Art for the year ending May 31, 1969; the University of Western Ontario financial statement, June 30, 1969.

**Mr. Speaker:** Motions.

**Hon. Mr. Welch:** Mr. Speaker, in order to provide some more time tomorrow for the consideration of the business of the House, I move that tomorrow, Wednesday, this House meet at 10.00 o'clock in the morning.

Motion agreed to.

**Mr. Lawlor:** Mr. Speaker, how long will the question period be?

**Hon. Mr. Welch:** Mr. Speaker, I assume we will follow the practice of Wednesdays and have a half-hour question period tomorrow and also, although it is not necessary to incorporate this in the motion, I assume that if necessary we will meet tomorrow evening as well.

**Mr. D. M. De Monte (Dovercourt):** On a point of order, are we going to debate the workmen's compensation board tomorrow, Mr. Speaker?

**Hon. Mr. Welch:** Mr. Speaker, I have had some discussions with the Whips of the official Opposition and the New Democratic Party and there is some hope we might be able to arrange some time during the course of tomorrow to carry on that particular discussion.

**Mr. De Monte:** Will it be discussed at some specific time tomorrow, Mr. Speaker?

**Hon. Mr. Welch:** I thought that as soon as we got into the order of the business today we might have a meeting with the Whips of the other two parties to arrange that time.

**Mr. De Monte:** Thank you.

**Mr. Speaker:** Before the orders of the day, as has been my custom when one group of legislative pages is about to leave us, I wish to draw to the attention of the members of the House the names and home ridings of those pages who now serve us. These boys will be leaving us when this session ends and I may say they come from 20 different ridings.

Those who are now completing their tour of duty are: Scott Allan of Dunnville from the riding of Haldimand-Norfolk; Sunter Bundy of Toronto from the riding of Beaches-Woodbine; Marten Burns of Port Credit from the riding of Peel South; Ted Byers of Toronto from the riding of Eglinton; Sean Drysdale of Highland Creek from the riding of Scarborough East; Michael Erion of Perth from the riding of Lanark; David Hood of Guelph from the riding of Wellington South; Larry Lim of Toronto from the riding of Riverdale; James Linton of Tillsonburg from the riding of Oxford; Chris Loudon of Islington from the riding of York West; Gregory Lubianetzky of Unionville from the riding of York Centre; Paul Massel of Kitchener from the riding of Kitchener; David Merritt of Scarborough from the riding of Scarborough

Centre; Danny Milne of Kincardine from the riding of Huron-Bruce; David Mongeau of Windsor from the riding of Windsor-Walkerville; Richard Myers of Chatham from the riding of Chatham-Kent; Vince Peters of Thorold township from the riding of Welland; Alan Sharkey of Chesterville from the riding of Grenville-Dundas; James Snow of Georgetown from the riding of Halton East; Michael Vassallo of Port Credit from the riding of Peel South; William Wheeler of Toronto from the riding of Humber; Tom Workman of Winchester from the riding of Grenville-Dundas.

**Hon. Mr. Yaremko:** Mr. Speaker, before the orders of the day I rise on a point of personal privilege to deal with two articles which appear in today's press, the Toronto *Telegram*, with the heading "Yaremko Blunder Killing Indian Aid Group—Nixon" and then in a *Globe and Mail* story of this morning in a separate press statement. That is, Mr. Speaker, outside this House after the question period of yesterday, Mr. Nixon said the delay was, "the latest of many blunders in Mr. Yaremko's handling of Indians affairs in Ontario."

Interjections by hon. members.

**Hon. Mr. Yaremko:** I notice the member for Thunder Bay is not pounding his desk.

Mr. Speaker, I want to make a position perfectly clear in regard to AMIK that AMIK and the concept of AMIK is one of the possible forward steps that we can be taking in this province.

**Mr. MacDonald:** That is not the point at issue.

**Mr. J. B. Trotter (Parkdale):** That is not a point of personal privilege.

**Hon. Mr. Yaremko:** Let me continue. We were dealing with AMIK.

Interjections by hon. members.

**Hon. Mr. Yaremko:** We are not in a debate. Mr. Speaker, I want at least the courtesy which I have always extended, to be given to me on this occasion.

AMIK and the concept of corporations was completely adopted by me when I assumed this Ministry and I have been one of those who have pressed forward the concept of AMIK, its ideals and its member corporations.

**Mr. MacDonald:** You just delayed on the necessary grants.

**Hon. Mr. Yaremko:** Now I come to deal with the allegations attributed to the leader of the Opposition.

In January, 1969, that is the beginning of this year, AMIK association received an operating grant from the province of \$24,000. This grant was for the purpose of meeting the operating expenses of the association in its fine work of promoting the economic and social development of the Indian organizations in this area, and my recollection is that they asked for \$24,000 and received \$24,000 for their operations for this year.

The submission was based upon three staff members being employed by the association to do their work. The department received regular progress reports including the financial statements of AMIK. Part of these reports was a statement indicating their cash position as the report states. I had the opportunity, when I was in Kenora, of attending a meeting of the board of directors and assuring the board of directors in no uncertain terms that everything that should be done to keep the work of AMIK alive would be done from the point of view of the department. That is a matter of public record up in Kenora where it counts.

There had been no prior consultation with the province with regard to the recent increase in regular staffing requirements of the association. When this was brought to our attention we saw that this increase in staffing would create increased requirements for 1970. We immediately began discussion in preparation for a new budget proposal. At the same time we noted, and I feel this is most important, that as of the beginning of November the financial statement of the association showed a little over \$9,000 in cash on hand. Despite the fact that the cash position of the association indicated the ability to carry on their work until the end of the calendar year, at which time their budget would be reviewed in terms of their operating needs, the department kept itself informed of their financial requirements on a continuous basis in respect of the administrative and other requirements that they had in mind on which we had discussions with the association.

Members of the staff, including the assistant director of the branch, met with the executive committee of AMIK on December 10—that was last Wednesday—to discuss the staff requirements of the association. At that meeting it was agreed by the association that the greatest advantage in providing services to Indian organizations lay in orderly progressive development and the province was

informed that the association will review its requirements and will submit without delay the proposals for 1970.

**Mr. Nixon:** Mr. Speaker, on a point of order, I wonder if I could draw to your attention, sir, that obviously the Minister is making a Ministerial statement and if you permit him to continue it will not be possible for us to question him on this matter.

**Mr. Speaker:** In addition to that, the Minister is not speaking from his own seat so the Minister will either speak from his own seat and make his point of personal privilege or not make a statement. I am entirely in agreement with the leader of the Opposition and I would further think that the Minister would want to occupy his own seat when he is speaking to the House.

**Hon. Mr. Yaremko:** Mr. Speaker, from the angle I was speaking into the microphone I was in my own seat, but I will move back to—

**Mr. Speaker:** I will point out to the hon. Minister that he was not in his own seat when he was making the previous statement.

**Mr. S. Lewis (Scarborough West):** He aspires to a new Ministry.

**Hon. Mr. Yaremko:** Mr. Speaker, I am correcting the comments that were attributed to the leader of the Opposition.

Interjections by hon. members.

**Mr. Nixon:** Is the Minister aware that the Treasurer is ready to send the money if the Minister gives it his okay?

**Hon. Mr. Yaremko:** As I informed the leader of the Opposition prior to his statement outside of this House, that was already in process and to me he said "good", but then he proceeded out of this House to make his statement which I am correcting for the record.

**Mr. Speaker:** The hon. Minister and the leader of the Opposition are now endeavouring to engage in debate. I would ask that the hon. Minister clear his point of privilege without converting it into, as I correctly think, he is endeavouring to do, a Ministerial statement. He has the floor and I think he can do it. He is an experienced parliamentarian and I am sure he can do it.

**Mr. Shulman:** That is open for debate.

Interjections by hon. members.

**Hon. Mr. Yaremko:** Mr. Speaker, the record will prove that far from a series of blunders, the work that we have done in regard to the corporations this year will be one of the outstanding pieces of work within The Department of Social and Family Services. The work that we did in Aroland on Sunday is the last of a long list. I say to the leader of the Opposition if he and his cohort, the leader of the NDP, will stop using Indians as a political football and let us get on with their business, as we have been doing, it will be a better day for the Indians of this province.

**Mr. Nixon:** Mr. Speaker, will you permit a question for clarification?

**Mr. Speaker:** I doubt if a question for clarification would serve any useful purpose other than perhaps to bring more clarification than the hon. leader would wish.

**Mr. E. W. Sopha (Sudbury):** He has got to go.

**Hon. Mr. Yaremko:** The member for Sudbury will not be the deciding factor.

**Mr. Shulman:** The Minister is the deciding factor.

**Hon. Mr. Yaremko:** One would wonder where the leader of the Opposition has been for the last ten years.

**Mr. Nixon:** Why does the Minister not just go and ask his friend to send him the money? Before the Minister came in today he said he would send them the money; that he was just waiting for the Minister.

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

**Clerk of the House:** The eighth order, committee of the whole House; Mr. A. E. Reuter in the chair.

#### CARE AND PROVISION OF ANIMALS FOR RESEARCH

House in committee on Bill 194, An Act respecting the care and provision of animals for research.

On section 22:

**Mr. Chairman:** It seems to me that we did deal with an amendment to section 22, subsection (1), which was disposed of. We are now up to section 22, subsection (2). I believe the hon. member for Humber had a motion to amend that.

**Mr. G. Ben (Humber):** Mr. Chairman, I move that subsections (2), (3), (4), (5), (6), (7), (8) and (9) of section 21 of the bill be renumbered to subsections (3), (4), (5), (6), (7), (8), (9) and (10), and that the section be amended by adding thereto the following subsection (2):

All persons qualified by the Ontario Humane Society to act as inspectors within the provisions of The Ontario Society for the Prevention of Cruelty to Animals Act, 1955, shall be *ex-officio* inspectors for the purposes of this Act.

**Mr. Chairman:** Mr. Ben moves that subsections (2), (3), (4), (5), (6), (7), (8) and (9) of section 21 of the bill—I am sure he means 22 of the bill—

**Mr. Ben:** Yes, I am sorry; yes, it is 22.

**Mr. Chairman:**—of the bill be renumbered as subsections (3), (4), (5), (6), (7), (8), (9) and (10), and that the section be amended by adding thereto the following subsection (2):

All persons qualified by the Ontario Humane Society to act as inspectors within the provisions of The Ontario Society for the Prevention of Cruelty to Animals Act, 1955 shall be *ex-officio* inspectors for the purposes of this Act.

Yes, I think probably the motion is in order. The hon. member.

**Mr. Ben:** Mr. Chairman, I am not going to dwell on this for very long except to say that if the Minister does not permit this amendment, I think the people are going to be correct in their assumption that this Minister has just a supreme dislike for the Ontario Humane Society, and many of its officials. Mr. Chairman, I am not only sure of that, but I am becoming a little exasperated. There is no sense in moving all these amendments to try to polish up the Minister's legislation if he is not going to accept them; and if he is not going to accept them we will just have to stop moving amendments to his legislation.

**Hon. A. Grossman (Minister of Correctional Services):** Good. Accept the challenge.

**An hon. member:** Then they will be sorry.

**Mr. Ben:** And then they will be sorry.

**Mr. R. Haggerty (Welland South):** They will not have all that help.

**Mr. Ben:** Mr. Chairman, if anybody ever draws an editorial caricature of the Minister

as it affects this legislation, it is certainly not going to show this hon. Minister as the best friend of a man's best friend.

Mr. H. Worton (Wellington South): It will be man bites dog.

Mr. Ben: I am afraid that is what it is going to be.

Hon. Mr. Grossman: Man's best friend is still man.

Mr. Ben: You know, we are starting to lose a little faith in this Minister and his statements that he is trying to be fair and above board in trying to reconcile the interests here. We have made amendments that, under the circumstances, are nothing but reasonable. We have not had amendments that one could classify as being far-fetched or simply designed to embarrass the Minister because we all feel sorry for the embarrassment he has caused himself. We are trying to extricate him from some of this embarrassment.

Hon. C. S. MacNaughton (Treasurer): We need a society for the prevention of cruelty to people.

Mr. Ben: If they had such legislation I guess the hon. Provincial Treasurer would be the first one they would shut up. At any rate, all we are asking is that the humane society—which, in essence, has carried out a function of the people of this province which the government ought to have been carrying out for the last 50 or 60 years—continue to operate. It is always private associations that show the government the way, yet this government in 25 years, has been nothing but miserly toward the humane society. When we were in committee this Minister got up—as a matter of fact he did not get up to the microphone but he got up where he was sitting—and made a statement that this government had made certain grants to the Ontario Humane Society.

It was pointed out, I think, by the member for High Park, that the money the Hospital for Sick Children saves on the blood that is donated to it by the Toronto Humane Society, more than covers any grant that this government made to the humane society. Therefore, this government cannot say that it has been supporting the humane movement in this province. We feel that this amendment will maintain not only the dignity of the Ontario Humane Society but permit it to operate in the future within fields not covered by this legislation. We are asking that the Minister rise and indicate his agreement with

this amendment and thereby perhaps induce his colleagues to support him.

Mr. D. C. MacDonald (York South): Mr. Chairman, I wanted to ask, if I might through you, the hon. member who has moved this amendment, for some clarification so that I can be sure, before I speak. Does he envisage an *ex-officio* inspector as an inspector who has precisely the same powers as the inspectors who are appointed by the government? Or would they be more in the role of supervisors; being able to come in and see what is going on to see if all the requirements of the Act are being lived up to?

Mr. Ben: Mr. Chairman, for the hon. member, I had envisioned an official, an inspector of the humane society, having the same powers as an inspector appointed under this Act.

Mr. MacDonald: May I, just by way of clarification, Mr. Chairman, indicate to you that it was my intention to move an amendment which I presume was going to attempt to meet the same objective. I was going to do it as a new subsection (10).

Mr. Ben: Let me hear it and I may draw mine.

Mr. MacDonald: The amendment—if I may just put it on the record—which I was going to move was that: "Facilities in which animals are kept before, while and after being used in research, be open to unannounced inspection at reasonable hours by accredited representatives of the Ontario Humane Society for inspection of housing and care aspects only."

That is somewhat different because I assume from the explanation the hon. member for Humber has given, that he wants those who are inspectors under The SPCA Act to have the full powers of inspectors under this Act.

Mr. Ben: Could the hon. member move a further amendment to my amendment which would restrict the activities of the humane society inspectors to the care of the animals as suggested in his amendment? It would cover it.

Mr. MacDonald: I would be glad to do that, then, Mr. Chairman, because quite frankly—let me speak to the point. The humane society has got into some difficulty for the alleged abuse of its inspection powers. Indeed, this is something which has the Minister so aroused that it was one of the great



motivations in terms of his attitude toward the humane society, and perhaps the initial bringing in of this whole bill. At least his testimony, or his comments, before the standing committee on agriculture seem to confirm this to be the case.

I have some doubts about the wisdom of continuing this tense situation if you give full inspection powers to the inspectors of the humane society. Quite frankly, I do not know that they really want full inspection powers. I think that the full inspection powers should rest with the government inspectors that are appointed.

However, the reason why I make this point, and the reason why I was going to move an amendment embodying it, was that I think that there is every justification, on the basis of the record of the humane society, to continue to give them this opportunity to oversee the inspection. The record of the Ontario Humane Society—indeed, let us not restrict this to the Ontario Humane Society, of all humane societies—in my view, has been an extremely creditable one.

They have been the watchdogs down through the years, on the question of animal welfare. If it had not been for the humane society—and if you wish to put it this way, the extra-sensitivity of people in the humane society, with regard to the abuse of animals—I think society as a whole is rather callous in different ways, and would have tolerated the continuance of abuses for years. The humane societies have performed a role, for which they should be given full credit, in terms of civilizing society and making them face up to the fact that there is no justification for imposing cruelty and unnecessary pain and suffering upon animals who are defenceless.

Therefore, it seems to me that we want to continue this kind of role without any inhibitions. I would not like to see the society involved in the exercise of the inspection powers; because, let me remind the House, the humane societies themselves are sensitive enough about the public reaction of the abuse of their inspection powers that they have made a proposal regarding them to the Attorney General some months ago. It mystifies me as to why this government cannot act in eight or ten weeks' time, and implement such a good recommendation in this legislation.

They have proposed that the inspectors of the Ontario Humane Society shall be made subject to an independent board, if I may call it such for the moment, to which they would have one appointee. The government

would have one appointee, and there would be a neutral chairman. In this way the supervision of the exercise of the inspectors' powers would be taken to this independent board—out from the government, out from the humane society; and thereby, perhaps, we could defuse this highly tense and emotionalized situation.

I repeat—the humane society has asked for that, and therefore my guess is that the humane society is not desirous of being given full inspection powers. But I come back to my basic point, I think they should be given rights to go in—particularly if it is in relation only to the inspection of housing and care aspects.

I was interested—if I may continue the documentation of the cases as to why this is needed, Mr. Chairman—in the testimony of Dr. Rowsell before the committee, when he said that they have made a study of various research and hospital laboratories across this country. In order to avoid embarrassment and public aversion to any given institution, they have not identified their report with a particular institution. But they have approached institutions and, in many instances, succeeded in having them correct and update the conditions in their laboratories.

In short what Dr. Rowsell was saying is that, in many of these research labs, conditions are not defensible, conditions are not adequate.

One further thing—as a layman trying to sort out the emotional cross currents on this whole issue—I became persuaded that in certain instances—and I will not identify them—with the establishment of an animal care committee, a supervising committee for the authorization of animal experiments, every possible precaution was being taken.

It may well be that, in some instances, for which I have the full details, this is the case. But there are always opportunities, and there are always occasions and instances—and Dr. Rowsell confirmed this—where conditions are not defensible.

They have to be updated, and because of Dr. Rowsell's report, and confidential discussions with them, they have updated them.

In short, inevitably in the implementation of this Act, there will always be the possibility of a lapse; just as there is often need to have policemen watching over policemen, so there is need for inspectors watching over inspectors, to make certain that the complete implementation of the Act is being fulfilled.

The body whose record qualifies it for this role is the Ontario Humane Society. And

the clincher, as far as I am concerned, is that we have had people like Dr. Sinclair, from Queen's University, saying frankly they have no objections at all. Indeed they invited this double check, saying their labs are open for the Ontario Humane Society—or indeed anybody else in the public who does not create undue interference with their activities—to examine, or satisfy themselves, that all of the necessary regulations are being implemented.

Therefore, I think the amendment of the hon. member, as advanced, is a good one: That the humane society inspectors should be involved. But I would like to move a sub-amendment, and I shall leave to you the co-ordination of his wording with mine. It should be amended to indicate that the role of the humane society inspectors is "for the inspection of housing and care aspects only". We must be sure that we are not giving them any power to intervene in decisions with regard to research labs, or the experiments that are taking place in them.

Tom Hughes, of the humane society, admitted, quite frankly, after years of experience in this field that he did not consider himself competent to judge certain aspects of the actual experimentation. You must have professionals in the field, and on the committees that have been established in each lab, to exercise judgment in that connection.

So I do not think that we want to get the humane society inspectors involved at this level. I will move a sub-amendment, Mr. Chairman, and I will give you a copy of my proposed amendment to indicate how the latter part of it can be integrated—to restrict the involvement of the humane society inspectors to that of inspection of housing and care aspects only.

**Mr. Chairman:** It seems to me that it would be rather difficult to present the—

**Mr. Ben:** Would the hon. member permit me to suggest an amendment by simply adding that: "The powers of such *ex-officio* inspectors shall extend only to the housing and care aspects of the animals, prior to, or following the experiments"—I mean "during experiments." If I may speak on that, Mr. Chairman, the hon. member for York South mentioned that Dr. Sinclair had expressed his feelings that the laboratories would not object to the humane society making inspections of their facilities. And this was substantiated, not only by Dr. Rowsell, but Dr. Bigelow, and Dr. Chute, and Mr. Hughes and Mr. Hume of the humane society stated that

they had never been refused permission to inspect these facilities.

Therefore, it is rather strange that the Minister should object. But what disturbs me, and I stand to be corrected, is that I got the impression that these eminent gentlemen did not take kindly to the thought that the experimental aspect of it should be subjected to inspection and interpretation by the humane society.

I have also got the distinct impression that both Mr. Hughes and Mr. Hume expressed the thought that they would be satisfied with the power to inspect only—as the member has quoted—the care and housing aspect of the animals, and that they would in no way desire to interfere with the experiments, or ask permission to go into the laboratories to observe the experiments. They were willing that their powers be restricted to the care or husbandry aspect of the animals.

And, in the hope that the Minister appreciates the views of both of the medical men I have mentioned and the humane society people, I hope that he will accept the amendment and the sub-amendment, which would permit humane society inspectors to concern themselves with the care of these animals only insofar as their housing and care before, and after the experiments, is concerned. They are to be kept out of the laboratories.

**Mr. M. Shulman (High Park):** Mr. Chairman, may I rise to support, very briefly, this amendment. I had some personal contact here. I made a point of specifically asking the deans if they had any objection whatsoever to the humane society being given this power. Each and every one said no, they did not. I would like to suggest that although the Minister may have been able to back up his previous adamancy, and Stonewall Jackson attitudes, with some semblance of support from the other side, here is something which is wanted by the humane society.

It is certainly wanted by the public. It is not objected to by the medical schools, and the Minister, in refusing to accept this amendment in committee—and if he refuses to accept it again here—is just showing a completely unreasonable attitude, a desire to punish the humane society. He is displaying an unwillingness to compromise, which is going to completely discredit him and this legislation. And I strongly urge that he accept this amendment and the sub-amendment.

**Mr. MacDonald:** May I add just a footnote, Mr. Chairman, as to why I hope the Minister

will accept this amendment? As the hon. member for High Park has indicated, the public generally supports it, the humane society wants it, and the medical deans do not object to it.

But if he does not accept the amendment, then any strict interpretation of the Act surely is going to exclude them from being able to exercise the privilege, which is now willingly conceded to them by the research laboratories. I can think of nothing which will rub salt in the wounds, making a bad situation worse than excluding the humane societies from the privilege which has been granted willingly to them up until now by the research laboratories, or by the deans of the medical schools.

So I would hope that, in the interest of bringing a degree of peace to these troubled areas, the Minister will see his way clear to accepting the amendment with the sub-amendment.

**Mr. Chairman:** Perhaps I might suggest to the committee at this point how we might combine the two thoughts and the two different motions. The member for Humber's motion reads:

All persons qualified by the Ontario Humane Society to act as inspectors within the provisions of The Ontario Society for the Prevention of Cruelty to Animals Act, 1955 shall be *ex-officio* inspectors for the purposes of this Act but such *ex-officio* inspectors shall be limited to the inspection of research facilities.

Which I think is the intent of this motion, it is not?

**Mr. Ben:** No, you are going farther than we would hope for. It is only inspection of the housing and care aspect of the animals.

**Mr. Chairman:** Only to the—

**Mr. MacDonald:** Housing and care aspects of the animals.

**Mr. Ben:** Mr. Chairman, we are asking for the Ontario Humane Society to be appointed ombudsman for the dogs and cats of this province.

**Mr. Chairman:** The hon. Minister.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Chairman, I have listened to these amendments with great interest and with great concern. Yesterday, the hon. member for Humber talked about the necessity of having qualified university graduates as inspectors under this Act. Today he sug-

gests that the humane society inspectors enforce this Act. I cannot find too much relevancy in those two statements.

**Hon. Mr. Grossman:** Not much consistency.

**Hon. Mr. Stewart:** He suggests—

**Mr. MacDonald:** I was consistent, because I did not support his amendment.

**Hon. Mr. Stewart:** Today he condemns our government for having allowed the humane society, or caused the humane society over the last 25 years—and I suppose it goes much beyond that, it goes back to the inception of the humane society, which I believe goes back over a century—to provide its own inspections.

Now, when we have offered, by this legislation, to provide that inspection at public expense, he says: "Let the humane society carry on the inspection." Where is the consistency in that argument?

**Mr. R. F. Nixon (Leader of the Opposition):** It is right there, if the Minister will see it.

**Hon. Mr. Stewart:** Well, all right, that is a debatable point. But in my opinion there are two inconsistencies right there.

**Mr. Nixon:** Nonsense!

**Hon. Mr. Stewart:** All right, the leader of the Opposition may say "nonsense" if he wants—

**Mr. Nixon:** I certainly will.

**Hon. Mr. Stewart:** Go ahead and say it.

**Mr. Nixon:** The Minister should stick with the more reasonable attitude he had yesterday.

**Hon. Mr. Stewart:** The point that has been raised, in my opinion—

**Mr. Nixon:** "Stonewall" is a good name for the Minister.

**Hon. Mr. Stewart:** All right, if the member wants to get up and make a speech, let him.

**Mr. Nixon:** All right, Mr. Chairman, I would be glad to. The hon. Minister of Agriculture got very upset because I interjected and called him "Stonewall". He was already called that this afternoon, and it reflects specifically his attitude.

Here, a reasonable amendment is put forward. Certainly the hon. member for Humber proposed an amendment yesterday which would have called for university training for inspectors. The Minister did not accept this. Members must recall we voted against the

bill, but we are still trying to make this a good bill in spite of the Minister's attitude. Surely if we are going to have a discussion on the amendment that is supported on this side, the Minister should give it some careful consideration and not treat this like a retarded Grade 10 English student.

**Hon. Mr. Grossman:** That is unparliamentary.

**Mr. Nixon:** There are things that he said in the development of this bill, and the improvement of this bill, that will allow us to improve it—and still get on with the business of the province.

**Hon. Mr. Stewart:** Mr. Chairman, there is no one who would admit more quickly than I, that I do not have the great use of the King's English that I would like to have—and I frankly confess that. I am pleased that the hon. leader of the Opposition found that out and has pointed it out to the public through this debate.

May I say, Mr. Chairman, that the amendments that have been moved, in their effect, would be ones that we would all like to support. Might I suggest this to you, that not once, when the deans were asked if they would accept inspection by the humane society, did they say that they would accept humane society inspection. They said they would accept inspection—inspection, under the regulations of this Act and the legislation—by whomever were appointed as qualified inspectors by the government.

They did say, on several occasions—certainly in my hearing as well, as in the committee's hearing—that they would welcome, as they do now, visits from the humane society. But there is quite a difference between visits and unannounced inspections by the humane society.

Now then, we were addressed before the committee by those who have been brought here from the United States supporting the position of the humane society.

And I think Mrs. Christine Stevens is perhaps one of the more prominent of the witnesses who were brought before the committee supporting the humane society position. She clearly stated that all inspection in the United States was provided by inspectors appointed by the federal Department of Agriculture of the United States. The humane societies do not provide this inspection in the United States.

It was said to us, by the humane society itself, on more than one occasion, that the

United Kingdom legislation on animal care for research animals was perhaps—up to this legislation—the most profound of its type in the world. And who provided the inspection? Government inspectors—appointed by the Home Office, and responsible to the public through the Home Office. The humane society does not provide that inspection in the United Kingdom.

If we are to accept this position in Ontario then I think it is only fitting that we should say, in this legislation, which has such tremendous powers, that it should be government-appointed inspectors who should enforce this legislation. There will be nothing in this legislation, and there is nothing in this legislation, which prohibits, in any way, visits from the humane society or, indeed, from anyone else, to the respective research facilities throughout this province.

To my mind, there is really, when one talks about regulations, a far-reaching effect that we have in this legislation. Surely the enforcement of those regulations must be restricted to people who are appointed by the government, and responsible to the public through a department and a Minister of the Crown.

I feel it would be quite unwise if we were to accept the amendments which are proposed. I recognize, I appreciate, and I wish I could support the amendments that have been proposed, because I recognize—and I say this without any reference to party politics, which a small "p"—the political significance of what has been proposed in these amendments.

But, I stand here as one responsible, not only to the research laboratories, to the teaching schools, to the general public and to the humane societies, but as one responsible to this government for the drafting of legislation that I must answer for before the public, and through whom these inspectors must answer to the public. So I say to the hon. members of the House, Mr. Chairman, that I have no alternative but to reject these two amendments.

**Mr. Ben:** Mr. Chairman, first of all I take exception to the statement of the hon. Minister that there is some inconsistency in what I have been moving before this House. I had moved an amendment to subsection (1) of section 22 which would have restricted inspectors to those who had completed a course in animal husbandry in a recognized school of this province.

I did not use the phrase, "university", as a matter of fact. I have a distinct recollection

that when I first moved this in committee, I used the phrase "school, college, or university, or other recognized institution". So, I am not talking about university graduates.

As a matter of fact, in the first instance, I suggested that we use those who graduate from our community colleges. If I did not adhere to the principle that I believe the people should be graduates of these colleges and thought that we ought to have members of the humane societies as inspectors, it would have been simple in my previous amendment to provide that the inspectors be either graduates of recognized schools of animal care or husbandry, or members of the humane societies qualified under The Prevention of Cruelty to Animals Act or both, but I did not. I was trying to obtain the highest standard possible, and that, to me, was a graduate of a school in animal care or husbandry. The Minister rejected that. He said that in his opinion there are other people who have not graduated from any of these schools who are, in his opinion, just as qualified to act as inspectors; they would make just as good inspectors. I do not disagree with him. There are always people who are not educated, who can do a job as well as a person who is educated for that particular calling. One might call him a self-educated individualist.

I did not disagree in that regard, but since the Minister would not accept the highest conceivable standard and expressed himself as being desirous of having as inspectors others than those who just graduated from schools of animal care and husbandry, it was completely consistent, to my way of thinking, to suggest that, among this other group, should be people from the Ontario Humane Society. And I so moved. For him to suggest that there was inconsistency does not become the hon. gentleman.

Further, the hon. Minister mentions some Americans. The first one who spoke to us was Mr. Cleveland Amory, a very well known American author. If my memory serves me correctly, he gave examples of where they had entered laboratory facilities unannounced and found conditions deplorable. This, notwithstanding that there are inspectors appointed by the federal Department of Agriculture of the government of the United States—or I should just say, by the federal government of the United States. I think that Christine Stevens left the same impression: that they were not completely satisfied with the job that the inspectors of the federal Department of Agriculture were doing, so that there was still a need to have, as I say, an ombudsman to represent the animals, so to speak.

The hon. Minister makes mention of the situation in Britain. I recall distinctly more than one of the speakers who appeared before us, speaking of the Littlewood commission and pointing out that its recommendations were never incorporated into law. Mr. Hughes, in fact, pointed out that what they had been carrying out in Great Britain was a sort of gentlemen's agreement. This is what is in operation in Britain, a gentlemen's agreement between the medical profession and the humane movement. They do not use members of the humane society to go in there but certain people who are not connected with either. We do not have that here; we do not have unattached persons going in.

It was suggested by the hon. member for York South that there should be a committee composed of representatives of the humane society, representatives of the experimentation people, and of a third neutral party.

Perhaps that is what we need, but I think it does not do credit to the hon. Minister to get up here and talk about inconsistency, to talk about what goes on in Britain, to talk about the statements made by the people who were here from the United States, when in fact what these people said in no way supports the position taken by the hon. Minister. So we do wish he would support this amendment.

**Mr. Chairman:** Perhaps I should read this motion before I put it before the committee. Do I understand that if the motion is altered, it is satisfactory to the hon. member for Humber, he is agreeable to change his motion in this respect? All right.

All persons qualified by the Ontario Humane Society to act as inspectors within the provisions of The Ontario Society for the Prevention of Cruelty to Animals Act, 1955, shall be *ex-officio* inspectors for the purpose of this Act, but such *ex-officio* inspectors shall be restricted only to inspection of housing and care facilities of the animals.

**Mr. Ben:** May I suggest this amendment?

But the powers of such *ex-officio* inspectors shall extend only to the care and housing of the animals.

**Mr. Chairman:** All right. If the hon. member has it written we will accept it at the table.

All those in favour of Mr. Ben's amendment, please say "aye." Those who are opposed please say "nay."

In my opinion, the "nays" have it.

Section 22; are there any further comments, questions or amendments to section 22?

Any other comments, questions or amendments to any—

Mr. Ben: Yes, I have one more amendment, but as I say, I am becoming frustrated. If this Minister does not smarten up, I am going to stop—

Hon. Mr. Crossman: How long does it take you to become frustrated?

Mr. Ben: It is on the other side of that slip of paper I gave you.

Mr. Chairman: What section is it?

Mr. Ben: It is an amendment to subsection (9) and the amendment reads that I move that subsection (9) of section 22 of the Act, be deleted—on one of those small pieces of paper—

Mr. Chairman: Mr. Ben moves that section 21 be amended by deleting therefrom subsection (9) of the section 22 as in the bill.

Mr. Ben: I will just explain the amendment and sit down. Subsection (9) exempts the operation of the provisions of The Prevention of Cruelty to Animals Act, 1955. I believe that the provisions of that Act should pertain to the particular piece of legislation we are considering. By deleting the section, it would leave a *status quo*, that is, the provisions of the Act pertaining to the prevention of cruelty to animals would apply in this instance.

Mr. Chairman: Those in favour of Mr. Ben's motion, please say "aye." Those opposed please say "nay."

In my opinion, the "nays" have it.

Are there any further questions, comments or amendments to any other section of this bill?

Bill 194, as amended, reported.

#### THE ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1955

House in committee on Bill 74, An Act to amend The Ontario Society for the Prevention of Cruelty to Animals Act, 1955.

Mr. Chairman: Are there any comments, questions or amendments to any section of this bill? If so, which section?

Mr. P. D. Lawlor (Lakeshore): Section 2, Mr. Chairman.

Mr. Chairman: Anything on section 1?

The hon. member then, on section 2.

Mr. Lawlor: On subsection (2) of paragraph 12 of section 2, I move that that be amended by adding, after the word "observes" in the first line, the following words, "or has reasonable grounds for believing that there is" so that the section reads as follows:

Where an inspector or agent of the society observes or has reasonable grounds for believing that there is an animal in immediate distress, he may enter without warrant any premises, building, or place other than a dwelling place, either by himself, or accompanied by a veterinarian, for the purposes of subsections (3) and (5) and (6) and (13) and (14).

I think that as this legislation is presently before us it reads badly. As a matter of fact it is most obtuse and unworkable. It presently reads:

Where an inspector or agent of the society observes an animal in immediate distress he may enter without warrant any premises—

Is there not a glaring deficiency in this bill? How, if the animal is within any enclosure whatsoever, can he observe anything? In this particular, the Minister may have made a gratuitous move toward quieting the opposition and pouring a little oil on the waters, but this is just not the way to do these things. If your legislation is absurd, and patently absurd, on the face of it, then I would suggest that either the section ought not to be there at all, or that you should accept and consider positively the amendment that we have produced.

There are circumstances, I suggest to you, Mr. Chairman, where subsection (1) is eminently proper, and I would have you note that the clause with respect to exempting and excepting the dwelling house from the legislation remains. A person's dwelling house may not be entered without the procedure of a warrant, but there are many other circumstances in which an animal is in dire and immediate distress and which I think that humanity and any degree of humaneness would require that an immediate response be made by the person responsible for administering this bill to attend upon it immediately. To do anything other than that

would be to condone, and in effect to reconfirm, the very distress that he is there, and appointed as an authority, to mitigate.

This is true in many areas, even of the relationship of private persons in the criminal realm. Where an individual citizen sees an act being committed which is of an indictable nature, which goes beyond a form of secondary offence—in the nature more of a felony—then that individual need not be a police officer or anything other than a good citizen to effect arrest on the spot, to terminate and bring to a close acts of that peculiar penal nature.

Then there are realms in which police officers or duly appointed individuals may without warrant, because of the emergency situation they face, be obliged to step in and to take action and to preclude or foreclose a particular condition continuing to take place.

Then there is the third realm in which a warrant—because the matter is not that overwhelming or pressing—that it is felt that a search warrant is a vital and necessary document. That is so. We have retained it *vis-à-vis* the animals in a person's castle, his home. We have suggested that only in the event of an extremely crucial and pressing circumstance will an inspector of the society be permitted, without a warrant, to alleviate the distress to the animal. I think that the section amended, or as we are calling for it, commends itself to the Minister's humanitarian sense and to a great need which is not presently provided for.

**Mr. Chairman:** Does the hon. Minister wish to comment?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Chairman, the amendment actually reverses the intent of the Act as expressed in section 2, subsections (12) and (13). It will be noted, I think, from the bill which the members have before them, subsection (2) is an amendment which we very carefully considered and added to the Act. The inspector, where he has reasonable grounds for belief, is required to have the warrant and the situation which we were attempting to cure is the situation where the inspector is the only judge of what are reasonable grounds.

Reasonable grounds could be an anonymous complaint, or whatever it might be. If the inspector was the judge of it himself, he would go in under any circumstances and the situation would remain as it was before this amending bill was produced. We do

provide that where the inspector has reasonable grounds, he goes before a justice of the peace and satisfies him that those grounds are reasonable which is the normal procedure for some assessment other than his own judgement of what are reasonable grounds.

**Mr. Lawlor:** May I ask a question? Would the Attorney General care to estimate what the time lapse would be between finding this condition existing and the obtaining of any warrant?

**Hon. Mr. Wishart:** This, I would admit at once, would vary from place to place, case to case, and circumstances.

**Mr. Lawlor:** It would take hours anyhow.

**Hon. Mr. Wishart:** Well, no. I think it might go anywhere from 15 minutes to an hour, or a couple of hours, possibly, in the area of northern Ontario it would take longer.

**Mr. V. M. Singer (Downsview):** Fifteen minutes would mean he would have his own captive justice of the peace on top of the car.

**Mr. Lawlor:** He would have him in the rumble seat.

**Hon. Mr. Wishart:** Well, there are some 900 odd justices of the peace, I will admit—

**Mr. Singer:** All following inspectors of the humane society around ready to—

**Mr. Lawlor:** According to McRuer about 50 per cent of them are defunct.

**Hon. Mr. Wishart:** Well, it would take no longer than perhaps it would take in the case of a child being abused.

**Mr. Singer:** It might take as long as it does to get bail in Metropolitan Toronto.

**Hon. Mr. Wishart:** I am quite ready to admit that, perhaps in the area behind the city in which I live, in widely scattered parts of northern Ontario, it might take a couple of hours.

**Mr. J. Renwick (Riverdale):** How many hours?

**Hon. Mr. Wishart:** You gentlemen do not know the north country as well as I do. Justices of the peace are quite accessible.

**Mr. J. Renwick:** In Thunder Bay how long would it take?

**Hon. Mr. Grossman:** Nobody is cruel to animals up there.

**Mr. Singer:** I am still looking for that wandering justice of the peace for Toronto west. He cruises along 401 granting bail.

**Hon. Mr. Wishart:** The theory of this amendment, the principle of this amendment, is that the inspector may exercise his own judgement on what he considers his own grounds; go in and take this action which he can only take where he sees the animal in distress. Where there are reasonable grounds, as we have said, there should be a justice of the peace with the information taken before him. Then I would point out that in the following subsection (13) there is a remedy which the inspector can take, in that he may go to the owner and order him to take such action as in the opinion of the inspector or agent is necessary to relieve the animal of its distress, or have the animal examined. So he has a wide authority there to relieve the distress. He is there on the scene, he finds the owner, and he has the distress relieved. He orders him to relieve it—

**Mr. Lawlor:** Suppose the owner has ducked around the corner?

**Hon. Mr. Wishart:** So I cannot accept the amendment, Mr. Chairman.

**Mr. Lawlor:** Mr. Chairman, may I speak to the amendment? Does not the Attorney General feel that the wording of this clause itself is—yes, as my colleague uses the word—“ridiculous”?

Where an inspector or agent observes an animal in distress.

In how many circumstances do you think an animal in distress is going to be rescued because of visible observance of this distress?

Is he not always behind some kind of enclosure?

**Hon. Mr. Wishart:** I can pick out a good many circumstances: Animals out in the field where there is no feed, or an animal that shows the results of having been beaten or is suffering from wounds that have not been attended to, or has wounds open to flies or maggots and is not being cared for.

There are many situations and that is the situation he would at once attend to.

As for the animal that is inside—if he has reasonable grounds for believing, from the bellowing, that the animal is in distress, he can find the owner and say, “I have grounds

to believe that animal is in distress and I want you to correct it at once and stop it.”

So I think we go far enough.

**Mr. Singer:** Mr. Chairman, I support this amendment completely and it really represents the thrust of the argument that I put forward on second reading. I drew a parallel between the powers of the peace officer and the powers previously given to inspectors, and now the Attorney General wants to reverse this.

I think the points made by the hon. member for Lakeshore are abundantly valid. If an animal is heard to be howling or in pain, the inspector comes up, and unless he can see the animal actually being mistreated no matter what he hears, that is not enough—

Surely the test should be “reasonable cause”, as it now applies generally to the actions of peace officers. It can be questioned in the courts in the event there are no reasonable grounds and there is a civil action available for damages, if the police officer has acted improperly. It puzzles me as to why the Attorney General now goes so far. He can gloss over as often as he wants how easy it is—or attempt to gloss over—how easy it is to find a justice of the peace, but certainly it has not been my experience that it is easy to find a justice of the peace.

**Hon. Mr. Wishart:** Look at subsection (13).

**Mr. Singer:** Yes, I know, and then he warns him and then the extent of the warning is—

**Hon. Mr. Wishart:** He orders him—

**Mr. Singer:** Yes, all right, he orders him. He says “stop it” if he can find the offenders. If the fellow bothers to answer the door; if the fellow does not kick him off his land because at that point he is trespassing; if he has got anybody to warn. He has got no right, really, even to enter upon the premises to give the warning.

So the whole thing is just an exercise in frustration, the inspector has to see something actually happening. Suppose he hears it but does not see it—suppose he hears an animal howling in pain and then he attempts to find the person who is causing the pain and the person does not answer the door or open the barn, then what happens? Then he goes off on his search for a justice of the peace and goodness knows where the justice of the peace is going to be or if he can be found.



**Mr. J. R. Breithaupt (Kitchener):** Or what happens to the animal in the meantime!

**Mr. Singer:** Or what happens to the animal in the meantime? I just do not think it makes any sense at all. When we discussed this on second reading, Mr. Chairman, you will recall I asked the Attorney General how many instances he had where the previous power was abused and the Attorney General said there were some but he could not name any.

At that point the Minister of Agriculture and Food said he had quite a list of them. I would like to know within the last 12-month period, for instance, how many occasions there have been when the previous system has caused some hardship to someone? How many legitimate complaints have been received either by the Minister of Agriculture and Food or the Attorney General? In other words, what evil are we trying to eliminate with this statute? Have there been any legitimate complaints? How many in the last 12-month period? If there have been legitimate complaints, how many of them were followed up either by prosecution for abuse of powers or by civil action for damages? Can either the Minister of Agriculture and Food or the Attorney General answer that question?

**Hon. Mr. Wishart:** Mr. Chairman, you were good enough to ask before I spoke before if anyone wanted to speak. There were no offers so I spoke. Now I have not got any statistics for the hon. member for Downsview.

**Mr. Singer:** No, and you did not have any on second reading either. Have you got any statistics? Will they be given to us?

**Hon. Mr. Stewart:** Mr. Chairman, I have several situations; I have a great many. I do not think we want to take the time of the House because I can list them chapter and verse. I gave—

**Mr. Singer:** But I think that we do.

**Hon. Mr. Stewart:** I gave one illustration of it the last time before the committee on agriculture, when this bill was being discussed. It was said at that time that I did not know the name of the humane society inspector. I did not, and I can tell you why I did not. In the instance to which I referred, the humane society inspector called the veterinarian and gave the farmer the opportunity, or I should say the ultimatum, to be there in 20 minutes. The farmer had to clean up his milking equipment in the barn and get it put away, get in his car and drive about ten

miles to the farm where the animal was supposed to be in distress.

By the time he got there the veterinarian had advised the humane society office that it was just an animal having her calf in the normal function and in fact by the time the farmer arrived, the calf at that time was up nursing at its mother. The humane society officer had left, and did not leave his name, either with the farmer who owned the cattle or with the farmer who owned the farm nor, I understand, with the veterinarian who had been called.

**Mr. Singer:** Now, there is one instance.

**Hon. Mr. Stewart:** All right, all right. That happened in 1965. That happened in 1965.

**Mr. Singer:** No, I asked you in the last year how many instances took place.

**Hon. Mr. Stewart:** I cannot tell you in the last year. I have a few. I have one right here and this is the Lorne Wannamaker case of Bath, Ontario, and if you wish to have this one as an illustration, I will use it as an illustration.

**Mr. Singer:** No, I want to know how many there are because you are taking a pretty serious move there. I think you should justify it.

**Hon. Mr. Stewart:** It is a very serious situation, in my humble opinion—

**Mr. Singer:** Only if it is—

**Hon. Mr. Stewart:**—that if anyone, and I would suggest that—

**Mr. Chairman:** Order, please. Order. One speaking at a time.

**Hon. Mr. Stewart:** Mr. Chairman, there is no one in this House who has on more than one occasion stood as the hon. member for Downsview has stood and demanded justice for all people as has he. In fact, he has impressed upon me that this was something we should all strive for very definitely and the fact is that his many statements have led me to believe that he feels justice should apply indeed to all people.

**Mr. Singer:** That is exactly what I am doing.

**Hon. Mr. Stewart:** Then if we take that premise, I would think he would be the last one in the House to object to the fact that if injustice has been done to anyone, that he

would not be the one to stand up and question it.

An. hon. member: Not very consistent!

Hon. Mr. Stewart: Oh no. It is not consistent today. That is something else. It does not apply. It does not apply. Mr. Wannamaker's farm near Bath was raided by a humane society inspector in late March or early April of this year. He was away from home at the time and upon returning met a truck load of cattle on the road which he subsequently learned were his own animals.

These animals were removed to the Ontario Humane Society shelter in Belleville where they remained for two weeks. One of the animals died on the premises during calving. Mr. Wannamaker was subsequently charged under the Criminal Code, arraigned in court and the charges dismissed. He was submitted a bill for services from the Ontario Humane Society for a total of \$750 which he was unable to pay and the cattle were sold by auction on the humane society premises. A total of \$3,790 was realized for the animals and after the charges were deducted from this he was eventually refunded the amount of \$3,000.

A breakdown of the charges are as follows and I wonder if the hon. member would be interested in this: The services of a pick-up truck, \$25; mileage and time charges which I assume must be for the humane society officer, \$25; trucking fees to the shelter, \$60; auction selling charges, \$90; boarding charges—19 cattle at \$2 per day, that is at the rate of \$730 per year per animal—for two weeks, the total cost, \$750.

These cattle must have been—in the opinion of those who knew the animals and who observed them—in reasonably good condition, because at the auction sale, two weeks after their seizure, they sold as follows: the 13 cows from a top price of \$290 to a low of \$207, and an average of \$245—there were 13 cows, three yearlings, one bull and two calves—and the total returns from the auction sale, as I mentioned, were \$3,790.

Mr. Wannamaker incurred \$621 in legal fees in an effort to defend himself. He attempted to obtain a refund of the moneys levied against him inasmuch as the charges were dismissed, but he was unsuccessful. So his total out-of-pocket expenses were: in legal fees, \$621; in charges by the humane society for services they provided him, \$750, making a total of \$1,371; and that is not to say anything about the loss in income from

his herd of cows, and it is not to say anything about the embarrassment and the harassment which was, naturally, directed to him as a result of this action in a rural community which is a very important matter. Now, if this kind of thing is thrown out of court—it is a very serious thing we should have such unfortunate happenings as this in rural Ontario. This is an illustration. There are many, many others.

Mr. Singer: The Minister has given us one instance, and if the facts are as he recites them insofar as Wannamaker is concerned, I would agree with the Minister that Wannamaker may have suffered a serious injustice. But he had remedies in the court and—apparently, I did not hear any reference to this—he had remedies to sue for false arrest or for malicious prosecution and I would think the facts are, as the Minister recites them, that he should have succeeded.

I would think if the Minister was so incensed about it then, he could have assisted Mr. Wannamaker in taking that kind of step. Or, if the Minister is so incensed about it, rather than throwing the baby out with the bathwater as he is now doing, he could say that in the Act, where this series of circumstances happens, then the humane society should be liable in damages, and create in the statute a civil liability. That is not what he doing at all. He is saying you have to get a warrant and you have to get a warrant unless you see actual cruelty taking place. If you hear it, it is not good enough.

Let me ask the Minister if he has got any more than the one case against Wannamaker, in 1969. Do you have any more in 1969?

Hon. Mr. Stewart: Oh, yes.

Mr. Singer: What are they? Tell us about them, please.

Hon. Mr. Stewart: I do not have to.

Mr. Singer: No, you do not have to, but I suggest the Minister has not got any more than the one in 1969. I would suggest that—

Hon. Mr. Stewart: Are you calling me a liar? Mr. Chairman—

Mr. Chairman: Order, please.

Hon. Mr. Stewart: Mr. Chairman, is the hon. member calling me a liar?

Interjections by hon. members.

Mr. Singer: No, I am not calling you a liar, that is your word. I would suggest the

Minister is unable to give us any more cases in 1969, that he has not got any. If he has any more then he should give them to us, because I think there is an obligation on the government, when they change the law, as they are now doing to justify the necessity for that change. The Minister has given us one case, that is all, and he is referring to one case in 1969—and he is resorting to insult rather than to an explanation for his unusual action, and that does not fool me and it does not fool anybody.

Mr. Chairman, merely because peace officers have the right to act on reasonable and probable grounds does not mean every time a peace officer makes an arrest or makes a charge that he is always right. There are protections in the law and I would suspect, and I am sure the Attorney General would agree with me, that there is more than one occasion in any calendar year when a peace officer acts on something somewhat less than reasonable grounds, and if we had any statistics about whether or not these matters are litigated upon in a civil way, and how many cases there are, there would probably be many more than one in every calendar year.

I have yet to hear the Attorney General come in and say the peace officer has to see the offence taking place. We are content to say that the peace officer has reasonable grounds before he acts. This is not sufficient for these purposes. The inspector has got to see it, and therefore I say the government has not made the case. The Minister of Agriculture and Food has given one instance only in 1969, and then he resorts to this phoney insult. It is really unimpressive.

Hon. Mr. Stewart: What about the Alcock case?

Mr. Singer: No, no, you have not been able to establish your case because this one abuse does not mean you run the risk of having animals mistreated or are prevented from having those persons charged with stopping that abuse, unless they actually see what is going on. I do not think it is reasonable and I do not think it is sensible, and I think the amendment put forward by the hon. member for Lakeshore makes abundant good sense and certainly we are going to support it.

Mr. Chairman: The member for Kitchener.

Mr. Breithaupt: Mr. Chairman, I, too, would call upon the Attorney General to accept this amendment. I think the problems which the amendment will resolve are far greater than those which will arise if things are allowed to stand where they are.

Surely it would appear, in a very clear and non-legalistic sense, that a poor case, or harsh case, makes bad law. I think the Minister of Agriculture and Food is referring to the occasional harsh case here in attempting to remove from the requirements of this Act the necessity of the person inspecting the premises to have every benefit to do what is the right thing in this situation. It would appear to me that we have spent much of the House's time in bringing our other statute, Bill 194, into legislative finality. This will undoubtedly prove whether or not the humane society or the various other groups were correct in their contentions that certain abuses would still result from this legislation. But whether these abuses result or not, I suggest to the Attorney General the acceptance of this amendment—which allows the reasonable and probable grounds situation that exists in all the other cases where police officers, or peace officers are involved. If he accepts this amendment he will be balancing off the interest and giving at the same time the citizen the right not to be unduly hampered or unduly interfered with and the right to the peace officer to act in a responsible and a respectable manner.

I think if the amendment is accepted we will have a statute here that can be enforced with a balanced view as to the needs of society. I would call upon the Attorney General to accept the amendment.

Mr. Chairman: The member for Riverdale.

Mr. J. Renwick: I am a little bit concerned about the case which the Minister of Agriculture and Food has used as an example. He used certain words which are jargon, to say the least—if that is the right word.

He used the phrase, "They raided the farm of a man in his absence". I would like to know about the raid. Then he said the case was thrown out of court. There are many peace officers in the province who, on reasonable and probable grounds, arrest persons and, subsequently, after the procedures are in the court, the case is thrown out, if you want to use the language the Minister has used.

I would say that the charge was dismissed, and the Minister of Justice himself has pointed out on a number of occasions in this House when he is questioned about compensation for persons who have been arrested and the charge dismissed, that we all have to be realistic enough to know that under the Criminal Code there are adequate and proper, and very proper protections for persons who are charged, but that he, himself, has said that he

would prefer, perhaps, something in the nature of the Scottish words of "not proven".

I am not prepared to accept, without further explanation from the Minister as to the source of the information which he read to us—and I do not doubt the itemized account which he has put before us—the proposition that on the basis of that one instance, much as the Minister may be exercised, that the inspector of the humane society and the humane society officials were acting beyond the scope of their authority and without justification in the action which they took.

I also am not prepared to accept the proposition that the charge was thrown out of court, as if to indicate that in some way it was maliciously and recklessly laid, without further explanation for it.

I am not particularly interested in engaging in this particular kind of questioning because I do not think it leads us anywhere, but I turn now to the Minister of Justice. I dismiss the case put by the Minister of Agriculture and Food as not being worth the paper it is written on or the words with which he spoke it, unless he is prepared to give us more information about it and more adequate information. I also dismiss the question of whether, in the consideration of this bill, the Minister of Justice was informed about this case and has had an opportunity to read the transcript of the evidence of the case of Mr. Wannamaker. It may be quite as the Minister of Agriculture and Food has said; I just happen to think that unless the Attorney General, who is sponsoring this bill, is prepared to put it forward in justification of his bill, that we are not prepared to accept it as the answer to why the amendment of the member for Lakeshore should not be accepted.

I ask the Minister of Justice, will he please consider that in fact under the Criminal Code or under any authority given to a peace officer normally, the occasions when he must go to a justice of the peace and occasions when he may act on his own authority are not mutually exclusive. It is true that if in the judgment of the peace officer, in this case in the judgment of the inspector of the humane society, he has time in which to go to a peace officer, then wisdom prevails upon him that that is what he should do.

That is the purpose of the normal provision, and a peace officer, in most cases, is concerned about his own liability. A good peace officer, when he believes himself to have had time to go to the justice of the peace and

obtain a warrant after swearing an information, will do so. I think the inspectors of the humane society, if the humane society is properly advised and certainly on instructions, would issue that kind of an instruction, I assume.

There is an intermediate ground and the Minister, in my view, has gone too far in the other direction. He has used this phrase "observe." The member for Lakeshore and everybody who reads that section will say, "Well, that is a pretty stringent restriction on the inspector of the humane society."

Surely if there is a body established in this province by Act of this Legislature for humane purposes and set up with whatever the rules and regulations of that society are, then it seems to me that one should be entitled to credit them with the exercise of reasonable judgment, and that they are not out in some fanatical zeal to persecute the farmers of the province or the people who may have premises other than their dwelling houses in which they keep animals.

I think there has to be some evidence that the Minister of Justice sees it in that perspective and that perspective is certainly one that is carried out in the proposed amendment by my colleague, the member for Lakeshore.

I would like to ask the Attorney General to comment upon my latter remarks, and then on the first part of it, I would ask whether or not he has, to his knowledge in his department, studied any of these cases to which the Minister of Agriculture and Food alludes from time to time, and specifically the one to which he has drawn our attention this afternoon, that would support him bringing in this kind of a bill.

If the situation about Mr. Wannamaker is, in fact, not only a specific instance which is accurately stated by the Minister of Agriculture and Food, but is an example of what would occur because of a misplaced fanatic zeal, then I do not think you are going to have any difficulty in having us agree to the bill as it has been amended. We just happen to doubt whether in fact that is the case.

**Hon. Mr. Wishart:** Mr. Chairman, I put the bill forward not with respect to a specific case and I do not cite a specific case in support of it, although I think they do support the bill very thoroughly. There have been abuses. I think I may ask the House to accept my word when I say that over the years there has come to our attention in the government and to my own personal attention, a number of cases where the inspectors of the society

either through excessive zeal, or through not knowing their own powers or being perhaps not trained in what would be the proper principles to follow, have created a hardship on a number of people.

This is a private society. This is not the case of a police officer, a peace officer under the control of some department of the government; this is a private society. The inspectors, with great respect to them and for their conscientious effort to do their duty and their zeal and their dedication, are not trained people; they are not, in many cases, I think, adequately paid, so you have not got a group of people carrying out the duties they are expected to perform in the best manner. I would say that. This is a society that is supported by government funds, perhaps not supported as much as it should be.

I have been studying over the past months certain things which I think may improve the performance of the society and support it to a greater degree. But I put this bill forward on principle, the principle of the proper way in which justice should be done. We do require our peace officers, except in those very serious offences, to use the justices of the peace all through this province, and they do not have great difficulty finding them, there are a great number of them. I think it is not unreasonable to say to the inspectors of the humane society, "Where you are acting on reasonable and probable grounds of your belief, you are not to be the judge of that. You must convince an official within our administration of justice that you have the authority to so act."

We have left that situation in this section we are discussing, but we have given, as I pointed out in my previous remarks, the further power to order the owner to take certain action to relieve the distress. I think we have to limit the power of the inspector to exert his own judgement and take his own action, to the extent where he himself observes the distress, and retain the requirement of the warrant where that is not so.

I think I have nothing more to add, Mr. Chairman, on this.

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

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, just a few points on this again.

The Minister of Agriculture has stated one particular case—I am not to sure if he is acquainted with the case concerning Walter Clare, who is an animal dealer who operates out of the Burford area. However, it would appear to me that in this particular case

where convictions have been registered, if the animal inspectors were denied the right of entry into buildings to observe conditions, convictions would not have been registered and the man would continue to act in the manner in which he was mistreating the animals.

According to newspaper reports, animals were kept in buildings without any food, without any water. There were dead animals in the building and dogs were feeding off dead dogs. When the inspectors tried to approach the area, they were met with assault and with pellets and rocks, and so on, by various members of the family. It would appear to me, that in this case if the inspector went back to get a warrant or an order from a justice of the peace to enter the building, that in that intervening period of time, in this case at least, the dead animals could have been carried out, water could have been moved into the shelter and food could have been provided and the inspector would have a very difficult time trying to prove mistreatment of the animals, because all the necessary factors involved in this thing would have been available to the animals in the intervening period.

This is why it seems to me this amendment is very necessary in this particular case.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, may I enquire of the Minister, through you, is the Minister going to accept this amendment or is he not?

**Hon. Mr. Wishart:** I have said in my first remarks that I rejected the amendment.

**Mr. Bullbrook:** I want to speak to it if I might, and most respectfully ask, how an Attorney General of this province, in conscience to his position and his responsibility as chief law officer, seeing the manifest stupidity in this section, and the obvious reasonableness of the amendment, can turn it down out of hand on the basis of the interpolation by the Minister of Agriculture and Food of one side of one case that we heard—the Wannamaker case is the case—of the man who lost his parents and had his hay rotting in the ground and was feeding his cattle oats only. That is the case; is that not the case you are referring to?

**Hon. Mr. Stewart:** I could not tell you.

**Mr. Bullbrook:** Exactly?

**Hon. Mr. Stewart:** I could not tell you.

**Mr. Bullbrook:** You could not tell me. I want to say this, if I might—perhaps it is

reiteration, but surely to goodness would you please explain to me, as obtuse as I might be, through you, Mr. Chairman, how you can observe inside a building? How can you observe what is going on inside a building and then make entry into the building? I sit down to invite your response to that.

**Hon. Mr. Wishart:** The hon. member, I know, does not need an explanation. He is not obtuse. He knows that if there are windows, or doors, or cracks in the wall, you can always see inside a building. But—

**Mr. Bullbrook:** Is he not a trespasser going on the property? You do not permit him to go on the property.

**Mr. Chairman:** Order, please. The Minister is speaking.

**Hon. Mr. Wishart:** The hon. member, as he led up to that question, said: "How can the Attorney General, on the basis of one case, do this?" If he had listened to me he would know that I said I was not bringing this bill forward on the basis of any one case, but as a matter of principle, the way that the administration of this Act, with the powers it gives to its inspectors, should be carried out.

**Mr. Bullbrook:** The hon. member for Riverdale asked a reasonable question—you never did answer it. He asked you if you had read the evidence in the Wannamaker case. Perhaps you did answer it directly. I do not think you did.

**Mr. Chairman:** Order, please. The Minister has stated this bill is not based on the Wannamaker or any other one case.

**Mr. Bullbrook:** I am entitled to debate with the—

**Mr. Chairman:** We are getting very repetitious in this.

**Hon. Mr. Wishart:** Mr. Chairman, perhaps it will help the hon. member to realize that what I said was so when I tell him this bill was introduced before the Wannamaker case ever came to light. Does that help?

**Mr. Bullbrook:** It helps in this respect, that at last you have answered the member for Riverdale. Because, in point of fact, that was his question. Let us get down to what the chief law officer of the Crown tells us now, as I understand it.

You are saying, in effect, that he can observe in the window of the barn. Would you

show me in this statute, if you could—and I am subject to great direction in this respect—how does he get on the land, without trespassing, to look into the window? I invite a response to that from the Attorney General.

**Hon. Mr. Wishart:** Mr. Chairman, I am not going to engage in a debate of lecturing to the hon. member for Sarnia. He knows the law quite well, I am sure, and he does not need answers to this type of question. I think if we are debating the principle of this bill, let us debate it. But let us not get into a question and answer situation of this nature.

**Mr. Bullbrook:** I did not realize we were debating the principle of this bill. This is what I am interested in, Mr. Chairman, right now—some direct answers from the Attorney General.

He is saying, in effect, that the amendment made by the member for Lakeshore is not a valid amendment. And he supports that by telling us that one can observe by looking in the window. It has nothing to do with principle at all. I invite the chief law officer of the Crown, the man that guides justice and the administration of same, the enforcement of law in our province, to tell me how you get on the farm property without trespassing to look in the window. The fact of the matter is you cannot.

The fact of the matter is that the present section, if it is going to be judicially interpreted to mean "observe" through oral observation, is fine. It makes some sense. This perhaps is reiteration with respect to what was said by previous members, but it seems completely inherent in our laws—transported again into our laws, where the Criminal Code is concerned, in connection with breathalyzers—the words "reasonable and probable grounds", or "reasonable and probable cause", are the very foundation for police activity for the protection of the public.

So you cannot have an arbitrary evaluation and action on a situation without responsibility. I suggest to you, Mr. Chairman, and I suggest to the Attorney General, most respectfully, that he is being absolutely arbitrary in connection with this amendment; that there is great validity in this amendment.

**Mr. Lawlor:** Mr. Chairman, *in extenso* of what I have been saying, I would like to concentrate, just for a moment, upon this whole business of trespass.

In the section that has been sought to be amended, there is validity of a very restrictive and foreclosed nature. This is putting blinkers

on the horses. In this particular section, there is at least a right to entry. But you pointed out a few moments ago that you did embody later on, in 13(1), the "reasonable grounds for belief" that an animal was in distress. In that context, if I am not sorely mistaken, you make no provision for entry whatsoever. So that, whatever your beliefs may be, they are completely void and unenforceable.

Why did you not substitute in 13(1) the words "the right to entry in order to carry out the purposes of the statute"? Or could it possibly be your argument that it already embodies, by implication, these very words? If this is the case, whatever statements made in this House may be made in the open court, at least we should be clear about it.

The mere fact of conferring a belief upon an inspector of the society, then refraining from giving him a positive right of access—whereby his belief may either be determined, or something might have been done to give him efficacy to the belief—is a case of omission and negation. Taking all these sections in their totality, you give with the left hand and take away with the right—so that the work of the society, at the end of the day, for all the words herein contained, is rendered completely insignificant and nugatory.

This is the effect. Imagine, as we said, restricting it to observation. Where in any statute in the Lord's green earth, much less under the common law, have you seen such a kind of restrictive and absurd wording as that?

You may say there are contexts in which it is applicable. The fact of the matter is there are innumerable contexts in which it is not—which are far more grievous, generally speaking, with animals starving in barns and behind enclosures of all kinds. They are not given any provision for in this statute at all, and therefore the animals are in no way protected within the terms of your legislation, except when you can go before a justice of the peace and give him very good reasons for believing that this is the case. And loss of time eventuates, in which the animal could suffer throughout a period, which is not 15 minutes or two hours in most instances, but many hours at the very least, and might even possibly go over to the next day trying to locate a justice of the peace. The animal, in the meantime, could die.

In any event, it is gratuitously being un-cared for. And you do nothing in either one section or the other to give an efficacy, or any effectiveness, to the work of the society in carrying out the very task for which it has

been formed—but rather, because of the complaints, isolated. Only two complaints have been presented to this Legislature today. Mr. Coles indicates that, over a period of 50 years, there have been hardly any. On this dearth of evidence, upon this crumbling mound of sand on which you are standing, you purport to bring forward legislation as arbitrary and as restrictive as this.

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

**Mr. K. C. Bolton (Middlesex South):** Mr. Chairman, I have a simple, direct question to ask, to which I would like to receive a simple, direct answer.

**Mr. Singer:** Do not be so optimistic.

**Mr. Bolton:** I am new in the House, so perhaps I may be forgiven a certain amount of naïveté. I do not profess to know the law—*Ignoratio legis neminem excusat*—but I do not know the law. I ask this question as a simple layman who knows a little bit about the English language, a little bit about simple, common, ordinary logic, without reference at all to the Wannamaker case or any other case. With this preamble, and with some encouragement from the Minister of Correctional Services, my question is this: How can an inspector, or an agent of a society observe an animal in immediate distress if he cannot enter the building? I will not accept the answer he goes round peeping through keyholes, or peering through windows, or looking through cracks in the barn.

**Hon. Mr. Wishart:** Mr. Chairman, I will try to give a direct and simple answer. I agree he could not see through walls; but, if I may add to that simple answer, I feel certain that, in situations where animals are in distress, there will be some knowledge surrounding that situation, of persons who will make facts known to the inspectors as they have over the years, and on those complaints, the inspector will be able to get the warrant and go in and look and see. That is the way it would work.

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

**Mr. Breithaupt:** Mr. Chairman, we have heard much of the amendments to the Criminal Code which have now kept the state out of the bedrooms of our nation. We now find the Attorney General in Ontario prepared to keep the state out of the barns of our province.

Surely, Mr. Chairman, when the first case is brought by an irate farmer who has had a humane society inspector charged with trespass, the magistrate who hears this is going to look at the Act and say, "The Legislature, in its wisdom, has seen fit to enact this into law, that where he observes he may enter without warrant, and the conviction for trespass, whether it is under The Petty Trespass Act or not, will follow because the Legislature, in its wisdom, has not given the protection of reasonable and probable grounds that any other peace officer has."

Now, it is our function here to make laws, and I agree with the member for Lakeshore when he says that whether they are good or whether they are bad we should at least know they are clear. And you have a great opportunity to clarify this matter, if you only will, by the addition of these words, "or has reasonable grounds for believing that there is". If you can clarify the matter and save the time of the courts in the future, save the time of the humane society inspectors, and also make patent the balance that you are looking for in the society by putting in this term, "reasonable grounds", you will be saving additional time of this House when it comes to amend the Act in another session.

You have the opportunity now to accept something that is reasonable; and surely we are not being pedantic by saying that we should have this additional clause placed in the legislation. This is being realistic, it is being beneficial and the result of the Act can be not only to the benefit of the farmers who are being interfered with on occasion, as must happen, but also the reasonable protection of the society's inspectors. Surely, Mr. Chairman, the Minister cannot hide behind the term, "observed". He cannot hide behind the fact that the neighbour is going to ring up the inspector and say he thinks that Joe Doakes' farm has got some neglected animals on it. Let us be reasonable in this circumstance and let us add this phrase which will bring you a far better piece of legislation than you now have.

Mr. Chairman: Any further questions?

Mr. J. Renwick: Since the Attorney General has asked us to take it on faith that somehow or other, within his department, his studies have led him to believe that he should make this proposal to the House, I would like him to answer this question: Where did the initiative come from? Did it come from the Minister of Agriculture and Food? Is it only coincidence that they were companion Bills

73 and 74 that were introduced? Did he have representations made to him to make a change in this law by persons other than fellow Ministers in the government, and if so, who made the representations? Where did the initiative come from?

What was the basis on which he introduced the bill, because he has not stood by the bill as he introduced it originally? He has added this specific amendment, and I can only take it to mean that he really does not expect this so-called amendment—from the failure to reply to the member for Kitchener, and the reply which he gave to my colleague from Middlesex South—to be used at all, or he sees no ambit for its application and that it was designed to be used as some kind of a stop to those who felt his bill was unreasonable. Now, is that a correct assessment, or what prompted the Minister to bring it into the House?

Hon. Mr. Wishart: Mr. Chairman, first of all, I would like to say that I am quite prepared to answer as fully as possible, and I think I have answered. I do not think I failed to answer the hon. member for Kitchener. He spoke twice at least, and I did reply after he first spoke. The bill comes forward, as I stated earlier, on the matter of principle of how a matter of this kind should be carried forward, how it should be administered. A private society with a force of inspectors, enforcement officers, acting on the basis of this private society, a society which I mentioned had the support of this government in that it supplied funds for its purposes.

Mr. J. Renwick: Who raised it with you?

Hon. Mr. Wishart: One of the bases on which this bill was drawn was the principle set forth in the McRuer report. I would not for a moment say I did not have discussions with the Minister of Agriculture and officials of his department, but we had much material in our own department in the study of this legislation and I cannot understand why hon. members opposite persist in the support of this amendment to the extent they do. I often amend bills that I bring to this House. We study them, we examine and consider the effects of our language and our legislation. When this bill was first introduced it required a warrant in every instance.

We did feel that perhaps there were situations where that was going too far, that was making too much difficulty for the inspectors, and that section 2(12), which calls for the warrant on reasonable and probable grounds, was then varied by the amendment which



removed the necessity of a warrant where there was observation of the animal in distress. And I think this is a reasonable way to go. To revert now and accept this amendment—if you look at it and see the purport of it, surely you cannot support it.

Where an inspector or agent of the society observes or has reasonable grounds for believing that there is an animal in immediate distress he may enter without warrant, any premises, building, etc.

The hon. member for Kitchener said something about the famous remark, "The government should not be in the bedrooms of the nation". If you took that language and you thought that a lapdog was in distress you could invade the bedroom.

**Hon. Mr. Grossman:** Certainly you could.

**Hon. Mr. Wishart:** That is exactly what it means.

**Hon. Mr. Grossman:** Without a warrant.

**Hon. Mr. Wishart:** That is what you could do. You could go into a house, you say, without a warrant—

**Mr. J. Renwick:** We are happy about the house.

**Hon. Mr. Wishart:** If an inspector of the society, in his own mind, in his own belief, whatever it may be, and however ill-founded or well-founded it may be, says, "I had reasonable grounds"—

**Mr. Singer:** Is there not a remedial law?

**Hon. Mr. Wishart:** "—I thought there was something wrong there, I thought the cats were not being fed or the dog was being abused".

**Mr. Singer:** If there is no reasonable or probable ground, there is a liability.

**Hon. Mr. Wishart:** "The dog was howling". He walked into the house, he has the authority. Now, this I cannot accept, I will not accept it, because this is the situation we are trying to cover.

**Mr. Singer:** He has got his back up again.

**Mr. Lawlor:** I wonder if the Attorney General would consider answering a question. It has to do with 13(1) which is the next point, where you do preserve the reasonable grounds but, again, under narrow circumstances. Suppose, Mr. Chairman, that an inspector comes along to the property, having reasonable grounds, so he believes, that an animal is in

distress thereon, and he seeks out the owner, and the owner simply says, "Listen, buddy, there is the door", or "There is the gate". Where is he left at that particular time if an animal in his opinion, is howling, or is in immediate distress? Is it not true, in other words, that the owner of the premises may eject the inspector right on the spot, and the inspector, under your legislation has no right whatsoever to remain on the property?

**Hon. Mr. Wishart:** If the hon. member will read on, he can hand the owner, or the occupant an order and say, "Do this," and the order must be complied with in the further subsections. A contravention of that order brings the owner in danger of the penalties of the Act. He can call in the vet and say, "Look, there is a situation; I want you to come with me and deal with this animal." He can order the owner to do certain things as, in his opinion, and in the opinion of the inspector—I think the language is—he may order the owner to take such action as may in the opinion of the inspector be necessary. He has got a pretty wide power, but I do not think—

**Mr. Singer:** Could I ask the Attorney General a question on that?

**Hon. Mr. Wishart:** I think we clothe them with pretty wide powers.

**Mr. Lawlor:** Just let me finish. I just had a bad dream about an inspector. I can see the situation where the farmer emerges around the corner of the building with his shotgun in the crook of his arm and says, "Now, thar, be on your way, young feller," and in backing down the pathway in order to avoid buckshot, he drops the order on the ground and runs for his life. Do you think the order would be really effective?

**Hon. Mr. Wishart:** The hon. member should be writing plays or novels or novelettes. I can conceive all sorts of situations that I could describe which would be ridiculous, impossible, absurd. Mr. Chairman, I really have nothing more to say on this.

**Mr. Singer:** Mr. Chairman, I wonder if the Attorney General would answer one more question?

What kind of an order is the inspector going to be able to make if all he does is hear something? If he hears an animal howling or an animal in obvious pain and the owner says, "Get off my property, go on," what kind of an order can he possibly make? Stop the animal from howling?

**Mr. Breithaupt:** What kind of animal?

**Mr. Singer:** Yes, what kind of animal? He does not even know what is going on except that any reasonable person can tell upon hearing whether an animal or a human being might be in pain. So when he hears this event taking place, he must then trot off, either write out an order about something he cannot see, or trot off to find the wandering justice of the peace. Surely, Mr. Chairman, the Attorney General is not that unreasonable. If he wants to go down as the unreasonable Attorney General, that is up to him. That is what he is doing.

**Mr. Bullbrook:** The shame of it all.

**Mr. Singer:** Yes. He is basing a serious amendment to our statute on an unauthenticated case. The Attorney General's colleague, the Minister of Agriculture and Food, is no help to him at all. And the Attorney General has no statistics at all; he says it is the principle. What is the principle? The principle obviously is that he does not like humane society inspectors.

**Hon. Mr. Crossman:** No, get off that.

**Mr. Singer:** There is no other principle in this statute.

**Hon. Mr. Wishart:** I am not going to argue that at all, Mr. Chairman.

**Mr. Chairman:** All those in favour of Mr. Lawlor's amendment, will please say "aye."

All those opposed, will please say "nay."

In my opinion, the "nays" have it.

Shall we stack this?

Some hon. members: No. No.

**Mr. Chairman:** Call in the members.

Interjections by hon. members.

**Mr. Chairman:** Order, please. All those in favour of Mr. Lawlor's motion will please rise.

All those opposed, will please rise.

**Clerk of the House:** Mr. Chairman, the "ayes" are 34, the "nays" 52.

**Mr. Chairman:** I declare the motion lost; subsection (2) carried.

Are there any questions, comments or amendments to any other section of this bill?

Bill No. 74 reported.

## THE LANDLORD AND TENANT ACT

House in committee on Bill 234, An Act to amend The Landlord and Tenant Act.

**Mr. Chairman:** Are there any comments, questions or amendments to any sections?

The member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, I do not know how you intend to proceed section by section. But in any event—

**Mr. Chairman:** There are only five sections, I might point out, so we will call for section 1 first of all.

**Mr. Lawlor:** Well, except that it is in section 3, I would point out, Mr. Chairman.

**Mr. Chairman:** Anything before section 3?

**Mr. Singer:** No.

**Mr. Chairman:** All right. The member for Lakeshore on section 3.

**Mr. Lawlor:** I am sorry, Mr. Chairman, paragraph 84 at the top of page 3—

**Mr. Singer:** Mr. Chairman, before that, if I may interrupt, could we do this in order, like 80, and 81, and 82 rather than jumping around? It goes from 80 to 109.

**Mr. Chairman:** That is under section 3 then.

**Mr. Singer:** I want to talk on 81.

**Mr. Chairman:** All right.

**Mr. Singer:** On 81, Mr. Chairman, in the legal bills committee, I suggested an amendment to the Attorney General about a standard form of lease. The Attorney General, at that point, gave his commitment that he was prepared to bring in legislation providing for a standard form of lease some time in the next session. Rather than repeat the amendment, and the arguments that were made, I am quite prepared to accept the Attorney General's undertaking in that regard. But I would like it to form a part of this debate. If that is what the Attorney General meant, and I am sure it is, could we have the statement—just so we can have it—that he will bring in, some time during the next session, provisions for a standard form of lease?

**Mr. Chairman:** Does the Minister wish to reply?

**Hon. Mr. Wishart:** Mr. Chairman, what I did indicate in the discussions in the legal bills committee, was—

**Mr. Singer:** I cannot hear, Mr. Chairman.

**Mr. Chairman:** Order, please. There are other conversations going on.

**Hon. Mr. Wishart:** I pointed out this was an interim report, that the law reform commission had made some comment with respect to a standard form of lease. But I felt it was desirable if we could achieve it, and that we would continue to study that, that it would need to be related to other sections of The Short Forms of Leases Act, The Landlord and Tenant Act, and that we would endeavour to produce some sort of lease form in the next session.

I do not want to quibble. I do not want to renege, if I might be charged with that. I think we can achieve this. I do point out that no matter what form of lease we produce, the parties, as I think I said before, will need perhaps, in any form, to write in those special clauses which they wish, as in an agreement of purchase and sale and so on. But I think we can provide a basic forum.

**Mr. Singer:** My amendment provided for that.

**Hon. Mr. Wishart:** If the hon. members would accept in good faith the undertaking which I gave that we would study and seek to achieve a standard form of lease, then I think this is possible in the next session.

**Mr. Singer:** I am prepared to accept that.

**Hon. Mr. Wishart:** I think the chairman of the law reform commission has aided and abetted me in that.

**Mr. Singer:** I just want to refresh the Attorney General's memory. In my proposed amendment which, granted, was not letter perfect, I did recognize the importance of allowing additional clauses. But the standard form that I talked about was either for an oral lease where nothing else exists, or the basis of a written lease which can be added. The whole question of notice is important—

**Hon. Mr. Wishart:** I agree.

**Mr. Singer:** —in large-size type and perhaps an affidavit of execution, and signing the new clauses and that sort of thing. I think all of those things are important. I do not think we are in disagreement at all. The Attorney General shares with me the opinion that the lease document is the important thing. The fact that there has been a lack of understanding between landlord and tenant

as to what actually has been agreed to, is one of the items that causes so much trouble.

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

**Mr. Lawlor:** Mr. Chairman, on this standard form of lease, while I am inclined to agree that the statute itself as put forward by Mr. Leal, in effect, is a standard form of lease, I did not argue on this in committee because I had some doubt about it. But since that time there has been placed in my hands a lease which conclusively brings home to me the necessity for a standard form of lease.

This is a lease extracted from a woman 92 years of age, who has lived in the same premises for four or five years now as a monthly tenant, by this notorious gentleman by the name of Wynn. I would shout his notorious name on the corner of Bloor and Yonge, much less here, in order to bring some public weight to bear against the anti-social way in which this man acts.

In this lease of Wynn Realty Limited—he has 50 different names but this is one of them—in order to beat our legislation, since her tenancy period would end in December really—she came in in December some years ago—he has put in here, “lessee may not vacate at termination of lease without giving two months prior written notice”. Well, he wants to work himself in extra time over against what we have embodied in this legislation. But here is a clause that a standard lease would preclude, “the lessor agrees to accept the sum of \$120 monthly”—of course, he has raised her rent—

**Mr. Chairman:** Might I ask the hon. member to which section he is referring?

**Mr. Lawlor:** We are talking about standard forms of leases.

**Mr. Chairman:** I see nothing in this bill pertaining to a standard form of lease. This bill has been approved in principle; we are debating the sections.

**Mr. Lawlor:** May I say, Mr. Chairman, that some discussion has gone on between the member for Downsview and the Attorney General as to the validity of a standard form of lease.

**Mr. J. Renwick:** Very much so.

**Mr. Chairman:** I think the hon. member for Downsview had directed a question to the Attorney General—

**Mr. Lawlor:** He went further than that.

Mr. Chairman:—regarding an undertaking, and the hon. Attorney General answered that question, but we really cannot debate that particular topic under the bill; it is not in the bill.

Mr. Lawlor: Mr. Chairman, my only reply to you is that you had better let me debate it now because I will do so later anyway. But if that is the way you want it—I have one sentence to complete, just a sentence on what a standard form lease would exclude. Will you permit me to do so?

Mr. Chairman: Will the hon. member indicate where the commas and periods come in the sentence?

Mr. Lawlor: Just one clause here. "The lessor agrees to accept the sum of \$120 monthly together with the portion of the provincial tax rebate due to the lessee, to the tenant during his tenancy as full payment of rent". He has raised the rent, he has taken away the tax rebate, he is beating the Legislature and the laws of this province. In advance of the clause, we need a standard form lease.

Mr. Chairman: On section 81.

Anything further on section 82?

Section 83? The member for Downsview.

Mr. Singer: Mr. Chairman, on section 83, there was quite a discussion before the legal bills committee and I moved an amendment in the committee suggesting that the period for which the amount of rent that is to be collected on behalf of the last month, be reduced to one-half of the month's rent rather than the full month's rent as the section presently states.

We had quite a long discussion on that and the Attorney General was not prepared to accept it at that point. I would hope that he has perhaps reconsidered his position and the position is very well stated.

It is not quite the position that was taken by the member for Riverdale, but I think was very well stated by several of the persons who appeared for the committee, and that is that it is a serious financial burden upon them to have to come in and pay two months' rent in advance of signing the lease. Balancing that, there is the additional problem that the landlord should have some security insofar as not being left with the vacant apartment or with an overholding tenant who refuses to pay rent and that sort of thing. It would seem to me that a half month's rent, rather than

the full month's rent which is applied on account of the last term of the lease, would be more reasonable.

Before putting that amendment, perhaps the Attorney General, since we had those discussions in the committee, has modified his thinking somewhat and would be prepared to accept that. I would like to get his views and then we will determine whether or not we should put that as a formal amendment.

Hon. Mr. Wishart: Mr. Chairman, I am sure I will disappoint the hon. member when I say I have not changed my views. It is not that I feel so adamant about fixing any certain amounts in the lease, but the one month's rent was, I would remind the hon. members, a recommendation of the law reform commission which did study this matter. And my statement, which I made with respect to many sections of this bill on which we had some discussion was, "Let us bring the bill into effect and let us see how it works for perhaps six months and then if we find that it is working hardship on landlords or tenants, then reconsider it."

I have a feeling that perhaps we will be looking at this bill again, but I do not think the matter of adjusting this item away from the recommendation is something that I want to do at this time.

Mr. Singer: Mr. Chairman, what the Attorney General says is in fact correct—the law reform committee did make that recommendation. You will recall that when the question was put to Mr. Leal as to whether or not, in principle, it made any difference whether the last month's rent be taken in full or in half, he said he would rather not comment because he did not want to commit his colleagues who were not there to immediately give an answer. Certainly what I gathered from that comment was that all that the law reform commission put forward was the principle of taking something on account of the last month's rent. The way they had phrased it, Mr. Leal was not prepared to say it had to be the full month's rent or it might not be the half month's rent and he chose not to answer. I do not blame him for that because it would have been a departure which he really had no right to take without consulting his other colleagues on the law reform commission.

Certainly it would seem to me that what the law reform commission enunciated was the principle of allowing some additional security over and beyond payment of the first month's rent in advance. For that reason, Mr.

Chairman, I am going to move the amendment, that section 3, subsection (83) be amended by deleting the said subsection and substituting the following:

And after this part comes into force the landlord shall not require or receive a security deposit from a tenant other than the rent for a rent period not exceeding one half month, which payment shall be applied in payment on account of the rent for the last period under the tenancy agreement.

I do not think really I need subsection (2) because we have got the provision for the annual payment of interest. I am very pleased to see that the Attorney General, although he did not quite accept my position at the committee when he came to re-writing the Act and inserting the amendments, now has the payments of interest provided for on an annual basis.

So, Mr. Chairman, I am sending you this amendment. You will ignore the bottom part which has already been adopted. Insofar as the second part of the amendment, I compliment the Attorney General for accepting what I thought was abundant good sense in adopting the second part of my amendment. He has now done it in the form in which it was put and I think it makes it a better Act for that reason, but I put now the amendment to subsection (1).

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, the Attorney General of this province, on the whole, is one of the most well-balanced and mentally solid individuals I know. However, like the rest of us he has his instances of whimsicalities and he even, at times, verges on what I would call a, "manic depressive phase."

In his manic phase, Mr. Chairman, in the committee, he was euphoric enough to believe that he could bring, by some act of sovereign statesmanship or just by the radiance of his countenance, the landlords and tenants together in the course of committee hearings. I felt that that was one of his least elusive moments. He predicated this whole thing, as must be, on a confusion. He had managed with some adroitness—not in his own way but because of what was said in the committee—to totally confuse the forces of the tenants. Though I will not go into it to any depth using up the time of the House—though we are getting along all right with this bill—the tenants' position is, rather than

suffer the full last month of the tenancy, by way of rental or the full last month of the tenancy, by way of damage deposit, which appeared to be their false options in this regard, that they would have to accede to the blandishments of the Attorney General of Ontario to accept a half month by way of damage security deposit. This was his manic moment and as soon as they became informed that this was not a choice that was really vital to their interest, that they need accept neither if the laws of this province were half-balanced, then they reversed their position and, when asked whether they would rather have a half month's rental at the end of the tenancy—by way of rental as such, over and against the half month tenancy by way of damage deposit—they chose the former, of course, as was within their interests and within their purpose to do so.

But then, the Attorney General fell into his depressive stage, his mouth turned down at the edges, his eyes slitted over, he took on a vague look and he completely vanished from the scene intellectually as far as I can see. When one suggested to him that there was not any difference between a half month's rent by way of buying a rosebush, over and against the pear-tree, he could not see the point. He cannot see it today. He refuses to see it. This is where I think he becomes stubborn and digs in his heels and, as I say, suffers a depression. His depressions depress me.

Why should not—in the face of what was said by Mr. Greenberg, appearing before our committee, a man in fairly affluent circumstances with an ill wife—feel he was a prisoner to his apartment? He had placed rugs in there, he had decorated his apartment and he pointed out that to move out of an apartment would cost him two months' rent—the first month of the new tenancy and the last month—apart from the moving cost, apart from the extra cost of re-decoration.

So the Minister makes it financially coercive upon tenants to stay where they are and to suffer the slings and arrows of outrageous fortune in this particular realm. And all we ask is for a drop of water, like Lazarus in the well. Give a little bit in this particular regard. Preserve, as I have argued in the committee.

By the way, the member for Downsview stole my amendment on this, did he not, Mr. Attorney General? Dam right. In any way—

**Mr. E. W. Sopha (Sudbury):** He has got guts.

Mr. Lawlor: Ah, he is a sly one. In any event, why not? Give an inch in this regard. You do not make it too hard on the landlord, as I pointed out, because he has got some security. You do not make it as hard on the tenant because he has only to find half the amount that he otherwise would have to find for that last month. You are trying to balance, suavely—with the type of statesman-like balance I spoke of initially—the various interests, conflicting interests, necessarily conflicting in the restrictive market, the interests of these two factions, and come out with something. But no, you have waited, as usual, and come down against the tenant in this particular regard and without overbalancing with any particular benefit to the landlord. On the whole, I would ask you to reconsider for this last time, the business of reducing that last month of the tenancy, thereby alleviating a great deal of financial distress.

Mr. E. R. Good (Waterloo North): Mr. Chairman, speaking briefly to this amendment I would like to draw attention to a few facts that were brought out in committee on this particular subject.

At that time it was quite obvious that the Attorney General was deciding on the idea of a half month's rent as security deposit but yet he would not go along with the idea of the half month's rent. The difference, of course, is that the one is controlled by the landlord and can be returned at his pleasure more or less, and the rent, of course, is a direct payment which the tenant is going to have to make eventually. But, as pointed out by both previous speakers, two months' rent in advance by many tenants is going to be a very great hardship, and I would judge that most of the landlords are going to invoke this section of the Act, which is permissible, and demand two months' rent at the time the tenant moves in.

Now, let me just point out that this complete month's rent which is going to be held by the landlord will undoubtedly replace second mortgage money which they may be borrowing at 14 per cent or 18 per cent interest to begin with. They only have to pay 6 per cent on it. The landlords are going to do quite well on this money of the tenants that they hold and then use as they see fit. So I would join with the others in asking the Attorney General that he give this a little more thought in the light of how closely he can bring the landlords and tenants to a common ground of understanding when only a half month's rent is involved, and those ten-

ants can show how vital this extra half month's rent is to them.

The tenants were ready to bargain away their rental agreement against the security deposit. They would have taken the security deposit option if it had resulted in that because there was less money involved. It is the amount of money, not the business principle that is involved with most tenants. This is the important thing, and I fear this is going to be a great hardship, so I would implore the Attorney General to give this a little more thought and get back, as closely as he can, to his thinking in committee the other day.

Mr. J. Renwick: Mr. Chairman, I only want a very brief word. I sometimes wish that the proceedings in committee were recorded so that we would not have to repeat in the House many of the arguments which were made. The Attorney General is not going to succumb to the blandishments of the member for Downsview and the member for Lakeshore, and certainly not to those of the member for Waterloo North. I want to place our position perfectly clearly on the record. We do not think in the modern context of landlord and tenant that there is any basis whatsoever for requiring any prepayment of any kind, either by way of rent or security deposit.

Mr. Singer: That is the Royal "we"!

Mr. J. Renwick: That is the way of the NDP.

Mr. Singer: That is not what the member for Lakeshore said—

Mr. Sopha: The member for Lakeshore does not agree with that; that is misleading.

Mr. J. Renwick: Mr. Chairman, if you will recall, this precise amendment was made when there was some lingering suggestion that this strange compromise that appeared to be in the offing was going to come off, and it was very much a second best. Then when we placed the amendment, which we will not be able to put, which was specifically to delete all the words after the words "tenancy agreement" in the second line of subclause 1 of section 83, it would have expressed clearly and precisely the position of this party that a landlord shall not require or receive a security deposit from a tenant under a tenancy agreement. And a security deposit in that context would be broad enough to include either a security deposit by way of prepayment of rent or a security deposit by way of damage secured.

I would not be surprised at all if after 1971 we introduced such an amendment into the House to clarify what is required to be done to bring our law of landlord and tenant into a modern context. I would think it would be in the early fall session of 1971, about October.

**Mr. Singer:** Just one word by way of post-script; I do not want the record to mislead anyone. I thought it should be made abundantly clear that the member for Lakeshore and the member for Riverdale were not in as much agreement as the use of the word "we" would have implied. In fact, at one stage, when my amendment was being debated, the member for Lakeshore and the member for Riverdale were figuratively at each other's throats. The disagreement between them was quite violent.

**Mr. Lawlor:** Mr. Chairman, on a point of almost personal privilege, my colleague, when he makes these statements, is making a statement in an ideal realm—if we could only have this. I, being a much more pragmatic and practical politician, am willing to take half a loaf, as I explained. We were not at odds in that ultimate sense. If we could have what he wants I would take it, but he will not take what I want.

**Mr. Chairman:** The hon. member for Sudbury.

**Mr. Sopha:** I wanted to give voice to a matter of puzzlement for me. I greatly endorse the amendment of my friend from Downsview but it seems to me that if the Legislature says that a landlord shall not require or receive a security deposit, whether it be a month's or half a month's rent, having made that articulation of public purpose, that 99.8 per cent of landlords within the realm will be aware of that provision and will not require a tenant to make any great security deposit.

I cite that to be the experience, but I do not understand, having made that expression of policy, why the infraction should be made an offence? If you will permit me to relate it to 107—and I will not speak on 107, but only relate to it. Section 83 appears—I think that is the section 107 that it appears in—yes, they are related, and Mr. Chairman, if you will hear me out here I will not raise it at that time. Much of what I said at the committee, did a great deal to arouse the ire of the member for Riverdale, who gave the impression that he has a vested interest in the statute. He owns it to some extent.

But I said that as a matter of principle I am against the creation of offences. I believe that we have perhaps too many offences now and I am against the creation of more, and I really cannot conceive that it is necessary. The Legislature having said it, everybody in Ontario will know when the amendment is adopted that you do not have to give more than half a month's rent as a security deposit—everybody will know that, and landlords simply will not be able to prevail upon tenants to give more.

Why we should go to the extent of making it an offence where people can be haled before the Queen's justices for contravention, I just cannot in my universe comprehend. It would be far better if some errant landlord, unaware of what the Legislature has said and who required somebody to give more than the stipulated amount—could be taken to the division court and have a claim issued against him and the division court judge would reprimand him very quickly.

**Hon. Mr. Wishart:** If he is unaware, the word "knowingly", I think, in 107 would relieve him in any event.

**Mr. Sopha:** Yes, well the point I am trying to make is that I neither believe that tenants as a class, or landlords as a class, are villains, and in a matter of pure contract I do not see why you have to import the notion of a quasi-criminal offence.

This is purely contractual and there are all sorts of commercial transactions which one could conjure up very easily where people might do things that are prohibited by the statute, where you could stipulate they are guilty of an offence under The Summary Convictions Act. We do not do it.

Even The Unconscionable Transactions Relief Act has no similar provision, and a person can be guilty in the contractual sense of the most flagrant conduct and yet we do not set out to punish him for it.

So I say, why not leave it in the realm of contract and keep the offence out of the statute? I notice that in the statute, by way of contrast, there are no offences against tenants. If there ever were, it would send my friend from Riverdale out beyond Mars, because he really believes the tenants of the province are the white knights. We do not do it—why do it against the other class? Why do you single them out?

I got the impression in all the talks, and there was much of that in the committee, that the member for Lakeshore and my friend, the member for Riverdale and others were of the

mind that landlords were a treacherous, villainous bunch and had to be restrained by the full force of these statutes and all the power and majesty of the law.

Mr. Lawlor: You were not there long enough to know.

Mr. Sopha: I simply do not believe it.

Mr. Lawlor: Do you include your friend, the member for Downsview?

Mr. Sopha: I simply do not believe, for a moment, that such is the case. There are as many decent landlords in Ontario in way of proportion as there are decent tenants. As much as you import the provision to punish a landlord for a breach that will not occur, you know, it scarcely ever occurred that he will require more than the half month rent that my friend is going to require and the House is going to adopt. The offence simply will not occur, I would say with greater force.

Hon. Mr. Wishart: Could I just point out that under section 94—I thought I might draw it to your attention—section 94 does make it an offence for a tenant to change the law.

Mr. Sopha: I was going to say, by way of contrast, that there are circumstances that might happen much more frequently; that the tenant might depart the premises and leave them in filthy and uninhabitable condition. That occurs very frequently. At the committee, we have heard from landlords that many of them do.

Well, in principle, I just want to say—and I will address no other remarks to section 107—that I think it is completely wrong that the law reform commission should import this quasi-criminal notion.

Also, I cannot sit down without making the other reflection. My friend from Downsview, with whom I always agree, refers to Mr. Leal having to go back to his colleagues on the law reform commission to get consent before he could make a concession at the legal bills committee.

That is an interesting reflection that he should make, and it gives me the opportunity to say that we really come to a pretty pass in this province, as legislators, when the form and wording of the statute of the province, from this time forth, will be what Mr. Leal, Mr. Grey, Mr. Bell—I forget—Mr. Pool, Mr. MacClure—say it will be. We will have to wait until the pearls are dropped

from their lips until we know the development that the world will take.

It brings into focus the remark I read in the Manchester *Guardian*, not so long ago, that the time is not far distant that this will be brought in in the United Kingdom, where it will be a much more prestigious position to hold in the United Kingdom to be chairman of the law reform commission, than it will be to be president of the court of appeal. The position will be much more vigorously sought after. Indeed, the chairman of the law reform commission in Britain is Lord Justice Scarman at the moment, formerly of the chancery division. It makes you wonder whether it is worthwhile to be a legislator if that is going to be the case.

If that is going to be the case, my eternal comment will be, when a constituent meets me at Elm and Durham on a Saturday morning and says, "Why do not you do something about this, that, and the other thing?" I will just have to say, "I will have to ask the law reform commission. I will call them Monday to find out if they have that type of development and innovation in mind."

Well, brother, brethren, sistren, I do not want to be any part of such a legislative process as that. I would have to quit if we come to that point. The law is going to be what brother Leo says it is going to be. Of course, the principle is that we take the responsibility here for the form and wording of the statute. So that is the best this group hired by us is—advisers. They are advisers to us and nothing more.

They nearly sent me into orbit and quite beyond—to where I placed the member for Riverdale a minute ago, beyond Mars—when I picked up the latest on drugs. And to make some members happy, just let me make this comment that if the motor vehicle is going to go out of the courts, we will replace it in volume by actions between husbands and wives. Judging by the ones that I see, there will be a lot of them. I look forward to a very prosperous career if you adopt that one.

Well there it is. I will say no more on 107, but I would hope that by the time we get to it, the Attorney General would have second thoughts and take these offences out of an otherwise decent statute.

Mr. Chairman: Those in favour of Mr. Singer's motion will please say "aye".

I am sorry, the hon. member for Port Arthur.



**Mr. R. H. Knight** (Port Arthur): Mr. Chairman, I would just like to say that as far as I am concerned my nose is still twitching with premonitions about what this legislation could produce by way of rental increases in the province. And since it seems to me that as legislators our goal has got to be fairness and justice, not only for the tenant but for the landlord, we have to leave some place in this bill where the landlord will have something to cling to where he will feel he has some security.

Surely we are indebted to these people, Mr. Chairman, who make these properties, their properties available to those who cannot afford to buy a house or a mobile home or find some other way of putting a roof over their heads. I think in the interests of the landlord, and just so as to give him an excuse not to put that rent up, this part of the legislation, this section, should come down on the side of the landlord. I think that somewhere in this legislation there has got to be just a bit more in favour of the landlord, so I am inclined to agree with the Attorney General in this legislation.

**Mr. Lawlor:** Put it where it counts, in the pocketbook!

**Mr. Knight:** The member for Lakeshore suggests this is going to be a hardship on the tenant. Well perhaps originally, when he starts his renting, it might be a hardship to find two months' rent rather than one. But once the sequel commences—after all he will not have to pay the rent for the last month of his lease will he—so if—

**Mr. Lawlor:** That may be five or ten years from now.

**Mr. Knight:** So if he is smart, that \$150 or \$125 he would have paid for the last month he will put aside; when he has given notice that he is going to terminate his lease, he will put that aside and just carry it over. Then when he goes to his new apartment he will have that extra amount, the last month for the following year or the last month of the next lease.

And as far as the first month being paid in advance goes, well he will be just following the same sequel, he will just be paying the first month. So as far as I am concerned, I do not see where that is much of a hardship; and this is the way most tenants are going to use it.

So that this legislation can work not only for the landlord, it can work for the tenant.

And once again, I must say we have to be careful with this legislation so that the landlord does not feel he is being put down.

He is the big, bad boy; so we, as legislators, have come down on him. We have put him down and slapped him in his place! But he is going to come back. He can raise that rent, and he will. That is what I am afraid of.

So that I think here is one area where he is not going to be so inclined. We can come back and say: "Look, you have had a break here." So I am inclined to oppose this amendment, Mr. Chairman.

**Mr. Chairman:** All in favour of Mr. Singer's motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

We will proceed to section 84.

**Mr. Singer:** On section 84, Mr. Chairman, again let me compliment the Attorney General for accepting my amendment in the way that it was originally put, not the way the committee had done it, paying back this interest annually. I think that is a much more fair way, and I thank the Attorney General for including that in the Act in that way. I think it makes a better Act.

**Mr. Lawlor:** Mr. Chairman, I think the Attorney General will agree with me that he accepted in committee an amendment which I had suggested. It was done orally and I understood that he accepted it. If the Attorney General will look in subsection 3, down four lines into subsection 3 where you say that you should "pay the security deposit to the tenant together with the unpaid interest that has accrued within 15 days after the tenancy is terminated or renewed". My recollection is that this was acceded to—

**Mr. Chairman:** That is on the fourth line of subsection 3.

**Mr. Lawlor:** The fourth line, yes; after the word "terminated", Mr. Chairman.

**Mr. Singer:** That is quite right.

**Mr. Lawlor:** The reason for it is that there may be some legal gerrymandering as to the distinction between the termination of a lease which is renewed and the actual renewal. I think our intention here is to get back into the hands of the tenants, as quickly as possible so that it will not be unduly prolonged, these damage security deposits.

On, say, a five-year lease, at the present time the security deposit may be held to the termination of that lease. But if a lease is terminating or there are some provisions or conditions within the lease upon which the renewal will or will not take place, and it is then renewed in face of those conditions having obtained, then automatically the security deposit will go back, even though the lease continues. In other words the same rent is paid, or a renegotiated rent—the same terms and conditions apply and the people occupy the same tenancy.

**Mr. Chairman:** Does the hon. Attorney General want to comment upon this at this time or save it until later?

**Hon. Mr. Wishart:** Well, I remember this discussion, Mr. Chairman. I was not sure that I had agreed to it, but it seems to me it does make sense.

It refers to the lease which is presently existing in section 24; and on the renewal, the month's rent will be picked up, the last month's rent, instead of the security deposit.

It would seem to me to make sense to include the words "or renewal", so I would move, Mr. Chairman—

**Mr. Lawlor:** It cannot do any harm.

**Hon. Mr. Wishart:**—that subsection (3) of section 84 be amended by adding after the word "terminated" in the fourth line the words "or renewal".

**Mr. Singer:** "Or renewed".

**Hon. Mr. Wishart:** "Or renewed", rather.

**Mr. Chairman:** All those in favour will please say "aye".

Those opposed?

Motion agreed to.

**Mr. Chairman:** Anything further on section 84? We will move on to section 85 after the recess.

It being 6.00 o'clock, p.m. the House took recess.







# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 16, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 16, 1969

The House resumed at 8 o'clock, p.m.

### THE LANDLORD AND TENANT ACT (concluded)

**Mr. Chairman:** We were up to section 86. Any comments, questions, amendments to section 86?

Sections 86 to 92, inclusive, agreed to.

On section 93.

**Mr. P. D. Lawlor (Lakeshore):** As I said in committee, and I repeat now, with malice aforethought, this, Mr. Chairman, is without question the most penetrating, the most *in ventris* section of the whole statute.

Interjections by hon. members.

**Mr. Lawlor:** And yet, Mr. Chairman, considering all things, as usual it falls flat on its face and is even grievously deficient.

As was pointed out previously, I would have thought that this would be adopted by any conceivable Tory and, therefore, having moved it forward and coming up against the full weight of the trained seals in the back rows on this particular occasion—not the member for Armourdale (Mr. Carton); no, no. He has a mind of his own.

But some of the others who attend upon these committees because they are paid to attend; not because they think, not because if you ask in the very midst of one's flight, if you halt it for an instant, so to speak, and held everything in suspended animation and said, "Ozzie, what are we talking about?" Do you think Ozzie would tell you? Not on your life! And yet he comes down plump hard, all 300 pounds—

**Mr. Chairman:** May I also ask what we are talking about?

**Mr. Lawlor:** —on the side of the Attorney General of this province (Mr. Wishart).

You know, many a time there is obstruction, many times there is the turning over of a mind; many times his eyes roll back in the forehead and look to the ceiling in total blankness. Every time the Attorney General,

because of sheer insociability, as far as I could see, refuses to adopt an amendment made in its full rationality by a member of the Opposition, he does himself a disservice.

Mr. Chairman, may I say, watching over a long period of time now the operations of the Attorney General, invariably the first amendment presented, which is the first amendment to the first section of this Act, is accepted by the Attorney General. Invariably the second amendment is rejected irrespective of merit.

There is a pathology to the whole thing, once you have diagnosed the disease. He will not accept the second amendment, however meritorious, because that would be a certain spinelessness on the part of the government, a bending over backwards.

**Mr. Chairman:** Section 93.

**Mr. Lawlor:** This particular section, 93, Mr. Chairman, as I was coming around to—one cannot make a case without zeroing in, there must be perspective on these matters, because within the wisdom of legislators they must have a sovereign view of these affairs.

In this particular region I moved an amendment. No, I will not move it again. I shall simply address it to the Attorney General. It said that these apartment house supervisors—the owners particularly—have a range of monopolistic practices within their building.

Only certain tradesmen can enter the buildings and sell certain kinds of goods. In the cases of row-houses and maisonettes, fuel for instance is within their ambit. They have an exclusive contract with the particular company, and you living in a maisonette cannot order from anybody else.

Laundry services, bread and milk services to apartment houses are held in thrall to a particular entity designated by the landlord or his superintendent, and from this many nefarious things flow, as was pointed out by the law reform commission.

There is a rake-off very often present, either on the part of the landlord or on the part of the supervisor. Of course the supervisor is only being given an apartment gratis,

and having no pay on top of the apartment they have been given, they must find some way in which to make a little loot on the side. One of the ways is to get a rake-off from the laundry service dealer who would—

**Mr. Chairman:** While the hon. member's remarks are most interesting, really they have nothing whatsoever to do with section 93 which has to do with canvassers for the purpose of distributing election material.

**Mr. Lawlor:** If the hon. Chairman will look—

**Mr. Chairman:** After we get to that section.

**Mr. Lawlor:** At section 93 on the edge, if the hon. Chairman would look, it says entry by canvassers—

**Mr. Chairman:** I have just finished doing that, but it also refers to canvassing regarding election material.

**Mr. Lawlor:** I am talking about tradesmen—

**Mr. Chairman:** There is nothing about tradesmen in the section, nothing whatsoever about tradesmen.

**Mr. Lawlor:** The whole point is, that is precisely the point, that there is not—it is a nonentity.

**Mr. Chairman:** The absence of something in the section does not entitle the member to talk about it.

**Mr. Lawlor:** The absence of something in the report of the law reform commission is the very evil at stake here. He fails to provide against tradesmen of a particular kind coming onto these premises and I would think that the—

**Hon. J. R. Simonett (Minister of Public Works):** How many tradesmen are running around looking for jobs?

**Mr. Lawlor:** I would think that he would seriously reconsider and give individuals in apartment houses the right to selectively choose their own tradesmen and not be bound in leases to a tradesman.

**Mr. Chairman:** I must point out to the hon. member that he is in fact out of order. There is nothing whatsoever to do with tradesmen in this section. We can debate the content of this section only. The principle of the bill has been approved. Section 93 has no reference to tradesmen. I would ask the hon. member to—

**Mr. Lawlor:** Mr. Chairman, you are quite wrong. I moved an amendment saying there should be an addition that individuals in apartment houses should have the selection of their own tradesmen, then that would be perfectly in order. In order to save the time of this House, I have sought simply to point this out to the Attorney General. It comes to the same thing.

**Mr. Chairman:** I believe the hon. member is wrong on this. We have only been dealing with this particular section.

**Mr. Lawlor:** Legislation, Mr. Chairman, is as effective in what it omits as in what it contains.

**Mr. Chairman:** Anything further on section 93?

**Mr. E. R. Good (Waterloo North):** Mr. Chairman, in committee I asked the Attorney General a question which I do not believe he answered, and that was whether it was by design and intention or by omission that people running for PUC commissions or water commissions were not included in the eligible people to enter apartments.

**Hon. A. A. Wishart (Minister of Justice):** We felt the section was wide enough, Mr. Chairman, when it says any officer in the municipal government—any office in the municipal government. If you can bring it within that language, and I think you can, that is part of the municipal government. I do not think there would be any restriction of the canvassing.

**Mr. Chairman:** Carried. Section 94.

**Mr. I. Deans (Wentworth):** Mr. Chairman, on section 94, there is one matter that concerns me. It is the practice not only in apartments but in almost any rented accommodation, including hotels, to provide night locks. Now under this section it would appear that it specifically omits the right of the tenant to provide a night lock without the express consent of the landlord; which I think is wrong, considering the fears that are shared by many young couples in terms of the possibility of forced entry into the apartment during the evening, especially when the husband is working.

Now I think that it must be expressly clear to any person in the province that during the time that they occupy the premises—during the time that they are actually there—that they are entitled to lock the door by which ever means they desire in order to assure



them some of the utmost privacy without fear of intrusion by anyone. I think that in this particular instance we require to make it clear that this does not necessarily apply where the tenant is in occupancy of the premises and is actually there.

Now this is a matter that has been raised with me and I feel that it deserves some consideration by the Attorney General. You can see the difference between the normal locking device that locks the apartment during the time that you are free and away from the apartment and that device is put on there expressly for the purpose of excluding any person from occupancy during your time in the actual premises themselves. I hope that at least for the record, whether or not it is changed in the bill, the Attorney General will make it clear that this does not preclude any couple or individual or family from placing on the door of the premises a night lock which can be put in place during the time that they are there, and which is separate and apart from the normal locking devices of that particular apartment.

**Hon. Mr. Wishart:** Mr. Chairman, I would think that in the light of this section 94, which provides that landlord or tenant shall during the occupancy, during the tenancies, alter or cause to be altered the locking system, I would think that in the arrangements there will be not just the ordinary lock but for the tenancy agreement of the lease, that there also will be a locking system which will be adequate and satisfactory to the tenants when they lease the premises. Now I think to go beyond that and allow the tenant to put bolts or some other sort of locking system on the door is counter to the thought here that either side can lock the other in or out. But I would think the landlords will see there is an adequate locking system on, as in the hotels. When I am in my hotel room the ordinary lock, when I pull the door to, fastens; but then there is the night lock and the bolt chain. I think those things will be provided by landlords. I think this is something that will work itself out.

**Mr. Deans:** I do not want to belabour it at all, I just want to say to the Attorney General that we have landlords, whether he believes it or not, who would believe that this section pertains only to those locks which are placed there by the landlord; and that a tenant having moved in would have no right to put a lock of any kind there that would exclude the landlord from access to the property during the time that the tenant was there.

Now I think most tenants, in fact most homeowners aside from tenants, put in an additional lock. I think the Minister of Correctional Services (Mr. Grossman) would agree with me, that most tenants put a lock there; that most owners would put a lock there separate and apart from that lock which is operated by the key. And I want to make it abundantly clear that there is no prohibition to any tenant to put this kind of lock there. It can only be used, because of its nature, during the time that they are inside the apartment, and we should make it quite clear for the record at least that there is no prohibition to putting this kind of lock on the apartment door.

**Mr. V. M. Singer (Downsview):** Provided it is by mutual consent.

**Mr. Deans:** Except where mutual consent does not exist; where there is no mutual consent.

**Hon. Mr. Wishart:** I think what we discussed in committee, if I recall, is the change of the language in the original bill to "locking system". I think it was our understanding, maybe I am wrong, that that would not preclude the putting on of a night lock, a night latch, something of that sort, but that the locking system was not to be tampered with or changed or altered. I do not think, really, that this is going to create a problem. I think landlords and tenants can work this out.

You will note that section just preceding, section 92. The hon. member says the landlord's lock is on and he knows how to get in, but there is a prohibition against the landlord invading or going in. So I think the locking system was not intended to mean to preclude the addition of a night latch.

**Mr. E. Sargent (Grey-Bruce):** Mr. Chairman, I feel that there should be in this clause—this prohibits any mutual consent idea between the tenant and the landlord—and I think there should be a consent factor in here because—

**Hon. Mr. Wishart:** No. The consent is in the section.

**Mr. Sargent:** My apologies, I am sorry. Sections 94 and 95 agreed to.

On section 96:

**Mr. J. Renwick (Riverdale):** Mr. Chairman, on section 96, I want to point out to the Minister the problem which arises under this section. I think the position we take on it, we

did not make this argument in the committee in line with security deposits or requirements for prepayment of any obligation, is that this, in fact, is a punitive clause. I do not think that in a residential tenancy there is any basis under which we should tolerate for any longer these provisions which provide for the acceleration of rent on default of payment of one instalment of rent. The whole purport of article 96 is that if a lease in fact provides that upon default of payment of rent there shall be an acceleration of all the remaining rent that is due under that lease, and that section 96 provides for the conditions under which there will be relief against that acceleration, then I think we in this party are opposed to it.

If I may use an example when there is an obligation on the tenant by way of an acceleration clause to pay the total of the rent which is due; for example, if the rent is \$100 a month and if the default occurs in, say, the 14th month of the two-year lease, there are ten months to run and there is an acceleration of the rent at \$100 a month; that would be an acceleration which would amount to \$1,000.

If one looks at section 91, which we agree with and on which we did not comment when it was called, you have the obligation of the landlord to mitigate his damages where it states that:

(a) where a tenant abandons the premises in breach of the tenancy agreement, the landlord's right to damage is subject to the same obligation to mitigate as applies generally under the rule of law relating to breaches of contract.

You may very well have a situation where a person, who has been subjected to an acceleration of rent, has had to abandon the premises. He is obligated, because of the acceleration of rent, to pay \$1,000 and that rent is an obligation pursuant to a covenant.

I do not think that the law relating to mitigation of damages then applies to it. I think that the Attorney General should consider that any acceleration of rent is a penalty provision, because the present value of rent in default for, say, ten months is not \$1,000, but is already something less than \$1,000. In a court where a landlord is obligated to mitigate his damages, if there were a suit on the amount due on the acceleration, the court would hold that \$1,000 was owing if there was a suit for damages. The damages would be the present value of \$1,000, less whatever amount the landlord may be held to have mitigated his damages by reason of subletting.

I therefore think—and I am sorry that the matter missed us in our consideration of the bill—that in essence an acceleration clause in a residential lease is inappropriate and should not be allowed. What it really is—and I think the Minister of Justice would agree with me; and I think the member for Downsview would agree with me—is that they have taken over into leasehold arrangements under a lease a provision which was appropriate or part of the traditional language of a mortgage covenant.

In other words a person under a mortgage had in fact lent a certain number of dollars and he was taking the land by way of security for the repayment of that number of dollars.

The acceleration clause was designed to provide that if there was a default in payment of an instalment, the balance of the principal would become due and owing. I am quite certain that a description of what took place in leasehold law would indicate that all that some lawyer has done is to translate the idea of an acceleration clause into a lease, and the covenant to pay rent under a lease is not a covenant to repay money owing.

Therefore, I say to the Attorney General that I think that there is a very real conflict between section 96 and section 91, and that we should not be accepting the proposition that there is any right in The Landlord and Tenant Act for any lease to require that upon default in payment of the rent that there should have been an acceleration of all of the remaining rent which is due and payable.

I think that the landlord and the tenants should be left to their remedies at law; the landlord to sue on the covenant for the present value of the rent which is in default, and the tenant to require of the landlord that he mitigate his damages.

I do not know whether I made the point perfectly clear, but I think that the acceleration clause is not an appropriate clause in a modern lease contract, and I would suggest that in wont of having dealt with the matter in committee, I would simply ask of the Attorney General that when the session is finished he consider that clause in the light of section 91 and see whether or not the conflict to which I refer should be dealt with by an appropriate amendment.

I think the conflict can best be dealt with by outlawing in residential leases all provisions by which the landlord purports to accelerate the principal amount of the rent which is presently due and owing using some analogy to the principal number of dollars which are due and payable under a mortgage.

I think it is an illegitimate translation into a leasehold arrangement of a provision which may very well be appropriate in the mortgage but is certainly not appropriate in a lease and I would ask if the Attorney General considered that matter and if he believes it deserves that attention to which I think it is entitled; that he refers the matter specifically to the law reform commission with the view to introducing an amendment at the next session to deal with that question.

**Hon. Mr. Wishart:** I appreciate the comment of the hon. member. He has referred to the section 91 which requires the landlord to mitigate the damages and then he was discussing section 96 which is, as the marginal note indicates, relief against the operation of the acceleration clause. The law reform commission did consider that and they do recognize that it is the same reasoning and the same practice as was followed in the case of mortgages, but they say this at page 78 of their report under recommendation 11:

In order to make rent acceleration clauses less subject to abuse and still protecting the landlord's legitimate interest, where the landlord claims an acceleration of rent, and if the tenant pays arrears or remedies the breach of covenant a court should have power to stay proceedings. That is confirmed by section 20 of The Mortgages Act.

So they were considering it also in the same light, but I think the point which the hon. member makes has some merit. What we were at this time prepared to do was to accept the recommendation and give relief against acceleration. Perhaps that does not go far enough, but I certainly would be glad to look at it after we have an opportunity at the end of this session or later.

**Mr. J. Renwick:** My comment is very brief. As the Attorney General said, they took it in to leasehold law from mortgage law. I think it is an illegitimate transferring to a leasehold arrangement. The law reform commission has said, "Well, since we have taken it in from mortgage law, we should provide the same relief as is provided on the mortgage law", and I think our position is perfectly clear on it. On consideration of it, acceleration clauses should be outlawed; and for practical purposes, if there is a standard form of lease, it should not be provided that the landlord can accelerate the payment of rent.

**Mr. Chairman:** On section 96. The hon. member for Wentworth.

**Mr. Deans:** Mr. Chairman, I want to raise with the Minister some difficulties brought about by the matter where default has occurred. This bill has, as I see it, by the actions of many of the landlords, forced upon the tenant some situations of default and I want to find out from the Minister whether or not this section covers those matters.

The best example, and there are two or three, but the best example is this: I have in my riding a gentleman who has lived for 17 years in the same apartment. Because of this legislation the landlord has decided that he will demand from this tenant the last month's rent in advance. This is after having lived there for 17 years and the tenant disagreed and of course justifiably so. He feels that the landlord has forced upon him a situation which is unjustified—

**Hon. Mr. Wishart:** What kind of lease is this?

**Mr. Deans:** There is no lease. For 17 years they have lived together with no lease.

**Hon. Mr. Wishart:** Month to month?

**Mr. Deans:** It is a month to month tenancy, I agree. The Minister makes a point that is worth recognizing, but because of the legislation, the landlord has decided that he will now demand next month that two months rent shall be paid. Now the tenant has no recourse of any kind. He has proven beyond a shadow of a doubt his worth to occupy the premises. He has proven his ability and his intent to pay the rental, no matter what it was, on time and without any difficulties. At this point, because of legislation, the landlord has decided that he will impose upon this particular tenant, and many others like him, a situation which is intolerable. It is intolerable because these people—well, let me say to you, the reason I say it is intolerable, is because this is being imposed on many people who are in the old age pension bracket and who do not have enough money to pay two months' rent at one time.

**Hon. A. Grossman (Minister of Correctional Services):** Why would he do it now if he did not do it before?

**Mr. Deans:** I have not the faintest idea; and this is what worries me.

**Hon. Mr. Grossman:** Well, he had a right to do it before. Why would he do it now?

**Mr. Deans:** Except that he is using this legislation as a lever against the tenant.

Now what I want to say is this: It may well have been better to have been raised under the section dealing with the security deposit or the landlord and tenant advisory bureau. It may well be but I am afraid that under this matter of default, I mean, what recourse has this tenant got, if any?

Hon. Mr. Wishart: He never had any.

Mr. Deans: No, he did not have any—

Hon. Mr. Wishart: The landlord could have asked for three months rent in advance. He could do that today. There is no policy against that.

Mr. Deans: It shows to me though that we require some other kind of system whereby this tenant can apply for relief from this imposition, which it is, and it is for this reason that I draw it to the Attorney General's attention.

Hon. Mr. Wishart: Well, I would say this to the hon. member: what we are doing in this legislation is not to give the landlord any additional right which he did not have. A landlord could say: "I will rent you these premises, you must pay a year's rent in advance or six months"—all we are saying is we are limiting him to one month.

We are putting a limitation on his power that existed all these years and still exists until this Act comes into force and then he can only collect one month in advance.

Now I would like to say this. This is a strange, unique case the member cites, and of course the landlord, even now, can ask that tenant for the extra month. When the Act comes into force, he can only ask for the one month in advance. Today he could ask for a year's rent in advance, if he wished and demanded it. The point, I think, is that unless we are to make the limitation that you could only ask for the present month's rent, which actually is rent in advance—rent has always been generally regarded as an obligation payable in advance, so there is the one month in advance—the principle of payment in advance is acceptable.

We are saying to the landlord, you must limit that demand, you must limit that collection to one other month which will be the last month of the term.

Now, we are putting—I want the hon. member to understand—we are putting a limitation on a larger right presently existing.

Mr. Deans: Yes, I undersand this, but what concerns me is the change in what is

obvious of the normal tenants. What we have done, and it grieves me, is that we have given the landlord the opportunity by this Act to change the terms of tenancy.

Hon. Mr. Grossman: Oh, come on!

Mr. Deans: We have, we have!

Hon. Mr. Wishart: We have cut the landlord down.

Mr. Deans: This is fine, we have brought it down in many instances, but we have given the excuse to the landlord who has no excuse. It concerns me that these people on month to month rental, who are in an aged capacity, who have reached a point of trying to live—and you may well look, as I say to the Minister of Correctional Services, you may rather be disgusted.

Hon. Mr. Grossman: Well, of course it is silly!

Mr. Deans: If you were trying to live—

Hon. Mr. Grossman: He could have asked for five years advance before and now we are reducing it to one month.

Mr. Deans: Okay, fine!

Let me put it to you then, very simply. If you had been accustomed to paying on a month to month basis out of your old age pension cheque, the amount that you required for your rental and, because of this Act, the landlord sees the opportunity, the opening—and this is what has happened.

This is what has happened. They are very quick to see any opportunity to further extract money from the tenants of this province and have seen it, as the Attorney General well knows from the discussions we held downstairs in the committee room.

What they are now doing—not all, but some fall into the category, as I have said before, of being unscrupulous—they have seen the opportunity now to extract more than can be afforded. Now it worries me that this situation can exist and that this person may well be forced out of their home, a person who has paid for years and years what was asked of them and who are now being forced to pay twice what they can afford—

Hon. Mr. Wishart: No one is being forced.

Mr. Deans: —at a time when they have not got it.

Hon. Mr. Wishart: They are not being forced.

**Mr. Deans:** Well, the other opportunity is of course they can move.

**Hon. Mr. Wishart:** They are not being forced.

**Mr. Deans:** They are! If you are told to pay twice what you can afford—

**Hon. Mr. Wishart:** The hon. member must surely realize that what he is citing is a case which has happened. The landlord is acting, not under this Act—

**Mr. Deans:** No, he is using the Act as a pretence.

**Hon. Mr. Wishart:** —he is acting under the law which exists today. He can go to his tenant and say, I want six months rent in advance.

What this bill—which is not yet in force until the hon. members here pass it—will do, is to say to the landlord, “You cannot go beyond one additional month.”

So that we are cutting down the landlord’s right which presently exists. Now, surely the hon. member is not to be heard to say, because you draw to the landlord’s attention—

**Mr. Deans:** His rights!

**Hon. Mr. Wishart:** —rights which he has; and because you are cutting them down, that this is bad law.

**Mr. Deans:** No. The unfortunate part is, I say to the Attorney General, that by establishing a minimum the minimum is in many instances much higher than we can afford. And what has happened is—and I say this to you in all good conscience—what has happened is that the landlord, because this has been brought to his attention and because the tenant is not aware of the fact that the landlord can claim this legally, regardless of what he might have been able to claim in the past—

**Hon. Mr. Wishart:** What does the hon. member suggest?

**Mr. Deans:** —is now exercising it unduly; and I am asking the Attorney General whether this might be applied at this point, to leases or understandings which presently exist.

**Mr. G. Bukator (Niagara Falls):** Is this not the problem between landlord and tenant?

**Hon. Mr. Wishart:** The only way we can change the law today is by legislation. We are moving to change it. But rights exist—this is my point.

**Mr. Deans:** Well, there are certain instances and I have not thought out the entire implications of it, but there are certain instances where to change the existing situation—

**Hon. Mr. Wishart:** This is to change.

**Mr. Deans:** Right, I agree. That does not change the situation—it changes what could well be the situation in which the landlord exercised all his rights. But to change what is the existing situation, where there is no pre-payment of any kind, and to—I agree we are not forcing it on them, I understand what you say—

**Hon. Mr. Grossman:** You will not get a QC this year.

**Mr. Deans:** I understand what you are saying. The only problem that upsets me is that landlords are now making use of the Act to extract from the tenants—

**Hon. Mr. Grossman:** What would you do about it?

**Mr. Deans:** —that which they are not really deserving. I suspect there are a number of things. One, is I would of course have a rental review board and I would now have had any pre-payment as you know. I mean I do not have to go into that. I wouldn’t have had a pre-payment at the time that you—

**Hon. Mr. Grossman:** We are back to the principle of the bill.

**Mr. Deans:** I agree, but you asked me. You see this is the unfortunate part. I did not intend to get involved in this. What I am saying to you, is that there are many people like pensioners who are paying rent on a monthly basis, without a lease, all that they can afford. There are landlords, whether you believe it or not, who do not particularly care about whether the person living in that apartment can afford to pay what he is being asked or not. Now, those are not the kind of statements we heard the evenings we sat in the committee room. But unfortunately it is true and unfortunately many of them are now prepared to use this legislation as the lever to extract from people that which they previously were afraid to ask for.

And they are abusing it. Already they are abusing it. And it worries me.

Now I say to the Attorney General that the answer is not as clear as I might like to believe it may be, but they are abusing it, it is a matter that has to be given great consideration.

**Mr. Chairman:** The hon. member is now becoming quite repetitious.

**Mr. Deans:** I am listening to you, Mr. Chairman. It is a matter that has to be given consideration at least in the next month or two in order that we try and come up with the answer.

**Hon. Mr. Wishart:** Mr. Chairman, I would just like to say this. I think the hon. member says he is worried, and I think he is unduly worried. In the situation he cites, the case he cites where a landlord and a tenant have been getting along on a monthly, or annual lease, for 17 years, surely that argues it is a good landlord and a good tenant, a pretty good relationship. To get worried over that situation, to say that the landlord now goes in and says give me an extra month's rent, and it is a monthly lease is most unlikely.

**Mr. J. E. Bullbrook (Sarnia):** It has happened.

**Hon. Mr. Wishart:** Well if it has happened, let me say again to the member, it is happening under the present law which we are seeking to change.

Section 96 agreed to.

On section 97.

**Mr. J. Renwick:** Mr. Chairman, I would like to ask the Attorney General a couple of questions. I just want to open up an area which is of concern to me and which my thinking is not particularly clear on at all, but I think which deserves consideration in this area.

It is quite normal that if a person has entered into a lease, a residential lease for a period of time, say, a one-year or a two-year lease, then the standard lease form provides that if at the expiration of that term the tenant continues in occupation, he holds as a month to month tenant in order to avoid the law which indicates that if it were a yearly tenancy it could be argued that he continued as a tenant from year to year, or from two years to two years.

I believe that is what the law would otherwise be. Now, I am not really concerned about the situation in which both the landlord and the tenant agree they are quite prepared to continue their relationship on the same basic terms and conditions on a month to month basis, but the fact of the matter is that in the position of landlord and tenant, the landlord, by and large, has the option, the tenant has no option.

In other words, the landlord can very well, at the expiration of the term, say to the tenant: "Well, I would like you to renew for a further term of one year or two years"; and if he did not choose to do so then, of course, the landlord could give him notice and he would be required to leave.

But what the landlord has done is to provide himself with the other option, and that is to say that if he does not ask you to enter into a further lease, or renew the lease for the same term, that if he stays in the premises he stays on a month to month basis.

Now, it seems to me that in that situation that perhaps there should be an option from the point of view of the tenant. That the tenant should be able to say to the landlord, "Well, I came in here on the basis of a year to year, or a two-year to two-year lease, you want me to, in fact, stay on as a monthly tenant. In other words, you are not interested in giving me notice to get out, you want me to stay on as a month to month tenant. I would like to stay on with some security of tenure for a longer term, and, therefore, I, as a tenant, should have some kind of equal option."

Again, I am not concerned about the situation in which the landlord and the tenant agree that they are both interested in a short term tenancy. I am not interested in the situation where the landlord and the tenant agree that it should be extended for one year, or two years.

I am interested in the situation which occurs many times where the landlord says, "I do not choose to renew your lease for a full year. If you choose to stay on, you stay as a monthly tenant."

The tenant's position is: "I would like very much to have a longer term. I cannot bargain for it. I do not want to leave and, therefore, I accept the proposition that I must stay as a monthly tenant."

In other words, what the landlord has done by this express clause in the lease about which the tenant has no bargaining power is to alter in his favour what would otherwise be the common law related to tenancies.

**Mr. Singer:** It is bargained for when they sign the original lease.

**Mr. J. Renwick:** No. As I understand it the situation would be that I am a tenant from year to year, on a yearly tenancy. The tenancy comes to an end, the landlord permits me to stay as an overholding tenant. Then, I am a tenant from year to year.

**Mr. Singer:** That is right.

**Mr. J. Renwick:** That is right, by common law. Nothing in the lease to bargain for. What the landlord has done in his lease is to bargain himself out of that position—

**Mr. Singer:** That is right. He has bargained out of it.

**Mr. J. Renwick:** That is exactly the point. The tenant, under a normal situation in urban Toronto, is not able to bargain on that kind of a clause. Therefore he accepts the landlord's provision that if he overholds he is from month to month.

Now, having overheld in his tenancy, he would like the security of a longer tenure.

I would certainly like the Minister of Justice and the Attorney General to express his view on it. I have the sensation that in that situation there should be a mutual right of the tenant to request an extension of his term for a somewhat longer period than simply to be on a month to month tenancy which puts him at the hazard of increased rents from month to month or at the wish of the landlord.

I think it comes through to me that it is an unfair situation for the tenant and that the options are entirely in the hand of the landlord. I would like to hear the Attorney General's thoughts on it and to see whether he considers that it is a problem which requires at least some consideration.

**Hon. Mr. Wishart:** Well, Mr. Chairman, it seems to me there is a lot of complexity involved in this matter.

Two parties, free to bargain, come together. One the owner of property and one seeking to occupy it, for consideration, landlord and tenant.

They conclude a lease agreement, a tenancy agreement, for a year, two years, three years, whatever it may be, for a term.

If the landlord is agreeable surely he cannot be put in a position of being forced to do beyond what two persons free to bargain may agree upon.

He can agree to lease his premises for a year or two years or three years, or for a year subject to a clause permitting the tenant to renew on terms to be agreed upon, or terms which are the same, or terms providing for some other conditions such as the escalation of the tax amount, on terms to be negotiated.

This is the usual trend. Now, how can we, if the tenant does not seek in that first

term, then insert the right of renewal? I think either the right of renewal must be exactly on the same terms or it must be upon terms to be negotiated which implies and contemplates an increase in rent.

How could you achieve this right which the hon. member seeks for the tenant? I think this is something that has to be left to the free interplay of the bargainers.

The tenant has a right to bargain on his first approach for the renewal clause. But I think very few landlords today are likely to give an indefinite clause about a simple right of renewal without some condition about the term, either an increase in rent, something about the paying of taxes or some other increase to take care of the increased costs and maintenance and one thing or another.

So I do not think the tenant could be possibly protected in this by legislation. I really do not know how you could achieve that in the language which would be at the one and the same time original enough to enforce the right, and at the same time flexible enough to allow the negotiation which must take place.

I think this is something that has to be left to the parties to bargain for. I really think there is a complexity involved here that cannot be covered in a statutory bit of language.

**Mr. J. Renwick:** Perhaps I could comment on what the Attorney General said. Always, when we are dealing with what has become accepted practice, it is often difficult to put oneself aside and look at it in a new light.

What, in fact, has happened is that the landlord, in order to avoid the rule of the common law with respect to an overholding tenant, has shortened the tenancy. That is basically what he has done.

In other words, if I am granted a lease for a term certain of one year, and if I am then allowed to remain in the premises—and by and large a lot of tenants stay in the premises, they do not want to move, they like it, or whatever the reason—they can make up their mind about moving at the expiration of the term by giving the required notice. But if they stay as an overholding tenant, the common law would then say that they are entitled to the security of a tenancy from year to year.

**Mr. Singer:** On the same terms and at the same rent.

**Mr. J. Renwick:** On the same terms and at the same rent.

**Mr. Singer:** The landlord has chosen to opt out of that.

**Mr. J. Renwick:** In other words, what the landlord has opted to do is to alter what the common law would otherwise imply as the term of the tenancy.

**Mr. Singer:** That is right.

**Mr. J. Renwick:** What I am saying is that on balance the very opting out of what the common law provided in fact puts a large number of tenants at a disadvantage in connection with the landlord because they are not in a position to ask for a longer term. They may not be interested in moving, but they would be quite prepared to accept an extension of the term with whatever arbitration is required to adjust the rent if it is in a period of escalating rent. But they are—

**Mr. Singer:** Now you are talking about fixed rents.

**Mr. J. Renwick:** If they are left on the basis of a month to month tenancy then they are left in the position where at any time they can be subject to what they might consider to be an arbitrary action of the landlord, particularly if people have been in occupation of premises for two years and stay on as many people do for another 12 or 14 or 15 months and then suddenly are advised that their tenancy is being terminated unless they agree to an increase in rent of such and such a number of dollars.

**Mr. Greenberg** was subjected to this very exact acceleration of rent, and the mention of **Mr. Greenberg** brings to mind the other problem which is involved in the monthly tenancies. To the extent that the tenant has been fixed with this so-called agreed bargain by specific term which alters the common law so he is only a monthly tenant, and to the extent that in an escalating land market you get a sale of the apartment premises, you get immediately the reaction by the new landlord that he is going to recoup the price, or a portion of the price, by increasing the rental. He finds that the tenants in the apartment building who have had one landlord over a long period of time, have got along well, have realized that there are reasonable increases of rent required. They suddenly find themselves, with a change of landlord, fixed with these exorbitant rent increases which lead to the pressure for these rental review boards.

I suppose the last comment in what appears to me to be the kind of problem that I am

talking about is that if one goes beyond the rental review board and as the law reform commission said, if the rental review board does not work, there has got to be an economic study in connection with the whole question of rent control. What they were saying is that that is not our forte; we are not the ones to do that. That is a different problem.

What many people forget is that rent control was very intimately connected—in my judgment, certainly during the war-time period and I was in on the tag end of it in the years immediately following the war—to this whole question of security of tenure. That is, it is not just a question of controlling rents but it is a question of protecting tenants in the security of their tenure, regardless.

There are many problems that we have not thought about in terms of rent control. That is why, basically, we have never really advocated that as a policy in this society.

**Mr. Singer:** We were wondering if you would get around to that. That is the key statement.

**Mr. J. Renwick:** No, what we have talked about is rent review.

**Mr. Lawlor:** You know that already.

**Mr. Singer:** Of course I know it already; that whole diatribe is meaningless.

**Mr. J. Renwick:** I know that the member for Downsview is just dying to get into this discussion.

**Mr. Singer:** You are darn right, I am.

**Mr. E. Dunlop (York-Forest Hill):** You are getting a shared opinion.

**Mr. J. Renwick:** I want to come back to the basic proposition—that if we stand aside from an accepted practice what we have found—and this relates a little bit to the same transposition which took place in the matter I referred to earlier, of mortgage practice in the rent leasehold practice—is that the landlord—and the law reform commission indicates that the tenant is not in a good bargaining position in most cases with the landlord in an urban community—the landlord has opted to change the common law rule. He has the option; he reserves for himself—

**Mr. Singer:** You said that four times.

**Mr. J. Renwick:** I wanted to make it abundantly clear.



**Mr. Deans:** He wanted even you to understand.

**Mr. J. Renwick:** He has reserved for himself the option to say to the tenant "I am going to give you another one-year lease; you sign that, but if I do not choose to give it to you and you choose to stay, then you stay as a month to month tenant."

The other side of that coin, I think, should be that the tenant, in that position, should be able to say "Mr. Landlord, if you have reserved that option to yourself, I, as the tenant, having stayed here for a full year, should have the option to say to you, if you and I are not agreed as to whether or not I should have a one-year lease or a monthly tenancy where it would create no problem, I think I would like to stay for another year. And if you, Mr. Landlord, want to argue with me about the number of dollars of rent, then I am quite prepared in the light of you justifying to me, or not justifying, but explaining to me through—"

**Mr. Singer:** You are digging yourself in deeper as you go on.

**Mr. J. Renwick:** No. "—through the mechanism of the rent review board, if there were a rent review board, what the additional rent would be; I simply say that I should have that option open to me." That, just to right the balance between landlord and tenant.

The member for Downsview has consistently come down during these debates on the side of the landlord. We want very much to put to him the proposition that there perhaps is some merit in the tenant's position.

**Hon. Mr. Wishart:** I think you have provoked him now.

**Mr. Singer:** He certainly has.

**Mr. J. Renwick:** If I have provoked the member for Downsview, all I can say is I intended to do so and I hope he will come into the debate.

**Mr. Singer:** Mr. Chairman, I could hardly wait for the member for Riverdale to sit down and let me get in.

The member for Riverdale has opted for a little bit of rent control.

**Hon. Mr. Grossman:** Just a wee bit.

**Mr. Singer:** It is like being a little bit pregnant. I mean, once you have started, you are in.

**Mr. Dunlop:** Once you are in, you are started.

**Mr. Singer:** What he said, very simply, is this—I want to create a special class of tenant who, having bargained for a period certain, when they have come to the end of that period certain, can then say we are entitled to have arbitration fix the level of rent.

It is very interesting that the member for Riverdale has carefully avoided, as have his colleagues, saying anything about rent control, except when the member tries to bring it in the back door. That is what he has done now.

If he was frank enough to say, "We in the NDP believe in rent control," he knows that he would have to say "We also believe in wage control, in profit control" and so on.

**Mr. Deans:** Nonsense!

**Mr. Singer:** The hon. member says "nonsense." Mr. Chairman, if they are supporting the position of the member for Riverdale—

Interjections by hon. members.

**Mr. Singer:** I am sorry, Mr. Chairman, that I bother them, but these facts have to be made abundantly clear. If the member for Riverdale is trying to create a special group of tenants who can have rent control in some way, and finally when reduced to the extreme, it would be controlled, perhaps by an arbitration—

**Hon. Mr. Grossman:** But it is not rent control.

**Mr. Singer:** That is what he meant, but he says it is not rent control. If he can tell us how he is going to effect any form of rent control without bringing in wage control and without bringing in profit control, then I think we should be entitled to hear about it.

**An hon. member:** Since you raised it, why do you not tell us?

**Mr. S. Lewis (Scarborough West):** Tell us about automobile insurance.

**Mr. Singer:** I do not know why they are so bothered, Mr. Chairman. I know why they are so bothered because they dare not, their trade union masters will not let them, Mr. Chairman, their trade union masters will not let them talk about rent control, because rent control means wage control. The member for Riverdale has to go around this long circuitous route saying a certain class of tenant should be entitled to have his rent fixed.

**Mr. Deans:** Could I ask—

**Mr. Singer:** Now that is exactly it.

Interjections by hon. members.

**Mr. Singer:** Mr. Chairman, can you not keep them quiet?

**Mr. Chairman:** Order! The hon. member for Downsview will resume.

**Mr. Singer:** As soon as it is quiet, Mr. Chairman, I would be glad to carry on.

**Mr. J. Renwick:** Mr. Chairman, on a point of order, I do not think this matter that I was raising has anything to do with rent control. Perhaps the member could deal with this later on.

**Mr. Singer:** Mr. Chairman, since the member for Riverdale is so obtuse, let me explain to him exactly what he means. He may not have understood what he meant. What he meant was that a certain class of tenant who wants to stay on in his tenancy should have a right under some revision to this section that we are talking about, section 98, to stay on and have someone else determine the basis on which he is going to stay. Now that is rent control. I do not care how you slice it or how you define it, that is exactly what the member said.

**Mr. J. Renwick:** I did not.

**Mr. Singer:** No, he did not; he said some form of arbitration. Rent review, in any concept, either as the member has enunciated it or as we have enunciated it, has never in fact involved—

**Mr. J. Renwick:** The member has never understood bargaining in good faith.

Interjections by hon. members.

**Mr. Chairman:** Order!

I must point out to the committee that we are dealing with section 97, which simply relates to notice of termination of tenancy. I am having some difficulty in relating all of the remarks to that particular section. I see nothing about rent control. I see nothing about some of the things that were mentioned previously. This is notice of termination of tenancy.

**Mr. Singer:** That is quite right, Mr. Chairman, and the point that the member for Riverdale—

Interjections by hon. members.

**Mr. Singer:** Could you keep them quiet, Mr. Chairman? I am not anxious to stand up and speak all night but I will until I am finished what I am going to say.

**Mr. Chairman:** Order!

**Mr. Singer:** Thank you.

What the member for Riverdale was saying under this section was that there should be some method of allowing a tenant to stay on for a term similar to that which he had originally signed for in his lease. If it was a year to year, he would stay on for an extra year. Now, the member for Riverdale was at least frank enough at that point to say: "I recognize that there has to be some method of determining the rent" and then he said: "It may have to be by arbitration." Now, he knows full well that at this point if the tenant is going to be able to stay on for whatever continuing term he originally signed for, if he signed for a year then he is to be allowed to stay on for another year, and surely there must be a bargaining right left to the landlord. And he says no, there should be no bargaining. What he has said is there should be no bargaining. He should be able to stay on and that the rent, if there is a dispute about it, should be fixed by arbitration. All right.

Now, the hon. member for Scarborough West—let me ask him, is he in favour of rent control?

**Mr. J. Renwick:** That is not rent control.

**Mr. Singer:** Well, it is; it certainly is. If we write into this statute, Mr. Chairman, that if the landlord and tenant cannot agree as to rent and it shall be determined by arbitration, which arbitration shall be final, that is rent control.

**Mr. J. Renwick:** No, Mr. Chairman.

**Mr. Singer:** Now, I want to know, Mr. Chairman, and I think we are entitled to an answer, whether the NDP collectively, the whole bunch of them, believe there should be rent control and at the same time say there should be wage control and profit control.

**Mr. Lewis:** Mr. Chairman, would you remind the member for Downsview that the government is over there?

**Mr. J. Renwick:** I think there are some basic questions that have to be answered.

**Mr. Singer:** Collectively they are awfully bothered, Mr. Chairman, and I think that if the member for Riverdale has taken up a half hour explaining this theory of his, that we

should know whether or not his party believes in rent control, because that is what he said. And if they do, that is fine.

**Mr. Dunlop:** The member has no right to know.

**Mr. J. Renwick:** Mr. Chairman, I want very much to deal with the original problem which I raised and I want to also answer the member for Downsview.

What the member for Downsview is saying is that so far as the civil service of the province of Ontario is concerned, that they are subject to wage control. I do not happen to believe that if there is a substitution for the traditional right to strike in the civil service in the province of Ontario, that the result indicates that there is wage control.

**Mr. Chairman:** Well I must point out to the hon. member that he is out of order now. We are dealing with termination of tenancy, section 97, notice of termination of tenancy.

**Mr. J. Renwick:** Mr. Chairman, I do not want to be out of order. I want to deal with the problem that I raised with the Attorney General in the first instance. I must say it was a brief respite to have the member for Downsview intervene in the debate, but I come back to the basic point. I do think that the relationship which permits a landlord to provide himself with an option by way of a clause in the lease—

**Mr. Chairman:** Now the hon. member is quite repetitious.

**Mr. J. Renwick:** All I am asking, then, would be that the Attorney General would address himself to that particular problem in order to assist me, because I would not want to be repetitious.

**Mr. Chairman:** The hon. Attorney General has done so on one occasion. Does he care to comment any further?

**Hon. Mr. Wishart:** I am afraid, Mr. Chairman, I cannot add much to it without being repetitious.

**Mr. Bukator:** Mr. Chairman, I have not taken any time of the committee or the House on this subject—

**Mr. J. Renwick:** Well go right ahead.

**Mr. Singer:** The member has the permission of the member for Riverdale.

**Mr. Bukator:** But let me tell you, I heard the member for Wentworth speak for half

an hour on a subject which he knew absolutely nothing about—

**Hon. Mr. Grossman:** And that is not easy.

**Mr. Bukator:**—and I have listened to many members speak on this issue.

**Mr. Deans:** That takes skill, I might say.

**Mr. Bukator:** Yes, the kind of skill the member has acquired. I do not want any part of.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. Bukator:** I may not have any skill, Mr. Chairman, but I have had some experience with landlords and tenants.

**Mr. Deans:** Especially with landlords.

**Mr. Bukator:** The interjections of these disrespectful members of the Legislature I do not have any respect for—

**Mr. Lewis:** Oh, try to be congenial.

**Mr. Bukator:** I think in all fairness, Mr. Chairman, one should be able to speak on the subject without these interjections. I would like very much if they would extend the same courtesy to me as I have extended to them. I have not interjected at any time with any comments.

Interjections by hon. members.

**Mr. Chairman:** The hon. member for Niagara Falls on the matter of notice of termination of tenancy.

**Mr. Bukator:** I took over a project in the city of Niagara Falls—

**Mr. Singer:** The member for Riverdale dug himself in and now they are trying to extricate him.

**Mr. Bukator:**—whereby there were leases I handled. I am a real estate broker; I know something of the problem.

**Mr. Deans:** The member certainly does.

**Mr. J. E. Stokes (Thunder Bay):** He has a vested interest.

**Mr. Bukator:** I did take over a project where there were apartments for rent. They did sign a 12-month lease. They paid two months in the first instance, the last month first, so to speak. They did go through the 11 months of that particular lease, and on the twelfth month they came to me as their

agent and said: "I may not renew this lease. I would like to use up the credit that I have and would that be all right with you? I will give you my notice to move out." Or they would say: "I would like to renew the lease." And others did say to me: "I would like to stay on a month to month basis."

**Mr. Lewis:** What did the member say to them?

**Mr. Bukator:** In every case I agreed with them. Finally, when the lease expired, they did use up that deposit they put with us and then they paid me on a month to month basis.

I had the right, I felt, to terminate that verbal agreement with them in 30 days, and I gave them the same kind of a proposition.

As a matter of fact when they did renew their leases with me, because in this particular case I have provincial police living in some of these apartments, some of them were mounted police, I gave them an escape clause, whereby in 30 days, because they were transferred to other jobs, their leases expired. That made it good business simply because the people that I represent have very, very few vacancies in these apartments and I have a waiting list of people wanting to rent.

**Mr. J. Renwick:** Of course. There is a housing shortage. They have to take your terms.

**Mr. Chairman:** Order.

**Mr. Bukator:** This very unfair individual who interjected knows nothing of what they paid or how they were treated. I know I have satisfied tenants and I know these rattle-brainers on the left of me know nothing of what they speak except they are taking up the time of this House just to make some kind of political capital. Political capital they think they are making, but I was amazed at the time that was taken up both in committee and in this House by people who know not of what they speak, and I decided then, Mr. Chairman, that I should make this interjection.

**An hon. member:** The great white god.

**Mr. Bukator:** Not the great white god. I have treated fairly because most people are fair.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. L. M. Reilly (Eglinton):** That is a fine Christmas spirit.

**Mr. Bukator:** As a matter of fact with the tenants that we have, it is Christmas every month. We treat them right. I thought there were no problems anywhere in the province. Apparently these particular members have some problems on behalf of some tenants.

**Mr. Chairman:** Order! Section 97.

**Mr. Bukator:** Never did I think so early in the year and so close to Christmas that people could be so unfair. Here I am giving you facts as they are recorded. Tenants who are very pleased with their lot in life; a landlord who is making naturally a good profit on his investment. Well I tell you—

**Mr. Lawlor:** Why do you not sell the Rainbow Bridge to the Indians?

**Mr. Bukator:** I think if we had a few people around as intelligent as you are they might buy it, but they do not want the Rainbow Bridge.

**Mr. Chairman:** Section 97 carried?

**Mr. Bukator:** No, let me get back to the subject of rent control.

Interjections by hon. members.

**Mr. Bukator:** I never knew anyone to be closer to being on the point as I have been. I speak to this House, to supposed hon. gentlemen in the House.

**Mr. Lewis:** How many tenants do you have?

**Mr. Bukator:** Many.

**Mr. Chairman:** Order!

I would ask that the hon. member direct his remarks to the chair, please.

**Mr. Bukator:** Mr. Chairman, whether they be 500 or 50 or 25, the fact still remains that the landlord and the tenant in this particular case let that lease run out. They had the last month first and they used that up and then they paid on a month to month basis. If they want out, we let them out in 30 days.

**Mr. Lewis:** I think the hon. member rents a duplex.

**Mr. Bukator:** We rent duplexes too, yes.

**Hon. J. Yaremko (Minister of Social and Family Services):** Are you implying there are no landlords on the NDP benches? I will exchange my rents for yours!

**Mr. Chairman:** Order.

The hon. member for Niagara Falls.

**Mr. Bukator:** Talk about disrespect! Members of the Legislature that I thought were intelligent men, making such simple interjections and silly interjections when we are talking about such a serious problem.

I am going to repeat what I said. We had leases, we not only had leases, but they expired. We now rent on a month to month basis. We will give them leases should they desire. The tenant and the landlord are happy about the proposition and I took it that most small municipalities throughout the province had no problems.

They appear to be in Toronto, most of them, and nowhere else, and I wonder how many you have here and does the particular time that we use up in this House warrant the time that was spent for very, very few people that are being hurt?

Sections 97 to 105, inclusive, agreed to.

**Mr. Chairman:** On 106? The hon. member for Lakeshore.

**Mr. Lawlor:** In order to spare the committee a certain amount of prolongation of business, and because the matter is somewhat complex, I said to the Attorney General that we would distribute to those who were interested on the committee, a brochure from the American Bar Association published in the *Harvard Law Review*, a fairly lengthy piece of business on retaliatory evictions.

A retaliatory eviction is where a landlord, because a tenant has asserted some right that he has by law, takes it out on him; where the landlord says "get out," or "I am going to increase your rent," or "I am going to disservice you, I am going to take away some of your services." There are any number of circumstances where the landlord can teach the tenant a good lesson, or divest himself of the tenant completely because the tenant simply asserted those rights which are given to him under our law.

This law goes to some distance in some of its aspects. While is generally a removable lot of flotsam and jetsam that has come down through the ages and to that extent is beneficial when we get to the crux point, this area is new law.

Only one state in the United States, the state of Michigan, has a retaliatory eviction clause which is far tougher in its implications than the one I am proposing to the Legislature tonight.

The Attorney General, following the law reform commission, has embodied in this legislation, and to the extent that it is there it is highly beneficial, and he is to be commended that 106 is the first semblance of retaliatory eviction clause in Ontario law.

It says to the landlord under certain circumstances, "You may not get rid of your tenant simply because your tenant had the gumption to stand up for himself."

But where it leaves off—and I think the Attorney General must agree with me—is that whereas 106 says first of all you will not get rid of a tenant, evict him, without a writ of possession through the courts, that is a major step forward because up to this time they have been using bailiffs who come along and simply lock tenants out.

Or on one occasion to my knowledge, they locked a woman in while she was in the bathtub. They put the padlock on the door and she could not get out of the apartment, much less get in. They went away, of course, and she hammered on the door. I think she finally had to be rescued out the window by the fire department. But in any event, this sort of thing happens and can no longer happen under this legislation.

The notice to quit, it leaves up to the judge.

If it appears to the judge that a notice to quit was given because of the tenant's complaint to any governmental authority of the landlord's violation of any statute or municipal bylaw dealing with any health or safety standard, including any housing bylaw—

That is great as far as it goes, but the subterfuge, the chief device that will be used by landlords is not because the tenant has complained to him on the basis of some building code or health bylaw, but he will simply say: "You are undesirable to me, I am going to increase your rent". By a simple process he effectively makes your whole section a laughing stock.

He does not have to come up against what you have sought to guard against. There is a simple way around it, as I say. He will simply say I am increasing the rent and he will increase it to a punitive degree. He will increase it to the degree where he thinks he will force the tenant out without having to face the possibility of section 106, which you have gone to great trouble with.

In the next clause, 107, you make it a penal provision, you made it a criminal offence for the landlord to so assert any form

of authoritarianism or arbitrary power over the tenant simply because the tenant stood on his own two feet.

You have said it is not just a question of civil jurisdiction, but a question of a quasi-criminal case. Nevertheless, you have left the barn door wide open so that all those horses that we could not see this afternoon are now plainly visible, running across the meadow.

What is the point in passing legislation, in bringing legislation into being, when the most obvious and grievous way of reducing your legislation, of undermining it and making it completely stupid, is apparent? So in order to preclude that possibility, I move the following amendment:

That Bill 234, An Act to amend The Landlord and Tenant Act, be amended by appending to paragraph 106, subsection 3 as follows:

If it appears to the judge that the termination of the tenancy is a penalty, based on the landlord's attempt to increase the tenant's obligation, including an increase in rental or other charges—

And so on, listing other devices.

There are many diverse ways, Mr. Chairman, in which, apart from the straight gross increase in rental, the penalization of the tenant may take place, by way of clauses placed in leases, by way of covenant or a decrease of services to which the tenant was entitled. These are entitled to the tenant already. The landlord may attempt to withdraw these services in order to penalize the tenant, arising out of the tenant's complaint as set forth in subsection 2, made either individually or because the tenant was a member of a tenants' association. The judge may refuse for a period of six months after the said complaint to grant an order or writ of possession and may declare the notice to quit invalid and the notice to quit shall be deemed not to have been given.

Sometimes limitation seems to be necessary. You cannot go on indefinitely precluding the landlord from either increasing the rent or from punishing the tenant. Somewhere along the road it must be surceased.

If you look at the legislation published in the *Harvard Law Review*, you will see that the American device of triple or quadruple penalties, either by way of the damages that the tenant may suffer as a result of being forced to move, or in the amount of the actual consideration or rental being charged, if the landlord tries to bring this procedure to bear, would be brought against the land-

lord. The American jurisdiction would really punish the landlord before attempting to subvert justice or the law as written down by undermining the tenant's position and preventing the tenant from asserting his rights as established in legislation.

I say the American jurisdiction would severely punish; it would give triple or quadruple damages. And if you look at the Michigan statute as contained in the law reform committee's report, it does penalize the landlord in a very much more severe way than I attempt to do. But I would think the simple way of doing it would be to simply set a time limitation which would act as a severe, a goodly deterrent to any landlord who would assert arbitrarily and against the common weal this particular kind of malediction upon the head of his tenant.

The legislation as it presently stands, I say, is a barn door swinging wide open. It does no such thing; it does not act as a deterrent to any landlord; he can easily circumvent. And for the Attorney General to leave such a loophole gaping open invites the landlord to utilize the alternative methods which I am seeking in the amendment to preclude.

The simple expedient of increasing the rent is all he needs. If he does that, the section 106 may be kissed by this Legislature out the window. It has no efficacy. It has no purpose and therefore since this matter was not raised because we want you to consider the various texts that we had prepared and during the course of the committee—and this is one area I reserve for comment in this committee of the whole House—I would ask that the Attorney General take it under consideration.

Does he not think that there is a gaping hole, as things presently stand? Is it not necessary if your legislation is to have any effect at all, to move in on that hole, to close it up, at least in part? Perhaps the Attorney General has a better means of devisal than I have for doing so, to permit landlords to avail themselves thus easily of a way in which to shortcircuit your legislation, I think the Attorney General himself must feel, renders that clause pretty meaningless as it presently stands.

I know his intentions are good in this regard. He is following the law reform commission and the way in which he worded it is short, it is succinct and intelligent, leaving it to the discretion of a judge who in the course of a hearing, by reading between the lines and weighing the evidence, can discover,

rather than the way in which the Americans have done so. Nevertheless, in this one crucial point, the bill is defective and crying out for remedy.

**Mr. Singer:** Mr. Chairman, I think the amendment proposed by the hon. member for Lakeshore, phrased in modest language, stands in interesting contrast to some of the convoluted thinking of his colleague, the member for Riverdale. I think he presents a very good case insofar as making the provisions against retaliatory eviction meaningful. It would seem to me that if this section that he proposes is adopted, there would be a reasonable discretion vested in a judge before whom an application would come to determine whether or not in fact a landlord has resorted to an attempt at evicting as a retaliation for some apparent sin of the tenant.

I too have examined the various proposals put forward by the American authorities and I think they go too far within the Ontario context and I would think that the suggestion put forward as an amendment by the hon. member for Lakeshore has very substantial merit. We will support this amendment, Mr. Chairman, and I would urge upon the Attorney General that he accept it.

**Mr. Chairman:** I must point out that I have no amendment.

**Mr. Singer:** I say to the member for Lakeshore, the Chairman does not have his amendment.

**Mr. Lawlor:** He does not?

**Hon. Mr. Grossman:** It is a good idea to give the Chairman one.

**Mr. Lawlor:** The Attorney General has it, Mr. Chairman. The Chairman is the only one without it!

**Mr. Chairman:** Mr. Lawlor moves that Bill 234, An Act to amend The Landlord and Tenant Act, be amended by adding to paragraph 106, subsection (3) as follows:

If it appears to the judge that the termination of the tenancy is a penalty based on the landlord's attempt to increase the tenant's obligations, including an increase in rental or other charges, or a decrease of services to which the tenant was entitled; and arising out of the tenant's complaint as set out in subsection (2) made either individually or because the tenant was a member of a tenants' association, a judge may refuse, for a period of six months after the said complaint, to grant an order or

writ for possession and may declare the notice to quit invalid, and the notice to quit shall be deemed not to have been given.

**Hon. Mr. Wishart:** Mr. Chairman, I should like to say a few words about this amendment. The section in the Act which we are discussing is again an implementation of the recommendation of the law reform commission, found on page 81, recommendation No. 22.

The law reform commission set forth there actually the very same language we have adopted in this section and gave its reasoning and background of why the section, what language should be used and how far it should go. The language which they used and which we have adopted in the Act was confined to the case where it would appear to the judge that the notice to quit was given because of the tenant's complaint to some governmental authority of the landlord's violation of a statute or municipal bylaw dealing with health or safety standards including any housing standard law or of the tenant's attempt to secure or enforce a legal right.

These are definite things. These are things you can ascertain, that there was, as in subsection a, a violation by the landlord of a statute; that there was a violation of a municipal bylaw dealing with health or safety, or a housing standard bylaw; that there was an attempt by the tenant to secure or enforce a legal right—things which can be established, ascertained and determined.

Now to carry the thing further than that and to say that simply because a tenant joined an association, a tenants' association, that the judge then has to make up his mind that was a reason that the notice to quit is given, is going a long way afield. You have not got the right to bring it back to him. You have not got a situation where you can say the landlord was in default, you have not got a situation where the tenant was seeking to enforce a right. You are simply saying that because he joined a tenants' association the judge may, in such circumstances say, "Well I think this is retaliatory. So for six months the landlord may do nothing; he may not even raise the rent or exercise his right to the power to re-possess.

I think this is a great extension of the principle which is accepted—that a landlord should not be retaliatory. I think you must have some definitiveness to it. You must bring it to some situation where you can say, "The landlord was in fault; the tenant tried to correct his default or his fault or the tenant

was seeking to enforce a right which he had." But simply to say that because the tenant joins an association you imply retaliation—this is what I felt in our discussion in the committee on legal bills you are implying—on the part of the landlord, an adversary attitude to tenants because they joined an association; you are going to carry it into a court and let the judge say "That is an attitude which I will presume or find that the landlord had!" I think that that is a bad example altogether.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, may I ask a question of the Attorney General?

**Hon. Mr. Grossman:** How would you define tenants' associations?

**Mr. Trotter:** Using as an example where a landlord has told a tenant to quit, because he has joined a tenants' association—

**Hon. Mr. Wishart:** You mean to say that is in the notice?

**Mr. Trotter:** No. It may be that a judge may find it as a fact, that the landlord has thrown this tenant out simply because he has joined the tenants' association. Would it not be quite possible to do so on the same grounds that the labour relations board will find, as a fact, that a union employee was fired because he attempted to form a union or take part in a union's activities? That board could find that as a fact.

**Hon. Mr. Grossman:** You would have to certify tenants' associations.

**Mr. Trotter:** Why could not a judge find the same thing if a tenant belongs to a tenants' association?

**Hon. Mr. Wishart:** I think a judge would be going pretty far to find that as a fact. I mean on what basis would the judge find? This is the point I make, that we have here definite things which the judge can see, can ascertain; that the landlord has defaulted, that the tenant had a right and that he sought to obtain it. Now for the judge to find as a fact that because a tenant joins an association the landlord is retaliating when he says "Your rent is up \$10 for the next year," I think is going too far afield.

In our discussions in committee we had tenants' associations and we had landlords' association or landlord groups there; I think they were associations. I was going to say something about this when we discussed the previous section before we adjourned at six o'clock. Those associations, I think, we will find will be coming together. I think if one

of my hon. colleagues across the House had not said that the tenants are being terrorized, I might have made some progress even on Wednesday last.

**Mr. Lawlor:** I said it in Latin.

**Hon. Mr. Wishart:** Yes, he said *in terrorem*. He used Latin. I think it is bad to imply certain motives.

**Mr. Lawlor:** You are back in one of those manic moods.

**Hon. Mr. Wishart:** It would be a mistake to put in the statute that just because tenants join an association, there has to be an opposing situation, an adversary situation, between landlord and tenant. I cannot accept the extent to which this amendment goes beyond the recommendation of the commission and beyond what is in the Act.

**Mr. Lawlor:** Mr. Chairman, what is the point, I ask the Attorney General, through you, of passing legislation through which you can drive a box car? He addresses himself—seriously, he is becoming a twinkle-toed politician as Christmas comes, he gives off little filigrees of light. You notice the way in which he will go off on a red herring—the red herring being that he starts talking about tenants' associations. I am talking, formally and fundamentally, about an increase in rent.

Curiously enough, the Attorney General as may fit his legal status in this Cabinet, is formalistic and legalistic. When it comes to the pocket book he shys away; where the problem becomes one of an increase in rent. What could be more tangible than that?

You pointed out the breach of a municipal bylaw. I am saying to you nothing could hurt more than an increase of \$25 per month in your rent.

Any judge could well understand this. Whether it is done vindictively or illegitimately, you want to punish a tenant as a result of any number of other things; as a result of joining a tenants' association or making any of these complaints. That would be where the axe would fall and where things become important. All the legerdemain, all the dance of the ostriches out in the alluvial plain that we are doing at the moment has very little importance against the actual wording of these sections in the day-to-day life of the people.

It is where a landlord comes along and says: "I do not like you. You raise certain things; you complain to the health department about me not putting heat on in your apartment. I am going to increase your rent and I am



going to drive you out. Do not try to bring this section against me in court because—"

**Hon. Mr. Wishart:** That is correct. That is covered if he complains about the health situation.

**Mr. Lawlor:** Yes, but the grounds have shifted, and you have not precluded what you can do. It is within your power. He is going to issue a notice through his lawyer or by himself that your rent from the beginning of the next month, is now \$135 not \$100 a month.

**Hon. Mr. Wishart:** Just because he joins the association?

**Mr. Lawlor:** Just because he complained. He is a pain in the head! Get rid of all the pains in the head.

**Hon. Mr. Wishart:** The complaint is covered. That is the point I make.

**Mr. Lawlor:** The point I am making is the opposite one; that the landlord may illegitimately within the terms of your section, increase the rent. You are not precluding them from doing so. And when he goes before a judge the tenant will say: "But, your honour, it was, because I complained to the health department that he was not supplying heat at the proper time that I am being forced out." And he says, "But, your honour, it is not true. Simply economically, I was forced to increase his rent by 75 per cent, which I am quite legitimately entitled to do under the terms of the statute. I need the money because I intend to spend six months in Ceylon." The judge is forced to regard the landlord as perfectly, legitimately, within his contractual terms in increasing the rent—The Landlord and Tenant Act I am talking about. He increases the rent and he forces the tenant out and you have lost one more good tenant, one more tenants' association.

**Hon. Mr. Grossman:** What is the question?

**Mr. Lawlor:** Please, I would be willing to take out the clause having anything to do with tenants' associations, any mention of it, if you will consider the possibility of using punitive economic measures to enforce the hand of a tenant who legitimately complains against the landlord.

**Mr. Chairman:** Any further questions?

Will Mr. Lawlor's motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion the "nays" have it.

I declare the motion lost and subsection 106 carried.

Subsection 107.

**Mr. Lawlor:** On 107, Mr. Chairman. In committee, I was grievously afflicted and misled and I rise to protest this vigorous malaise of being so hoodwinked by the Attorney General and his various minion servants.

**Hon. Mr. Grossman:** I cannot believe that.

**Mr. Lawlor:** This is the truth, Mr. Chairman.

I have an amendment here which I have moved in committee. As is my wont, with great humility and even in a state of humiliation, I withdrew it in a shake, put down in my chair, because the great name McRuer was invoked against it. The amendment said that after the word one thousand, which is the last word in this section, a further remedy would be vouchsafed for the eternally enduring tenant. It would be that the judge may make an order according payment to the tenant of any outstanding security deposits.

Rather than have people going to two or three courts on a multiplicity of matters, it seemed to me a very sensible thing, a very discreet thing and in the cause of the public purse, to save money both for individuals outside and for the government as a whole. Because of loss of time in the courts and to get on with the job, to do a number of things at the same time. The confusion, apparently, and the great complexity that arises from trying to do more than one thing at a time, puzzles the mind of certain authorities in power here.

What I wanted them to do, under sections 83 and 84, which is mentioned in this section—if you will look, Mr. Chairman, under 107, the landlord is obliged first of all not to charge a damaged security deposit of a certain—only the last month—if he does so, he is subject to a number of things. He is subject to civil action, his lease may be called into question, but apart from that, he may be hauled before a provincial court judge and fined up to \$1,000 for doing that.

Secondly, if there are already security deposits in restitution tonight, and the landlord refuses to return those security deposits under certain conditions as outlined in this Act, then again the landlord may be punished by way of a fine at the criminal court level, quasi-criminal offence of a provincial fine.

And I already said, if the provincial court judge, in the throes of making this corpuscular decision, comes to the conclusion that the landlord has failed to abide by the terms of the statute and not returned the deposit within 15 days without any remote justification for his not doing so, then the judge may fine him. I say, why can he not, in the same breath so to speak, say: "Return that deposit, give it back to that tenant, I order you to do so as part of my judgment. If you do so, the punishment will not be so great. As a matter of fact, I may even give you a suspended sentence, but if you do not do so, I promise you, you blue-eyed puck—or something like that—you will have a \$50 fine to pay the week after next."

Now this is the kind of thing the Attorney General refuses to do. And he says, through his amanuensis, who sits at his elbow, that—

**Hon. Mr. Grossman:** You are not referring to me, are you? If you are, I want to know if that is parliamentary language.

**Mr. Lawlor:** An amanuensis, as I say, as Cicero used to say to the people who wrote down everything he said—and that is what we have *Hansard* here for—he said, "But this offends a central principle of McRuer. If you do that, you are combining civil with criminal jurisdictions and you are confusing, you are mixing everything and you are making a mess of things."

Once, as I say, the word McRuer, that magic word, was mentioned—

**Mr. Singer:** Everyone bowed down!

**Mr. Lawlor:** Everyone bowed down! My throat tightened up, and I could no longer really breathe—

**Hon. Mr. Grossman:** I did not know McRuer was that powerful.

**Mr. Lawlor:** And then I said to myself, I turned to the member for York East (Mr. Meen), and I said, "Arthur, do you know what McRuer really means?"

He said: "Do not reveal your ignorance."

And I said: "I read most of that stuff, but I cannot remember any such principle being enunciated by McRuer. I think it would be a most fallacious thing, and a man of his intelligence would not possibly say such a thing and McRuer says do not show your intelligence." So always being under some kind of cloud and being dainty about these things and being vain—vain, Mr. Chairman—and not inclined to disclose my ignorance, I

shut up. But then I went home over the weekend and I ran through a great deal of McRuer, and I have asked the Attorney General's department—

**Hon. Mr. Grossman:** Now you are going to disclose it.

**Mr. Lawlor:**—and a number of others to show me where in McRuer, this munificent principle is contained. Lo and behold, he vanishes as the morning dew. There is nothing saying McRuer—oh, they will point out passages where it has something to do with costs, where a criminal court judge may not impose witness fees and sheriff fees and the whole cost against the individual, or as it was pointed out to me in passages at 532 of McRuer where the distinction between the work of a magistrate and criminal jurisdiction over against a juvenile court judge ought not to be confused; Lord help me, no one ever confused that. The point about it is, do you not wish to save money for the province and expedite the work of the courts, by giving a single jurisdiction? In area after area of the law, this is given. It is given under your provincial law, it is given under the wages Act that a judge may order—if you complain that an employer has not paid you your salary, you may take him before a provincial court judge or a magistrate and have your salary ordered paid. It is an expeditious, quick, efficient proceeding.

If a man had to sue in order to get his wages for that week by going through the division court, he would starve to death seven times over. This is just one area. I think under The Petty Trust Act there is similar coalescence of civil and criminal jurisdiction.

Under the Criminal Code, as the Attorney General well knows, there is a series of restitution sections that that very judge, in making the judgment in a criminal case, may order for fraud and for other reasons, compensation to individuals.

Section 629 of the Code, as it was in 62 and 630, gives the terms of the orders of restitution. We can go on for some time reading these sections, but I do not think it is necessary. This is already well accepted and a known facility written into our law, and I do take some umbrage in what I consider being not too basically misled, but misled enough to assist in the argument of that time.

In any event, you have no bolster in McRuer for the contention. Please do not invoke that high and holy authority on your side, because he is not there. If you want to take the position that I am making a mis-

take in this regard as to what the jurisdiction and faculties of the court ought to be on your own hook, so be it. But I say you cannot shield yourself behind any other epiphany or any other implication you may dream up.

I think it is damn unfair for the hon. members of the House to invoke these names and not to be able to bear it out. In any event I would therefore take up the time deliberately, since I feel I have been somewhat misled and deliberately ask you to reconsider this situation.

If you cannot invoke McRuer in this, what do you invoke? If McRuer felt there was something wrong he undoubtedly would have said so. He said a great deal about civil liberties and the rights of courts and what they ought or ought not to do. He never said anything about this. Expediting and/or offending against multiplicity of proceedings in civil courts on the same matter as is perused by a criminal court, and the reduplication and waste of time and enormous expense is something that needs be settled.

**Mr. Chairman:** Is that one which has to do with the penalty involved?

**Hon. Mr. Grossman:** No, he is just shelling the Attorney General, that is all.

**Mr. Lawlor:** Not at all. The Attorney General did not give proper cognizance to what I am saying on the earlier occasion. He invoked the deity, and his deity has been dissipated.

**Hon. Mr. Grossman:** Oh, that is unparliamentary.

**Mr. Lawlor:** Well, if your gods go up in smoke you cannot hang onto them, they are not tangible, that is all I am saying. I am saying that he was using a wrong authority in saying that I was wrong in invoking this principle, and he relied upon that principle in rejecting what I consider a perfectly sane and fundamental point. As practising lawyers we feel that there is a great deal to be said for this—

**Mr. Chairman:** Has the hon. member an amendment?

**Mr. Lawlor:** If his wraith has gone up in the mists there is no longer any validity to what he said from the point of view of McRuer. Then what does he say now—he no doubt continues to say he does not like it, but he no longer can invoke the higher powers in order to do so.

If he does not like it, fine; I would like to know why.

**Mr. Chairman:** Section 107?

**Mr. Lawlor:** Yes, I am—

**An hon. member:** He did not read it, did he?

**Mr. Lawlor:** Yes, I did.

**Hon. Mr. Grossman:** You forgot about that.

**Mr. Lawlor:** No, I did not, I read it, but—

**Mr. Trotter:** This is known as Lawlor's law.

**Mr. Chairman:** Mr. Lawlor moves that Bill 234, An Act to amend The Landlord and Tenant Act be amended to add to subsection 107, of section 3, of Bill 234, after the words "exceeding \$1,000" in the fourth line, the following words:

—and the judge may make an order requiring the payment to the tenant of any outstanding security deposit.

All those in favour of Mr. Lawlor's motion please say "aye".

Those opposed say "nay".

**Hon. Mr. Wishart:** Mr. Chairman, we did debate this in committee and what I was mainly concerned with was distinguishing the type of section for which a fine could be imposed from contract sections mainly. I was pointing out that the matter of locking out, trespassing, that of breaking in—one is 83, the taking of money, 84, the withholding of a deposit; 93, the breaking in of the premises; 94, the locking out of the premises; and 106, the retaliatory sections—these were worthy of penalty and worthy of criminal proceedings. But I was mainly concerned with preventing other sections being brought in, in the criminal law, for penalty provisions.

I do not suppose there is any great objection if a judge has heard a case on the withholding of a deposit to his ordering that the deposit be paid over in the amount that is due at the time. I would not greatly object to the amendment.

**Mr. Chairman:** Those in favour of Mr. Lawlor's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

**Mr. Lawlor:** Mr. Chairman, on a point of order. He accepted the amendment. What are you voting for?

Hon. Mr. Grossman: He represents the House, not just the Attorney General, you know.

Interjections by hon. members.

Mr. Chairman: Order!

I am sorry I did not just exactly hear what the hon. Attorney General had said.

Hon. Mr. Wishart: I said I did not object to the amendment.

Mr. Chairman: I did not think he accepted it. I put the motion to the House. It was defeated.

Hon. Mr. Wishart: I accept the amendment.

Mr. Chairman: All right!

Motion agreed to.

Section 108, as amended, agreed to.

Mr. Chairman: On section 109.

Mr. Singer: Mr. Chairman, section 109 is probably the weakest section in the whole Act and I am afraid that the full importance of this new approach to landlord and tenant law is almost made meaningless by the inability of the Attorney General and the Cabinet and the government to accept the very strong recommendation made by the law reform commission insofar as rent review boards are concerned.

What, in fact, has the Attorney General done? He has accepted the first part of the recommendation made by the law reform commission about landlord and tenant advisory bureaux, and if you look at section 109, you must come to the conclusion with me, Mr. Chairman, that the landlord and tenant advisory bureau being nothing more than what it purports to be as set out in section 109, is meaningless pap.

First of all, the law would state that the municipality may set up a landlord and tenant advisory bureau. Now there is no initiative or urging or compulsion on any municipality to do this. There is no indication, Mr. Chairman, where the municipality is going to get any money to do this. Once the municipality does it, and does it out of its own funds, there is no indication of the number of people who would be on the landlord and tenant advisory bureau; there is no indication of the amount of compensation, if any, these members are going to get, and most important of all, Mr. Chairman, there is no power given to this landlord and tenant

advisory bureau. The section states that the functions of the landlord and tenant advisory bureau are to advise landlords and tenants in tenancy matters. Well—advise landlords and tenants in tenancy matters—one would presume that that is one of their duties and that there should be some ability to the landlord and tenant advisory bureau to compel the attendance before them either of the landlord or the tenant, or both.

Certainly if there is a dispute and if there is a difference of opinion as between landlord and tenant, there would be no point in trying to advise both sides to that dispute unless both sides are present. But look as you might through that section, Mr. Chairman, there is no power to the landlord and tenant advisory bureau to ask or compel the attendance of both parties. You go on through subsection (b):

—to receive complaints and to seek to mediate disputes between landlords and tenants.

Now how can you mediate a dispute when only one party is there? Presuming that one party has come to complain and that there is a dispute how can anyone possibly mediate unless there is some power to compel the attendance of the other party? It continues:

—to disseminate information for the purpose of educating and advising landlords and tenants concerning rental practices and rights and remedies.

It would seem to me, Mr. Chairman, that that is a job that is far better suited to a provincial agency, and finally:

—to receive and investigate complaints of conduct in contravention of legislation governing tenancy.

Well, again a very serious fault lies there. How can a body that has no power to enforce law, investigate complaints of the contravention of legislation?

For all of those reasons, sir, and because of the very substantial departure from the recommendations of the law reform commission, it is impossible really that the members of this Legislature can in good faith accept the provisions of section 109 as it now stands. I think to be meaningful, Mr. Chairman, there has to be included as a part of section 109 a reference to a rental review board.

I am going to propose, Mr. Chairman, an amendment to section 109—a substantial amendment to section 109—that will bring it within the recommendations made by the

law reform commission, and bring to this section some teeth, so that the establishment of both the landlord and tenant advisory bureau and the rental review board will serve some useful function.

Therefore, Mr. Chairman, I am moving that section 3, of section 109, be amended by deleting all the words after the word "thereof" in subsection 1, and adding the following:

Subsection (2): The Attorney General shall establish a landlord and tenant advisory bureau in any municipality of the province he deems necessary.

Now, you will note there, Mr. Chairman, the substantial deviation from the theme set forward by the Attorney General. And that is that he, on behalf of the government of Ontario, and not the municipalities, shall in fact set up these landlord and tenant advisory bureaus.

As I said in my earlier remarks, sir, I can see no reason at all why any municipal council would want to get into this kind of business. First of all, the government is urging them to embark on what could well be a substantial expenditure of money. They are providing no method whereby the municipality can get that money back, and worse than that, Mr. Chairman, they are not giving this landlord and tenant advisory bureau any tools with which to do the job he has assigned to them.

Why then would any municipality even think of establishing this kind of a bureau? If the bureau is going to be established at all, surely it must be established by the government of the province of Ontario. And above all, Mr. Chairman, the concept that a local body appointed by the local municipal council is going to embark unilaterally on an investigation as to whether or not a provincial statute has in fact been breached, is just beyond comprehension, Mr. Chairman. And I am surprised that the Attorney General would bring that in.

The only reason he could have brought it forward, Mr. Chairman, would be in an effort to delude the public that in fact he is trying to carry out this very substantial recommendation of the law reform commission. In fact, he is not, and that really is the purpose of my amendment. I think this has to be brought home most clearly.

Then I go on to say in my amendment that the functions of the landlord and tenant advisory bureau are:

(a) to advise landlords and tenants in tenancy matters;

(b) receive complaints and seek to mediate disputes between landlord and tenant;

(c) to disseminate information for the purpose of educating and advising landlords and tenants concerning rental practices and remedies and,

(d) to receive and investigate complaints of conduct in contravention of legislation governing tenancy.

Now, those are the same four provisos that are in the Act we are presently considering. And if I stopped at that point, Mr. Chairman, then I would be subject to the same criticism that I am now levelling at the Attorney General.

But to make this meaningful, there has to be something over and beyond that, and that is why I suggest there be a subsection (3) as follows:

That the Attorney General shall establish rent review boards in any municipality of the province he deems necessary, and such rent review boards shall appoint rent review officers.

The functions and the powers of the rent review boards and the rent review officers are:

(a) subject to the direction of the rent review boards the rent review officers are authorized to investigate complaints of unreasonable rent increases brought to them, to mediate between the parties in an effort to obtain an appropriate settlement of the dispute and to recommend to the parties what increase in rent, if any, is justifiable in the situation;

(b) the rent review board on the application of a rent review officer, a landlord or tenant shall have the power to re-investigate a case where a rent review officer's recommendation has not been followed, or where any party is dissatisfied with the officer's disposition of the case. The rent review board in such re-investigation shall hold a public hearing and have the power to compel the attendance before it of any of the parties to the dispute and the production before it of any documents relating to the dispute.

After making its investigation, the rent review board shall send a copy of its evidence and its recommendations as to what would constitute a just resolution of the case to all parties in the form of a written report;

(c) where the landlord fails to act in accordance with the rent review board's recommendations, the board shall send a

copy of its findings and recommendations, together with the landlord's response, to them, to the Attorney General, and,

(d) the Attorney General shall publish the report of the rent review board.

Now, what I have attempted to set up there, sir, is a four-stage method of investigating these matters. The first is the effort by a government-appointed advisory bureau to mediate on a permissive or voluntary basis. If that does not work, then we get into another government-appointed body, not a municipally appointed body because the municipalities just will not do this.

The government-appointed body shall be a rent review board with the power to appoint investigating officers, the investigating officers can investigate and again attempt to mediate. There is a little more teeth in that.

If that does not work, then finally the rent review board will have the power to summon the people before it, to insist that they appear, and to subpoena documents. I do not think, Mr. Chairman, without those powers, that there can possibly be any purpose in having any kind of review procedure.

Finally, I provide that there has to be a public hearing because if the rent review boards are going to work in any way at all, they have to be open to the glare of publicity. Then there is a procedure for the reporting of the decision to the Attorney General and the fact that the Attorney General should publish the report.

Hopefully, Mr. Chairman, with this kind of an approach, which is the approach that is recommended by the law reform commission, we can bring some meaningful review to landlord and tenant disputes and intelligently discuss in a public way if necessary, the question of runaway rents.

I would hope, sir, that this kind of step would be sufficient to avoid at some future stage the imposition of not only rent controls, but all the other kind of controls that must come with rent control. It seems to me that after the very careful study that the law reform commission did and their lengthy comments on this particular question, that the Attorney General can do no less than go along with a rent review board. And if he is going to go that far, then he has to make that rent review board a meaningful body with some authority.

There has to be an ability to compel the attendance before that board of the parties to a dispute and to compel the production of documents that are relevant to that dispute.

Without that, sir, all of the rest of the procedure as set out here and the ability to bring public opinion to bear on this kind of dispute and the whole effect of it, is completely lost. That is probably the weakest point of the bill as the Attorney General has presented it to us.

I know, sir, in presenting this amendment, that there is going to be the suggestion that was made in committee by the hon. Minister without Portfolio, that he does not like the procedure suggested by a rent review board.

Hon. A. B. R. Lawrence (Minister without Portfolio): I detest it.

Mr. Singer: Well, all right, he detests it.

Mr. J. R. Breithaupt (Kitchener): He does not like it either.

Mr. Singer: He says he does not think that the board is a fair method of procedure. He has a long string of phrases that he will apply to it, and I am sure we will hear from him before this segment of the debate is over, Mr. Chairman.

However, I do say this, we are faced with a very serious situation in the province of Ontario. We are faced with a shortage of land on which apartment buildings can be erected, we are faced with greatly increasing costs insofar as mortgage financing is concerned, we are faced with increased costs of labour, increased cost of material, increased local taxes and so on. And we are faced with a serious concern—that is why we have this bill before us—of protecting tenants.

Mr. Chairman: Order!

Mr. Singer: Yes?

Mr. Chairman: May I point out to the hon. member, it is my opinion that this motion, while it appears to be in order in the first section, the proposed subsection 3 creates and adds a new principle to this bill, the principle of the bill having been debated on second reading, provides for landlord and tenant advisory bureaus, whereas this motion would change that principle to create a rent review board. On that basis, it is my opinion it is out of order.

Mr. Singer: Well, Mr. Chairman, on a point of order, I cannot accept your ruling.

Hon. Mr. Grossman: You have to.

Mr. Singer: Yes, I am going to if he is going to stick to it. The fact is, Mr. Chairman, that we have been debating the whole

principle of this Landlord and Tenant Act for the better part of a week. In fact it is based on, and the Attorney General has admitted that it is based on, he takes pride in the fact it is based on the report of the law reform commission.

One of the important recommendations of the law reform commission was the process of review. He deals with the process of review in section 109, and I am suggesting, Mr. Chairman, that the process of review to be a complete story, should be substantially, not completely but substantially in the form that I put forward in my amendment, and that the principle in section 109 is a review procedure. What I am suggesting is a form of review procedure.

**Mr. Chairman:** The hon. member had risen on a point of order. He has made his point.

**Mr. Singer:** Right.

**Mr. Chairman:** I would say at this point, though, that I do not believe that it constitutes any point of order because the subsection 3 is a new principle of the bill and as such it is my ruling that it is out of order.

The ruling is not debatable. It may be challenged.

**Mr. Singer:** Well, Mr. Chairman, with reluctance I will have to challenge your ruling because if the debate on this is going to be cut off on a point of order, we debated it in committee, then you are emasculating the whole purpose of the debate. I challenge the ruling.

**Mr. Chairman:** I have ruled it out of order.

All those in favour of the ruling will please say "aye."

Those opposed will please say "nay."

In my opinion the "ayes" have it.

Call in the members.

For the information of the members of the committee, I should point out that we are dealing with section 109, landlord and tenants advisory bureau. Mr. Singer has proposed an amendment to the section which would create a rent review board.

On the basis of that, it was in conflict with the principle of this bill, it created a new principle, I ruled the motion out of order.

The question, therefore, is, shall the Chairman's ruling be sustained or not?

Therefore, all those who are in support of the Chairman's ruling, will please rise.

All those who are opposed to the Chairman's ruling, will please rise.

Order!

**Clerk of the House:** Mr. Chairman, the "ayes" are 51, the "nays" 31.

**Mr. Singer:** Mr. Chairman, in view of the decision by the committee, obviously subsection 3 of my amendment is out of order. However, subsection 2 still stands and I put that as an amendment.

**Mr. Chairman:** All right.

**Mr. Singer:** I have spoken on that already so I am not going to repeat it.

**Mr. Chairman:** I must point out that we now have another motion before the committee, but I must also point out that the procedure rules call for a 10:30 adjournment. The time is now 10:35. Unless the hour for adjournment has been otherwise ordered, I would have to have the concurrence of the committee to continue dealing with this bill.

**Some hon. members:** Agreed.

**Mr. Chairman:** Therefore, Mr. Singer has presented a motion which is an amendment to section 109 and, in view of the time lapse, I think I should take that motion—

Interjections by hon. members.

**Mr. Chairman:** It has been moved by Mr. Singer that subsection 3, section 109, be amended by deleting all the words after the word, "thereof" in subsection (1) and adding the following:

Subsection (2): The Attorney General shall establish a landlord and tenant advisory bureau in any municipality of the province he deems necessary.

The functions of the landlord and tenant advisory bureau are exactly the same as recited in section 3 in the bill before us.

Those in favour of Mr. Singer's motion, will please say "aye".

Those opposed, will please say "nay".

In my opinion, the "nays" have it.

Section 109 agreed to.

Sections 4 to 6, inclusive, agreed to.

Bill 234, as amended, reported.

Hon. A. F. Lawrence moves the committee of the whole rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill without amendment and two bills with amendments and asks for leave to sit again.

Report agreed to.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, in moving the adjournment of the House, I believe the intention is that the House will sit at ten and there will be a half

an hour question period. Between 10:30 or whatever the hour is, and 12, I believe there are Budget speakers, sir. And from 12 to one, the workmen's compensation board debate. I think that would clear the decks then for the three wind-up speakers on the Budget debate to begin at 2 o'clock.

Hon. A. F. Lawrence moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:40 o'clock, p.m.





# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, December 17, 1969  
Morning Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 17, 1969

The House met at 10 o'clock, a.m.

Prayers.

**Mr. Speaker:** We may anticipate this morning visitors in the west gallery from the Meaford Elementary School, in Meaford.

Statements by the Ministry.

**Hon. C. S. MacNaughton** (Provincial Treasurer): The members will recall that I provided some details of the comprehensive review being conducted into our pension programme during the debate on second reading of the recent amendment to The Public Service Superannuation Act. That study is proceeding as quickly as possible but, because of its wide scope, it will require many months to complete. In the meantime, the government has accepted an interim recommendation from the steering committee which will provide additional benefits to those who are in greatest need of assistance.

I am pleased to announce today that, in line with the recent adjustment for teachers' superannuation benefits, the government has approved a new minimum of \$2,100 per year for former Ontario public servants who are receiving superannuation and disability benefits from the Public Service Superannuation Fund. This replaces the \$1,200 minimum established in 1967.

The new base will include any amounts to which recipients are entitled under the Canada Pension Plan.

Widows of former Ontario public servants whose 50 per cent pensions are less than \$1,050 will receive additional payments to bring their annual benefit up to one-half the new level.

Corresponding benefits will also be provided to those who are receiving annuities from the fund in respect of ten or more years of contributions. These are employees whose benefits were actuarially adjusted because they retired before 65 years of age. The additional amount for these persons will be adjusted at the rate of five per cent for each year the annuitant was under 65 at the time his annuity commenced.

These increases will be effective January 1, 1970, and they will provide augmented payments for more than 2,500 pensioners and annuitants and approximately 1,400 widows. The cost will be borne by the consolidated revenue fund and will total about \$2 million for the first full year.

This interim measure will not prejudice any final recommendations that may develop from the full investigation now taking place into the pension programme. The steering committee is studying the funding principles of our plan, in comparison to those incorporated into plans provided by the private sector and other governments. This involves consideration of the related government guarantee, the actuarial deficit and interest rate of the fund.

The review is examining the pension contributions of both employee and employer, the corresponding benefits and the regulations governing them. This includes, for example, the 50 per cent provision for widows and other elements that have been questioned by the members. Further consideration will be given to the adjustments that might be made to benefits for existing pensioners to compensate for the inflation problem. In addition, some unique questions are being reviewed in many of our Crown agency plans.

This outline of the study will indicate why the current review will not be completed for some time. For the intervening period, the new minimum provision will give immediate assistance to those who retired some years ago from government employment with a small pension. I trust the members will welcome this additional consideration for those who have contributed many years of service to this government.

**Mr. Speaker:** Statements by the Ministry.

**Hon. T. L. Wells** (Minister of Health): Mr. Speaker, because I realize that all members of this House are very concerned about the problems of drug use and abuse in this province, I thought I would have placed on the members' desks today a copy of the preliminary brief which was presented to the commission of inquiries into non-medical use of drugs. This brief was prepared by the research

staff and the executive director of the Addiction Research Foundation and was presented to the Le Dane commission last week.

I should draw to the members' attention that it is a preliminary brief. It is an analysis of background material on this matter and it does not include any views on changes in legislation, provisions of treatment services or on educational or public health measures. Now all these things will be covered in a further brief which the Addiction Research Foundation will be presenting to the Le Dane commission some time in the next year.

**Mr. Speaker:** Statements by the Ministry.

Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, a question leading from the statement made by the Treasurer. Is the investigation that he reported on this morning taking into consideration all of the pensions associated with the various emanations of government, or just a public service pension plan?

**Hon. Mr. MacNaughton:** Mr. Speaker, in my remarks I made reference to Crown agencies, did I not? I think that comprehends the broad range of government agencies that the hon. leader of the Opposition is inquiring about.

**Mr. Nixon:** Then specifically, a supplementary question. The workmen's compensation pension levels are being considered and the teachers' superannuation, are they given further specific consideration?

**Hon. Mr. MacNaughton:** Yes, Mr. Speaker, that is correct. We made reference to that at the time we discussed the new arrangements under the teachers' superannuation fund, the parallel arrangements to the public service that we are discussing here today. We indicated that that study would be pursued in the same manner as this one.

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Education. Is he aware of the separate school boards of Toronto having moved that the committee be established to improve the liaison between his department and the Minister specifically, and that group and that they are particularly unhappy with the legislation removing their representation on other boards in the metropolitan area which was brought before the House without any reference to them.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, we will be delighted to meet with them. Actually, all the legislation did was to bring the metropolitan areas into line. It was discussed at the committee; everywhere else in the province provision has been made for trustees to be elected to the boards, rather than appointed; and we did it in a fashion that would not interfere with their operations during this present period of time. But we are always delighted to communicate or to meet with representatives from any school system.

**Mr. Nixon:** A supplementary question. Would it not be the Minister's standard operational procedure before moving ahead with legislation that concerns a specific group or in this case, a specific board, that they be consulted to some extent or given some indication of what the legislation would contain?

**Hon. Mr. Davis:** Mr. Speaker, I am in the process of going back to *Hansard* in discussions when Bill 44 was introduced and passed, and I think there were some references that sometime fairly soon we would bring everybody into this same position, and I merely am surprised that it has come as any surprise to those who were discussing it last evening. I think this was rather common knowledge.

**Mr. Nixon:** A further question for the Minister of Education. Is he aware that the grants available from a number of sources to Frontier College have recently decreased and that there may be further responsibilities on this Minister and this Treasury to make up the slack in this province? If so, the question is: Is he aware of it and does he plan to take any action in the new year?

**Hon. Mr. Davis:** Mr. Speaker, at this point I have only heard rumours about it. I do not think there has been any official communication. As far as we are concerned, we are sympathetic to and interested in the progress of Frontier College. If there are problems, we would be quite prepared to meet and discuss these with them. As I say, we have just had this by way of rumour at this stage.

**Mr. Nixon:** Mr. Speaker, a question for the Prime Minister which might perhaps have been raised as a point of order before adjournment today. Does he intend to have some meetings with regard to the view of Opposition parties and supporters of his own party having to do with the use of the rules during this experimental period or how does

he intend to deal with the matter before the new session begins in 1970?

**Hon. J. P. Robarts (Prime Minister):** I think that I mentioned this before in answer to questions at some time in the House. I thought the arrangement would be that we would get together—the three parties—assess what has happened in this trial period, see if we cannot reach agreement on the basis of both the report of the committee plus our experience in these few weeks and I was hoping that it would be the number one order of business when we reconvene.

**Mr. Nixon:** A question for the Treasurer. Is he able to inform the House of an application from the Minister of Social and Family Services (Mr. Yaremko) for a grant to AMIK organization? Is that request before the Treasury Board today?

**Hon. Mr. MacNaughton:** Mr. Speaker, we convened Treasury Board at 9.30 and we will reconvene it as soon as we can be absent from the House. I expect that that matter will be before the Treasury Board this morning.

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

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have two questions, but may I preface them with a brief point of order. I have been contacted by Mr. Karswick, the outside solicitor who is involved within the case of the two Indians in Kapuskasing. It is his view that there was rather serious misrepresentation of what happened in that case by the presentation by the Attorney General yesterday. Quite frankly, until we get the *Hansard* and we can take a look at exactly what the Attorney General said, I do not think we can proceed with it further, but I did want to put on the record the fact that there is some serious dispute as to the account that the Attorney General gave, and at some future point we will come back to it. Unfortunately the recess is going to postpone that future point.

I have two questions—the first to the Prime Minister. Is it accurate that the very lively topic of freight rates is not included in the category of economic matters which will be considered at the federal-provincial conference on February 16? And if so, why is it that a matter that was raised so frequently during the conference in Ottawa recently and is of such concern to parts of Ontario, such as northwestern Ontario, is not included?

**Hon. Mr. Robarts:** I think, Mr. Speaker, it might very well be included within the range of subjects included under that heading—economic factors or whatever terminology was used. I think it would be. I think the real question is: How much can you put under an agenda for one meeting? I came away with the impression—it may not have been specifically stated this way—but I came away with the impression that probably the whole question of freight rates would be dealt with as an item itself, and it might very well want a complete examination by a provincial conference and steps would be taken. In other words, the matter is not simply being disregarded. It may not be reached in this particular meeting, and we understand that terminology includes the whole question of inflation. Add to that pollution, and it works out to a full page of agenda, and in this period of time there is not enough time, probably, to even get ready for a meeting for discussion of freight rates.

**Mr. MacDonald:** Mr. Speaker, by way of supplementary question, in view of the lively concern on this issue in the province of Ontario, would the Prime Minister consider having at least some preparatory brief made to the conference so that the issue can be processed and can be proceeded with? It seems to me that if representation came from Ontario as well as from the other provinces that raised it at the conference, there will be no delay in coming to grips with this, because we have been toying with it now for generations.

**Hon. Mr. Robarts:** I can simply say this government is very aware that freight rates discriminate against northern Ontario and I think we could probably be ready to enter a conference on this matter in a matter of weeks, because over the years we have done a lot of research. We can update it very quickly, and we would be happy to do so.

On the other hand, the question whether it appears in this particular conference or not is a matter for the conference itself to decide and I am quite certain the whole question of freight rates in Canada will be dealt with because it is a very live issue from coast to coast.

Every area has some opinions on this matter and I think it is something we really should look at. There is no doubt that they are very discriminatory as far as northern Ontario is concerned. We are aware of this and we do not like it.

**Mr. MacDonald:** Even discriminatory against the member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** Pretty sharp.

**Mr. MacDonald:** My next question is to the Minister of Financial and Commercial affairs.

In view of the fact the securities commissions in British Columbia and Quebec have moved with regard to the stock exchanges in their jurisdictions, instructing them and making regulations that they must publish all dealings on their market—over-the-counter dealings as well as listed stock transactions can the Minister indicate whether or not studies have been made with the views of this kind of action here and if so what are the results of those studies and what is the likely time for action?

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** The member is referring to over-the-counter transactions. This matter has been the subject of study for a period now of seven months in the securities commissions and it is our desire to see that over-the-counter transactions be supervised and made meaningful in the real sense of the word.

There have been major discussions with respect to the investment dealers association, the brokery industry itself, as well as the stock exchange, and I think that within a short time a definitive decision will be announced.

**Mr. D. M. Deacon (York Centre):** Supplementary to that: what kind of over-the-counter transactions is this stock exchange carrying out? I thought their only transactions were on the floor of the exchange. Even wholesale transactions had to go through the exchange, but there are no such things as over-the-counter transactions on the stock exchange, are there?

**Hon. Mr. Rowntree:** Of course there are not any over-the-counter transactions subject to the stock exchange. Let us make that clear. It is a separate transaction but they are the kind of transactions that probably involve all the members of the stock exchange and the question is whether the stock exchange itself should not extend its activities in that field.

**Mr. MacDonald:** Mr. Speaker, by way of a further supplementary. In view of the fact that all of this information is available in the computers—it just requires minor programming—why is it that the securities exchange having jurisdiction over the major stock exchange in this country is one of the last to get into action?

**Hon. Mr. Rowntree:** Well, I do not think it is the last, I think it was one of the first to get in. With respect to—

**Mr. MacDonald:** British Columbia and Quebec have moved.

**Hon. Mr. Rowntree:** Well, they have probably moved with assistance from the efforts of our own commission, because we were into this last spring, with the former chairman of the securities commission.

**Mr. MacDonald:** Well, it took a long time to make up your mind.

**Hon. Mr. Rowntree:** Not at all.

**Mr. Speaker:** The hon. member for York Centre has a further supplementary?

**Mr. Deacon:** A further supplementary. Then the Minister is referring to all over-the-counter trading coming under some surveillance and some publication of all transactions, which include not only members of the stock exchange, but broker dealers and all licensed security dealers in the province?

**Hon. Mr. Rowntree:** That is the idea.

**Mr. Speaker:** Has the hon. member for York South completed his questions? The member for Simcoe East.

**Mr. G. E. Smith (Simcoe East):** Mr. Speaker, I have a question of the Minister of Lands and Forests.

Will the Minister consider naming one of the provincial parks in the Orillia area after the famed Canadian humorist and writer, the late Stephen Leacock, whose 100th birthday is being observed on December 30 of this year?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, I think that is an excellent suggestion by the member for Simcoe East, in view of the 100th anniversary of this well known historian and author. We have a park under development in the McCrae peninsula and we would be pleased to take the member's recommendation.

**Mr. Nixon:** That should make the Orillia *Packet and Times*.

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

**Mr. G. Ben (Humber):** Mr. Speaker, I had asked the hon. Minister of Health a question the other day and he promised to look into it. The question dealt with the possibility that doctors who render dental service in remote

and outlying hospitals would be compensated for their services through OMSIP. The Minister promised to give consideration and give us an answer. That was one question.

The second question was during the estimates when we dealt with setting up a committee, with Dr. Pigeon or some other doctors in the north, to set up some convalescent hospitals and nursing homes.

**Hon. Mr. Wells:** I have the answer coming for the hon. member; I just have not had a chance to get it to him. I will get it to him by letter over the holidays.

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

**Mr. M. Shulman (High Park):** A question of the Minister of Health, Mr. Speaker.

Why were the police not notified when a dangerous criminal escaped from Penetang last Friday, who had been committed there on a judge's order for mental examination following an armed robbery? I am referring to a Mr. L. K., I am not using his full name. I am sure the Minister knows who it is. Why were the police not notified of this case?

**Hon. Mr. Wells:** I will have to take that as notice, Mr. Speaker.

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

**Mr. T. Reid (Scarborough East):** I have a question of the Minister of University Affairs.

What legislation and/or regulations, give Mr. Douglas Wright, chairman of the advisory committee on university affairs, decision making authority to tell York University that the provincial taxpayers would not approve a greater allowance of space per student for York University, under the interim capital grants formula, as reported in the *Globe and Mail* of Tuesday, December 16?

**Hon. Mr. Davis:** Mr. Speaker, I assume I have the same article here. And while one can anticipate a certain degree of poetic licence in reporting some events on occasion, as I read it, at least Dr. Wright did not say, as the question would say, that provincial taxpayers would not approve a greater allowance, I think he posed a question. Mr. Speaker, as I read it, he asked whether provincial taxpayers would approve of this. I believe all Dr. Wright was doing was pointing out to the group from York University that we face very real financial problems in the capital market and that all the universities must look to their building plans to see

whether or not they can be trimmed, whether or not there are ways of economizing, and I think he posed a very real question.

Under the legislation, Mr. Speaker, to be technical, the committee on university affairs and under order of council is empowered to advise the government and the Minister with respect to the growth, development and financing of universities and this is exactly what they are doing. And I do not think there is anything inappropriate in what Dr. Wright observed at the hearings with York University as reported in Tuesday morning's *Globe and Mail*.

**Mr. T. Reid:** The Minister well knows that questions in the House take the form of statements quite often and one indicates—

**Hon. Mr. Davis:** With respect, Mr. Speaker, on a point of order. The way this question is worded, it indicates very clearly that the member for Scarborough East is saying that Dr. Wright said something, told the committee that the taxpayers would not approve. However, as I read the *Globe and Mail* story, Dr. Wright posed a question and I think Mr. Speaker there is a very real distinction.

**Mr. T. Reid:** A supplementary question.

**Hon. A. Grossman (Minister of Correctional Services):** He was referring to that innocent bystander, the taxpayer.

**Mr. T. Reid:** Does the chairman have the decision-making authority to tell a university and I quote: "That it may be necessary to throw away some drawings for those planned buildings?"

It seems to me that he is advising the universities—

**Mr. Speaker:** Order. The hon. member is not asking questions.

**Hon. Mr. Davis:** Mr. Speaker, I do not think there is anything inappropriate for the chairman or the members of the committee to give some advice to a university when they are discussing their—shall we say—common problems. I do not think there is anything inappropriate and I think most universities appreciate this because, in the final analysis, the committee is going to make its recommendations to this government and if the committee obviously feels there is some merit in the university reassessing its capital requirements in its expansion programmes, in light of present circumstances, I think this is very helpful to the universities and while they

may not totally agree, I think for the most part, they appreciate this sort of advice.

**Mr. T. Reid:** Final supplementary question, Mr. Speaker. Does the interim capital grants formula include a *pro rata* allowance for part time degree students at the universities in this province? If not, why not?

**Hon. Mr. Davis:** Mr. Speaker, I am just going by memory, I do not believe the interim capital formula relates to part time students. It is something that is being considered for the next phase of the development of the capital formula. I understand consideration is being given to the problems of part time students.

**Mr. Speaker:** Member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you, Mr. Speaker. I have a question for the Minister of Municipal Affairs. In view of the fact that discount centres are now operating from 10 a.m. to 10 p.m. in many municipalities in Ontario, does the Minister not feel that portion of The Municipal Act which permits, authorizes and gives responsibility to municipal councils to control shopping hours is antiquated, and would he consider amending that particular Act in that portion in the coming session? And while I am on my feet, Mr. Speaker, I would like to ask the Minister if he is aware of the great emotional controversy facing the new mayor and city council of the new city of Thunder Bay—

**Mr. Speaker:** The hon. member will ask only one question. He has asked it and the Minister will now reply if he wishes—on closing hours.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Well, Mr. Speaker, we are into the area of government policy but I suppose it is fair to say that there has been no change in the government policy, nor do I anticipate any change in the government policy.

We believe the matter of store closing hours is best left with the local municipalities and I do not anticipate any amendments to The Municipal Act to take that authority away from municipal councils.

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

**Mr. Shulman:** Yes, I have a question for the Minister of Health, Mr. Speaker. Why can 13 year old boys, or a 13-year-old boy, be confined to 999 Queen Street? Is there not some better place for young teenagers who require this type of treatment?

**Hon. Mr. Wells:** Well, Mr. Speaker, I would have to take that as notice and would have to know the particulars about the particular situation the hon. member is referring to and then I will get the answer for him.

**Mr. J. B. Trotter (Parkdale):** There is no place for them to go. Is that not the truth?

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, I would like to ask the Minister of Labour if there are any studies planned, or what his thoughts are on stemming the flow of some \$50 million of Canadian labour union dues to the United States. Does he have any plans to study to stop this flow of our money to American unions?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, the hon. member is using a large figure there and where have you got—

**Mr. Sargent:** I got a report on it. You could not give me the figures. I got the report. It reported \$50 million in the last five years has gone to the States.

**Hon. Mr. Bales:** Could you provide me with the information as to where you get that and I would be glad to look into it?

**Mr. Ben:** Well, it was published by The Department of Labour—

**Mr. Sargent:** I would like to know the answer to my question. Does he plan to start a study on this—what is going to happen?

**Hon. Mr. Bales:** Well, Mr. Speaker, the member has given us a figure of \$50 million going to the States. I want to know under reference to what funds it is going to and so on.

Now, the hon. member for Humber has said that came from the federal Department of Labour. I will be glad to look at that situation and it is one of those matters we do study. But we want to know the basis on which your question has been developed.

**Mr. Sargent:** Mr. Speaker, does the Minister have any area of concern in sending this flow of money to the States?

**Hon. Mr. Bales:** Mr. Speaker, sometimes it is quite proper that there may be and there are other moneys coming back this way, but that is a very broad question and cannot be dealt with in that manner.

**Mr. MacDonald:** By way of supplementary question—



**Mr. Speaker:** The hon. member for Humber was on his feet first with a supplementary.

**Mr. Ben:** Is the hon. Minister of Labour telling this House he has been unaware of the publication in both the *Labour Gazette* and in the statistics and in the newspapers last year of the figures which showed that in the five previous years the net, which remained in the United States, of the union dues paid by Canadian workmen was \$50 million? That \$50 million remained in the United States after all this.

**Mr. Speaker:** The hon. member has asked his question.

**Mr. Ben:** Is the hon. Minister unaware of this?

**Hon. Mr. Bales:** Mr. Speaker, I am aware of the general figures, yes. That is not broken down in reference to Ontario. It is a large figure for the whole of the country and it involves many things and many complications.

**Mr. Speaker:** The member for York South has a supplementary?

**Mr. MacDonald:** My question has now been answered.

**Mr. Speaker:** The hon. Minister of Social and Family Services has the answer to a question placed by the member for Humber.

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, to the hon. member for Humber, with respect to the budget of the Catholic Children's Aid Society, in respect to item six of Health. In respect to physicians and surgeons, the 1968 actual was \$9,923. The 1969 budget was increased to \$11,000.

In respect to dentists, the 1968 actual was \$28,194. The 1969 budget approved was \$30,000. Other health services, the actual was \$83,494. The 1969 budget was approved at \$94,700. Health, etc., supplies the amount in 1968 was \$26,016. The 1969 budget approved was \$27,500. Medical and hospital insurance and hospital fees for certain exceptional cases the 1968 actual was \$371. The approved was \$500.

The total actual for 1968 was \$147,998. The approved budget, 1969, was \$163,700, so that there was an actual increase in respect of the health budget.

The OHSIP fees are paid directly to OHSIP. I am told that this letter went out to 276 doctors. Only three responded, which in-

dicates the attitude of the medical profession in this particular field.

I am told that there is a very outstanding panel of doctors working with the Catholic Children's Aid Society that donate their services in the traditional way free of charge. I am assured that the children in the care of the Metro Catholic Children's Aid Society are receiving help of the highest standard, so that the inference left by the hon. member that they were getting less than the best treatment possible is completely unfounded.

**Mr. Ben:** On a point of order, Mr. Speaker, I did not ask for all that drivel that came out of the hon. Minister.

**Mr. Speaker:** Order, the hon. Minister is quite entitled to answer the hon. member's question as he sees fit. Now if the hon. member has a supplementary question, he has the floor.

**Mr. Ben:** The question was, was the Minister aware—

**Mr. Speaker:** The hon. member may ask a supplementary question, he may not reask the same question. It has been answered as the Minister wished to answer it.

**Mr. Ben:** Does the Minister feel that the doctors as a class should be compelled to accept only 90 per cent of their fees, even though they may be quite prepared voluntarily to do so, because as the Children's Aid letter states—

**Mr. Speaker:** The hon. member has asked his question. Now he will allow the Minister to answer it.

**Mr. Ben:** I have not finished the question.

**Mr. Speaker:** The hon. member has asked his question.

**Mr. Ben:** The budget was cut by \$260,000—

**Mr. Speaker:** Order! The hon. member has asked his question. It is open to the Minister now to answer it.

**Mr. Ben:** Mr. Speaker, it is too close to Christmas; do not be impatient.

**Hon. Mr. Yaremko:** Mr. Speaker, the figure of \$260,000 referred to in the letter of the doctor is completely unrelated to the subject matter at hand. Of course, the payment of doctors is done through the general legislation which covers all of the people of the province of Ontario.

**Mr. Speaker:** Does the hon. Attorney General still have that answer for the hon. member for Riverdale that he had yesterday? Because I would like to clear the decks of any unanswered questions.

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, the hon. member is not here and I do not have the answer with me.

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

**Mr. Shulman:** To the Minister of Health, Mr. Speaker.

Two days ago the Minister of Public Works said his department did not do safety inspections of the Ontario Hospitals and thought your department did. My question is: Does your department do safety inspections of the Ontario Hospitals; and if so, how long has it been since someone from your department made a physical examination on the safety aspect of the Ontario Hospital at 999 Queen Street West?

**Hon. Mr. Wells:** Mr. Speaker, I took note of the answer from the Minister of Public Works the other day. I sent it to our people for a complete report and I am told that we do carry out the inspections. As to any definite information on that, I would have to get that information for the member presently.

**Mr. Shulman:** As a supplementary, when you get the information would you look into the matter of why the roof is falling down and nothing has been done about it?

**Hon. Mr. Wells:** Mr. Speaker, something has been done about it, I am sure. The member and I talked about this when we toured the hospital. The superintendent explained this to us and I am sure that it is in a safe condition.

**Mr. Shulman:** They moved everybody out.

**Hon. Mr. Wishart:** Mr. Speaker, I was just turning over in my mind the suggestion that I owed an answer to the member for Riverdale; I am quite sure I answered him.

**Mr. Speaker:** I remember doing my best not to have it answered the other day, and I wanted to be sure it was in. The time for oral questions has now expired for this session.

**Mr. Shulman:** Mr. Speaker, on a point of order.

**Mr. Speaker:** Point of order.

**Mr. Shulman:** My point of order, sir, is the Attorney General yesterday, no doubt inadvertently, once again misled the House. On page 5911-3 of *Hansard* transcript, I asked the Attorney General if the Minister is aware that yesterday's appointment—and I interject that this referred to the appointment of a judge—was the fifth judicial, non-legal appointment made out of the Ortona barracks in Oakville, and the Minister replied, "I do not accept the facts as stated by the hon. member at all, I do not think they are correct for one moment, sir".

I wish to state the names of those persons are Judge J. R. Black, Judge C. B. Green, Judge R. J. Graham, Judge M. J. Cloney. In addition, police commissioner H. H. Sparling, and there is one other judge on the list here which has a federal appointment.

Under the circumstances, sir, I would request that the Attorney General make an investigation as to why these judges are being appointed from that area. Furthermore, sir, I would like to suggest to you, and I have discussed this with other members of the House, surely, at least for the family court the military mind is hardly the type of compassionate mind we should seek.

**Hon. Mr. Wishart:** Mr. Speaker, if I may just comment; the hon. member read off the names of four judges, I think yesterday he had it up to five. I do not know the dates of their appointments; I would have to check this.

I might add that perhaps if they come out of one organization, maybe it is a good organization. However, I will have something further to say.

I would like to say this, Mr. Speaker, the hon. member yesterday indicated that a new appointment had been made in Halton county. It was simply a direction to Judge Black who had been appointed for some time to take over the work; it was not an appointment that had been made recently at all. The hon. member's comments about appointments being made without approval of the judicial council—he referred to it as not being referred to the bar of Ontario—had nothing to do with the matter whatsoever.

**Mr. Speaker:** Petitions.

Presenting reports.

Motions.

**Hon. Mr. Robarts:** Mr. Speaker, I move that the continuing select committees on corporation law and election laws be authorized

to sit during the adjournments and the intervals between sessions until their work is completed and the final reports are presented.

This simply continues these select committees.

Motion agreed to.

**Mr. Speaker:** Motions.

**Hon. Mr. Wishart:** Mr. Speaker, I wonder if I might ask permission to revert to the reports. I have a report I wish to submit.

**Mr. Speaker:** Do we have unanimous consent for reversion?

Presenting reports.

**Hon. Mr. Wishart:** Thank you, Mr. Speaker.

I beg leave to table the annual report of the Law Society of Upper Canada on the Ontario legal aid plan operation for 1969.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

Before the orders of the day, when we get entangled in what promises to be a busy and fruitful day, may I say to the members how much I have appreciated, during this very long session, the co-operation which from time to time has been extended to the Speaker, the Deputy Speaker and the Deputy Chairman.

It has been a busy session. We have had a great deal of discussion, a great many good laws have been passed. I think all members of the House, particularly in the fall, have participated in the work of the House, which is what we wish.

I do thank each member for his participation and his assistance in getting this work of the province done.

May I wish for each of you a very happy vacation period and hope that you have a good rest so that when we reconvene the third session next year, we will have lots of energy and a very great deal of tolerance, all of which are needed in this House.

**Hon. Mr. Robarts:** Mr. Speaker, before the orders of the day, I have answers to written questions 27, 48, 91, 95, 97, 103, 106, 109 and 111. (See appendix, page 9784)

I might say, sir, in reference to your final remarks just before we get into the orders of the day, in order that the members might make their plans, at the moment it would

seem that the House will reconvene on Tuesday, February 24.

I would have sat a week before that except for the federal-provincial conference the week previous. So as far as one can humanly forecast activities, that will be the day when we will reconvene.

**Mr. Shulman:** Mr. Speaker, can I ask, through you to the Prime Minister, what will happen to our questions on the order paper that have not been answered to this point?

**Hon. Mr. Robarts:** Well, as the member understands, Mr. Speaker, many of these questions require research and if the answers come forward they will be tabled here with the Clerk even though the House is not sitting. I have come up to date as far as I can. I am quite sure the Clerk will let the individual who asked the question know that the answer is there.

**Mr. MacDonald:** Mr. Speaker, by way of clarification, may I ask the Prime Minister whether that conference which is forcing postponement of the House by one week is a closed conference?

**Hon. Mr. Robarts:** Yes, it will be.

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

### THIRD READINGS

The following bills were given third reading upon motions:

Bill 74, An Act to amend The Ontario Society for the Prevention of Cruelty to Animals Act, 1955.

Bill 138, An Act respecting facilities for children suffering from mental or emotional disorders.

Bill 194, An Act respecting the care and provision of animals for research.

Bill 229, An Act to amend The Highway Improvement Act.

Bill 230, An Act to incorporate the Toronto Hospitals' Steam Corporation.

Bill 234, An Act to amend The Landlord and Tenant Act.

Bill 241, An Act to amend The Schools Administration Act.

Bill 243, An Act to amend The Child Welfare Act, 1965.

Bill 244, An Act to amend The Corporations Tax Act.

**Clerk of the House:** The 10th order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into committee on ways and means.

#### DEBATE ON THE BUDGET

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, when I adjourned this debate last week, I was talking about the anxiety expressed by the people of northern Ontario about the ongoing surveys with regard to the possibility of diverting northern Ontario water down through Lake Nipigon, the Great Lakes and presumably to satisfy the needs for that resource in the United States.

I would like to notify the House, and in particular the Minister of Energy and Resources Management, that the people of northern Ontario feel so strongly about this issue that they have formed an organization known as "KNOW"—and it means "Keep Northern Ontario Water".

**Hon. A. Crossman (Minister of Correctional Services):** I thought the member was going to say "wet".

**Mr. Stokes:** The reason for this move and for organizing such a committee was as a result of the Ogoki diversion that took place a number of years ago that caused excessive amounts of water to be directed into the Lake Nipigon chain and then down into the Great Lakes through Lake Superior.

It has caused an excessive amount of siltation, thus spoiling the spawning grounds for the world famous Lake Nipigon trout. So the tourist operators, a lot of the Indian people in that area, are most concerned about what might happen if a diversion or damming of water should take place.

I think the House should know that these people are particularly concerned about the possibility of diverting large amounts of water by that means, and I would like to bring it to the attention of the House.

I would also ask the government to make representation to the American authorities, particularly the American army corps of engineers, who have stated that surveys they are conducting in northern Ontario at the present time are a joint Canadian-U.S. survey, this has been denied by representatives of this government and representatives of the federal government in Ottawa.

The Minister of Energy and Resources Management has assured me that he is going

to make the strongest representation possible to those responsible for conducting these surveys. He has made it abundantly clear to me that he feels, and his government feels, that Canadian engineers and other personnel are quite competent and quite capable of assessing our own potential with regard to water resources.

They are going to make strong representations to those American agencies who have invaded areas of the north for the purposes of assessing our resources.

**Mr. E. W. Martel (Sudbury East):** Without the invitation of the government.

**Mr. Stokes:** Yes, without the invitation of either levels of government.

I would like to make one brief comment, Mr. Speaker, about an application by Trans-Air to take over the Air Canada route between Winnipeg through the Lakehead and down to Toronto. I would like this government to make representations to the Canadian Transport Commission on behalf of the people of the newly formed city of Thunder Bay, that no decision will be reached with regard to turning over these air routes to another carrier and allow Air Canada to abandon these routes.

They are performing a very useful service at the present time, and I think this government would be very remiss if it would allow somebody who possibly would not maintain the excellence of service that we do enjoy at the present time from the Lakehead to Toronto, and I think that before any decision is reached on this very important question that the people of the Lakehead area be given every opportunity to make their wishes known and be completely assured that the service that would be inaugurated by another carrier would be equal or better than what we are enjoying at the present time from the Lakehead to Toronto before any decision is made.

I would hope that this government, particularly the Minister of Transport, would make himself aware of the applications that have gone forward to the Canadian Transportation Committee in this regard.

There is only one other brief item. I would like to appeal once more to this government to open a private road that runs from Nakina up to Melchett Lake to a well known body of iron ore that is owned and controlled by Anaconda Mines of Canada Limited. On numerous occasions in the past I have appealed to the Minister of Mines who is also

the chairman of the roads to resources committee and who is responsible for maintaining access roads and resources roads in the northern parts of this province.

He says he is powerless to do anything about gaining access for the public and the other users; in northern Ontario principally the tourist operators, the commercial fishermen and prospectors who would like to gain access to that whole area in the north known as the Ogoki reservoir. On many occasions I have brought it to the attention of the Minister of Mines to no avail. He says that he is working on it but he has been telling me this for the last 18 months. I have also appealed to his colleague, the Minister of Lands and Forests, and to the Minister of Highways and nothing has happened.

The people of the north are particularly concerned that a foreign based mining company, such as Anaconda can sit on huge tonnages of proven iron ore reserves with no thought of developing them in the foreseeable future. They have been given a licence of occupancy on huge tracts of land plus land reserves stretching all the way from their mine site at Melchett Lake 140 miles down to a choice beach area on Lake Superior at Kama Bay.

They have given no assurances that they intend to develop it in the immediate future and I think that it behooves this government to open that whole area and make that road in question a public road so that more people could gain access and possibly develop the huge store of resources that we do have in the Melchett Lake and Nakina area.

It is particularly significant at this time that the CNR has chosen to institute a run-through which would have a very very adverse effect on the community of Nakina and if we could prevail upon this government to open up the roads that we do have and thereby make more accessible the huge store of resources that we do have available in that area it would go a long way to ameliorating the adverse effect that technological change is having on northern communities at the present time. It would also contribute in great measure to maintaining Geraldton as a viable community.

As you know the economy of Geraldton is almost totally relying upon a gold mine that is phasing out its operation at the present time and Geraldton is the service area for some 12,000 people in central northern parts of the province and I think it is absolutely essential that this government make itself

aware of the problems facing northern municipalities.

I think this government has the resources and they have a complete and detailed knowledge as a result of surveys and studies that have been conducted just recently about the potential in the north. I think that they know all about what that potential is and I think that they have a responsibility to see that the things that I have mentioned are done before it is too late; before these communities are allowed to fade away while other communities are allowed to spring up a few miles away making it necessary to duplicate very very expensive services that people have come to expect in the north.

I would like to prevail upon all members of the Treasury benches to make themselves aware of the problems that I have brought to the attention of this government during the past session of the Legislature. I am sure that it is expected of them by the people of the north. You have the resources to go ahead and do it and we will be looking with a great deal of expectation for some kind of development in the north to assure the people that their communities are not going to die and the exodus of young people to the south will be reversed. We will be able to maintain those viable communities and thereby keep more of our young people in the north and make northern Ontario a better place in which to live. Thank you.

Mr. T. Reid (Scarborough East): Mr. Speaker, it is one thing to sell off decision-making control of strategic areas of Ontario's secondary industry to U.S. investors, and to have some rational understanding of the economic and political disadvantages to Canadians living in Ontario. It is quite another thing to have the hon. Minister of Trade and Development (Mr. Randall) do it.

The Minister's active pursuit of U.S. companies to set up wholly owned subsidiaries and totally controlled branch plants in Ontario is pushing economic decision-making in Ontario further and further into the hands of American parent companies.

He, more than any other Cabinet Minister in any other provincial or federal Cabinet, is responsible for the increasing U.S. ownership and control ratios throughout the manufacturing sector in Canada—plants in Ontario producing more than half the output of the entire manufacturing sector in Canada.

Foreign ownership of the Canadian manufacturing industry is today about 60 per cent with the control ratio over the two-thirds

mark. Within the manufacturing sector, there are certain industries where foreign decision-making control is even higher than the average of 67 per cent, and in such cases ownership is predominantly by U.S. parent companies. Examples are in rubber, electrical apparatus and chemicals.

The degree of American domination of the key sectors of economic activity in Ontario has increased, is increasing, and ought to be diminished—but this Minister is making certain that this will not happen under the present Conservative government of Ontario.

Here, Mr. Speaker, are the Minister's views on what he considers to be a place to live for a Canadian residing in Ontario. The quotations are taken from his speech 12 days ago, on December 5, to the annual meeting of the Ontario Progressive Conservative Association:

If we want to have the second highest standard of living in the world—and all indications are that we do—foreign investment and control in certain sectors of our economy is the price we have to pay. I am for foreign investment in Ontario, and as long as I am Minister of Trade and Development, I am going to get all the investment I can for the province.

Mr. Speaker, I submit that the vast majority of the people of Ontario do not want a government at Queen's Park whose avowed purpose is to actively promote the increasing Americanization of the strategic leading sector of the Ontario economy—the manufacturing sector.

I think the people of Ontario are deeply disturbed at the present massive degree of American decision-making control of key sections of the Ontario economy. I think the people of this province reject the sell-out policies of the Minister of Trade and Development. I think they reject the stupid and ill-informed economic jargon which inappropriately is called by the Minister's "analysis".

I want to deal with a number of the stupid and half-baked economic arguments made by the hon. Minister of Trade and Development in his speech to the "Seminar on the Economics of Progress" at the Progressive Conservative annual meeting just last December 5. I am sorry the Minister finds he cannot stay for this speech.

The first statement he made in this speech is as follows, Mr. Speaker:

On a per capita basis, Canadians invest better than one and a half times as much in the U.S. as Americans invest in Canada.

That is a true statement. But it has very little to do with the issue of American control of decision-making in so many companies in so many industries in the manufacturing sector of Ontario. The simple fact is that investments by Canadians in the U.S. do not result in decision-making control of companies and industries in the U.S. whereas U.S. investments in Canada have resulted, and do result, in the massive takeover of economic decision making in the Ontario manufacturing sector, and other sectors as well, Mr. Speaker, such as mining.

Furthermore, what the Minister did not point out is that the flow of investment funds from Canada to the United States is due to no small extent to the shortage of Canadian equities, which in turn is due to the simple fact that U.S. wholly-owned subsidiaries and totally controlled branch plants in Ontario simply do not have Canadian equities. Canadian investors have to figuratively crawl to New York and buy into the parent company of the subsidiary or branch plant in Canada in order to get some dreamy good feeling that they are participating in the economic development of Ontario.

Contrary to the Minister's implied economic analysis, there is considerable validity in the statement that an important reason for the higher Canadian per capita propensity to invest in the U.S. is that the Americans have pre-empted, via a massive oligopolistic penetration of secondary industry in Ontario, so many of the most attractive and exciting investment opportunities in Canada.

The following is one of the central conclusions of a 1968 study commissioned by the Toronto Stock Exchange entitled "The Supply of, and Demand for, Canadian Equities", and I quote directly:

The supply of available listed equities is relatively much smaller in Canada than in the United States. This results because a considerable proportion of Canadian corporations are not publicly owned and to a considerable degree are foreign controlled, and because of the substantial proportion of listed Canadian equities which are held as direct investments by non-residents.

That is the first ill-conceived statement of the Minister's that I would like to rebut.

The second ill-conceived statement in that speech is as follows, Mr. Speaker:

Professor Safarian, of course, has proven that the actual operation of foreign controlled companies in Canada is in no way different than that of domestic companies.

Under thorough examination, the alleged inefficiencies of foreign firms do not hold water.

Mr. Speaker, what Professor A. E. Safarian of the University of Toronto said in his study entitled "Foreign Ownership of Canadian Industry" was, of course, that foreign controlled companies in Canada are just as inefficient as Canadian controlled companies, which is the complete opposite of the conclusion reached by the Minister's weird and terrible thought processes. Writing in 1966, Professor H. I. Macdonald of the University of Toronto, now Deputy Treasurer and Deputy Minister of Economics in the Ontario government, said:

The result of foreign investment in Canada has been a tendency to establish not only a greater number of producers in Canadian industries than the market would economically allow but also firms and industries which are duplicates of the American parent, although producing on a far less efficient scale. External financial resources so readily available to branch plants have provided a deterrent to competitive rationalization.

I shall dare the winds of credibility by choosing the words of such researchers as Professors Safarian and Macdonald over the so-called thorough examination of this Minister. He would not, of course, Mr. Speaker, purposely mislead the members of his own political party in a major public policy statement of the Ontario government. He simply read Professor Safarian's book too quickly, if at all, and forgot to talk to the present Deputy Minister of Economics before writing his speech.

That is the second point I wish to rebut.

The third point I wish to rebut in the Minister's speech is based on the following statement by him. He says this: "We"—by which he means the Progressive Conservative government of Ontario—

stimulate private industry where necessary. We help to provide the climate in which the individual can find opportunity to express his talents.

His policy of soliciting greater U.S. ownership and control of industries in Ontario is—his basic prong to "stimulate private industry"—is in fact, Mr. Speaker, making it increasingly difficult for the Ontario citizen to find opportunities to express his talents. First of all, Professor S. Hymer has noted in his

article in the book "Nationalism in Canada", edited by Professor Peter Russell, that:

The foreign firm's preference for full control of its Canadian subsidiaries has meant the exclusion of Canadians from participation in equity securities.

Secondly, there is, as Professor H. I. Macdonald noted in 1966 "the monopolistic character" of U.S. ownership and control of certain key sectors of the Ontario and Canadian economy.

The Minister's present policies are in fact encouraging monopolistic restricted competition in Ontario. His policies are encouraging the concentration of control within Ontario's secondary industries, a control which is increasingly being put into the hands of large U.S. parent companies. U.S. conglomerates, Mr. Speaker, with wholly-owned subsidiaries and totally controlled branch plants in Ontario, are increasingly cutting out even corporate Canadian investors, let alone the Minister's largely mythical "individual", from creating and running companies in Ontario to compete against them.

"Competition among the few," Mr. Speaker, is bad enough when "the few" are Canadians. When they are the nationals of other countries who by their size put up "barriers to entry" to Canadians into their industries—thus restricting competition—it is simply intolerable.

Thirdly, with the present increasing degree of U.S. ownership and control in certain leading sectors of the Ontario economy as promoted by the Minister, it is more and more difficult for talented Canadians in Ontario to find opportunities to express their talents working in business firms in Ontario or in Canada. Professor Steven Hymer notes:

We usually think of foreign investment as a consequence of a shortage of domestic entrepreneurs, but perhaps the former has helped create the latter.

If foreign ownership and control of firms in Ontario were reduced, Professor Hymer argues, there could well be a growth of Canadian entrepreneurship—that is, a growth of opportunities for the "individual . . . to express his talents."

Professor Hymer says:

The shortage of entrepreneurs in Canada might just disappear, and with it the need for so much foreign investment.

The lack of opportunities for Canadians living in Ontario to express their talents in Ontario applies also to the whole area of pure and

applied research in U.S. wholly-owned subsidiaries and totally controlled branch plants operating in Ontario.

On the whole, Mr. Speaker, research facilities have become centralized outside Canada in the U.S. As someone once said about these U.S. companies:

Canadians are not encouraged to have new ideas, cannot put their ideas to the test, and cannot assume responsibility for proving and carrying out their ideas.

No, thanks Mr. Speaker, this is not the kind of Canada I want to leave behind to my children. I do not want my son to have to live in the U.S. in order to "find opportunities to express his talents".

There are a number of other rather stupidly conceived statements and premises in this one rather short speech by the Minister. I will deal with just one more issue.

Not once does the Minister distinguish amongst the very different types of foreign investment in Ontario. He talks only of investment which results in ownership and decision-making control of companies located in Ontario, that is, Mr. Speaker, foreign investment which is defined by the Dominion Bureau of Statistics as "Direct Investment".

I think I should inform the members of the House about that specific definition. The Dominion Bureau of Statistics defines "direct investment" as follows:

Foreign direct investment covers investment in wholly-owned subsidiaries and branches of foreign companies, and investment in certain other business concerns, primarily in concerns in Canada which are known to have 50 per cent or more of their voting stock held in a country outside of Canada.

The Minister does not refer to foreign investment in the form of purchases of stocks in companies in Ontario which does not result in decision-making control of those companies. For example, ownership of only ten per cent of the voting stock of a particular company. Nor does he refer to purchases of financial assets of companies other than voting stock, for example, bonds.

Some idea, Mr. Speaker, of the seriousness of this error today can be seen in the DBS statistics for 1964, the last year for which the statistics are available.

The increase in U.S. "direct investment" in Canada in that year was \$147 million. The increase in "other portfolio investments", excluding government and municipal bonds,

was \$48 million, or one quarter of the total U.S. investment in the private sector of the Canadian economy.

There are a number of mistaken conclusions as a result of this sloppy thinking by the Minister.

First of all, he attributes all the economic benefits of foreign investment in Ontario to foreign direct investment, that is, ownership and control investment. He says that foreign ownership and decision-making control have resulted in more jobs, higher incomes, enhanced living standards, utilization of resources.

The fact is, Mr. Speaker, that we can get these same particular benefits from foreign investment which does not carry with it decision-making control.

He grossly exaggerates the economic benefits of foreign control. One of our major goals should be to increase the proportion of foreign investment in Ontario which does not carry decision-making control with it from one-quarter to three-quarters or more of total annual foreign investment.

He apparently is not even aware of this valid option in public policy. That is the second aspect of his gross over-simplification—that is, the substitution, via provincial and federal government policies, of foreign non-decision-making control investment for U.S. decision-making control investments in subsidiaries and branch plants over the next 15 years.

This is the core issue in any sensible discussion of the maximization of the economic benefits to Ontario and Canada of foreign investment, and the minimization of its economic costs to our province and to our country. The Minister does not even raise this possibility.

Nor by the way, Mr. Speaker, does he raise the question of pursuing sophisticated economic policies designed to shift the source of foreign direct investment each year towards countries other than the U.S., because the issue for us is basically the overwhelming degree of United States economic ownership and control rather than foreign ownership and control as such.

A closely related aspect of the Minister's inability to examine valid options is his simplistic view that the only way for Ontario to gain the economic benefits of "adopting U.S. technology" and of getting "managerial excellence" from abroad is via the Minister's policies, designed explicitly and specifically to increase "foreign investment and control in certain sectors of our economy".



This view is again one, Mr. Speaker, which assumes away a central issue in any sensible discussion of the maximization of the economic benefits to Ontario and Canada of foreign investment, and the minimization of its economic costs to our province and to our country.

There is no question that U.S. direct investment capital in subsidiaries and totally controlled branch plants has brought with it U.S. technology. But by different policies on the part of this provincial government, we could still gain this economic benefit by, at the very least, stabilizing the level of U.S. ownership and decision-making control of so many important sectors of the Ontario economy.

The report of the task force on the structure of Canadian industry put the policy options this way on page 235, and I quote directly:

The transfer of knowledge that accompanies the transfer of capital in direct investment operations, provides benefits to recipient countries. Two specific means which are alternatives to direct investment are extensive licensing agreements and joint ventures.

The benefit of licensing agreements is the gaining of access to superior technology while remaining free to choose the products or methods the Canadian manufacturers want.

Insofar as licensing of an independent domestic firm is a substitute for a foreign subsidiary, Canadian ownership is more today than it would otherwise be.

With regard to joint ventures, the report notes that participation by a domestic firm with dividend control can be preferable at times to the wholly-owned foreign subsidiary with no resident control.

Professor Hymer puts these two options this way, these two alternative means of gaining the advantages of U.S. technology and managerial excellence:

A foreign firm wishing to use its superior technology or its brand name in Canada does not have to invest in a subsidiary in order to do so. It could rent, licence or otherwise sell its advantage to an independent Canadian firm.

The Minister, Mr. Speaker, should be actively promoting such alternative means of gaining U.S. technology without selling us across the lakes to the Americans.

In conclusion, Mr. Speaker, I say this, that any Canadian who thinks that the issue of

U.S. economic penetration, ownership and control of key sectors of the Canadian economy is strictly a federal government matter, assumes away at least half of the problem.

The provincial governments of Canada must play a full leadership role in watering down the present degree of U.S. ownership and decision-making control.

Mr. Speaker, in my opinion, the federal government must, at the very minimum, establish, first of all, the Canadian Development Corporation and other measures to encourage the investment of Canadian savings in Canada. Secondly, laws to prevent, or at least restrict, foreign interference with subsidiary companies operating in Canada. And, thirdly, disclosure to the governments of Canada—and I repeat that, that is plural—to the governments of Canada, of information on these companies concerning their operations in Canada.

The provincial governments, especially Ontario, must support such federal action and systematically ensure that their policies not only do not subvert the federal policies, but reinforce such policies.

I endorse the thoughtful policies of my colleague, the member for York Centre (Mr. Deacon); He has spelled out these three policies outside the House and I wish to put them into the record at this time. I quote directly from a statement he has prepared:

1. The purchase, by both federal and provincial government; of up to 40 per cent of the common shares of holding companies established to invest in the various areas of development. Such holding companies might specialize in mining ventures, northern development, technological development or general industrial activity. Such investments should not preclude purchase of established Canadian holding companies if the latter so propose, e.g. Noranda, CP Investments.

New companies should offer most of the shares not purchased by a government to the general public. Due to the integrity implied by the government's investment and because of marketability, these shares would under normal circumstances be attractive to the inexperienced investor as well as to large investment funds. Several such funds striving to achieve greater public acceptance through good performance should provide a needed competitive element and offer alternative sources of capital to enterprises with good proposals.

2. The requirement that within 15 years all Canadian corporations become beneficially controlled to the extent of at least 75 per cent by Canadians or Canadian

corporations. Participation by foreign owners in the profits of Canadian corporations would not necessarily be greatly affected by such a proposal because the majority of voting shares could be exchanged for non-voting participating shares, or shares with multiple vote provisions could be offered to Canadians.

The price differential between voting and non-voting shares has traditionally been in the range of five per cent or less. Leaving 25 per cent in foreign hands could mean that effective control (20 per cent or more under normal conditions) would be unchanged but that in the event of a serious dispute, the Canadian interest could easily prevail.

3. The provision that interest on funds borrowed to purchase shares of Canadian corporations would be allowed other Canadian corporations as a deductible expense for tax purposes. The provisions of the white paper make this step relatively simple. It would place Canadian corporations on a similar footing with foreign corporations which enjoy this privilege.

**Hon. Mr. Grossman:** It begins to sound more like 1930 Conservative philosophy.

**Mr. T. Reid:** Just because the Minister bought the dinner last night!

Mr. Speaker, in conclusion, I would simply say this, that a Liberal government in this province would protect Ontario for Canadians.

**Mr. R. D. Kennedy (Peel South):** Mr. Speaker, I would like to talk for a few minutes on a local matter that I brought up in the House earlier this week. That is assessment in Mississauga, or re-assessment at actual market value. I want to mention a few problems which are emerging because of this.

I would like to give a couple of illustrations: In the case of an extra-sized lot where the land value re-assessment brought the land from \$1,010 to \$38,000—it was up 38 times. In 1968, the total assessment for the house and land was \$5,280.

The second one is a property which happens to be owned by a widow. This is about half an acre. That assessment is up from \$3,050 to \$37,200 or about 12 times. The land is now assessed at \$25,680 and the house \$11,520, for the total of \$37,200.

**Mr. Martel:** I would say the member just lost another vote.

**Mr. Kennedy:** No, leave International Nickel out of this.

**Hon. Mr. Grossman:** Tories do not think of votes, they think of the good of the public.

**Mr. Kennedy:** This property, when it was purchased some 20 years ago, had to be of this size because of requirements for a septic tank. A well was needed because there were not the services that there are now.

This widow, living on a limited income at an estimated projection of something in the order of 16 or 17 mills, would have her taxes almost doubled. It would take nearly a fifth of her income. The total amount that a person should devote to shelter, according to the social services people, is about 25 per cent of income. This is 20 per cent of income going for taxes alone, if this indeed proves to be valid after the assessment rolls are closed and the mill rate is set.

There are other increases in the area, Mr. Speaker. Some lots are not affected; others are up by some 35 to 50 times, depending on circumstances.

The people under the two circumstances I have mentioned—the first one is a man who bought under The Veterans Land Act. Of course, he was forced into a large sized lot by virtue of the requirements. I feel the department or the authority, the jurisdiction in charge of this, will need to take a look at this and make some favourable adjustments to keep the levies within limits which can be afforded.

Another element which has come up is the assessment on farm lands in Mississauga. The area is rapidly becoming urbanized and some of these farms have received substantial hikes in assessment.

The report from the agricultural farm committee on assessment is now under study and the whole object of this was to provide some relief to *bona fide* farmers. I would think that some of these cases to which I refer in Mississauga might benefit from any alleviation that results from implementation of this study.

In the matter of assessment, Mr. Speaker, both the Smith and select committees recommended property assessment at actual value. Then Smith said let us apply the mill rate to 70 per cent of the assessed value. The select committee thought that this was a bit high and they suggested 60 per cent. My understanding at the moment, and it may not be accurate, is that the mill rate is going to be applied to 100 per cent of the actual value.

If this occurs, it appears that there may be a shift from industrial and commercial to residential. I do not know at this moment.

**Mr. C. G. Pilkey (Oshawa):** They do not want to do anything about that.

**Mr. Kennedy:** We will see.

**Mr. Pilkey:** You have to be more persuasive.

**Mr. Kennedy:** This would indicate that the new assessment figures, particularly in these cases, should be reviewed and when the review is completed and the impact which might occur is determined, it can be decided what remedial action should be taken. Certainly it is not possible for people, as I have described, to meet the burden of taxation. One of the factors that enters into this is that ordinary size building lots have not been as greatly affected as any that I have mentioned for a number of reasons.

They are of standard size. The ones I mentioned are large lots due to some circumstances often beyond the control of the people who are the owners. So where there is some standardization in lots of similar size, because the taxation will stay about the same and the overall impact will not be as severe. I do not think that their taxation will be affected and in fact in Port Credit this has been demonstrated. It is a community of residential lots; they are largely equal, most of them are about the same size. When they were assessed at actual value last year, though the assessment on the land went up, it was spread across the entire community and so there was no great shift in taxation. They were not unduly disturbed. But Mississauga has a great variety of different sized and shaped lots.

Now the fact that some persons own these lots does not necessarily reflect any particular intent on the part of the owners to be wealthy land holders. As I said, some of these are above average size due to the fact they are veterans who are established under The Veterans' Land Act. There were minimum acreage requirements. For historical reasons, certain properties have stayed in families many years or some are the remainder of a market garden, or a farm, or some such reasons as these.

In some cases there is a very modest home on these properties in a price range that is appropriate to the owners' economic circumstances. But now, because the lot is large

and because of the greatly increased land value, assessment has gone up to reflect these factors.

I mention that under reassessment, indications are that the mill rate will be about 17, perhaps 15. It is somewhere in that ball park I understand. If this is so, and we have cases where there is a 35 or so increase in assessment, the residents could be paying something that is almost like a capital gains tax but they have not sold anything.

Now maybe some form of capital gains might be the means by which these persons can receive relief. I know that in some instances it is not possible for the homeowners to pay these taxes. They are beyond ability to pay and so I say that a review should be undertaken with a view to alleviating these cases. Everyone who has a lot of this size is not necessarily a land speculator. That is what I am saying.

The assessors have, under direction which was accepted by the two committees and by the government, been doing their job assessing the land as they see it on actual value and legally they are right. Nevertheless, some owners with these large sized lots are being quite severely affected apparently, and included here are aged people and I understand some pensioners according to the local paper, whose income will not allow them to meet the obligation unless there is some form of relief. They are caught in this reassessment.

The right to appeal, of course, is there, Mr. Speaker, and appeals have gone in to the court of revision. I think if the assessor has erred or evidence is brought forward of sufficient weight there will be relief through the court of revision. Assuming that this is a limited relief and probably only in individual cases, who indeed have a large tax burden—double or so—then we must take some action to ensure that tax hikes are contained within reasonable limits. The assessment data should be analyzed to determine if there has been a shift from commercial and industrial to residential, and if so, how much it is and upon whom the additional burden will fall.

The other possibility is to consider the application of a percentage taxable assessment in relation to the total market value assessment as it was suggested by the select committee and the Smith committee.

This problem, Mr. Speaker, under reassessment is that there are only two or three counties done now. It is just starting, this programme of reassessment based on market value. If this was examined now, I am sure

we would gain some very valuable information, which would be of assistance as this programme expands over the whole province. We acknowledge and recognize that property taxes are a regressive tax. Possibly these cases I mentioned are not as general as may be indicated. As I say, the standard size lots or subdivision and so on, do not seem to have been shaken up this way. So it should be quite possible to isolate these cases and have a look at them in order that their 1970 tax levies will be held at a reasonable level.

**Mr. Pilkey:** Mr. Speaker, I deem it a pleasure to participate in the Budget Debate and I like to be witness to a most incredible series of events to locate the new Ontario County Assessment Department.

It makes an Alfred Hitchcock drama and suspense production look like a mediocre play in terms of the Conservative government's decision to unfold the specific location of the assessment department.

Let us set the stage with the klieg lights shining brilliantly as each character takes his place front and centre to deliver those immortal lines. In the audience sit the people of Ontario in hushed silence, quivering in anticipation.

The first character to stand in his place, dressed in his grey business suit, symbolic of Toryism, dating back to the days of John A. Macdonald, was the financial wizard of the government, ready to deliver the lines that would emancipate the municipalities and the overburdened municipal taxpayer from his present oppression.

Enter the hon. Treasurer (Mr. MacNaughton).

On pages 63 and 64 of the 1969 budget presentation, he stated:

Current property assessments in Ontario are riddled with inconsistencies and inequities. Many properties are under-assessed, some are over-assessed, and some are not assessed at all. Like properties are assessed at different values from within the same municipality and between municipalities. Moreover there is no consistency between municipalities in the assessment treatment of particular classes of property.

A class of property which enjoys low assessment and therefore a tax advantage relative to other properties in one municipality may be of relative disadvantage in another municipality. The Ontario government is convinced that the only way to remove these anomalies and inequities is to reassess all properties in Ontario at cur-

rent value. It is the province's aim to bring about uniformity of assessment all across Ontario in order to achieve equity among property owners, among property categories, and among municipalities.

To remedy the theory of existing problems in assessment, the Smith committee recommended that Ontario provide more aid and incentive to the municipalities to improve their assessment practices.

The government has doubts that this approach would succeed without a complete change in management practices. It also believes that province-wide reassessment can be achieved much sooner under provincial management than under local administration.

Therefore, the Ontario government has decided to assume full responsibility for the administration of a property assessment. This will be done in two stages.

On July 1 of this year, the province will take over the assessment function in northern Ontario, with the exception of the district of Kenora, Rainy River and Sudbury, and the cities of Sault Ste. Marie and Fort William.

On January 1, 1970, the remainder of the province will come under provincial jurisdiction.

And then enters the hon. Minister of Municipal Affairs (Mr. McKeough), looking every bit the Crown Prince and heir apparent to the throne when the leader is vanquished or involuntarily retired to his law practice in London.

**Mr. J. E. Bullbrook (Samia):** The member is not serious about that? Let the *Hansard* record show that he is laughing. Surely he is not serious?

**Mr. G. Ben (Humber):** He does pretty well with his tongue in his cheek.

**Mr. Pilkey:** I quote from page 1862 of the Wednesday, March 5—the Minister of Municipal Affairs on the question of premises.

The Department of Public Works has a survey under way to determine our requirements. In some instances the municipalities may need the space presently occupied by assessment personnel which will necessitate relocation in other quarters.

On the other hand, some municipalities may not need the space, in which case agreements can be negotiated for the rental of those quarters.

Compensation will be paid to the municipalities for equipment and furniture in use in the assessment office on March 4, based on market value of the item.

Throughout this undertaking we are trying to be as fair as possible to the assessment personnel and to the municipalities involved, bearing in mind the overall objective of creating the most efficient assessment system possible.

Also, the Minister was alleged to have stated that he wanted a smooth transition of this assessment from the municipalities to the province, and he also stated that he would use existing facilities where they met the province's need.

Now, in the case of Oshawa, two officials from the provincial government, Mr. Bentley and Mr. Martin, were to make an administrative decision on the adequacy of the Oshawa facility to house the assessment department. This was on May 23, 1969.

After careful appraisal of the functional aspects of location for the assessment department their response was—

Extracts from Oshawa city council meeting July 7, 1969, item 57:

Mr. W. C. Ritchie, director, administrative service branch, Department of Municipal Affairs, 801 Bay Street, Toronto 5, replying to a letter from the city clerk's department, city of Oshawa, on June 20, 1969, advising that a representative of The Department of Public Works will make contact in the near future to evaluate the assessment furniture and equipment which will be sold to the province: Received and filed.

Extracts from the Oshawa city council minutes, July 16, 1969, item 13:

Department of Municipal Affairs regarding the assessment department furniture and equipment; that the city of Oshawa sell the assessment department furniture and equipment to the province of Ontario, subject to the province's offer being acceptable to the city.

July 28—Ontario Public Works officials to meet with city officials to draw up offer of lease here in Toronto. The city offers a two-year lease with a two-year option. Ontario Public Works officials want five-year lease with five-year option. City officials remind Ontario Public Works officials that this proposition must be ratified by the Oshawa city council.

August 18—Oshawa city council are acting in good faith, but fail to see the ominous clouds hanging overhead, or the sinister characters who are lurking in the background.

This is an excerpt from the city council's minutes, August 18:

Moved by Alderman McIlveen, seconded by Alderman Murdoch, that the city of Oshawa rent to the province of Ontario all of the seventh floor and 1500 square feet of the sixth floor Rundle Tower, for the assessment department, the term of the lease to be for five years, renewable for an additional five years at the same rental and conditions, the rent to be \$41,618.50 annually, payable monthly in advance, and that the part of the rent applicable to maintenance, 50 cents per square foot, be subject to change annually.

This was carried by the city council.

September 9—Oshawa city official forwards to The Department of Public Works typical floor plan requesting the government's partitioning requirements for new assessment departments.

September 25—No response from The Department of Public Works on the partitioning requirements which prompted city officials to phone Toronto requesting plan. Department of Public Works official acknowledges receiving partitioning request and typical floor plan, but cannot locate them. City official promptly sends another floor plan.

Subsequent to the September 25 date, Mr. Penland, Oshawa architect, communicates with The Department of Public Works and receives roughly a plan for partitioning. Then proceeds to lay out new assessment department requirements.

October 17—Ontario Department of Public Works' offer to lease, identifying all of the conditions, was delivered to The Department of Public Works personally by hand, duly signed by Mr. R. Bairand, city clerk with seal affixed.

City of Oshawa official was of the opinion because of the progress between the parties that there was a clear understanding of intent that the province would be leasing space in the Rundle Tower and purchasing the furniture from the city for the assessment department.

Little did he know at this point in time, that the administrative decision had been vetoed and a political decision was now in the process of being made.

I want to point out to the hon. members that this lease was completely filled out, it was on The Ontario Department of Public Works' offer to lease, laying out all of the conditions signed by Mr. Roy Bairand.

October 23—At this point enters the hon. Minister of Public Works (Mr. Simonett) looking every inch the symbol of innocence.

**Mr. R. F. Nixon** (Leader of the Opposition). That must have taken a lot of practice.

**Mr. Pilkey**: Activated by a rumour that the assessment department was not to be located in Oshawa, and that The Department of Public Works had changed their mind, prompted a request for a meeting with the Minister of Public Works which was held on October 23 with Mayor Mackey, controller McIlveen and a city official.

The Minister of Public Works gave the impression he did not really know what was going on, which many who have been in the House for any length of time, find perfectly understandable.

The Minister stated there was not much he could do as a document had been signed the day before to locate in the county courthouse in Whitby.

**Mr. Nixon**: That is a good town.

**Mr. Pilkey**: When it was pointed out to the Minister that there was no space to house the assessment department in the county court building, the Minister responded by saying he would check that out.

October 24—One day later. Two officials from the government arrive in Oshawa to check on the Oshawa facilities and obviously must have checked the county court house in Whitby to ascertain their suitability to locate the provincial assessment department.

November 17—No response from two government officials of The Department of Public Works or The Department of Municipal Affairs which prompted the mayor of Oshawa to send a letter to the Minister of Municipal Affairs, which reads as follows:

I received information this morning to the effect that the province of Ontario will not be leasing space in the Rundle Tower of our administrative building for the county of Ontario assessment function, but in fact the province of Ontario will be erecting a separate building for the assessment function in the town of Whitby.

I have indicated our reasons for suggesting that the Rundle Tower is an ideal location for the assessment facilities to Mr.

Simonett and Mr. Palmer who are meeting in Toronto on October 23, 1969; and to Mr. William Newman MPP and Dr. M. B. Dymond at a later date.

Tonight I intend to present this to Oshawa city council and unless I hear from you to the contrary, I will presume it is the intention of the province to locate the facility in a separate building in the town of Whitby.

Yours very truly, Bruce B. Mackey, mayor of Oshawa.

**Mr. E. Sargent** (Grey-Bruce): Pretty weak material you have got there.

**Hon. R. S. Welch** (Provincial Secretary): Strong voice though.

**Mr. Pilkey**: The plot now begins to thicken and we are about to witness the greatest juggling act since the heydays of the Marx Brothers.

A delegation met with the Minister of Public Works and the Minister of Municipal Affairs. The delegation is headed by Mayor Bruce Mackey, Controller McIlveen, Alderman Murdoch, two city officials along with the member for Ontario South (Mr. W. Newman) and myself from Oshawa.

The mayor of Oshawa is forthright and intelligently possessed. He made the following points—

**Mr. M. Gaunt** (Huron-Bruce): Is he a Liberal?

**Mr. Pilkey**: He sure is.

**Mr. Nixon**: What about the mayor of Whitby?

**Mr. Pilkey**: —and he made the following points at the meeting with the two Ministers:

1. At least 70 per cent of the assessment activity is related to the operations of the city of Oshawa, and easy access by various departments, including Oshawa citizens, would facilitate in our opinion the sensible administration of the main assessment function as it relates to the hub area.

2. Recognizing the future needs by the city, of the space to be rented to the province, it should be noted that this request to have the main assessment office within the city located in a civic tower would be of a temporary nature—up to five years. Space would have to be provided by the province for assessment offices in some other location, suitable to the region when the boundaries are finally determined.

3. It is proposed that a sub-office of the assessment function be located near the Ontario court house building for easy access to records for those in the rural sections of the county.

4. There is no doubt in the minds of this delegation that the superior office accommodation for the main assessment function is by any true test the standards available in the Oshawa civic square tower. We are convinced that our own officials have acquainted you with this particular fact.

5. We feel that the relationship between the city and the province, which would depend on mutual co-operation, would be strengthened if an agreement by the province to enter into an arrangement, as was originally the intention of the province back in August, be acted upon.

6. We feel the city in dealing with the province on this matter, as far back as August, 1969, had a verbal commitment from the province that they would in fact lease space in a city civic square tower. The city has proceeded in good faith to draw up details of the office layout in the floors available and are somewhat surprised at the delay that has taken place to finalize this matter.

7. The city, like the province, is concerned with the smooth transfer of the assessment function to the province and is just as eager to ensure that its citizens get the best service and that the public relations of the province within its boundaries is not damaged. This can best be achieved by ensuring that the space in a civic square tower be leased by the province as intended.

Shall I move the adjournment of the debate at this point?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Keep going Cliff; it is great stuff.

**Mr. Speaker:** The member has another three or four minutes, if he wishes to continue.

**Hon. Mr. McKeough:** You have ruined my lunch now.

Interjections by hon. members.

**Mr. Speaker:** Order.

**Mr. Pilkey:** Mr. Speaker, at this meeting the Minister of Municipal Affairs responded by saying that the accommodation for the new assessment department was the respon-

sibility of The Department of Public Works, but should be as near the hub of activities as possible.

The Minister of Public Works stated, they want the best location for the least money and the city of Oshawa's price was more than they wanted to pay.

In a typical Harpo style, after approximately 40 minutes discussion, the Minister of Public Works, pointed out they had signed a contract with Mr. Mel Goreski to lease space in a building which he would construct for them in Whitby. In addition, the province had a lease on a warehouse on Charles Street in Whitby which had two years to go before it expired and Mr. Goreski would take over the lease. This, in the the Minister's opinion, was a better deal than the Oshawa offer.

At no time was Oshawa ever notified that a contract had been signed with Mr. Goreski or given the opportunity to revise their offer to lease to the province. When the mayor was apprised of the terms of the contract signed by Mr. Goreski and the province at the meeting, he asked the Minister if Oshawa would be given an opportunity to meet the terms of the Goreski contract and if successful, would the assessment department be located in Oshawa. In addition, he asked the Minister of Public Works if the county courthouse in Whitby was still being considered.

The Minister responded by saying that the county courthouse was definitely out because of lack of space and he stated he did not care where it was located and if Oshawa could meet the Goreski deal, the assessment department could go to Oshawa.

Oshawa was to see if they could meet the Minister's conditions and negotiations would proceed.

**Mr. Pilkey** moves the adjournment of the debate.

Motion agreed to.

**Clerk of the House:** The 11th order, consideration of the report of the workmen's compensation board.

#### WORKMEN'S COMPENSATION BOARD

**Mr. D. M. De Monte** (Dovercourt): Mr. Speaker, when I adjourned the debate on the workmen's compensation board in committee on June 5 of this year, I think I placed before this House the position of this party in connection with the workmen's compensation board.

It is our opinion, Mr. Speaker, that the adversary system as it exists in the workmen's compensation board today is unjust, it is inequitable and in my opinion and the opinion of this party, it is being run incompetently.

In that regard, Mr. Speaker, I would like to go back to the first principle, why workmen's compensation? Mr. Justice Meredith, the originator, with this House, of workmen's compensation around the world had this to say about workmen's compensation:

The first principle was that it was to rid the workman of the costly nuisance of litigation.

To provide the injured workman with a percentage of his total earnings through periods of incapacity as a result of industrial injury.

That the workman would not contribute either directly or indirectly toward the cost of his accident, other than the giving up of his rights at common law and a specific portion of his earnings.

Mr. Justice Meredith's position was this—and this is unlike many of the Royal commissioners who have studied workmen's compensation since 1914. He sought to assure payment of adequate compensation in the least complicated manner and with the least possible delay. We invite the government, Mr. Speaker, to approach the system of workmen's compensation today as Mr. Justice Meredith approached it many years ago.

What is the appeal system? The appeal system is a legalistic, lawyeristic approach to the concept of compensating a man for an injury.

Mr. R. Gisborn (Hamilton East): That is what really spoils it, that lawyer thing.

Mr. De Monte: The whole concept, Mr. Speaker, of the workmen's compensation board today seems to be to delay the workman through his appeal procedure. What really bothers the labour unions, Mr. Speaker, is that it is starting to cost them a lot of money to provide workmen's compensation counsellors for the workmen. They have to spend money to provide the workmen with somebody to appear for them before the board. When the workman does appear before the board, he is not even given the right to see what the workmen's compensation board has found out about him. They will give him a summary. We certainly do not know what is left out of the summary. We do not get complete medical reports. The workman never gets a complete medical report.

Mr. R. Haggerty (Welland South): At any time.

Mr. De Monte: At any time. Here is what John L. Dowling, representing the safety, health and workmen's compensation division of education and welfare department for the United Steelworkers of America, said. At that time, Mr. Speaker, I had asked a question about the length of time it takes for a workman to proceed through this legalistic appeal procedure that has been set up recently in the workmen's compensation board.

Mr. Dowling said:

I would suggest therefore that a further question be put on the diary or order paper along these lines: What was the average length of time from when the injured workman was first laid off until a final decision was given by the top board in the 301 cases which were heard by it in 1968?

He is merely saying this, Mr. Speaker, from the time the workman was injured to the time there was a final adjudication at the top of the appeal procedure.

That is the question that has never been really answered in this House, and we have a right to those answers. The workmen who are injured in this province have a right to those answers.

This party believes, Mr. Speaker, that as I have suggested, the appeal procedure is unjust. This party's position and this party's policy now is that the appeal procedure should be abolished and that the kitchen table, humanistic, just approach that existed prior to 1965—prior to Mr. Legge, who is now the chairman of the board, coming into the workmen's compensation board—should be instituted.

More importantly, Mr. Speaker, if we are going to have a legalistic approach, let us give the workmen the rights that a legalistic approach gives—if we are not to go back to the kitchen table technique and have one appeal procedure, Mr. Speaker—an appeal board completely separate from, independent of and autonomous to the workmen's compensation board; as free from the influence of the personnel of the workmen's compensation board as the superior court is from a lower court.

Let us make it clearcut so that the people who are adjudicating whether a workman has a right to a benefit or not, are completely separate from the workmen's compensation board and have one appeal, Mr. Speaker.



This would be a review in the real sense of the word. It would be reviewed by independent, objective people on a separate board. This is the same system that is used at the immigration appeal board in Ottawa. The people who listen to the adjudication are completely separate from The Department of Immigration. Also, the income tax board is completely separate from the income tax department. The adjudication can be taken in an objective manner, not including the people who are spending the money, who are administering the department, who have the purse strings in their hands, judging whether a man has the right to a benefit or not.

Mr. Speaker, I know of instances where men have waited six months and have been thrown on welfare because they cannot get an adjudication from the appeal board. Men who have mental problems because they have a family to support; a mortgage to pay; children to feed; and no money coming in because of this adverse system.

Let us turn to pensions. The pensions of the workmen's compensation board are nig-gardly in the extreme. I often get the impression, Mr. Speaker, that the people at the board seem to think these workmen are gold-bricking, that they want something for nothing. This is so far from the truth that it is ridiculous.

You go up before the board and they look at you as if to say, "What is he doing here? He has no rights here; we have to find out if he is gold-bricking or not. He may be walking with a cane, but he may be gold-bricking".

The pensions, Mr. Speaker, whether they be permanently partial disabilities, or temporary partial disabilities, are not in keeping with the present day standard of living—\$40 a month for a bad back to a bricklayer, Mr. Speaker, means that his income is cut by about \$4,000 a year. A bricklayer cannot lay bricks or lift blocks with a partially disabled back. You know what the workmen's compensation board tells him—they say "go out and find a light job". They have no occupation rehabilitation division in the workmen's compensation board; they send them over to Manpower. Manpower says, "You are injured and we cannot find you a job; go back to workmen's compensation". They bat him back and forth. Meanwhile, the man has to live; his family has to eat and he has to pay his mortgage.

We should consider pensions from the point of view of what the disability has done to this man in his particular occupation. If his injury, his permanent partial injury, prevents

him from going back to his trade, that man should be compensated for that, not for the injury. He should be placed in the same position that he was prior to the accident.

**Mr. Haggerty:** Without a loss of income.

**Mr. De Monte:** Without any loss of income. He should also be placed in the position that he gets his natural increases that he would have received if he had not been injured.

I think, Mr. Speaker, that the concept of Mr. Justice Meredith, which was good in his day—it was an excellent concept—is no concept for modern day workmen's compensation laws. I submit, Mr. Speaker, that because a man is giving up his right to sue at common law, he should not be penalized by a drop in wages. He should be compensated on the basis of his full salary, a percentage of his full salary, and should be compensated on the basis of his loss of occupation. Rehabilitation should embrace the psychological and occupational aspects of injuries, not only the physical side of injuries. We must consider the whole man when we consider his rights under the workmen's compensation laws.

I made a suggestion, Mr. Speaker, on June 5 in this House that perhaps the workmen's compensation could institute with private industry an insurance factor for the 25 per cent of a man's wages that he loses because he is injured; he loses 25 per cent of his wages the minute he is injured if he makes up to \$7,000 a year. Heaven knows what a man loses if he is making \$10,000 a year. Mr. Speaker.

He loses \$3,000 a year right off the bat and then he loses 25 per cent of \$7,000. Now why not—and it is a simple procedure—place the extra 25 per cent, or perhaps place what is not covered by the workmen's compensation laws, into an insurance factor; have it insured on a group basis. It would not cost anything, or the very minimum. Perhaps, Mr. Speaker, a workman can pay for that part of his coverage, so that when a man is injured he gets his full wages. That is a concept, Mr. Speaker, I would ask the Minister, through you, to consider.

There is one aspect of this whole situation that I cannot understand and I think this permeates the board down there. They think they are giving out welfare, you know. They have the concept that they are giving something to the workman he has no right to. Let us make it crystal clear that workmen's compensation is not welfare. When a man, Mr. Speaker, is forced on to welfare because he cannot get a final adjudication from the

workmen's compensation board, it is completely unjust in our society. When a man comes from the welfare department to you, Mr. Speaker, and hands you an assignment of his workmen's compensation claim, you wonder what is going on in this workmen's compensation board, where the welfare department asks for an assignment of what he is going to get under the workmen's compensation laws so he can obtain welfare and feed his family.

**An hon. member:** Does that really happen?

**Mr. De Monte:** It happens in a few cases. Mr. Speaker, the other aspect of this situation is that because of the legalistic approach taken by the board within the last five years, Mr. Speaker, I understand that one of the proponents of the kitchen table technique is no longer with the board. I think his name was Jack Cauley. He is no longer with the board and he was a great proponent of giving the men their just due and keeping humanity and justice in the workmen's compensation board.

This appeal board I am talking about, completely autonomous and separate from the workmen's compensation board, does entail costs. There are costs involved to the workmen now through this appeal procedure; not only costs that might be legal but psychological costs, welfare costs. I submit, Mr. Speaker, that all costs borne by a workman should be paid by the workmen's compensation board; that would make them speed up their procedures; that would make them cut down their levels of appeal. Let us just tell the board "Okay you want to have an appeal procedure, you pay the costs".

Another point—if the workman has a question with the workmen's compensation board, and he feels that the medical reports of the workmen's compensation board, are not what he feels they should be, he should have the right to go to another doctor. In many cases the board refuses to pay that doctor. It also insists on a copy of the report. It is my submission, Mr. Speaker, that the workman should have the right to go to his own doctor and the costs should be paid by the workmen's compensation board. The large aspect of this situation is that the men who sit on the board also have the purse strings in their hands. Of course, if you are holding the purse strings and have the right to hand out money you tend to get a little niggardly. You try to save money, not at the expense of the administration, but at the expense of the workmen.

In closing, Mr. Speaker, I have two concepts to give to this House and I would like to repeat my concepts which I gave to the House a few moments ago.

The first concept is that a man should be compensated his full wages. Why should we make a man who has been hurt in an industrial accident live just above or below the poverty line? We should wipe out the percentages, and he should have the right to claim his full wages if he is fully disabled. And, the workman should have the right to claim the natural increments that would have come to him had he not been injured.

We should relate the pensions to present day costs of living. There are some workmen who were completely disabled 20 years ago who are still getting \$40 or \$45 a month; they are still getting 75 per cent of their old wages which were much lower than they are today.

Pensions in connection with widows are completely inadequate—

**Mr. E. W. Martel (Sudbury East):** The member voted for it last year, so do not hand us your guff. He voted with the Tory government last year.

**Mr. De Monte:** Mr. Speaker, these remarks from my left seem to come up every time a man comes up with a decent concept. They do not like it. They are so busy politicking that they cannot recognize a good concept when they see it.

**Mr. Martel:** You were too busy playing footsy with them over there—

**Mr. De Monte:** The hon. member will have his chance. You just took a minute of my time.

It is unthinkable that an individual who is involved in an industrial accident must be condemned to accepting less than he received before the accident. We have got to put humanity and justice back into the workmen's compensation board. Our workmen's compensation board was an example to all the boards in the world. Many people came here to study it. May I just read into the record what Mr. Justice Tysoe said when he was examining the workmen's compensation laws of Ontario for the province of British Columbia. He said:

I cannot see the necessity in British Columbia of both a board of review and an appeal board as in Ontario. My impression is that the former can perform the

functions of both and it is my intention that it should do so.

That is the opinion, Mr. Speaker, of a man who took an objective look at the workmen's compensation laws of Ontario. I want to reiterate the new policy of the Liberal Party—that we should completely divorce any appeal board from the workmen's compensation board. We should make it independent and autonomous as the board which decides whether a workman has a right to a benefit or not.

Thank you very much.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, first of all I would like to comment briefly on two or three of the aspects of the workmen's compensation board where I think the Act should be changed.

First of all, the exclusions that are presently identified with the Act—I want to allude to a recent example of one of the loopholes in The Workmen's Compensation Board Act. It was brought to my attention, with concern to an individual by the name of Peter McBride, who was a summer student on the midway at the CNE. While working there, he was injured. Fortunately, it was not a permanent injury and he recovered. But had this young man been hired as a bus boy or to serve French fries or hamburgers, he would have been covered under The Workmen's Compensation Act, but because he was working on the midway where there is a classification that entertainment is not covered, then this fellow was not able to collect or benefit from the Act.

In addition to that, it has come to my attention that the owner of the ride that he was working on was a citizen of the United States and, therefore, it would have been nearly impossible for him to file a negligence suit in this case.

I point this out because I think it illustrates a number of situations that are exclusions from the Act and where people really have no protection. I would suggest to the Minister that these exclusions be carefully reviewed so that we do not find ourselves in a position, as this young McBride did. As I said, it could very well have been a permanent injury.

I want to touch very briefly on three or four other points. First of all, I recognize that in the recent amendment to The Workmen's Compensation Act, Bill 150, you did reduce the waiting period from three days to one day.

Very frankly, I am of the opinion that the workmen's compensation board should eliminate the waiting period; that there should be no waiting period.

Here is an injured workman who you are asking to sacrifice a day's wages as a result of an industrial accident because he has a one-day waiting period.

Also, I support the position of the member for Dovercourt on the elimination of the maximum rate of compensation. It seems ludicrous to me that a worker should receive less on compensation than he did while he was working. He should receive the same remuneration.

Surely we all support the proposition that his standard of living should be maintained in spite of an industrial accident. Yet we find the government continuing with the archaic position that there is a maximum rate of compensation.

In addition, on the level of \$7,000 you adopted McGillivray's report in that regard. But why should there be any maximum in that area either? A great number of workers are earning more than \$7,000, particularly in the construction industry. Surely there should be no maximum on these people. Surely they should be able to maintain the same standard of living as they had prior to the industrial accident.

I also believe that there should be an adjustment of pensions and allowances annually in accordance with the change in the cost of living. I really believe that if pensions are going to be meaningful as far as those people who receive them, then this government should reflect the increase in the cost of living, particularly in the last few years when we have been going through a very high inflationary period.

We find the pension being eroded by the inflationary period and yet the government continues to pay a pension that is totally inadequate.

Also, in this regard, I think the government, or the workmen's compensation board, has failed to grasp the fundamental principles established by Justice Meredith inasmuch as payments to the surviving dependents of a workman killed in an accident must have relationship to the man's earnings at the time that he was killed.

Yet this government sets down a schedule of payments to the widow and to the dependents and the pensions that you pay to the widow and her dependents vary little from

public welfare. Surely, the widow, the wife, should be able to maintain the same kind of standard of living she was accustomed to prior to her husband being deceased. Yet the government does not give any recognition to this.

I want to conclude by making a point on the temporary partially disabled. I do not know how long it is going to take before we do something in this area.

Money is found to be available for light work, and then the government reduces his disability pension or his disability benefit by 50 per cent and sometimes 75 per cent. Yet this worker is not able to go back to his former employment because his employer refuses to take him, and in addition, they say there are no light jobs.

Well, the worker finds himself in a rather precarious position at this point. He is now receiving half and in some cases a quarter of his disability benefit. The government does not do anything to correct this situation. I want to point out to the Minister that as industry makes more and more demands on workers because of higher production levels, these light jobs are continuing to disappear.

So the worker finds himself either living on a substandard benefit or, in some cases, has to apply for assistance through the public welfare. It is my opinion that industries in this province should provide the means for their workman to maintain his economic standard of living.

And as I have said, though that was the last point that I wanted to conclude on, but I would urge this Minister and the workmen's compensation board to really make an effort to find a solution to that very critical problem of a temporary partial disability that has been reduced to 50 or 25 per cent. Either you provide a full benefit or you make it incumbent upon industries that they provide light work for the injured workmen. It is one or the other, and this government is going to have to stand up to industry in this province as they never stood up to industry before, because industry is not going to support that kind of a proposition and this government is going to have to have the courage and the fortitude to legislate in that area before you are going to find a meaningful solution to those workers that are on a temporary partial disability benefit.

I urge again upon the government to take a compassionate and a most urgent look at this very critical problem.

Mr. Gisborn: Mr. Speaker, the Order No. 11, just arrived on today's order paper and

I understand it was on by request of the Opposition that we had somehow or other forgotten about the continuation of the debate on the workmen's compensation board and we have agreed to a short period this morning.

I do not know what the connotation means—Report of the Workmen's Compensation Board. The Minister may speak on it later, but this is not the Rand Commission Report because if I remember we had a debate on that previously and this would refer to reports submitted by the workmen's compensation board, in the booklet, the statistical report and the annual report. That report is somewhat redundant at this time and of course it is a statistical report. I think it is time we dealt with just a few of the things that are other than the statistical report.

The whole make-up of the board and some of the particular failures in its application to workmen in particular areas. . . . We understand that about 95 per cent of the cases are dealt with in a quick effective and efficient manner when there is clear indication of injury while at work and I think that most of the members are dealing with those cases that are border-line cases, those that have to be processed through the three stages of procedure and those that arrive at the position that was just mentioned by the member for Oshawa.

In general, I cannot condemn the procedures—the new procedures—of the board that we spoke about during the Rand Commission Report, mainly because I can only take my advice and my knowledge from those groups that applied themselves to the procedures more than anyone else—that is the representatives of organized labour—and in general I found that they support the procedures established. Of course the unorganized groups have no one to speak for them and we do not know just how their position is dealt with.

I would like to mention two or three points from my own experience and I think that we have got to put more emphasis on the original investigation. The officer who makes the original investigation after the claim is submitted, in my estimation, should be better trained. Now there may be some reason why they are knowledgeable as to exactly what their responsibilities are and it does seem to me, even though we have raised this before, that they go out with a feeling that they are to get as little information as possible that would establish the accident. Now I may not be right but this has been my feeling in

several personal cases and I think that it should be emphasized that the original claims investigator should go out with the idea of doing everything possible to establish that that man did have an accident on the job.

I think that it is just a matter of changing the emphasis in his mind. I know that it is very easy for a person to be hired by the board and to be given a job of investigating accidents and knowing that the claimant has to prove that he had an accident on the job, they may feel very innocently that it is not their job to put themselves out to establish that an accident did happen on the job.

I would think that we should have more people in the field. What I run across personally is that there is a great lack of communication or reasonable communication between the claimant and the board which causes a great deal of frustration and heartache where the claimant sits at home and phones the board and says: "I have not received my cheque yet," or "I do not know just what is happening to my claim," and then he finally has to pursue his problem through his member and I usually find that this is the case. I get in touch with the board and within a day they have got his claim out and were able to rectify the situation. Many times I find that they have phoned the board as individuals and they are told, "Yes we will look into it"—

**Mr. Speaker:** I hesitate to interrupt the hon. member but very shortly the time for his party will have expired. Perhaps he could draw his remarks to a conclusion.

**Mr. Gisborn:** Yes, Mr. Speaker, I will do that. I do think that the member for Oshawa hit the main problem in that we do have to find some way to rectify this problem of a man ending up on a 25 per cent pension through an injury in the plant. It is not the same as one who ends up on family and social benefits or city relief, through a long progression of reduction in income for many of the various reasons. This is a case where one is hit suddenly by an accident. He may be in a high income bracket and once he gets hurt he is then drastically hurt by a reduction of income, and it is just not the same.

Of course this leads us to the whole problem of income. How does a person maintain his income? Everybody is talking now about a guaranteed minimum income for those who are not as fortunate as others to make their

own way in our society. It seems to me that they establish the final outcome of a person afflicted by an injury in the plant and reduced to a small pension, because they do not want to overcome the subsistence allowance that is allowed by other various agencies for various reasons. So I make an appeal to the Minister to give the point that was made by the member for Oshawa some consideration.

We have to have a greater co-operation with the industries and where they are able, if they have certain numbers of employees, they should be able to find a job. Of course, under the Act, if they cannot find them a job with the same income that he was earning before his injury, the board then is liable to make up the difference between that and two-thirds. This is the main point.

This is where we are finding the biggest problem. The biggest heartache to those who are hurt in industry is when they are reduced to the low pension income. It is so drastic, it is not a gradual reduction, and I would ask the Minister to give that his greatest consideration over the years.

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, I am the Minister responsible for reporting to this Legislature for the workmen's compensation board. I welcome the opportunity to say a few things about it and about the broad stand of the board's responsibility and its activities.

I appeared before the committee on commissions with the board earlier this year, the beginning of last May, and we had some discussion in reference to the board at the conclusion of the estimates of The Department of Labour.

I am pleased that today we can add to that in the general discussion as to the board's objectives. I have made note of the points raised, made by the hon. members opposite. They thought carefully about these and I know they speak from some of their experiences in reference to the board.

I point out particularly the very reasonable comments of the last speaker, the hon. member for Hamilton East who has, I think, a good appreciation of the work of the board, the work that it tries to do and the assistance it tries to render.

I note particularly the comments of the hon. member for Oshawa in reference to the temporary partial disability matter. It is a concern to me as it is to him.

But in this matter, it is of record that Ontario legislation provides a benefit structure in the administrative system which is the envy of other systems of workmen's compensation on this continent.

The AFL-CIO, the largest labour organization on this continent, in 1966 drafted a set of standards for workmen's compensation law which they submitted should be the model for adoption throughout the United States. But that has not yet been adopted throughout all of those jurisdictions.

The Ontario workmen's compensation legislation meets or exceeds the standards outlined by the AFL-CIO in every respect.

Examples of the AFL-CIO standards in Ontario are:

Every employer whose industry is covered under the terms of the Act is subject to all of the provisions of the law and there are no exceptions based on the number of workmen employed.

Ontario is one of the few jurisdictions in which agricultural workers are covered in the same manner as other workers. In Ontario, any disease or disability attributable to a workman's employment is covered under the Act, and full medical benefits are available for all disabilities without cost and without limitation.

The Ontario Act provides a special fund for rehabilitation and retraining, including maintenance benefits during training courses, and the Ontario board has its own comprehensive rehabilitation service to be sure that every workman receives necessary assistance in rehabilitation.

Compensation benefits begin on the first day—and the hon. member for Oshawa raised this matter of disability following the accident. The benefits are paid as long as disability lasts. Compensation, as he pointed out, is at 75 per cent up to earnings of \$7,000. There is a maximum compensation of \$100.97 per week, and that, Mr. Speaker, is one of the highest rates of compensation paid anywhere in the world.

Ontario meets the AFL-CIO ideal of having administration under a state agency rather than by the courts. Ontario workmen's compensation is not based on an adversary system, nor is it legalistic and there is no appeal to the courts.

Now, there was some reference by the hon. member for Dovercourt with reference to our payment on permanent disability cases. As we all know, this year they were raised to \$175 minimum per month, and made

retroactive to all active cases and not just those that apply in the future.

Mr. Speaker, these are a few of the examples of instances in which Ontario's progressive legislation maintains its position as a good social measure.

There was some reference in connection with disposition of claims. I point out that claims are considered individually and entitlement is determined on the facts as reported. Of the claims received last year, 94 per cent of all cases were accepted.

Usually, the initial reports from the employer or the workman or the doctor provide the basis for acceptance, and in some cases the acceptance follows a further inquiry, which is natural. I think the members of this House should be aware that in this year, 1969, the board will deal with almost 400,000 new claims at the workers' stage.

There is a question as to the speed of payments and while I know it takes several days for an employer or a workman or a doctor to get their reports into the board, 62.3 per cent of all claims not requiring extensive inquiry or investigation are paid within ten working days of the accident; and within 15 days 86 per cent of all claims are paid.

There was reference to the appeal system. I point out that this government does not accept arbitrary decision-making. The workmen's compensation board is firmly committed to the principle of justice with humanity. Each claim is considered individually, on its merits; and where the decision is adverse, the workman is told of his right to appeal.

The board, up to early this month, has received 375,000 claims and that involves a great many decisions to be made in various cases. Each adverse decision is subject to appeal, but by the end of November, 1969, only 3,850 decisions had been appealed to the review committee. That compares to 4,389 appeals for the same period last year. To the end of November, the appeal tribunal, which holds a hearing in every case, had dealt with 1,151 appeals, well below the comparative figures for 1968. At the final level of appeal, the commissioners of the board had heard 218 appeals, as compared with 289 at the end of November, 1968.

Many members of this Legislature, I know, have attended hearings before the board, and I am sure that a great many of them can attest to the fact that the board's appeal system does provide an equitable decision, without the delay which might be encountered

under other jurisdictions or in necessary delays in the courts. As well, many union leaders assist workmen with their appeals; and in addition a workman's advisor is provided by the board. The advisor has complete access to the board's files and advises and helps the workman in presenting his appeal.

One point I think should be made, and that is that in this workmen's compensation legislation the Act is benevolently construed and the benefit of reasonable doubt is applied at all levels of decision making. In evaluating information and making decisions, all reasonable inferences are drawn and presumptions made in favour of the workman, based on the balance of probability and not merely possibility.

Among the other various activities of the board is its concern with a high quality medical programme. An injured workman is entitled to the best possible medical attention and he has the right, of course, to seek treatment from his own doctor.

The board ensures that his treatment programme is tailored to his needs, and where the disability is complicated, specialist services are made available. The board operates a rehabilitation centre at Downsview and in that hospital there are 500 beds, with additional facilities for out-patients. Almost 5,000 of the most severely disabled workmen are treated at this centre in each year.

We realize that medical rehabilitation is essentially an individual problem and the board operates special clinics, such as the amputee and the head injury clinic. There are also clinics headed by leading consultants and a staff, with teams of nurses, therapists and other vocational rehabilitation counsellors to provide the workmen with expert assistance.

Turning to the matter of vocational rehabilitation, the board is concerned with that area and provides vocational rehabilitation services, including social and vocational counselling. There is vocational evaluation, selective job placement and vocational retraining.

The retraining includes pre-vocational upgrading for those who lack the formal education to enter apprenticeship or trades training programmes; and included in all this is the teaching of English for those workmen who do not speak English. Last year, of those workmen who received rehabilitation services 85 per cent were rehabilitated.

The estimated annual income of that group on return to work was almost \$9 million. Four hundred and twenty-nine workmen commenced training in 1968, and within that year

321 workmen completed their training and 92 of those are today employed. The cost of all that is borne by the board, and it exceeded some \$630,000.

In reference to matters of preventative care and safety education, there are nine safety associations organized and supported financially by the workmen's compensation board. Last year over \$4 million was used to support the safety associations in their programmes; and the board also works with other safety groups, such as the Canadian Safety Council, the Canadian Society of Safety Engineers and the Ontario Labour Safety Council. In addition, many industries have their own safety arrangements.

I think members of this House must bear in mind that all of the funds used by the board are obtained from industry; there is no contribution to that fund from the consolidated revenue fund. The employers of Ontario are classified according to industry and type of product, and are assessed from their group experience.

There are 109 classifications whose rates vary from 15 cents for school teachers to \$14 per \$100 of payroll for tunnelling, depending on cost experience. The average rate is \$1.18 per \$100 of payroll, and these rates are adjusted annually as necessary.

For 1970, the year when costs are increasing, 63 rates will remain unchanged, 25 rates will be increased and 31 will be decreased. The workmen's compensation board must be, and has to be, a modern business organization.

There are no dollar limits on the cost of one claim or the total benefits paid in any one year, but the board is very conscious of what administration costs might be. Last year, for each dollar of assessment paid by the employers of this province, only 6.9 cents was used for the cost of administration of all the board's activities. A further 3.6 cents of each dollar goes to the safety associations to help in their work; and that leaves 89.5 cents of every assessment dollar paid out in benefits such as compensation, medical aid, rehabilitation and pensions.

It is that kind of legislation and administration, Mr. Speaker, that makes the workmen's compensation board and the legislation we have the subject of study by a great many other jurisdictions. We have experts from all over the world visiting the board and its rehabilitation centre to see the practices that are carried out here, and they learn a great deal. At the same time, Mr. Speaker, our

own board and its staff learn a great deal from the work of other people.

A few years ago, The Department of Labour of the United States, in drafting new legislation in that country, set out 16 points that it felt should be standard for workmen's compensation. I am pleased to tell you, Mr. Speaker, and members of the House, that those points have all been met or exceeded by the legislation that exists in this province today.

Even so, we do not look on the legislation as something that should remain static. In the last three years we have made a number of changes, both in benefits and other matters. I can assure you, Mr. Speaker, and

members of this House, that the legislation will be kept up to date, and it is being reviewed regularly to improve the benefits that are properly paid to the injured workmen in this province.

**Mr. Gisborn:** How about the American minimum wage?

**Mr. Speaker:** This concludes this order of business. In pursuance to the resolution of the House, the House will now rise for luncheon and we will resume at 2.00 p.m. this afternoon.

It being 1.00 o'clock p.m., the House took recess.

#### APPENDIX

(See page 9763)

Answers to questions were tabled as follows:

27. *Mr. Deans*—Enquiry of the Ministry of Education—What percentage cost for elementary and secondary school education are presently borne by the province?

Answer by the Minister of Education (Mr. Davis): It is estimated that the percentage cost for elementary and secondary education borne by the province in 1969 will be about 47.7.

48. *Mr. Breithaupt*—Enquiry of the Ministry of Health—Will the Minister table the results of any recent researches available to him on current levels of pesticide residues in lards, fats and shortenings? To what extent are organochlorines being stored in fats, and what are the implications for long-term tolerance in humans? Is the Minister aware of the publication this week of the report of the British Association of Public Analysts on this matter? Are limiting quantities for the human intake of aldrin, dieldrin, lead, arsenic and mercury prescribed in Ontario? If not, why not?

Answer by the Minister of Health (Mr. Wells):

1. My department has commenced a monitoring programme which includes the periodic testing of beef, hog and avian fat from selected areas in Ontario. At the present time, it would be premature to attach any significance to the initial results from this programme. However, the food and drug directorate of The Department of National Health and Welfare conducted a survey in 1968 and 1969. In all, some 84 samples of beef, hog,

chicken and turkey fat were tested. The average levels for DDT and other chlorinated hydrocarbons were low.

2. The content of DDT in humans has remained relatively constant, subject to usage pattern of country of test. The build up in body fat is governed by the daily intake, until a plateau is reached and the output then balances off the intake. The level in humans in the U.S.A. is reported as 12.6 ppm; in Hungary the level is about the same, while in Canada, England, France and West Germany it is only about half or less. (*Journal American Waterworks Association*, Vol 57, No. 10, October 1965, *Physiologic Effects of Pesticide Use*—William F. Durham). The amount of DDT in humans in Ontario is no cause for alarm at present. However, this past summer the pesticides advisory board did an extensive study of all the latest information available on DDT and it was found out that it was having a deleterious effect on wildlife, and also had succeeded in spreading to most parts of the ecosystem, even in areas where it was never used. As a result of this, an amendment was passed to the regulations under The Pesticides Act on September 18 last banning the use of DDT in Ontario, except for three controlled uses; namely bat control, cut worm control in tobacco, and plant bug control in apple production.

3. No, I am not aware of the report of the British Association of Public Analysts. If the hon. member would tell me where I may obtain this report, I would appreciate it.

4. Tolerances for the amount of pesticides, including aldrin, dieldrin, lead, arsenic and



mercury, that may be present as food residues in Ontario are within the jurisdiction of the food and drug directorate, Canada Department of National Health and Welfare.

91. *Mr. Worton*—Enquiry of the Ministry of Public Works—1. What are the names of the officials and their salaries in the central supply division, Department of Public Works? 2. What is the full cost of the operation on a monthly basis? 3. What is the amount of purchases undertaken by the division during the last twelve months?

Answer by the Minister of Public Works (Mr. Simonett):

1. R. W. Clarke \$19,150; H. B. Craig \$10,697; G. Khan \$11,114; N. M. Kully \$11,558; G. T. Moreton \$12,027; H. C. Organ \$11,114; W. M. Thompson \$14,506.

2. \$13,130.

3. Nil.

95. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry of Education—What

are the comparable estimates of The Department of Education for 1969-1970 in terms of the 1968-1969 votes and items? That is to say, using the budgeting and accounting categorization of the 1968-1969 estimates which included 22 separate votes—501 to and including 522—what are the estimated increased or decreased expenditures for 1969-1970 which could be validly compared to each of the 1968-1969 vote and items in each vote? For example, what is the real comparison for 1969-1970 to vote 506—with 7 items—in 1968-1969 entitled “Information branch”? Will the Minister provide this detailed comparable budget data before he introduces his 1969-1970 estimates into the Legislature?

Answer by the Minister of Education:

The accompanying chart shows the comparable votes and items in The Department of Education estimates for 1968-1969 and 1969-1970. The comparable amounts are contained in expenditure estimates, tabled in the House for the respective years.

DEPARTMENT OF EDUCATION  
RECONCILIATION OF VOTES AND  
ITEMS: 1968-1969 ESTIMATES vs. 1969-1970 ESTIMATES

1968-69 Estimates			1969-70 Estimates		
Vote and Item		\$	Vote and Item		\$
501	1	660,000	501	1	717,000
	2	65,000		2	64,000
	3	231,000		3	626,000
	4	100,000		4	175,000
	5	30,000		5	—
	6	285,000		6	303,000
	S	12,000		S	12,000
		<u>1,383,000</u>			<u>1,897,000</u>
502	1	896,000	501	1	1,045,000
	2	5,000		2	6,000
	3	633,000		3	534,000
	4	500		3	—
	5	500		3	—
	6	9,000		3	—
	7	16,000		3	—
		<u>1,560,000</u>			<u>1,585,000</u>

Note: Above shown separately under  
—“Main office”  
—“General administration”  
—“Financial administration”  
—“Legal services”

<i>1968-69 Estimates</i>			<i>1969-70 Estimates</i>		
<i>Vote and Item</i>		<i>\$</i>	<i>Vote and Item</i>		<i>\$</i>
503	1	650,000	503	1	718,000
	2	45,000		2	43,000
	3	104,000		3	161,000
	4	30,000		3	—
	5	10,000		—	—
		<u>839,000</u>			<u>922,000</u>
504	1	1,093,000	501	6	1,963,000
	2	33,000			
	3	459,000			
	4	395,000			
		<u>1,980,000</u>			(Net) <u>1,963,000</u>
505	1	136,000	501	1	147,000
	2	4,000		2	3,000
	3	19,000		3	32,000
	4	24,000		7	21,000
		<u>183,000</u>			<u>203,000</u>
506	1	135,000	501	1	164,000
	2	16,000		2	16,000
	3	25,000		3	227,000
	4	30,000		3	—
	5	47,000		3	—
	6	109,000		3	—
	7	24,000		3	—
		<u>386,000</u>			<u>407,000</u>
507	("Office of the director" and "Supervision")		502	1	8,601,000
	1	7,838,000		2 (10)	805,000
	2	874,000		3	712,500
	3	601,000		1	—
	4	4,000		4	50,000
	7	50,000		5	5,000
	10	5,000		7	120,000
	13	106,000		6	15,000
	14	15,000			<u>10,308,500</u>
		<u>9,493,000</u>			

Note: Above shown separately under  
 —"Administration and supervision"  
 —"Regional decentralization"

<i>1968-69 Estimates</i>		<i>1969-70 Estimates</i>	
<i>Vote and Item</i>	<i>\$</i>	<i>Vote and Item</i>	<i>\$</i>
507 ("Curriculum")		502	
1	1,084,000	1	1,357,000
2	131,000	2 (10)	124,500
3	496,000	3	514,000
5	65,000	12	65,000
6	1,166,000	13	1,407,000
8	247,000	9	250,000
11	23,000	—	—
12	12,000	—	—
	<u>3,224,000</u>	10	148,000
			<u>3,865,500</u>
		Note: Above shown separately under	
		—“Curriculum development”	
		—“Audio visual education”	
507 ("Registrar")		502	
1	619,000	1	530,000
2	8,000	2	10,000
3	161,000	3	178,500
9	10,000	8	10,000
	<u>798,000</u>		<u>728,500</u>
508		502	
1	1,306,000	1	1,559,000
2	146,000	2	172,000
3	1,226,000	3	1,895,000
4	2,813,000	11	3,893,000
5	347,000	11	—
	<u>5,838,000</u>		<u>7,519,000</u>
509 ("Office of the Director")		502	
1	136,800	1	151,000
2	21,700	2	23,000
3	52,200	3	74,500
4	25,000	3	—
5	3,000	3	—
9	76,000	14	70,000
	<u>314,700</u>		<u>318,500</u>
509 ("Professional development")		502	
1	90,300	1	107,500
2	13,000	2	18,000
3	19,000	3	20,500
7	8,000	—	—
8	1,464,000	16	2,033,000
	<u>1,594,300</u>		<u>2,179,000</u>
509 ("Teachers' colleges")		502	
1	5,882,900	1	6,800,500
2	51,300	2	52,000
3	498,800	3	570,000
6	1,164,000	17	1,505,000
	<u>7,597,000</u>		<u>8,927,500</u>

<i>1968-69 Estimates</i>		<i>1969-70 Estimates</i>	
<i>Vote and Item</i>	<i>\$</i>	<i>Vote and Item</i>	<i>\$</i>
509 ("Grants to universities for the operation of teachers' colleges")			
10	368,000	502	15
	<u>368,000</u>		<u>400,000</u>
509 (Summary)			
1	6,110,000	502	1
2	86,000		2
3	570,000		3
4	25,000		3
5	3,000		3
6	1,164,000		17
7	8,000		—
8	1,464,000		16
9	76,000		14
10	368,000		15
	<u>9,874,000</u>		<u>11,825,000</u>
510 ("Office of the director")			
1	76,000	504	1
2	5,000		2
3	7,000		3
4	77,000		4
15	160,000		5
	<u>325,000</u>		<u>401,000</u>
510 ("Schools for retarded children")			
1	1,198,500	504	1
2	44,000		2
3	103,500		3
	<u>1,346,000</u>		<u>1,557,000</u>
510 ("Correspondence courses")			
1	623,000	502	1
2	5,000		2
3	376,000		3
5	35,000		18
6	554,000		18
	<u>1,593,000</u>		<u>1,887,500</u>
510 ("Ontario School for the Blind, Brantford")			
1	950,000	504	1
2	8,000		2
3	144,000		3
	<u>1,102,000</u>		<u>1,331,000</u>

<i>1968-69 Estimates</i>			<i>1969-70 Estimates</i>		
<i>Vote and Item</i>	<i>\$</i>		<i>Vote and Item</i>	<i>\$</i>	
510 ("Ontario School for the Deaf, Belleville")					
1	1,638,000		504 1	1,798,000	
2	45,500		2	45,500	
3	406,500		3	496,000	
	<u>2,090,000</u>			<u>2,339,500</u>	
510 ("Ontario School for the Deaf, Milton")					
1	1,923,000		504 1	2,227,500	
2	29,000		2	30,000	
3	497,000		3	575,000	
	<u>2,449,000</u>			<u>2,832,500</u>	
510 ("Community programmes")			(1969-70: inclusive of community programmes—leadership camps and youth branch)		
1	480,500		506 1	487,000	
2	29,500		2	55,000	
3	23,000		3	57,000	
9	78,000		2, 3	—	
10	3,000		3	—	
11	19,000		3	—	
12	170,000		5	200,000	
13	8,000		—	—	
14	1,000		3	—	
	<u>812,000</u>			<u>799,000</u>	
("Leadership camps")					
1	52,000		506 1	(incorporated)	
2	5,000		2	(incorporated)	
7	27,000		6	177,000	
8	128,000		6	—	
	<u>212,000</u>			<u>177,000</u>	
512 ("Youth branch")					
1	49,000		506 1	(incorporated)	
2	7,000		2	(incorporated)	
3	5,000		3	(incorporated)	
4	75,000		4	75,000	
	<u>136,000</u>			<u>75,000</u>	
511					
1	637,000		505 1	719,000	
2	86,000		2	85,000	
3	60,000		3	60,000	
	<u>783,000</u>			<u>864,000</u>	

<i>1968-69 Estimates</i>			<i>1969-70 Estimates</i>		
<i>Vote and Item</i>		\$	<i>Vote and Item</i>		\$
513	1	123,000	506	1	136,000
	2	11,000		2	11,000
	3	54,000		3	77,000
	4	13,000		3	—
	5	3,000		10	9,000
	6	1,000		10	—
	7	5,000		10	—
		<u>210,000</u>			<u>233,000</u>
514	1	226,000	506	7	226,000
		<u>226,000</u>			<u>226,000</u>
515	1	29,150,000	505	4	29,450,000
	2	112,463,000	503	7	70,753,000
		<u>141,613,000</u>			<u>100,203,000</u>
516	1	543,000,000	503	4	616,968,000
	2	8,000,000		6	4,000,000
	3	4,150,000		—	—
	4	300,000		—	—
	5	6,600,000	506	9	7,260,000
	6	1,290,000		8	1,350,000
	7	80,000		8	80,000
		<u>563,420,000</u>	503	5	7,500,000
					<u>637,158,000</u>
517	1	2,515,000	501	8	2,925,000
		<u>2,515,000</u>			<u>2,925,000</u>
518	1	2,241,000	Now under The Department of University Affairs		
	2	1,524,000			
	3	2,294,000			
		<u>6,059,000</u>			
519	1	7,447,000	505	6	9,500,000
		<u>7,447,000</u>			<u>9,500,000</u>
520	1	45,000,000	505	5	50,882,000
	2	64,000		5	67,000
	3	483,000		5	3,317,000
	4	200,000			200,000
		<u>45,747,000</u>			<u>54,466,000</u>
521	1	9,120,000	501	8	10,048,000
		<u>9,120,000</u>			<u>10,048,000</u>
522	1	4,000	501	9	4,000
	2	14,889,000		9	14,889,000
	3	476,000		9	480,000
	S	38,232,000		S	47,800,000
		<u>53,601,000</u>			<u>63,173,000</u>
Total Department of Education		<u>876,364,000</u>			<u>931,419,000</u>

97. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry of Education: What were the total (estimated) salaries of The Department of Education for 1968-69 and what are the total (estimated) salaries for 1968-70? What were the total (estimated) travelling expenses of The Department of Education for 1968-69 and what are the total (estimated) travelling expenses for 1969-70? What were the Minister of Education's personal total (estimated) travelling expenses for 1968-69 and what are his total (estimated) travelling expenses for 1969-70? What were the total (estimated) maintenance expenses of The Department of Education for 1968-69 and what are the total (estimated) maintenance expenses for 1969-70? Will the Minister provide this comparable information for 1968-69 and 1969-70 before he introduces his 1969-70 Estimates to the Legislature?

Answer by the Minister of Education:

The following information is provided, as requested:

	Department of Education	
	Estimates 1968-69	Estimates 1969-70
Salaries .....	\$28,289,000*	\$30,662,000*
Travelling expenses .....	1,688,000	1,618,000
Maintenance .....	6,201,000	7,459,000
Minister's travelling expenses .....	3,575**	***

\* Includes Minister's salary of \$12,000.

\*\* Actual.

\*\*\* Travelling expenses for the Minister are not separated out from the estimated expenses for his office.

103. *Mr. Peacock*—Enquiry of the Ministry of Trade and Development—1. What were the total costs—fees and expenses—of the project report "The Impact of the Equalization of Industrial Opportunity Programme" prepared for the Ontario Development Corporation by Stevenson and Kellogg Ltd., management consultants? 2. Does the project report's estimate of \$3.5 million in annual Ontario corporate income tax to be paid by those companies receiving ODC forgiveness loans to date, indicate pre-tax profits of approximately \$30 million representing a return on their ODC-assisted investment of about 30 per cent?

Answer by the Minister of Trade and Development (Mr. Randall):

1. The total cost of the project report was \$6,267.15.

2. Information contained in the report would suggest pre-tax profits of approximately \$26.5 million. Relating these pre-tax profits to ODC assisted investment is not meaningful judged by any of the accepted accounting standards. Such a comparison ignores the other substantial assets employed by these companies in earning pre-tax profits.

106. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry of Education—Will the Minister of Education name—before Friday, November 7, 1969—each and every group (and size of their respective grants) which he has decided are to receive grants under vote 501, item 8, "miscellaneous grants", subsection "miscellaneous (to be paid as may be directed by the Minister)"?

Answer by the Minister of Education:

The following grants have been paid under vote 501, item 8 (miscellaneous, as may be directed by the Minister) as of 6th November, 1969: Ontario Association for Children with Learning Disabilities, \$2,500; Commission on Emotional and Learning Disorders in Children, \$30,000; Federation des Associations de Parents et Instituteurs de Langue Française, \$2,000; Federation of Ontario Naturalists, \$3,000; Institute of Public Administration, \$5,929; Italian Community Education Centre, \$8,000; L'Association Canadienne des Educateurs le Langue Française, \$3,500; National Ballet School, \$100,000; National Theatre School of Canada, \$60,000; Ontario Association for Continuing Education, \$5,000; Ontario Craft Foundation, \$40,000; Ontario Education Association, \$7,500; Ontario Federation of Home and School Associations, \$2,000; Ontario Film Association Inc., \$2,000; Canadian Council for International Cooperation, \$7,500; Stratford Shakespearean Festival Foundation of Canada, \$50,000; Theatre Hour Company (Crest Theatre Hour), \$40,000; United Nations Association in Canada, \$985; Scarborough Board of Education Conference ("Understanding Mainland China"), \$1,000; Performing Arts Magazine, \$1,500; Ontario Youth Concert Band, \$5,000; Ontario Educational Research Council, \$5,000; Canadian Special Olympics for the Mentally Retarded, \$5,000; Ontario Youththeatre, \$5,000; International Commission on Glass, \$2,500; Whitby Arts Incorporated \$14,500; Ontario Camp of the Deaf, \$10,000. Total to November 6, 1969: \$419,414.

109. *Mrs. M. Renwick* (Scarborough Centre)—Enquiry of the Ministry of Trade and Development: Would the Minister of

Trade and Development advise how many units of the Ontario Housing Corporation are under the management and maintenance of the Montreal Trust, and (a) where are these units located, (b) what amount is being paid by the Ontario Housing Corporation to the Montreal Trust for the services that the Trust Company provides, (c) what dates bind Montreal Trust in their contract with the Ontario Housing Corporation, (d) at what saving or expense to the Ontario Housing Corporation is the service being provided over the system in the past of the Ontario Housing Corporation managing and maintaining their own units?

Answer by the Minister of Trade and Development:

853 units of the Ontario Housing Corporation are under the management and maintenance of Montreal Trust Company.

a. These units are located at Tandridge Crescent in the Borough of Etobicoke, and Flemingdon Park in the Borough of North York.

b. The management fee payable to Montreal Trust Company is as follows: (i) Tandridge Crescent \$19,500 per annum; (ii) Flemingdon Park \$33,800 per annum. These fees are exclusive of salaries of on-site personnel, the cost of which is an operating expense of the project.

c. Both contracts with Montreal Trust Company commenced May 1, 1969, and have a termination date of April 30, 1972. Each contract contains a condition that either party may elect to cancel and terminate the contract by giving not less than 90 days' written notice of the decision to do so. Each contract also contains a provision for the termination of the contract or a reduction in the number of dwelling units under management in the event of the sale of any of the dwelling units by OHC.

d. The board of directors of OHC decided to place a limited number of its developments under private management to obtain a comparison of private management *vis-à-vis* direct management by the corporation. Following are schedules showing a comparison of the operating and maintenance expenses in respect of the 1969 budgets which give a comparison of costs under private and public management. It should be noted that under

the terms of the agreements between OHC and the Montreal Trust Company, Tenant Placement and Tenant Relations Services are the responsibility of OHC. This accounts for the variation in administrative costs:

		Schedule A	
OPERATING EXPENSES 1969		OH 50 FLEMINGDON PARK (524)	
	OHC	Montreal	Trust
Fuel .....	\$ 65,300	\$ 65,300	
Hydro .....	20,710	20,710	
Water .....	11,670	11,670	
Grounds .....	16,700	23,700	
Janitorial supplies .....	10,000	10,000	
Janitorial labour .....	70,000	70,000	
Equipment .....	1,000	—	
Sundry .....	4,500	3,000	
Pest control .....	—	1,250	
Garbage .....	—	3,000	
Total yearly operating expenses ....	\$199,880	\$208,630	
Total yearly operating expenses per unit .....	381	400	
Total monthly operating expenses per unit .....	32	33	

		Schedule A	
MAINTENANCE EXPENSES 1969		OH 50 FLEMINGDON PARK (524)	
	OHC	Montreal	Trust
Wages .....	\$ 25,100	\$ 38,500	
Appliances .....	1,350	1,350	
Decorating .....	28,200	27,200	
Repairs .....	43,300	36,500	
Capital improvements ..	111,300	113,300	
Total yearly maintenance expenses .....	209,250	216,850	
Total yearly maintenance expenses per unit .....	400	410	
Total monthly maintenance expenses per unit .....	33	34	

		Schedule A	
ADMINISTRATION EXPENSES 1969		OH 50 FLEMINGDON PARK (524)	
	OHC	Montreal	Trust
Administration .....	\$ 44,020	\$ 33,800	
Total administration expenses yearly .....	84	64	



Schedule B

OPERATING EXPENSES 1969

	OH 30 TANDRIDGE: Row Houses (108)		OH 54 TANDRIDGE: High-Rise (221)		COMBINED TANDRIDGE OH 30 AND 54 (329 UNITS)	
	OHC	Montreal Trust	OHC	Montreal Trust	OHC	Montreal Trust
Fuel .....	\$33,810	\$33,810	\$15,060	\$15,060	\$48,870	\$48,870
Hydro .....	6,980	6,980	11,370	11,500	18,350	18,480
Water .....	2,760	2,760	4,250	4,500	7,010	7,260
Grounds .....	5,830	5,000	7,900	—	13,730	5,000
Janitorial supplies .....	1,340	500	4,370	2,000	5,710	2,500
Equipment .....	500	—	1,000	—	1,500	—
Sundry .....	150	500	700	500	850	1,000
Pest control .....	—	500	—	650	—	1,150
Garbage .....	—	500	—	3,000	—	3,500
Total yearly operating expenses ..	<u>51,370</u>	<u>50,550</u>	<u>44,650</u>	<u>37,210</u>	<u>96,020</u>	<u>87,760</u>
Total yearly operating expenses per unit .....	476	468	202	168	339	318
Total monthly operating expenses per unit .....	39.6	39	17	14	28	27

MAINTENANCE EXPENSES 1969

Schedule C

	OH 30 TANDRIDGE: Row Houses (108)	OH 54 TANDRIDGE: High-Rise (221)	COMBINED TANDRIDGE OH 30 AND 54 (329 UNITS)
	<i>OHC</i>	<i>OHC</i>	<i>OHC</i>
	<i>Montreal Trust</i>	<i>Montreal Trust</i>	<i>Montreal Trust</i>
Wages .....	\$14,160	\$10,580	\$24,740
Appliances .....	650	500	1,500
Decorating .....	14,040	7,800	25,490
Repairs .....	7,540	11,800	19,340
Capital improvements .....	5,300	10,800	16,100
Elevators .....	—	2,000	2,000
Total yearly maintenance expenses	<u>41,690</u>	<u>47,130</u>	<u>88,820</u>
Total yearly maintenance expenses per unit .....	386	213	299.50
Total monthly maintenance expenses per unit .....	<u>32.16</u>	<u>18</u>	<u>25.00</u>

ADMINISTRATION EXPENSES 1969

	OH 30 TANDRIDGE: Row Houses (108)	OH 54 TANDRIDGE: High-Rise (221)	COMBINED TANDRIDGE OH 30 AND 54 (329 UNITS)
	<i>OHC</i>	<i>OHC</i>	<i>OHC</i>
	<i>Montreal Trust</i>	<i>Montreal Trust</i>	<i>Montreal Trust</i>
Administration .....	\$9,070	\$18,560	\$27,630
Total yearly administration expenses per unit .....	84	84	84
Total monthly administration expenses per unit .....	<u>7</u>	<u>7</u>	<u>7</u>

111. *Mr. Reid* (Scarborough East)—Enquiry of The Department of Treasury and Economics—What are the specific sources and the respective amounts of “other revenue” as contained in the table entitled “Sources of Net General Revenue” on page 8 in the “1969 Financial Report” of the province of Ontario for the fiscal years 1968 and 1969?

Answer by the Treasurer:

Government of Canada	1969	1968
Annual subsidy .....	\$ 4,624,070	\$ 4,624,070
Interest—common school fund .....	72,633	72,633
Post-secondary education adjustment payment .....	117,296,000	19,478,992
Canada Assistance Plan—Social and Family Services .....	1,637,526	18,498,824
Miscellaneous—technical and vocational training, hospital construction assistance, industrial training agreements .....	1,350,458	12,364,577
	<u>124,980,687</u>	<u>55,039,097</u>
Fees—motor vehicles, local registrars, sheriffs, Crown attorneys, magistrates, municipal policing, etc., companies' and brokers' registrations, etc., tuition, examinations, etc., inspections, fire protection, parks, mine recording, etc. ....	42,032,759	32,067,826
Fines and penalties .....	22,262,749	5,014,900
Royalties—timber, sand and gravel, game and fish, etc. ....	15,340,401	15,616,344
Sale of physical assets .....	6,322,531	2,264,544
Sale of produce, livestock, etc. ....	3,305,507	3,187,050
Rent, board, maintenance of patients, perquisites, etc. ....	11,454,817	9,601,134
Public domain—water rentals, Crown land leases, etc. ....	9,432,203	9,335,951
Miscellaneous .....	3,691,450	1,110,659
	<u>\$238,823,104</u>	<u>\$133,237,505</u>





# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, December 17, 1969  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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Wednesday, December 17, 1969

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## LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 17, 1969

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

**Clerk of the House:** The 10th order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into committee on ways and means.

### ON THE BUDGET

**Mr. C. G. Pilkey (Oshawa):** Continuing Mr. Speaker, on November 21, receiving no response from the Minister of Public Works (Mr. Simonett) after a period of three days, the mayor of Oshawa delivered the following letter to the Minister's office by hand:

Dear Mr. Simonett:

It is with regret that I find myself writing to inform you that to date we understand that your staff have not been instructed to negotiate with city officials with a view to resolving the matter of the terms and conditions which would enable the provincial assessment function to be located in the Oshawa Civic Square Tower.

During last Tuesday afternoon's meeting which the Oshawa delegation had with you and the Minister of Municipal Affairs, you stated that the province was interested in "the best accommodation for the least money".

With this in mind, it was our understanding that both the officials of your department and my city would work towards this particular enunciation of your department's policy, with a view to meeting the following conditions:

1. That the rental rates to be charged by the city were competitive with the rental rates that could otherwise be obtained by your department elsewhere.

2. That, in addition, the city of Oshawa would take into account the terms and conditions of an existing lease which your department has for a building located in Whitby.

3. That the agreement which you stated you had to lease a building to be located in the town of Whitby, which would not

be constructed until the middle of 1970, could, at this early stage, be terminated since nothing had been acted upon with respect to this matter.

It was my understanding that your officials would contact our city officials on or before November 20, 1969, with a view to revising the city's and your department's terms and conditions established August 1969 before the week ending Friday, November 21, 1969.

As you know, this is a matter of some urgency to the city, and no doubt to The Department of Municipal Affairs who require administrative space immediately, as workmen are standing by to instal the necessary partition work as soon as this matter can be resolved.

Would you kindly inform me if there is any reason why you feel this matter should be delayed any further.

Yours very truly,  
Bruce V. Mackey,  
Mayor.  
City of Oshawa.

On November 25, getting no response, the mayor of Oshawa delivered by hand a resolution passed by the Oshawa city council on November 24, 1969, to the Minister of Public Works, which reads as follows:

Dear Mr. Simonett:

This is to advise you that a resolution was passed by our city council on Monday, November 24, 1969, as follows:

"That the hon. J. R. Simonett, Minister of Public Works for the province of Ontario, be advised that the council of the corporation of the city of Oshawa are able and are prepared to meet the terms and conditions stated at the meeting in Toronto on November 18, 1969, for the location of the provincial assessment function in the Rundle Tower of the Oshawa civic administration complex, and a meeting be requested to finalize the terms of the agreement; and further that the mayor be authorized to enter into the agreement."

The above resolution passed by our city council was based on the premise that the

contractor in Whitby, with whom you have an agreement, is willing to negotiate the termination of that agreement both in connection with the lease on the building to be constructed and the existing lease which your department has for a building located in the town of Whitby.

This now leaves the matter of the rental rates to be charged by the city for the use of the space in the Oshawa Civic Square Tower.

We also understand that the contractor referred to above has incurred certain legal costs which he will wish to be reimbursed for.

Would you kindly inform me when your officials can meet with the city officials to work out the details with respect to this matter.

Hearing no response from that letter, the following day the mayor of Oshawa sent a telegram to the Minister of Public Works, which reads as follows—this was on November 26:

I PERSONALLY HAD DELIVERED TO YOU ON NOVEMBER 25, 1969, A LETTER INDICATING A MOTION PASSED BY THE OSHAWA CITY COUNCIL AGREEING TO THE CONDITIONS AS LAID DOWN BY YOU AT OUR MEETING IN TORONTO ON NOVEMBER 18, 1969, PERTAINING TO THE LOCATION OF THE PROVINCIAL ASSESSMENT FACILITIES FOR THE COUNTY OF ONTARIO. I HEREBY REQUEST YOU TO INFORM ME BY 7.30 P.M., NOVEMBER 27, 1969, EITHER BY PHONE OR BY WIRE, OF YOUR DECISION IN THIS MATTER SO I CAN ADVISE OSHAWA CITY COUNCIL OF YOUR POSITION AT ITS MEETING AT THAT TIME.

On December 9 a telegram from the Minister of Public Works to L. R. Barrand, city clerk in Oshawa:

PUBLIC WORKS MINISTER, J. R. SIMONETT, DR. MATTHEW DYMOND, M.P.P. FOR ONTARIO, AND WILLIAM NEWMAN, M.P.P. FOR ONTARIO SOUTH, MADE A JOINT ANNOUNCEMENT TODAY, DECEMBER 9TH, 1969, THAT THE ASSESSMENT OFFICE FOR THE COUNTY OF ONTARIO WILL BE LOCATED IN THE COUNTY OF ONTARIO COURT HOUSE AND ADMINISTRATION BUILDING, 605 ROSSLAND ROAD EAST, WHITBY. THE ASSESSMENT OFFICE WILL OCCUPY THE WHITBY PREMISES THE FIRST WEEK OF JANUARY, 1970 TO FACILITATE THE ADMINISTRATION OF REAL PROPERTY ASSESSMENT FOR MUNICIPALITIES IN ACCORDANCE WITH THE TRANSFER OF THIS RESPONSIBILITY TO THE ONTARIO GOVERNMENT, EFFECTIVE JANUARY 1ST, 1970. THE SPACE WHICH WILL BE TAKEN OVER BY THE ASSESS-

MENT BRANCH IS SPACE ALREADY UNDER LEASE TO THE GOVERNMENT OF ONTARIO BY AGREEMENT WHEN THE GOVERNMENT ASSUMED RESPONSIBILITY FOR THE ADMINISTRATION OF JUSTICE.

THE HONOURABLE J. R. SIMONETT,  
MINISTER OF PUBLIC WORKS,  
PROVINCE OF ONTARIO.

Mr. Speaker, this really tells the whole story except for one item, and I want to read this into the record. After the mayor of Oshawa received the telegram from the Minister, he made the following release:

I understand, through a phone call from the news media, that the province of Ontario has decided to locate the assessment office in the county court house at Whitby, which was subsequently confirmed by a telegram from the Minister of Public Works, Mr. J. R. Simonett.

This is an incredible and astounding way to do business on the part of the province.

Last August, at the request of the province, who supplied us with their official "Offer to Lease" forms, Oshawa council passed a resolution offering to lease space in the Rundle Tower. It is the policy of the province to request such a resolution, and we followed that procedure. Since that time, there has been a deliberate attempt by the province to avoid locating in Oshawa at all costs. I would like to know why?

When we built the seventh floor addition to the Rundle Tower, we planned to use one floor for the city's own assessment department. We made that decision prior to the announcement by the province of the provincial assessment take-over.

When we heard rumours that the province intended to build a separate building in the town of Whitby, to locate assessment, we were informed by Mr. Simonett that if we met three conditions, the province would locate the facility in the city of Oshawa, as was their original intention, and we were promised the opportunity to negotiate on this matter further, before any final decision would be made by the province. We subsequently informed the Minister that we could meet the three conditions laid down by the province.

To this date, we have received no further consideration from the province or participation in the final decision-making process.

On the merits of our case, Oshawa has 65 per cent of the total assessment records. We have the superior and completely separate office accommodation. It is imperative



for the smooth operation of our civic departments, and for the convenience of our citizens, that the assessment records be readily accessible in the most central location. It will add to the cost of operating our city hall for our staff and citizens to travel to the county court house for necessary information and consultation. These aspects have not been given full consideration by the province.

The city and county people who built the court house in Whitby, intended the court house to be used for administration of justice purposes. We believe the judiciary aspect must be separate from the other administration departments of government, and we proceeded on that basis with our partners the county to lease accommodation to the government of Ontario when the government assumed the responsibility for administration of justice. It was certainly not the intention of city council to agree to lease accommodation in the Ontario court house and administration building for any other purpose.

The mayor of this city and the city council have been made to look foolish by the underhanded treatment of this matter by the province. I believe there has been a breach of faith by the Ministers of Municipal Affairs, Public Works and the Attorney General, who have compromised their public intentions.

Obviously, the provincial left hand does not know what its right hand is doing, and it is obvious that the provincial head does not know what its feet are doing. Why was an agreement entered into with a private contractor for the erection of a separate building, if The Attorney General's Department had free space in the county court house? Why did not Mr. Simonett inform us of this fact at our first meeting?

The effect of the clumsy mishandling of this situation will most certainly damage provincial-city relations which may cause an unfortunate rift between this city and other area municipalities, nor is it conducive to good administration. Mr. McKeough has stated that he expected a smooth takeover by the province of the assessment function, with a minimum amount of disruption. I would hate to see a rough takeover.

It is not my intention as mayor of the city of Oshawa to stand idly by and let important matters of this kind go unnoticed, and I feel more strongly than ever that the resolution of council passed last

evening requesting a meeting with Premier Robarts, should be pursued vigorously to make him aware of the mess his Ministers have got him into.

Also, I believe our regional government committee must meet as soon as possible to discuss the continued involvement of the city of Oshawa in the Oshawa Area Planning and Development Study in which this city has played a leading role.

In short, we must be more aggressive and alert in our dealings with the province of Ontario and our neighbouring municipalities if we are to protect our local interests.

Now, Mr. Speaker, what really started out as sort of a suspense story turned into a comedy of errors with the Minister of Public Works playing the leading role. He was closely followed by other Ministers of the Crown, and assisted and supported in that role by the member for Ontario South (Mr. W. Newman) and the member for Ontario (Mr. Dymond).

Why was the Mel Goreski contract cancelled? Was the government's position indefensible in regard to that contract? Why did the former federal Minister of Labour, Michael Starr, for whom I have great respect, make representation to the government to locate the assessment department in Oshawa? Why did the president of the local Conservative riding association make representation to the government to locate the assessment department in Oshawa?

Why did the government wait from November 18 to December 9 to announce the location of the assessment department? Why did the Minister of Public Works start in Oshawa in May of 1969 at the county court house and then to the Mel Goreski contract to build in Whitby on a leaseback, and then back to the county court house? What was the role of the member for Ontario South and the member for Ontario in this conspiracy?

**Mr. M. B. Dymond (Ontario):** Looking after our ridings.

**Mr. E. W. Martel (Sudbury East):** The member means making sure of things for themselves.

**Mr. Pilkey:** This government was determined the assessment department would be located in another area, even though Oshawa would immediately be placed at a disadvantage by having the assessment records not readily and conveniently accessible, and knowing full well that these records would be

needed for tax planning, legal, property, public works and general treasury purposes.

Hon. J. R. White (Minister of Revenue): I guess the Oshawa member was not on the job.

Mr. Pilkey: I submit, Mr. Speaker, the Minister of Public Works would have established negotiations with President Nixon at Cape Kennedy to locate the new assessment department on the moon rather than locate the department in Oshawa. I might say in that respect that had they located it on the moon I am sure it would have been a good Tory constituency—barren, lifeless and cold.

The Minister of Municipal Affairs' (Mr. McKeough) words on March 5 and his subsequent statements of a smooth transition from the municipalities to the province, and the use of existing facilities, was meaningless, and the Minister of Public Works' words to negotiate with Oshawa were false in every sense of the word, which continues the credibility gap between this government and the people in Ontario.

Oshawa had 55,000 of the assessment records, and there were 35,000 in the remaining area, and it was located in Whitby—a Conservative riding.

Peterborough had the majority of the assessment records, it was located in Lindsay—a Conservative riding.

Kitchener-Waterloo had the majority of the assessment records, it was located in Galt—a Conservative riding.

September 30, 1969, page 6425—the Minister of Municipal Affairs replying to a question posed by the member for Waterloo North, regarding the location of the assessment department for that area:

The hon. member for Waterloo South has been in touch with me about a building in Galt.

Mr. Speaker, this is a blatant misuse of power, placing petty politics ahead of the people.

Hon. J. H. White (Minister of Revenue): Why, the member was asleep on the job!

Hon. C. S. NacNaughton (Provincial Treasurer): Poorly represented, that is all!

Mr. Pilkey: As we close out this year 1969, we are witnessing the beginning of the end of this Conservative government. They are on an unalterable course of destruction. May I remind this government it was 32 years ago in the city of Oshawa that Mitch Hepburn started the Liberal government on the road

to oblivion and they have never recovered to this day.

Let me just quote from the *Globe and Mail* December 6, 1969—Mrs. Pauline Beal, president of the Oshawa Party Association, said:

—government should start communicating with its grass roots, first because we do not know what is going on, we are in an awful dilemma. I have been president for a year, and I have only received one issue of the party's newspaper. I am frightened. We are virtually dead in our constituency and the Conservative party seems to be going down and down. Please help us. We have got two NDP members and boy do we need help.

They are right, they need help.

Interjections by hon. members.

Mr. Pilkey: There is no question about it, they are going down and down. She sure does need help in Oshawa; there is no question about that; and as long as the government continues to play the kind of role they did in relation to locating the assessment department, they are going further and further and further down.

What did Mr. Charles King from the Toronto Lakeshore riding say—"if we do not change we are going to be on the outside looking in after the next provincial election," and Mrs. J. C.—

Interjections by hon. members.

Mr. Pilkey: And Mrs. J. C. Lanes from the riding of York West said she was, "seriously concerned about the growing public disinterest in the Conservative Party."

Well you see, Mr. Speaker, even their own members are really beginning to understand what is going on in the province of Ontario; and particularly as it relates to the Conservative Party.

She went on to say: "We are just not getting through; the electorate is going to turn around and bite us in the next election." And hon. members opposite can be sure of that!

Mr. P. D. Lawlor (Lakeshore): They will not find any blood though.

Mr. B. Gilbertson (Algoma): Now tell us what the hon. member's party said!

Mr. Pilkey: When the Premier (Mr. Robarts) was speaking at that same conference he said: "What does not work will be thrown out."

Well I want—

Interjections by hon. members.

**Mr. Pilkey:** I want to suggest that if the Premier is going to start throwing things out that will not work, then the first one he better start on is the Minister of Public Works, he is going to have to get rid of him, because he is sabotaging the leadership of the Conservative Party in this province.

Interjections by hon. members.

**Mr. Pilkey:** And if the Premier needs to clean up the House he ought to start on the Conservative benches on that side and get rid of them, get rid of them!

**Mr. Lawlor:** There would not be too many left I am afraid.

**Hon. J. R. Simonett** (Minister of Public Works): Many more than the member would like!

**Mr. Pilkey:** And the Premier says: "Do not let us undermine the confidence we have in ourselves, and for heaven's sake do not let anyone else undermine it."

**Hon. Mr. Simonett:** The member does not like saving money in the province, does he?

**Mr. Pilkey:** Well, I want to say very frankly that nobody else will have to undermine the Conservatives, they will do a pretty good job on that side of the House undermining the Premier's leadership, particularly with the kind of decisions in respect to the locations of the assessment function and he—

Interjections by hon. members.

**Mr. Pilkey:** And then he went on to say, "And let us dedicate ourselves to build—

**Mr. Lawlor:** And let us down the Minister of Public Works!

**Mr. Pilkey:** "And let us dedicate ourselves to build during the 1970s for the common good of all."

Well I submit, Mr. Speaker, that there are too many on that side of the House who do not really understand what the common good represents, particularly as they put petty politics ahead of people's needs, and this is not related to the common good by any stretch of the imagination.

What did the Provincial Secretary (Mr. Welch) say? The Provincial Secretary said that the government has come to seem remote to the public and must start to inform citizens about reasons behind its decisions.

Well, I wish the Minister of Public Works would inform the people in my area of the

reasons for his decision and the reasons for going from Oshawa, to the county court house, to the Mel Goreski contract and back to the county court house.

It seems to me that when they make these decisions they ought to inform the people as to why they make them; and at this point in time there has been no information as to why that decision was made—

Interjections by hon. members.

**Mr. Pilkey:** And what did the Ontario Minister without Portfolio (Mr. A. B. R. Lawrence) say? He said: "In 1971 the election will not be fought according to the Queensbury rules. The political process in Ontario will be again played grimly, on a very slippery field."

Well we know what they need to provide a slippery field, and I want to tell them that the Minister of Public Works can provide all of that in abundance. He could provide enough to make a large field slippery, particularly in regard to the remarks he made at a recent meeting and then failed to honour them. If any one person in that government has created a credibility gap, it has been the Minister of Public Works, whose words cannot be taken in any true sense.

**Hon. Mr. Simonett:** Mr. Speaker, on a point of order!

I think that remark should be stricken from the record. I stood behind any word I gave to anyone as far as locating the provincial assessment office in either Oshawa or Whitby.

**Mr. Pilkey:** Mr. Speaker, I am not withdrawing it because I happened to be at that meeting and he did not stand behind his word. He never stood behind his word.

**Hon. A. Grossman** (Minister of Correctional Services): The rules say the member has to withdraw.

**Hon. Mr. White:** Oshawa is poorly represented!

**Mr. Speaker:** Order!

The hon. member for Oshawa has quite directly used an expression which, in my opinion, is not customary or allowable in these Chambers. He has refused to take the word of the hon. Minister, who has stated that what the member said was incorrect. This is an unusual situation and I would hope the hon. member for Oshawa would accept the Minister's word, which is normal and which is the custom among members of Parliaments.

**Mr. Pilkey:** All right! I will withdraw those remarks if—

**Mr. Speaker:** The hon. member has used an expression which in Mr. Speaker's opinion is not proper and I would ask that he withdraw it.

**Mr. Pilkey:** Which expression, Mr. Speaker?

**Mr. Speaker:** The hon. member has said that the hon. Minister's word cannot be taken. The hon. Minister has explained it and it is my understanding that in parliamentary circles such as we have here, the custom—and I think it is a proper custom—is that the word of a member is accepted.

**Mr. I. Deans (Wentworth):** How about the word of this member?

**Mr. Speaker:** And it is very unusual if it is not.

**Mr. J. E. Stokes (Thunder Bay):** It is a matter of opinion.

**Hon. Mr. Grossman:** No!

**Mr. Pilkey:** The only way I am going to withdraw that remark is to say that his word cannot be taken in this instance or this case.

**Mr. Speaker:** "In the hon. member's opinion"; I will accept that.

**Mr. Pilkey:** All right! In my opinion.

**Hon. Mr. White:** On with it. Oshawa is poorly represented!

**Mr. Lawlor:** He has documented just how good his word is for an hour now, if that is not sufficient.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Pilkey:** That is another reason! The member for Ontario makes the remark that the Grit from Oshawa did not give much leadership either. That is their hangup!

There happens to be a New Democratic Party representing them provincially and it happens to be a Liberal who is mayor of the city. That becomes the hangup. That is the only interpretation I can make of the remarks by the member for Ontario.

**Mr. Dymond:** The NDP provincial member as well!

**Mr. S. Lewis (Scarborough West):** They have lost Ontario as well over assessment.

**Mr. Pilkey:** True!

Now, the Premier, speaking again at the Tory think-in—is that what it was, the Tory think-in?

**Mr. Pitman:** They never had a think-in.

**Mr. Pilkey:** I do not know what it was. The Premier said that if the Tories used the strength, intelligence and enthusiasm of the past, they would have no difficulty in maintaining their position.

**Mr. Lewis:** Hear, hear! Where is the applause?

**Mr. Lawlor:** Yes, where is the applause? That was a great statement.

**Mr. Pilkey:** The words "strength", "intelligence" and "enthusiasm" are truly from the past. Today, this government is callous, hypocritical and irresponsible, as was dramatically demonstrated by locating the new assessment departments in this province.

This government is most irresponsible and unresponsive to people's needs. This government is tired and decrepit.

The Conservative ship of state is in chaotic shape, and the people of Ontario are just beginning to abandon ship, as they did in Middlesex South.

They may salvage some of the passengers, but the Prime Minister of Ontario needs to inject some administrative sanity into the veins of the Ministers to re-establish the integrity and credibility of the government of Ontario; and re-establish its relationship with the city of Oshawa, so that it is not demeaned.

**Mr. Lawlor:** They need a complete trans-fusion.

**Mr. A. Carruthers (Durham):** Mr. Speaker, we are now in the closing hours of this, the 28th Legislature of the province of Ontario, one of the longest sessions on record, and certainly one of the most productive. It is my privilege and honour, as a representative of the government, to add a few comments in this Budget Debate, Mr. Speaker.

**Mr. P. D. Lawlor (Lakeshore):** How is the member's assessment situation?

**Mr. Carruthers:** Excellent!

The Budget, which the Provincial Treasurer (Mr. MacNaughton) described as a "fiscal framework for the future", reflects a policy of progressive development with a deep sense of responsibility to the taxpayers of the province.

What a contrast, Mr. Chairman, to the policy of those in this Legislature who never seem to be able to sense realities, but exist in a dream world in which the solution to all problems lies in relieving one segment of society from responsibility by increasing taxation on those who have the initiative and productive capacity to provide the high standard of living we enjoy today.

They fail to realize that in transferring direct costs of social programmes to taxation a number of adverse effects result:

1. The true cost is hidden in the total tax field with the tendency to lessen control over those programmes.

2. The burden is largely placed on the middle income group which is composed of labour and professional people. If Mr. Benson's white paper is translated into legislation, it is this productive group in our society—the industrial worker, the farmer-businessman and the professional individual—who will bear the ever increasing burden of taxation.

3. In all cases, the increased taxation is reflected in increased wages, fees, salaries, the price of services and in the case of corporation taxes, in the price of manufactured goods.

As the effect of a stone thrown into a pool of water with resulting waves spreading in ever widening circles to the limits of the pool, so the impact of increased taxation on any particular segment of our society is felt in every part of that society and on every individual in it.

Mr. Speaker, the decade of the seventies is but a few days hence, and it is fortunate for the citizens of this province that we enter the period under the leadership of a Prime Minister (Mr. Robarts), who has in a period of great change and challenge, continued not only to maintain this province as the most progressive in the Dominion, but with astute diplomacy and understanding has assumed the leading role in the preservation of Canada as a nation.

These are not idle words, Mr. Speaker. On so many occasions the Prime Minister of this province must have been tempted to follow the path of political expediency. A policy so well practiced by the two Opposition parties in this House, a path which would be popular initially with our citizens, but in the final analysis would not be good for Ontario, would fail to meet the needs of our people, and would only increase the taxation burden.

It took political courage, Mr. Speaker, to adopt a Medicare policy that would ensure

medical services for the people of the province rather than using the popular political expedient of drastically reducing premiums and increasing taxation. It took courage to launch this province into the seventies with a revision of assessment and taxation, which while in the early stages of development would be misunderstood and opposed, but in the final analysis will bring equality in the sharing of the tax burden. It took political courage, Mr. Speaker, to revolutionize our educational system through the introduction of county boards of education.

As individuals we tend to resist change, but change is a necessity if we are to progress. That change, however, must be progressive and subject to responsibility. This government has been and is prepared to accept responsibility, but for those, Mr. Speaker, with the initiative and foresight to climb the trees and look beyond the confines of the dark forest in which our Opposition friends find themselves.

At all times this government takes the position that the needs of tomorrow take precedence over the political expediencies of today. The policies of the Prime Minister and his government will ensure for the people of this province a future of opportunity, of equality in taxation and an economic future in which our citizens can enjoy a standard and a quality of living second to none in the world.

In commending the Prime Minister on the wisdom of his policies, I include the Ministers of the Crown, who in their respective posts, are carrying out those policies responsibly, efficiently and in the interests of the people of Ontario.

An observer from the *Manchester Guardian* wrote a few years ago, "Canada seems to be a nation wrapped in the darkest self-doubt".

This doubt takes on, Mr. Speaker, a tangible form in our sister province of Quebec with the growth of separatism and the resulting effect on the economy of that province. There is doubt in the minds of industrialists as to security of investment in that province. There is doubt in the hearts of new Canadians as to their language rights as residents of Quebec, and there is doubt on the part of the large English speaking element in the province's society as to the future of their rights.

It is because of an understanding of the Quebec problem and because of a sense of responsibility as head of the leading province in Canada that the Ontario Prime Minister has given priority to the preservation of Confederation and our Canadian way of life, and aware of the dangers to Confederation he

assumed the mantle of Canadian leadership through the Confederation for Tomorrow Conference and in the conferences that have followed.

His desire and that of his government to ensure the rights of French-speaking citizens has been realized to a major degree in a policy that recognizes the use of both official languages in communication and, where possible, the provision of bilingual services, and the establishment of language courses for civil servants.

It is difficult, however, to foresee how the French language can be maintained in a continent where some 250 million people acknowledge English as their mother tongue, where the new technical vocabulary is chiefly English, where the communication media operate almost solely in the English language, and where even in Quebec the use of the French language is declining at a significant pace.

It is inherent in all races to preserve their heritage, and one cannot but admire and respect the French-speaking citizens of our country in their efforts to maintain their language. There is, however, a tendency to link loss of language with loss of culture, Mr. Speaker. This is not necessarily the case, as is evident by the preservation of culture by so many of our ethnic groups including the Irish, the Scots, the Ukrainian, the Polish and countless others.

The Quebec problem has evolved from a number of sources, not the least of which is embedded in racial characteristics. Whereas the English, as an island race, were a colonizing people, the French on the other hand were continental and tended to remain a closely knit nation. The limited immigration from French Canada is proof of this fact.

Indeed, Mr. Speaker, an item appearing in the press of December 7 is very revealing in this respect. It is in connection with the constitutional conference and reads:

Almost 80 per cent of the French applicants for immigration to Canada were rejected last year, although the table showed that Canada's staff of 45 immigration officers in France ranks behind only the United Kingdom.

However, to understand and appreciate the differences and to devise methods of dealing with the divisive features that confront us, one must not only have the viewpoints of both races as they pertain to national unity, but a comprehension of the changes that are taking place in "La Belle Province".

In few other communities in history has interrelationship of state and church existed to the extent it has in Quebec. It has been dictated by history and has played a leading role in the evolution of French Canada. Similar examples might be found in the Hebrews of the Old Testament or the Aztecs of Central America, but it has been a society closed on itself and largely defined in terms of the religion professed by its members.

With few exceptions, such as the *Sieur de Roberval* period, the colonization of Canada was limited to strictly conforming members of the church, and as the colony grew over the next 100 years, so did the influence of the church. This was very unlike the church in France, where the opposite trend took place.

With the defeat of Montcalm and the capture of Quebec by England, two things conspired to help the church. At the top it no longer had any rivals for power within the French-Canadian society and the mass of colonists had never been in greater need of leadership than at the time of the conquest. The climate was, therefore, favourable for the church to exert its power.

The only literary leaders who remained with the colony at that time in its hour of greatest despair were the members of the clergy, and as a result, the mission of the church was accepted by the people as a fight for the survival of French Canada and its traditions. The faith became the guardian of the language and the language the guardian of the faith. The church, as a result, has been the vital factor in preserving French Canadian culture.

Modern methods of communication, transportation, and the industrial revolution in that province are bringing about many changes, and French Canada today is in a state of change. It is consumed by the fear that it will disappear, that its Pierres will become Peters and its Maries become Marys. In order to survive, it must become a force on human, scientific and economic levels. The present struggle is one to attain those levels.

French Canada, however, appears to be fed up with unilingualism, with apparent feeling against French Canadians in the rest of Canada, with the intolerable custom of having children taught in their language by teachers who cannot speak French, with the racial discrimination in the civil service in Ottawa, and with the apparent economic superiority of English-speaking business men.

The French-speaking Canadian finds it difficult to understand why English Canadians,

living in Quebec for 100 or 200 years, have not learned to speak French. When forced to speak English in Montreal, they naturally become enraged, and this encourages separatism. It should be noted that Montreal is not necessarily a Quebec city—it is a Canadian city.

There is also the general impression abroad in the French-speaking community that English-speaking Canada is generally rich while French Canada is poor. Certainly the French in Montreal become impatient with English people trying to communicate with them in broken French.

The pressure on the French to learn English is greater than the pressure on the English-speaking population to speak French. Because of the North American environment of English-speaking people, and because of the technological changes, it is becoming more difficult for a French-Canadian owner of a garage, for example, to interpret auto parts and products because they are all in English. For the English, speaking French is a luxury; for the French Canadian, English is a necessity.

The present rebellion and separatist movement in Quebec is due in a large degree to the rumblings of the past, heavy with frustration and humiliation. Certainly the people of Quebec have been in the very unhappy position of having to fight to maintain their culture and their language, and this has been a unifying force in the past. Quebecers no longer wish to be considered as second-class citizens.

When one examines the English viewpoint, however, it is not difficult to determine the basis for the differences between the races. It is difficult for English Canadians to feel an identity with French Canadians if they have never met one. We should welcome the movement of French Canadians to other parts of Canada. Although there may be ignorance and indifference on the part of English-speaking Canadians with respect to their French-speaking compatriots, there is no contempt on the part of the English-speaking population for French Canada.

The question is often asked by the English-speaking people, "What have French Canadians done to develop Canada?" There were their explorers, of course, but it is true that after 1759, the year of the conquest, the French Canadians shut themselves up in Quebec and just appeared to feel sorry for themselves.

There is a feeling among English-speaking Canadians also that Quebec, instead of lecturing the rest of Canada about its status and

its rights, should put its own house in order first. The condition of the Quebec jails, the prevalence of crime, the political scandals, and so on, support this argument.

Bilingualism for French Canadians depends on large numbers of English-speaking Canadians being present in an area. Conversely, bilingualism among other Canadians depends on large numbers of French-speaking Canadians in that area as well. Suppose the people of an English-speaking country attempt to learn oral French. With whom will they converse? May I suggest that in the minds of the English-speaking population, the Quebec press in the past has portrayed English-speaking Canadians as capitalists, colonialists, Anglo-Saxons, tourists and hypocrites.

The English-speaking people have looked with considerable disfavour upon the political atmosphere of Quebec. In their opinion the people of Quebec elected and maintained in power the two most disgraceful governments in Canadian history—Godbout and Duplessis. English Canadians have always had the notion that French Canadians were a people with no talent for freedom in the democratic process and no great interest in it either. They were a people who preferred to live under authority whether that authority was the church or the government.

Certainly no government in English-speaking Canada has been as bad or lasted as long as those of Duplessis or Godbout. Duplessis' policy was a back-to-the-farm movement (*le retour à la terre*) which was for the purpose of gaining rural votes. The result has been that English Canada, in many respects, has been left with the impression that the Quebec population is made up of peasants.

Mr. Speaker, the English-speaking residents of Ontario and of Canada find it difficult to understand why, under the federal equalization grants programme, Ontario taxpayers pay in \$919 million and receive in return, in payment, \$682 million, while Quebec pays in \$386 million, and receives \$488 million in return. In the first instance, the Ontario taxpayers receive \$237 million less than they pay in while Quebec receives \$102 million more than it contributes. They find it hard to understand how the province can, on the one hand, threaten to separate and at the same time consider itself in a position to survive economically.

It is difficult for the people of Ontario to appreciate that, in addition to preferred assistance through equalization, the debts of Expo, amounting to some \$200 million, have been written off by the federal government,

half of which was paid by the Ontario taxpayer.

The Separatist movement cannot be taken lightly or as a passing phase in the history of that province. It has very serious overtones, and the result could be disastrous. What would separatism mean for Canada?

(a) Separatism would mean splitting Canada into three jurisdictions—the Maritimes, Quebec and the rest of Canada.

(b) It would mean that Quebec would be poorer, not richer. It would not be economically viable.

(c) The rest of Canada could end up as part of the United States.

The separatist movement might be taken lightly, except that it comes at a time of crisis in Quebec, with falling investments and rising unemployment. Let us not forget that Hitler and Mussolini came to power on the wings of discontent, and there is a danger that the separatist movement will veer more and more to the right. History records that racist political parties use a fascist system of government generally.

What then is the solution?

The railways in the past, the highways and the media of communication all have been, and are, unifying forces if used in the right way. Certainly the greatest unifying force the nation has today is the Canadian Broadcasting Corporation. It is a national achievement and should play a major role in unifying our country. As intermingling takes place and as more contact develops between French- and English-speaking Canadians via radio and television and movement of population, there will be a greater tendency toward unification.

A common factual history for use in our schools would play a very important role in bringing about better understanding between the two races. It is to the great credit of the present Minister of Education (Mr. Davis) of this province that steps have been taken to bring about this very fact, by the setting up of the committee composed of the Ministers of Education for the provinces.

Considerable misunderstanding between French-speaking and English-speaking Canadians is due to the fact that they are unaware of each other's books, plays and novels. The situation might be compared to two people shouting discriminations at each other based on ignorance. Certainly the Canada Council could remedy this to a great extent through the simultaneous translation of good books.

The novel, Mr. Speaker, is a mirror reflecting both sides of the street, but in Canada

our streets never cross. Often translations on both sides occur first in Paris, London or New York, five or six years after books have been published. This is one area where a great deal could be done through the Canada Council, and through other avenues, to correct the situation.

French-Canadian teachers teaching in other provinces would do much to heal past differences. Not only would their pupils learn the language, but they would get a knowledge of the Quebec problem. Quebec is, however, considered to be short of teachers, although it was reported in the paper a few days ago that the province is going to send some 500 French teachers to countries in Africa. This is difficult to understand, in view of the present racial and language problem in this country.

It has been to Ottawa that we have looked for leadership in the area of national unity, but it is to be regretted that not only has Ottawa failed to provide that leadership, it has done much to create division within the ranks of Confederation, and I refer to at least three instances:

1. The adoption of the present Canadian flag.

I believe, sincerely, Mr. Speaker, that the people of this country are prepared to adopt a truly national flag, a flag that will have significance and will truly symbolize the Canadian heritage and the Canadian way of life. The present flag has little significance or meaning, and I regret the lack of respect it receives on so many occasions.

This tattered, faded banner only signifies the lack of national pride and unity. One wonders what significance it has with its red stripes for the people of the east and west coasts where the blue waters of the Atlantic and the Pacific lap the shores of this land. One wonders what significance the maple symbol has for so many areas of Canada where the maple is nonexistent.

2. The creation of the bilingual, bicultural commission at great cost to the taxpayer of this country has, in my opinion, been one of the greatest divisive factors and one of the main sources of dissension in Canada. It has accomplished nothing of a positive nature.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, on a point of order!

I think we should—or maybe it is a matter of personal privilege, a privilege of this House.

I, as a member of this House, and I hope others also, object to the maple leaf flag being called a faded, tattered flag. I do not know whether that is the policy of this government or not, but I hope it is not.



**Mr. Speaker:** The member is quite out of order, the member for Durham has the floor.

**Mr. Carruthers:** I have every respect for the flag, Mr. Speaker, but I am criticizing it on the basis that it lacks the significance that a good Canadian flag should provide.

3. The creation of the Company of Young Canadians, which has been the vehicle by which subversive forces have, at the taxpayers' expense, acted as a catalyst in fanning the flames of dissension and revolt in this country; and certainly the reports in the last few days tend to confirm that statement.

Rather it is to the Prime Minister of Ontario and his government that the Canadian people are looking today for leadership. And yet it would appear that Ottawa, using monetary controls, has gone out of its way to limit the ability of this province to provide, not only that leadership, but the essential services for its own citizens.

Approximately 48 per cent of the national revenue of this country is obtained from the taxpayers of this province, and yet the federal administration refuses to co-operate in fiscal affairs with this province and with the other provinces of Canada. Centralization, not Confederation, appears to be the policy of the Ottawa government using the Ontario taxpayers' money to further that policy. Let me record but a few examples.

An excellent example is the federal assistance paid to the provinces under the Trans-Canada Highway agreement.

In the province of Ontario at the end of 1969 there will be some 1,320 miles of Trans-Canada Highway up to standard and over 50 miles under construction. This leaves only 85 miles of highway, out of a total of 1,455 miles, which will not be up to the standard. And yet, last May, the federal government saw fit, without any prior warning or consultation with the department, to limit the amount of money they would give to the province of Ontario. Furthermore, with only these few months advance notice they also said the Trans-Canada Highway agreement would terminate in 1970.

It is interesting to note, Mr. Speaker, that Quebec has received \$159.5 million for 388 miles of road or \$412,000 per mile. Ontario, on the other hand, gets \$134.9 million dollars for 1,453 miles of road or \$92,092 per mile.

Medicare, Mr. Speaker, is a glowing example of the attitude of Ottawa towards this province. At the present time in Ontario we are spending about \$1.5 billion on health, or about 5.5 per cent of the personal income of

this province. In order for the federal government to get the money to pay what it said it would pay in its Medicare bill to the participating provinces, it implemented this year a two per cent social development tax on all our incomes. The tax goes up to a maximum of \$120.

This means that \$250 million of our money is going from this province to the federal Treasury. But only \$168 million of it will return to the province. The remaining \$82 million will not. Instead, this money that Ontarians pay on their income tax will go to assist other provinces, and this is perfectly justified and we accept that responsibility. The extra burden is readily accepted by the taxpayers of Ontario.

Under the Medicare formula, however, the federal government pays 50 per cent of the national average per capita cost and not 50 per cent of each province's per capita cost. In the case of Ontario, because health services and costs are higher than those in most parts of Canada, the federal contribution will amount to only about 44 per cent of our actual cost.

This is one of the points the Ontario government unsuccessfully protested against in its discussions with the federal government. This formula also means that costs of the plan can be lower in other parts of Canada because Ontario is paying part of those costs and paying them readily. An excellent example is Newfoundland, where the federal contribution will amount to over 90 per cent of the actual cost.

One cannot help but have praise for the present policy of this government in respect to Medicare, and we have heard so much criticism of their policy.

Interjections by hon. members.

**Mr. Carruthers:** Mr. Speaker, I would like to refer you to—this is the bible of the New Democratic Party—

Interjections by hon. members.

**Mr. Carruthers:**—and I would like to quote—

**Mr. J. L. Brown (Beaches-Woodbine):** Just do not bother!

**Mr. Carruthers:** This book is by Mr. Frederick Fleischer, who is an outstanding authority on Sweden. He has been awarded several scholarships and grants and prizes; he has a very fine record of accuracy. I want to read just a paragraph of his opinion on the Medicare policy in Sweden.

Mr. Brown: What a spokesman for the Tories this member is.

Mr. Carruthers: On the Medicare policy in Sweden, which is just exactly what the Prime Minister and the government of this province are trying to protect the people of Ontario from:

A prominent senior physician in a county hospital in Sweden has described conditions thus: "No matter how fine the lifeboats may be on the ocean liner, if there are not enough crew members to man them, not all the passengers can be taken care of in times of need.

And this is the state of Medicare in Sweden today.

Hon. A. Grossman (Minister of Correctional Services): That is the Shangri-la.

Mr. Carruthers: That is the Shangri-la of the NDP!

Mr. Trötter: It used to be Saskatchewan.

Mr. Carruthers: To continue the quotation:

There are so many who are needing after-care that some have to be pushed back into the water and you have to hope they can get along without a lifebelt.

Mr. E. Sargent (Grey-Bruce): Is the member going to read the whole book?

Mr. Carruthers: No, I am not like the NDP, I do not read out of various documents. I am referring only very briefly to this, but I want members to listen to one passage in the next paragraph, because he goes on to say:

The cause of Sweden's health problem is the shortage of personnel and the large number of beds per capita—16.2 per 1,000 inhabitants, as compared to just over nine in the United States. There is only one physician for 940 inhabitants, as compared to 960 in the United States and 840 in England.

The shortage of personnel has resulted in the hospitals being regularly compelled to keep more than six per cent of their wards closed and one-third of the beds cannot be used during the summer vacations.

As a further example of the discrimination of Ottawa against this province, Mr. Speaker, Ottawa has phased out the hospital construction grant which was paying Ontario a total of \$7 million a year. Also phased out are the general health grants to the tune of about \$3 million. Furthermore, the federal government is not going to pay Ontario under the Canada

Assistance Programme—that portion toward the welfare of people who had OMSIP—and this came to \$8 million. All this totals an \$18 million loss to Ontario.

Mr. Speaker, it took the federal government two years to decide whether GO-Transit should be subject to the federal sales tax of 12 per cent. Ontario had argued that GO should be exempt, as are highway construction materials, because GO was taking the place of highways. Under this tax, the federal government should net about \$2 million, getting at least \$1,300,000. On the rolling stock which is worth \$12 million.

GO is 60 miles long compared to the 40-mile commuter service in the Montreal area, which is operated by CN. In a statement made during the debate on the highway estimates, the hon. member for York Centre (Mr. Deacon) is quoted as saying that the Montreal service is exempt from the 12 per cent tax. The statement, which is found on page 702 of the November 26 *Hansard*, says:

It has been aggravating to me over the years that the city in which the head offices of the two railways are located has a daily service now of 122 commuter trains and it does not cost the taxpayers of Quebec one cent let alone this item here of \$3,479,000 that we are having to set aside for GO-Transit. The whole fact of this is bothering me. It does not cost the taxpayers one cent for the fact that they are now getting in the Montreal area new double-decker equipment. No money has been put up as the government grant for this service. However, CN public relations in Toronto says that Toronto service is subject to the tax.

This is verified by correspondence read by the hon. Minister during the estimates.

As I stated before, Mr. Speaker, the people of Canada are looking to this province, and the Prime Minister, for leadership, and they are certainly not searching in vain. So often we find Ottawa following instead of leading, and there is no better example than in the control of pollution.

Ontario is in the forefront in its battle against pollution. In October, the Minister of Energy and Resources Management (Mr. Kerr) announced a set of two financial programmes to assist municipalities in projects related to sewage and water works. In addition, the Ontario Water Resources Commission has found an inexpensive method of removing algae-nourishing nutrients from water. Ontario also has a tough set of automobile exhaust controls starting January 1, 1971.

Nevertheless, Ontario cannot go it alone. Ottawa is clearly involved through The Departments of Resources, Fisheries, Agriculture and Transport. The Pearson government promised such a move in 1967. The Trudeau government also has pledged to solve the pollution

problem—but a national policy has still to be unveiled.

An official of the United States Department of Health has warned that “polluted discharges—in the Detroit River—constitute a direct hazard to those using bathing beaches or having chance contact with these waters”. It is estimated that it will take \$10 billion to solve the pollution problem in the American cities bordering on the Great Lakes.

Nevertheless, a survey by The Department of National Health and Welfare completed last May showed Ontario cities in the forefront in their action against pollution. The survey showed that only eight of 19 major Canadian cities have 100 per cent treatment of their sewage and other waste water. Three of the cities—Halifax, St. John’s and Quebec City have no treatment of their waste before it is discharged into nearby waters. Of the eight cities doing partial treatment, some of it is minimal: Dartmouth, N.S., treats industrial waste only, about three per cent of its total waste flow. Saint John has an aerated lagoon for industrial waste, about one fifth of one per cent of its total flow.

Toronto, Ottawa, Hamilton, Sudbury, London, Winnipeg, Regina and Calgary were shown in the survey to be treating 100 per cent of their waste water. Montreal, with a waste water flow of 290,200,000 gallons a day—by far the largest in Canada, with Toronto’s 194 million ranking second—provides only 8.4 per cent of its 2,436,800 population with treatment service, according to the survey. Montreal’s treatment is primary or basic for only 2.6 per cent of the total city waste.

In housing, Ontario has a fantastic record for the construction of public housing units. Again, Mr. Speaker, I do not like to take the time of the House, but I would like to refer you to this same book, because the member for Scarborough Centre (Mrs. M. Renwick) referred so much to the Swedish programme of housing,

Mr. R. Gisborn (Hamilton East): He does not even understand what he is reading. That is why—

Mr. E. Dunlop (York-Forest Hill): The member does not have to be unjust—

Mr. Carruthers: I am quoting again:

Most Swedish people live in apartment houses—about 75 per cent more than other Europeans except the Swiss. About eight per cent live in one room with a kitchen, 32 per cent with a bedroom-living room

and a kitchen, 23 per cent in two bedrooms, a living room and a kitchen, 11 per cent in apartments that consist of four rooms and a kitchen, five per cent have five rooms and only three per cent have larger apartments or homes.

Mr. D. M. De Monte (Dovercourt): How about the statistics in Ontario on the same basis?

Mr. Carruthers: Compare that with the record of housing in Ontario. In 1965 the province accounted for 79.6 per cent of all the starts on public housing units in Canada; 72.6 per cent in 1966; 98.1 per cent in 1967 and 93 per cent in 1968. It also gets the lion’s share of the money lent by the federal government for public housing units—last year this came to 90 per cent of the total.

In closing, Mr. Speaker, I would like to refer briefly to my own area. It is very seldom that I take the time of this House to say anything. I did not get a chance to speak in the Constitutional debate and I did not get a chance to speak in the Throne Debate. So I am going to cover a limited territory today in the closing hours of this session.

I would like to dwell briefly now on the subject of regional government as it affects Durham county. As the hon. members are aware, regional government now is in force in the Niagara and Ottawa-Carleton areas, and as of New Year’s Day, it will come into being in the Lakehead region.

Mr. Speaker, the topic of regional government is also of major concern to the municipalities just east of Metropolitan Toronto. In fact, two studies on this type of government are now underway in this area—one centred on Oshawa and the other dealing with the united counties of Northumberland and Durham.

The Oshawa study includes Darlington township and the town of Bowmanville. I am concerned, Mr. Speaker, that if those two areas are swallowed up by an octopus regional government encompassing Oshawa and its environs, the united counties region could be a thing of the past. The municipalities in the counties of Northumberland and Durham have a history of splendid co-operation that stretches back over nearly four generations. A few days ago the council of these two united counties voted to remain a region of their own, which is in fact what these two counties have been for more than 100 years. This is characterized by the complete harmony on the part of the local councils. Furthermore, this political compatibility is ac-

accompanied by a growing population and significant industrial development, as well as an excellent balance of commercial and industrial assessment. Indeed, from the information so far available, a regional government based on the united counties could be a model for regional development in Ontario.

I have always been mindful of this close-knit background of Durham and Northumberland counties and I did recently suggest that regional government could be a reality in that area in four to five years. I suggested this because I believe the sensible approach would be to use the present regional governments as pilot projects, study their pitfalls and limitations and make certain that they will be absent from future similar systems.

I wish to stress that I am not one to stand in the way of progress as long as it is accomplished in a responsible manner, and that is what I am calling for in this case. When it does come time to establish regional government involving the united counties of Durham and Northumberland, let it not be by imposition but instead through dialogue, and, most importantly, with the concurrence of the people in the area.

Thank you, Mr. Speaker.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I am loath not to comment on the address made previously by the hon. member for Durham (Mr. Carruthers). I want to say there is obviously going to be a leadership convention, and shortly, in the government party. I want to tell the Minister of Municipal Affairs (Mr. McKeough) that not withstanding that address, I still think that he is first. It is nip and tuck between him and the member for Durham, but he still has got an edge. I think he is just a shade over him.

I think the member for Durham is bucking for the job as executive assistant to the Treasurer of Ontario (Mr. MacNaughton), because they both subscribe to that general philosophy: Never use one word where fifty will do. I think he will get that job too, really.

But I will say there was one axiom that he gave with which we all agree, when he said he "never says anything in this House"; and he continued that situation today.

I was glad at one stage; I thought he was coming out in favour of the French Canadians and there was sufficient—

Interjections by hon. members.

**Mr. Bullbrook:** I see the Treasurer is back now. I am glad to have my friend the

Treasurer back in the Legislature because I want to talk about inflation, really—

**Hon. A. Grossman (Minister of Correctional Services):** Well, let us start.

**Mr. Bullbrook:** —and it is a significant aspect of people's concern and their lives, and certainly must be a burden on the shoulders of the Treasurer of Ontario.

**Hon. C. S. MacNaughton (Provincial Treasurer):** He has broad shoulders!

**Mr. Bullbrook:** He has broad shoulders; he has a broad head! I think he is broad all the way down.

But let me say this to you: I thought for a time that the member for Durham was actually bucking for some type of pay increase, but I checked my schedule. It might be of interest to know this. You see, when one speaks on inflation after just having received a raise, there seems to be a kind of a hollow quality in the argument, and we as a party subscribe to the need for elevation in the salaries and remunerations of the members.

We did not realize at that time, Mr. Speaker, that, of the 67 members of the government party in this province—I exclude you purposely, sir, because of the objectivity of your office—five of them, count them, five do not get extra pay. Five.

And let me say this, if I might be permitted in the context of what I am saying: They are trying to fool us. There is no such person as Jules Morin. I know there is not. They try to fool us and tell us that there really is a Jules Morin.

**Mr. E. Dunlop (York-Forest Hill):** Try to keep with the witty part of the remarks.

**Mr. Bullbrook:** I invite them to produce Jules Morin. There is no Jules Morin. There is a man in Ottawa who gets \$3,500, and who is named Jules Morin; and there is a member of the regional government in Ottawa who gets \$4,000, who is named Jules Morin; but I do not believe that there really is a Jules Morin—

Interjections by hon. members.

**Mr. Bullbrook:** One wants, during the course of the Budget Debate, Mr. Speaker, to really attempt to make a significant contribution; but it is very difficult. I want to say, if I might, that I intend to restrict myself now. I would hope to continue in a serious vein for about eight minutes and what

I want to talk about is inflation, because I really feel that is something that is hitting everyone in the Dominion of Canada at the present time, at least those people who can least afford the impact of it, and the people in the province of Ontario for whom we have a direct responsibility. As I said, as someone less than versed in economics of government I cannot help but record—and I want to put it into the records of this Legislature—the elevation of profits available to the chartered banks in the Dominion of Canada.

Now, let us just say that this a federal responsibility. I invite your consideration of this, if I might, Mr. Speaker: The Royal Bank of Canada for the year 1968-69—

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Why does the member not tell Benson?

**Mr. Bullbrook:** Never mind "tell Benson". I want to tell "McKeough" and I want to tell "MacNaughton", and I want to tell "Robarts"! I do not give one tittle for Benson. We have a provincial responsibility in this field so let us get down to that provincial responsibility.

Let me say this: The Royal Bank of Canada—their percentage 1968-69 increase was 41.9 per cent; the Bank of Commerce—29.1; the Bank of Montreal—27.5; the Bank of Nova Scotia—31.3; the Toronto-Dominion Bank—13.1; and the Provincial Bank—32.0 per cent.

The point I want to make in this respect is that certainly the chartered banks and the maximizing of their interest potential is a responsibility of the federal government, but one would hope that the Ministers of the Crown—those people who vest themselves, such as the Minister of Municipal Affairs, with the responsibility for Her Majesty's portfolio in this province—would recognize the provincial responsibility, Mr. Speaker, in this field.

Let me also translate something to you that is a direct responsibility of the province of Ontario, and let me point out this to you from the Dominion Bureau of Statistics: the total assets of trust companies in this province from 1966 were \$4.1 billion to \$5.4 billion in the first quarter of this year, and we can catalogue and litanize the rest of the advancement. I have said before in this House, the Canada Permanent Trust Corporation, their profit picture in the first quarter of 1969 elevated 24 per cent, and at the same time they have the unmitigated gall—and worse than that—they have the legislative right given to them by this province, to charge 11

per cent and 12 per cent on first mortgages on what is, in effect, guaranteed securities.

What is happening today to the young couples in this province? Let us just talk for a moment about the Utopia of housing. The member for Durham has left. Let him have young couples come to you and say: "We have saved \$5,000, it has taken us six years to do it, because we want to buy a house." And let them look at the housing market.

Houses that cost \$21,000 when we started in this House two years ago in the city of Sarnia now cost \$28,000, and the \$5,000 down payment is no longer adequate. Aside from that, and the most iniquitous aspect of it is, that young couple have to pledge the rest of their married life to pay that house off—at those usurious rates of interest. And do not let any of these so-called Ministers of the Crown, like the Minister of Municipal Affairs, say: "Tell Benson about it"—because it is a responsibility other than Benson's. You can see the problem that takes place in this province. The government likes to aggrandize itself because it has a fairly level-headed Premier (Mr. Robarts) who stands so far above the remainder of his Cabinet it is like Etna to a hill.

We must credit him with this. He showed a great concern for an adequate dialogue amongst the provinces and the federal government to look at the Constitution of this country; he recognized the responsibility we, as a province, have to be a stabilizing influence for the welfare of the nation as a whole. And I want to credit him with that. From that time, however, five years ago, when he initiated this, he has done nothing but go downhill. Because the greatest weakness, I suggest to you, and most sincerely Mr. Speaker, is the lack of initiative that the Premier of Ontario has taken in the field of fiscal responsibility, along with the Treasurer, on constitutional reform.

There is no doubt about it. Just take a look at the agenda that took place at the last conference. The agenda—division of power. Now here is the top item "Income Security and Social Service", and then we are subjected to a dialogue, an ethereal dialogue, for two days on the division of social security responsibilities in this province.

And I say that this is a very, very important subject. That, at a time when the inflationary tendencies of our economy are robbing the people of initiative, are thrusting them towards socialism—and make no mistake about that, thrusting them to socialism—surely to goodness we can look to the Premier

of Ontario, and his Treasurer, and the rest of his Cabinet to show some concern in this field.

Surely to goodness you do not have to have the western Premiers get up and say: "Why do we have to talk about these nebulous things?" Can we not talk about the people's problems? What is wrong with that? Why do we have to look to the west? Why does the question of inflation have to be brought up by the Premier of Alberta? Surely to goodness the Premier of Ontario who must stand head and shoulders, as this province does in the community of our nation, must initiate some degree of sensitivity and sensibility in this respect. That concerns me more than anything else right now.

You know, the tragic part of this exercise in irrelevancy that goes on in this Chamber so many times, is that we are almost frothing at the mouth over dogs and cats while people go hungry. That is the fact of the matter. People do go hungry, and that government over there was more concerned with protection to animals than it has been concerned with the rights of their people in this province. They are prepared to let their financial institutions bleed the average citizen in this province, because that is what they are doing. Make no mistake about it. You just have to look at the profit pictures, and I was going to go on at length to talk about the fallacious reasoning—

Interjections by hon. members.

**Mr. Bullbrook:** Let me say this. You know I did not want to turn to the Minister of Municipal Affairs, but if he keeps that up I am going to change my mind, and I am going to speak for another half hour on that "boy wonder", the large mouth from Chatham, the one who produces nothing except administrative confusion.

The only department worse than his is The Department of Transport. It is the only department, as far as administrative confusion, that is worse than his. But if the Minister wants to have a little dialogue some time, I will go to Chatham and we will advertise that "Bullbrook" and "McKeough" are going to have a debate in Chatham, any time he wants.

I want to tell you, Mr. Speaker, I come in here sometimes and I worry about the Minister of Education (Mr. Davis). I worry about getting into a bit of a debate with him. He is a wily fellow. But the Minister of Municipal Affairs—any time!

Just for a moment, before I complete my

remarks—education brings this to mind—you have got to really have concern in this respect. There is a department, Mr. Speaker, where the expenditures are so large, so large, so monumental, that nobody knows where the money is going. I am convinced of that. I said, in the committee on the estimates of that department, I was convinced of it.

When you get into an expenditure of \$60 million for a building to house the Ontario Institute of Studies on Education—necessary, but esoteric—when you are prepared to spend \$60 million of the public funds in that respect, it does cause you some concern. When you look at the programmes available through the colleges of applied arts and technology, when you see the monumental examples of Parkinson's disease descending in the field of education, when you see academics who have transferred to administrative responsibility and do not know anything about it, then you wonder.

We need this. I put this to the government through you, Mr. Speaker, with conscience, they should do this—they should establish a select committee of the Legislature.

The first thing that should be done is let us digest this question of the separate school issue. Let us get that over with. I am not going to talk about it but let us get it over. Let us have our dialogue, let us go to the people afterwards. As I said before, let us not transport ourselves back to the thirties and twenties in that respect. But, more so, let us have a select committee on education so that we in this House can fulfil what is truly our responsibility to the people. That is, so we can go back to our ridings and say: "I recognize, my constituents, that we are spending a great deal of money, but I have made a conscientious evaluation and I believe that it is in your best interests, and the best interests of our future generation, that we spend this money."

But nobody, including the Minister of Education, can truthfully go back and say that; because we do not know where the money is going. And I hope the government might well consider this, because we are spending so much.

I want to close by saying this, sir, I hope that I conveyed to you a sincere concern in connection with where our economy is going in our nation. I want to convey to you also, sir, that I think the provincial government can create a tremendous impact, that the Prime Minister of Ontario, because of his very presence, because of the prestige of his office, because of his very knowledge, can

really create an atmosphere that exudes the concern we have for the people in this respect, because there is so much available, there are so many fields available to us in Ontario.

Indulge me for just one more moment.

Concerning the field of labour relations, by way of example. In the construction industry, as you are well aware, we are in extreme difficulty now, extreme difficulty, because of the lack of accreditation of employers' groups, because every time we get into a strike in the construction industry now it has unreasonable inflationary tendencies that can be aborted as a result of, or by way of, the collective bargaining method. No government wants to interfere with true reciprocal collective bargaining, but that does not take place in construction strikes any more. The Minister of Labour knows this; the Ontario Construction Association has said this; the Goldenberg Centennial report has said this.

Move in this respect! These are the ways you can assist the people, these are the ways you can help so that a man and a woman with six children are not looking at each other each night and shaking their heads and saying, "What is happening to us?" This is the concern that we really want to express on this side of the House. Surely we are humorous at times, but this really is not a matter of humor.

We exhort you! Let us look where we are going.

Lead us as a nation, if you have to; but, for God's sake, lead us as a province.

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

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I am not going to engage in the debate on education, rather I would like to turn to another subject which has been one close to my heart over the past few weeks.

I am sorry to see the Minister of Energy and Resources Management (Mr. Kerr), unfortunately, now rise to leave, I was going to say I was so happy to see him in his seat, because he would not have to read *Hansard* in order to find out what I have to say. I know in these last moments of the Legislature, while we all sit, one might say, in the festive euphoria, it is hard to talk about water pollution, but I take up the time of the House for two or three reasons.

First, because I think we have had a continuing theme throughout this entire Legislature. If this Legislature is to be characterized by anything, perhaps it will be characterized as the cat and dog session. But it might also be called, I think, the pollution

session; because I think for the first time, pollution and all of its various facets came to the surface in a way which has not happened before.

The second reason I do so is because I am hopeful that something will emerge from Ontario, at the federal-provincial conferences which are to come in the ensuing months, that will provide a new lease on life to those of us who are concerned about the degree of pollution, water pollution particularly, and also air pollution, as an element of this serious problem.

And finally, because it is such an important problem that I think if we are going to do anything really significant about water pollution, particularly before next spring, we are going to have to start laying the plans now in the two months we have left between now and the beginning of the next session. I hope the Minister and the OWRC and all the other facets of pollution control that he has at his fingertips may very well be hauled together, reorganized, and we might very well begin to do something quite unique in this province of Ontario.

So, as I say, I make no apologies for spending a few moments in these last hours talking about this question.

As I said before, I think the Ontario Water Resources Commission was organized in 1956 for a very real reason, which certainly was not only to organize the resources of the province and to bring municipalities along to recognize the problems they had at the local level, but I often think it was there to educate the citizens of Ontario. Unfortunately, I think some citizens at least have now outrun the Ontario Water Resources Commission; and the delay which results in the frustration experienced by anyone who is dealing with that organization has become almost monumental.

I am sure the Minister realizes that pollution is not something which simply adds up, it multiplies. It reaches a certain point where there is no turning back. You just simply cannot revive a river, you cannot revive a lake; you may very well find you have a situation on your hands which will be a problem for all of the members in that government, not just the Minister who is concerned with the Ontario Water Resources Commission.

I think a professor at the university with which I am very pleased to have some relationship, put it rather well. We may very well have tourist areas within ten years where the cottages will be boarded up and the cottagers will be fleeing the stench of the rivers and the lakes which now we enjoy. The Minister

may think that a kind of alarmist statement of the type which appears from time to time from various groups in this province. Well, I suggest to the Minister that a man as eminent as Monaghan, the special advisor to the President of the United States, has made this point, has said this very thing: that unless we do something unique by 1980 it will be too late. We will have polluted our society, we will have created an environment in which we will no longer be able to live and grow and prosper.

I want to say just a few things about what has happened in this particular area. I want to deal with it not so much from the area of industrial pollution, though I think the Minister is concerned about this. I think he has moved in on this area, but I think he is still using the velvet glove approach. And I think very soon he may have to use the iron fist approach. But, nonetheless, I think we have taken some strides in this area. I think so far as the forcing of boats to look after pollution is concerned, I think we have made some degree of progress here, although in the first year there were some real disappointments and some very real confusion, but I would hope that by next spring this would be sorted out. We are out of the woods in this particular area. I would think that in some ways we have done a lot in helping municipalities.

I think the recent statement the Minister made in the House, regarding assisting small municipalities to develop their own sewage systems and giving more generous treatment by the province, will help. But what I am concerned about is the problem which exists when you are dealing with individual people who have homes or cottages in an area and who simply cannot cope with the kind of problems which water pollution presents. As I say, it comes down to the whole question of what we are all about. The Minister puts out this little pamphlet from the Ontario Water Resources Commission on what the citizen can do about water pollution and in that it states:

To argue that politicians should act with resolution, or that the law should have teeth in it, or that existing regulations should be enforced is to avoid the critical point of the pollution question. Political policies reflect, and should reflect, public opinion.

What I am saying to the Minister this afternoon is that public opinion in the province of Ontario is ready now for a war on pollution at an escalation which I do not think this

government has yet conceived of. All we ask the Minister to do is to take action and do it now. I have already read a little bit of this legislation.

Another reason for bringing this up this afternoon is because we had so little opportunity to deal with this question under the estimates of the Minister which were brought down in such a hurry in a very few minutes in the time we had left at the end of the session.

I want to say that anyone who reads this legislation, as I have done, comes away feeling that we have all the power which could possibly be desired. It states categorically that no one in the province of Ontario has the right to pollute any waterway for any reason. The law is there and one only has to read a very small part of it. Where any person is discharging or depositing or causing or permitting the discharge or deposit of any material of any kind into or near any well, lake, river, pond, spring, stream, reservoir or other body of water in the opinion of the commission—and the commission does not even have to recognize that other opinions might have some relevance in its opinion—then they can go ahead and carry out in conjunction the prevention of the pollution of water. It deals with every municipality or person that discharges or deposits or causes or permits the discharge or deposit of any material of any kind. It goes on to say they can be liable to a fine of not more than \$1,000 or to imprisonment for a term not more than one year, or to both.

I wonder how many people have ever been in prison in the province of Ontario for polluting. I wonder how many have. Some time, I think, the Minister might well look over the records. I doubt whether a single person has ever been put in jail in this province for pollution—and why not? Why not? Consider a case where you have an individual who through his perversity, not through his ignorance, but through sheer perversity, decides that he is going to destroy the environment not only of himself and his own children, but of those around him. Why should he not be put in jail? We put people in jail for far less in other areas.

In section 28, the commission may define an area that includes a source of public water supply. No person shall swim or bathe within such a defined area. No material of any kind that may impair the quality of water therein shall be placed, deposited, discharged or allowed to remain. And it goes on to say that every person who places deposits;



discharges or allows to remain within an area defined in clause (b) of subsection 1, any material of any kind is subject to a fine of \$1,000 or imprisonment for a term of not more than one year, or both. Give me a clearer piece of legislation. Or may I suggest that what we have in the province of Ontario now is a situation not unlike our putting up 50-mile-an-hour signs on the highway but never bothering to enforce them. That is we never really bring anybody into court to determine that we shall, for the sake of the public good, establish that people shall drive at a certain speed. If we made laws that people should not drive while they have been drinking, or any other kind of unacceptable conduct, what would it be worth if we had no police force to carry out the responsibility of seeing that this was enforced?

I suggest to the Minister that it is in the worst interest of the province to have any law in the books which is not being enforced.

Now I know the Minister's answer to this; I think I might characterize it, and I hope he will interrupt me if I am being unfair.

I think he is saying that what we have to do is educate the people of Ontario to recognize that pollution is a danger. But we do not want to spend the time and the money and the resources of the province, hauling countless people through the courts. But we hope that, by a continuous process of education, we will indeed be able to bring people to recognize the importance of their environment.

I suggest to the Minister that this is an acceptable concept—except I think we are too close to the danger point in too many areas. I think we have to take off the velvet glove. I think that it is time now to recognize that the fist has some relevance.

Now I mention this as an example, and only as an example, because I am thinking this on a provincial basis. Now, Mr. Speaker, through you to the Minister, this report on Stoney Lake and Clear Lake is a very helpful report. It came from the Ontario Water Resources Commission.

But I want to suggest to the Minister that the time that this took to produce was a degree of real concern to the area which I am referring to.

I suggest that this area is one of many across the province which is affected by this problem. And that this area might very well be a pilot project, so far as the Minister is concerned, because I think it is one of the two areas which have been specifically identi-

fied as tourist areas and specifically identified to be shown as a pollution danger.

So I suggest to the Minister that what has happened here should not be the case in other areas, as they seek to deal with their problems too. As early as May 27, 16 cases of pollution were brought to the Minister's attention and to the attention of The Department of Health and to the local public health unit in the most direct and clear manner possible. I will just read one or two of these to him.

Case 2: A septic tank with a base plug removed was found to be 36 feet from the lake. The solids from the affluent were still at the base of the tank. The tank sits on bed rock which slopes into the lake. As well, a non-vault privy was found 30 feet from the lake. Lake water saturated land in effect shortened to this distance.

Case 3: There are two septic tanks which drained into a swampy area which itself drained into Stoney Lake. Tanks and new artificial steel pipe were under a pile of brush in the swamp that is below the water level.

And it goes on to point out several others—and I am not going to read them all, realizing the time that we have at our disposal here this afternoon. But as early as April 14, Mr. Stevenson, who is responsible for making this report, met with an Ontario Water Resources Commission official and showed him the seriousness of the situation. Indeed one case was dealt with, and this is the thing which bothers people in this area. Why do we move in on one person and not on another? Why do we lower the boom on one individual, but we allow many many other cases in the same area to carry on? One could read further discussions of this by Mr. Stevenson which show that none of these cases were dealt with throughout the summer, except that one single case.

On May 27 the public health unit in the area was informed. In June, we made our request for an open study, and the Minister has already moved, I think, in this area towards securing an open study of this problem.

But, the thing which bothers me, and I think it bothers a great many other people, is why did it take so long. On August 1, Mr. Stevenson, with Ontario Water Resources officials visited Stoney Lake. They did the work on that lake. They took the samples and yet it was not until a couple of weeks ago that we had the report on this. I think that, at that time in August, it was quite clear that

there were five areas which were unacceptable—where the counts were far too high for public bathing. And yet well after the tourist season, the report comes out.

No action was taken to make people realize the seriousness of what was going on at that time. Now, the Minister, in his reply to me a few weeks ago, said that a second series of tests were taken, and that there was a great deal of difference between the two. But I suggested to the Minister that the second ones were taken on September 11, when there were practically no people on the lake, when the situation was so completely diverse, that there was absolutely no comparative value in the two sets of tests whatsoever.

I want to make the Minister aware of this long, continuous feeling on the part of people in the Peterborough area, that you have to press, to push, you have to pressure, you have to question the Ontario Water Resources Commission before you get a report which will really do something. And indeed, as one goes on, when an individual does try to take part in this activity, he finds he cannot do anything. For example, Mr. Stevenson himself tried to become an agent of the Ontario Water Resources Commission. He offered himself, and all his time and effort, to become an agent. Well, he was refused and I know there are reasons for that. But nonetheless this is what happens when a public individual tries to play the role of an assistant to the government of Ontario in this area of pollution. He offered himself to The Department of Health. He did not even receive a reply on that particular case. But, the point is, he had very good references from the local medical officer of health. Nothing happened.

The other area that was being dealt with was the area of Lake Katchiwano and here I, as well as a great many other people, stand bogged by what has gone on in this area.

Yesterday, before the courts in Peterborough, Mr. Stevenson laid a charge against the Lakefield College School for polluting Lake Katchiwano. And yet, Mr. Speaker, the officials of this school state that they have been carrying on their activities over the last number of years under the supervision of the Ontario Water Resources Commission. Under the supervision of the Ontario Water Resources Commission! And yet there were things that they could have done. The Minister is shaking his head, and I want to be fair. But that is the case, and I want it to be on the record this afternoon that I have stated that particular case.

But nonetheless, let us put it this way, once again I can take another tack. As early as July 25, the Minister received a letter from Mr. Stevenson asking him to bring his personal attention to a breach of article 27, one section of The OWRC Act. He went on to state that it has been found that the school discharges its effluents at two points of Lake Katchiwano.

And he goes on to point out the importance of this, in terms of the total situation in the whole Trent River system. We had no report on this, yet that material was there. We had the strangest things happening. For example, we have copies of tests that were lost by the OWRC which nobody seems to be able to find here. We have statements that the documents were received at the Ontario Water Resources Commission. But I want to stress the delay in the report, the delaying of any action. At this point in time I am not going into the description of the situation, which the Minister surely well knows. But what is an individual citizen to do when he sees this kind of thing happening?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Stop polluting!

Mr. Pitman: I hope the *Hansard* record picks up the Minister's comment on that point in time: "Stop polluting." Because I want to tell you about what Mr. Stevenson and I had to go through in order to act the part of the citizen in the public interest. When the Minister's report came out on Stoney Lake, everything that Mr. Stevenson had been saying was corroborated by the evidence of the Ontario Water Resources Commission. Everything, and what has happened to him since?

As the Minister well knows, we asked if we could be given legal assistance. And he said, "Go to the Crown attorney in Peterborough, and the Crown will lay the charge."

He went to the Crown attorney, and the Crown attorney was quite confused by all this, and he phoned the Attorney General's (Mr. Wishart's) office. And the Attorney General's office said: "Well, we cannot. All we can do is simply offer him the charge. What he must do is make the charge himself, and then, if we think that it is in the public interest, the Crown will take over."

Well, we are still waiting to find out how the Crown is going to take over in this particular situation. But, in the meantime, I want to say to the Minister, that if the individual citizen has to take the action himself, he puts himself in jeopardy. It is as though

the individual citizen out on Highway 401, who found someone driving at 90 miles per hour, went to the trouble, you might say, of driving 95 miles an hour, to apprehend the person as a private citizen, and then had to take the person to court.

I suggest to the Minister that it is the responsibility of his office, and of his department, to take action in a situation like this. I am pleased that the Minister would like to interject.

**Hon. Mr. Kerr:** Mr. Speaker, I think the gentleman to which the hon. member refers has a particular interest in this school. I would say almost an unnatural interest in this particular school. Now there are all kinds of sources of pollution on Stoney Lake and we are trying to do something about them. And I am sure the hon. member knows that when the Lakefield sewage treatment plant is completed, that the school will be connecting to that plant. In the meantime certain corrective measures are being taken by the school.

**Mr. Pitman:** By whom?

**Hon. Mr. Kerr:** By the school!

**Mr. Pitman:** And under the Minister's direction?

**Hon. Mr. Kerr:** Under our direction.

**Mr. Pitman:** Why is it taking so long?

**Hon. Mr. Kerr:** The hon. member keeps referring to that report. Really, the issuing or publication or distribution of a report is not the important thing. The fact is that OWRC, as a result of a study, knows the information, and it has the facts that it attempted to acquire through a study. Now the actual printing and publication and distribution of the report is not important.

**Mr. Pitman:** Nothing happened until that report.

**Hon. Mr. Kerr:** No. The Ontario Water Resources Commission as a result of the information it had, which was subsequently compiled or included in the report, took certain corrective measures and steps regarding all of Stoney Lake.

**Mr. Pitman:** What have you done?

**Hon. Mr. Kerr:** Well, the hon. member mentioned one prosecution. Now this was a result of information compiled this summer.

**Mr. Pitman:** Back in May, Mr. Minister.

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

**Mr. Pitman:** All right. Well, tell us about the others.

**Hon. Mr. Kerr:** I do not want to get into a debate with the hon. member, but I do want to get back to the particular point he is trying to make regarding this school. All I am saying is that the school is taking corrective measures. I think that the hon. member will realize that for the school, for example, to install a complete new septic system would cost maybe \$200,000 or \$300,000. The cost is almost prohibitive. By the fact that the municipality will be providing sewage treatment facilities, it is natural that the school will be able to connect to these facilities.

In the meantime, corrective measures are being taken. I will admit at this point that they are not adequate, but we are continuing to deal with the faculty of that school to improve their treatment of the waste disposal method. And I am hoping to improve that.

Now the gentleman to whom the hon. member refers has every right under The Ontario Water Resources Commission Act to lay a charge. I do not know if the laying of a charge or even a conviction will help this particular situation, because I think the school is sincere in wanting to clean up the treatment of its waste.

It does not particularly enjoy the publicity it is getting from all this, but I can assure the hon. member that everything will be done by that commission to correct that particular problem.

**Mr. Pitman:** I am very pleased that the Minister objects to this point, because this is the very thing I am trying to say, that the situation has been true for years. I quite realize the problem that the school has. I quite realize that they are awaiting the Lakefield's sewage plant. But the point is that the problem has existed for years, there were measures that could have been taken, there are measures which the OWRC is taking now. Now at this point in time these measures would not have been taken at all if there had not been this kind of publicity which the school, the Minister, the OWRC and everybody else find very embarrassing. And that is the point.

Why is it that the OWRC has so much advice to give now and had done nothing for the last number of years, while that situation already existed, with raw sewage going into the lake, drinking water being pulled out of the lake almost at the point where the sewage

was entering? Yet the OWRC did nothing about this. As I say, not until—

**Hon. Mr. Kerr:** Does the member not think there is some responsibility, Mr. Speaker, on the people in his constituency, on the municipal officials in his riding? Does he not think they have some responsibility for the fact that a source within their municipality is dumping raw sewage into a lake? Is responsibility always to be dumped on the shoulders of the OWRC?

**Mr. Pitman:** I am going to come to that very point, because this is the very hang-up we finally get into as to whose responsibility it is. Certainly the local municipality has not one tenth of the resources which the Ontario Water Resources Commission has. They do not have the time to tramp around and find out—

**Hon. Mr. Kerr:** This is just dealing with septic systems.

**Mr. Pitman:** What the Minister is saying now is that the OWRC did not have responsibility for pollution—

**Hon. Mr. Kerr:** No, no, no!

**Mr. Pitman:** In the legislation of this province the OWRC has primary responsibility. I know this is one of the problems we face and, as I say, I am not going to take any more time. I am sure the Minister will not want to take any more time at this point, but I think it is resolved very well within his own report.

What were the recommendations of this report? One: adequate waste disposal facility should be provided and employed at all premises near the lakeshore, on the islands of Stoney Lake and Clear Lake in order to exclude all untreated or inadequately treated waste from these waters. Two: a survey of all premises on Stoney Lake and Clear Lake should be conducted to determine the adequacy of existing sewage treatment facilities and then corrective actions recommended. Well, who does it? Who does this survey? Who is expected to do the survey?

**Hon. Mr. Kerr:** We will do it.

**Mr. Pitman:** The government is going to do the survey. The OWRC is going to take full responsibility for surveying the 3,000 or so cottages on Stoney and Clear Lakes and then will recommend corrective actions. Well, I am delighted to hear it, because certainly that is the only place where sufficient resources can be found. I want to complete—

**Hon. Mr. Kerr:** I do not want the member leading a delegation of cottagers to my office complaining about it.

**Mr. Pitman:** I can assure the hon. Minister, Mr. Speaker, that I will not be leading any delegation of cottagers to his office at all.

However, I want to make a final one or two points on this. I want to say to him that I think there has to be some final resolution of this kind of a problem. First, I think we have to end this legal hang-up about who is responsible. Now it is under The Health Act, and of course if it is a health hazard, I suppose the local health department is supposed to move in. But the resources of the local health unit, as you well know, Mr. Speaker, and as the Minister well knows, are so completely inadequate that it will simply not be done on that basis. They do not have the manpower, they do not have the resources, they do not have the money; and of course you have all the problems of trying to get the co-operation of all the municipalities in that particular area.

I am suggesting that we have to end this hang-up between The Health Act, The Municipal Act, and the OWRC. The OWRC has the real power, the real authority in this particular area, and let us make no mistake. I suggest first that we should organize the OWRC on a regional basis. I do not think it should continue to operate as a provincial body. I suggest to you that the most effective way of organizing OWRC would be to recognize that water pollution has to be dealt with on a watershed basis. You might very well use the same contours the province uses for the conservation authorities.

I think you have already received a letter in which it was suggested that provincial pollution abatement zones be set up. I do not care how you want to do it, but I do want to suggest to the Minister that this kind of organization, dispersing the power of the OWRC in the various regions, is the only way you are going to get effective water pollution control. As you well know, if you are dealing with a single municipality or with other municipalities in the same area, either above or below, you simply do not get the quality control that you need. That is the first step I would take.

Secondly, end the legal tangle; make your executive power not only real but effective; such as moving into the courts if necessary.

Thirdly, the educational efforts should go on, but I suggest to the Minister that he must be willing to take action and not leave it up to the private citizen to go through

everything he knows has gone on in the Peterborough area before we get any action—and he knows there was the publicity, telegrams, and 40 phone calls before Mr. Bennett even got a copy of the report on the Stoney and Clear Lakes. But it took that kind of publicity before any action was taken. It took all kinds of efforts by local citizens before anything moved the Ontario Water Resources Commission.

Fourthly, I suggest that loans be made to the municipalities. I do not think it is just enough to give loans to the municipality. I do think it is also necessary to take the sales tax off anything that is bought to try to abate pollution, such as building materials, and so on.

**Hon. Mr. Kerr:** Where did he go?

**Mr. Pitman:** I am sure the Minister can pass this on to the Provincial Treasurer (Mr. MacNaughton).

Most of all though, I think, you must provide some kind of long-term loan for people so that they can do this.

Finally, Mr. Speaker, I simply suggest that you move this into your federal-provincial conference. I think it is important that we begin shaping our environment now. I would hope that by next session we will not be discussing whether water pollution is a problem, but how we are going to deal with it in the province of Ontario.

**Mr. Speaker:** The hon. member for Algoma (Mr. Gilbertson) is the next speaker. Does the hon. member for Halton East wish to speak?

**Mr. J. W. Snow (Halton East):** Mr. Speaker, I rise on a point of order.

**Mr. Speaker:** Point of order.

**Mr. Snow:** Mr. Speaker, my point of order is that the hon. member for High Park (Mr. Shulman) this morning, after the question period, very seriously misled this House in his statement.

He stated—and he quoted from *Hansard* yesterday his question to the Attorney General (Mr. Wishart)—he stated that the Attorney General misled this House in referring to the appointment of a judge. He referred to the fifth judicial non-legal appointment made out of Ortona barracks in Oakville.

This morning the hon. member for High Park stated that the following judges were appointed out of Ortona barracks: James R. Black; Judge G. B. Green; Judge R. J. Graham; and Judge M. J. Cloney, in addition

to Mr. Sparling on the police commission and a further federal judge appointment.

Now, Mr. Speaker, in stating that these judges that have been appointed over the past years were all appointed out of Ortona barracks, he suggested that the appointments were arranged by the head of that barracks, but I would like to point out the following.

The first name mentioned, Judge James R. Black, never was there, nor had anything to do with Ortona barracks. Judge Black was a major during World War II. He was discharged at the end of the war in 1945, when he entered private business, which he carried on until 1953.

During those years, he was mayor of the town of Oakville for five years, he was justice of the peace from 1945 until 1960. He sat as a JP in the traffic court for the years 1960 and 1961; in 1962 he was appointed a deputy magistrate; in 1964 he was appointed a full magistrate and, with the new Act last year, became a provincial judge.

He absolutely never was connected with the civilian army, I might say, or with Ortona barracks.

The next judge the hon. member mentioned, Judge Green, was at Ortona barracks in 1948 for a short period. He has not been there for 21 years. He retired from the active army in 1960 at which time he was with the western command in Edmonton. He was appointed to the bench in 1967 and sat in 15 different areas throughout the province where he was needed for the past two and a half years. Now he has been assigned to the courts in the county of Halton permanently.

The third judge named—Judge Graham—I am told has never served at Ortona barracks. He retired in 1966 from the army and at that time he was military adviser to the attache in India. After returning from India he was appointed a judge.

**Hon. J. H. White (Minister of Revenue):** India is a long way from Ortona barracks.

**Mr. C. G. Pilkey (Oshawa):** Lot of military people, though!

**Mr. V. M. Singer (Downsview):** Are military people second class? Is that what the member is implying?

**Mr. Snow:** The fourth name mentioned, Mr. Speaker—that of Judge M. J. Cloney. This time to a little degree the member was correct in that Judge Cloney was appointed after his retirement from Ortona, but Judge

Cloney was a lawyer. He was the assistant judge advocate general in the Canadian Army, he had been a member of the bar for many years and is not a non-judicial appointment, as stated by the hon. member.

Further on, Mr. Speaker, in the hon. member's statement, he made this remark:

Surely at least for the family court, the military mind is hardly the type of compassion that we should seek.

I would like to speak out, Mr. Speaker, that the judge now assigned to the family and juvenile court full time—or if he is not presently, it has been announced by the Attorney General's department that he will hold the appointment—is Judge Kenneth Langdon.

Judge Langdon is being appointed to the family court. He has been on the bench in the county of Halton for, I cannot remember how long, for over twenty years.

Mr. P. D. Lawlor (Lakeshore): Twenty-five years.

Mr. Snow: He is a lawyer and was a lawyer practising in Halton county before this appointment and he is the judge that is being appointed to the juvenile and family court. He has been handling such duties in the county since his appointment and is very, very well regarded and well recognized as an excellent man with a great deal of compassion with the juvenile and family court cases.

The two judges that will be carrying on the other duties in the juvenile and family court are Judge Green, being transferred in, and Judge Black, who has been serving for ten or twelve years in the county.

I wanted to put this information on the record as the member for High Park has so seriously misled the House today.

Hon. Mr. White: The member for High Park was 99.44 percent wrong.

Mr. J. B. Trotter (Parkdale): That is about par for the course.

Mr. Speaker: The point of order would appear to be properly raised at this time.

The hon. member for Algoma.

Mr. B. Gilbertson (Algoma): Mr. Speaker and hon. members of the Ontario Legislature, I deem this a great privilege to have the opportunity of taking part in the Budget Debate. I know that the time is going to be limited as some of the members have been quite long-winded, and therefore I am going to show a little more consideration.

As we realize that the second year is coming to a close—I am just completing my second year in the Ontario Legislature—I must say that when I get up to speak it is with a little fear and trembling. It has been very interesting listening to the discussions and the debates and the accusations and so on back and forth across the House over the last two years.

I must say that I have learned considerable and my whole life had just been a school of learning. I did not get very much formal education, but nobody can doubt that coming to the Ontario Legislature is a real education for a person coming from the backwoods like myself.

I deem it a great privilege to have been elected to the Ontario Legislature as a Conservative. If we take at all seriously what we have heard from the Opposition here in the House you would think that we are a terrible lot. Now I would like to take this opportunity of reading just a short little note from people from my constituency that came down here to the Ontario Legislature. They were greeted by the member for Algoma, and I would not be a bit surprised if there are hundreds of letters like this that our members get to show that we are not all wrong.

It goes as follows—

Interjections by hon. members.

Mr. Gilbertson: Now if the hon. members of the Opposition would grant me the courtesy that I granted them over the two years, they will let me read this letter without any interjections.

Dear Sir:

On behalf of our band council I would like to take this opportunity to thank you very much for the wonderful treatment you have shown us on our visit to Queen's Park.

It was the first time our people had the pleasure of meeting you and we were very impressed. We would like to say that we hope that you will stay in government for a very long time to come. If at any time we can show our appreciation we would only be too happy to do so.

Thank you very much, and a very merry Christmas to you and your wife.

Yours sincerely,

John Corbier,

Chief of the Batchewana Band.

Now we heard a lot of accusations that our government has treated the Indians so ter-

ribly over the years—you know, we have exploited the poor Indians and all this. But now, here is a band of Indians that do not feel that way. They have been treated quite well.

I was interviewed by the press down here at Queen's Park about the time that the Indians were marching with their placards in front of the Parliament buildings, and one of the news reporters stuck a microphone in front of me, and said: "You are from one of the northern ridings, how do you feel the Indians are treated up in your particular area?"

I said: "Well, in my particular riding I have some Indian reservations, and they are treated the same as any other people.

"You can talk about what poor conditions they have, and that they are exploited and so on. I cannot say that.

"As regards the Indians in my particular area; some of them work at Algoma Steel, some at Abitibi, and others for the city of Sault Ste. Marie, and so on—some in logging and lumbering operations."

The news reporter said: "They tell me that they live in log houses and tarpaper shacks". I said: "I live in a log house myself, and I do not see anything wrong with it".

I do not feel that our Conservative government are that cruel, you know, that they have not got a heart. I must say that I have been very much impressed with the calibre of people I have met down here at Queen's Park and I will say that I have been favourably impressed with the members of the Opposition too.

In closing, as everyone of us realizes, a member representing a riding has the concern for the people of his riding, which is always closest to his heart. That is the way I feel about the riding of Algoma.

Now if there is one major point that I want to stress to the government, one thing I would like to bring to the attention of the government, that is the plight of Blind River.

I got a letter just recently which stated that their main source of income is now phased out completely. We have a lot of people unemployed in Blind River and I would like to bring to the attention of the government at this time that whatever we can do as a government certainly should be done. Not next year—well next year is pretty close—early this coming year, let us see if we cannot get something on the move for Blind River.

I would like now to wish the House in general, all the members, a merry Christmas and a happy new year; and I would like, in closing, to say, let us really think this year what is Christmas—let us get the true meaning of Christmas this year.

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, the hon. member for Algoma mentioned the Indian reserves in northern Ontario and how some are living in tarpaper shacks. I would just like to ask him if he ever gets the chance to go into Gogama and into the Metagamie reserve—maybe his eyes will be opened a little bit.

**Mr. B. Gilbertson (Algoma):** Is that the member's area?

**Mr. Jackson:** No, it is not my area. In fact it is the area of the member for Nickel Belt (Mr. Demers), who has never mentioned it in this House as far as I know.

I intend to deal with the Pearson report on regional government for northern Ontario today, because it has caused quite a bit of consternation among the different councils and municipalities in northern Ontario.

There is a need for added perspectives. Initial discussion in northern Ontario concerning the Pearson report on regional government has led the people of the north to believe that their role consists solely of choosing among the three alternatives suggested. It then becomes sort of a choice of the lesser of three evils, since the Prime Minister's (Mr. Robart's) statement on it fails to opt for any one and indicates dilemmas in all three. In order to counteract this impression and to demonstrate that there are other alternatives which may more truly represent the interests of the people of the north, the northern members of the New Democratic Party have developed an alternative of their own regarding local government in northern Ontario.

This alternative is designed to elicit frank responses from the people of the north, while at the same time designating a direction which the members think local government in the north should take, given certain fundamental beliefs about local autonomy and responsibility. It is sufficiently flexible to incorporate valid criticisms or to allow justifiable alterations without destroying the crux of the plan. More importantly, however, the proposal demonstrates the faith which the New Democratic Party holds in the capacity of the people of northern Ontario to govern themselves, and it demonstrates a deep-felt

belief that problems of alienation toward, and distrust of, southern Ontario can be effectively eliminated by rejecting the paternalistic attitude of the present government and making a concrete move toward local democracy.

Any statement dealing with the governing of the north must recognize the unique social, economic, and geographic conditions which this area of Ontario manifests. While the population is scattered, it comprises about 11 per cent of the entire population of the province. But the rate of population growth is not as great as in other regions—in fact, as the young people of the north continue to come south to attend university and pursue better jobs, the population of the north is even beginning to decline as a percentage of the total population. It dropped from 11.5 per cent of the total in 1961 to 10.6 per cent in 1966.

This migration to the south points to a matrix of circumstances that could be considered the root causes of northern discontent. The list of complaints usually begins with inadequate job opportunities, inadequate local services, inadequate tax base, and an above-average cost of living. Both northerners and southerners are facing today's problem of rising costs, but the northerner also pays proportionately higher prices while not enjoying the same amenities of life as the southerner.

Add to this list a lack of secondary industry and a lack of the necessary infrastructure for development and your appreciation of the northern dilemma increases. This dilemma is compounded by the almost complete reliance on huge resource-based industries and by the outflow of wealth resulting from the large degree of foreign ownership in the mining and forestry operations of northern Ontario.

No wonder a feeling of alienation and, in some instances, separatism exists. Added to this, a sort of proverbial straw that breaks the camel's back, is the attitude demonstrated by the governing party at Queen's Park. Rather than demonstrating a sensitivity to the problems of the north, the Conservative government employs a paternalistic and strictly dollars-and-cents attitude. This is certainly not an approach that is destined to counteract northern frustration.

What is needed, Mr. Speaker, is a positive policy for northern Ontario. Such a positive policy involves making decisions on objectives: what kind of development is to take place? What sort of life should the residents

of northern Ontario expect? What role is the north to fulfill in the economy of Ontario as a whole?

Once these decisions have been made, ancillary questions must be answered: What services are best provided on a local as against a provincial basis? What form of local government is most capable of performing these local functions? How is development to be stimulated? How is a financial base to be provided?

Mr. Speaker, these are the questions the New Democratic Party members have endeavoured to answer.

Neither at the northern conferences held in September and October, nor in the Pearson report, nor in the Premier's statement when tabling the report in the House has a clear-cut policy for the north been enunciated. Granted, this evasion of leadership has taken a wait-and-see form in which the government has called for northern opinion and the expression of grass roots sentiments—but the lack of a statement of either short-term or long-term objectives and the failure to mention fiscal problems constitutes an abdication of responsibility, nonetheless.

Once the government states where it wants to go, the people of the north will be able to indicate how they feel the government can get there—or they may well indicate that the journey is not worth the effort in the first place. Until they have such a statement, however, the people of the north have very little to go on.

Larger government units at the local level are needed for the sake of efficiency and in order to attract the trained personnel required to run modern government. They are often the only means of providing the breadth and diversity of services which the 20th century urban dweller expects.

These larger units would permit:

More autonomy. Northerners must be allowed to run their own show and, at the same time, make their own mistakes, but the essential point is that they will have a say in their own destiny.

More democracy. Elected officials should run all northern governmental units. This would end the paternalism and remote control from Queen's Park.

Adequate fiscal resources. Adequate funds and equalization could be achieved through a municipal foundation plan, such as was outlined by our leader (Mr. MacDonald) in the Legislature on February 26, 1968. Such a plan would ensure that the same basic



standard of services is enjoyed by northerners as is enjoyed by southerners in communities of similar size.

Building on existing communities. Planning machinery must be developed to select growth points and stimulate diversification and development. This will enable northern communities to become viable, ones which have a definite future.

In analyzing the Pearson report we come up with the following facts:

Although certain of the Pearson committee proposals are more attractive than others, none of them fully meets the principles we have outlined for northern policy. Alternative A is certainly the most attractive of the three, but it is lifted directly from the Hardy report which was exclusively concerned with the problems of local government in the Lakehead area and did not look at the broad spectrum of problems in the rest of the north. Although it advocates certain principles of local democracy, including voting rights for both tenants and owners in unorganized territories, it fails to make the local units sufficiently independent of the provincial government. For example, The Department of Highways would still be in charge of their road work, and the aura of paternalism survives. Finally, provisions for adequate fiscal resources are completely ignored.

Alternative B of the Pearson report is clearly the most undemocratic of the three proposals. It proposes a system of administrative regions run, in effect, by the provincial government. Areas now with established municipal government or of sufficient size and density to justify local government in the future would retain some local autonomy, but would be under the thumb of the regional co-ordinator appointed by Queen's Park. It inserts another bureaucracy in an area which already feels over-governed by outside authorities and invests the local citizens with only advisory functions.

The existence of such a bureaucratic monstrosity would inevitably cause disputes with other government departments currently concerned with northern affairs. The power struggles among these various organizations would become their paramount concern and the people of the north would be in a worse condition than they are currently. Alternative B, then, clearly perverts the principles of local autonomy and democracy by subjugating large areas of the north to extended paternalism, while at the same time ignoring the problems of creating an adequate fiscal base.

Alternative C draws the same criticisms as Alternative A does, and then some. It is even more paternalistic than Alternative B in the inordinate role which it envisages for the provincial government and appointed officials. It, too, completely ignores fiscal considerations.

Clearly, then, none of these proposals is adequate. Other alternatives must be put forward to give the people of northern Ontario something constructive to respond to.

It must be reiterated that the presentation of a fourth alternative does not preclude the development of further alternatives. Indeed, one of the reasons for putting forth a further alternative was to eliminate the impression which many northerners have that their remarks were limited to either/or considerations. The proposal of the New Democratic Party northern members is designed to encourage enlightened criticism and discussion, while at the same time being based on certain fundamental principles.

Much discussion has ensued as to what form local government should take in the north. In these discussions, the peculiar problems of northern Ontario must be kept in mind. While the one-tier organization provides a large-scale framework that enables problems to be attacked on a large front, it ignores the problems of population dispersal and fails to allow for building on existing communities. The two-tier scheme allows for the consideration of these aspects of northern life while also permitting services which are regional in nature to be handled by the upper tier, and local services to be handled by the lower tier. The province would provide only services which either body would be unable to provide. The New Democratic Party proposal, then, adopts the two-tier form of organization of local government, as preferable for most of the north, but it recognizes that a one-tier system may suit the particular circumstances of certain areas.

The lower-tier governments or local municipalities would follow as closely as possible existing municipal organization, with allowances made for alterations as conditions warranted. Such an arrangement would allow growth to continue upon existing bases and preclude much disruption and confusion which would be occasioned by radical re-organization.

In order to give residents in unorganized territory, democratic control over their local services, we propose that such areas be represented by elected local service boards. These local service boards would be patterned

on local roads boards but would be elected on a universal franchise and would be quite autonomous in operation within the spheres allotted to them. The functions performed would be more limited than in the case of the regular local municipalities owing to limited population, resource base, and so on, but provision would be made to allow the boards to be converted to regular lower-tier municipalities as conditions warrant it. In many cases local service boards would contract for services to be provided by other levels of government.

It might be desirable to allow Indian populations on reserves to organize in a form of local service board, where the conditions of population size and concentration warranted it. These boards would have the same functions as other local service boards, would be elected by democratic methods, and would enjoy the same form of representation on the regional council as the other lower-tier units.

District or regional councils would form the second tier, providing regional services for a number of local municipalities and local service boards. The boundaries would have to be drawn after careful consultation with the representatives of the local bodies and the residents of the areas concerned. It would be desirable that final boundaries be coterminous with district school board boundaries, but more than one school board might be embraced by a regional council. If council boundaries differing from school district boundaries seem indicated, the school board boundaries should probably be changed.

The local councillors of the lower-tier municipalities—also, local service boards—would be elected on a ward basis wherever possible and only on an at-large basis in instances where circumstances of lack of population, population dispersal, and so on, make ward elections unfeasible. The number of councillors for each local municipality would be decided on the basis of local needs.

The head of each local municipal government would be elected by a vote of the councillors from among their ranks and would become the local municipality representative on the regional council. In other words, the district councillors would be indirectly rather than directly elected. This arrangement avoids duplicating electoral efforts and simplifies arrangements in an area where transportation and communication limitations militate against political campaigning over large geographic areas. Regional councillors would still be responsible to the electorate and,

thereby, responsive in that they are directly elected as local councillors.

The regional council, then, would contain at least one member from each lower-tier unit. In order to adhere more closely to the dictates of the representation by population formula, a population figure could be generated, such that any lower-tier unit with a population double the generated figure would receive two seats on the regional council; one with triple the population figure would receive three seats, and so on. No lower-tier unit would receive less than one member, however. A ceiling on the number of members any single municipality could have on district council could also be considered. This cut-off population figure could be reviewed and revised as conditions changed.

The additional regional councillors for municipalities which qualify for more than one could be those obtaining the highest number of votes in municipalities which do not employ a ward system or could be selected by the local council in others.

For the first three years of operation, an appointed panel of civil servants—with no voting or other powers other than advisory—would sit in on regional council meetings as advisors, and would counsel the members in the light of the powers and policies of the provincial government. This panel would be eliminated after the initial three-year period elapsed.

Suggested allocation of functions is as follows:

As far as the province is concerned—

1. Direct services as in the rest of Ontario.
2. Assessment (which will be fully assumed as a provincial function as of January 1, 1970).
3. Police matters other than bylaw enforcement.
4. Public health and welfare services (with decentralized administration).

As far as regional municipalities are concerned—

1. Planning, zoning, and so on.
2. Hospital facilities and emergency ambulance services.
3. Regional library system.
4. Regional parks.
5. EMO and mutual aid on fire protection.
6. Tax levying and billing.
7. Borrowing for its own purposes.

8. Flotation of approved debentures on behalf of other local authorities within the district.
9. Provision of contract services for local service boards.
10. Facilitation of inter-municipal co-operation within the region.
11. Periodic review of school division boundaries.

As far as lower-tier municipalities (organized areas) are concerned—

1. Roads.
2. Sewage.
3. Water.
4. Local parks and recreation.
5. Fire services.
6. Police (bylaw enforcement).
7. Garbage collection and disposal.
8. Licences and permits.

As far as local service boards (unorganized areas) are concerned—

1. Planning of local services.
2. Contracting of services from regional municipalities.

The greatest gap in the government's three alternatives in the Pearson report is the total failure to deal with the problem of ensuring adequate financial resources for the regional governments. The Smith committee made the same error and the government has persisted in this blind-eye approach in all its re-organizations instituted so far in southern Ontario. If the tax base is inadequate to enable a regional government and its local components to discharge their responsibilities, simply re-organizing the structure is not going to enlarge the tax base. It will only spread the poverty more evenly. You would think the government would have learned this from its own experiences with the county and district boards of education. There it found that the laying of new responsibilities on the boards to equalize educational opportunities resulted in such fantastic tax rises in some municipalities that it had to rush in with \$50 million to prevent people losing their homes or going on a taxpayers' strike.

The establishment of larger units of government may result in some economies of scale. Tax collection could be centralized, for example. But in most cases the larger units will be working toward the establishment of a basic level of services for all residents of the region and this will mean added costs in those areas which have had and still have service deficiencies.

Northern municipalities, like their southern counterparts, are faced with a municipal tax crisis in this day of rising costs and new responsibilities for local governments. They cannot begin to cope with their problems until the existing burden on the regressive property tax is lightened. The province could do this by taking over the bulk of education costs, the remaining health and welfare costs, and assuming planning costs, all of which are an investment in the future development of the provincial economy. These functions are not directly related to property ownership and should be financed through the more progressive taxes available to the provincial government.

This does not mean that these functions would all be administered from Queen's Park. Decentralized administration and advisory citizens' committees are essential for all of them, particularly in the north. People must have easy access to the persons carrying out the policies. Even when the property tax load is lightened in this way, the local property tax base in many northern areas may not be adequate to enable northerners to enjoy a basic level of services similar to their southern neighbours, unless they resort to much higher mill rates.

The Smith committee produced figures showing that equalized taxable assessment per capita averaged \$1,068 in the five district regions it proposed for the north, outside the Lakehead and Sault Ste. Marie regions. In the 12 corresponding county regions it proposed for southern Ontario, the per capita assessment averaged \$1,425. The lack of mining assessment accounts for some of this discrepancy but not all.

The lower assessment in the north is an index of the neglect of northern development by Queen's Park. Until the average assessment is increased by positive policies to raise the overall standard of living, the province has a moral obligation to ensure that northern residents are provided with the same basic level of services as the southern residents receive—so far as is practicable. This can be done through the adoption of the New Democratic Party's proposed municipal foundation plan.

We already have an education foundation plan which goes a long way toward equalizing educational opportunity in the province, though, like all policies of this government, it could be improved. But the principle of a foundation plan has been accepted for educational services and has proved workable as a means of providing all residents with a

standard level of services without having to resort to above-average taxation. The same principle can, and must, be extended to other services.

Why should northerners not have as good water and sewage services, local roads and recreational facilities as those who live in Oshawa or Welland? Even if some services, such as sewage works, cost more in some northern communities because of their rocky terrain, why should the local residents have to bear all of the extra cost of geography?

We believe in sharing burdens in this party. We do not think that a family in North Bay or Timmins should have to pay a higher mill rate per \$1,000 of equalized assessment on their home than a family in Brockville or Guelph. They do not pay a higher rate of income tax. The member for York South (Mr. MacDonald) explained the principle of a municipal foundation plan in a speech in the Legislature in February, 1968, which is on page 217 of *Hansard*:

A municipal foundation plan is based on the principle that every resident has a moral entitlement to a basic level of services no matter where in the province he lives. Moreover, he should not be expected to pay more for the financing of these services than any other resident in similar circumstances.

In other words, the municipal foundation plan would ensure that all taxpayers in like circumstances bear the same tax load and get roughly the same services, bearing in mind, of course, that the level of services has to have some relationship to the size of the community.

Since it, in effect, irons out the hills and valleys in assessment and taxable capacity, it would be easier to put into effect for regional governments which do not have as great discrepancies among themselves as do individual municipalities. But it could be applied to local municipalities and possibly to local service boards as well. It would work in this way:

1. Assessment would be equalized to obtain a true measure of relative taxable capacity. This is now done for purposes of the education foundation plan on a rough-and-ready basis. When the province is completely reassessed on a uniform market value basis, as is proposed under the new Assessment Act, we will have a better set of equalized assessment figures.

2. A standard per capita cost of regional municipal services would be worked out for various sizes and types of regional government. This could be based on actual expenditures in the past year or two in areas with a

good level of services, with some additions made for expected rises in costs due to inflation or desired improvements in standards of service.

3. A standard mill rate would be calculated which would be the rate required to raise the standard cost in the region—or two or three regions averaged—with the highest taxable capacity—i.e. the region with the highest per capita assessment. If this region had a per capita assessment of \$5,000 and the standard cost of basic services was \$100 per capita, the mill rate required would be 20. This mill rate then becomes a measure of the amount of money which can equitably be raised locally.

4. For each regional government, the standard cost of services would be calculated by multiplying the per capita standard cost by the population.

5. A flat rate provincial unconditional grant could be given to each municipality as a substitute for the present multiplicity of provincial conditional grants for roads, bridges, and so on. It should be calculated as a percentage of standard costs and could be set at a level to ensure that no municipality gets less than it is now getting in provincial grants.

6. For each regional government, the standard mill rate would be applied to that region's assessment to indicate the yield of what might be called "normal taxation".

7. The total yield from the standard mill rate, grants in lieu of taxes and the flat rate grant would be subtracted from the standard cost of services and the difference made up by a "budget balancing" unconditional provincial grant to the regional government.

8. Approved capital costs could also be covered by the foundation plan.

9. The same procedure could be applied to the individual municipalities within each region to equalize their ability to provide local services. It could possibly be extended to local service boards and Indian reserves as well. Under our proposal, provincial land tax would be abolished in unorganized territory covered by these boards and be replaced by assessment and taxation by the regional government and the local service board.

10. For regions and municipalities with above-average costs due to terrain or isolation, the standard cost figure could be increased to increase the deficiency grant.

11. Regions or municipalities which wished to provide better services than allowed for by the standard cost would be free to impose a mill rate above the standard mill rate.

Municipalities which failed to impose a mill rate as high as the standard rate would have their foundation grant calculated as though they had imposed the standard mill rate, and therefore would end up with less money than was considered necessary for providing the basic level of services. It would be up to the electors in these municipalities to decide whether to be content with services below standard in return for a mill rate below the standard rate.

It has to be recognized, however, that the standard cost is a sort of average figure for the best-off municipalities and will not fit every municipality, so that only a rough approximation can be made to absolute equality. But it will be a great deal better than the present grossly divergent standards available to taxpayers.

12. The extent of provincial aid to the regional governments and municipalities can be varied simply by altering the standard cost or the standard mill rate or the flat rate grant, so there is desirable flexibility in the scheme.

One great advantage of the plan is that the competition among municipalities for industrial assessment would cease, since the municipal foundation plan would make up for any deficiencies in assessment. However, all municipalities will want to be part of a growing provincial economy which provides adequate job opportunities and a wide tax base. They will, therefore, support overall provincial planning policies which seek to attract and develop industries, but the location of these industries will be determined on economic and social criteria, rather than on competitive bidding among municipalities. If an industry brings added costs to a community in the form of extra transportation needs or pollution control, this should be the responsibility of the industry and the province together.

The municipal foundation plan does not envisage a split mill rate, but if an additional contribution from business and industry was considered desirable, it should be collected by the province and used for equalization payments to the municipalities or for industrial development costs.

Since there will be additional costs in getting regional governments under way, it is proposed that special provincial grants be made available for the first three years of any new regional government.

While the proposed restructuring of governments in northern Ontario may improve efficiency in the provision of services and equalize

tax burdens, it must be recognized that it will not by itself promote the development of the north, nor assure a future for northern communities. This can only be done by a conscious policy of planning for expansion and diversification of the northern economy. This is the second great gap in the government's proposals.

Planning from Queen's Park has proved worse than useless over the past 26 years of Conservative government. Its fruits are stagnation, frustration and the rape of northern resources.

The cookie-cutter approach of dividing the province into ten economic regions (two of them in the north) for regional planning has simply resulted in ten elaborate and costly inventories of resources but no overall plans for development. In the meantime, more and more of our mineral and forest wealth has passed into the hands of foreign companies and is flowing across the border.

Planning through regional development councils has proved equally futile. This is mainly because the councils have not been truly representative of all segments of the northern communities and because they have not been provided with sufficient resources to do a proper planning job. Nor do they have the means to set in motion any plans which they formulate, but instead must rely on the paternalism of Queen's Park for action.

The New Democratic Party has long advocated an overall provincial planning body at the heart of the Cabinet to determine priorities, allocate investment and give real leadership in stimulating the expansion of the economy. The Ontario Economic Council is not such a body, since it operates largely outside the Cabinet and is just a research organization to which the government pays little attention. In fact, it is one of the areas where cost paring could be achieved, as this body really fills no useful role at all. I am sure that some of its recent reports, such as the one opposing a capital gains tax for Ontario, are an embarrassment to the government.

Planning used to be a dirty word, but it is now accepted by both industry and governments as a modern-day essential. No new car model is introduced without about five or six years of advance planning today. Flights to the moon must be planned down to the last detail.

Planning is vital to the development of the north as well. I suggest that the value of the planning approach could be demonstrated by setting up a Crown development agency

for northeastern Ontario and a second one for northwestern Ontario. Such an agency will only be effective if it meets these criteria:

1. It must be made up largely of elected representatives of northern residents.

2. It must have sufficient resources at its disposal to establish a secretariat of experts and to initiate investment programmes on its own, or in concert with private and co-operative industries.

3. It must have considerable freedom to make its own decisions (and its own mistakes) and to learn by experimentation what are the best programmes for achieving northern development.

I would suggest that the form, functions and financing of such an agency might take the following lines:

One representative from each regional council in the area, plus a secretariat of appointed full-time experts. The agency would report to the Legislature through a Minister of Regional Development or the Prime Minister.

Functions: To assess needs and resources; to plan investment; to select growth points; to plan industry location; to stimulate new industry; to complete the infrastructure needed for growth—roads, communications, energy sources, and so on.

Funds now being spent on northern services for roads, communications, lands and forests, mines, and so on, should be turned over to the two agencies. In addition, a proportion of personal and corporation income tax should be earmarked for northern development and paid over to the agencies. If one per cent of the personal income tax and one per cent tax on corporate income were set aside in this way, about \$70 million would be available for the agencies in 1970-1971. This represents only a little over two per cent of the present Ontario Budget of about \$3 billion.

These are only suggestions of new approaches to the development of northern Ontario. They are open to discussion and modification, but they must be examined seriously. The old policies have failed. It is time we tried something different.

Mr. Speaker, I apologize for going on at such great length, but I am sure we in northern Ontario feel it was important to have something to discuss other than what was in the Pearson report. Thank you.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, as this session comes close to its end, one has a tendency to look back over

the term of time involved and look at the happenings. However, I prefer to do some reflecting on a very short period of time ahead that at this time bears a special attention for the members of this House. This time can have a vital effect on this Legislature and how it may arrive at a review and creation of laws that govern the conduct of men in their relation to each other and in their relation to society as a whole.

In this province, Mr. Speaker, we have the greatest collection of resources with manageable population and political problems that exist within comparable geographic boundaries anywhere in the world, in my opinion. With intelligence, understanding, compassion, and co-operation we have the opportunity to bring the greatest good to the greatest number of people in the shortest period of time. This we must do.

It seems to me unproductive and unrealistic to assume that the fellows on the other side all have dishonourable motivations, and are agents of the devil. If that be the case, how could we even hope to resolve our differences? I prefer it to be assumed that the other fellow is a man of integrity and good will, and that he might be influenced by listening to my side of the problem.

But, Mr. Speaker, I want to refer to today's *Star*, to the "Darts and Laurels" section. And the dart at the top is regarding the member for Brantford:

Mac Makarchuk, NDP member of the Legislature: For charging that supporters of the government's animal research legislation are no better than the perpetrators of Auschwitz, Buchenwald and the My Lai massacre. Besides showing some confusion about where animals leave off and people begin, he had no reason to leave out the Spanish Inquisition and the sack of Rome.

Mr. Makarchuk (Brantford): Mr. Speaker, on a point of order, that was not the case. The statement I made was that the government refuses to take a moral stand on the issue and has opted on the side of the individuals who perpetrated, with the same intents and purposes—

Hon. W. A. Stewart (Minister of Agriculture and Food): That is the third time the member has made this incredible statement.

Interjections by hon. members.

Mr. R. G. Hodgson: Mr. Speaker, I leave the record to show which is right and which is wrong.

Mr. Makarchuk: Read what is in *Hansard*.

Mr. R. G. Hodgson: I read what was in the paper, I was not quoting *Hansard*.

Mr. Makarchuk: Read what is in *Hansard*.

Mr. R. G. Hodgson: *Hansard* has been known to be changed on many occasions.

Mr. Deans: Is the member suggesting that we change *Hansard*?

Mr. R. G. Hodgson: I do. I know quite a few people who do not change the sense of it but they change actual wording.

To continue where I left off, these can be effective methods for seeking change. There has been this fall a sense of sharing, some agreement on basic values, and a disposition toward true dialogue. We must strive to talk honestly with one another.

A Legislature is something more than a unit of government. It is an atmosphere, an environment, a psychic relation among men, in short, a place of communion among members.

I am sure we all appreciate the sound and down-to-business approach exercised by two members of this House, namely the Whips of the two parties opposite. These men, in my opinion, exercised principles before political advantage in their conduct as members of the usual agreement procedure committee of this House. Otherwise, I doubt if we could have had the partial adoption of new rules and procedure work as well as it has to date in this trial period.

The new procedures have worked so well that I am sure not one member wishes to return as we will at the start of the new session to the previous procedures in effect prior to October 22 of this year as that motion only covered this year's session. We have heard the Prime Minister (Mr. Robarts) state that he will be bringing in a new motion after consultation and assessment of the procedure changes in practice shortly after the start of the next session.

Mr. Speaker, I would like to make some further observations which I believe have some merit at this time. We now see the wisdom of creating a 45-minute oral question period each day. My observation would be that one hour is too long on almost all days, and the half hour is too short on Wednesday and Friday. I personally believe there is never any supplementary point valid to the original question beyond two such supplementary points after the original. In most cases they would then be a different question.

I cannot see any reason to grant preference to the leader of the Opposition (Mr. Nixon) beyond the first two opportunities and the leader of the other party (Mr. MacDonald) the next two opportunities. It should then be open to all members keeping in mind a fair in-turn ratio. I still believe the members should state: "Supplementary, Mr. Speaker," and "Question, Mr. Speaker," in order to gain recognition. In fact, if they do not offer this courtesy, I suggest the Speaker pass on to some other member. I do not think the Speaker should ever solicit questions to fill the time allotted or that it is ever necessary for members to devise question to fill the question period.

The procedure suggested in the select committee report on the Throne Debate and rule applying to it should be adopted now prior to our next session and become a standing order of this Legislature. Otherwise it may be necessary to devise a procedure to fit between the start and the adoption of new standing orders. This, Mr. Speaker, would be a good start on change here and now.

I believe we must reduce the number of members on standing committees, mainly because we have one more such committee and anticipate more activity in each of the present committees. Thirteen member committees have proven effective for selected work in this House and I believe 13 to 21 members could do adequate work in a standing committee. More committee work will raise the obvious question of knowledge of each member applied to standing committee activity. Such large numbers, as are presently on private bills, create great difficulty when other committees may wish to conduct study and sit at the same time, with a membership of the same members who cannot be at both. Scheduling will be an obvious problem of enormous size, and I believe we must, at this time, have one man responsible in the Clerk's office to this area, as well as responsible for adequate staff assignment. The use of what committee room for what work should also come under this man's guidance.

The House leader must, of necessity—because of reporting on Thursday evening the next week's House activity—have someone on his staff who can co-ordinate this activity. In very fact there should be prepared a list to be submitted to Mr. Speaker and other House officers at this adjournment notice time that could adequately be called the "Documentary Whip" as in other Legislatures.

We may well take a look at the possibility of this House not sitting on Tuesday afternoon, thus leaving morning and afternoon for

private bills and other committees, early in the session when the order paper is not of sufficient size. Normal House routine could proceed on Tuesday evening starting off with statements by the Ministry, oral questions, and so on. This may have several desired effects of benefit to those who come great distances to present their petitions for a private bill, as well as speeding up the work available for House consideration.

We must have at least two committee rooms with electronic recording equipment and such arrangements available in the Legislative Building. The ideas on this gained at Sacramento are of particular value here. In California, the chairman sits in the middle of the horseshoe arrangement of his members. The speaker control-panel is at his left and operated by the secretary to the committee. When the floor is given to a committee member by the chairman, the secretary activates the member's mike. Thus, adequate control of the meeting is assured for the chairman and the member also knows when he has the floor by his observation of the green light being on beside his mike. The first row of audience seats are reserved for other Legislature members and this provides opportunity for them to participate in considerations and be readily recognized by the chairman.

Bulletin boards need to be updated in this building with suitable easy reading a priority. Lists of members with room numbers could be established in a simple frame in the Legislature elevators. Such changes can only have benefit to our public visitors.

We must never forget increased committee activity is all premised on the belief each member will have improved office and secretarial assistance that will provide the members with this part of their work being adequate.

Changes in the House standing orders would mean the Cabinet must have ready for House introduction most of this legislation at the start of the session in order for the House leader to programme his work and to have options in case of illness or necessary absence of Ministers. Estimates must be tabled at the presentation of the Budget. All these are considerations to be met with the introduction of the select committee report on rules and procedure on a further basis.

Mr. Speaker, the points I have raised are the future considerations before this House and its officers. I know the House leader welcomes suggestions and at this time he will, I am sure, welcome views of our members on these and other reflections in his considerations ahead over the next few weeks.

We will need laws and we will need government and we will need politics, which is the participation in government. Let us all join together and see that we provide here the best forum that can be devised to assure attention to those matters of our people.

Mr. I Deans (Wentworth): Mr. Speaker, it is with a great deal of pleasure that I rise at the end of a long and tiring session, to put on the record some of the views of this party in regard to what has taken place. Also, to talk for a few moments about the action and inaction of the government over the last 13 months in their efforts to bring about some kind of rationalization and some kind of change to the province of Ontario and the people who reside within it.

I was interested to read today in the *Globe and Mail* that we have passed 184 pieces of legislation and have sat for a total of 171 days. I think in order to properly understand the value of any legislation, we must agree that government cannot be measured by the amount of legislation it introduces but rather the effect, the benefit or hardships which are imposed by the legislation upon the people whom it supposedly governs.

This particular government in its legislative programme of 1969 started out as if it had some idea of the direction in which it was to travel. It indicated quite clearly in the Budget statement of March 4, 1969, that, if not in practice, at least in theory, it understood that many of the difficulties which confront the average taxpayer in this province could be overcome by means of a more equitable tax structure, and by means of a more acceptable use of the fiscal resources of the province.

The Budget paper reads into the record by the Provincial Treasurer (Mr. MacNaughton) on that day stated, and I quote:

To a large degree the engineering plan for a pathway toward a good life is the government's budget.

It went on to state:

The Budget is a deliberate instrument of social and economic guidance. It is a vital part of the very fabric of our society and economy. Purposeful planning on a long-term basis is indeed a valid objective of any budget.

It also stated in drawing an analogy:

Placing a man on the moon is a triumph of technology. The planning of a social and economic environment requires equal skill and firm judgment.



There it stopped; while it appeared to recognize at least in theory the very difficult and onerous job that it had—the necessity to change the tax structure and bring about equity and to improve the quality of life, and to provide dignity for many, whose lives can be considered to be an existence at or below the poverty level—this end has not been achieved by this government.

This government has shown that it has an inability to understand the dilemma confronting the majority of the citizens of this province. It has shown that it does not understand that the basic essential things for life are a prime responsibility of government. A government's function, if it is to function at all, is to ensure that the natural resources, the natural wealth of the jurisdiction over which it presides are used to benefit the population at large; that they are used to raise the standard of those of the sub-standard; that they are used to ease the burden of the over-burdened.

One could, I suspect, go through each department of government and pick out an example, or two or three examples, to indicate what I am about to talk about, and we will, in a moment, deal with some of the major problems which have confronted us during the last session in trying to bring about some rationalization of the position that has been taken by this government.

The government's inability to establish priorities—its inability to recognize that housing, that health, that the cost of living, that the price spiral that we hear so much about today, present problems to which only government can find solutions—has shackled this government and precluded it from taking any useful initiatives.

In each of these major areas this government has failed to act and has acted in an irresponsible manner, acted in haste without proper consideration for the financing of its goals, or for the financing of the programmes which it has attempted to bring about. In many other instances, the government has failed miserably to make good use of the moneys which would be available to assist many of the unfortunate persons in this province in their quest for even a reasonable standard of living, and it is to these things that I want to turn my attention as I view the year's activities.

Let me say, as I deal with these blunders one by one, that two of the most flagrant, most obvious instances of injustice that have been perpetrated on the people of this province have occurred within the jurisdiction of

The Department of Social and Family Services. Its attitude toward the Indian people in the early part of this year was deplorable. This department failed completely to understand the needs of the Indians and, in fact, turned its back on them.

This department completely rejected the legitimate requests of the Indian bands of northern Ontario and, when it had the money in the amount of some million dollars available to spend, it adamantly refused to make use of the moneys available. In fact, during a period when medical services were being cut back in northern Ontario and expenditures from this fund were necessary, this government had spent only a small portion of the available resources.

This is the sort of situation which cannot be tolerated and which has brought this government into a position of disfavour among many of the northern peoples of this province. And quite rightly so.

Unless the Minister of Social and Family Services (Mr. Yaremko) believes that what I am saying is simply the view of myself, or perhaps some members of this party, let me remind him of some of the articles and editorials that have been written during that time when we were so desperately trying to find an answer to the problems of the Indian people of northern Ontario. Let me say—and I quote from the *Globe and Mail* of May 24, 1969:

The fiasco in the Ontario Legislature in the wake of seven resignations in the government's Indian development branch revealed more than just the inability of Social and Family Services Minister John Yaremko to come to grips with the problems of native people.

It illustrated that Premier John Robarts is like a bull in a pen—it does not look like much of a bull. Without the Premier in the House to hold them together, government members flounder on the Treasury benches like washed-up fish desperately trying to find water.

Interjections by hon. members.

Mr. Deans: Quoting:

Mr. Robarts was on a fishing trip when the usual innocuous Friday's session suddenly exploded into the most dramatic moments of the session.

And let me quote from an editorial of that same paper on the same day. It stated that—

Premier John Robarts managed, as expected, to fend off the Opposition parties'

united attack on Social and Family Services Minister John Yaremko.

I want to make it very clear the Minister will not fall, he told the Legislature, having no choice, of course, but to stand behind his man, while he was under direct attack.

It is one thing, however, to defend Mr. Yaremko against the combined votes of the Opposition, which cannot combine to make a majority. It is quite another thing to defend Mr. Yaremko before the eyes of the people of Ontario.

Interjections by hon. members.

Mr. Deans: The government's attitude toward welfare recipients was made obvious in this House during the very lengthy debates on The Department of Social and Family Services. It indicated to me and to the members of this party that this government does not understand that, together with the cheque that is handed out by the government to those people who are in dire need, must go some dignity and some incentive to provide for oneself. The government shows to its Minister of Social and Family Services that it was just not prepared to accept a proposition that people on assistance had some right to access to a review board. And it was only after a long harangue, a debate stretching well into the hours of the night, that the government finally yielded to the pressures of this party, and the member for Scarborough Centre (Mrs. M. Renwick) in particular, in agreeing to notify the welfare recipients of this province of their right to appeal.

Hon. J. Yaremko (Minister of Social and Family Services): You mean you gave up the harangue and filibuster.

Mr. E. W. Martel (Sudbury East): When Father John leaned over and gave the Minister the go-ahead.

Mrs. M. Renwick (Scarborough Centre): In fact he should have done it ten hours ago.

Interjections by hon. members.

Mr. Deans: Let me say to the Prime Minister so that he clearly understands it, it is in this area that failures become so obvious.

A government that will not recognize and make clear the rights of those people over whom it has so much jurisdiction, is a government that fails to recognize the rights of any of the people within its jurisdiction. And this is exactly what has happened in The Department of Social and Family Services.

Interjections by hon. members.

Mr. Deans: In the area of education there is—

Hon. Mr. Yaremko: The leader of the NDP can spend Christmas and New Year's looking at other jurisdictions to compare.

Mr. J. Renwick (Riverdale): We are going to foment revolution wherever we can.

Mr. Deans: It is interesting to hear the Minister defend his policies—the policies that have to be forced upon him by members of this House. It is interesting to hear him say how wonderful the programme is, when most of the programme had to be at the insistence of the Opposition in order to have it enacted.

Hon. Mr. Yaremko: It was also developed over the last 15 years.

Mr. Deans: At the insistence of the Opposition.

Mr. P. D. Lawlor (Lakeshore): It had to be wrung from you.

Hon. Mr. Yaremko: We have got a reactive government.

Mr. S. Lewis (Scarborough West): The hon. Minister runs the worst department in the government, and that is saying a lot. It is the worst department in the government.

Hon. Mr. Yaremko: The best! The member would like to take it over.

Mr. Lewis: Indeed we will, sir.

Hon. Mr. Yaremko: Never!

Interjections by hon. members.

Mr. Deans: In the area of education, there is no one in this House who will forget the move to the county boards. While we supported to a great extent the need for larger jurisdictional areas, we pointed out on a number of occasions, the great difficulties, the financial difficulties, that were going to confront many of the residents of the areas that were about to be amalgamated into one board. We suggested to the Minister on a number of occasions, through the member for Peterborough—

Mr. J. Renwick: Where is the Minister?

Mr. Deans: —that we have to have some form of transitional grants made available; that we just could not make a move of this magnitude unless we were fully aware of the

financial burden, but this reasoned argument fell on deaf ears.

**Mr. D. C. MacDonald (York South):** The government certainly believes this debate—

**Mr. Deans:** What happened was that, throughout this province, almost without exception—

Interjections by hon. members.

**Mr. Deans:** —the local boards, when they were placed—

Interjections by hon. members.

**Mr. Deans:** Mr. Speaker, almost without exception, the local boards, when they were placed in the position of having to join together and become one jurisdiction in the area, found themselves taxed to the hilt, as we had predicted they were.

The residents were forced to absorb property tax increases far beyond their ability to pay and it was only the scrambling of the Minister and the members of the House that finally saved many of these people from tremendous hardship.

This is a clear indication of poor planning—a clear indication of an inability to understand the implications of programmes which are being presented and put into force. It also spelled the end of the boastful statement of the Provincial Treasurer that we were about to have a balanced Budget.

The subject of the rights of individuals—if I may turn to that for a moment—cannot be forgotten in the review of what has taken place. The rights of members of this House to enter institutions of this province and to inspect the facilities on behalf of the people whom they represent was denied for many months. It has only been in the last two or three weeks that the government has seen fit to, once again, permit members to do what their job entails and demands that they must do. That is, to inspect, without prior warning, the institutions of this province, in order that we can ascertain that they are being properly run.

And then, of course, we had the Medicare fiasco. Here we had a government prepared to push down the throats of the people of this province a scheme which was not only totally inadequate in content, but which was priced far beyond the value of the benefits of the programme which was being offered. We in this party saw through this façade and we voted against it and made every conceivable effort to have it amended, and still this

government, with the assistance of the Liberal Party, forced it through.

This is clearly the coming together of like forces in order to push a legislative programme down the throats of the people of this province. It is using the combined forces of Tory and Liberal members, who, inevitably, think alike anyway, to force on the people of this province the kind of legislation we can well do without.

It is this kind of insensitivity that will bring about the defeat of the Tory government, a defeat which they themselves are beginning to recognize as being inevitable. Even in their own statements, and the statements they make out in the hustings and in the conferences that they are now holding to try and shore up the crumbling Tory machine, statements such as those by the Minister without Portfolio (Mr. A. B. R. Lawrence), the member for Carleton East, and it is very interesting how perceptive the Minister has become. I quote from the *Oshawa Times* of November 18, 1969, where the Minister without Portfolio from Carleton East stated:

The next provincial election will be the dirtiest, nastiest and toughest in nearly 30 years. It will be an awful election.

The Minister, in a continuance of his speech, called the Liberals lazy and bankrupt of ideas, and he pointed this out in reply to a question that the next election, generally expected within two years, will find the NDP full of beans and ready to take over.

Just to indicate to you, you clearly understand, this is not only the opinion of the Minister without Portfolio, this is backed up by other Cabinet Ministers; they have all seen the inevitability of the defeat that is going to take place.

You could turn for a moment, for example, to the statement of the Minister of Municipal Affairs (Mr. McKeough)—who has since jollied himself out of here, but that is beside the point—and he says that if the Conservative government is beaten in the next provincial election, it will be by the New Democratic Party. He ruled out the Liberals as a contender for power so we might wonder why the Minister would say a thing like this, and I—

**Hon. A. Grossman (Minister of Correctional Services):** He wants to give the NDP a false sense of security.

**Mr. Deans:** It is interesting that the Minister of Correctional Services should say that because this is exactly what people might

have thought had not Dennis Braithwaite taken a serious look at what was said and, as he said in his column of October 31, 1969, speaking of the remarks of the Minister of Municipal Affairs:

You might suppose that the Conservative Cabinet Minister had something up his sleeve when he spoke this way. Was he trying to appear frank and non-political? Was he more fiendishly trying to split the anti-government vote by starting a small NDP bandwagon, thereby hoping to cut into the normal Liberal strength.

I do not think so. The election is too far away for that kind of ploy to be really useful to the Tories right now. No, I think he simply gave a candid opinion on what is likely to be the mood of the province two years hence.

Beyond, there is a warmer political climate all over the country even now, warmer perhaps in Ontario than in any province outside of Quebec. It is not just the student and the left wing agitation that is hotting things up.

Consumers, tenants, minorities, home owners, pensioners, welfarists and the union's rank and file all have their beefs, and they are prepared for some kind of action. There is a great deal of agitation going on, not all of it or any substantial part of it organized, so far. I cannot see any way that the Conservatives' cautious, defensive and increasingly irrelevant approach to provincial problems can survive the public's impatience and dissatisfaction. The Tories' long winning streak is going to be broken.

I think the government will be defeated, or anyway seriously challenged for the first time in 20 years by the very elements that has kept it in power, namely, affluence.

It is becoming clearer, every day, that the problems of pollution, poverty, transportation, over taxation and bureaucratic stagnation are getting worse, not better, and that our celebrated affluence is not much good to us. We need a new approach, new ideas, new people, and the NDP, although they are not really new, are newer and have a fresher image than the Conservatives or the Liberals, and I think they are going to get their chance.

Assuming for a moment the other parties do not like what he says, we will allow that to go by the way. Maybe the government does not think that the Minister without Portfolio and the Minister of Municipal Affairs are

worth listening to. Sometimes we do not think they are either, so we can hardly blame you. We could turn to the more obvious—how about the Minister of Mines (Mr. A. F. Lawrence) and his statement, well quoted, "The Tories are dead from the neck up."

All you have to do is sit in this House from day to day and the truth of this statement becomes more apparent. What are they going to do about it, this is the interesting point? What is the government going to do about this? Well, it is interesting. You would think that a government that had its own Cabinet Ministers making statements of this kind would be worried, that they would be concerned enough to introduce some reasonably acceptable legislative programme that would benefit the people who are mentioned in the Dennis Braithwaite column. But, oh, no, that is not this government's attitude.

The prime leadership candidate, the member for Lincoln, the Provincial Secretary (Mr. Welch) sums it up very well. He tells us what the government is going to do; it is going to maintain these old, tired policies; that we are going to take the fellow who used to be the executive assistant to the leader of the Conservative Party and we are going to get him to dress up all of the documents and all of the publications that go out of the government offices, so that they can try better to sell some of the useless propaganda that they have been putting out for years to the people of this province. This is the fresh, the new way, to deal with the problems.

The Provincial Secretary—and let me quote just so that we understand that they are his words, not mine—set the stage for the complaints, by saying in his position paper that the government was becoming too remote from the public and must start the establishment of information centres to give citizens the reasons behind its decisions, a blatant attempt by this government to substantiate totally irrelevant policies by means of finances put up by the tax moneys of the people of this province.

These are pretty clear indications of a decaying government. A government which is beginning to recognize the inevitability of defeat. It is becoming more evident by the day, and it is not more than a week or ten days ago, that the Tories, in an effort to assure themselves of the opportunity to change leaders after their defeat in 1971, had to change the constitution.

They might wonder whether or not they are seriously considering changing leaders. They could ask the question, what indication

is there that there is dissatisfaction in the ranks? Let me say, it is plain, it is on the record, documented. All they have to do is read the conflict between the new Minister of Health (Mr. Wells) and the Prime Minister. Let me read from the Kingston *Whig-Standard*, so that the House understands it; I do not want the government members to be disillusioned in any way. And who would expect the Kingston *Whig-Standard* to put out this kind of thing:

Premier Robarts obviously detests the idea of a publicly sponsored medical care plan so much that he loses his customary poise when forced even to discuss it. The other day, for instance, he told startled delegates to the Ontario Progressive Association annual meeting that paying only 90 per cent of the doctors' fees was adopted because of its deterrent effect. "We could pay 100 per cent" he said, "but then you would have no deterrent." The Premier said that, "Many people were professional doctor-goers and without this deterrent, the cost of medical services would become impossible."

**Mr. A. Carruthers (Durham):** Well, that is true too.

**Mr. Deans:** The man who should know most about the government's medical care philosophy, the Minister of Health, admitted frankly that the Premier did not know what he was talking about. And if they do not think that is dissention, what do they call it?

**Mr. Lewis:** The Minister of Health said that about the Premier?

**Mr. Deans:** He said that about the Premier. He said that the Premier did not know what he was talking about.

Interjections by hon. members.

**Mr. Deans:** It is kind of amusing too, when you think of the Minister of Health in the leadership role. What kind of leadership will he bring to the Tory party?

**Hon. S. J. Randall (Minister of Trade and Development):** Who is going to be the NDP leader next year?

**Mr. J. Renwick:** Not that Minister of Health.

**Mr. Lewis:** The Minister can go back to peddling washing machines.

**Mr. Deans:** We do not have to go very far to see the kind of leadership that would be offered by the Minister of Health. Just

take a look at the company he keeps. Just take a look at the circles he travels in. Where do you find the Minister of Health on his spare day when he has nothing else to do? You will find that he is trotting around the Republican convention wearing a Regan button. How much more right-wing could a guy be than that? What kind of policies are going to be introduced for the betterment of the people of this province? A Regan supporter—

Interjections by hon. members.

**Mr. Deans:** Let me say to you, Mr. Speaker, that all these things point quite clearly to a realization, not only by us, but by the government itself that things have just gone too far. The realization that the people of this province are no longer prepared to accept them as the governing force. The people of this province have lost confidence in the present administration, and it is no wonder. One need not go outside the realm of this House to see the decay setting in.

Differences are emerging between the Ministers—not only the difference between the Minister of Health and the Premier, but the other Ministers—the difference between the Minister of Municipal Affairs and the Minister of Energy and Resources Management (Mr. Kerr) over how we are going to handle the pollution problems.

Let us be fair to the Minister of Energy and Resources Management, he is much more energetic and resourceful than the previous Minister. But that does not say much for him. In fact, if one were to measure the amount of constructive movement that has taken place in this province since he has taken over the portfolio, he could do it without a measuring stick. The entire programme has been fought on the front pages of the newspapers of this province. He has learned his lesson. He learned it well from the Minister of Trade and Development. There is no one quite like him, you see, for selling his non-existent programmes to the people of the province.

**Hon. Mr. Grossman:** That is not what the member for Peterborough (Mr. Pitman) said this afternoon.

**Mr. Deans:** All I can say, of course, is that it is becoming more apparent, the more we look at it. There is no denying, that the Minister of Energy and Resources Management is up against a stone wall.

**Hon. Mr. Grossman:** That is not what the member for Peterborough said.

Mr. Deans: There is no way that he is going to convince the Cabinet Ministers, his Cabinet colleagues, of the validity of the position he is taking and indubitably we will end up with the same chaos and stink throughout this province that we have had for years.

I am sure that many of the Tory members would like to pooh-pooh the suggestion that the decay has now reached the point of no return. But the horrible truth, for the Tories anyway, is laid out before them. It is obvious.

The government went into that Tory bastion of Middlesex South, wandered in there, shrugged off the people, set up a candidate—yes, a nice guy, but no roaring ball of fire—and let us listen to what happened. The amusing thing about it is that never before has so much Tory talent, and I use that word loosely, so much Tory talent been taken into one place and put to work with so little results.

Mr. Lewis: They even had the Minister of Revenue (Mr. White).

Mr. Deans: Even the Minister of Revenue.

Mr. Lewis: Fantastic.

Hon. Mr. Randall: Sorry I was not there.

Mr. MacDonald: We would have had an even bigger majority.

Hon. Mr. Randall: I would have run the NDP right into the ground.

Mr. Deans: The Minister might have been able to sell some washing machines. You could not have sold them on the Tory policies.

Interjections by hon. members.

Mr. Deans: Complacency sets in. The government members wandered around Middlesex South just assuming that all of the Tories would come out in droves and elect their man. I say they were crushed not only because of the tremendous ability and the drive of the present member, the New Democratic member for Middlesex South, (Mr. Bolton), but by their own stupidity—

Interjections by hon. members.

Mr. Deans: By their own inability to understand the problems of the average individuals in this province. There is nowhere in this province where the discontent, the unhappiness, the loss of respect, the loss of faith, were more evident than in that by-election of Middlesex South.

What we saw there, mirrored the feelings of every individual in this province. It typified the attitude of the citizens from boundary to boundary, from north to south, and east to west. While those in politics are quick to recognize the efforts made by the Tory party to shore up its crumbling bastion, we are fully aware as this session draws to a close, that it just does not have the ability to do this, primarily it has lost touch with the day to day concerns of the people of this province.

It has failed to recognize one of the most important factors of ensuring good government, which is keeping in close touch with the affairs of those whom it must govern.

They might say to me, that is not true. But let me say, here we go back to the case of the *Whig-Standard*. Who would ever expect the Kingston *Whig-Standard* to write such nasty things about the Tory party? Let me read it.

Interjections by hon. members.

Mr. Deans: Let me quote from the Kingston *Whig-Standard*. I get a great deal of pleasure quoting from that newspaper:

The Ontario government lost touch with the people years ago. Its record, with few exceptions, is a calamitous succession of arrogant insults to the needs and feelings of the people it is supposed to be serving.

Interjections by hon. members:

Mr. Deans: What better evidence can I produce for members than that?

Mr. Lewis: And that is what their friends say.

Mr. Deans: Think of what their enemies are saying.

There is no doubt the government must take the necessary action regardless of how unpalatable such action may be, to assure the residents that the dollar which they can earn in this province, can provide for them the essential things of life. It must assure that housing, food, health and education are well within reach of every individual—not just within reach, well within reach—who is prepared to work in this province. And that no hardship will befall those who, though prepared to, are unable to work.

When I entered this House I believed, and in fact still do believe, that a government which cannot assure its residents that the essential matters of health care, cost of food, clothing, education and housing can be ob-

tained within each person's ability to pay, does not deserve to govern.

For a time I believe that this government was going to try to meet this objective, which I might add, is shared by a vast majority of the citizens of this province. But, as I have already stated, in the areas of financing of education, and adequate reasonably priced health coverages, this government has failed.

I now wish to deal with the other section, to turn my attention to the cost of living, and then on to housing. I have spoken many times in this House of how the cost of living has rapidly outstripped the ability to absorb rising costs. Also, on numerous occasions I called upon this government to undertake an immediate and intensive review with an eye to legislative change. This has for the most part fallen on deaf ears. Over the last year there have been numerous increases in prices which deserve government investigation.

Initial price increases are almost always passed on in the form of higher secondary prices that more than offset initial increased costs. For this reason, increases, in the raw material producing industries especially, must be justified.

An example of this phenomenon is the recent six per cent increase in the price of steel. This increase would have added 75 cents to the cost of steel for a refrigerator, but Canadian Westinghouse is increasing the dealer price by between \$4.50 and \$15. The increase in gasoline prices will undoubtedly mean increased transportation costs in many instances far and above the initial increase. The six per cent increase in Hydro, which I am sure you are fed up hearing about, but which will, I suspect, play a large part in bringing this government down, was totally unjustified, and has resulted in an increase of eight per cent in Hamilton and has brought requests from municipalities for government intervention—requests, I might add, which are being ignored, as usual, in the callous, high-handed manner in which this government ignores all requests.

The increase by INCO of six per cent will have the inevitable effect of contributing to the spiralling cost of the finished product.

These are but a few examples of incidences of increases which required government investigation which add substantially to the growing concern over the increasing cost of living. A concern which is reflected in a public opinion poll taken by the *Toronto Daily Star* in September of this year, and which indicated that in 1953 12 per cent of the people polled, considered highways and

roads to be the major problem, while today only one per cent consider that to be the major problem.

While in today's increasing inflationary situation, 22 per cent consider cost of living and price controls to be of major significance, while only four per cent considered that to be a problem back in 1953. This is in spite of this government's continuous emphasis on its road building programme and the millions and millions of dollars which are poured into the development of roads at the expense of the legitimate needs of the people of this province.

While these figures reflect a growing concern, a recent poll indicates that 82 per cent of the population recognize inflation to be a "dangerous thing". This government, though expressing concern over inflation, never acts in any positive way to curb this threat, and tends to subscribe to the much used and abused theory that wage increases, rather than increased profits, are the cause of inflation.

Managed prices are not often discussed as a cause of inflation. In an economy characterized by oligopolistic competition, however, managed prices can be a distinct problem. Implicit understandings, price settings by following the example of the strongest producer, and outright collusion are some of the means that can be used to keep prices above a level that would be achieved in perfect competition. The auto industry is a case in point. With the return on investment of approximately 16 per cent for the "big three" in 1968, the companies could quite easily reduce prices and still end up with an above average return on investment. But that kind of occurrence just never takes place in this society.

The reverse in fact is just the case.

Each year the new models are accompanied by a new and higher price. The old bogeys of higher wages, material costs and soaring taxes are brought out and dusted off each fall to explain why new car prices must also rise. Profits are the one area that have not often been blamed for the inflationary spiral. In the 1961-1968 period profits, before taxes, rose 82.6 per cent according to the national income and expenditures accounts.

In the same period, average weekly wages and salaries rose 40.4 per cent based on the industrial composite index of average weekly wages and salaries. This profit push phenomenon was recognized by the Woods task force on labour relations when they were examining the relationship between collective bargaining and inflation.

As the report states, a price increase after a wage settlement could be more a result of profit push than wage push. But this government, in spite of overwhelming evidence to the contrary, falls in line with those who contend that wage settlements are the principal cause of inflation.

The Woods report examined this problem at length, and it is worthwhile to put on the record some of the things that they found in their examination, and I quote from the report—pages 71 not inclusive, but to 80—not in its entirety:

As we stressed at the outset, the extent to which collective bargaining contributes to inflation is a matter of considerable controversy. It is essential first to dispel some misleading deductions which are often made about the relationship between these two phenomena. One of the most familiar arguments claims inflation results from unions causing money wages to rise faster than productivity.

Yet even assuming unions were the cause, or the partial cause, of such increases in wages, something which itself is debatable, the increase may only be a sign or a symptom of inflation. By itself wages rising faster than man-hour output proves nothing about the underlying problem. Indeed in any inflationary situation it is usual for wages to rise faster than productivity. It is illogical to suggest that this relationship by itself proves anything about cause and effect.

Another misleading argument grows out of the tendency toward parallel movements in productivity and in real wages and salaries. In the economy as a whole there must be a close link between productivity increases and wages and salary advances in real terms, unless there is a change in the distribution of factor incomes. Despite the inevitability of the close link between productivity and real wages and salary movements the fact that they rise together is sometimes cited as proof that collective bargaining is in no way responsible for any wage and salary cost pressure.

Such an argument is untenable as it fails to account for current dollar wage and salaries which are the more relevant data for the purpose of inquiries into the relationship between collective bargaining and inflation. It is equally misleading to cite the sequence of any series of wage and price increases as proof of a particular explanation of inflation. For example, where wage increases precede price increases, it

may be concluded that the former causes the latter. To draw such a conclusion from the timing relationship alone would be erroneous. A wage increase may cause a price increase, but it may also serve as an excuse for one.

This is suggested by a number of price increases, following wage increases, but which often more than make up for the rise in labour costs. In these situations it is informative to explore why the price rise awaits the wage increase, since it is unlikely that the market would have been much less receptive to the price increase before, rather than after the wage rise. The answer frequently lies in the public relations and politics of price setting. A price adjustment following a wage increase is easier to justify to both consumers and politicians.

This, however, proved little or nothing about the cause of the price increase. It could be more the result of profit push than of wage push. Moreover, even when the price rise is brought on by a wage increase nothing is heard about the cause of the increase.

Once an inflationary spiral begins it is usually difficult to determine whether wage advances precede or follow price increases.

The Woods report points out quite clearly that much of the increase in the cost of living and the resultant inflationary spirals are a combination of a number of things, and it is for these reasons that we would welcome an urgent investigation into what is causing the spirals at this particular time; that the necessary action is being taken to ease the squeeze that the citizens of this province are finding themselves in.

An examination of inflation is an economic phenomenon and the individual citizen is often lost in a mass of aggregate data such as wages, profits, productivity and prices, as they are considered at the macro-economic level. It is at the individual level, however, that the impact of inflation is most telling, as the consumer futilely attempts to stretch his earnings to meet the rising cost of living, and I believe it is in this area that this government has failed.

They have been unable to view the increasing costs of living in the terms that effect the average citizen of the province. They have been reluctant to become engaged in trying to determine what, if anything, can be done to assure that the wages that are earned in the province will indeed be sufficient to pay the cost of the essentials, or con-



versely that the essentials of life are priced within the ability of the average wage earner to pay.

On the basis of the 1968 Guide for Family Budgeting, produced by the Social Planning Council of Metropolitan Toronto, *Machinist* magazine calculated that a family of four requires \$128 a week for a 52-week year or for a 50-week year, the figure is \$133 to provide the bare necessities, excluding such luxuries as an automobile, and if that can be considered a luxury in this society then I cannot understand it.

They have determined that on a yearly basis this family of four living in Metropolitan Toronto requires for food \$1,467; for clothing—\$515; for housing—\$2,178; for home furnishings—\$89; for household operations—\$90; medical care and supplies—\$520; personal care—\$180; transportation—\$269; communication, reading and school, and so on—\$138; gifts, contributions and leisure time—\$372; insurance—\$51; Canada Pension Plan—\$81; and income tax—\$700. This gives us a total of \$6,650.

Considering that the industrial composite average weekly wage for Ontario is \$122.71, the average worker falls \$5 per week short of the minimum goal, or more than \$10 a week if we consider it on a 50 week basis. And this minimum goal is based on items costed at the 1968 rate. The gap between the 1969 wage and the 1969 minimum goals is even larger than that which I have cited, and this is taking into consideration the average wage.

This government obviously feels that the \$1.35 an hour, or around \$2,600 to \$2,700 a year, is adequate and sufficient for any person to live in this province. Your minimum wage is a clear indication of how far out of touch this government is with reality.

Speaking of the ever-increasing cost of living, it is doubtful if the increase is any more evident than in the area of cost of housing, and it is to this that I now turn my attention.

I want to read to you so that you will realize your own statements in these matters. In 1967, the Prime Minister, in making a speech somewhere, I do not know where, said that housing is a critical factor upon which we have placed the highest priority. And I want you to bear that in mind, as we take a look at what has happened in housing.

Housing is an area where this government has placed the highest priority. The cost of housing and accommodation has risen rapidly

in the last five or six years and this is the one area that this government could have a distinct influence. An influence which could beneficially assist the majority of the people in this province.

The opportunity for young people in this province to ever own a home of their own has all but now disappeared. The Canadian dream of some day owning your own little parcel of land, with a house on it, and retiring there in later years to enjoy it, has pretty well been destroyed by the greed of the speculators and by the inaction of the government in this province.

I was amazed today to listen to the member for Durham talking about the housing programme of this province in such glowing and lavish terms. How any person having studied it closely at all could speak well of it is beyond my ability to understand.

The actions of this government have been deplorable in trying to assist in this particular problem. This government has had at its disposal the last number of years, sizeable tracts of land which it has not used to the best advantage. Land that ought to have been used as a lever against vastly inflated prices, which would have brought the speculative value of the properties that are now being sold down to a level that people could afford.

In the city of Hamilton, for example, building lots have risen in six years from \$4,500 to \$5,000 per lot up to \$9,000 to \$11,000 for the same size lot. This is an unconscionable increase that we, in this party, and in this House cannot tolerate. As a government we should be able to resolve it.

We have the means. The land is available. Land for which this government paid extremely low prices some years ago. Land which ought to have been used to upset the speculative greed of the land holders. But when the chips were down and this government was in a position to assist, as it was at Bramalea, or as it has been on Hamilton Mountain, from time to time, and in other areas of the province, by selling the land at prices which would have yielded a profit, but which would have been considerably below the market value of the land it refused.

Because this government, through the Minister of Trade and Development, sees itself not as a competitor but rather as "a shorer-upper", if that is a word, of private enterprise.

Hon. Mr. Grossman: How does the member spell that?

**Mr. Deans:** I will spell it for the Minister after. It comes out of the Funk and Wagnall's dictionary.

**Hon. Mr. Grossman:** That is the "bunk" and Wagnall's dictionary.

**Mr. Deans:** This government considers itself to be in a position of having to assure private enterprise that it is right to make a dollar, rather than of having to assure the people of this province of their right to decent accommodation at a price they can afford. This government, rather than serving as the representatives and servants of the majority of the people of this province, acts more like a board of directors of a corporation that does not give a damn about its employees and does not care whether they work or not; whose only concern is to make a dollar and to assure themselves of a fat profit.

Too many of the government Ministers, in particular the Minister of Trade and Development, take the attitude and wear the mantle of the entrepreneur. Within the Minister of Trade and Development's department, without even going outside of this jurisdiction, we can see the distinct difference between the manner in which the corporate interests of this province are handled, as opposed to the manner in which the concerns of the individual citizens of this province are taken care of.

We see the Minister of Trade and Development walking hand-in-hand with the motives of big business, prepared to hand

over substantial sums of hard-earned tax dollars of the people of this province, while depriving the citizens of this province of the opportunity to own or even to rent decent accommodation at a cost that they can afford. This is the same Minister who over the last 18 months has given away 32,790,000 hard-earned tax payers' dollars—

**Hon. Mr. Yaremko:** And created thousands of jobs.

**Mr. Deans:** —to corporations in this province. But in the same period, in his efforts to meet what the Prime Minister said was the priority item of this government, he has spent a total amount of \$5 million net.

**Hon. Mr. Grossman:** He has built more housing than all of Canada combined.

**Mr. Deans:** Five million dollars net, spent by this province on housing, does not meet the needs of the people of the province.

Interjection by an hon. member.

**Mr. Speaker:** Order!

I would remind the hon. member for Sudbury East that if he is not in his chair, he cannot be heard in the House. It now being six of the clock, I think this is an appropriate time and I do now leave the Chair and we will resume at 8 p.m. this evening.

It being 6 o'clock, p.m., the House took recess.







# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, December 17, 1969  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 17, 1969

The House resumed at 8.00 o'clock, p.m.

### ON THE BUDGET (concluded)

**Mr. I. Deans (Wentworth):** Mr. Speaker, when we rose for the supper hour we were discussing the pitiful efforts of the government in the field of housing and we were discussing them in the context of the emphasis placed on housing by the Prime Minister (Mr. Robarts). The Prime Minister had stated quite clearly that housing was to be placed at the highest priority level of the government's undertakings, but I had pointed out that this government, in its inimitable fashion, had found the way to hand some \$32 million—almost \$33 million—of the taxpayers' money to the corporations in the form of forgivable loans, which in actual fact are a gift, while in the same period of time they had spent a total net of \$5 million on what they considered to be the high priority items.

What I want to say is this: When a government finds that it can justify, even to itself, spending this kind of money subsidizing private industry—although they do not have to dig into their massive reserves to make additional profits out of the people of this province—rather than spend that money in a much needed area such as housing, it is very difficult to understand how they could consider any lengthy tenure from that point on. How the government can justify, even to itself, overtaxing its citizens in the area of health and education, and providing minimum amounts of money at a time when housing is at a premium and costs have risen beyond the ability to pay, and still pay out of the public Treasury \$136,000 to such people as Uniroyal, or to Allied Chemical on two different occasions a total of \$1 million, or to Strathcona Paper Company \$250,000, or to Kraft Foods \$100 million—

**Hon. J. R. Simonett (Minister of Public Works):** What is wrong with that?

**Mr. E. W. Martel (Sudbury East):** That is why the government is not going to be around too long.

**Mr. Deans:** What is wrong with it is that those dollars were taken from the people of this province. To General Foods, \$250,000 was given; to Union Carbide, \$130,000; to poverty-stricken Campbell Soups, \$250,000.

**Mr. M. Shulman (High Park):** How much do they give back in campaign contributions?

**Mr. Deans:** Hall Lamp got \$250,000. Some went to Brooke-Bond—and my goodness they are really in dire need, when you consider Brooke-Bond as opposed to the hundreds of thousands of people who need houses in this province—yet we can take the taxpayers' money of this province and give Brooke-Bond \$389,000. It is despicable.

To Canada Packers—and we all know how hard up they are—\$250,000; to Honeywell Controls, almost \$250,000; to Moore Business Forms—and do we really need this when one compares their efforts to the needs in the fields of housing—\$500,000. To Canron Limited went \$500,000—good gracious, how can one justify this kind of abuse of the public's money? How can the government raise taxes from the people of this province and hand them over to people who are using it to bolster already fat profit margins?

Interjections by hon. members.

**Mr. Deans:** What I say is this, that when a government finds itself in a position of being able to justify it, even among its own members in their own corporate little meetings that they hold—justify the giving away of such fabulous amounts of the taxpayers' money to private developments who have the means of providing for themselves—while at the same time refusing to pay heed to the legitimate needs of this province, then I feel very deeply that this government is definitely out of touch.

When one talks of this government being out of touch, for the last time today let me just read from this Kingston paper. It is a beautiful paper; it writes the most wonderful things. A message to the Premier from the Kingston *Whig-Standard*, that if the Premier does not stop being so blatantly—

Interjections by hon. members.

**Mr. Deans:** If the Premier does not soon stop being so blatantly on the side of vested interests, he will kill himself and his party politically in Ontario.

Interjections by hon. members.

**Mr. Deans:** Let me say, if I were the member for Kingston and the Islands (Mr. Apps), I would be worried. All I can say is, it is coming to an end.

Let me say this too, that when one measures up all of the abuses that the government has forced on the people of this province during the past 13 months, when one considers the effect and the cost of the legislative programme it has undertaken and the tremendous burden that it has forced those people to absorb with limited to ability to pay, the government's tenure in office is drawing rapidly to a close.

Interjections by hon. members.

**Mr. Deans:** Let me just go back to this government's programme for one last time. I have got to say it: Read the Budget, read the Budget. The Budget that the government has offered, when one compares it to what is necessary to meet the needs of the people of this province, is totally inadequate. The legislative programme of this government is a farce and this government is a fraud. I read some of this into the records before, but there is no question that the kind of headlines like "Out-of-Touch Tories Fear Election Defeat", "PCs in Trouble", "Ontario's Tories Told They Have Lost Touch with the People"—there is no question at all that on the day after the next election the import of these headlines will be borne out.

Interjections by hon. members.

**Mr. Deans:** Let me go on, on a quieter note, and read something; it is four lines, and with that I will close:

God, what a world if men in street and mart  
Felt that some kinship of the human heart  
Which makes them in the face of fire and  
flood,

Rise to the meaning of true brotherhood.

I suggest that it could well be the lesson for this government for the coming year.

Thank you.

**Mr. J. R. Breithaupt (Kitchener):** The longest session in history of this Legislature draws to a close. It is a session which has seen the introduction of new rules of procedure on a trial basis. We all know that

there will be no going back to some of the archaic formulas that have beset us, impeded us, thwarted us and frustrated us as we have attempted to grapple with late twentieth-century business in an appropriately streamlined manner.

Many of the graces are gone forever from this House, and the pomp and circumstance even of the Lieutenant-Governor's establishment fades appreciably from the glory that once attended it. The credibility of the office is sometimes questioned, until we really are alone with our thoughts and realize that its symbolism extends much more deeply than its trappings.

The Lieutenant-Governorship is more than any incumbent. The office is greater than the man. We have been lucky on the whole in the men who have prayed us to be seated. I am sure that members would not wish this session to be prorogued without some mention of the unfailing courtesy, kindness, real interest and good humour which the Hon. W. Ross Macdonald has displayed in his dealings with all of us.

The Legislature will only survive as an institution so long as it remains relevant as an instrument for dealing with the issues of the day in a purposeful manner. And so long as those who would seek to destroy such institutions are restrained from so doing by the pressure of public opinion. This implies an informed public opinion—and, I might add, an informed public opinion, even on behalf of the members of the Executive Council—a public that is ready to listen, as well as to storm the Bastille. Participatory democracy is surely more than gross physical protest. It implies the employment of the head as well as the exercise of the feet. While the steps of the Legislature or Nathan Phillips Square are good places to make a broad point, the fine points must surely continue to be made here in debate. Surely we are elected for just such a purpose?

There is something repugnant about the idea of professionalism in politics. Supposedly, members of this House have to be good at the job yet love the job like amateurs. The conflict arises between this basic concept of responsible service—the lifting up on the shoulders, on the one hand; and, on the other, the actual needs of an increasingly complex society, that demand full attention and, more than that, full-time attention, not for a few weeks, but for the entire working year; each and every year that a Parliament survives.



The Premier (Mr. Robarts) has a great responsibility to make the people of Ontario aware of the extent and depth of members' responsibilities. It is a task in which we all must assist him, as he brings to the public what may well be a continuing justification of the indemnity and allowance situation. This, I feel all members will agree, is being somewhat distorted by the media out of what I sometimes feel is a sense of malicious mischief. In the old army phrase, they love to stir it up.

And, I suppose, it would not be complete unless we mention the six members, the government supporters of the 68 members in this Legislature who did not receive a benefit beyond their \$18,000 a year. I suppose, having served in the Cabinet, the members for Wentworth North (Mr. Connell) and Ontario (Mr. Dymond) realize that once they are out they are, indeed, very, very out. The \$18,000 presumably is all they are going to get.

And there are four other members—from Algoma (Mr. Gilbertson), Renfrew North (Mr. Hamilton), Ottawa East (Mr. Morin), and Ontario South (Mr. W. Newman)—who, as well, have not benefited by the largesse of this administration in providing all of the select committee posts, as well as the membership on the Ontario Northland Railway, or the various other boards and commissions, such as the Ontario Water Resources Commission, that brings these additional payments to each and every one of the members of the government side of the House, except these six.

So perhaps we bring, as the Budget speech often does, the grievances of our constituents before the Legislature. In this case, perhaps, our constituency is the Legislature. So on behalf of these six I prevail upon the government to possibly consider some benefit, some largesse—perhaps the Ontario equivalent of the "Chiltern Hundreds", to which these could apply in order that they might—

**Mr. J. E. Bullbrook** (Sarnia): Does the member understand that?

**Mr. Breithaupt**: I do, but the member does not. Peter's pence, if nothing else, would serve here.

Bringing television into the Legislature—an event which will doubtless be speeded up by the new CRTC ruling on Canadian content for cable operators—is just one aspect of this educational programme that could be useful. It is not, unfortunately, the complete answer. In fact, those of us who saw what happened when the committee on supply was meeting

concurrently with the House, will realize that the presence of cameras only in the main chamber will amplify the false impression already abroad that empty seats necessarily mean absenteeism on the grand scale.

I recall that, a couple of years ago, my leader made a 15-minute provincial affairs programme on film in which he attempted to disabuse viewers of the impression that a member's work can be rated on the basis of his occupancy of his seat in the House. The former federal Conservative member, Mr. Heward Grafftey, made an excellent film on the same theme, which, while it did not do him much good personally, was widely applauded by members of all parties on the Hill as a textbook example of the educational process so far as the public is concerned.

There is little doubt that we have pushed our credibility just about as far as it will go with the man in the street in the matter of our rules of procedure. How long can we continue to abide by precedents when we are pushed into a tight corner? The temporary inability of the committee on commissions to report back to the House, even though it was ultimately resolved, is surely a scenario by Woody Allen or Peter Sellers or Spike Mulligan. We have to be on guard that our solemn rulings are not interpreted as the "Goon Show" in action.

There is a pace below which the drive for reform cannot be relaxed, or we shall have people driving up in their Cadillacs to receive the Maundy money, or the little loaves, or the yard of burlap. We shall, in short, be no more than the ceremonial topping on the civil service cake, baked in the Frost building and frosted over here. The alternative is frightening.

In this case perhaps one comment of a new leader of the "right" in the United States—a gentleman known as Spiro Agnew—makes a little bit of sense. I do not want to be a Spiro Agnew, but some of his comments make a lot of sense. We are already aware of the danger that we all face in trying to make the headline, of leaving out the subtle qualifications of a complex problem in order to get press.

There are certain rules of thumb that have come to be well understood here. An issue involving personalities or a tragic individual case will always push a matter of major but non-personal policy off the front page. A resignation, or better, five or six, make nonsense of all the carefully prepared and researched material that a member might wish to use on a certain day. He might as well

have kept his mouth shut, and slept rather than burned the midnight oil, so far as the media and the public are concerned.

We cannot blame the public if their lines of communication are jammed by relative trivia. Yet this is what happens, day in and day out, and this session has given us our bellyfull of that kind of tactic, which does nothing but discredit the Legislature. If we were here only to rake muck, some of the members would come in coveralls. We are here to do the serious business of the province to the best of our ability and a responsible press, hopefully, will interpret our efforts in a responsible manner.

Whenever any of us plays up to a suggestion for over-simplification or sensationalism, then we are guilty of pandering to an anti-democratic force that will destroy this institution in the end. We cannot let that happen. It is not easy to guard against over-simplification of issues, yet distortion is inevitable if we leave out all the parentheses, all the dependent clauses, all the qualifications.

Government is a subtle thing, not to be taken lightly. The press has a right to inform the public in the detailed tradition of George Brown's *Globe and Mail* and the public, hopefully, has the responsibility to reach out and meet us halfway in its understanding of the complex legislative process that faces us today.

I am hopeful that when the next session begins, the committees of this Legislature, which have already begun to work well and diligently under the trial rules, will be empowered to continue in their innovation. The member for Quinte (Mr. Potter) deserves the Premier's commendation, and not his censure, for rising during the debate on the health estimates and interjecting his report from the committee on health. I found it most refreshing, and indeed if the Clerk of the House somewhat winced in pain, I felt the precedent was worth his pain.

Certainly no one has greater respect than I have for the efforts of a dedicated family to keep us on the track, but we cannot continue to be ruled exclusively by the book or we will atrophy. We have to have an outrageous transfusion now and then to restore our vitality and to remind ourselves that there is a great big world outside on University Avenue and beyond.

The rule of the marching millions is too close for us to be complacent about our task. Recognition of its changing nature is long overdue. Yet the ominous signs are there. The turnout in the recent municipal elections,

particularly in Metro, was an indication that communication has broken down between the people and their representatives. Time and time again the same story is heard. A voter says, "These people are only names to us. Nobody called, nobody knocked on our door. What is the point in turning out to put crosses behind meaningless names?" It is like marking up a telephone directory, quite meaningless. A candidate affirms: "We called at every door in the apartment; the poll was in the basement, and yet even though they did not have to go out in the cold or the wet, just take the elevator to the laundry room and turn left, only 20 or 30 people bothered to vote."

Frustrated voters and frustrated candidates make for a new kind of action that is immeasurably worse than democracy as we have known it. The new participation is loud and crude. It is intolerant of argument or compromise. It is indeed, to some, a throwback to the dark ages. If these activists look upon this Legislature as little more than the court of the Sun King, then we see them for what they are as courtiers of Chengis Khan or Attila. The flowers conceal the alienation, and the songs of brotherhood formalize the polarization process. The alternative to doing our job properly is the accelerated growth of extremism.

It is against this solemn background that I want to analyze the performance of this Legislature and, more particularly, of the government that has directed our ways since 13 months ago, the false arch stood behind me, a rostrum for a television camera. What have we done, and how well or badly have we done it? What chances have we had and missed? More to the point, what chances have been denied us by the deliberate ordering of business for reasons less worthy than those I have extolled?

There is little doubt that we have allowed the urban issue to elude us. Yet this is likely to be the most significant issue facing the next session of this Legislature. What is happening in the United States must surely be a warning to us here. Let me quote from the chilling report in *Business Week* magazine of November 29, from a review of "Violent Crime in the Cities", a report of the national commission headed by Milton Eisenhower, brother of the late President. This committee was set up by former President Johnson after the murder of Senator Kennedy in June, 1968. Its detailed report sketches the kind of city that present trends make likely. The fact that all its predictions are here already to

some extent is what makes the report so believable.

Safety in the American city of only a few years hence will be of varying degrees, the report says. Central business districts, surrounded by decaying neighbourhoods, will be largely deserted at night except for police patrols. Armed guards will protect all public buildings. Ghettos will be "places of terror"—that is a straight quote from the report—where police may well be unable to keep order at night. Well-to-do city residents will live in high-rise apartments, protected by guards and security devices. Suburbanites, though insulated by distance from crime-ridden city slums, will routinely own weapons and home-protection gadgets. The city and suburbs will be linked by what the report calls "sanitized corridors", expressways over which lightly armoured personal automobiles will rush the affluent to and fro. Hostility between rich and poor, and between black and white, will intensify. Tuesday's report that Chicago Negroes have declared the inner city off-limits to whites between 6.00 p.m. and 6.00 a.m., following the police killing of two members of the Black Panther organization, shows how close the black/white confrontation now is in the United States.

It is clear that, unless we wish to import these conditions into Ontario, we have to ameliorate the environments in which violence is spawned. Our policies in relation to minimum living standards, both financial and also in terms of housing and living space, need consistent and constant attention. This they are not getting under the sales-oriented patronage of the Minister of Trade and Development (Mr. Randall). It is clear that the urban portfolio has got to be split away from the promotional portfolio at the earliest possible opportunity, if we are to have a really serious attack on this problem of our cities. The time for window-dressing is past and it is time "Mr. Window-Dresser" himself moved over.

The advertising that this government does in future must be more closely related to true public information needs, and less to the "look what we did folks" approach. The Department of Labour has been consistently guilty of this practice, and now The Department of Energy and Resources Management has started to follow suit, even buying space with public money to give the lie to Pollution Probe in the matter of the high stacks. That was a particularly monstrous waste of the public's tax funds, since it is becoming more and more apparent that Pollution Probe

and the anti-high-stack lobbyists have the weight of scientific evidence behind them. To spread filth over a wider area is not to clean up.

If public money is available for government advertising, it should go into areas of real concern. For example, far too few people know what their responsibility is under the law, should they observe or hear a child being treated brutally. Last year when Theresa MacIntosh died, even the doctor at the Toronto Sick Children's Hospital was unaware that he was required by law to report his suspicion. Nor did he know that, had he done so, he would have been protected from any ensuing lawsuit. If a doctor is unaware of the situation, imagine the misconceptions that may prevail among the general populace.

The thought should haunt us all, particularly at this season of the year, that many children may be being beaten and tortured by sadistic parents and others because neighbours are afraid to speak out—afraid of reprisals against which they feel defenceless. The law is a good shield only if the extent of its protection is generally realized. We have to set up a climate of positive encouragement for more civilized standards of behaviour, and carefully thought-out advertising has a key role to play here. There is obviously no party political advantage in it. This, however, should not deter the government from using its public relations funds in this way, rather than blowing its own trumpet.

I suspect, however, that a good deal of public money and of commission money will be used up this winter in campaigns cautioning us all against the excessive use of Hydro power. "Do not leave that bathroom light on!" may be some way off, since I understand the problem is with peak-loading. But I predict that we may well see serious voltage drops, perhaps to as low as 108 volts, to compensate for maximum demand, and urgent appeals to stagger the cooking of our evening meals and our breakfasts. Interruption of power contracts will be taxed to the limit, and brown-outs may well be the occasional, if not frequent, experience.

Hydro is not alone in its extremity. The U.S. Federal Power Commission reported in November that 39 out of 181 major utility systems had less than ten per cent reserve capacity available this winter. Such coal as is available is being moved by truck overland, to supplement impossible rail-freight delays. Low-sulphur coal is now a premium

fuel because of air pollution standards, and Japan is paying a dollar a ton more for it than are the U.S. utilities, who are consequently finding that their contracts are being reneged upon. Some of these contracts are for a longer term than those negotiated by Hydro, and consequently we are likely to be in a very bad way for acceptable burnable coal, even before the new fossil fuel stations are completed.

The new session is likely to produce a head-on confrontation between the advocates of clean air and a "survival environment" on the one hand, and the Hydro economists who will try to foist high-sulphur content coal upon us, arguing that there is nothing else available. Oil-fired and gas-fired plants may have to be weighed not only as to cost in relation to peak demand, but even in a base-load estimate. The day when Hydro can deliver cheap power may well be coming to an end. Certainly, Hydro may continue to deliver power "at cost", but at what cost.

One example of the crisis facing our friends to the south comes in a report that Consolidated Edison is to float gas-turbine engines on barges anchored in the Hudson, Harlem and East Rivers to cope with Manhattan's 1971 peak—provided that the General Electric strike is settled in time and the equipment arrives. One can imagine the cost for that kind of power. Yet we may have to brace ourselves to think in terms of 12 mills per kilowatt hour as a generating cost, for peak-load power, in the foreseeable future in Ontario. To all who remember that the nuclear promise was for five-mill power, this is nothing short of a tragedy.

American utilities will have to produce 1,056,167,000 kilowatts of electrical energy by 1990. To carry it around the United States they will have to string high-voltage lines equivalent to four circuits of the earth at the equator. Since Canada's demands are expected to grow proportionately, we are sure to be faced with major policy decisions regarding Hydro's right-of-way, particularly through the bush areas. We ought to be thinking immediately of multiple-use timber cuts, so that the real needs of conservation will not be jeopardized. We have had a taste of this particular conflict in Quetico already.

My point, Mr. Speaker, is that before the people of Ontario become polarized in two camps, the one saying, "Remember the night of November 9, 1965, when 30 million people groped around in unheated darkness"; and the other saying: "What is one night of inconvenience compared with man's survival

as a species?" we have to lick both the power problem and the conservation-environmental problem at the one time. In this respect we have done our best to help the government save face in this matter. We have pointed out the danger of chauvinism and false pride, already so evident in Ontario's billion-dollar nuclear power error. But until a few key people die off or are retired, the government seems determined to push on.

I will say again that Hydro should now be shopping in the open market for its nuclear capability. Our own nuclear engines will not work well. The U.S. boiling-water and pressurized water types of reactor, both of which use slightly enriched uranium, do work extremely well, and they are prime contenders for Ontario Hydro's U.S. dollar. Now that low-sulphur coal is scarce and heavy water impossible, we may, with greater benefit, spend our exchange on enriched uranium rather than on the other two products.

Mr. Speaker, with 179 recorded major power failures in the United States between 1967 and 1969, we would be naive indeed to expect that we are not in for serious trouble here. Hydro will certainly have greater difficulty in future in buying its peak power at incremental rates across the border. The reserve margins are now disappearing. Former federal power commission chairman Lee White, in his last speech before going out with the Johnson administration, said:

The largest disappointment of all has been our inability to persuade the electric power industry that we are rushing almost headlong into a situation where we may not have enough electric energy to go round. We are not very good at this idea of rationing, and yet it may come to that, either on a voluntary or mandatory basis.

If I may have sounded unduly pessimistic in regard to the Hydro picture, it is because a word of caution in time may prevent some problems, and for that reason my words are addressed to the general public as well as to the government. I think perhaps the new Lambton generating station, opened by the Premier on Friday, November 7 last, will prove Ontario's salvation provided its fuel supply is assured. I hope so. Certainly we on this side of the House do not want to see any blow-outs or people cold in winter. We want to avoid that. And so I urge the public as well to moderate its peak-load habits. Even the advent of the automatic washer and dryer has not made any appreciable dent

in the custom of doing the major wash on Monday, I am told. Yet it could be just this lingering and useless habit that causes a generator to blow at Lambton—if you like a latter-day “Lord Durham’s Report!”

I cannot leave Lambton without commenting on the fact that \$8 million is being spent there in capital equipment to combat air pollution. The electrostatic precipitators will remove all the fly ash from the stack gases, and surely this must also be our target elsewhere in the province. But we have the high stacks there, too—550 feet tall—to send the flue gases high into the upper atmosphere, and this is something that will come in for increasing criticism as time goes on, as citizens’ pollution committees are established throughout the province under the leadership of Pollution Probe. We cannot have this “sweeping the dirt under the rug” approach to air pollution. It is a shoddy approach, and we cannot support second-rate measures when the first-rate measures are so clearly called for.

We can expect the Canadian Atomic Energy Control Board to tighten up regulations regarding the reprocessing, storage and disposal of spent CANDU wastes, and the cost to Hydro of compliance with these directives will not be small. Add to this bill, the further cost of meeting the conservationists’ demands, and it is clear that, during the coming session and beyond, the Energy and Resources portfolio will be an increasingly hot potato, particularly since these lobbies are all legitimate.

For all these reasons, we believe that the time for a showdown on Ontario Hydro’s relationship with Atomic Energy of Canada Limited is now. We feel that Hydro’s first responsibility is to the people of this province, and that we must immediately get back to the ideas of Sir Adam Beck, and have Hydro sell the cheapest possible power, at cost, to the PUCs, and at the most favourable rates to industry, with as little interruption of service as possible. It is a tall order, we know, but Hydro must get on with the job, and the province must stand foursquare behind the commission in this.

The first Ministers have agreed to meet in Ottawa on February 16 next to discuss, among other non-constitutional matters, the overriding problem of the conservation of Canada’s water resources. The problem of water pollution continued to become a national issue, and it is clear that Ontario will be very intimately involved in any proposal that may emerge, perhaps only incidentally to the discussion of The Canada Water Act—Bill

C-144—in regard to a continental water policy. The federal Minister of Energy, Mines and Resources, Mr. Greene, has been approached by the U.S. Secretary of the Interior, Mr. Hickel, in regard to a continental energy policy, and it is clear that a similar demand in regard to water will not be long in coming.

Canada’s interest in the clean water of the precambrian shield is a vital one, and Ontario has a great stake in the northern water potential. This resource makes even our iron, our nickel, our copper and our gold, secondary, for without water we can do nothing, we are nothing. Ontario must be ready by February 16 with an unequivocal water policy, which will reinforce the determination of the federal government not to be sold short in this key area of Canadian development.

The whole field of energy export is also much more a concern of this Legislature than we are at present prepared to entertain. We talk about the development of a sense of unity and nationalism as Canadians, and at the same time we speak of the practical necessity of continental economic policies. A Canadian policy for broadcasting will mean nothing if we cannot back up our cultural identity with at least some degree of economic nationalism, not of the Watkins or flag-waving kind, but certainly of the quality that will see our resources conserved for those who are to come after us in Canada and in Ontario particularly. We have a prior right to safeguard the future of those who must continue to make Ontario a good place to live and work, and the possible attrition of our resources, and the concomitant fall in our standard of living, that may result from a policy of “resource continentalism”, should give us all pause.

The Premier of Ontario has no mandate from this Legislature to give away any portion of our birthright on February 16, and I am certain that he recognizes this. But, it would be naive to suggest that The Canada Water Act alone will occupy the attention of the Premiers without someone also raising the substance of Mr. Hickel’s proposals, hints and advances. I want to make quite certain that the Premier will be ready for such suggestions, however obliquely made, and that he will be fortified to resist any proposal to have any portion of Ontario’s precious water form part of a large package deal that could conceivably include the construction of an Alaska/Yukon pipeline, and the enhanced sale of Alberta’s oil and natural gas, British Columbia’s lumber and Saskatchewan’s potash and wheat.

Let us not overlook the fact that the spectre of a new Kennedy Round of negotiations—a bilateral agreement on tariffs and trade between Canada and the U.S.—might be very close. Perhaps instead of tariff walls we shall have sluices to the Mississippi and the Wabash, and when that happens we shall begin to revert, slowly but inexorably, to our primary role as hewers of wood and drawers of water. The Treasurer (Mr. MacNaughton) will recognize that there is little economic future in such a prospect. But, more cogently today, water is our lifeblood in the survival sense, and Canada in general, and Ontario in particular, would quickly become anemic if water diversions were to be permitted across the border.

There are a number of issues to be settled before Ontario can go into this particular session free of guilt. For example, we are proposing to pollute Lake Ontario, a boundary water, with heat from Pickering, to the extent of one million gallons a minute of water heated 16 degrees between intake and discharge. Similarly, the Nanticoke plant will do further damage to Lake Erie, while Bruce will affect Lake Huron. Eutrophication can be expected to increase as a result of this serious thermal pollution, which, only this week, the eminent underwater explorer, Monsieur Jacques Cousteau, called "the most serious of all forms of pollution in terms of our survival ability as a species." Monsieur Cousteau believes that the continual increase in the earth's population should be regarded as an upward change in the number of heat engines that are working and slowly raising the sea temperature through their liquid wastes. He believes that the melting of polar ice caps might happen within our lifetime.

Apparently, it is better to discharge heat into the atmosphere than into the water. If Britain, strapped as she is for resources, can recognize this thermal problem and build cooling towers as standard equipment, why must we in Ontario be so profligate with our heat problem? Again, the overwhelming case for tighter control of Hydro is made. The Minister of Energy and Resources Management (Mr. Kerr) owes it to the Premier, if the Premier is to face his peers on February 16 and make serious requests or strike any kind of economic bargain for Ontario. Guilt is the worst possible posture from which to make this kind of a deal.

Mr. Speaker, I should now like to make a few comments arising from matters discussed at the recent federal-provincial conference. The policies of Ontario, particularly

those in the welfare field, cannot be criticized in isolation from the comments of the Premier in Ottawa, since his seat in the old Union Station was clearly an extension of his seat in this House. The Premier's point was well taken when he asked, and I quote, "Are we taking the future sufficiently into consideration, or are we trying to precisely divide existing powers?"

Certainly, we on this side of the Legislature do not want to see Ontario locked into a constitutional position which then becomes a straitjacket. We agree that fluidity of thinking requires some constitutional flexibility, and that if we regard the distribution of powers as static, then we are indeed building on shifting sand.

But having said that, we cannot agree that the objectives of social security in Canada have largely been attained. Monsieur Robichaud came right to the point here in saying that the federal government has an overriding right to pursue vigorously its spending power in the national interest. When the division of powers is no longer related to a province's ability to raise the necessary funds to meet those obligations with which the Constitution endows it, then equalization arrangements are necessary, so that all governments shall have adequate resources to meet their responsibilities. We shall not achieve Canadian unity until all of Canada's citizens have the same opportunities and rights in education and social justice, as well as in the exercise of their personal liberties. Furthermore, Canada must face the world as one nation, strong in resolve and united; and sectional interests must pale before this national purpose. For these reasons, the federal government must continue to be supreme.

Ontario must recognize the paramountcy of federal objectives, because any other interpretation of the Constitution turns our federal union into a confederacy. The taxing power, the spending power, and the undertaking of national initiatives, are all federal prerogatives. The right of provinces to delegate to the federal power, responsibilities which they rightfully assume under the Constitution, should also be recognized. Otherwise some provinces, with too narrow tax bases and too slow growth rates, could not hope ever to share in the Canadian prosperity. Their residents would be condemned to be second-class citizens of Canada in perpetuity.

There is another and pertinent point to make. It was the federal spending power, and not any consensus among the provinces, that brought Medicare to the residents of Ontario.

Had we relied on consensus, we would have been floundering around today in an even worse mess, with OMSIP and the private carriers and nothing coming back from the social development tax. Ontario's decision to enter Medicare, even on the unsatisfactory terms it did, with a pitiful and inequitable scheme, was a decision made because the federal spending power was there, untrammelled. We have Medicare now and we will improve it, but there would have been no national Medicare at all without this federal prerogative. "We in Ontario do not want a veto," said the Premier in Ottawa. Yet what was his holdout for a year or more but a veto of the most substantial kind?

The Premier told Ron Collister on Tuesday last at 12.40 p.m. in an interview, and I quote: "Ontario does not want what Quebec wants, but does not disagree with Quebec wanting it". Then he went on to observe that federal paramountcy in areas that are primarily of provincial responsibility would mean a unitary state. And he added that in a dictatorship only one man has to make the decisions. Mr. Speaker, I think such an approach is a disservice to Canada.

The Ontario Premier knows that, were population alone to count in any referral of proposed shared-cost programmes, Ontario's 40 per cent weighting would scuttle anything Ottawa might want to do. It will be most interesting to see how the Premier throws his weight around when federal post-secondary assistance starts to run out in 1971. Fortunately, this will likely coincide with the next provincial election, and it may well be that the extent and nature of federal assistance in the field of higher and continuing education will become an election issue, along with all the other matters on which we have already diverged over the past years.

The figure given by Premier Bennett of \$588,719,000 a year, as the amount of federal equalization payments at their current level, underlines how very much Ontario must exercise self-discipline in not attempting to impinge upon the federal spending power, for it is this sum which is keeping Canada alive today. Let us have no false impressions here. The Maritimes in particular, and now the poorer Prairie provinces, could not survive without equalization payments.

The people of Ontario are thus the prime architects of a continuing and viable Canada. They stitch the country together with their funds and bail it out with their pocket-books. The alternative is our assimilation by

the great behemoth to the south. If the Premier becomes too greedy or too impatient with Ontario's role as the financial saviour of Confederation, then his is the responsibility for what follows.

Thirty-seven per cent of people's pay cheques, we are told by Premier Thatcher, now go to one or other levels of government. We can assume that this is, in large part, the price we pay for our federal union, for Canada as we know it and as most of us want it to continue. The Premier does not have a mandate to modify the nature of Canada as he would now seem to desire, judging from his Ottawa pronouncements. When he says "unitary state" we mean "federal union". And, conversely, his old Privy Council approach to Confederation we regard as "balkanization".

We are glad to have the Premier's admission that specific tax rebate payments to individuals are impracticable. Would that he had recognized this before embarking upon the basic shelter exemption which, it seems, is once more about to cause a rash of rent escalation as tenants try to get their just desserts from their landlords. It seems odd that the Premier should be so strong in this regard in Ottawa, particularly when he allows his Minister of Municipal Affairs (Mr. McKeough) this leeway to make the basic shelter exemption into a direct-payment policy of the worst kind.

Let us hope that this will be the last year in which this invidious payment is made. When the Premier makes remarks like, "It will be a windfall for the people who get it", in respect of the Benson equalization proposal, then he must expect the phrase to be applied to those of his own government's schemes which are equally unworkable and short-sighted.

It is clear that one of the new ideas now abroad is that of equalization payments to individuals. This seems to have sprung initially from the fertile mind of Premier Bennett of British Columbia and the argument would seem to be: As the necessary prerequisite of a guaranteed annual income, or guaranteed minimum income, for which the federal government would lay the floor and the provinces would lay the carpet, it is necessary to recognize that poverty knows no regional boundaries.

The matter has not been thought through enough in terms of a guaranteed annual income being posed as an alternative to provincial equalization payments. While the plan would mean that much less money would

leave Ontario for Newfoundland, and that some of it might even take care of individual migrants to Ontario from Newfoundland, there is little doubt that the use of federal funds for this purpose would tend to play into the hands of Premier Strom, who wants all able-bodied families to move, like California grape-pickers, after the available work.

A migrant nation is surely not a prosperous nation if the migration is forced and not voluntary. Canadians are not Bedouins. Even though ten per cent live somewhere else at the end of each decade, Canadians move in the main because they want to and not because they must. If we have this new idea of forced migration, coupled with a guaranteed minimum income applied as negative income tax, and associated with a national minimum wage by category—all of which ideas were propounded by Premiers Bennett and Strom—we have a very different kind of society in prospect, and the end of family life as we know it.

This is far more radical a proposal than the consensus, which was that the federal government has the undoubted right—as in unemployment and possibly sickness insurance—to secure individual incomes. If programmes are to be delivered to individuals at what one speaker called “the optimum functional level”, then surely the preservation of family life is one benchmark that we cannot afford to lose sight of?

Ontario will be getting \$15 million a year for second-language instruction programmes, retroactive to January 1 next, and, however one looks at it, this is aid to education. The fact that we have agreed to receive this money opens the door to federal aid in other fields of educational activity, and one of the matters we shall no doubt ponder when we come back here is just what this means in relation to the division of powers.

More significantly, Quebec is accepting \$25 million to do double the work we must do, since the language programme there will be reciprocal—English to French and *vice-versa*. It was clear that Premier Bertrand expected the endorsement of the Premier of Ontario in his successful bid to get his Bill 63 through the Quebec Legislature before the Premiers met. But Ontario was silent here, offering not one word of congratulation on a brave effort to reinforce the fabric of Canada against extremist influence.

An important meeting took place on Tuesday evening last, when the urban observers to the federal-provincial conference caucussed. We now know, if we did not before, that

75 per cent of all Canadians owe their primary allegiance, and their property taxes, to a city. Sixty thousand new immigrants arrive in Metro Toronto each year, and the population of this metropolis is now greater than that of the four Atlantic provinces.

The intriguing question is posed: Why cannot Metro Toronto, Montreal and Vancouver, to begin with, qualify as regions and receive direct assistance from Monsieur Marchand? How long will they choose to remain children living under a provincial roof? Will they soon leave home and slam the door in our faces? How long will the legal truth of their being creatures of the provinces remain valid when the reality outstrips that truth? This is perhaps the one constitutional issue that has more immediate significance for us than any other. It certainly is the one that will occupy us increasingly in the new session.

The Premier of Ontario implied that he had an open ear and an open mind for generalities rather than specifics at the conference. He was clearly ready to let the staffs do the detailed groundwork, which is as it should be. But the corollary of that is surely that he should have used his TV exposure to obtain a general consensus of the viewers on issues which up to now have been the domain of the experts.

For example, his silence on the white paper, and his continuing reluctance to say very much on the Carter proposals in a general sense, must make the work of the Provincial Treasurer very much harder in the months ahead, when some form of national capital gains tax begins to modify the mutual tax base in which Ontario will want to have a voice. The Provincial Treasurer has himself been very coy on this topic since his return. While the Premier stated elsewhere that he was ready to grant some wider powers to municipalities, he was silent at the conference table, even though the urban representatives were eager for any word he might convey to the watching nation on that score.

Where he could have given leadership on the whole concept of the portability of income insurance, that leadership was lacking. Quebec was making the point that, to minds trained in the Code Napoleon, the Constitution is no formal document, but the basic “droit” from which all economic benefits must spring. The Premier of Ontario, who could have bridged the gap between this concept and the very different viewpoint of the Prairie premiers, sat silent. What kind of friendship is that?



I cannot stress too strongly my feeling that however socially desirable income security may be, it must be managed within a framework that does not cramp the style of the federal government in its prime task of "managing the economy against the cycle".

Income security must not cause the federal government to cut back on aid to other essential services. Sometimes the individual is not the optimum recipient of funds, especially where capital-intensive operations are involved. The entrepreneur may well be a catalyst in such instances. His presence may magnify the effect of federal priming.

Certainly no government—at whatever level—should go into income security for the wrong reason. Income security is a field entered into because it is socially just and not because it is politically rewarding. There are no votes in it, because the man in the street does not know and does not care from which level of government support may be coming. He is only concerned that it is there. We must therefore enter income support, if we do, because we cannot sleep nights. To go into this as an election gimmick will backfire as no other gimmick has ever backfired in political history.

I want to say a word about indirect sales taxes. There is a very real danger that if the provinces attempt to impose taxes at the manufacturer's level, people in those provinces where goods are sold will end up by paying taxes also to the manufacturing province. They will be taxed twice.

It is to be hoped that the provincial Treasurers will be able to negotiate a satisfactory trade-off between estate and succession duties on the one hand, and corporation and personal income taxes on the other. Obviously, the province in this case would be well rid of the estate duty field.

The inexorable logic of the provinces eventually taking over 100 per cent of the costs of education from the municipalities was evident in the remarks of the Premiers at the conference. I intend only to make this one mention of county school boards. They are with us now, and we accept them as a *fait accompli* even though it is not how we would have done it. But now it is done, and no party will undo it.

One effect has been to make the municipality, other than the metropolitan municipality, alienated from the educational hierarchy and from educational responsibility in any meaningful sense. Since he who pays the piper can no longer call the tune, the divorce of local government and education is complete,

except for this matter of picking up the tab. How long this anachronism can be entertained further is a moot point.

Liberal policy is still officially for 80 per cent support. This policy was arrived at in 1967, before the effect of the county boards could be assessed. It will be interesting to see where events take all three parties in the coming year, but I predict that there will be a general realization that real property taxes are the perquisite of the municipality, to be used for local needs. How soon practical economics will catch up with intellectual recognition of this fact remains to be seen.

In looking at the educational and social fields, Ontario must be prepared for federal arguments that matching grants at the flat 50 per cent rate perpetuate inequities between provinces, and in fact inhibit the poorer provinces from initiating schemes for which they cannot even raise their half of the necessary funds. There were not many technical and vocational schools built in Newfoundland, whereas we here enjoyed a bonanza. When the Premier says he objects to equalization formulas masquerading as something else, if so, he should realize that this cuts both ways. Ontario gains by what are in fact reverse equalization grants.

In his dialogue across the conference floor with Premier Smallwood, the Ontario Premier said he opposed direct grants to elementary school children from the federal purse. I hope that he will rethink this objection. It will mean that differential family payments, designed to keep children in school, could not then form part of any revision of the social programme. Since certain parents are already subsidized in order to house, feed and clothe their children, why not also to keep them in school? Here surely is a case where the federal spending power is likely to be used in the name of equity, and Ontario shows itself opposed. Surely, self-denial by Ontario of some of its theoretical objections is enlightened self-interest and good citizenship in instances such as this?

Before leaving the Ottawa scene, I want to comment on points made by the federal Justice Minister, Mr. Turner, in an interview where he spoke of the attrition of human values and the alienation of the individual from big government, big business and society. The basic freedoms of speech, press, assembly and conscience were always being threatened and had to be defended. The federal Bill of Rights gave individuals protection in the areas of *habeas corpus* and right to counsel, but at the provincial level,

nothing less than entrenchment of these rights in the Constitution would seem to afford the necessary safeguard to the individual against the whims of changing governments. The idea of regular elections is also one of those tenuous matters we take for granted. That, too, may also be enshrined in our revised Constitution.

Mr. Turner paid his respects to Justice McRuer and his magnificent work, and indeed Ontario has made considerable progress here. Sixty per cent of his recommendations have been implemented and for this the government deserves much credit. But every so often, as when the Minister of Transport (Mr. Haskett) brings down his tasteless and even ominous identification proposals in regard to The Highway Traffic Act, we must realize that we still have a very long way to go.

Mr. Speaker, I have used up my time without covering all of the available ground. This session has been long and we are all very tired. We shall all benefit from the prorogation and the Christmas holiday. But let us not make the mistake, when we come back refreshed, of thinking that the next session is a whole new ball game. It is not. This session has laid the foundation for the next, and the underpinning is very weak. The whole structure, in fact, is a house of cards.

I make so bold as to say that this government will fall, not so much by what we in Opposition do, or by what the NDP does, as by its own failure to come to grips with its responsibilities. It will fall by its own mistakes rather than by our assaults.

There is no doubt that the flight of money from the people's pocket will be the final arbiter of the people's judgment of this government's stewardship. The Landlord and Tenant Act is an improvement on the feudal system that applied before it was passed. But the government knows that the whole landlord-tenant relationship, aggravated as it is by the shortage of suitable reasonably priced accommodation, is a kind of whirlwind waiting to be reaped. Rightly or wrongly, every rent increase is blamed on the property tax rebate.

Furthermore, what the basic shelter exemption gives unfairly the new Assessment Act will more than take away from the property owner. The tenant sees his rent go up; the homeowner watches his taxes go up. Even an 80 per cent settlement of the cost of education at the provincial level will now be almost absorbed by the switch in burden from commercial/industrial to residential property

that The Assessment Act will cause. The psychological effect of increased assessment to market value may not have evaporated before 1971, and this, more than any other factor, may delay the next provincial election to 1972.

I must further temper this goodwill message to my colleagues on the opposite side of the House with the following observations. The \$84.4 million supplementary estimate for education will have to be regularized in the coming estimates. It cannot always be a supplementary item. Sixty per cent, 80 per cent or what you will by way of aid to education—what Smith saw as a right, the government must entertain as a necessity.

There is little doubt that it will be the housing and urban problem, the assessment problem and the parade of increased costs arising from the reorganization of school jurisdictions that will be the government's downfall. With a kind of *kamakazi* spirit, the Minister of Municipal Affairs is pushing ahead with regional government and the Minister of Energy and Resources Management with the heavy water programme.

But it is the alienation of the middle classes and of the urban voter that is the interesting phenomenon of this stage of the life of the government. The farmers are riled, too, but no doubt the brokers on the government benches have decided there are fewer of them than of people in the cities. In the absence of a master plan for Ontario, the new image of the Conservative Party is being carved from cynical expediency rather than from conviction. It reminds me of nothing more than one of those butter statutes at the CNE.

We shall come back ready to look at Mr. Benson's white paper with wholly provincial eyes, since we must have a say in a mutual tax base and the white paper does not promise this in terms that any provincial party can yet accept. We hope that in the interim the Minister of Revenue (Mr. White) is lending his talents to the complex problem of picking the meat off the bones in this federal document. His experience in the select committee should certainly place him in the most favourable position to do the best for Ontario in this regard.

Our fight for a clean and liveable environment will be renewed in the upcoming session, with a vigour that is well supported by documentation. We are going to have to face the costs, as Henry Ford II is apparently just realizing in respect of automobile pollution. But our sphere is much wider than his,

ranging from the pulp and paper industry and the detergent business to the leaching and run-off of pesticides from farms. In between, the air we breathe must be fought for, and not, we hope, fought over. The costs, we realize, will be staggering, and the educational programme that must precede and accompany abatement measures is vital.

Mr. Speaker, in presenting the amendment moved by my leader on March 10 last—*Hansard* pages 2036-7—it will be observed that the intervening nine months have caused changes in the nuances of the criticism then offered, but certainly not in the overall point of the amendment, since the basic problems remain unchanged.

In the interim, Ontario has entered the national Medicare scheme with a plan of sorts, which is better than nothing, but which is so patently unsatisfactory that we are justified in continuing our fight for reform in the strongest possible terms when we return. That is why I have not dwelt on Medicare today. By spring, the public will have grasped the significance of having three party programmes on Medicare from which to choose. We know that our proposal is the best of them all, and believe that the public will come to realize this in the fullness of time.

My leader and my northern colleagues have documented the plight of Ontario's northland in relation to the prosperous south. Regional disparities as referred to by the member for Timiskaming (Mr. Jackson) this afternoon, remain a glaring example of governmental cynicism. Were the northern population that of a few Metros, what a different story there would be to tell!

I urge members of the House to join in support of the amendment that my leader has introduced.

Mr. Speaker, if it is your pleasure, I will read the amendment again:

That this House regrets that the government:

1. Has adopted policies which greatly impair the provision of services to our people in vital areas of health, welfare, housing, education and agriculture.

2. By its refusal to join in the national Medicare plan has deprived the people of Ontario of adequate standards of health care, as well as financial benefits to them as taxpayers;

3. Has seriously disrupted the efficient operation of local government, and especially has failed to give an adequate voice to citizens of local municipalities and

their representatives before deciding upon far-reaching changes in municipal government and administration;

4. Has again postponed necessary reforms in our provincial tax structure retaining inequitable grants reflected in unfairly high local taxes;

5. Has failed to put forward a co-ordinated policy to deal with the growing problem of regional disparity and poverty in Ontario;

6. Has announced policies amounting to fiscal separatism which will lead to the creation of disharmony in the operation of the federal system, rather than seeking accord and accommodation to the end that the citizens of Ontario, together with the people of other provinces may enjoy the benefits of a fair and equitable system of taxation.

Hon. J. P. Robarts (Prime Minister): I thought, Mr. Speaker, that I waited for a long enough period for that rather faint applause to rise from the Liberal benches—for a rather poor rendition of a speech that has been in my hands since 2.00 o'clock this afternoon. Just at the end, I noticed in the text that was sent to me, it says: "Mr. Speaker is it your pleasure that I read the amendment again?" Then there is a bracket and in capital letters it says: "The following amendment will either be read by Mr. Breithaupt or not, as the Speaker suggests, but is appended for the convenience of the press."

Interjections by hon. members.

Hon. Mr. Robarts: I had a sneaking suspicion Mr. Speaker, as I listened to this last speech, that it obviously was not written by the man who delivered it and this little item in there confirmed what I believed. There were some things in it that I rather enjoyed, but it seemed to me to be the usual approach that the Liberal members of Ontario take toward the federal government in Ottawa. And I can assure these gentlemen, and I can assure you, Mr. Speaker, that as long as these gentlemen continue to take this approach, they will bring comfort to their friends on the left and will do nothing for themselves.

Interjections by hon. members.

Hon. Mr. Robarts: Some time, somewhere, somehow—

Interjections by hon. members.

**Hon. Mr. Robarts:** I can only say that I know where the enemy is and I will fight. And I think perhaps the people of Ontario will come to realize this; I think perhaps they are realizing it now—

**Hon. J. H. White (Minister of Revenue):** They are in Ottawa's pocket!

**Hon. Mr. Robarts:**—but it has been the great tragedy of the Liberal Party in this province—since Mitch Hepburn's day really—that they have always been in the pocket of the federal government—the federal party. Their policies are simply an adjunct to what their party wants federally. They come here and when we stand up on this side of the House for the rights of the people of Ontario, they stand against us. I can go through these remarks, and I will do so tonight before I am finished, and point out that in our particular form of governmental and constitutional organization we do need regional government. We need strong regional government, and so it was developed by the Fathers of Confederation when they created The British North America Act, which Act created Canada. And it does not do any good at all for certain groups in the provinces to attempt to break down the regional governments of Canada, because if you attempt to do so I can only suggest that you will destroy our Confederation completely.

We need regional governments, and we need strong regional governments; and we need clear delineation of powers between our federal central government and the provinces, and we need the muscles of war with which to carry out those responsibilities. That is what this present debate in Canada is all about, although you might not know it when you listened to this last speech.

The hon. member for Wentworth (Mr. Deans) took an entirely different approach and his was completely partisan. I can only say to him that when I look at that group of happy warriors over there, and try to equate the socialist thinking of some with the millionaire aspects of others, I just have to come to the conclusion this is the greatest group of opportunists this province has ever seen.

You see, sitting on this side of the House Mr. Speaker, I have one great advantage. I can see all the faces there while the man speaking cannot see any; and when I hear a man speak over there I can see the look of horror spread across his colleague's face.

I am not going to name any names but I am going to tell you it is true. I sit here and I see people go through all sorts of things.

With other men behind him while he is talking, he cannot see, so he thinks he has the full support of that whole group in what he is saying. Well who is he kidding, and I am not speaking about any single individual. I am speaking about that collection of individuals there, because that is what it is. If you want utter, complete and magnificent division, you have got it right there among those members—right among themselves. So they can do whatever they like; it will be all right with us. I might say that these threats about all the terrible and dire things that are going to happen in the next election—

**Mr. D. C. MacDonald (York South):** They are happening!

**Hon. Mr. Robarts:** Well for 18 years I have been right here. We have fought five elections and we have heard this every single time. If I may offer some advice—and then I will be finished because I have given them more time than they warrant in any event—but just before I finish I will offer two little bits of advice: 1. Do not hold your breath, and 2. Do not bet your money.

Now Mr. Speaker, if we might get back to some of the important things that are involved in this debate tonight—

**Mr. MacDonald:** Who wrote this part—from this point on?

**Hon. Mr. Robarts:** This is not written, these are notes.

Interjections by hon. members.

**Hon. Mr. Robarts:** Oh no, no; these are my notes. But I cannot read my own writing so I have them typed. I am not going to repeat all the statistics—

**Mr. E. Sargent (Grey-Bruce):** Hear, hear; great!

**Hon. Mr. Robarts:** I thank the hon. member for Grey-Bruce, I wish he had had the honour of winding up this speech tonight instead of the man who did so on behalf of his party, because I think he might have said something original. We would not have understood it, but it would have been original.

**Mr. Sargent:** I always spoke well of the Premier.

**Hon. Mr. Robarts:** Well, Mr. Speaker, if I thought the hon. member would in any way take offence at what I said, I never would have said it.

**Mr. MacDonald:** In fact the Premier would even withdraw.

**Hon. Mr. Robarts:** I would even withdraw, yes.

But it does rather interest me, in looking back over this session, to note that it falls into four rather well defined sections. I think it is the first time in the history of the Legislature that this has happened. Although I would be the last to measure the effectiveness of any session in terms of the number of bills passed, we have passed more bills in this session than ever before, and I think perhaps we have had more sitting days.

I think probably to assess the real relevancy of the time spent sitting, we cleaned up the estimates with some meaningful debate; and after the introduction of some rules changes we did it in much less time than we spent on a fewer number of estimates prior to the introduction of the trial rules, so that I personally feel that we must benefit from what is obviously the advantage in the rules changes that we entered into. I would like to see more estimates put into committee. I think if we assess the effectiveness of the examination of the estimates before the committees—I do not think we should do it with more than four or five departments a year—but if you did it on that basis probably you could ensure that the estimates of every department would be examined by a committee of the House at some time during the life of one Parliament. And I think that is something we might think about.

I was very interested in the contribution to the debate this afternoon by one of the government Whips, and in his comments upon the rules. I look forward to sitting down with members of the two other parties and coming to some, perhaps, firmer conclusions than we have reached already, in order that we may further improve our ability to conduct our affairs here in a businesslike way.

I would like to make a couple of comments concerning some of the changes that have taken place during this session. In particular I would refer to the member for Wentworth North (Mr. Connell) and the member for Ontario (Mr. Dymond), two men who have left the Cabinet, two men who have been colleagues of mine, and personal friends, for a good many years.

Between the two of them they have served a total of 32 years as members in this House and a total of 24 years as Cabinet Ministers. The member for Ontario has served in three portfolios during his time here—Reform Institutions, Transport and Health. And he held

the latter portfolio for about 11 years, which is a long time, indeed. He was responsible for a very long and very important list of government programmes ranging from the introduction of the demerit point system for drivers which we now take for granted, yet in its day it was a pretty modern and pretty far-reaching piece of legislation. He is responsible for the establishment of the Alcoholism and Drug Addiction Research Foundation, which perhaps we also take for granted; it was developed and instituted during his time as Minister of Health. I think he has a very fine record here, and probably earned the right not to be in his seat when I am making a speech.

**Mr. R. F. Nixon (Leader of the Opposition):** He will not even read it.

**Hon. Mr. Robarts:** He will have to read it in *Hansard* because I did not distribute it at noon today.

**Mr. Nixon:** That is since the Premier's press secretary has a new job.

**Mr. MacDonald:** It will come out in a glossy cover when it is published though.

**Hon. Mr. Robarts:** No, that is not the reason at all. Some time outside the House I will tell the member about it.

The member for Wentworth North came into the House in the general election of 1955 and in 1956 he was appointed Minister without Portfolio and vice-chairman of Hydro. He was Minister of Public Works, starting in 1958.

I suppose one of the great monuments to his period in office was when he stood in his place in this House and said that as Minister he would attempt to bring the government back to Queen's Park. This was the conception of the present centre which is over to the east of us here, in which we are attempting to bring all government services back to Queen's Park, to serve more fully the needs of the people of our province when they come and deal with their government.

I would just say that these two men have served the people of Ontario very well and I am delighted that they are still here with us—

**Mr. Nixon:** Either here or at Old Woodbine.

**Hon. Mr. Robarts:** Either here or at Old Woodbine, depending on the mood of the men. Perhaps men who have served as long as they have in Cabinet posts have the right, by virtue of nothing else other than the many,

many months they sat here and listened, and listened and listened.

Interjections by hon. members.

Hon. Mr. Robarts: Now they are free to go to Old Woodbine.

Interjection by an hon. member.

Hon. Mr. Robarts: Oh, we have stolen some of the member's best ideas and we will do so again. We are not interested in the bad ones.

Mr. J. Renwick (Riverdale): What riding are they going to parachute the Prime Minister into?

Hon. Mr. Robarts: No, no. I would be willing to place a little wager on that.

Mr. J. Renwick: Would the Prime Minister, really?

Hon. Mr. Robarts: Yes, indeed I would.

Now I would like to report on several senior public servants who have left the service of this government and who have been well known to all of us during the course of this session.

Malcolm McIntyre retired as secretary of the Cabinet and was Deputy Minister of my own department during this session. He has had a long career. He started in July, 1918, in the office of the then Provincial Secretary, Mr. MacPherson. He left the civil service in 1934—I wonder why?

However, he persevered and he returned in 1953 as the chief executive officer in The Department of the Prime Minister. I think Mr. McIntyre was well known to all of us, and certainly from a personal point of view I am delighted to stand in my place here and say how much I appreciated his efforts on my behalf over the years.

In July of this year, a friend of ours, Dr. Jimmy Band, retired; and I want to say what a very great civil servant he was. He spent 36 years in the service of the people of this province—

Mr. MacDonald: He certainly carried the department with a succession of burdens on his back.

Hon. Mr. Robarts: In any event, he was a great man and we pay tribute to him tonight. It is interesting to note that Dr. Band served under eight Premiers and 13 Ministers. That must be a real burden, I think. All he did, he did well.

I would not leave this recitation of men who, in other-than-elected offices, served this province, without mentioning Dr. Jim Vance, who was with the Ontario Water Resources Commission from its beginning in 1956 and served as chairman since 1964. Much of the growth of that body took place under his direction.

Then finally, our old friend, and I think a friend of all of us, who suffered a grave mishap, is A. A. McLeod, and I would not leave this without saying that I hope he will have a speedy and complete recovery. He was hit by an automobile some time ago.

I have something to add about the municipalities here. I am not going to go on at very great length about this, but last week I mentioned some plans about the government's intention to convene a conference in the spring with representatives of our municipalities. I first discussed this in November during a meeting that we had with the Association of Ontario Mayors and Reeves and the Ontario Municipal Association. In the interval, we have been at work discussing this conference. We will, of course, be in touch with the various organizations in order that we may complete an agenda. I would hope that this conference will be held sometime in the latter part of April. However, before fixing dates, I want to confirm it with the members of the associations in order that we may have the fullest possible attendance.

This conference is a natural progression from the series of meetings that was held during the fall and the summer when the Minister of Municipal Affairs (Mr. McKeough), the Treasurer (Mr. MacNaughton), and on some occasions myself, visited county councils all over Ontario in order to exchange information and ideas concerning taxation reform, assessment, and regional government. These are not easy things to tackle and I would be the first to admit it. But we do not back away from them just because they may happen to be a little difficult. If we can achieve what we need to achieve in the area of municipal reform by meeting and conferring with municipalities, we have every intention of so doing.

Mr. Sargent: Pretty late, though!

Hon. Mr. Robarts: That is an old plea I have heard for 18 years too. Always too late, eh? But always here. We will press on, certain that the member will completely support us in this endeavour.

It is the logical continuation of the conferences we held in northern Ontario in

order that we might discuss their problems with our northern municipalities. Much as some members would like to leave the impression that we are not interested in the north, I assure the House that we are—and very interested. We propose to do—

Interjections by hon. members.

**Hon. Mr. Robarts:** The member has a very loud voice on his left. Oh yes, I do not know who I am hearing over there, the one or the other.

Interjections by hon. members.

**Hon. Mr. Robarts:** Of course, do the members know what is happening to me? I do not hear any of them. That is the way it should be.

We intend to confer in the fairest possible way with our municipalities. We want to share ideas with them and we want to share approaches with them. We want to find solutions to our difficulties and this we propose to do. I think that this conference will be educational. We want, of course, to explain our position to the municipalities and we want to hear their position from them.

I do not think I could take part in this debate without having something to say about the constitutional conference that was held in Ottawa recently. Some of it has been discussed in this House under the stimulus of questions and, of course, it had been mentioned by the hon. member for Kitchener (Mr. Breithaupt) in his remarks tonight.

I think one must start in any appreciation of this problem with a summarization of how complex Canada really is and the fact that it is almost, but not quite, an impossible country to govern. I think the complexity of our country is reflected in the fact that it is a federal and not a unitary state. I made this point earlier tonight, and I think it is an important one; if one takes too simplistic an approach to this whole problem, one could be completely led off on the wrong trail. We have quite enormous cultural differences in our country. On some issues we divide English-speaking—

**Mr. J. Renwick:** Would the Premier say that again?

**Hon. Mr. Robarts:** Pardon?

**Mr. J. Renwick:** I would like to hear that phrase—

**Hon. Mr. Robarts:** I am quite certain he has heard it the first time and I have no intention of repeating it for his edification.

We have culture differences; sometimes we split English versus French. We have differences in wealth; sometimes as a country we divide or split, an affluent as opposed to less affluent areas. We have differences in terms of industrialization; central Canada versus eastern Canada, versus western Canada.

We have many differences; and this, of course, makes the whole question of the discussion of our Constitution very difficult and very complex. If one is in any way impatient, one may very well miss the real problem. But we have basically a very common aim and this, I think, comes through loud and clear in the meetings that we have. The fact is that it is our common aim to maintain our country as a country and maintain Canada as Canada. We must somehow reconcile these very real differences; and they become very apparent when we meet together.

So what we are really discussing in these conferences is the fundamental law of Canada for probably the next "X" number of years. Your guess is just as good as mine as to how many, but certainly it is going to be a good many years. A constitution sets out the basic structure on which any country is built and the framework within which it must function and if we are to change it I would suggest to you that it is a process that cannot in any way be hurried. If we attempt to hurry it we will first of all not succeed, and secondly we may very well succeed in doing a poor job rather than a good job.

I think we need to spend whatever time is necessary and my suggestion is that it is going to take some time. If they examine The British North America Act, members may get some idea of why there may be some apparent failure to reach agreement which may not necessarily be true in fact.

The British North America Act enumerates in section 91 some 29 powers; in section 92 it enumerates another 16 powers; 29 and 16 is 45. In addition there are several more listed as concurrent powers and, of course, the whole question of education has a section to itself in the Act. Thus there are another 50 powers that could be discussed by the constitutional conference; that is, about 50 different powers that are set out The British North America Act.

You can group these in a broader heading and thus reduce the ultimate number, but even when they are grouped, you are going to deal with somewhere between 12 and 20 groups of powers, and to date—

**Mr. J. Renwick:** It took three years to write; how long is it going to take to re-write?

Hon. A. Grossman (Minister of Correctional Services): Why does the member for Riverdale not speak up instead of mumbling in his beard? He had better get rid of that far away look in his eyes.

Hon. Mr. Robarts: We will see the hon. member upstairs later—

Interjections by hon. members.

Hon. Mr. Robarts: In any event, Mr. Speaker, I would like to point out to you that in our discussions to date we have been able to discuss only three areas under the distribution of powers. These are the spending power, the taxing power and income security and social services. Now, there are only three out of this large number of powers that we have been able to discuss to date. So members can see, if they are looking for instant constitutional revision, they are simply not going to get it. I doubt that even our very brilliant friend from Riverdale could do it any faster, although he may think he can. But I doubt that he could, and I think if I were to discuss that with him tomorrow, he would agree with me.

Interjections by hon. members.

Hon. Mr. Robarts: Of course there will be a country left; and that is the whole point.

Mr. J. Renwick: Who will own the industry of the country?

Hon. Mr. Robarts: We will own it.

Mr. J. Renwick: Who is "we"?

Hon. Mr. Robarts: Now, Mr. Speaker, I would like to say to you too that if we have been able to discuss only three areas of powers to date, it is only natural that not one of the governments involved in this discussion is prepared at this stage of the game to make a decision on what its final position will be, because they are interrelated. Inevitably you are going to have to deal, eventually, with the totality of these powers to decide which individual ones you will either wish modified, where you are prepared to surrender what you are given under The British North America Act, or are prepared to accept that which under that Act is given to some other jurisdiction.

So, as these discussions go on—I would really wish the hon. member would save his comments until his participation in this debate, which will be in the Throne debate, probably in February.

Mr. J. Renwick: I may very well intervene after the Prime Minister has finished.

Hon. Mr. Robarts: I am delighted to debate with the member, I consider him to be a very brilliant man, but would he just allow me to develop one or two of these ideas tonight; then I will be delighted to hear his comments on them at some time in the future.

What I am really saying is that I do not think we can expect any of the governments involved in these discussions to take immediate positions and say, "This is where we stand and this is what we will do or not do"; because it has only begun; we must actually relate whatever we do to areas that have not yet even been discussed.

Therefore I would suggest that it is not correct to regard every disagreement as final. It is not correct, as suggested, that the positions taken by governments in these conferences are a denial of consensus, if we do not happen to all agree. We are in the very early stages of discussion. And in answer to the other comments of my friend from Riverdale I would say this, that life *per se* for the average citizen of this province continues as it has in the past while many of these discussions are taking place. And it will continue to do so, because what we are discussing will, in the long run, affect everybody in the country, but in the short run it is not really affecting the day-to-day lives of our people—other than as we may meet some impatient people in our country who will not be prepared perhaps to—

Mr. Sargent: How many pages has the Prime Minister got there?

Hon. Mr. Robarts: How many does the member want?

Mr. Sargent: It is getting late.

Hon. Mr. Robarts: Mr. Speaker, this is just what I have always suspected from this hon. member. He is not interested in the context, he is just interested in the hours. If he were to relax and listen, he might—

Mr. Sargent: The Prime Minister is talking out of both sides of his mouth.

Hon. Mr. Robarts: In any event I think these points should be made even though there may be a little doubt for some people.

I was a bit disturbed by the press reports on this conference because I felt they were erroneous. I felt it was wrong to portray a complete disagreement. I felt that it was



wrong to suggest that it was Quebec against the federal government and nine other provinces, because this simply is not so. It is not so for the reasons that I have sketched. We are putting points of view, and of course they may vary, but that does not mean we are against one another in the terms of a complete adversary system, and it does not mean that we are fighting with one another, with the attitude that if we do not get our own way something frightful is going to happen to our country.

I think that if one understands the true dynamics of the process by which we are attempting to re-write our constitution, members will understand that that very simple approach of saying that it is one against another simply is not so. Perhaps I could use, to illustrate my point, the analogy of landing on the moon. How long did it take from the time the rocket took off from Cape Kennedy until those men were on the moon? But then you must think in terms of the ten or 15 years it took to create the instruments that got them there and the many hundreds of millions, and indeed billions, of dollars that were spent to do it.

So we are used to this rapid conclusion, the rapid result in so many things in our lives, and we become impatient if we do not see it. All I am saying is: Let us be patient, because this process is indeed going to take a long time. If we accept this premise and understand that this is not necessarily bad, then we will, I hope, in due course come out with a better Constitution than we have at the present moment.

I felt that the people of Canada—I have talked to quite a few, and I have read a certain amount of mail. The wonderful thing about an open conference, even though some say it delayed the process, it did permit the people of Canada to judge for themselves; and in this I am personally quite interested. They did not get the results of this conference through the eyes, or through the mind, of anybody else who heard, saw and interpreted. They were able to watch themselves—watch the television, listen to the radio and really be right in the middle of it. Some of the comments I am getting from those who watched differ somewhat from the comments that have appeared from those who purported to analyze and say what had happened in terms of what they thought had happened.

So I want, finally, just to reinforce the point I make that we are not deeply divided

against one another as we meet at that conference table. We are, of course, discussing divergent points of view, but I do not think the fact that we are discussing divergent points of view means that we are divided.

I would like to make it very clear—because I have been misinterpreted, I think; there were certain comments made in this House tonight. I would like to make it very clear that personally I am a federalist; I believe in a strong federal state, but I do not believe that simply means that we surrender all provincial powers to that federal state.

**Mr. Sargent:** Talking out of both sides of his mouth.

**Hon. Mr. Robarts:** I do not think so.

Well, Mr. Speaker, I will take that little discussion, and if the member wants to argue about it, we will. The British North America Act as I pointed out, divides the powers between the federal government and the provincial governments and somebody, in their wisdom, wrote that down. We are not changing that, we did not write it down. We say that—

Interjections by hon. members.

**Hon. Mr. Robarts:** All right. Certainly, but there it is and that is the way it is until we agree to change it.

All we are saying is that we will not agree to the federal government wielding over a field of jurisdiction which is ours—moving into our field—unless we know what we are doing. Now the way hon. members opposite would have it, with their continual apologies for the central government because it happens to be run by the Liberal Party, they want simply to—

**Mr. J. B. Trotter (Parkdale):** That is over-exaggeration.

**Hon. Mr. Robarts:** Well, all they are asking is for us to just give up. I mean, it is very simple. You cease to live in a federal state; you become a unitary state. All your power is centralized in one government.

**Mr. Sargent:** How many hats can the Premier wear?

**Hon. C. S. MacNaughton (Provincial Treasurer):** Well, we know which one the member is wearing.

**Mr. Trotter:** The Premier is a federalist, but not a centralist.

Hon. Mr. Robarts: That is quite correct. I am a federalist, but not a centralist.

Mr. Sargent: All the Premier is doing is talking about it.

Hon. Mr. MacNaughton: All the member is doing is talking.

Hon. Mr. Robarts: And I think that both of the men with whom I am associated in these debates feel much the same way.

Now, Mr. Speaker, there was another event of last week that took place after the Constitutional Conference, so-called, ended. That was when the Provincial Treasurers and the Minister of Finance met as part of the continuing deliberations of the tax structure committee.

I am going to inflict this upon the House, if I may. I am going to have to go through this text quite carefully, because there are some things here that I want said, and that I want said very clearly.

The Treasurer presented to that meeting a paper outlining the views of the government of Ontario on the federal proposals for tax reform. I should like to devote a few minutes to the discussion of several of the aspects which were raised and reflect upon the results of that meeting, which took place in the latter part of last week.

I am particularly pleased by a number of developments at the meeting of the reactivated tax structure committee. Members will recall that this committee was established by Mr. Pearson at a meeting in Quebec City about 1964. It deliberated long and hard, produced some results that were not acceptable to Mr. Sharp in his term as Minister of Finance and which he rejected.

However, it was reactivated and, at this last meeting, a decision was made to have the tax structure committee meet quarterly, rather than annually. We are hopeful that this means the beginning of a new era of consultation—meaningful consultation—between the federal and the provincial governments on fiscal and financial matters which affect everyone in Canada.

I am further encouraged by the assurance we received that there would be a full exchange of research material on the reform of the tax system.

These were indications of a more flexible attitude on the part of the federal participants. I particularly welcome the interest shown by the Minister of Finance in exploring thoroughly all aspects of the federal white paper on tax reform before legislation is drafted.

I welcome this because, as I have stated on several occasions recently, we have had a very distinct feeling, following certain recent meetings, that there was little likelihood the federal government would make many changes in their proposals before a final policy was adopted. As a result of what has been said at this meeting last week, we are more hopeful now that we are not to be handed another *fait accompli* similar to Medicare.

So all of this is encouraging to us, but I think perhaps the best news for all of our people in Ontario is the report that, for the first time in a good many years, it was recognized by the federal government that something must be done about the growing deficits projected for the provincial-municipal levels of government.

We are hopeful that this means there will be a retreat from the rigid position previously taken by the federal government that, if the provinces need more money to meet the responsibilities of the provincial and municipal governments, they should "go out and tax". If this change of attitude is real, and is translated into action, it will be a most important indication that at last there is a thawing taking place in the fiscal cold war between the federal and provincial governments.

You will recall that when the Prime Ministers and Premiers met in February of this year we specifically requested that the tax structure committee take a careful look at the projected revenue and expenditures of both the federal and provincial-municipal governments. We also asked for recommendations to deal with these.

We asked further that the tax structure committee examine the problems which have arisen in the operation of shared cost programmes, which followed the federal government's unilaterally terminating, freezing or changing the terms of such programmes as the health resources fund, the technical and vocational training agreement, urban renewal and housing. These actions have threatened to disrupt the constitutional review because they created an atmosphere which made it highly unlikely that our long-term problems could be easily settled.

The finance ministers were presented with a report dealing with both the revenue and expenditure projections of shared-cost programmes. They decided that this report was so important that they should meet again in the first week of February to discuss it thoroughly, prior to making recommendations to the Prime Ministers when we meet on February 16.

As far as this government is concerned, that meeting in February could be very productive. It can go a long way toward smoothing the general course of federal-provincial relations, providing the federal government decides to deal with some of the legitimate grievances which have been raised.

For our part, the government of Ontario will do all it can to improve cost controls in various shared-cost programmes, which is, quite understandably, a major concern of the federal government in its budgetary planning.

During the meeting of the tax structure committee, the consistent policy of the government of Ontario on tax reform was put forward by the Treasurer. In pressing for a full review of the proposals put forward in the federal white paper on taxation, he emphasized that we believe tax reform should embrace the full range of taxes so that all taxpayers are treated fairly. He expressed concern lest the federal government adopt a piecemeal, rather than a comprehensive, approach to tax reform.

If we are to achieve comprehensive tax reform, the interests of municipalities must be given first consideration, because this is where the major tax inequities and financial problems exist. Our own programmes are committed to broadening the municipal tax base and transferring increased resources to the municipal governments to relieve the property tax.

We are concerned that the proposed income tax reforms may not provide scope for complementary reform measures at provincial and municipal levels.

Interjection by an hon. member.

**Hon. Mr. MacNaughton:** All the member is doing is talking.

Interjections by hon. members.

**Hon. Mr. Robarts:** Oh, dear. Well, I will tell hon. members opposite he is a cross for me. I wonder what he is for them?

We are concerned that the proposed income tax reforms may not provide scope for complementary reform measures at provincial and municipal levels. In particular, increased use of the personal income tax field by Ottawa will limit provincial use of this same field to offset and de-emphasize property taxes, retail sales taxes and health insurance premiums, all of which bear heavily on people with low incomes.

**Mr. Sargent:** Oh, that is nonsense!

**Hon. Mr. Robarts:** I just finished the sentence and I knew it would withdraw a remark

like that. Just listen to what I said in terms of the member's own people in Grey-Bruce. Just listen to this.

**Mr. Sargent:** I would love to hear it.

**Hon. Mr. Robarts:** All right.

In particular, increased use of the personal income tax field by Ottawa will limit provincial use of this same field to offset and de-emphasize property taxes, retail sales taxes and health insurance premiums, all of which bear heavily on people with low incomes.

**Mr. Sargent:** That is good.

**Hon. Mr. Robarts:** The hon. member called it nonsense just a minute ago.

Interjections by hon. members.

**Mr. Sargent:** On a point of order—

**Mr. Speaker:** The hon. member will resume his seat while the Speaker is on his feet.

If the hon. member has a point of order, I will be glad to hear it. He will state his point of order, and he will, I hope—

**Mr. Sargent:** Mr. Speaker, for years we have been hearing about—

**Mr. Speaker:** The hon. member is not speaking on a point of order.

**Mr. Sargent:** My point of order, sir, is that the Prime Minister has no right to castigate me, because I suggest that for years we have been talking about—

**Mr. Speaker:** The hon. member has no point of order. The Prime Minister has the floor.

**Hon. Mr. Robarts:** I am going to have to go up to Grey-Bruce, Mr. Speaker, and point out that the hon. member from there says that this is nonsense.

**Mr. Sargent:** No, I said that is right.

**Hon. Mr. Robarts:** We would use income tax to relieve sales tax—

**Mr. Sargent:** I do not disagree with that.

**Hon. Mr. Robarts**—to relieve realty tax, to relieve hospital premiums; and he says that is nonsense.

Interjections by hon. members.

**Hon. Mr. Robarts:** Mr. Speaker, I have some other comments to make in the area of tax reform and I think they have some relevancy, at least they do to the government. We

feel it our duty to place these points of view before the people of the province, and there is only one way I can do it and that is to stand in my place here and do it.

The need for comprehensive tax reform emphasizes the necessity of full participation by both the federal and provincial governments in determining the final form and structure of not only income taxes but also gift and death taxes.

The basic imbalance between both the existing and projected revenues of the federal and provincial governments has again been confirmed by the projections which the tax structure committee has just completed. They show that during the next three fiscal years the federal government will enjoy substantial surpluses while the provincial-municipal sector will experience mounting deficits. In other words, their revenues are going up and ours are going down and this situation is worsening year by year.

These projections make it crystal clear that present federal taxes are more than adequate to finance anticipated federal expenditure responsibilities, whereas present provincial-municipal taxes are grossly inadequate to finance their responsibilities.

Consideration of the federal tax proposals—

**Mr. Sargent:** What is the government doing about it?

**Hon. Mr. Robarts:** We are trying to educate the member for Grey-Bruce, among other things.

**Mr. Speaker,** I must really make these points. They are very serious, and they are very important to everyone in Canada, and I think we must really consider them seriously.

Consideration of the federal tax proposals cannot be divorced from this fundamental reality. The federal proposals are designed to significantly increase the federal capacity to raise revenue, while ignoring provincial-municipal requirements.

We believe a workable programme of tax reform must proceed in the opposite direction. The federal income tax revenues should be reduced, or at least not increased, to provide elbow room for increased provincial and municipal tax effort without raising the total tax burden of the taxpayer.

Further, the government of Ontario believes that the estimate in the white paper of net revenue resulting from full implementation of the federal reform package of \$630 million, is a substantial underestimation of

the tax increases built into the reform proposals. We believe this because the white paper omits the increased taxes which will result from the mining and oil industries after 1974. We would guess that the proposed changes in this area alone will produce an additional \$200 million to \$250 million in revenue.

Our analysis of the white paper proposals also suggests that the federal government has underestimated potential revenue gains and overestimated potential revenue losses from some of its personal income tax reforms. All in all, our analysis suggests that the total revenue from tax increases could be twice as large as the federal estimate, and certainly in excess of \$1 billion when the proposed reform plan reaches maturity.

While many of the proposals in the white paper appear to be imaginative and fair, they constitute sweeping changes in a very complex field. While we want to see positive change in our tax structure, co-ordinated at all levels, we must be certain they will not have a detrimental effect.

The government of Ontario is deeply disturbed by the impact which the federal proposals would have on new and small business. There is no doubt that small businesses will be among those hardest hit by the proposed changes. The difficult position in which the small businessman finds himself was eloquently presented to the House during the Budget Debate by the hon. member for Eglinton (Mr. Reilly). As a government, we cannot accept what the white paper proposals will do to this vital segment of our community here in Ontario.

Over a five-year period, the federal proposals would drastically increase the rate of corporate income tax on businesses. In Ontario, there are 28,000 companies with a taxable income of \$35,000 or less. At present, an Ontario company is taxed at a rate of 23 per cent on its first \$35,000 of taxable income and 52 per cent of taxable income beyond this level. Under the federal proposal, the lower rate for the first \$35,000 would be withdrawn. The result would be an increase in the tax on the first \$35,000 of taxable income to \$18,200 from \$8,050.

The effect of this on the small businessman in Ontario would be disastrous. It would destroy the backbone of the economy of this province. It is our small businesses that have sparked the growth of this province over the years. It is the entrepreneur who organizes, manages and assumes the risks of enterprise.

These are the people to whom, we in Ontario and Canada must look to provide the new jobs, the additional goods and the expanded services for our growing economy.

Our examination of the white paper proposals suggests that those who establish small businesses stand to lose the lower rate of taxation which has helped to finance the expansion of business and to help finance the expansion of our economy. The federal proposals will tax businessmen on legitimate costs of developing an enterprise. The man who launches a business today has difficulty enough securing sufficient finances for his venture. He should not be subjected to further discouragement from unreasonable demands by government. His energy and initiative must not be suppressed. What is required by the small businessman is tax relief, not a heavier burden.

Interjections by hon. members.

**Mr. Speaker:** Order, order! Every member in this House has had the opportunity of participating in this debate, and some of the members seem to wish to do so again. I would ask that the Christmas spirit of tolerance might be in evidence, at least for the next 15 minutes.

**Hon. Mr. Robarts:** Mr. Speaker, I assure the House I will not be very long, but I must say I really struck paydirt.

Interjections by hon. members.

**Hon. Mr. Robarts:** On this side of the House, we are not afraid to stand up and be counted and say what we believe in. We believe that the elimination of the lower rate of corporation tax, plus the proposed stringent treatment of business expenses, will inhibit the growth and expansion of small businesses. It will penalize scarce entrepreneurial talent, which is one of the things we need and have not an unlimited supply of in this country, and it will discourage new, innovative high-risk enterprises. The end result could very well be a lower rate of economic growth and a slowing of the Canadian economy.

We suggest, in fact we demand, that the impact of the tax proposals on new and small business must be reconsidered.

Interjections by hon. members.

**Hon. Mr. Robarts:** We have strongly urged that the federal government moderate its proposals affecting small businesses—

Interjections by hon. members.

**Hon. Mr. Robarts:** I want to make another point, Mr. Speaker; I do not know whether this will exacerbate the Opposition to the extent that the last one did. Obviously they care nothing about small businesses, nothing at all.

Interjections by hon. members.

**Hon. Mr. Robarts:** Now let us see where they stand on this point. Let us see what their reaction is.

Interjections by hon. members.

**Hon. Mr. Robarts:** Will members just give me a chance to make the point? Then I will sit down and they can all yell at once.

Interjections by hon. members.

**Hon. Mr. Robarts:** Another concern of the government of Ontario is the effect the federal tax proposals have on potential capital borrowing by the provinces and municipalities. One result of the continuing problem in the sharing of tax revenues is the necessity for the provinces and municipalities to issue debentures to finance schools, hospitals, sewage, water, power facilities—all of which are done to accommodate future growth. Since the federal tax proposals appear to favour equity securities over debt securities, they may—

**An hon. member:** I said that in the first place—

**Hon. Mr. Robarts:** Sure enough. Sure enough—

Interjections by hon. members.

**Hon. Mr. Robarts:** They may curtail seriously our ability to meet these responsibilities.

Now, let me make another point. I have another point. I have another point I would like to make for the quiet, careful consideration of the members.

The government of Ontario is also increasingly concerned by suggestions that the federal government is considering major new spending programmes when we, at the provincial and municipal levels, are finding it extremely difficult to finance the growing costs of basic services. To contemplate new public initiatives in spending while present priorities are not being met, demonstrates a basic lack of understanding of some of the most urgent problems confronting Canada today.

Ontario has other reservations about the federal tax proposals, including the stimulus

they could very well give to the already difficult problem of inflation. This potential danger could well wipe out most of the additional relief proposed for those with low incomes.

Moreover, the tax increases proposed in the white paper will be largely secured from the savers of our country, not the spenders, among our taxpayers. In addition, there is no doubt that the white paper proposals could generate particular price pressures.

Interjections by hon. members.

**Hon. Mr. Robarts:** Therefore, in our submission to the tax structure committee, we cautioned that a tax reform package with inflationary potential should not be implemented until the current inflation has fully subsided.

As I stated at the outset, I am encouraged by the outcome of the meeting last week, and I look forward to a new era of co-operation on fiscal matters and consideration of the requirements of the provincial and municipal needs.

I am sure you will all join with me in that sentiment.

I should like to emphasize that the government of Ontario is determined to make a constructive contribution toward the development of a co-ordinated system of taxation in Canada. We must develop a system that is equitable for all residents of Canada, we must provide a climate for the continued development of our country, and we must assure that all three levels of government—federal, provincial and municipal—have the financial resources which match their responsibilities.

**Mr. Sargent:** Well, that is nonsense!

**Hon. Mr. Robarts:** Mr. Speaker, I will go up to Grey-Bruce and tell the people up there how nonsensical some of these proposals really are.

**Mr. Sargent:** I would love to have the Premier do that.

**Hon. Mr. Crossman:** I would love to see that debate. We could sell tickets for that one.

**Hon. Mr. Robarts:** I know that country very well.

Now we come, Mr. Speaker, to what is the nub of this whole matter. We put before the House the position which we think is sound and true, and I am quite sure all of you will join with us on this side of the House to defeat this flaccid and euphoric amendment which really has no meaning, does nothing for

our Parliament, our country or our people. So, Mr. Speaker, we are ready to vote.

Interjections by hon. members.

**Mr. Speaker:** When the members are ready for the vote, I will put the question. But not until then.

Hon. Mr. MacNaughton moves that Mr. Speaker do now leave the Chair, and the House resolve itself into the committee on ways and means.

Mr. Nixon moves, seconded by Mr. Sopha, that the motion that Mr. Speaker do now leave the Chair and the House resolve itself into the committee on ways and means be amended by adding thereto the following words:

That this House regrets that the government:

1. Has adopted policies which greatly impair the provision of services to our people in vital areas of health, welfare, housing, education and agriculture;

2. by its refusal to join in the national Medicare plan has deprived the people of Ontario of adequate standards of health care, as well as financial benefits to them as taxpayers;

3. has seriously disrupted the efficient operation of local government and especially has failed to give an adequate voice to citizens of local municipalities and their representatives before deciding upon far-reaching changes in municipal government and administration;

4. has again postponed necessary reforms in our provincial tax structure, retaining inequitable grants reflected in unfairly high local taxes;

5. has failed to put forward a co-ordinated policy to deal with the growing problem of regional disparity and poverty in Ontario;

6. has announced policies amounting to fiscal separatism which will lead to the creation of disharmony in the operation of the federal system, rather than seeking accord and accommodation to the end that the citizens of Ontario, together with the people of other provinces, may enjoy the benefits of a fair and equitable system of taxation.

The House, of course, will first vote on the amendment to the motion moved by Mr. Nixon.

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

AYES	NAYS
Ben	Allan
Breithaupt	Apps
Brown	Auld
Bukator	Bales
Bullbrook	Belanger
Davison	Bernier
Deacon	Boyer
Deans	Brunelle
De Monte	Carruthers
Edighoffer	Carton
Farquhar	Davis
Ferrier	Demers
Gaunt	Downer
Gisborn	Dunlop
Good	Evans
Haggerty	Gilbertson
Lewis	Gomme
MacDonald	Grossman
Makarchuk	Guindon
Martel	Henderson
Newman	Hodgson
(Windsor- Walkerville)	(Victoria- Haliburton)
Nixon	Johnston
Peacock	(Parry Sound)
Pilkey	Kennedy
Pitman	Kerr
Reid	Knight
(Scarborough East)	Lawrence
Renwick	(Carleton East)
(Riverdale)	Lawrence
Ruston	(St. George)
Shulman	MacNaughton
Singer	Meen
Smith	Morningstar
(Nipissing)	Morrow
Spence	McKeough
Stokes	McNeil
Trotter	Potter
Worton-35.	Price
	Randall
	Reilly
	Reuter
	Robarts
	Rollins
	Root
	Rowe
	Rowntree
	Simonett
	Smith
	(Hamilton Mountain)
	Snow
	Stewart
	Villeneuve
	Welch

AYES

NAYS

Wells  
White  
Whitney  
Winkler  
Wishart  
Yaremko-55.

Clerk of the House: Mr. Speaker, the "ayes" are 35, the "nays" 55.

Mr. Speaker: I declare the amendment lost, and the motion carried on the same division reversed.

The House resolved itself into the committee on ways and means; Mr. A. E. Reuter in the chair.

*Resolved*, that there be granted out of the consolidated revenue funds of this province a sum not exceeding \$3,277,431,000 to meet the supply to that extent granted to Her Majesty.

Resolution concurred in.

Hon. Mr. Welch moves that the committee on ways and means rise and report that it has come to a certain resolution.

Motion agreed to.

The House resumed, Mr. Speaker in the Chair.

Mr. Chairman: Mr. Speaker, the committee on ways and means begs to report it has come to a certain resolution.

Report agreed to.

#### ACT GRANTING CERTAIN SUMS OF MONEY

Hon. C. S. MacNaughton (Provincial Treasurer) moves first reading of bill intituled, An Act for granting to Her Majesty certain sums of money for the public service for the fiscal year ending March 31, 1970.

Motion agreed to; first reading of the bill.

Hon. Mr. MacNaughton moves second reading of Bill 245.

Motion agreed to; second reading of the bill.

Hon. Mr. MacNaughton moves third reading of Bill 245.

Motion agreed to; third reading of the bill.

Mr. Speaker: Resolved that Bill 245 do now pass and be intituled as in in the motion.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, before the Lieutenant-Governor enters, could I table the answers to questions 108, and 115 (see appendix, page 9874), which brings me up to date to this minute on answers to questions?

The Honourable the Lieutenant-Governor of Ontario entered the Chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. Ross Macdonald** (Lieutenant-Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed several bills to which, in the name and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles to the bills to which Your Honour's assent is prayed:

Bill 47, An Act to amend The Separate Schools Act.

Bill 74, An Act to amend The Ontario Society for the Prevention of Cruelty to Animals Act, 1955.

Bill 138, An Act respecting Facilities for Children suffering from Mental or Emotional Disorders.

Bill 194, An Act respecting the Care and Provision of Animals for Research.

Bill 205, The Assessment Act, 1968-1969.

Bill 222, An Act to amend The Municipal Act.

Bill 229, An Act to amend The Highway Improvement Act.

Bill 230, An Act to incorporate The Toronto Hospitals' Steam Corporation.

Bill 234, An Act to amend The Landlord and Tenant Act.

Bill 235, An Act to amend The Regional Municipality of Niagara Act, 1968-1969.

Bill 236, An Act to amend The Legislative Assembly Act.

Bill 237, An Act to amend The Executive Council Act.

Bill 238, An Act to amend The Separate Schools Act.

Bill 239, An Act to amend The Public Schools Act.

Bill 240, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 241, An Act to amend The Schools Administration Act.

Bill 242, An Act respecting Scholarships for Osgoode Hall Law School of York University.

Bill 243, An Act to amend The Child Welfare Act, 1965.

Bill 244, An Act to amend The Corporations Tax Act.

**Clerk of the House:** In Her Majesty's name, the Honourable the Lieutenant-Governor doth assent to these bills.

**Mr. Speaker:** May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the legislative assembly of the province of Ontario, in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill intituled, An Act granting to Her Majesty certain sums of money for the public service for the fiscal year ending March 31, 1970.

To this Act the Royal assent was announced by the Clerk of the legislative assembly in the following words:

**Clerk of the House:** The Honourable the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

The Honourable the Lieutenant-Governor of the province was then pleased to deliver the following gracious speech:

**Hon. W. Ross Macdonald:** Mr. Speaker and members of the legislative assembly of Ontario:

As this second session of the 28th Parliament of Ontario concludes, I should like to express the appreciation of the people of Ontario for the diligence and energy with which you have pursued an extremely heavy and rewarding legislative programme.

By all measures, this session, which began on November 19, 1968, and which is now in its thirteenth month, is unique. It has extended over the longest span of time and included more actual days and hours of sitting than any previous session. In addition, this has been one of the most productive sessions in Ontario history. More government and private legislative proposals have been placed before you for consideration than in any other previous session.

You have considered and approved measures and propositions which assure the continued



vigorous and dynamic growth of Ontario. By your actions, the residents of Ontario are assured a richer and more fulfilling life. Equally important, you have conducted your deliberations within the context of the broader interests of Canada.

During the course of this session, a great many events important to our history and progress were observed. These included the 150th anniversary of the birth of the hon. George Brown, a Father of Confederation from Ontario; the 100th anniversary of Ontario's representation in Great Britain, at which our beloved Sovereign presided; the 60th anniversary of the formation of the Ontario Provincial Police force; and the tenth anniversary of the opening of the St. Lawrence Seaway. We were honoured to have with us in Ontario during the course of this session His Royal Highness Prince Philip.

While your deliberations were being conducted in this House, the leaders of all of the governments of Canada met on three occasions to examine the constitutional development of our country and to consider changes which undoubtedly will have a profound effect upon the future of Canada. It is apparent from the recent discussions in Ottawa that, while a good deal of work has been accomplished, the process of achieving a new constitutional instrument for Canada will require much discussion and examination. However, the government is most optimistic that we shall achieve the ultimate objective of a stronger, more united and progressive country, which will be increasingly more meaningful to the individual. This is an objective worthy of our utmost effort and to which the government is totally and unequivocally committed.

A significant step forward in the process of strengthening our country occurred when the governments of the provinces of Ontario and Quebec concluded an educational and cultural exchange agreement. It is the first intergovernmental agreement in Canada dealing specifically with language and culture.

A major event during the course of this session was the opening of the Ontario Centre of Science and Technology. Already this science centre, the province's contribution to the people of Canada to observe our first 100 years as a country, is recognized as one of the finest in the world. While legislation was being considered in this Chamber, the presence of the people of Ontario was growing rapidly at the site of the 1970 world exposition in Osaka, Japan, where construction of our Ontario pavilion has been completed

ahead of schedule. I am sure the hon. members are also fully aware that Ontario Place, where the vigour and spirit of the people of Ontario will find further expression, is rapidly rising on the Toronto waterfront.

The people of Ontario played an active role in the stimulating process of debate which surrounds the major issues which face us. They were represented by you, their elected representatives, in the deliberations which were conducted in this Chamber. They appeared voluntarily before committees of the Legislature. They participated in public discussions with members of the Executive Council at conferences held across Ontario to discuss taxation, assessment, regional government and the needs of the residents of northern Ontario. These conferences dealt in large measure with the white paper proposals for the reform of the provincial-municipal structure of taxation presented by the hon. Treasurer of Ontario (Mr. MacNaughton) during the Budget Address.

There were significant changes in our municipalities during the course of this session. On January 1, the regional municipality of Ottawa-Carleton began to function. The regional municipality of Niagara came into being in October and will become fully functional on January 1, 1970. Also brought into being during this session was the new city of Thunder Bay, which on January 1, 1970, will carry forward with it the heritage of the cities of Port Arthur and Fort William and the adjacent municipalities of Neebing and Shuniah. In addition, you have before you the recommendations of commissioners and committees dealing with the future of local government in the Hamilton-Burlington-Wentworth area, in the Muskoka area, and at the district level in northern Ontario.

Reports of commissioners and committees which had been asked to inquire into a broad range of subjects were presented to you. Among these were the second report of the McRuer inquiry into civil rights, the report of the Royal commission on Atlantic Acceptance Corporation Limited, the studies of the Ontario Law Reform Commission, and the report on religious education in the public schools of Ontario. The reports of the committees which surveyed the cultural life of Franco-Ontarians, farm assessment and taxation, the sale and distribution of fruits and vegetables in Ontario, and the future of our forest industry were also presented to you.

We remind hon. members of the important contributions made by various select committees which reported to this House during

the session on a variety of subjects, dealing with such topics as House rules, taxation and election laws. Other reports received by the House dealt with mutual funds and investment contracts, the operation of credit unions and collective bargaining within the public service of Ontario.

The sound and farsighted advice contained in the first report of the inquiry into civil rights was reflected in all legislation placed before you by the government. The studies of the Ontario Law Reform Commission also contributed to major legislative initiatives.

There were two important developments in the procedures of this Chamber. One of these was the first television coverage of the Legislature in session during the presentation of the Budget Address by the hon. Treasurer of Ontario, and the subsequent addresses of the non-governmental party leaders. The second was the experimental adoption of revised rules during the latter part of the session. I am pleased to learn that these changes have been generally accepted by all members and in practice have improved the ordering of business.

The legislative programme placed before you by the Executive Council of Ontario was substantial in content, equitable in application to all segments of our population and positive in the improvement of the quality of the daily life of the people of Ontario.

An advance of major significance in the development of a comprehensive programme of health care was the establishment of the Ontario Health Services Insurance Plan which provides physician services and a broad range of health care to all residents of the province.

Much of the time of the House was devoted to the requirements of those of our society who live in our cities. Proposals dealing with urban life, housing, control of air and water pollution, transportation, assessment and finance were placed before you.

The passage of amendments to The Landlord and Tenant Act provided a new measure of equity for the rapidly expanding proportion of our population who rent accommodation.

The implementation in December, 1968, of The Expropriation Act introduced concepts into the expropriation laws of this province which have given new and significant rights to the landowner to ensure fair treatment.

Efficient transportation in all its forms is vital to the growth of our province and is especially crucial to life in our cities. The concern of the government with the provision

of transportation services and facilities is demonstrated in the methodical research, which is now under way, into transportation problems and new concepts of mass transportation. It is anticipated that far-reaching benefits to many of the large urban centres in Ontario will result from the decision to embark on three new public transit demonstration projects in the heavily populated areas, north, east and west of Toronto. In addition to these projects, the government has materially increased its financial assistance to the municipalities for road and subway construction and to enable them to undertake their own transportation studies.

To improve the quality of our environment, legislative action was taken to control emissions from automobiles and iron foundries. Following careful study the government ordered a general prohibition of the use of the pesticide DDT. Further assistance to enable small municipalities to finance and extend water and sewage treatment facilities was provided.

Also approved was the re-enactment of The Assessment Act under which the province will undertake the assessment activities formerly carried out by the municipalities. This is necessary to achieve a system of assessment across Ontario that is uniform and equitable and is an essential first step toward the achievement of an improved provincial-municipal system of taxation for our province.

Among the most dramatic developments in the field of education during the course of this session was the first year of operation by the new consolidated school boards. The county system is now demonstrating its ability to provide greater equality and enriched educational opportunities for all students in Ontario regardless of where they may live. The government advocated the adoption of the continuous process approach throughout the formal educational system, with emphasis on a varied curriculum and flexible, individual timetables.

During the course of this session, approval was given to amendments to the charters of Carleton and McMaster Universities and the University of Windsor, reflecting the trend towards greater participation by faculty and students to be part of the governing council of The Ontario College of Art.

A further important development was the appointment of a commission to advise the government on long-term plans for all aspects of post-secondary education.

Particularly intensive public discussion arose out of two legislative proposals of great significance to all of the people of Ontario. The passage of bills dealing with the care and treatment of animals and the provision of animals for use in medical research will properly serve and safeguard pets and their owners. These enactments will also assure that the requirements of medical research and the training of doctors and other personnel involved in Ontario's growing requirement for the provision of medical services will be well served.

Passage of legislation dealing with business corporations was a major step forward in the government's approach to the rights, obligations and protection of shareholders and directors.

Amendments to The Toronto Stock Exchange Act provide for the election of two public directors, thereby ensuring the Toronto Stock Exchange will reflect the interests of the investing public.

A far-reaching policy initiative which you approved and which will encourage new industrial activity in Ontario was contained in amendments to The Mining Act. Under this policy, it was established as a statutory principle that ores mined in Ontario must be processed in Canada. Amendments to The Mining Tax Act provided deductible allowances to encourage more mining exploration.

The government's programme of financial assistance to industry, which has greatly expanded and diversified the province's economy, was reviewed and amended to provide additional help to small communities so that they may obtain an increased share of industrial development. The revised programme of forgivable loans will be of particular assistance to communities in northern and eastern Ontario.

New principles and concepts were introduced in The Mechanics' Lien Act which will greatly facilitate the financing and protection of people engaged in the construction field.

A commercial registration appeal tribunal was established to provide a board of review for those applying for licenses under Ontario's consumer protection legislation and to serve as an advisory body to the Minister of Financial and Commercial Affairs (Mr. Rowntree).

Among the initiatives which you approved was an expansion of the extension services of

The Department of Agriculture and Food to provide more intensive counselling to farmers on the use of credit, farm management and rural development. Another was the establishment of boards for the orderly marketing of fish. Indications are that one of the first boards established has resulted in higher prices being paid to fishermen in northwestern Ontario.

Enacted during this session was The Law Enforcement Compensation Amendment Act which extended compensation to the victims of crime in Ontario. This legislation will become a source of great assistance to those who suffer as the result of violence committed during a criminal offence.

The extension of The Age Discrimination Act to include employees of the Crown and its agencies was further evidence of the government's determination to end discrimination in employment based on age.

Further important steps were taken to preserve our heritage. The Ontario Heritage Foundation Act was broadened to include the preservation of property of recreational, aesthetic or scenic importance. In addition, during this session the Museum of the Upper Lakes was opened on Nancy Island at Wasaga Beach where the history of exploration and commercial utilization of the Great Lakes waterway are dramatically displayed.

In declaring prorogued this second session of the twenty-eighth Parliament of the province of Ontario, I am pleased to note that you have scrutinized and approved the spending estimates of the various departments of the government and have found the affairs of the government in excellent order.

I pray that under the guidance of Divine Providence the people of Ontario will continue to enjoy a full and rewarding life.

In our Sovereign's name, I thank you.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, and hon. members of the legislative assembly, it is the will and pleasure of the Honourable the Lieutenant-Governor that this legislative assembly be prorogued and the legislative assembly is accordingly prorogued.

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

The House prorogued at 11 p.m.

## APPENDIX

(See page 9870)

108. *Mr. Spence*—Enquiry of the Ministry of Public Works—1. What will be the total construction and equipment cost including land of the new building of the Ontario Institute for Studies in Education? 2. Why was the lease-back method chosen for this building and not for the Frost, Hepburn, Ferguson or Macdonald buildings? 3. Will the building not be hopelessly outdated for educational use at the end of 30 years, by which time \$60 million will have been paid? 4. How can the government justify a rental of \$2 million a year for a facility which could have been operated for a fraction of this cost elsewhere in Ontario? 5. Will the Minister convey my concern to the hon. Treasurer as he contemplates a provincial income tax.

Answer by the Minister of Public Works (Mr. Simonett):

1. The lease-purchase agreement established the lease-purchase rate at an effective rate of \$5.25 per square foot for office space; \$3.50 per square foot for basement; \$1.80 per square foot for interior parking.

The total payment is effectively \$2,275,839 per year which includes operating expenses, cleaning, maintenance contracts, insurances, utilities, etc., amounting to approximately \$719,133. Therefore, the amount applicable to principal and interest is \$1,556,706 per year, to lease the building for thirty years and to acquire the property at the end of that time.

The present value of the future payments for the land and building amounts to approximately \$16,000,000 depending on the rate of interest used for amortization purposes.

2. The Ontario Institute for Studies in Education, being an autonomous body with its own board of governors, reviewed its expansion needs in light of the 1967 capital restrictions. At that time, capital funds were difficult to secure and the possibility of a lease-purchase was carefully examined. The agreement selected had the most desirable site and design for the institute. In addition, the rental rate is quite competitive with other leased premises in that area. In this case ownership of the building will revert to the lessee, making the transaction that much more attractive. These were the major factors which led the board of governors to decide on a lease-purchase.

The Ontario institute activities which are conducted under its autonomous board of

governors, places it in a different classification than the Frost, Hepburn, Ferguson or Macdonald buildings.

3. The interior of the building is deliberately designed for maximum flexibility, anticipating that the ways in which educational space will be used in the years ahead will change considerably from present use. Partitions are movable and such service facilities as air conditioning and electrical outlets are designed for adaptation to any foreseeable type of use of the interior space. It is therefore not considered likely that the limitations imposed by the building itself will make it obsolete within the foreseeable future.

It is again emphasized that the total payment of \$60 million referred to above is derived from the \$5.25 per square foot rental rate which is quite competitive with comparable building space. As mentioned previously, the present value of the cost of the land and building is approximately \$16 million.

4. The board of governors of OISE felt it was imperative to locate the new building on or near the University of Toronto campus because of the important day to day relationships which exist between the two organizations. These relationships include students from one institution taking courses offered by the other, faculty members cross-appointed between the two institutions, the mutual advantage of close working relationships in research and development between OISE and a number of University of Toronto departments, the use of the University of Toronto computer facilities, and the use of the university's library system. Location in the general vicinity of the present site was regarded as necessary because of the location of the new social sciences research library. This facility will be extremely useful to OISE but could not and should not be hoped to be duplicated by OISE. Within this definition of needs the particular site was the least expensive and generally most satisfactory of a number of tendered proposals from developers.

115. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry of Public Works—1. Does Requisition No. 29-05276 of The Department of Public Works specify an item (or items) which is manufactured only in Quebec? 2. Is the government intending to discontinue the practice of so specifying their products when

substitute products are also available in Ontario?

Answer by the Minister of Public Works:

1. The requisition describes a "Restglow" fluorescent lighting fixture which is manufactured in Quebec. The description is a guide to the standard required. This guide is established because earlier this year, as a result

of public tenders, the "Restglow" fixture was purchased for installation in two floors of 800 Bay Street. The descriptive guide is to procure this fixture, if possible, for the balance of the requirements at this location. Public tenders have closed on this item, and the analysis of the tenders is proceeding.

2. The policy of this government is to buy Canadian.

#### ERRATA

(December 17, 1968)

Page	Column	Line	Correction
813	2	23	Change to read: bedridden while the mental powers are unimpaired."

(October 9, 1969)

Page	Column	Line	Correction
Contents		26	Change to read: Traffic signal lights at intersection, questions to Mr. Gomme, Mr. Burr, pages 6865-6869.
6868	2	14 and 15	Change to read: represents some decrease. I do not have handy the exact percentage decrease. I will get that
6919	1	48	Change to read: endeavouring to get from, I believe Mr. Messi
6919	2	10	Change to read: The name of the family referred to is Krusky rather than the spelling given in copy. There are a number of references to this family in immediately following copy; in all instances correct spelling is Krusky.

(October 30, 1969)

Page	Column	Line	Correction
7771	2	26	Change to read: cians to these areas. That is \$26,000 before income tax.

(November 7, 1969)

Page	Column	Line	Correction
Contents		17	Change to read: Mr. Bolton's name should appear between those of Mr. Kennedy and Mr. Edighoffer in the list of speakers taking part in the resumption of debate on the Budget.
8173	2	15	Change to read: report was given in <i>The Journal of Dental Medicine</i> ,
8179	2	40	Change to read: In passing, what lovely alliteration!

(November 7, 1969)			
<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
8180	1	8	Change to read: I, too, am capable of alliteration—but the
(November 21, 1969)			
<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
8725	2	1	Change to read: tion per year and effective January 1, 1969 employees
(December 1, 1969)			
<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
9113	1	23 and 24	Change to read: understand in Brockville we now have an administrator in the Brockville psychiatric
(December 2, 1969)			
<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
9180	2	40	Remarks attributed to Mr. Burr; change to read: Hon. Mr. Kerr: Well, Mr. Speaker, this
(December 3, 1969)			
<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
9250	1	23 to 25	Change to read: Edward Forster, James Wood. For the gov- ernment they were Robert Johnston, Douglas Omand, Roland Scott; and the chairman was











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