



**Third Session — Thirty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**

**STANDING COMMITTEE**  
on  
**STATUTORY REGULATIONS**  
and  
**ORDERS**

33 Elizabeth II

*Chairman*  
*Mr. C. Santos*  
*Constituency of Burrows*



MG-8048

**VOL. XXXI No. 4 - 8:00 p.m., THURSDAY, 28 JUNE, 1984.**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

Name	Constituency	Party
<b>ADAM, Hon. A.R. (Pete)</b>	Ste. Rose	NDP
<b>ANSTETT, Hon. Andy</b>	Springfield	NDP
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BANMAN, Robert (Bob)</b>	La Verendrye	PC
<b>BLAKE, David R. (Dave)</b>	Minnedosa	PC
<b>BROWN, Arnold</b>	Rhineland	PC
<b>BUCKLASCHUK, Hon. John M.</b>	Gimli	NDP
<b>CARROLL, Q.C., Henry N.</b>	Brandon West	IND
<b>CORRIN, Q.C., Brian</b>	Ellice	NDP
<b>COWAN, Hon. Jay</b>	Churchill	NDP
<b>DESJARDINS, Hon. Laurent</b>	St. Boniface	NDP
<b>DODICK, Doreen</b>	Riel	NDP
<b>DOERN, Russell</b>	Elmwood	IND
<b>DOLIN, Hon. Mary Beth</b>	Kildonan	NDP
<b>DOWNEY, James E.</b>	Arthur	PC
<b>DRIEDGER, Albert</b>	Emerson	PC
<b>ENNS, Harry</b>	Lakeside	PC
<b>EVANS, Hon. Leonard S.</b>	Brandon East	NDP
<b>EYLER, Phil</b>	River East	NDP
<b>FILMON, Gary</b>	Tuxedo	PC
<b>FOX, Peter</b>	Concordia	NDP
<b>GOURLAY, D.M. (Doug)</b>	Swan River	PC
<b>GRAHAM, Harry</b>	Virten	PC
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry M.</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HEMPHILL, Hon. Maureen</b>	Logan	NDP
<b>HYDE, Lloyd</b>	Portage la Prairie	PC
<b>JOHNSTON, J. Frank</b>	Sturgeon Creek	PC
<b>KOSTYRA, Hon. Eugene</b>	Seven Oaks	NDP
<b>KOVNATS, Abe</b>	Niakwa	PC
<b>LECUYER, Hon. Gérard</b>	Radisson	NDP
<b>LYON, Q.C., Hon. Sterling</b>	Charleswood	PC
<b>MACKLING, Q.C., Hon. Al</b>	St. James	NDP
<b>MALINOWSKI, Donald M.</b>	St. Johns	NDP
<b>MANNES, Clayton</b>	Morris	PC
<b>McKENZIE, J. Wally</b>	Roblin-Russell	PC
<b>MERCIER, Q.C., G.W.J. (Gerry)</b>	St. Norbert	PC
<b>NORDMAN, Rurik (Ric)</b>	Assiniboia	PC
<b>OLESON, Charlotte</b>	Gladstone	PC
<b>ORCHARD, Donald</b>	Pembina	PC
<b>PAWLEY, Q.C., Hon. Howard R.</b>	Selkirk	NDP
<b>PARASIUK, Hon. Wilson</b>	Transcona	NDP
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<b>RANSOM, A. Brian</b>	Turtle Mountain	PC
<b>SANTOS, Conrad</b>	Burrows	NDP
<b>SCHROEDER, Hon. Vic</b>	Rossmere	NDP
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<b>SHERMAN, L.R. (Bud)</b>	Fort Garry	PC
<b>SMITH, Hon. Muriel</b>	Osborne	NDP
<b>STEEN, Warren</b>	River Heights	PC
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<b>USKIW, Hon. Samuel</b>	Lac du Bonnet	NDP
<b>WALDING, Hon. D. James</b>	St. Vital	NDP

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON STATUTORY REGULATIONS AND ORDERS**

**Thursday, 28 June, 1984**

**TIME — 8:00 p.m.**

**LOCATION — Winnipeg, Manitoba**

**CHAIRMAN — Mr. C. Santos (Burrows)**

**ATTENDANCE 8 — QUORUM - 6**

*Members of the Committee present:*

Hon. Messrs. Bucklaschuk, Penner

Messrs. Corrin, Fox, Harper, Kovnats, Santos  
and Sherman.

**WITNESSES:** Bill No. 7 - The Central Trust  
Company Act, 1984; Loi de

1984 sur la compagnie du Trust Central -

Mr. Bob Smellie, Central Trust Company

Bill No. 17 - An Act to amend The Dental  
Mechanics Act -

Mr. Ted Hechter, Manitoba Dental Association

Mr. Mel Myers, the Dental Mechanics of  
Manitoba

**MATTERS UNDER DISCUSSION:** Bill No. 7, The  
Central Trust Company Act, 1984; Loi de 1984  
sur la compagnie du Trust Central

Bill No. 17, An Act to Amend The Dental  
Mechanics Act.

Bill No. 26, The Chiropractic Act; Loi sur la  
chiropractie.

Bill No. 29, An Act to amend An Act  
respecting The Agricultural and Community  
District of Newdale.

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**MR. CHAIRMAN:** The Committee on Statutory  
Regulations and Orders is being called to order. It is  
the pleasure of this committee to hear presenters, and  
we shall proceed according to the order the bills are  
listed.

The persons wishing to make presentation under Bill  
No. 7, we will start with Mr. Bob Smellie, representing  
Central Trust Company.

**BILL NO. 7 - THE CENTRAL  
TRUST COMPANY ACT**

**MR. B. SMELLIE:** Mr. Chairman, gentlemen, you will  
recall that about two years ago there was a bit of a  
scandal concerning Crown Trust Company and certain  
other trusts. Crown Trust Company was at that time  
an Ontario corporation, and the Registrar of Companies  
in Ontario put the company into receivership. Subsequently,  
an agreement was entered into between

the Government of Ontario and the Central Trust  
Company to take over the responsibilities of Crown  
Trust Company.

Later, legislation was passed in Ontario which  
transferred all of the assets and all of the responsibilities  
of Crown Trust Company to Central Trust Company but,  
of course, the Ontario Legislature can have no control  
over those things in other provinces. So legislation  
is being introduced in each of the other provinces  
in order to give effect to that, and so that those  
people who were dealing with Crown Trust Company,  
either testators who had made a will appointing  
Crown Trust Company or estates which were being  
administered by Crown Trust Company or people who  
had mortgages payable to Crown Trust Company, would  
have no problems dealing with the new company. So  
the Central Trust Company would be named in the  
place and stead of Crown Trust Company, and no  
citizen would be hurt by that process.

That's the purpose of this bill, and I would be  
happy to answer any questions that you may have.

**MR. CHAIRMAN:** Are there any questions from  
the members of the committee?

Thank you, Mr. Smellie.

**MR. B. SMELLIE:** Thank you very much, gentlemen.

**MR. CHAIRMAN:** The Chairperson wishes to know  
if there are any other persons who wish to make a  
presentation on Bill No. 7. If there are none, we shall  
proceed with the persons wishing to make presentations  
on Bill No. 17.

**BILL NO. 17 - AN ACT TO AMEND  
THE DENTAL MECHANICS ACT**

**MR. CHAIRMAN:** Mr. Ted Hechter, President,  
Manitoba Dental Association.

**MR. T. HECHTER:** Thank you, Mr. Chairman,  
gentlemen. With me tonight is the Executive Director  
of the Manitoba Dental Association and some of the  
members of the board who will assist me if any  
questions will be asked.

My name is Ted Hechter. I am the current  
President of the Manitoba Dental Association. I  
appreciate being given this opportunity to present  
the position of the dental profession on the  
amendment to The Dental Mechanics Act that you  
are now considering.

At the outset, let me say that I am disappointed  
that the Legislature is considering only  
amendments to this act rather than the  
introduction of a totally new act. In 1970,  
when the current act was passed by the  
Legislature, it was considered to be adequate  
legislation. The last 13 years have shown us  
that there are parts of the act that are  
difficult to interpret, particularly the  
section dealing with certificates, prescriptions  
and partial dentures in Section 6.

It is not my purpose to provide you with a history lesson of the events over the last decade, but I do want to recall for you the findings and recommendations of the Special Committee of the Legislature that investigated this topic thoroughly and reported to the House in March of 1970.

The first four recommendations of that Committee were:

1. An oral certificate will be required to treat a patient and the certificate to be signed by a physician or dentist;
2. The dental mechanics shall be restricted to complete dentures where there are no live teeth and dental mechanics should be prohibited from giving professional advice to anyone with live teeth;
3. Thorough inspection under government control of sanitation and compliance with legislation;
4. Prohibition of the title "denturist." They shall be classified as "dental mechanics."

To the best of our knowledge there has not been a further study at the direction of either the Legislature or some other independent body to determine if substantive changes have occurred in the training, education, apprenticeship, or knowledge base of dental mechanics to warrant any change in the legislation or duties that they can perform.

Something as apparently simple as a name change from dental mechanic to denturist is not really simple at all. The group of individuals who are currently working as dental mechanics in this province are not formally trained and should not gain a name change through legislation when they have not earned it through education.

We recognize that the name denturist is used in other jurisdictions, but in those places, the denturists are graduates of community college programs and we believe that the name could eventually change here in Manitoba, but it should not occur until those who are working here are graduates of recognized programs.

To grandfather the name now could mislead the public because of the connotation that denturist has with a recognized level of education.

You will note this recurring theme through our entire presentation. For this Legislature to accept that a group coming before them should be allowed legislative changes because they are bold enough to ask for them without having any substantial and independent references to support their own testimonials is a precedent that is dangerous to have on record, particularly in a health-related occupation.

Earlier, I mentioned that it is our belief that the wording of the existing Dental Mechanics Act has caused many problems. Section 6 has been interpreted to mean that a dental mechanic may make a partial denture if a dentist will sign a prescription for a patient. Again, the recommendation of the 1970 Committee was that dental mechanics should be restricted to complete dentures where there are no live teeth.

The recommendation of the Committee was accepted on the floor of the Legislature and further emphasized during debate on July 18, 1970, where it was reported on Page 3,888 of that year of Hansard, as stated by Mr. Sid Green: "Mr. Chairman, on a previous day in Law Amendments Committee, we indicated two

propositions, 1. that we wanted the act to come into effect on proclamation as to explore certain matters; 2. we wanted the act to contain a provision to work on the upper and lower jaws separately, rather than a full edentulous mouth." We still want that type of thing to be available to the act, but we don't want it to be available merely upon the proclamation of the act, and what we propose to do by new amendments, is to still have the act talking about an edentulous mouth, but giving the government the opportunity to pass regulations which would permit an upper or a lower jaw."

It is clear to us that the intent of the Legislature was to assure that dental mechanics provided only full dentures for the public. Again, the 1970 Committee of the Legislature said, "The dental mechanics shall be restricted to complete dentures where there are no live teeth. Dental mechanics should be prohibited from giving professional advice to anyone with live teeth."

A removable partial denture is a health service that requires an understanding of all facets of dentistry, including diagnostic, x-ray interpretation, the supporting structures for teeth, (gums and bone) as well as tooth preparation with either fillings or caps. The design of the partial denture for use against other teeth when they bite, is critical in order to prevent breakdown of teeth or jaw bones and joints.

In fact, the art and science of partial denture construction requires all the knowledge and the skill that only a dentist has learned. The purpose of a partial denture is as much to maintain remaining teeth as to replace lost teeth. By and large most people who require partial dentures have lost teeth because of decay or periodontal or gum disease. Often the decay process and periodontal problems are involving the teeth that remain as well as having caused the loss of those that are no longer in the mouth. To construct a partial denture on top of existing problems will only lead to the loss of more teeth. A partial denture is not an intermediary step in the quick trip to a full denture.

We detect a subtle change being proposed in the amendment to Section 6(4) and 14(q). We believe that a new lead-in clause in Section 6(4) which states that "A denturist may make" will effectively broaden the scope of practise for dental mechanics, so that they may provide both full and partial dentures for the public without a dentist's prescription.

We would prefer you to deal directly with Section 6 and clarify the meaning and intent rather than amending it with the clause that will only continue the confusion.

Dental mechanics may be competent to perform technical, laboratory procedures for partial denture fabrication, and we say "may" because they have never been educated, examined or licensed in any partial denture procedures. In light of this, and recognizing that dental mechanics must send their impressions for partial dentures to the same laboratories as dentists do, so that sophisticated furnaces can be used in casting metal the metal framework, you will appreciate that dental mechanics are in fact offering another level of dentistry without the appropriate training and experience.

In our view, it is not appropriate for a government to accept the request of the dental mechanics for amendments to their act just because the dental mechanics want changes. There has to be a

demonstrated need for change. We do not know of any definitive study that has been done that is recommending changes. We do not know of any review that has been done, to consider the impact that these changes will have, on the public.

To be quite pointed, we would like to ask - what is the purpose of these suggested amendments. Our view is that they are designed to allow greater powers of examination, licensing and standards to a group that will result in their having more complete authority in all of these areas that anyone else delivering health care services. Neither doctors nor dentists have the legislated powers that dental mechanics currently have, and now you are considering an expansion of those responsibilities.

This Legislature is reviewing the correctness of existing education, licensing and association functions of health care providers, yet you are considering condoning the expansion of the dental mechanics role in all three of these areas.

Doctors and dentists are educated in formal programs that are accredited by a separate agency. Once successfully completing comprehensive examinations a doctor can receive a license. The licensing authority is then responsible for assuring that standards are met and services properly performed. There are checks and balances at every level.

Dental mechanics, with your authority, will be responsible only to themselves at every stage of this process.

As the Manitoba Dental Association has been charge with the responsibility to protect the dental health of Manitobans, we would consider it a mistake, if legislators decided to remove references to "dentists" serving on the board and committees of the Dental Mechanics Association.

Another suggested amendment, to make it mandatory for dental mechanics to be members of their own association once they are licensed, makes our request for dentists' participation on the board and committees, all the more important. Dental mechanics conducting apprenticeship programs as well as exclusively examining and licensing themselves is too much of an in-house system to adequately protect the public.

We suggest that any rephrasing of parts of the existing Dental Mechanics Act may only lead to greater confusion and difficulties with the interpretation and administration of the act. Our recommendation is that a comprehensive study and a rewrite to the entire act take place, instead of piecemeal amendments.

Should you decide to go ahead and pass the amendments, we encourage you to assure that:

- dental mechanics are educated, examined and licensed in a formal manner to protect the public;
- dentists are involved in the examination and practice standards for mechanics;
- the requirements for oral certificates and prescriptions are monitored; and
- the complaints and discipline procedures for dental mechanics are well defined, and the responsibilities and authorities for the investigators clearly outlined.

Thank you for your attention. I have copies of this presentation that I will leave with you. If you have any questions, I will be pleased to answer them.

**MR. CHAIRMAN:** Mr. Eyler.

**MR. P. EYLER:** There is something you said at the very beginning. You were mentioning that denturists in other provinces all go to community colleges, have community college certificates. Was that you were saying?

**MR. T. HECHTER:** Not all, no.

**MR. P. EYLER:** How many provinces do that?

**MR. T. HECHTER:** There are two provinces that have community college facilities that teach partial denturists: Northern Alberta Institute of Technology and the George Brown University in Ontario. Basically what they are teaching there is the mechanical aspect of constructing partial dentures, not the diagnostic skills of treating the patients.

**MR. P. EYLER:** Would you say that the graduates from those programs are qualified to do the things that you were objecting to tonight here in Manitoba?

**MR. T. HECHTER:** No. As I said, their training is in the mechanical procedure, and it's not in the diagnostic skill as far as knowing the patient's problems, the bone support and the teeth problems. So our complaint here or our presentation to you tonight is based on their education skills and their lack of education. It's in the mechanical aspect. We are categorically saying that they should not be working with a patient with live teeth in the mouth.

**MR. P. EYLER:** So you're saying then that basically only a dentist can work in a mouth with live teeth. A graduate from one of these community colleges could work in a mouth with no live teeth, but also a present dental mechanic without one of these community college certificates would be just as qualified in Manitoba today?

I'm not quite sure what the distinction is between the dental mechanics in Manitoba, the denturists from the community colleges in the other provinces and, say, a dentist. I recognize the distinction between live teeth and no live teeth and dentists and dental mechanics, but I'm not sure I recognize the distinction you're making between denturists and dental mechanics.

**MR. T. HECHTER:** The present Dental Mechanics Act allows the dental mechanics to work directly with the public where there are no live teeth. The dental mechanic or the denturist, once he has been trained in a partial denture construction or a partial denture course, we are saying that would give him some basis of making partial dentures under the supervision of a dentist. The Provincial Government, at this point, is funding the university training students and four years of dental education is all geared to understanding diagnostic skills and to know what is needed in a patient's mouth, whether it be a partial denture or other things.

We're saying that a dental mechanic does not have the education or the skills for the diagnostic aspect of it.

**MR. CHAIRMAN:** Mr. Eyler.

**MR. P. EYLER:** What would be the turnover in dental mechanics in Manitoba today? There's what, 50-some

members, I guess, today, but on a year-to-year basis would there be one or two people entering and one or two leaving the profession?

**MR. T. HECHTER:** I don't have that knowledge.

**MR. CHAIRMAN:** Are there any other members of the committee - Mr. Sherman.

**MR. L. SHERMAN:** I'd like to ask Mr. Hechter a question or two, and, Mr. Hechter, you may have covered this in your presentation and I'll be interested in reading your presentation. It was a little difficult to keep up fully with all the points that you were making, so if this question is repetitious to what you've covered in the presentation, please don't hesitate to advise me.

Do you feel that the different responsibilities for licensure and for economic and social interests of this particular health discipline are properly separated in the amendments that are proposed before us?

**MR. T. HECHTER:** Could you repeat the question?

**MR. L. SHERMAN:** Do you feel that in setting up regulations and procedures for the self-governing capability of a health discipline, that responsibilities for economic aims and social aims should be separated, for example, responsibilities for overseeing and approving licensure and economic aims should be different from just sort of the social and political representation of that health discipline, or do you think that all those responsibilities can be carried out by the same body?

**MR. T. HECHTER:** Well, if I understand your question correctly, our concern is that they don't have the education skills and that these amendments, aside from that, are giving them a great deal of authority. They're asking not to have any dentists on their board. They're asking for a complete autonomy in that respect, and they would have a great deal of autonomy in selecting future dental mechanics coming in. We, as a board, don't see that as being a proper thing.

**MR. L. SHERMAN:** Do you feel that in proceeding in this way that the Government of the Day, whatever government, and the Minister of the Day are actually inviting difficulties for themselves in administering and policing this particular field? Would you go so far as to say that there is a potential for difficulty for a Minister of Health and for a government in proceeding this way?

**MR. T. HECHTER:** The act as it reads today, the Minister of Health is the person responsible for disciplining and looking after the act. We don't know what difficulties he's had but we have heard that there has been difficulty in decision making as to who is responsible for disciplining. This isn't something that we have as a dental association, it's within The Dental Mechanics Act and with the Minister of Health. But there has been a Dental Mechanics Act Committee and up until now there's still two dentists sitting on that. I don't know if that answers your question.

**MR. L. SHERMAN:** Well, let me put it this way, Mr. Hechter. At the present time the existing committee

investigates complaints that come forward. Is that correct?

**MR. T. HECHTER:** To my knowledge they are to bring those complaints to the Minister.

**MR. L. SHERMAN:** Yes, but they can investigate the complaints for the Minister. Is that correct?

**MR. T. HECHTER:** To my knowledge.

**MR. L. SHERMAN:** And it's been your experience there hasn't been any great difficulty with that practice but that is largely because of the makeup of the committee. Is that what you're saying? The way the committee is presently constituted and made up that it can investigate the complaints and carry out its responsibilities effectively in your view?

**MR. T. HECHTER:** Well, as I tried to allude before I don't think it has been effective. But if I could ask — (Interjection) — no. You see the four changes that the amendments are making, aside from the name change, is to delete any dentists off their board and give them autonomy, and to change the section of the 6(4) - that muddies up the waters even more.

Our concern is that if we've had difficulties in discussions with the Minister in the past in regard to The Dental Act and in interpretation of it - I have a letter from the Minister that was to a former President of the Dental Association saying that he would look forward to a review of The Dental Mechanics Act. To our knowledge nothing has ever been done in that respect so that we feel it's muddying the act, and it's going to be open for more loose interpretation and our concern is that the public is going to be the one that's caught in the middle.

**MR. L. SHERMAN:** What is your suggestion for the membership of the board? Would you suggest the same kind of composition as exists at the present time on the current committee which is what - two dentists, two dental mechanics, and two lay people? Would that be a proper composition for the new board in your view?

**MR. T. HECHTER:** Well, I think that's up to discussion or looking into negotiations to find out what would be the best way. But for a bill to be amended, an act to be amended, and to have a group that is delivering dental services not to have any input from organized dentistry, and not to have on their board a dentist, and not to be asked - the Dental Association wasn't even asked about these amendments as to what we could see in those respects. This is something that is very hard to understand.

**MR. L. SHERMAN:** Mr. Chairman, as I say, I haven't had a chance to read Mr. Hechter's presentation. I will do that, but on the basis of his verbal presentation and what I understood from it, I would conclude that Mr. Hechter proposes that there should be a wide number of amendments to this proposed legislation or a wide number of changes and amendments are required. In fact, there is such a quantity of them that it would seem

to me that it would be almost impossible to amend Bill 17 in any meaningful or effective way.

I would ask Mr. Hechter whether we could conclude from that that his strongest suggestion would be that Bill 17 is unworkable, and the whole process should be started again. Would that be a fair conclusion?

**MR. T. HECHTER:** That's a fair conclusion. We feel that The Dental Mechanics Act should not go through in this manner. Our suggestion is that a review and proper understanding of what all these amendments would mean to the public is something that we would suggest.

**MR. L. SHERMAN:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Mr. Corrin.

**MR. B. CORRIN:** . . . (inaudible) . . . about the representations you have made with respect to an enabling provision in the bill that would allow a mechanic to work with live teeth. I find the argument you make about the ramifications of doing that quite compelling and interesting and significant. Have you got a legal opinion which indicates that this particular bill will provide that sort of ambit or girth to mechanics which definitively states that this bill will have that legal effect and consequence?

**MR. T. HECHTER:** Just one moment. No. To answer your question, I don't have a legal - if we're looking at it from a Dental Association and from a licensing body of dentists and our responsibility as to the public that the change in 6(4), deleting that first sentence - if you like, I can read it for you.

"Where permitted under the regulations, and in accordance with the regulations, a dental mechanic may make, produce, reproduce and furnish or supply an upper prosthetic denture or a lower prosthetic denture."

The change there is they're deleting that first sentence. The section would then read: ". . . a denturist may make, produce, reproduce, furnish and supply . . ." "We feel that, subtle as it may be, opens it up to a little bit more interpretation. Looking at it from a legal point of view or legalese or lawyer's point of view, they could muddy it a little bit more or make it a little bit more difficult to get an understanding of what is actually meant by that clause.

Our whole focus of this presentation is that we would much rather see it opened up and looked at properly in a sense of having a review taken or a study taken and note what the ramifications are, rather than doing it like this.

**MR. CHAIRMAN:** Mr. Fox.

**MR. P. FOX:** Mr. Hechter, is it true that the Admissions Committee still is composed of three members, and that one of them is a member of the Faculty of Dentistry?

**MR. T. HECHTER:** In the Dental Mechanics' Admissions Committee are you talking about?

**MR. P. FOX:** Yes.

**MR. T. HECHTER:** In the new draft, with the amendments, to clarify, yes, I believe there is still a dentist on that aspect. But if you look back to the discussion on the board where there are four dental mechanics, they have the authority to accept or not to accept the Admissions Committee's recommendations. So in-essence, to my understanding, they could override the Admissions Committee.

**MR. P. FOX:** Is it not also true that the Minister really is the one who has the final say as to who becomes a denturist or not?

**MR. T. HECHTER:** In essence, the Minister is responsible for The Dental Mechanics Act.

**MR. P. FOX:** Thank you.

**MR. CHAIRMAN:** Are there any other members of the committee who wish to put forth some questions to Mr. Hechter? If none, the Chair thanks Mr. Hechter.

Mr. Mel Myers, representing the Dental Mechanics of Manitoba.

**MR. M. MYERS:** Good evening, gentlemen. Thank you for giving me this opportunity on behalf of the denturists of Manitoba to speak in response to the amendments to the act.

In response to Dr. Hechter's concerns, may I state, firstly, what this act doesn't do, what the amendments don't do. Section 6 of The Dental Mechanics Act is not changed. Section 6 is the fundamental section which defines the work that a denturist or a dental mechanic can do in the Province of Manitoba. There is no change to the requirement that, in respect of all work that a denturist does, oral health certificates are required to be signed either by a doctor or a dentist - no change there.

In respect of partials, there is still the same requirement - no change - that before a denturist can work with live teeth in respect of partials, there must be a prescription signed by a dentist - no change. It's been the same way for 14 years.

Thirdly, that in respect of working with a patient where there are no live teeth, the denturist is entitled, subject to an oral health certificate, to work on the mouth of the patient. These are the same functions that denturists obtained in 1970. They have continued through two administrations without change, and the act does not change those functions whatsoever. Any suggestion to the contrary is not substantiated by the legislation.

Dr. Hechter, in reference to Section 6(4), somehow said that would muddy the waters. If one looks at Section 6(3) and looks at what Section 6(4) intends to do, it is to really be a repetition of Section 6(3). Section 6(4) stated under the old act: "Where permitted under the regulations . . ." "and there was nothing in the regulations about it, a denturist could work on an upper and lower mouth of a patient where there were no live teeth. All that does is clarify it.

Really that was a technical suggestion, if I may say, by someone other than a denturist. It was really to clean up and clarify that Section 6(4) would not be inconsistent with Section 6(3), no more, no less. It adds nothing at all in substance to the powers of the denturist.

So the basic work that the denturist has done for the last 14 years without complaints - and there is no record of any complaints. Ask the past Minister of Health who is sitting here, the present Minister of Health what the complaints were in respect to denturists. There weren't any to my knowledge. They have operated for 14 years without any criticism. Now they come before you to ask for some very minor changes to the act, and we get the response from the dentists.

Let me remind you, as Mr. Fox has put the kind of questions to Dr. Hechter, that in respect to the power of the Minister of Health, there is no change in respect to the supervision that the Minister of Health has in respect of denturists. No one can practice or be admitted to the profession of being a denturist without a licence from the Minister. That's Section 4 of the old act. It is repeated in the new act. To become a denturist, the Minister of Health must admit you - point one.

Only the Minister of Health can revoke a licence on either a permanent or a temporary basis, and that's subject to appeal of the courts. That doesn't change. That's Section 11 and Section 12 of the act.

Only the Minister of Health can investigate the practices of a denturist, not the denturist himself but the Minister of Health. That's Section 5. That remains intact.

It is only the Minister of Health that can recommend facilities for education, Section 11.

So, the basic provisions of the Minister of Health controlling the practice of the denturist, remains intact. So, any suggestions to the contrary are without substance.

Now, what does the act do, what are the changes? Firstly, the denturists are requesting a change of name. I thought in our society if a group or an organization wanted to change their name, they were entitled to, unless they were out to deceive somebody. Now, we have an objection from the dentists, they don't want us to change our name. One looks at any dictionary definition of mechanics, one finds that it relates to manual labour or pertains to machinery. I have definitions from the Oxford Dictionary to substantiate what I say. The work of a denturist is not that of manual labour. It doesn't relate to machinery. In respect of their work, it is very far from being a mechanic.

In respect of other provinces - may I very briefly indicate to you - that with the exception of British Columbia where they are called dental mechanics, and that's under review, and Prince Edward Island where there is no legislation, five provinces describe the work of my clients as denturists. It's Alberta, Saskatchewan, New Brunswick, Nova Scotia, Newfoundland. Ontario, one of the large provinces, describes them as denture therapists; Quebec is denturologists.

So, the vast majority of the provinces describe them as denturists. All we want is to be brought in line with what the other provinces describe them as. We don't want any confusion with the public, because a person moving from one province to another may know them as denturists, and here they are known as dental mechanics. It's a simple change. It's one that I think we're entitled to. We submit to you that the only reason there is an objection is not on any public health issue. I mean where is the public health issue that's been raised by the dentists? It's an economic objection. They object to any advancement by denturists in this province because it affects their monopoly.

They used to harass the denturists, they persecuted them and they prosecuted them. In 1970, the New Democratic Government established the act and legitimized them. You recall, some of you, the case of Regina vs. Seneta (phonetic), and they were legitimized. There has been, notwithstanding the legitimization of denturists, a non-acceptance by dentists of the denturists.

I have here By-law No. 1576 of The Manitoba Dental Association Act. That by-law provides that if any dentist provides a prescription to a denturist pursuant to Section 6.3 of the act - that's permitted under Section 6.3 - it's deemed to be professional misconduct.

So, the law permits a denturist to work on a live mouth in respect of partials by obtaining a prescription. The dentists say, notwithstanding what this Legislature has passed, they've said if you give a denturist a prescription, that's deemed to be professional misconduct. That's the opposition. The question that I'm putting to you, are they making objections which are limited in terms of what public health issues are, or is it an economic objection in terms of their own pocketbook? I leave that for you decide. The point is they have not recognized the act and not wanted to live with denturists in peace.

That brings us to the second kind of change, is the composition of the board. Let me explain - there are two changes to the board. Firstly, there is now a board where the majority will be denturists, but that board if you examine its powers, only deals with the internal affairs of the denturists, in respect to their own welfare and advancing their own interests, and in respect to their own standards and ethics. It does not deal with admissions. It does not deal with licensing. It does not deal with examinations or anything like that.

So that in respect of operating their own affairs, they don't want the enemy on their committee. It's very much like the New Democratic Party wouldn't want Mr. Sterling Lyon and Mr. Bud Sherman on their executive. I'm sure that the Conservatives wouldn't want Mr. Pawley and Mr. Fox in their executive. That's a very natural desire. What's wrong with that? I'm excluding you, Mr. Kovnats, on purpose. They don't want the enemies deciding what their fate is. Is that a legitimate or an illegitimate request? That's exactly what the request is.

On the Admissions Committee there is recognition that a dentist ought to be there. So, you have two denturists and one dentist. That committee only has a recommending power. It can't decide the fate of the denturist. They can recommend to the Minister whether or not that person should be admitted into the practice, but it's for the Minister of Health to decide. They have the responsibility for setting exams, determining the tests, and why shouldn't the denturists have a major input in respect to their own profession? Isn't that a logical thing? But there is a dentist there.

I find it amusing that they complain about partials being done by denturists when they don't construct the partials. They send them to the dental laboratories where denturists do them. They get them back and they put a markup on it and they sell it to the public. That's the way the trading is. Denturists don't get involved with diagnostic services. They leave that to the dentists. That's why they want a prescription. So, any of these statements that they make that there is



going to be a breakdown in health services is patent nonsense and it's not substantiated by the legislation.

Denturists have provided a legitimate bone fide service to the public for the last 14 years at a cost lower than the dentist and that's what they're objecting to. I'm saying there's malpractice insurance that denturists have had. We've never had a claim. There's an entitlement to go to the Minister of Health and complain. We don't know of such complaints, so what's the complaint except the pocketbook of the dentist. That's where the objections lie. No more and no less.

Those are the changes we want; simple change of name, a board that we can administer without our enemy sitting beside us, and there was a present committee, Dr. Hechter talked about, but that committee has not worked. It was a committee made up of two denturists, two members of the Dental Faculty and two members of the government from the government committee and that committee has been not working. There's been wars on that committee. It has not provided the services to the Minister of Health that he's required and as result a change has to take place.

So, for all of those reasons, we request that you agree to these amendments and permit the matter to go forward; change of name, change of board composition. That's essentially it, but in terms of the existing functions of the denturist, there is no change whatsoever. Control remains with the Minister of Health. We are not self-administering. We're not like lawyers or dentists or doctors controlling our own affairs. We are subject to the control and direction of the Minister of Health.

That's my submission. I'll be prepared to answer any questions.

**MR. CHAIRMAN:** Are there any questions from the members of the Committee?

Mr. Corrin.

**MR. B. CORRIN:** Mr. Myers, if looking at Section 6(4), the words "where permitted under the regulations" were not struck out but allowed to remain, what effect, if any, would that have on the bill?

**MR. M. MYERS:** It would have no effect. It was just really clarifying, clean up the language. I'm sure if you check with Mr. Tallin, and I don't know if this is par for me to say this at this time, but you'll find that I think he would agree with me. I think, as a lawyer yourself, you'd agree.

**MR. B. CORRIN:** So, you wouldn't object to the allegedly offensive wording from the point of view of Dr. Hechter and his association being allowed to stand?

**MR. M. MYERS:** Well, except that it really does make it unclear the way it is now. It's much better to clarify it because the way it reads now it is permitted under the act. There's nothing in the regulations in all 6(4) is a repetition of 6(3). Frankly, whatever Mr. Tallin would say on the matter, I would be content with, frankly, and whatever his opinion is on the matter. It strikes me that it's just a repetition of 6(3).

**MR. CHAIRMAN:** Mr. Blake.

**MR. D. BLAKE:** Thank you, Mr. Chairman.

Mr. Myers was indicating that one of the main concerns was hitting the pocketbook of the dentists. I wonder what his position would be if somebody started hitting the pocketbook of the lawyers.

**MR. M. MYERS:** They'd be screaming too.

**MR. D. BLAKE:** That's right. — (Interjection) — My main concern with the bill and the . . .

**MR. M. MYERS:** Let me just say this, Sir. It's one thing for them to come openly and say this is going to affect our economic interests, and that's fine. If they did that I would not object, but to cloak themselves in the sanctimonious position of public health issues is something that I wanted to assert. If their economic interest is in peril that's legitimate but let them say that. That's my complaint.

**MR. CHAIRMAN:** Mr. Blake.

**MR. D. BLAKE:** Well, one of the concerns of mine is the oral hygiene aspect of it with the training that they have where they're working on mouths with live teeth where they are not trained in any diagnostic way. I wonder what your opinion of that is? The dental hygienist that we use now in the dental office to clean your teeth have received fairly extensive training.

**MR. M. MYERS:** But we don't with respect, let me stress, there is no change in the power with the denturist, same with restrictions. Point one. Oral health certificate is required, signed by a doctor or a dentist. The doctor or dentist has to check the mouth. Prescriptions are required before you work on partials. That means a diagnostic service is not provided by the denturist, it is provided by the dentist. We don't get involved in that whatsoever.

**MR. D. BLAKE:** Before he makes the partial plate.

**MR. M. MYERS:** Before he makes the partial. You've got to get a prescription and the dentist has got to look at that mouth and give it the okay. If it isn't you can't touch it.

So that doesn't change, Sir, the same protection is there and there hasn't been any complaints about that service.

**MR. CHAIRMAN:** Mr. Kovnats.

**MR. A. KOVNATS:** Thank you very much, Mr. Chairman. My remarks are to Mr. Myers.

I've taken particular offence as to some of his presentation. I have supported the denturist bill, that is up until now, and I probably still will. But I was just wondering if Mr. Myers can advise me how he can possibly assume that the motives of the dentists are initiated because of financial loss. These are all respected persons of the community and I've taken particular offence. Some of these are my friends of long standing even though I don't quite agree with their feelings on this particular bill. Would Mr. Myers please explain his reasons for assuming that their motives were initiated because of financial loss.

**MR. M. MYERS:** Because I think the history of the relationship between dentists and denturists, and by the way some dentists are my best friends too, Mr. Kovnats, I want to assure you of that. I take your question seriously. The history of the relationship has been one of great animosity. They have never accepted the right of the denturist to live. I don't like saying that lightly. But I can give you a copy of the bill, of the by-law where you have 6(3) which permits the right of a dentist to provide prescription by law, and the Legislature says you can provide it. They go and pass a by-law that says if you provide it you're guilty of professional misconduct. Now I leave that to you, now, point one.

Point two - the committee that's been operating, there's been a war on, they can't get together and decide things. Whatever the denturist wants is opposed by the dentist, point two.

Point three - when I listen to the arguments presented here I say - look there's no change in the basic function of the denturist. They're not getting expanded powers, nothing else is happening. What's the objection to a change of name? They want to run their own affairs in terms of their own internal affairs. Admissions, there's still going to be a dentist on it. The Minister of Health still has to control it. He can get advice from whoever he wants, from dentists, doctors, whoever he wants.

Why are they complaining? I think the only reasonable conclusion I come to, and I'm not objecting to them advancing their own economic interests. I spend my times here during the day representing groups who try to do that. I don't object to that. All I say is they should identify their real interest and tell you why they're really here. I don't think there's anything improper about that.

My only point is let them say that's the reason, it's not a public health issue, that's my point. I don't want to offend them I merely say that I think in analysing the opposition you want to recognize what their true position is, no more, no less. There's nothing dishonourable about that. I'm just saying - but let them not say it's health when it isn't a health issue. That's my point, Sir.

**MR. A. KOVNATS:** Mr. Myers, you have said that you didn't wish to offend them but I can't see any reason why they wouldn't be offended because if I was one of them I certainly would be offended. Some of them are my best friends, too.

But there was one other thing that I was just going to remark on, and actually it's in support of your case. I just went through something of the nature of having completely all my teeth replaced in my mouth and I'm able to eat now. As a matter of fact I had a steak tonight for the first time in many, many years and enjoyed it, and it was through the ability of a denturist.

I'm sure that the dentist could have done every bit as good a job but I was referred to the denturist. And I make reference to him as a denturist because I can't see any reason why I wouldn't call him a denturist rather than a dental mechanic because what's in a name? He's done the job and I don't think that he was trying to do anything in my particular case to make himself anything that he was not before I walked into his office. I went to the denturist because I was recommended to the denturist.

What are you banging the gavel for?

**MR. CHAIRMAN:** Order please. The questioning is for information not for the purpose of . . .

**MR. A. KOVNATS:** Just sit tight and I'll get back to you. I went to the denturist . . .

**MR. CHAIRMAN:** Order please.

**MR. A. KOVNATS:** Just sit tight and let me finish, please.

**HON. R. PENNER:** Are you challenging the Chair?

**MR. A. KOVNATS:** No, I'm not challenging the Chair. I'd just like the privilege of being able to speak my mind as a representative of Niakwa - the place where I was elected.

**HON. R. PENNER:** On a point of order, Mr. Chairperson. That of course was done by Mr. Kovnats very ably in the House on second reading where debate on bills take . . .

**MR. CHAIRMAN:** A point of order is being raised. State your point of order please.

**HON. R. PENNER:** My point of order is, as was pointed out to me on many occasions that when delegations appear they're to be asked questions for clarification but there is no debate to be entered into with a delegation. It's unfair to a delegation, it's unfair to the committee.

**MR. CHAIRMAN:** Mr. Sherman on the same point of order.

**MR. L. SHERMAN:** To the same point of order, Mr. Chairman. I think Mr. Penner would agree that each of us in this Legislature has a peculiar and unique speaking habit of his own, or her own. We all approach verbal presentations differently. Some of us take a little longer than others. Mr. Kovnats has a very colourful way of working up to a question, and Mr. Penner certainly has a unique speaking style of his own. I think that my experience with Mr. Kovnats is that he was approaching the question in his typical characteristic fashion. It's never created any difficulty for any of us before and I don't see why he shouldn't be able to proceed that way.

**MR. CHAIRMAN:** Differences in approach is not a point of order.

Mr. Kovnats.

**MR. A. KOVNATS:** I will withdraw my remarks to the Chair concerning the manner in which I spoke to the Chair. It certainly wasn't like me. I just had something that I was trying to get across and I just felt that I was being shackled at this point and I do apologize to the Chair, and I think my remarks will just carry on from there. I'm not going to present any more remarks.

I really didn't care for Mr. Myers, on the point of order, I didn't care for Mr. Myers making his comments

concerning the previous presentation. I think that Mr. Myers' ability to make his own presentation without criticizing the previous presenters would have been in order. But I think that when you allowed Mr. Myers to do that that's why I took the liberty, Mr. Chairman, and I do apologize.

**MR. CHAIRMAN:** Apology accepted.  
Mr. Eyler.

**MR. P. EYLER:** I just have a quick question, Mr. Myers. Can you tell me how the proficiency of denturists is assessed and certified in other provinces?

**MR. M. MYERS:** It varies from province to province. I don't have precise information. I can't answer that question, Sir, with . . .

**MR. P. EYLER:** One further question. Was there an attempt to involve the provincial medical consultant, or the consultant to the Department of Health in arriving at ironing out the differences between the denturists and the dentists when this bill was drawn up?

**MR. M. MYERS:** A provincial medical consultant. Are you talking about a . . .

**MR. P. EYLER:** I'm talking about Dr. Johnson.

**MR. M. MYERS:** Yes, Dr. Johnson was very substantially involved from Day One in this matter and I'm sorry Sir, notwithstanding what Dr. Hechter has to say, the dentists were consulted about this particular bill. When he says they had no knowledge, with respect I cannot agree because I know from Dr. Johnson, he told me he told them to drop that by-law. They won't listen to him on that point, point one. They also discussed the amendments with them. So that's my information and Mr. Balkaran will confirm that.

**MR. L. SHERMAN:** Mr. Chairman, through you to Mr. Myers. Mr. Myers I think that you would agree that one of the difficulties that you and your clients face with respect to legislation of the kind is the perception and concern that's in the public mind where the use of the title, denturist, is concerned, or is involved. That applies to a lot of us who are lay persons in this field. I wonder whether you would concede that is what creates much of the difficulty, the fact that the public or much of the public would interpret the use of the term "denturist" as conferring a degree of professionalism on the dental mechanic that he hasn't achieved.

**MR. M. MYERS:** On the contrary, the name, I think, is more appropriate for the function. As I indicated, if you look at any dictionary definition, you'll see mechanic means manual labourer. It relates to machinery. The function of the denturist - you know, it's very much, and I'll say this because I want to assert a position. There is a fundamental difference, let's say, between the practice of law and the practice of dentistry. I could argue, the practice of law or medicine is an art, and that the practice of dentistry is really just a mechanical trade if I wanted to argue that.

The point is that they are still dentists. The name itself, with respect, that we're asking for is one that's

consistent with the majority of the names across Canada. People travel, as we all know. We don't want confusion in the public mind. All other provinces with the exception of one have recognized that.

Secondly, I think the name, denturist, has become identified now with the public with what these people do. So it's less confusing, Sir, and that's what we want to avoid. So I think it is in the public's interest, Mr. Sherman.

**MR. L. SHERMAN:** With respect, Mr. Myers, I'm not asking you for your view of the term, denturist. I'm asking you whether you would not agree that part of your problem and your clients' problem, a very major part of it, is that the public feels that the term, denturist, reflects and implies a degree of professionalism. Much of the public is concerned that the dental mechanic does not possess that professionalism.

The reason I ask you that question is because the logical next question to that is how you can guarantee us and if you can guarantee us that degree of professionalism is there and will be maintained and will be delivered, because that's really what is at the root of this whole debate.

**MR. M. MYERS:** One of the amendments is that they will administer their own affairs. What is intended is that they will have an opportunity now to start their own educational seminars to improve the qualities of education. They have had discussions with the Minister of Health to bring a program into Manitoba - it's something they want - and to include the standards. There is progression forward on this issue.

Now what the perception of the public might be is impossible for me to answer, Mr. Sherman. You're the politician; I'm not. You can do much better at that than I can.

However, it strikes me that the denturist is not identified in the public mind as a professional person. I don't think there is any problem with that whatsoever. I think the interest of the dentist, of course, is they view the term, mechanic, as pejorative and want to keep the denturists down there. It's in their interests to do so. I don't want to offend anybody by saying that, but I think that is where they're coming from. There is no other reason for the objection to the change in name, Sir. That's my response.

**MR. L. SHERMAN:** Mr. Chairman, I would like to ask Mr. Myers whether he would find acceptable a process under which the title, denturist, was reserved for use and application to those dental mechanics who had achieved a certain level of training, a certain level of qualifications that is to be established in the future, but was not applied in a way that grandfathered everybody that is in the field right now.

**MR. M. MYERS:** Well I think that would create more confusion. You have dental mechanics. You have denturists. That would really create a problem for the public. I would take strong objection to that, Sir. I think that would not be in the public interest whatsoever.

I mean, we have demonstrated, at least for 14 years, Sir, and part of that time I can look at you and say, you were administering the act. You were responsible.

They performed well, without complaint. If they want a change of name, they're entitled to it. This is Exhibit A for identification sitting right over here.

**MR. A. KOVNATS:** I didn't say a word.

**MR. CHAIRMAN:** Nobody said anything.

**MR. M. MYERS:** . . . note on the pink shirt.

**MR. L. SHERMAN:** I haven't examined Exhibit A that carefully, Mr. Chairman, but maybe . . .

**MR. M. MYERS:** You're very good on his speech patterns, Sir, if I may say.

**MR. L. SHERMAN:** Maybe I will.

Let me ask you finally, Mr. Myers, whether you can assure this committee, because the proposed legislation doesn't assure it, that the necessary and adequate training to achieve the degree that is envisioned by the proposed legislation and the change of name, etc., etc., will, in fact, be put into place.

For example, there is a provision in the legislation that provides for the committee that will consider applications for licence. Subsection 4.8(4) says that: "Before making a recommendation to the minister under subsection (3) the committee shall require an applicant, in accordance with the regulation, to sit and pass such written, oral or practical examination as it considers advisable under the circumstances." Where is this Standing Committee of the Legislature that is reviewing this legislation going to be given the assurances that those necessary standards of training will be put in place?

**MR. M. MYERS:** The response is that, firstly, I accept the given that both the denturists who are on that committee and the dentist who is on committee, and after all the dentist himself is from the Faculty of Dentistry, will establish really a fairly strong standard.

Secondly, when a person takes the exams which are set or administered orally or in writing, they will have to, of course, pass the examination. There has to be a recommendation then to the Minister. The Minister, if he is unhappy or if he's unsatisfied or if he feels there is anything wrong and if the Dental Association feels there is a problem, they can complain to the Minister. He's open. You could knock on the door, telephone him.

He can reject or he can say to the committee, look, I don't agree with your standards. He can seek advice from dentists himself. There is nothing to prevent the Minister of Health from doing that. He is objecting to that, and he can say to this committee, I don't accept your standards. I will not pass anything. So I'm saying, there is a control. There is a check.

We want to improve standards. It is in our interests to do so. We would like very much to all have gone through community college, etc. That's the plan for tomorrow. Hopefully, the new generation of denturists will be that way, and we're working towards that. We are trying to build a model that will achieve that, Sir.

**MR. L. SHERMAN:** Okay, well I'll touch base with you on that a year or two from now, Mr. Myers.

**MR. M. MYERS:** All right.

**MR. L. SHERMAN:** I would hope that commitment will be . . .

**MR. M. MYERS:** I think there is a track record. We're not speculating. In 1970, they came in. I think they performed well, Sir, and they should be given this opportunity.

**MR. L. SHERMAN:** Thank you, Mr. Chairman.

**MR. M. MYERS:** Thank you.

**MR. CHAIRMAN:** Thank you, Mr. Myers. Are there any other persons making presentation under Bill 17? Are there any persons who want to make presentation under Bill 26 or Bill 29?

Hearing none, we shall proceed, considering the bills as they are in the list.

### **BILL NO. 7 - THE CENTRAL TRUST COMPANY ACT (1984)**

**MR. CHAIRMAN:** Bill No. 7, The Central Trust Company Act, 1984; Loi de mille neuf cent quatre sur la compagnie du Trust Central.

Mr. Tallin will make a report.

**MR. R. TALLIN:** As required by Rule 110 of the Rules of the House, I report that I have examined Bill 7, The Central Trust Company Act, 1984.

I should like to bring to your attention the provisions of Sections 4 and 5. The effect of these sections is to vest in and bestow upon Central Trust Company property rights, duties and obligations which were previously or would have become property rights and obligations of Crown Trust Company.

This is an unusual occurrence, although similar bills were passed in 1978 respecting the Royal Trust Company and the Royal Trust Corporation of Canada, and in 1981 respecting the Montreal Trust Company and Montreal Trust Company of Canada. However, those acts resulted from corporate restructuring of the businesses of those trust companies, whereas the present act results from the insolvency of Crown Trust Company.

**MR. CHAIRMAN:** Thank you. Shall we consider the bill as a whole, or page-by-page?

**A MEMBER:** The bill as a whole.

**MR. CHAIRMAN:** The bill as a whole.  
Mr. Kovnats.

**MR. A. KOVNATS:** On Page 3, Section 4(1), where it says substituted fiduciary. It's a new terminology for me. I'm not a lawyer. I look over on the French side and it's substitution, but no fiduciary. Can you explain why?

**MR. CHAIRMAN:** Who is to answer that question?  
The Attorney-General.

**HON. R. PENNER:** First of all, the headings have no legal significance in a bill of this kind and I wouldn't worry about the difference between substituted fiduciary and substitution. A fiduciary is a person standing in a position of trust, but you see it's easier to say fiduciary than a person standing in a position of trust. So, we say fiduciary.

**MR. A. KOVNATS:** How do you say it in French?

**MR. CHAIRMAN:** No other questions?

Preamble—pass; Title—pass; Bill Be Reported. Bill—pass.

Bill No. 17, An Act to Amend The Dental Mechanics Act.

Page by page or bill as a whole? Page-by-page.  
Page 1 - Mr. Sherman.

**MR. L. SHERMAN:** Just before Page 1 passes, Mr. Chairman, I would like to just place on the record the fact that many of us in the opposition - I may not be speaking for all members of the opposition - have difficulties with this legislation. Many of us believe that there are a great many amendments that are required and the amendments, if proceeded with, would create legislative chaos where Bill 17 is concerned. There are so many and so comprehensive.

As a consequence, it's not my intention to propose a whole series of individual amendments, but it is my intention, Sir, to vote against the bill. Now whether that represents the position of all my colleagues, I cannot say, but I want to advise the committee that I believe the title dentist should be reserved until people have demonstrated that they have earned it. I believe the board of directors should be composed of a membership quite different to that proposed in Bill 17. I'm not happy with the mandatory requirements for membership.

There are a vast number of items in the bill that I think cry out for amendment, but such amendment would absolutely decimate the bill. Therefore, the only practical procedure is to register my objection to the bill and to advise the committee that I will be voting against each page of it and voting against the bill.

**MR. CHAIRMAN:** With that in mind Page 1—pass.

**MR. L. SHERMAN:** On division.

**MR. CHAIRMAN:** On division.

**MR. CHAIRMAN:** Page 2 . . .

**MR. A. KOVNATS:** Are we to assume, Mr. Chairman, that the first page on this bill is listed as Page 1 even though it's not designated Page 1?

**MR. CHAIRMAN:** That's right. The fact that it appears first means it is first.

Page 2—pass, on division; Page 3 - there is a spelling error here at the top of the page, second line, hereinafter. Page 3—pass, on division, as corrected; Page 4—pass, on division; Page 5—pass, on division; Page 6—pass, on division; Page 7—pass, on division; Page 8—pass, on division - Mr. Balkaran.

**MR. A. BALKARAN:** There is an omission, Mr. Chairman, on Page 8 on printed clauses (e.1), (e.2), (e.3), and (e.5). In each of those cases, the word "respecting" is left out. The regulation respecting setting and marking, respecting reviewing annually, respecting auditing. With your permission and if the committee agrees, it would — (Interjection) —

**MR. P. FOX:** Let the word "respecting" be added.

**MR. A. BALKARAN:** Thank you.

**MR. CHAIRMAN:** Is that agreed? (Agreed) With that correction, pass—on division.

There is an amendment being proposed.  
Mr. Fox.

**MR. P. FOX:** . . . motion that the bill be amended by adding thereto and immediately after Section 10 thereof the following section, Commencement of the Act, 11. This act come into force on the day it receives Royal Assent.

**MR. CHAIRMAN:** Mr. Graham.

**MR. H. GRAHAM:** Mr. Chairman, speaking to the proposed amendment, I want to commend the members of the Executive Council for making this amendment. I feel that it is important that the wishes of everybody in the Legislature be well known to the Executive Council and my colleague, the Member for Fort Garry has spelled out very clearly some of the concerns that we have.

So, the commencement of this act is pretty important and I would hope that the government would really reconsider whether or not they want this act to come in under Royal Assent or whether they want to do it under proclamation?

I raise this matter now because at the present time it appears as though they want to do it under Royal Assent. I would urge them to really consider this thing and I would hope that they would maybe take the wiser course and decide to do it under proclamation. That's the reason I speak at this particular time, Mr. Chairman.

**MR. CHAIRMAN:** Thank you, Mr. Graham.

Page 9 as amended—pass, on division; Preamble—pass; Title—pass; Bill Be Reported, on division.

Bill No. 26, The Chiropractic Act; Loi sur la chiropractie. Bill as a whole or page-by-page?

Bill as a whole.  
Mr. Eyler.

**MR. P. EYLER:** I'm not on this committee, so I'm not in a position to move amendments or to vote on this, but it's my understanding that the Member for Fort Garry has looked at it and there's no problem and we can probably pass it quite quickly.

**MR. CHAIRMAN:** I understand the amendment is just on the French version.

The French version is merely technical.

**HON. R. PENNER:** This is going all over the place because we're having a little bit of fun. Let's just do

the technical amendment and the French amendment and take it as bill as a whole.

**MR. CHAIRMAN:** Mr. Balkaran.

**MR. A. BALKARAN:** On Page 4, Mr. Chairman, Section 8. There's reference in the third line to subsection 26(1). That should read Section 26. Strike out (1).

Then the amendment that has been handed out now is on Page 18, French Section 41 in French only. The English version apparently is correct according to our translator.

**MR. CHAIRMAN:** The Attorney-General.

**HON. R. PENNER:** I have a motion. I move

QUE l'article 41 de la version française du Projet de loi 26, la Loi sur la chiropractie, soit supprimé et remplacé par ce qui suit:

41 Nonobstant toute autre disposition de la présente loi, l'enquêteur peut, en tout temps, donner au registraire l'ordre de suspendre le permis du membre jusqu'à la fin de l'enquête préliminaire ou après celle-ci, s'il a des motifs raisonnables et probables de croire qu'une telle décision est nécessaire afin d'empêcher une violation de la présente loi ou des règlements ou que le droit d'un membre de continuer à exercer la chiropractie va à l'encontre de l'intérêt public. La suspension se termine après 7 jour à moins que le conseil d'administration ne l'ait confirmée conformément au paragraphe 45(1) avant l'expiration de cette période.

**MR. A. KOVNATS:** Oui.

**MR. CHAIRMAN:** As amended—pass.

**MR. L. HYDE:** Mr. Chairman, I wonder if the Attorney-General would translate to we people who can't just quite understand what he said.

**HON. R. PENNER:** It's on the other side of the page. The English is there.

**MR. L. HYDE:** I'm sorry. I haven't got a bill in front of me.

**MR. CHAIRMAN:** Mr. Kovnats.

**MR. A. KOVNATS:** Mr. Chairman, can I ask a question concerning this bill? Can anybody tell me why Page 10, either the French or the English, is not published in this particular bill that I have in my hand? Is there something that the government is trying to hide?

**MR. L. HYDE:** You're too damn smart.

**HON. R. PENNER:** There you are, Abe. You're too damn smart.

**MR. A. KOVNATS:** It's nothing that the government is trying to hide. That's all I wanted to know.

**MR. CHAIRMAN:** Preamble - point of order.

**MR. B. CORRIN:** The Member for Portage la Prairie is concerned why we're amending the French version of the act. Perhaps so that all members are edified in that respect, legislative counsel could indicate why it is significant from a legal standpoint that both versions of the act are in accord with each other.

**MR. A. BALKARAN:** Pardon me?

**MR. B. CORRIN:** I was just suggesting that it would be helpful to members to know why it is important that both the French and the English versions of the legislation be in accord with each other.

**MR. A. BALKARAN:** I'm afraid I couldn't answer that just now, Mr. Chairman.

**HON. R. PENNER:** Well it seemed like a good idea at the time.

**MR. CHAIRMAN:** The amendment—pass; bill as amended—pass; Preamble—pass; Title—pass. Bill be reported.

### BILL NO. 29 - AN ACT TO AMEND AN ACT RESPECTING THE AGRICULTURAL AND COMMUNITY DISTRICT OF NEWDALE

**MR. CHAIRMAN:** The legislative counsel wants to make a report.

Order please.

**MR. R. TALLIN:** As required by Rule 110 of the Rules of the House, I report that I have examined Bill 29, An Act to Amend an Act respecting the Agricultural and Community District of Newdale.

This act removes the limitation on the amount of the annual levy for ordinary operations of the trustees of the district, and allows for more flexibility in their method of borrowing for capital purposes.

**MR. CHAIRMAN:** Thank you.

**MR. D. BLAKE:** I wasn't in the House the other day, and I wasn't absolutely sure of the answer, but I have since ascertained the amount of properties that they levy on are areas that are included in the Newdale Agricultural District. It takes in a portion of the Municipality of Strathclair as well as that portion of the Municipality of Harrison around Newdale. It's the area that is drawn to that community hall. The people that use that community hall, those are the ones in the Newdale Agricultural District. That's where the levy is, for the upkeep of the hall.

**MR. CHAIRMAN:** The Attorney-General.

**HON. R. PENNER:** Just a question to the Member for Minnedosa, to support the bill, have the ratepayers in Strathclair, are they aware of . . .

**MR. D. BLAKE:** Yes.

**MR. CHAIRMAN:** Mr. Graham.

**MR. H. GRAHAM:** Thank you, Mr. Chairman. As the member representing the Rural Municipality of Strathclair, I have had no adverse comments coming from the Rural Municipality of Strathclair with respect to this particular bill.

**MR. CHAIRMAN:** Thank you. Page-by-page or bill as a whole?

**A MEMBER:** Bill as a whole.

**MR. CHAIRMAN:** Bill—pass; Preamble—pass; Title—pass. Bill be reported.

Is there any other business of the committee? Hearing none, committee rise.

**COMMITTEE ROSE AT:** 9:30 p.m.