

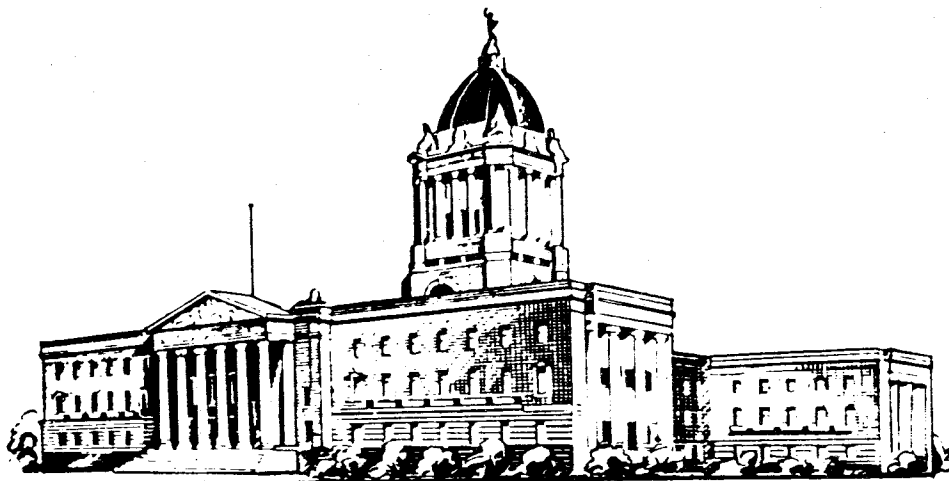


Legislative Assembly of Manitoba

**DEBATES**  
and  
**PROCEEDINGS**

Speaker

The Honourable Ben Hanuschak



Vol. XVII No. 54 8:00 p.m., Monday, April 27th, 1970. Second Session, 29th Legislature.

ELECTORAL DIVISION	NAME	ADDRESS
ARTHUR	J. Douglas Watt	Reston, Manitoba
ASSINIBOIA	Steve Patrick	10 Red Robin Place, Winnipeg 12
BIRTLE-RUSSELL	Harry E. Graham	Binscarth, Manitoba
BRANDON EAST	Hon. Leonard S. Evans	Legislative Bldg., Winnipeg 1
BRANDON WEST	Edward McGill	2228 Princess Ave., Brandon, Man.
BURROWS	Hon. Ben Hanuschak	11 Aster Ave., Winnipeg 17
CHARLESWOOD	Arthur Moug	29 Willow Ridge Rd., Winnipeg 20
CHURCHILL	Gordon Wilbert Beard	103 Copper Rd., Thompson, Man.
CRESCENTWOOD	Cy Gonick	115 Kingsway, Winnipeg 9
DAUPHIN	Hon. Peter Burtniak	Legislative Bldg., Winnipeg 1
ELMWOOD	Russell J. Doern	104 Roberta Ave., Winnipeg 15
EMERSON	Gabriel Girard	25 Lomond Blvd., St. Boniface 6
FLIN FLON	Thomas Barrow	Cranberry Portage, Manitoba
FORT GARRY	L. R. (Bud) Sherman	86 Niagara St., Winnipeg 9
FORT ROUGE	Mrs. Inez Trueman	179 Oxford St., Winnipeg 9
GIMLI	John C. Gottfried	44 - 3rd Ave., Gimli, Man.
GLADSTONE	James Robert Ferguson	Gladstone, Manitoba
INKSTER	Hon. Sidney Green, Q.C.	Legislative Bldg., Winnipeg 1
KILDONAN	Peter Fox	627 Prince Rupert Ave., Winnipeg 15
LAC DU BONNET	Hon. Sam Uskiw	Legislative Bldg., Winnipeg 1
LAKESIDE	Harry J. Enns	Woodlands, Manitoba
LA VERENDRYE	Leonard A. Barkman	Box 130, Steinbach, Man.
LOGAN	William Jenkins	1287 Alexander Ave., Winnipeg 3
MINNEDOSA	Walter Weir	Room 250, Legislative Bldg., Winnipeg 1
MORRIS	Warner H. Jorgenson	Box 185, Morris, Man.
OSBORNE	Ian Turnbull	284 Wildwood Park, Winnipeg 19
PEMBINA	George Henderson	Manitou, Manitoba
POINT DOUGLAS	Donald Malinowski	361 Burrows Ave., Winnipeg 4
PORTAGE LA PRAIRIE	Gordon E. Johnston	Room 248, Legislative Bldg., Winnipeg 1
RADISSON	Harry Shafransky	4 Maplehurst Rd., St. Boniface 6
RHINELAND	Jacob M. Froese	Box 40, Winkler, Manitoba
RIEL	Donald W. Craik	2 River Lane, Winnipeg 8
RIVER HEIGHTS	Sidney Spivak, Q.C.	1516 Mathers Bay, West, Winnipeg 9
ROBLIN	J. Wally McKenzie	Inglis, Manitoba
ROCK LAKE	Henry J. Einarson	Glenboro, Manitoba
ROSSMERE	Hon. Ed. Schreyer	Legislative Bldg., Winnipeg 1
RUPERTSLAND	Jean Allard	119 Provencher Ave., St. Boniface 6
ST. BONIFACE	Laurent L. Desjardins	357 Des Meurons St., St. Boniface 6
ST. GEORGE	William Uruski	Box 629, Arborg, Manitoba
ST. JAMES	Hon. A. H. Mackling, Q.C.	Legislative Bldg., Winnipeg 1
ST. JOHNS	Hon. Saul Cherniack, Q.C.	Legislative Bldg., Winnipeg 1
ST. MATTHEWS	Wally Johannson	15 - 500 Burnell St., Winnipeg 10
ST. VITAL	J. A. Hardy	11 Glenlawn Ave., Winnipeg 8
STE. ROSE	Gildas Molgat	463 Kingston Crescent, Winnipeg 8
SELKIRK	Hon. Howard Pawley	Legislative Bldg., Winnipeg 1
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STURGEON CREEK	Frank Johnston	310 Overdale St., Winnipeg 12
SWAN RIVER	James H. Bilton	Swan River, Manitoba
THE PAS	Ron McBryde	56 Paul Ave., The Pas, Manitoba
THOMPSON	Hon. Joseph P. Borowski	Legislative Bldg., Winnipeg 1
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WELLINGTON	Hon. Philip Patursson	Legislative Bldg., Winnipeg 1
WINNIPEG CENTRE	J. R. (Bud) Boyce	777 Winnipeg Ave., Winnipeg 3
WOLSELEY	Leonard H. Claydon	116½ Sherbrook St., Winnipeg 1

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
8:00 o'clock, Monday, April 27, 1970

INTRODUCTION OF GUESTS

MR. DEPUTY CHAIRMAN: Before we proceed I'd like to indicate to the members that we have some guests in the gallery. There are 15 ladies of the Imperial Order of Daughters of the Empire under the direction of Miss Mann. On behalf of the Assembly Members, I make you welcome.

Committee proceed. The Attorney-General.

MR. MACKLING: Mr. Chairman, I'm very reluctant to begin without those persons being present who asked me these questions earlier on today because I think that they are deserving of answers and I would like to be able to answer them when they're present. However, in view of the situation and the exigencies of moving on with the estimates, I'll be happy to give the House the benefit of my remarks and the honourable gentlemen, as and when they have time available, will read my remarks in Hansard.

The Honourable Member for Fort Garry expressed considerable interest and concern with respect to the matter of the increasing incidence of violent crime in Manitoba, highlighting the incidents by statistical reference to reports of both the City of Winnipeg and the City of Brandon, and I know that we all share in a concern for this manifestation in our day of much more violence. It's something for which no particular group of individuals, whether they be in political parties or in various administrations of government, whether regional or provincial, have the answers. Part of the answers of course lie in the changed circumstances, the changing times in which we live, higher degree of mobility of individuals, certainly a greater measure of affluence, a greater incidence of credit buying and debt, social upheaval. The causation for crime is manifold. Certainly a great deal of it however rests with the social imbalances that exist in our society, and our government takes the view that better living conditions, better social conditions, improved recreational and educational programming will have a long-term effect on improvement in the environment, improvement in the social -- in the environment, social benefits that are available will have an effect of reducing the causation for crime. Certainly we know that our institutions are wrestling with the very difficult problem of violent crime in our society. The Corrections and Probations Branch, for which my colleague the Honourable Rene Toupin is responsible, is concerned as with our department for the rehabilitation of offenders. And I wish to assure the House that there is a high degree of success in this.

But it's a continuing problem; it's a North American problem. We reflect in large measure the violent environmental conditions that exist across that imaginary border. Certainly the involvement of our neighbour to the south in conflict elsewhere in the world, and the degrading influence of the sickening social malaise in other parts of the world and our neighbours' involvement in that, not to her benefit, certainly must have an effect on the environment there and it reflects here. I shudder to think, Mr. Chairman, about the effect of the return of many many veterans of the conflict in Vietnam and their changed concepts of human life and the values of society. It's bound to have an effect right throughout the length and breadth of the North American continent. We reflect in pale image, as I indicate, the violence that is an ongoing thing, in particular in the United States of America where it isn't safe to walk the streets of any of the major metropolises in our neighbouring country to the south.

Fortunately, it hasn't come to that extent here in Canada yet and we certainly will do our utmost to protect against that. I think so far as some of the causations of violent crime, part of it I think is reflected in the unusual emphasis in a lot of our cultural media of almost a morbid interest in violence. The television in particular has been studded with programs of violent conflict between man - not man and nature - between man and man. -- (Interjection) -- Well, you can't legislate morality as my honourable colleague the Minister of Transport knows. But so far as our government's concern, there's no question about all of our concern with this creeping violence and there's just been far too many incidents of violent offenses. I can assure members of this House however that there has been no reduction in the numbers of police hired under contract with the Federal Government. There has been an increase as reflected in the budget - or not in the budget but in the specifications of the expenses of the Attorney-General's Department. But there is no easy answer to this problem and I am not going to suggest any now, and I won't be suggesting any in the near future, but I can assure you that we will

(MR. MACKLING cont'd.) . . . . . be constantly concerned with this problem.

Now one of the other matters that the Honourable Member from Fort Garry raised was a concern for compensation for victims of crime, and I want to assure the Honourable Member for Fort Garry and other members of this House that a little later on in this session, hopefully not too much later, I will have the pleasure hopefully of introducing a bill which will be designed to provide a measure of compensation for victims of crime, and provision has been made for the beginning in this field. As honourable members know, the provision presently in the statutes is limited to compensation to assist a civilian who happens to have been injured whilst endeavouring to assist a law enforcement officer engaged in the prevention of crime. So there are provisions in the current estimates of the Attorney-General's Department for the beginning of this program and legislation will be introduced this session in respect to that. I don't think that I should say much further in respect to the whole question of our environment and the influence of violent crime.

The Honourable Member of Fort Garry asks again what we are doing with an apparent great incidence of disrespect for the law. And this is a very serious problem, a problem that is manifest in our society not just by the law breaker, the one who robs a bank or who commits some offense of a very serious nature, but it is true that there is far too often a disrespect for the law in small detail but essential detail. The policeman too often is looked upon in society as someone who is an enforcer, someone who is to be guarded against all the time, to be looking over your shoulder to see whether the policeman is watching what you are doing. The attitude of society has changed, and changed for the worse in respect to this. It used to be that the policeman on the beat was a friend of everyone, giving directions, giving advice, and it still is to some extent.

It still is to some extent but there has been a marked erosion of that well-being, that good feeling about the role of the policeman in society, and hopefully our society has realized that this erosion has taken place and is now starting to do something about it. There have been recent programs which have been organized by various levels of government demonstrating a genuine concern with this matter, demonstrating a genuine interest in trying again to return to that former atmosphere of healthy well-being in the association between the man on the street and the policeman. I was fortunate in being able to participate in a police appreciation night. It was held in the City of St. James-Assiniboia several weeks ago and it was an exceptionally interesting affair. The policemen of the City of St. James-Assiniboia were piped into a church, which is a beautiful church in the City of St. James-Assiniboia - it's a shared services church, both Catholic and Anglican - and an excellent program was laid on. The policemen were the guests of honour and tribute was paid to the work of the police and their role in society. This was an excellent beginning in that community, and hopefully other communities will follow this lead.

Recently in the City of Winnipeg His Worship Mayor Steve Juba has opened the Safety Building for visits of the public showing them the work of the police. Even still more recently, as you will recall, the police had a police exposition at the Hudson's Bay Company when the City of Winnipeg police set up a booth demonstrating police technique, police equipment and so on, and it was very well received. The Hudson's Bay Company is to be congratulated for its participation and its involvement in this program. This is the type of program that I think can return the healthy image of the policeman in our society. One of the most difficult areas for police is the enforcement of Highway Traffic Act violations, and I think that most policemen will tell you if they get rid of enforcing Highway Traffic Act regulations and provisions that their role would be a lot easier one. However, we must have a form of enforcement for these Acts because highway safety and road safety is a critical matter as my honourable colleague Mr. Borowski has indicated.

There was a rather disparaging phrase in the Honourable Member from Fort Garry's remarks when he indicated that there was something -- well, there was some basic legislative dishonesty involved somewhere in not providing the fullest picture. I think probably that remark was associated with his comments on the increase in Land Title Fees, and I make no apology, Mr. Chairman, about this increase. I don't think that we want to run up a flag every time we increase fees, although perhaps my honourable friends across the way would like us to give advance notice of this and highlight it so that they could be right on the spot to ask me the questions. Well I just don't see it that way, although it's right for them to criticize and to point out the full measure of the change. But I wish to inform members of the House that I haven't

(MR. MACKLING cont'd.) . . . . . had a call, I haven't had a call to me since the changed tariff went in. Now there may have been calls to my office, you know, somehow I didn't get, but I haven't had a tidal wave of concern voiced to me in respect of . . .

MR. CHAIRMAN: The Honourable the House Leader of the Liberal Party.

MR. G. JOHNSTON: Would the Minister permit a question?

MR. MACKLING: Certainly.

MR. G. JOHNSTON: Could the Minister indicate the amount of extra profit that will accrue to the department from this increase?

MR. MACKLING: I'm coming to that. I'm coming to these details, Mr. Speaker. -- (Interjection) -- No, I assure you it won't be 27 pages long in answer. I enjoy the comments from my colleagues. -- (Interjection) -- All right, I'm glad that you've got one because that shows that you are certainly on the job.

Mr. Chairman, one of my concerns in office was to examine into the workings of various sections of the Attorney-General's Department, and one of the areas of concern is the Land Titles Office. There has been no development, no expansion of the Winnipeg Land Titles Office in many many years, and I'm concerned to note that there is no reserve for rebuilding or remodelling, and I'm given to understand within the not too distant future there will have to be a further extension of the facilities of that building. It may be that that will be put off by a planned program that is reflected also in our estimates, a long range - hopefully not too long range - program of computerizing the Land Titles system. It's a very unique development and we have the same computer programmer working on it that did such excellent work in respect to the computerization of the Statutes. Now it may be that the Land Titles Office will not have to be enlarged or extended to any terrific extent, but initially, again, there would be a substantial investment in additional computer data banking and different monitors and sets that would provide a very flexible and low cost searching of Land Titles Office and checking of documentation and storage of registrations and so on.

But in respect to the fees and the change in the fees, I asked my department to give me data on this and they gave me information covering the cost of registration in our neighbouring provinces, Ontario to the east and Saskatchewan, Alberta and British Columbia to the west, and I found that we were markedly under in our fee structuring to those other jurisdictions. The answer was not hard to find because there had been no change in land titles fees since 1959. Well that's a period of 11 years and during that time the costs of administration have increased substantially. I am given to understand that salaries from 1959 to 1969 changed thus. In 1959 salaries were \$381,657, but in 1969 they were \$710,826.00. Well, it's about double, Mr. Chairman, the salaries in that period. So it's axiomatic that when you increase salaries and overhead costs, the fees have to bear some relationship to that and there had been no change in all that period.

Now even with the changes that have been promulgated, the fees - and it's very difficult to relate exactly the Manitoba fee structure to those of Saskatchewan, Alberta and British Columbia because there they haven't got the same system; they have a separate assurance fund fee in addition to the basic registration fee - but by and large the average that they come up to on the various registrations is still slightly higher than in Manitoba. One of the interesting things that I found about the previous tariff was that when you got up in value in the document to be registered, that is when you had a more substantial building, then our tariff dropped way off compared to the total registration cost in our sister provinces. We were almost half, almost half of what they were charging.

Now, I'm not suggesting that you know, there's a major shifting of priorities in assessment from my point of view and the previous administration's, because I don't know whether it was ever studied in relationship to the other provinces - presumably it was - but I could see, I could see no justification for our being so disparately far away in costing from our sister provinces. So it is true that in some cases the fee increase over the previous is 100 percent, but I say that it was inequitable before to be charging the man with a house of 20 or 25 thousand dollars about the same tariff as elsewhere, and then the man who had a big building or the substantial structure was getting a real break as compared with our sister provinces. And there is a substantial difference in this. But I make no apology for it. I think it's just sound business, and even though we say we're social democrats we don't think we're poor businessmen, and we don't think it's good business to have allowed this costing, the salaries to have doubled in that period of time and no change in Land Titles Office fees in that 11 years.

(MR. MACKLING cont'd.)

Now, one of the problems I think in fee structuring is that they don't move with the times, they don't go in progressions, they go in leaps and bounds and when it happens - you know, the odd person says we're going too far - but really, sincerely, I don't think there's any horrifying change here at all. And I think that if the gentlemen down east who are concerned about inflation and so on look at these statistics, they will see that what I'm saying makes good sense because we've fallen too far apace from reality.

Now, dealing with the Honourable Member from Portage la Prairie, I won't reiterate what I've said about Land Titles fees because he expressed a genuine concern in respect to the substantial change - and it is a substantial change. He categorizes it as a tax increase. Well, I'm not going to quarrel with his interpretation because I think that we could argue that for some time. But this is a service, the Land Titles Office operates in a manner where it guarantees title, and if there's something wrong in that title the assurance fund, and part of the fee covers that, must make good that loss to the individual concerned. And although losses have been very very few, nevertheless, our system involves the guarantee of title. There's a lot of work involved, there's a lot of salaries involved because it hasn't been done by machine. The work is carried out by examiners, by people who check into the detail of the documents and the titles to ensure that the title is a good one. So there is a high - I shouldn't use the word labour but there's nothing distasteful about the word labour, I've always enjoyed labouring, I think I'm labouring in what I'm doing - but there is a high labour percentage in this type of work and I think it's high time the fees were changed.

Now there was a question or a suggestion made by the Honourable Leader of the Liberal Party, the Member from Portage la Prairie, about special constables, and I think that there is an area . . .

MR. G. JOHNSTON: Mr. Chairman, before the Minister leaves the Land Titles Office fees, could he answer the question that I had posed, what increase in income is projected by the new fee schedule?

MR. MACKLING: Well, it's revenue it's true - I'm getting coaching from the back. Thank you. It's revenue, and normally I understand, and traditionally, this kind of information isn't guessed at by the line department. It's left to my honourable colleague to come up with -- (Interjection) -- pardon me? Well, I make my guesses, but then, you know, I'm not so long in the experiences as my honourable colleague's departmental staff is. So they come up with a projection and I come up with a projection. There has been a substantial increase provided for, but it's a guesstimate because we don't know what volume is going to be going through. We've had a fair -- (Interjection) -- Will I know on Thursday night? Well, perhaps so. Maybe we'll get the answer then. I would rather that I not make the educated guess; I think that's my colleague's responsibility. If I think he's too far out I'll indicate.

MR. JAMES H. BILTON (Swan River): What did you get last year?

MR. MACKLING: You want to know what we got last year? Well, I think you can ask that question when the expert is on trial.

A MEMBER: Did you make money?

MR. MACKLING: Sure, well you can say we made money. Well, there are revenues and there are expenses. -- (Interjection) -- Pardon me? - A budget leak?

MR. WEIR: . . . something that's already passed.

MR. CHAIRMAN: . . . questions or answering . . .

MR. MACKLING: No, that's quite all right, Mr. Chairman. I had to have a break in order to have a drink.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Would the Honourable Attorney-General concede though that this is a means of raising revenue? This is not a means of defraying legitimate expense; this is a means of raising revenue, just like taxation.

MR. MACKLING: I regret, Mr. Chairman, that the honourable member could not have been listening to my remarks because I indicated that salaries had approximately doubled and the fees had not changed in 11 years, and I really don't think it's good business to allow your cost of operation to double without changing the cost to the consumer.

MR. WEIR: If that is the case, would the Honourable the Minister please tell us what the anticipated salaries are and what the anticipated revenues are. You know, it's the basis of his argument.

MR. MACKLING: Well, I think I can give you a list of the salaries without any problem, but I haven't calculated and my department hasn't calculated what their guesstimates are in respect to revenue.

MR. WEIR: Mr. Chairman, if I may then when my honourable friend is looking it up, by what stretch of the imagination can he use the argument that he's using, because it was supposedly based on paying the costs, and if he doesn't know what the revenues are going to be, how in the world can he know whether he's meeting costs or whether he's not meeting costs?

MR. MACKLING: I can give you the total. Just hold on a second, don't get excited. First of all, the salaries for the year ending March 31, 1970, the salaries as in the book, the good book, were 851, 884. These are Land Titles Office salaries. It's suggested for the year ending March 31, 1971 they will be \$992, 000. 00. Now in respect to prospective revenue from Land Titles Office, I'm given to understand that the guesstimate is in 1970-71, that fiscal year, the revenue would be \$1, 450, 000. 00. Now as I've indicated, salaries are one factor; other costs of operation I haven't got broken down. I don't think that the department has ever cost us space, overhead and so on of all the various buildings in which Land Titles Offices are located throughout Manitoba, operational costs are charged up presumably to General Consolidated Revenue.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, I would then ask the Honourable Attorney-General what is the point of the item under his estimates specified under Appropriation 2, Salaries and Other Expenditures in the Land Titles Office, if this is where the salaries are coming from.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. WEIR: Might I ask the Minister if the 1.1 million projected . . .

MR. MACKLING: Oh, pardon me. That's the total figures, 992, 600. The salaries for this fiscal period are 884, 000.

MR. WEIR: May I ask the Minister, just so I have clarification, if the one million one-odd that he quoted, is that anticipated revenue on the new set of fees?

MR. MACKLING: Yes, Mr. Chairman. Now going on to answer those other questions, Mr. Chairman, that were asked -- (Interjection) -- I don't think that any New Democratic Party government is going to be concerned to operate any section of government at a terrible loss. We've got pretty hard heads over here too.

The Honourable Leader of the Liberal Party asked a question, or made comments in respect to the program of Special Constables. These Special Constables have been hired by the Federal Government in respect to policing activities, in policing a program on the Reserves, various Indian Reserves throughout Manitoba, and they've worked out very well and all concerned are very high in their praise for this development. Recently we have given further consideration to an extension of the authority of some of these Special Constables so that they could exercise some jurisdiction beyond the borders of the Reserve; that is, perhaps they would be able to go into the nearest town and exercise some jurisdiction over persons that perhaps might have gone from the Reserve to the town and so on. We're looking at that and we're looking at arrangements between the Federal Department of Indian Affairs and ourselves in respect to programming. Perhaps what we'll do is do it on a bit of a - or on a reduced basis, kind of a trial basis first, and if that works well we may well be able to expand it.

I'll certainly take into consideration, and my department will, the observations made by the Task Force in its tour of the north. One of the factors again reflected in our estimates somewhere, it's a very moderate or very modest amount, but the provision of Justices of the Peace in certain areas who are either Indian or Metis and they've worked out very well. We have several now in Manitoba who are either Indian or Metis and they are now part of the establishment, so to speak, and I'm very proud that we have been able to engage these people in various parts of the province.

There was some reference by my honourable friend of some gentleman who was involved in some sort of a fracas and had his eye burned out. -- (Interjection) -- Well, he still has to be a gentleman to me until it's proven otherwise. Everyone is innocent until proven guilty, and I'm disturbed that my department didn't hear about this incident because if the particulars were as indicated, I think it would warrant investigation at the very least, and if particulars are brought to my attention, even though at this late date, I would look into it.

Now, there were suggestions also in respect to the possible development of unified police force in Metropolitan Winnipeg even though the Boundary Commission is still looking into the

(MR. MACKLING cont'd.) . . . . matter. I don't think that there is any difficulty in the co-operative programming and enforcement of the laws between the various jurisdictions in Metropolitan Winnipeg. Quite to the contrary, they have a high degree of flexibility and co-operation, and I would be the first to know if such were otherwise. Although there may be, there may be variations in standards - and I'll readily admit that - I think, generally speaking, the standards in Metropolitan Winnipeg of our police forces is very high, and certainly when there's any major crime or very serious crime, the full co-operation of the R. C. M. Police is available and we do on many many occasions refer troublesome or serious cases that happen even in various jurisdictions in Metropolitan Winnipeg for the assistance of the R. C. M. Police.

A suggestion was made about an annual written report. I think that that could be considered, but I would rather that, rather than go to a lot of expense in developing written programs that have to be checked for accuracy and spend hours and hours, that if it came to that I think it might be very useful, but my department certainly can answer any questions that anyone has at any time even though it may not be in session. My department and staff are knowledgeable and will be prepared to answer questions of anyone at any time, never mind just the period of the estimates. I think that that's a consideration that might be considered but I wonder, you know, about the cost and the involvement and whether or not the time might not be better spent in employing someone to do more work in society rather than the preparation of voluminous reports.

I think those answered the particular questions, Mr. Chairman, and I'll regain my seat.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. BEARD: I don't have very much to say on this, Mr. Chairman, except that going back to Friday, I was not in the House. In fact the doctor was complaining about not being able to get any blood out of me, but I think the Attorney-General was drawing more while I was away than what the doctor was getting. I see that shipments of liquor have been stopped through Churchill because of pilferage and damage, and I would wonder if he could tell us how much was shipped through Churchill the last year that the Commission used Churchill and how much was lost through breakage; how much was lost through theft; and how much is lost through other port outlets that the Commission is using, because if we refer to Saskatchewan - the Minister has been using other provinces - I find that Saskatchewan has in fact instructed their commission to use Churchill to the greatest degree in the importing of liquor. I had not heard that we had had that problem at Churchill and it rather bothers me to think to find that this is creeping into that area, but -- (Interjection) -- well, I'm sure certainly it wasn't anybody from Churchill that would drop it, it was probably those imports. But I think that in showing leadership we should take another look at that and see if we can't add a little more water or do something about it. Perhaps the Attorney-General can get back on the road and show a little leadership as far as using the Port.

One thing that I haven't heard, and I apologize that I haven't been here nor have I found time to go through the complete report of the Attorney-General, but I just wonder whether he did go into minimum security programs that were specifically legislated for the north and have not been put into use. Now if he has passed some remarks on it, I certainly will not say anything at this time. As I had understood it, the legislation was so that people who did run into trouble with the law and maybe had got 30 days or 60 days or whatever it could be and were termed minimum security types of people, that they would be allowed to use this new type of programming that apparently has been in force in the States where they could continue on with their jobs that they had or the town in which the minimum security was would allow them to work for that community or they would find jobs for them. The people would go home for breakfast and dinner and supper and go to a minimum security type of building for -- (Interjection) -- Oh, I'm sorry, it's falling in your -- (Interjection) -- they would go back to a minimum security building at night and sleep there and the money that they earned would be taken by the province and distributed to the family. There would be the cost of keeping the man in that security deducted from their cheque so that it wouldn't cost us money, but the man instead of not being of any value to society would be in fact able to keep not only his job but to provide money for his family. But if it falls under Health then I won't extend it on. I'm very sorry that we passed this during his estimates without going into it a little more because we had expected that it would have assisted a program from either Thompson or Gillam or Churchill particularly, in that it costs an awful lot of money to transport people back and forward and sometimes the free ride out of some of those communities are not as much of a



(MR. BEARD cont'd.) . . . . . penalty as one would think in our position.

I would suggest that the Honourable Attorney-General not stop expanding land titles until there is one established at Thompson. I'm sure the member has explained that to him but we feel in the north that there has to be one. Having been associated with a Land Titles Office for some three years I can recognize what it would take to make these changes, but certainly I feel that Neepawa is a long way away from the lawyers who have to conduct their business in a realistic time structure from Thompson, The Pas, Flin Flon. If you look at the expansion areas I suppose that maybe Thompson is the logical place but that would be up to the Attorney-General to decide where it would be. I think that it is important, I think it's important for the lawyers to be able to get along with their job and it would cut down their expenses. I know people are complaining about the high cost of law just the same as they are the high cost of many other things and probably this would be one area in which it would help.

I have no real quarrel with the fees. Probably because, as I say, it is through my association I realize how much the cost is to the public and it isn't that high as far as I'm concerned, it does a good job. If they can make a few dollars on it then it's money we're not going to have to derive from some other area, and whether we call it tax or revenue, what is the difference? I think that the small fees that are charged, even if it's 100 percent increase, then what's the difference between a dollar and two dollars on many of those legal documents; it's a charge that's going to be directed against those who require the services, but certainly when you require those services the charges are very minimum when you need them in a hurry.

I think that's about all I have to say in respect to the Attorney-General. I won't go over the fact that we need the policing services in the small communities because I think that apparently he understands the problems and the Leader of the Liberal Party has gone into it. But I would point out to him that certainly there are other areas besides the reservations that require them, and of course the small outlets along the bay line and, for instance, almost the whole Indian area such as South Indian or Shamattawa or some of those that do not have reservations still fall within the fact that they're Manitobans and while the Federal Government has the responsibility in many respects, they're not a reservation so there again they're a little different. I think it links very closely with fire protection and probably -- I don't know who the fire protection comes under but I suppose that even through an EMO program that maybe they could look into it and see if they can't link one or two of those services together because they're very important. The community itself is not that big but I think that they could get co-operation from many of the residents of the community and set up not only a constable but I think there should be a committee behind that constable because I know a little of the pressures that he gets within the community itself. It's not quite the same as what we're used to in our areas. He happens to be a chap that when he has to get into some type of a problem it's sometimes away over his head and I would hope that in introducing this into communities that they could also suggest that a committee be set up to back up this type of person so that he has the authority and the protection himself that's necessary to protect the community. Thank you.

MR. CHAIRMAN: Resolution 19. The Honourable Attorney-General.

MR. MACKLING: I thank the Honourable Member from Churchill for his remarks.

Regretably he wasn't present in the House when I did deal briefly with the announcement, or at least the publicity that was given to my remarks dealing with the shipment of liquor at the Port of Churchill, and if he will refer to Page 1261 of Hansard he will find that, nor did I indicate that the shipment of liquor through the port was going to end. I indicated that there had been problems of breakage and so on and largely I think attributable to the fact that the port's handling facilities are not what they might be. I think there need to be improved cargo handling facilities in that port. I happen to be an optimist about Churchill and I think that it deserves more input but again it's one of those areas where the port itself is under port authority controlled by the Federal Government and we'll have to work out arrangements with them.

But in respect to the shipping of liquor through the port I think that the press -- it's not too often that they, you know, they err in something like this, but they did. The article that was published indicated that I had said that there was going to be a discontinuance of shipment through the port, and that's not at all what I said as you will note when you read Hansard. But in any event, the honourable member asked about shipments through the port. In 1969, there was a shipment of 32,000 cases. Of that there was considerable damage, 2,793 cases were water damaged and had to be recuperated and repacked. Nine hundred and fifty-eight cases were in unsalable condition and had to be relabelled; 64 cases were short landed, that is the shipment

(MR. MACKLING cont'd.) . . . . . was short that amount from the government order, the Liquor Control Commission, 64. -- (Interjection) -- Well, I don't pin any blame, there's a high degree of evaporation; it's volatile liquid and, you know, anything could happen. Of the cases that arrived in good condition they were short 251 bottles. And again, you know, some of these cases may have been opened anywhere enroute so I wouldn't blame anyone particularly, except there were shortages. There were 423 bottles that were broken. So there was a high degree of breakage and loss and so on; but it's hard to know to what to attribute this, it's . . .

MR. MOLGAT: Cold weather.

MR. MACKLING: Cold weather . . . hot weather. No, that liquor may have polluted some water to some extent, but I wouldn't think so, I think it might have improved it. But in any event the Liquor Control Commission wasn't enthusiastic about the results of that, but they haven't given up by any means and they've ordered 10,000 cases to come through the port this year. -- (Interjection) -- Well, that is a closely guarded secret. In 1969 the Government of Saskatchewan shipped as I understand it about 20,000 - 22,000 cases - no pardon me, 20,000 cases, so we did much better than Saskatchewan last year. Even though the results weren't that exciting we're still going. I'm an enthusiastic person about Churchill having worked up there for a season and I'm prepared to see us carry on utilizing that port.

The honourable member said that he had trouble giving blood to the doctor. The other day they tapped me, so I don't know whether I drew blood, I think they got blood out of me. I didn't draw any blood out of him that's for sure.

He indicated concern for implementation of minimum security programs for the north. That's really my colleague's concern and he heard your remarks and I'm certain that he made note of it and will look into it. In respect to a Land Titles Office at Thompson, this is one of the matters that we'll have to consider as that town or perhaps city - it may be a city in the near future - grows.

In respect to development or training of other special police constables for other areas in the north where there is a large concentration of either Indian people or Metis people, we'll certainly look into that, although it's an area again where we can't move without having some consideration for the Federal Government's program and so on.

The suggestion that perhaps special police might be integrated with fire fighting for the Department of Natural Resources is something that I'm sure my honourable colleague the Minister of Mines and Resources might consider. I know that they are involved in a consideration of the utilization of local people in the north in respect to fire fighting training and so on, and perhaps there could be an integration in that kind of programming.

MR. CHAIRMAN: The Honourable Member for Winnipeg Centre.

MR. BUD BOYCE (Winnipeg Centre): Mr. Chairman, having checked the condition of my "hosenslit", I'd like to make a slight contribution to this debate, not to impinge upon the time of the opposition in estimates, but I would be rather amiss if I missed this opportunity to beat my drum for my Human Resource Research Council. I was interested in what the Leader of the Liberal Party said with reference to a Metropolitan Police Force. I for one would like to see this matter investigated, but only if it's done in conjunction with the training of our police force in human relations. You know some of my light reading for tonight, I was just reading an article here and I thought I'd share it with the House: "Buckminster Fuller" - for those that are unfamiliar with him, he's a fellow that's designed the geodesic dome - Buckminster Fuller has said that the important information in a modern society is usually not visible and must be transformed in a meaningful pattern. We can see the telephone wires but not the conversation that's taking place therein." Fuller is reminding us that to solve our problems we must first find the data that will bring the problems to the surface, into focus. It is when the data becomes visible that we really understand what is happening to us. You know, Aristophanes stuck a stick down a well about 500 B. C. and in 1492, which was 2,000 years later, somebody got up enough guts to go and see if the world was round. Well, I don't plan on being around for 2,000 years, but I think it is an absolute necessity that we really dig in and investigate the necessity for a Human Resource Research Council, especially when we're dealing with a department such as the Attorney General's department because this is one of the departments that is most involved in how people behave.

MR. CHAIRMAN: (Resolutions Nos. 19, 20, 21 and 22 were read and passed.) Resolution No. 23 (a)--passed. The Honourable Member for Swan River.

MR. BILTON: I just have one or two questions to ask of the Minister. Did I understand

(MR. BILTON cont'd.) . . . . . him to say that the 10 Special Constables, I believe there are 10 throughout the province now, are they hired by the Federal Government and paid for by the Federal Government?

MR. MACKLING: My recollection is that is so. They're hired and they've been trained by the Federal Government.

MR. BILTON: Well, having said that I'm not going to thresh old straw again, Mr. Chairman, other than to reiterate what I have said on an earlier occasion, that I would be remiss if I didn't try to emphasize upon the Minister as briefly as I can the serious problem that I do have in my area -- and I'm speaking of unorganized territory and certainly the two or three reserves that are in my constituency -- and having asked the question that it is the responsibility of the Federal Government, I would appreciate if the Minister would use his influence with the Federal Government with a view to encouraging and training as many as are really reasonably needed in these areas. When I talk of Shoal River and Pelican Rapids, some 80 miles away from a police post, a Mounted Police post, I don't have to explain to the Attorney-General what can happen between the time of a call getting through and the time of the police arriving. I've seen some very pitiful cases of people brought into the hospital through fights or what have you and somehow or other, Mr. Minister, they have to be curbed. A special constable in an area of say seven or eight, nine hundred people, seems to me to be well worthwhile as far as the Federal Government is concerned, if they are responsible for this effort.

I do notice that the estimates for law enforcement and police protection are up half a million dollars this year and through the province over \$3 million and that I would imagine is a figure that the municipalities are paying for police protection through the Royal Canadian Mounted Police. I believe that they are doing a fine job. We have, as I have said before, some 14 or 15 of them located in Swan River, which is their central point, and their area covers 1,000 square miles, so I don't have to take any time of the House to explain the appalling job they have when a call comes in, particularly at the farthest point of my constituency. And insofar as the Indian and Metis are concerned, they would appreciate having one of their number in amongst them who can exercise the authority that is necessary and call in and work with the Royal Canadian Mounted Police as the situation develops.

So again I would say on behalf of the people I represent in those particular areas, Mr. Minister, if you would make a point of taking this up with the Department of Justice with a view to finding some improvement.

MR. MACKLING: I thank the honourable member for his contribution. I'll make note of that. The increase in staff which this provides for does include one additional man for the detachment at Swan River, my honourable friend will be pleased to know.

MR. CHAIRMAN: Resolution 23 (2)--passed; 23 (b)--passed; 23 (c)--passed; (2) -- The Honourable Member for Fort Garry.

MR. SHERMAN: On Resolution 23, Appropriation (5) (c), Mr. Chairman, Magistrates and Family Courts. This is a subject that concerns me and I would appreciate the Attorney-General's comments. I think that we'd all agree that our Magistrates Courts in this province, as in most jurisdictions now, are heavily overworked. We can take pride in an excellent magisterial system in the Province of Manitoba but the dockets sometimes run to extensive lengths. This results in unfortunate situations for many persons who are up on charge; it results in lengthy and in some cases unnecessary, and perhaps even in some cases, unethical detention for persons who have been arrested and who are waiting appearance in court, and I wonder if the Attorney-General has any plans in his department for an increase in the number of Magistrates or an extension and expansion of Magisterial services.

I also would like to just stress to him that I'm still concerned with a subject that he and I have discussed privately. It relates to the wide discrepancies in sentencing that occur in our courts. Unfortunately this is a human failing and I'm sure that discrepancies in sentencing for similar if not identical offences will always occur in all courts everywhere because not all judicial officers are of like temperament and conscience and sagacity, but I think where there are wide and seemingly unjustifiable discrepancies in sentences, that it's a very unfortunate situation in more ways than one. It's not only unfortunate for the person who has been unlucky enough to draw the long sentence compared to someone who for a similar type of offence has drawn a much shorter term of imprisonment, but I think it's unfortunate for society in general, because we've already discussed in examining these estimates the serious breakdown in moral and ethical values in North American society today. I know the Attorney-General subscribes

(MR. SHERMAN cont'd.) . . . . as I do, to a feeling of concern for the growing tendency to disrespect for law and order and where you have anomalies that are very difficult to explain, the danger of this situation is sharply heightened. It's extremely difficult to explain to young people, if not to people our age in this Chamber, why these discrepancies in sentencing do exist, and I say this without any criticism of the magisterial system in this province or any other. I concede that it's a human failing and it may be a problem that will always be with us, but I would like to underscore for the Attorney-General my part of conversations on this subject that he and I have had in the past because I think it's extremely important and when we are about the task of trying to inculcate in our young people a respect for our laws and a respect for our courts, for our judicial officers both above and below the rank of magistrate, one's position is badly compromised, if not irreparably damaged by the types of discrepancy and anomaly in our sentencing procedures that I've referred to. There have been two or three cases this winter that I think have left the general public in our community wondering really as to the justice of our system. We often hear the cynical criticism that there is one law for the rich and one for the poor. Well, I don't believe that that is true but I think that there are all too frequent illustrations that there is one law for those with access to influence and persuasion and one law for those who don't have access to avenues of influence and persuasion. I hope that in his administration of the system of justice in our province that the Attorney-General will give consideration to this problem as well as to those of which he's already made note.

Perhaps the problem would be solved by an increase in our magisterial staff because then the officers in question would not be subjected to the pressure they are and some of those who are incarcerated and facing appearance in courts would not be subjected to the pressures to which they're subjected and which influence their pleas. This may be the area in which the solution lies. In any event I hope there is a solution within the realm of human frailty and I hope the Attorney-General will think about it.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I would like to say a word in response to that because I do share the honourable member's concern for some of the apparent anomalies that from time to time occur. I use the word "apparent" advisedly because from time to time I have these brought to my attention where sentence seems to be inappropriate for the nature of the offence. These are brought on the basis of newspaper clippings and I think it all depends on the attitude of the reporter perhaps or the one who's making note of the particulars, but oft-times when I get the report, and I've searched quite a number of these, I find that all of the facts aren't set out in the release that's made public; there are other involvements, other factors. I sometimes feel that I wouldn't agree with the decision that the magistrate made but then, you know, that's my assessment and it's a personal assessment that a magistrate makes in each case. This question of judicial discretion is one that could be debated ad infinitum, but there has to be reposed in someone, an area of discretion looking at all the facts and weighing all the circumstances and making a decision.

I'm concerned that wherever possible, wherever it's indicated, that it should be done, that a presentence report for example is obtained particularly on those who are before a magistrate for a first time. I can assure honourable members that the Chief Magistrate, Mr. Gyles, is carrying out a policy that is in concert with that thinking. I am most concerned that there not appear to be a law for the rich and a law for the poor or any semblance of it. I think there's been far too much imbalance because of a lack of funding on the part of applicants or persons who appear before courts. That's one of the things that we're concerned about. But the discrepancies in sentencing, most often they're apparent but they're not as real as indicated in some of the reports.

So far as the courts being heavily loaded, I don't think that's true in the Provincial Police Court or the City Magistrate's Court. I think that there has been a very chronic lack of Family Court Judges and I think with the appointment of Roy St. George Stubbs and the continuance of Judge Sparling, and certainly I am one who is going to consider his continuing in office or in his position for some time, I think that backlog is being rectified. And there was a backlog. It's been a long standing situation which I hope is being cleared. I have assurance from the Chief Judge, Judge Roy Stubbs, that it is being cleared and some cases that should not have been allowed to languish so long have been cleared up or are being cleared up.

I hope that the words that the honourable member used are not used in the sense that they sounded. I'm sure that he intended that there are persons who seem to be able to afford counsel

(MR. MACKLING cont'd.) . . . . . and through that counsel's persuasion, the individual may get a lighter sentence or a better disposition of his case, because my honourable friend used the words "through access to influence and persuasion". I'm sure he didn't intend to have a meaning that someone was using influence on the magistrate, because that would be something that no society could condone and I'm sure that isn't what he intended. I think there's no question but people or persons who appear before a court, particularly in a matter where there is some criminal involvement, ought to have, where possible, some legal representation, because it's certainly been the case that most often this does help them. Now, it isn't 100 times out of a 100 this is so. I know of cases where individuals have appeared on their own behalf and they've done an excellent job. As a matter of fact, if you speak to some of the County Court Judges they will tell you that occasionally, particularly on civil matters of small amounts, an individual appearing on his own behalf can do better because the judge almost becomes his advocate, you know, to redress the imbalance; although there's no conscious effort to do that, it nevertheless results. My department is certainly concerned to provide for equality before the law as far as we can and as quickly as we can.

MR. SHERMAN: Mr. Chairman, on a point of privilege, I agree with the Attorney-General that if my remarks were interpreted in a certain way they would be less than consistent with my feelings on the subject and they would not represent my true intent and meaning. When I spoke of "influence" I wasn't speaking of political influence; I was speaking really of influence in society, I was not making reference to any influence or pressures of influence being exerted on a judicial officer. I was referring to the general climate of influence that results from a person's status in society and it seems to me that - and I recognize I'm on dangerous ground when I make this suggestion - but it seems to me that oftentimes there are discrepancies in sentencing as between citizens who enjoy a certain status in society and those who enjoy a lesser one. I'm not referring to any direct influence being placed on anybody, but it's the climate of that person's influence in society to which I'm referring. I think this has a tendency to damage respect for the law. I think this has a tendency to make people, particularly young people, cynical about justice.

MR. CHAIRMAN: Resolution 23--passed. It strikes me as there seems to be an error in the estimates. Just check this for a moment. Resolution No. 24 --passed. That completes the Department of the Attorney-General. The next department, the Department of Consumer and Corporate Affairs. The Honourable Minister.

. . . . . continued on next page

MR. MACKLING: Mr. Speaker, I rise with pleasure again on this lovely evening to share with you a few of my views in respect to this department. As most of you are probably aware, I am as new in this department really as the department is new itself. It was brought into being as a result of legislation passed at the previous session. The department is still proceeding with organization, so I can't begin to satisfy the honourable members here, I am sure, or certainly all members of society with every aspect of the progress to date of the department because the program hasn't been fully developed yet. The department is working pragmatically setting up a program on a very careful and measured basis.

One of the first tasks of this department after the passage of the legislation was the development of regulations under the Act. Innumerable meetings were had with interested parties dealing with all aspects of the regulations before the regulations were finally agreed upon and introduced. As many of the honourable members know, the provisions of this Act provide for the introduction of various sections and various powers under the Consumer Protection Act by stages, and at this time all of the various aspects of this legislation have now been enacted, the last part being that dealing with direct sellers which was brought into being on April 1st.

The Bureau has been functioning well; I am more than pleased with the results of the Bureau to date. I want to pay special respect to the work of Mr. John Mason who has been called upon to do exceptional things in respect to the organization of this department. It is intended that there will be further structuring developed which will provide for an educational committee to assist in the development of educational programming in respect to various aspects of consumer protection. It is anticipated that there will be a research aspect to this program, but again this research aspect is being considered very carefully. I am presently reviewing recommendations from my department in respect to this. From time to time I've had indications from various groups that they think that they would like to see these sub-committees and advisory groups brought into being very quickly, and I can assure them that I share this sentiment but I'm prepared to give my department sufficient time to look into the matter very carefully and bring forth recommendations which ultimately will provide the best technique and the best machinery for the full work of this department.

The department has had a wide measure of success and I would like to make some reference to a report that has been prepared for me by the Director of the Consumer Bureau. Perhaps for the edification of members I should go into this in a little more detail because I think you would have a better opportunity to question and to address your remarks to me in respect to the work of the department.

I have touched on the development of regulations so I don't think I need review that, although if there are questions I will go into it in more detail. Fee schedules for licensing of various agents who are licensed under this Act have been set up, and I would like to review a breakdown of complaints in respect to consumer matters that have been received. Of a total of 195 complaints, 87 were settled satisfactorily; in 17 instances legal action was recommended; in 26 instances files were closed unsettled in 16 instances registration of the complaint only was requested, they didn't want any action taken. There was only one claim of the 195 that was considered not to be legitimate and there 48 still outstanding. If you delete the complaints still outstanding, that is 48, and the complaints that the complainant has requested be only registered, 16 in number, you will note that of the 131 other complaints, 87 were settled satisfactorily, the ratio being 87 out of 131 or 66 percent.

In addition to the problems that I've mentioned, the Bureau has received numerous enquiries relating to landlord and tenant disputes and, where possible, these were referred to the Legislative Committee on Landlord and Tenant Law, but if it appeared to be an abuse of the power of distraint, it is reflected as a collection agent problem because we consider private bailiffs to be collection agents under the Act. Telephone enquiries have been numerous also. Some of these have been straightforward enquiries about the Act, but others have been for the purpose of suggesting other areas of consumer concern to which attention might be directed, such as food pricing practices, product quality, fabric flammability, packaging of goods, and certain advertising practices and promotions. Our experience has been too limited to find a definite pattern of complaint or to identify specific consumer trade practices that merit in depth study. There are definite indications however that analysis of complaints, enquiries and suggestions received by the Bureau will be a vital source of information through which government can become aware of consumer needs and through which appropriate corrective

(MR. MACKLING cont'd) . . . action can be taken as necessary.

It is worth mentioning here, however, that the actual powers of investigation by the Bureau are limited to breaches of the Act, but we have not been challenged on this point in any enquiry that we've made so far. Steps have been taken to make the public aware of the provisions of the Act. Some advertising has been carried out and further advertising and educational programs is being developed.

In summary, the overall program for the following year can be comprised in the following activities:

- (1) To receive, investigate and mediate complaints.
- (2) To administer the licensing requirements of the Act.
- (3) To assure that other provisions of the Act are being met properly.
- (4) To research consumer problems as necessary.
- (5) To inform the public of their rights and responsibilities under various statutes through consultation and education.
- (6) To maintain liaison with business and consumer groups.
- (7) To maintain liaison with other departments of the Provincial Government to maximum utilization of present facilities.
- (8) To maintain liaison with government officials in other jurisdictions to assure as much uniformity of consumer programs as is necessary for all practical purposes.

The appropriation in the budget is for \$131,600 in respect to - let me just pinpoint this - in respect to consumer protection. Of this amount, \$53,000 will be allocated to the cost of the information and education program, \$6,600 for auto expenses, \$58,000 for salaries, and the balance will cover administrative costs. Till recently the Bureau has been operating with a staff of four persons - the director, an assistant and two stenographers. It's since been necessary to request, and there's been approval granted for three more persons. One additional clerk has been hired and two additional consumer service officers are being hired.

As I indicated, there is a concern to establish advisory councils and we are concerned that these reflect regional representation. The advisory councils will be comprised of groups and associations that are able to be aware through their memberships of consumer needs and problems. They will bring to government attention the nature and depth of consumer concern and assist the study committee in conducting surveys of consumer market practices. They will also assist in presentation and dissemination of consumer information. A study committee will analyze and report on consumer problems with appropriate recommendations. It is hoped that this group will be comprised of professional, business, communications and consumer market experts. The education committee will include persons having expertise and knowledge in education and communication technique. With their help and direction we hope to develop a program of public information and education that will be both meaningful and effective.

I would like also, Mr. Chairman, to refer briefly to the work of other sections of this department. The Securities Commission -- I'd like to refer to notes that I have here in connection with the work of that body. The new Manitoba Securities Commission began its operations on February 15th, 1969, implementing the administration of the comprehensive new Securities Act enacted by our Legislature in 1968. The commission was staffed to handle an estimated 150 prospectuses per year. In its first year of operation it has been called upon to process a great deal more material than was anticipated. For example, instead of the 150 prospectuses anticipated, it has examined and ruled on 241. In addition, during that period terminating on February 15, 1970, it has handled 36 rights offerings going to Manitoba shareholders, 26 prospectus amendment filings and 21 takeover bids. It has conducted 11 investigations and issued 108 orders on applications for Section 59, non-primary distribution rulings, and Section 20, exemption orders, the latter mainly to provide flexibility during the transition period from the relatively elementary requirements of the former Securities Act and to the very comprehensive disclosure requirements of the new Act, which as members know is modelled on the highly sophisticated statute implemented by Ontario one year earlier.

The commission has also been accepting and filing insider trading reports, proxy solicitations, information circulars and annual and interim financial statements. It has opened 550 files on disclosure material of that type. Because of the high volume of securities work, almost 100 more prospectuses than were anticipated, the commission staff was enlarged by the hiring of an assistant auditor to work with the commission auditor and we are planning to hire an assistant to the commission's legal counsel.

The full-time Chairman of the Manitoba Securities Commission is Dr. Murray Peden, Q.C.,

(MR. MACKLING cont'd) . . . and the part-time members are Mr. D.E. Matheson, Vice-Chairman; and Messrs. D.H. McLean, D.N. Knight and L.P. Guenette. The Chairman and members of the commission also serve in the same capacity on the Public Utilities Board, administering the Public Utilities Board Act, the Real Estate Brokers Act, the Pre-arranged Funeral Services Act, the Mortgage Brokers Act, and in an appellate capacity, the Highways Protection Act. Because of the considerable increase in administrative responsibility which this has entailed, one additional member of the Public Utilities Board was appointed last November, Mr. H.H. Thexton, formerly Comptroller of the Greater Winnipeg Transit Commission, who deals with those rural water rate hearings and other matters which can be handled under the statute on a hear and report basis. The Public Utilities Board report was tabled in the Legislature and I think provides specific information in respect to the work of the board.

I want to pay recognition to the work of Mr. Peden and his staff, and indicate in my remarks that in addition to some particular amendments that are required to the Companies Act, also I will be introducing a bill providing for amendments to the Securities Act. I'm advised by Mr. Peden that the legislation is really complementary and I will indicate in my remarks further on those, but for some of you who have been wondering why I've been continuing to table the second reading of the bill on the Companies Act, I'm assured that the reading of that Act by honourable members in conjunction with the Securities Act would be helpful rather than doing it twice over.

In respect to the work of the Companies Branch, I would like to give the members a few particulars. In the General Administration Section, including the Companies and Business Names Registration Branch, business activity remained high during 1969 although the number of new incorporations showed a noticeable decline beginning in mid-December 1969. This is no doubt a direct reflection on the anti-inflation measures at work in our economy, although the total number of new incorporations for the calendar year '69 numbered 1,168, which is an all-time high. Corporate activity is again building up and a normal year is expected. Members have received a copy of Bill 15 proposing considerable amendments to the Companies Act which are intended to make our laws more uniform with respect to insider reporting, proxy solicitation and financial statements, and at the same time give more protection to depositors in trust and loan companies. Registration of business names has continued to climb from 1,092 in 1967 to 1,459 in 1969, and it is expected that a similar increase will occur in the current year.

At the same time, Mr. Chairman, I'd like to note my appreciation for the work of Mr. Snider of the Companies Branch and the excellence of the work that they are continuing. Although the report indicates that there was a slackening in December '69, I presume it was partly the time of the year, but I can assure honourable members that I'm constantly amazed at the number of corporate documents that I'm required to sign.

There may be other remarks that would be appropriate for me to make later, Mr. Chairman, but I'll leave that to questions.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, we in the Progressive-Conservative Party would like to associate ourselves once again with certain remarks of the Attorney-General, those being the remarks that he has made with respect to the excellent work undertaken by those in the Department of Consumer and Corporate Affairs, working in the interests of good business practices in the Province of Manitoba for the benefit of the general public and for the benefit of the economic climate. We feel that the new Consumer Bureau is off to an interesting and impressive start and we congratulate both the Attorney-General, the Minister in this case, and those officers of his department who are responsible for the record of the Department of Consumer and Corporate Affairs during the past year.

At this point, Mr. Chairman, I'd like to say that I intend to be very brief in examining the estimates of this particular department, because I'm so heartened and enthused by the information received from the Minister of Mines and Resources a little earlier that there is going to be a chance that this committee is going to get to the estimates of the Department of Industry and Commerce, and we would like to move with all reasonable speed to examination of those very crucial estimates. So I'll confine my remarks on this department to just a very few minutes.

I think there are matters of immediate concern with which we're struck as we look at the individual resolutions and appropriations, Sir. It's understandable that the item covering salaries in the Consumer Bureau is substantially higher this year than it was last year because of course it's a new agency and a new office, but I would like to sound a warning at this point that



(MR. SHERMAN cont'd) . . . there is always a danger of unnecessary proliferation of staff and a danger of empire building, if one may use that term, where functions of this type are given official governmental status and sanction. I think we have to look no further than the Federal Department of Consumer and Corporate Affairs for an example of empire building in the worst classical sense. There is no question that the federal department and the federal minister in question have undertaken some potentially worthwhile studies, particularly in the area of advertising, advertising ethics, but all of us have been exposed in the past little while to reports in various newspapers and by various wire services of the extent to which the federal Minister, the Honourable Mr. Basford, has created a new bureaucratic empire unrivalled by most other contemporary bureaucratic structures in modern times in the Canadian federal state.

There are now offices resplendent with facilities and staff in cities and communities the length and breadth of this country which seem to be increasing and expanding and proliferating amoeba-like upon themselves from Vancouver to Halifax. That department and its work, because of that proliferation, has come under some justifiable journalistic and editorial criticism, and I for one subscribe to that critical point of view and join those editors and commentators in the country who question the expansion of that department at the rate at which it has grown. I cite that merely as a warning gong when we look at the functions of the department, and particularly the new consumer Bureau here, the salaries for this year for Consumer Bureau are \$57,800 compared to \$18,400 for last year. Well, that's explainable in the light of the introduction of the service, but one would hope that in this particular economic situation in the province today that the year ahead won't see a similar explosion of expenditure.

It's interesting, Mr. Speaker, if we look at the whole question of the Minister's salary to note that there is the normal appropriation of \$15,600 that goes to every Minister, but in this case we've got the interesting situation where the Minister in question is also the Attorney-General of the province and I presume, although we've now passed his estimates, I didn't look very carefully but if I may be permitted one brief backward glance, I note another \$15,600 under the Minister's salary there, so that adds up to an interesting total of \$31,200 by rough calculation and of course we on this side of the House are extremely anxious for an explanation to be placed on the record. We're sure there is one, but combined with the increase in campers' fees and the increase in Land Titles' fees to which reference was made earlier, it looks as though the Minister in this case has a pretty good thing going and we would like an explanation for the record.

Mr. Chairman, the cutback in appropriations for the Public Utilities Board and the Securities Commission disturb us somewhat. There's a substantial reduction in appropriations there and one would only hope that it doesn't reflect a substantial reduction in either the influence or the scope of the work of these two important agencies.

Finally, Mr. Chairman, might I ask the Minister to enlighten us as to what actual direct communication is there between the Consumers Bureau, which was really set up to watchdog rising prices and costs and situations in which the shoppers and consumers of the province were victimized by economic practices beyond their control, what direct communication is there between this bureau and shopping organizations, women's shopper organizations for example and consumer groups. Is there in fact a two-way street in existence such as was presaged a few months ago when the Consumer Bureau itself came into being under the direction of the member of the administration who is now the Minister of Health and Social Services. How well publicized, for example, is the Consumer Bureau. I have been approached by a number of people, not all of them housewives by any means, many of them working people, breadwinners of families, who have had particular grievances, or feel they have had particular grievances in the area of costs, prices, rents, etc., and they have been impressively unaware of the existence of a Consumer Bureau and of the existence of any avenue of communication. I've been dumbfounded to find that in the wake of all the publicity that was attendant upon the passing of the new consumer legislation during the last session of the Legislature and the establishment of the new Consumers Bureau, that a significant number of people, men, working men have approached me with particular grievances in this area and have been quite obviously unaware either of the existence of such a Bureau or of any avenue or channel of communication which they might follow in search of relief and assistance.

So I ask the Minister, do the ordinary citizens of our province know about this rather expensive new agency which is going to cost \$131,600 in the next 12 months, and do they know

(MR. SHERMAN cont'd) . . . how to get in touch with it and do they know how it can work for them, and in fact are they listened to when they do approach it. \$131,600 is not too much to spend for a Bureau that is rallying to the support and the assistance of people who feel themselves unjustly oppressed by one economic circumstance or another, but it's 10 times too much to spend on a Bureau or an agency which is not maintaining direct communication and thereby providing direct and intimate assistance to people in those straits. So we'd be very interested in learning what kind of communication does exist and to what extent the department under the Minister has publicized the existence of the bureau, and to what extent the Minister plans to remedy this situation insofar as the publicity has not been sufficient to acquaint the majority of our citizens with the existence of the Bureau itself.

And on a closing note, Mr. Chairman, may I ask the Minister whether the Bureau is really functioning in a watchdog capacity over such factors in our lives as the rise in the cost of living, the inexorable month by month climb of rent and food costs in the Province of Manitoba, and particularly in Metropolitan Winnipeg, or whether this type of thing is beyond the purview and the aegis of the Bureau itself, whether all the Bureau stands ready to do is respond to specific requests rather than initiate some kind of action that would be aimed at generally retarding the rise in the cost of living insofar as it's possible. It was my understanding when the Bureau came into existence under the legislation as it was introduced and passed by this Legislature last session, that the Bureau would have a kind of a watchdog function.

Now in the last few months I doubt that there has been any Metropolitan centre in Canada that has outstripped Metropolitan Winnipeg for month by month increases in the cost of living, particularly in the areas of housing costs and food costs. I've heard nothing from anybody in the Department of Consumer and Corporate Affairs, much less anybody specifically in the Consumer Bureau, on this subject, so I would like to know, Mr. Chairman, does this Bureau and does this department and does this agency of government actively initiate activities in this field aimed at providing benefit and help to the people of the province, or does it sit and wait for someone to find the path to its door and then only react in response to that fortunate person who did know where the Bureau was located.

MR. CHAIRMAN: The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Chairman, this is a somewhat new department for many of us. It's only been set up for a short time and I can appreciate that the Minister and the department have plans to formulate and reports to gather and information to accumulate before they can be truly effective, but I'm not aware that this department puts out an annual report. Am I correct or not?

MR. MACKLING: No, I don't think we do.

MR. G. JOHNSTON: Well, I make this suggestion that the department should put out an annual report. I think this would do more to inform people of what the objects and the aims of the department is if a condensed report could be put out so that people in the province were more aware of the department and what its functions are. For example, in the Consumers Bureau, I don't know whether or not there's an overlap between the federal Bureau who has a similar function and the provincial department, and I would think in the best interests of efficiency that there should be perhaps an amalgamation here or perhaps one should give way to the other but still receive some sort of support. I would be inclined to think that this function could be best carried out by a federal department who has the jurisdiction from one end of the country to the other. It's rather difficult for a province with less than a million people to keep an eye on business practices and complaints that may be received when companies may have branches all across Canada.

So I think there's room for some sort of communication or some sort of cooperation at least in this area. For example, I understand that in the building today we have a room that's filled with hearing aids. Now whatever that gentleman is doing with those hearing aids and whatever he has found out --(Interjection)-- I'm talking about hearing aids. Perhaps the Minister needs a hearing aid. So whatever this department has found out, why should 10 provinces go through this exercise? Why should not this be a common ground for pooling information or checking on the merits of the legislation in the various provinces so that companies that operate interprovincially will operate with the same set of rules and will have an understanding of the provincial laws in every area in which they work. I think this would redound to the benefit of the citizens of the country as a whole rather than one province.

Another area under the Consumers Bureau that I think should be expanded upon is the

(MR. G. JOHNSTON cont'd) . . . matter of a fair advertising code. I know some states in the United States do have a fair advertising code and it's very strictly enforced. I hear on the radio and television and I read in the newspapers where there's a voluntary group of manufacturers and people who employ advertising companies, they are carrying out a campaign on their own, but I think that there's a place in government for a code that would apply to all, not just apply to the companies that have a conscience, the companies that are interested in their public image and intend to stay in business for a long period of time. So I think this is something that should be looked into.

Coming down to the last item, Public Utilities Board and Securities Commission, I think it's about time we examined the law with respect to the selling of securities and the selling of bonds where the buyer is required to pay a percentage of a bond or an issue or a security that he purchases which is commonly known as the front end load, and probably I could be rocking the boat and the financial community when I talk about this, but many people I know buy a long term investment, they buy a security and then they find out later that they have to pay eight or nine percent for a front end load. They have to pay the salesman's commission which was not clearly stated in the beginning. There is legislation in other parts of the North American continent where this has to be spelled out quite clearly, when the investor decides to make an investment, usually on the presentation of a salesman, and then he finds out later after the contract has been signed that he's required to pay before his investment will start to earn some money. So I would like to hear what the Minister has to say on these items.

MR. CHAIRMAN: Resolution No. 25. The Honourable Minister of Consumer and Corporate Affairs.

MR. MACKLING: Mr. Chairman, perhaps I can be brief enough to complete my remarks before 10 o'clock. In respect to the comments of the Honourable Member from Fort Garry, some of his remarks I think were appropriate, others I have some reservation on because although I appreciate his concern and his warning in respect to his suggested historical precedent of the proliferation of staff in another jurisdiction, I question that that warning can be evaluated too strongly when he is concerned about a much broader application of the department in respect to matters like food and housing costs and so on. Of course I think that the Bureau or this government could consider a technique for price controls, food controls and rentals and so on, but that certainly would involve a much greater establishment of personnel and so on.

It's not anticipated I believe under the present establishment of the Consumer Protection Bureau that this Bureau will make any appreciable effect on the control of the cost of living. However, what it will do is be prepared to deal with some harshness that has existed in respect to contracts involving consumer products, and as indicated, it's a Bureau to protect people from the abuses of some businesses in merchandizing various commodities. It's true that the Bureau could in time develop into ancillary sales of packaging, advertising, and so on, but I can assure honourable members that we're going to move carefully and properly and there will be no proliferation or no expansion into other areas of concern until there has been proper development and program in respect to the design as indicated under the principle of the Act to protect consumers in respect to products that are purchased and marketed within the province and the technique of selling. Do you want me to quit now? I think I could speak for another ten minutes to properly answer . . .

MR. GREEN: Mr. Chairman, I move that the committee rise.

MR. CHAIRMAN: Committee rise. Call in the Speaker. Mr. Speaker, the Committee has directed me to report progress and begs leave to sit again.

#### IN SESSION

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I move, seconded by the Honourable Member for Kildonan, that the report of the Committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion.

MR. SPEAKER: It is now 10:00 o'clock and the House is adjourned and will stand adjourned until 2:30 tomorrow afternoon.