

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Monday, June 9, 1975

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 21 students Grade 6 standing, of the God's Lake Narrows School. These students are under the direction of Mr. Baetsen and Mr. Rivais. This school is located in the constituency of the Honourable Member for Churchill.

We also have 20 students Grade 11 standing of the St. John's High School under the direction of Mr. Doerksen. This school is located in the constituency of the Honourable Member for Inkster, the Minister of Mines and Resources.

And we have 21 Grade 11 students of the Charleswood School under the direction of Mr. Lange. This school is located in the constituency of the Honourable Member for Charleswood.

And 40 students Grade 5 standing of the Precious Blood School under the direction of Mrs. Bouchard and Mrs. Paas. This school is located in the constituency of the Honourable Member for St. Boniface, the Minister of Health and Welfare.

On behalf of all the honourable members I welcome you.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees. The Honourable Member for Gimli.

REPORT BY STANDING AND SPECIAL COMMITTEES

MR. JOHN C. GOTTFRIED (Gimli): Mr. Speaker, on behalf of the Honourable Member for Logan, I beg to present the first report of the Standing Committee on Law Amendments.

MR. CLERK: Your Committee met for organization on Wednesday, June 4, 1975, and appointed Mr. Jenkins as Chairman. By resolution of the Committee, the quorum was set at 16 members for all subsequent meetings. Your Committee also met on Friday, June 6, 1975.

Representations were heard on the Bills before the Committee as follows:

Bill No. 26 - An Act to amend The Liquor Control Act:

Dario Perfumo - Manitoba Hotel Association

Rev. William Potoroka - Private Citizen

Bill No. 34 - An Act to amend The Real Estate Brokers Act:

Gordon MacKenzie - Winnipeg Real Estate Board

Bill No. 43 - An Act to amend The Health Services Insurance Act:

H. O. Thorvaldson - President, Nursing Home Association of Manitoba

S. R. Lyon, Q. C. - Manitoba Health Organizations

Bill No. 52 - The Dental Health Services Act

Bill No. 53 - The Dental Health Workers Act:

Dr. E. G. Derrett - Manitoba Dental Association

Mrs. Joyce Smyth - Manitoba Dental Nurses and Assistants Association

Mrs. Jan Lowe - Winnipeg Dental Nurses Association

Mrs. Nancy Barkman - Dental Hygienists Association

Dr. J. S. Koepke - Practising Dentist, Steinbach

Dr. J. W. Neilson - Dean, Faculty of Dentistry, University of Manitoba

Your Committee has considered Bills:

No. 2 - The Interprovincial Subpoena Act

No. 3 - The Extra-provincial Custody Orders Enforcement Act

No. 6 - An Act to amend The Wills Act

No. 8 - An Act to amend The Child Welfare Act

No. 13 - The Fatality Inquiries Act

No. 14 - An Act to amend The Unsatisfied Judgment Fund Act

No. 15 - An Act to amend The Summary Convictions Act

No. 17 - An Act to amend The Development Corporation Act

No. 20 - An Act to amend The Heritage Manitoba Act

No. 21 - An Act to amend The Horse Racing Commission Act

No. 22 - An Act to amend The Horse Racing Regulation Act

No. 31 - The Public Servants Insurance Act

No. 42 - An Act to amend The Child Welfare Act (2)

And has agreed to report the same without amendment.

## REPORT BY STANDING AND SPECIAL COMMITTEES

(MR. CLERK cont'd)

Your Committee has also considered Bills:

No. 5 - An Act to amend The Vital Statistics Act

No. 26 - An Act to amend The Liquor Control Act

No. 34 - An Act to amend The Real Estate Brokers Act

And has agreed to report the same with certain amendments.

MR. GOTTFRIED: Mr. Speaker, I move, seconded by the Honourable Member for Wellington that the report be received.

MOTION presented and carried.

MR. SPEAKER: Any other Ministerial Statements or Tabling of Reports? The Honourable Minister of Mines.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

HON. SIDNEY GREEN, Q. C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, I am attempting to schedule a meeting of the Committee on Economic Development to consider the report of the Chairman of the Economic Advisory Committee on Wednesday at 8:00. Economic Development Advisory Board, Wednesday at 8:00.

MR. SPEAKER: The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works) (Elmwood): Mr. Speaker, I would like to table a reply to a Return to an Order of the House, No. 28.

MR. SPEAKER: Any other Ministerial Statements or Tabling of Reports? Notices of Motion; Introduction of Bills; Questions. The Honourable Member for Lakeside.

ORAL QUESTIONS

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I direct a question to the Honourable Minister of Agriculture. Has he received any indication from the Dairy Board, who is currently considering the application by Crocus Foods, for an application for the construction of a plant at Selkirk. Has the Board given him any indication when he can expect some recommendations coming from the Dairy Board?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, the Dairy Board has met and has considered the application, and has recommended that approval be given.

MR. ENNS: Pardon me, Mr. Speaker, that last sentence was whispered so silently, I believe I didn't get the . . .

MR. SPEAKER: Question.

MR. ENNS: . . . the operative part of the answer, Mr. Speaker. Supplementary question. Did the Minister indicate that approval has been given to construct the Crocus plant at Selkirk?

MR. USKIW: Yes, Mr. Speaker, I said that the Dairy Board has recommended that the Minister proceed with the project.

MR. ENNS: A final supplementary question, Mr. Speaker, directed to the same Minister. Can the Minister give us the names of the persons comprising of the Dairy Board that made this recommendation?

MR. USKIW: Mr. Speaker, that is a matter of public record.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID BLAKE (Minnedosa): Mr. Speaker, my question is to the same Minister. I wonder if the Minister can inform the House if he will be holding any public hearings with producers throughout the province prior to construction of the plant.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, the Act is very precise in that respect, mainly that the Dairy Board inform those people that may be affected by the application of other people who may wish to build a plant. That exercise has been carried out to the full intent of the Act.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct a question to the Honourable the Minister of Industry and Commerce. Can he indicate whether or not the province has applied for a DREE grant with respect to the Crocus plant at Selkirk?

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MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, I believe an application was made - but, again, I would defer to the Minister of Agriculture who is undertaking responsibility for this.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I believe the Member for Lakeside would recall, that on many occasions in the last three or four months, that that question has been put and answered in the affirmative.

MR. ENNS: I think maybe there's just a misunderstanding here. We're well aware that an application for federal assistance under this program has been applied for. My question, my direct question is to the Minister. Now that the Provincial Government and the Board have come to the conclusion of proceeding with the plant, have they had the federal assurance under the DREE program to grant the application made for support, financial support.

MR. USKIW: I should make sure that the Honourable Member for Lakeside understands what has actually occurred, and that is, that the Board has recommended that the Minister proceed with the plant, but that decision has not yet been made. But notwithstanding that, there has been an application for a DREE grant.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, in view of the line of questioning, I would like to now direct this question to the Minister of Agriculture and ask him if he has received a DREE grant from the Federal Government in regards to the building of the Crocus Food plant.

MR. SPEAKER: The Honourable Minister.

MR. USKIW: Mr. Speaker, we have not had a final communique from the DREE office.

MR. SPEAKER: The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Thanks, Mr. Speaker. My question is for the Minister of Agriculture. When will the cheques start going out under the Provincial Government's Incentive Program for hog production?

MR. SPEAKER: The Honourable Minister for Agriculture.

MR. USKIW: Mr. Speaker, they have been going out for some time. I don't know just where they are at the moment but I would assume that at least 50 percent of them have already gone out.

MR. HENDERSON: And a supplementary question. Was it based on a calendar year?

MR. USKIW: No, Mr. Speaker, those programs are never confined to a calendar year.

MR. HENDERSON: Would the Minister mind telling me how they do figure their year?

MR. USKIW: Well, Mr. Speaker, the program was based on production for a calendar year, but the applications of course, had to come after that date, which was after December 31 of last year. And of course, then there is the processing period that is required as well.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I direct my question to the Honourable the Minister responsible for the MDF. Could the Minister inform the House with respect to a cabin, boat and motors, which is a hunting and fishing lodge set up on Gem Lake which rests in the name of Flyer Coach Industries? Could you tell us who uses this set-up?

MR. SPEAKER: The Honourable Minister for Mines.

MR. GREEN: Mr. Speaker, there is a cottage, which I'm advised is of relatively nominal value - that could mean different things to different people - but my recollection is that it would be in the neighbourhood of \$10,000 - that was in the name of Flyer Coach Industries when it was a private concern. It continues to be used by them when they feel that they need a type of retreat to discuss matters.

MR. G. JOHNSTON: Could the Minister inform us as to whether or not the workers at the plant are allowed to use it occasionally?

MR. GREEN: Mr. Speaker, I would envisage that employees of the plant use the plant (?). I understand, Mr. Speaker, that transactions between the City of Winnipeg, transportation staff and Flyer Coach Industries, have been discussed at that particular cabin. The use of such a cabin, Mr. Speaker, apparently is very common in private industry, which is where we got the plant (?) from.

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MR. SPEAKER: The Honourable Member for Rock Lake.

MR. EINARSON: Mr. Speaker, I direct a further question to the Minister of Agriculture, and ask him if he can confirm whether or not a delegation from Denmark are in Manitoba negotiating sale with the Crocus Food people in regards to equipment for that project?

MR. SPEAKER: The Honourable Minister for Agriculture.

MR. USKIW: Mr. Speaker, I am aware that a group of people representing a company that had submitted tenders for equipment for that plant happened to be in town this past week-end, or today or tomorrow.

MR. EINARSON: Then I ask the Minister a second question, sir. Could the Minister elaborate whether or not a sale is being negotiated, or is it just in the tentative discussion?

MR. USKIW: Well, my understanding of it is, that the gentlemen involved were to be in Winnipeg this week and that they were going to use this opportunity to further discuss their possible role in supplying equipment to the plant, if indeed it does proceed.

MR. EINARSON: I'd like to pursue with a third question, Mr. Speaker, and ask the Minister if it is his intention to go ahead with Crocus Foods, regardless of whether or not they get a DREE grant from the Federal Government?

MR. USKIW: Well, Mr. Speaker, I think that is indeed a hypothetical question.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I have a question for the Minister of Tourism and Cultural Affairs. Can the Minister report to the House on the present status of the Winnipeg Art Gallery and their negotiations with the Provincial and City Governments for additional funding in order to keep themselves open over the summer months?

MR. SPEAKER: The Honourable Minister for Tourism.

HON. RENE TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Mr. Speaker, I can't speak for the City of Winnipeg but I can indicate that the officials of my department are reviewing the financial needs of the Art Gallery and the amount contained within the estimates surely would suffice the Art Gallery to maintain its doors open for more than the summer.

MR. AXWORTHY: Well, Mr. Speaker, can the Minister indicate whether in those meetings between his officials and officials of the Board of the Winnipeg Art Gallery, whether they have expressed a concern, or expressed the possibility that the Art Gallery may be forced to either close or to cut back significantly in the programs it offers to the public over the next year?

MR. TOUPIN: Well, Mr. Speaker, I can understand cutbacks but I can't understand closure.

MR. AXWORTHY: Well, Mr. Speaker, the Minister may not understand it, but can he indicate whether that particular concern, or have the Art Gallery officials of the Board, or Board of the Art Gallery, indicated that they may be forced to close their doors some time during the year for lack of funding?

MR. TOUPIN: I've read those reports, Mr. Speaker, in the past like the honourable member has. I've had discussions with the Executive Director of the Art Gallery. I've met with some of the Board members. There is an indication of cutback, there has been cutback, there's been no written communication to myself indicating that the Art Gallery would close down because of the increased amount that we have for the Art Gallery in 1975-76.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. I would like to ask a question of the First Minister. Can the First Minister indicate whether the Province of Manitoba was represented in the Decoration Day services yesterday on Memorial Boulevard?

HON. EDWARD SCHREYER (Premier) (Rossmere): Yes, Mr. Speaker.

MR. GRAHAM: A supplementary question. Can the First Minister indicate whether the Government of Manitoba through its representative laid a wreath on the Cenotaph yesterday afternoon?

MR. SCHREYER: Well, Mr. Speaker, the customary practice has been in previous years, and took place yesterday, although not without some slight misapprehension on the part of those present, that a wreath is laid at the Memorial Avenue Cenotaph by the Lieutenant-Governor on behalf of the people of Manitoba, which includes the people who comprise the government, and at the site of the Northwestern Memorial by the Minister of Labour on behalf of the Government

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(MR. SCHREYER cont'd) . . . . of Manitoba, and that means the people of Manitoba. So that wreaths were placed at both locations in the normal way.

MR. GRAHAM: Can the First Minister indicate whether other governments other than the Province of Manitoba laid wreaths at the Memorial Cenotaph?

MR. SCHREYER: Well, Mr. Speaker, I would think so judging by previous years. And yesterday the Honourable the Minister of Labour was present, I suppose he can give an eye witness account of that.

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

ORDERS OF THE DAY - GOVERNMENT BILLS - SECOND READING

MR. GREEN: Mr. Speaker, I would ask that you call the Adjourned Debates on Second Reading, in the order in which they appear on the Order Paper.

MR. SPEAKER: Thank you. Bill No. 28. The Honourable Member for Fort Garry.

MR. SHERMAN: Stand, Mr. Speaker.

MR. SPEAKER: Bill No. 37. The Honourable Leader of the Opposition.

MR. SPIVAK: Stand, Mr. Speaker.

MR. SPEAKER: Bill No. 44. The Honourable Member for Souris-Killarney.

MR. McKELLAR: Stand, Mr. Speaker.

MR. SPEAKER: Bill No. 46. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Stand, Mr. Speaker.

MR. SPEAKER: Bill No. 48. The Honourable Member for Morris.

MR. JORGENSON: Mr. Speaker, I held this adjournment in the name of the Leader of the Opposition.

MR. SPEAKER: The Honourable Leader of the Opposition. Bill No. 48.

BILL NO. 48 - THE DISTRICT HEALTH AND SOCIAL SERVICES ACT

MR. SIDNEY SPIVAK, Q.C. (Leader of the Official Opposition) (River Heights): Mr. Speaker, in rising on Bill 48 there are some general comments I'd like to make with respect to this bill and others because I believe that there is a common thread and a common theme that one can understand from the legislation that's been introduced by the government. Bill 48 provides for a mechanism for the establishment of Health and Social Service Districts. It really is an administrative structure for the whole district health and social system.

But the theme that I'd like to talk about for just a few moments before I deal with the specifics of the principle of the bill is the fact that the common thread through much of the legislation that's been introduced in the last stages of this House is the further development of bureaucratic centralism by the NDP government. Last year, Mr. Speaker, we faced a number of bills presented at the end of the session in which the common theme in economic matters was the greater control and regulation by the government of the private affairs of the people of this province. This year we have before us a series of health and social development policies, all of which have this basic theme, the retention of power by the Minister, by the Cabinet, and by the bureaucracy. And one has to understand this in the light of the rhetoric and posture of the government that they are more and more interested in decentralization, that they are more and more interested in participation by the individual.

I am happy to see that the Minister of Health and Social Development is here, back from his sojourn, and I would hope that he would have the opportunity of reading some of the comments with respect to his bill. I have a feeling, Mr. Speaker, and I think this is true of most of the present Cabinet Ministers, that they have a mechanism behind their ears that turn off completely after they've made their initial presentations, which usually, and this is the same case, is not a complete representation of what the bill actually contains, and gives, you know, a credibility to an idea which may be basically good but in practice will not evolve from the legislative wording that has been introduced.

Mr. Speaker, the bill concentrates authority within the Minister or within the government. It does not significantly develop community participation with respect to policy and program planning, and it, I believe, does provide us with what I would consider would be the area of concern. I wonder if I may refer to the Acting Minister of Health and Social Development's words when he introduced the bill. He said that this Act was developed after considerable consultation and discussion with providers of service, with users of health and social services, and there

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(MR. SPIVAK cont'd) . . . . was considerable analysis of detailed similar legislation in other provinces.

Well, Mr. Speaker, I do not believe that the people that the government was supposed to have consulted with realistically said to the government, "We are prepared to allow you complete control and regulation of everything, of who would be on a board, how a board would function, the rules and regulations and the appointments." I do not believe that the users of health and social services really wanted to hand to the government a complete blank cheque with respect to health and social development programs.

Now one has to recognize that in this bill the membership of the board is not clear. It's left up to the Minister, part of his own proposal. Now that's very important because one does not know how this will function. It is not an elected board, it's a board to be set up and composed by the Minister on terms that the board is supposed to represent the people. But all it will really represent is the Minister, who in fact has appointed them.

And I wonder if I may, Mr. Speaker, go back to the White Paper on Health Policy because here I think we have something very interesting, and this is on Page 62, and I believe that this reflects the tenor of this bill. Dealing at that time with the district health board concept the following statement was made, and I'd like to quote it: "The development" and this is the government's White Paper on Health Policy, "The development of a democratic structure is not a sentimental objective but the very guarantee that reform will have a bite to it and will create the indispensable economizing force. But the corollary of this is an interval of tutelage in which the composition of the embryonic board is subject to and even determined by close provincial review and which care is taken to develop their expertise and capacity. Once solidly established their composition can safely be left to the principle of democratic election."

MR. ENNS: Who's the big tutor?

MR. SPIVAK: "But if the boards are created instantly and given full authority they are unlikely to be either competent or democratic."

MR. ENNS: There's the big tutor. There's the big tutor.

MR. SPIVAK: Now, Mr. Speaker, this is an interesting paragraph, and you know this is a paragraph that would apply in Cuba and apply in other jurisdictions, but surely it should not apply in a democratic society in legislation in which the argument is that we are decentralizing and giving the people an opportunity to become participants, when in effect what has happened is that the government by the very introduction of this bill has in fact accepted this as their policy. The portion that is contained in the White Paper dealing with the district health boards is in fact now part of legislation, and because they believe that we're in the embryonic state the democratic process will not be allowed to function. And so what we have, Mr. Speaker, is regulations provided under three major sections of the Act, all of which gives the NDP interpretation of democracy. A democracy being bureaucratic centralism, the opportunity for the Minister to make every decision, the opportunity for the Minister to determine how the board should be composed, how it should be appointed, the rules under which it is to operate, the qualifications, limiting the terms of office, procedures, by-laws - not only that, Mr. Speaker, the by-laws themselves with respect to time, place and manner of holding annual and other meetings are not left up alone to the board, but they're subject to the approval of the Minister.

So in effect what we see is a common thread. We have it in the Planning Act. We have it in other bills, and we'll be discussing this - a common thread - an attempt to control and regulate, and those on the other side who have always accused us of exaggerating the NDP position, you know, cannot now stand up and defend that argument because in effect we have the basic philosophy expressed in the White Paper now introduced in legislation without any justification. Is it because they fear elected officials? Is it because they fear the officials who have been experienced on the board? Are they interested only in those people who will in fact basically do their bidding, basically follow the plans as they see it? And in effect, are they not really saying to us that we have a plan for Manitoba and that plan's going to be introduced, and we will introduce it through a structure which we will set up. We will say that this is what the people want. We will put out a little bait. And having put out the bait we'll catch 'em, and once we catch them we will lay down the rules and we will then say that you now have said to us what we wanted in the first place.

You know, Mr. Speaker, on Page 60 of the White Paper there's another paragraph that

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(MR. SPIVAK cont'd) . . . . I'd like to read, and it's sort of consistent with what I just said. "In practical terms the most difficult problem at the provincial level" (and this is dealing with district health and health boards) "is no doubt to participate in and guide a complex transition that affects many institutions and pre-existing administrative and financial structures. It is more difficult because the transition must be developed in a deliberate and carefully paced way so that mistakes or miscalculations can be observed in the small before they subvert the whole thrust of the reform. It is more difficult too because the reforms, even their ultimate patterns are to provide a pluralistic system not something made simple and uniform on paper at the expense of being rigid and unworkable in its true substance."

Well, Mr. Speaker, the concept of reform requires attention and examination, that the transitional period is a very important period, are not matters that we would quarrel with. But is it to be done only by government, or is it to be done with the people who are involved?

Mr. Speaker, how can the government talk about the evolvement from Stage One to Step 2 to Step 3 of the program that they have, how can they seriously suggest that that will come as a result of the participation of the people involved, when in effect the people involved aren't even a part of it. They are only going to be the people appointed by the NDP, and subject to the approval of the Minister as to what they can or cannot do.

In dealing with the opening statement by the Acting Minister of Health and Social Development, I quote what he said. He said: "The Commission and the department are discussing the importance of the integration of hospital personal care home and departmental services under the single community board. It is important to stress that the development of the district health systems can only come about through this kind of dialogue between the citizens of the community involved and the funding agency." And that sounds very good. But where is this dialogue? Does this bill allow for dialogue? The dialogue is between the appointed members of the government and the government, not between anyone representing the people at all. Not between those who are in the field at the present time who have been the volunteers and who have contributed themselves; they are people who will have to adhere specifically to the basic philosophy and direction that the government has undertaken. They are people who will not quarrel with the government's program and thrust. And what this bill is is a sham. It's a sham to implement a program and a policy, and the government hasn't the guts to say, "This is our policy. We are doing it whether the people like it or not." They are trying to give the impression, they are trying to give the impression of something which is not.

MR. DESJARDINS: You're trying to mislead . . .

MR. SPIVAK: I'm not trying to mislead at all. --(Interjection)-- Not one bit. Not one bit. --(Interjection)-- I say to the Minister of Health . . .

MR. SPEAKER: Order please.

MR. SPIVAK: . . . over the years we've listened to him, you know, we've listened to him, he's part of this, what I'm saying is true. I am not misleading. This is what the bill contains. This is complete control by you and your bureaucracy. --(Interjection)-- Not at all.

Now, Mr. Speaker, you know, one problem we face in Manitoba with the kind of direction that the present government is undertaking, is where does the voluntary sector participate? You see, Mr. Speaker, the problem is that there's an undefined role in this particular bill for the voluntary sector. One does not know what will happen. Now it is not again that the communities themselves or the people themselves will have a choice, the choice is going to be that of the government. And it's very clear, Mr. Speaker, it is very clear that what is required is for that role to be defined. Mr. Speaker, there is also a contradiction between the kind of direction that the government is undertaking and the very basic role of the voluntary sector of our community dealing in the health and social development field.

Now the Minister says it isn't so. Well I tried to look at other jurisdictions to find out how they operated, and I thought it was important to look at an NDP jurisdiction. And I looked at B. C. And I want to explain, Mr. Speaker, to the Minister the very different kind of bill that was introduced in B. C. dealing with Community Resources Boards. And I want to explain it to the Minister so he'll understand the difference of participation, the difference of what participation means. The Community Resources Board in B. C. was enacted in 1974. It basically deals with the area of social services, and the social services basically embrace the same --(Interjection)-- Well, similar. --(Interjection)-- All right then we'll go through it. I think we should go through it. Social services mean, and I have to, Mr. Speaker, make reference

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(MR. SPIVAK cont'd) . . . . to make the comparisons of the body of the Act. In the Manitoba context it means the provision administration of social allowances, child welfare services, the provision of child day care centres, probation services, family services, employment and rehabilitation services, marriage counselling, such other services as are related to social development. "Social services means the lessening and removal and prevention of the cause and effects of poverty and child neglect." I'm now reading from the B. C. Act. "Social assistance and financial aid to and in respect of persons in need; case work counselling assessment and referral services; rehabilitation and health care services; residential and foster home care services; day care, home care and similar services; adoption services; services assigned to encourage and assist residents of a community; the consulting research and evaluation services; administrative secretary and clerical services, including staff training." And I suggest, Mr. Speaker, that there is a real similarity but, Mr. Speaker, that's where it stops. The board in B. C. is elected; the board is not an NDP appointed board. The board deals with proper participation. The board does not give to the power the whole reserve of authority; and the board itself operates after the terms of the election are set by the Cabinet, and states that every person who is a resident of the local area in which the Community Board carries on services and who is an age of majority is qualified as an elector, is qualified to vote. Now, you know, Mr. Speaker, that's a very different kind of thing than we have here, and it goes to the whole question of direction.

So, Mr. Speaker, we have a basic problem. We have a problem when we look at the Planning Act. We have a problem when we look at this particular Act; we have a problem when we look at the other measures that the government's introduced, in understanding fully what they want. And we have to say that in the last two years since the election, a very basic thing has happened - that both in its economic and social policy, the government has more and more now been inclined to introduce its program, the program that was inferred in the guidelines, the program itself that came forward with their White Paper - in which essentially, Mr. Speaker, the government has been interested in the basic belief that they know better than anyone else on how to run both the economic and social services of this province - but because there in fact is public money involved, that the decision-making has to be really done by themselves rather than by the people. That, in effect, the concept of decentralizing services, which is a good concept, it will be used only as a means of providing the opportunity and the administrative mechanism for the government to basically do what they want - have brought in in this bill, as they have brought in other bills, a series of - in this case, a piece of legislation and a series of legislation, which in fact have very dramatic effects on the delivery system of health and social development in this province, and on the total delivery system of government. And although the rhetoric of participation, and although the rhetoric of involvement is used - and although the rhetoric that the users themselves will be of participation and will have some say, the reality is that the government wants control, they want to make the decisions; they want to appoint the board, they want to examine what has to be done, they want to tell the people involved what should happen, because they themselves want to make a decision.

And, Mr. Speaker, there is absolutely no way that we on this side can support that or support the proposition. You know, the concept of a district health and social board, and the concept of the direction, is not one that we would quarrel with, if in fact true community participation involvement of the people affected was contained. But the difficulty is, as much as we've dealt with this in the economic matters of last year, we find only one basic thing - centralization, and administrative control through the bureaucracy, the decision-making to be made by the Minister and by the Cabinet; and a refusal to recognize the fact that there is a range of opinion, different opinion, on the issues - and that what is required is the ability to work for that consensus to come, rather than imposing it from above because of a majority in this Legislature. And this is the problem the NDP have faced, they continue on with this; it is here in this bill, it is here in the other bills and, Mr. Speaker --(Interjection)-- It is.

Well, Mr. Speaker, the Minister says it isn't. His power is to organize and compose the proposed board, and the manner and appointment or election, for the option is open to them to deal with the health services and social services; to deal with the question of financial support, and to apportion to each municipality the amounts to be paid by them - not by the board, to be appointed by the government.

In turn, Mr. Speaker, the government prescribe the qualifications, it limits the term of



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(MR. SPIVAK cont'd) . . . office, prescribe the procedures for filling vacancies, require boards to hold meetings, prescribe the by-laws and rules - and subject to the approval of the Minister, each board shall make by-laws subject to the approval of the Minister. --(Interjection)--

Well, Mr. Speaker, the totality of what we have here, is the basic issue. Where is the --(Interjection)-- That's not the way it works. --(Interjection)-- No, Mr. Speaker, I'm quite prepared to do that. No, no, I'm quite prepared to read . . . Yes. "The Minister may cause to be prepared a proposal for the establishment, organization and administration of the natural support of a proposed health and social service board." And that board does not have to be elected. That board can be appointed. Basically the board can have all the authority that I suggested it can have, directed by the Minister, subject to the Minister's control. That's not how the Community Board was appointed in B. C. And that's not participatory democracy, that's bureaucratic federalization and ministerial control. And there's no point of the government on the other side suggesting that it isn't. If the Minister wants to change that board, he can change it within a day, and he will. If the Minister doesn't like what's happening, he can change it. What the Minister is attempting to do here, as I suggested again, is to put the bait out to many of the areas and simply say, okay, now you bite the bait, you're hooked, because once you're hooked it's irrevocable. That's it, it's over with. You know, you can't undo it. Once they become involved, and once the majority become involved, then the terms and conditions, the apportionment of the amounts to be paid by the municipalities - all of this is decided, not by the board, but by the Minister and by Cabinet. And I suggest to you that it's consistent with the basic position we found in all the other Acts - came into the session, and it's late - and while we're at a time when there may be a desire on some to close this Legislature, the reality is that the government is basically following through with a direction that has been consistent before. And, you know, to the Minister involved, let me read his own White Paper. --(Interjection)-- Well, it's his own White Paper.

A MEMBER: Yes, siree. If he didn't write it, he embraces it now.

MR. SPIVAK: "The development of a democratic structure is not a sentimental objective, but the very guarantee that reform will have to bite to it. But the corollary of this is an interval of tutelage in which the composition of the embryonic board is subject to and even determined by close provincial review, and in which care is taken to develop their expertise and capacity. Once solidly established" - well who's going to suggest when it's solidly established, except the members opposite - "their composition can safely be left to the principle of democratic election." Their composition. Who's going to decide that? The members opposite. "Can safely be left to the principle of democratic election." Democracy when we want democracy, but otherwise we don't have democracy. "But if the boards are created instantly," --(Interjection)-- You're the one who brought this Act in. Yes, you're the one who brought this Act in. You're the one who brought this Act in, in consultation with the users - and the users basically said they wanted this board, and they want the government to have complete control and centralization. "But if the boards are created instantly and given full authority, they are unlikely to be either competent or democratic." But if the boards are created instantly and given full authority, they are unlikely to be either competent or democratic. Mr. Speaker, this White Paper, this statement speaks for itself, and this is what that bill is all about.

MR. SPEAKER: The Honourable Minister for Urban Affairs shall be closing debate.

HON. SAUL A. MILLER (Minister for Urban Affairs)(Seven Oaks): That's right. Yes. Mr. Speaker, I've been waiting for a few days to hear the Honourable Leader of the Opposition. I gather that it is being held in his name. The Minister has been absent from the city, and so I was pleased to introduce this bill. Because, in fact, this bill I was very instrumental in helping to develop in concert with the present Minister in his capacity, particularly, as the Chairman of the Health Services Commission. And we spent considerable time discussing this bill before legal counsel actually drafted it.

In listening to the Leader of the Opposition, I'm - you know, I am just not sure what to say. He is trying to make an issue out of something. And he refers to rhetoric on this side. Well, I've heard rhetoric, and this afternoon I heard it till it's coming out of my ears. And I can tell you the rhetoric that I've listened to now, is hogwash, but absolute hogwash. You'd think the man had no idea of what's happening in the field of health and social development. And you know something? He convinced me. He knows nothing. Because the fact of the matter

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(MR. MILLER cont'd) . . . is this. The fact of the matter is this. Today, right now, in Manitoba, there are hospital districts. There are public health units. They are here, they exist. They have existed for years. Mr. Chairman, what we are trying to do through this legislation, through permissive legislation, is to bring them together. And you know something? They want to be brought together.

The Leader of the Opposition questions - have we had dialogue? I indicated in my opening remarks that, in fact, I am given to understand that as many as 30 hospital districts and personal care home areas in which these now exist, are prepared to combine their boards - to combine their boards. You know, he's read a lot of statements. One he didn't read about, is the fact that nothing can happen until the municipalities comprising at least one-half of all the municipalities in a district shall approve. You know, that's a requirement. Nothing can happen anywhere unless the municipalities - over half - request this. So even if the board wants it, even if the Minister wants it, no matter who wants it, unless the municipalities, the majority agree, nothing's going to happen.

And then when it does come about, it comes about in a permissive way and it comes about through requests. And we are getting those requests and some of them have already been formed; but they've been formed - not under the jurisdiction of an Act, because the Acts, the existing Acts, are very difficult to deal with - so they've been formed through the Companies Act, and through some method of incorporation where legal entities still exist, but they've given up their powers to a third body, which is sort of not the way to do it. The boards have requested that the legislation be introduced so that they can act in a proper way, that the Health Services Commission can deal with them. So basically, we're dealing with existing hospitals, existing personal care homes, within a district, within an area where they see the rationale of one board dealing with both facilities.

But there's an additional thing. There is also the fact that the department, the Department of Health and Social Services is required, and does today, deliver certain programs. Those programs are the programs which are covered under the Public Health Act, those are the Health Units; the Department of Welfare Act, Social Allowances Act, the Hospital Services Act, the Elderly and Infirm Persons' Act, the Corrections Act - there's a half a dozen different Acts. Under those Acts, the Provincial Government is required by legislation to provide certain services. He talks about centralization. Now, either he doesn't know what he's talking about, or he's trying to scare people with a bogey man that doesn't exist. Because the fact of the matter is this. We are prepared to grant to these boards, in these districts as they come into being, powers which the government now has; and we are prepared to give them to the districts as they come into being, as they can acquire them and as they can handle them. So that, whether it be provisions under the Public Health Act, whether it be Mental Health, whether it be Social Services, we're prepared to decentralize right across Manitoba. And the Leader of the Opposition knows this - and he's got the gall to stand here and make these kind of charges? Absolutely poppycock. Rather than centralization, we are seeking decentralization - and he knows it. Because I know he knows it. What he is trying to do, is get headlines - and believe me, he needs them, in the kind of trouble he's in.

So, Mr. Speaker, I have to say to the Honourable Leader of the Opposition, that if he wants to vote against this bill, I welcome it. I ask him to vote against it because, Mr. Speaker, they are waiting in rural Manitoba in particular for this bill - right across the province. They want it. They are fed up. They are fed up with Broadway - they are fed up with Broadway, through the Acts that now exist, handling their social allowances, their welfare, their child welfare, the Corrections Act, all of it. They would like for a change to be able to deal with things in their own way, to meet the needs in their own communities, to meet their needs, not as designed by an Act and regulations. But something that they can deliver, to meet the needs as it pertains to their area. Because no two areas are alike. In some areas, they may require one kind of thing; in another area, they may require another. The Government of Manitoba is prepared to turn over to these boards - not just the funds through the Manitoba Health Services Commission, which now flow to the hospitals and personal care homes - but, in addition, the funds which are now expended through the appropriation of the Minister of Health and Social Services for direct services in the field of social services; public health, the public health nurses, the home care program, the continuing home care program, the day care program - all of these can be administered locally. The funds will flow direct to a board that wants to

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(MR. MILLER cont'd) . . . take on this particular job. And it will take time. It will take an awful lot of dialogue, it will take a lot of work, it will take a lot of patience - but the goal is decentralization.

And so when the Honourable Leader of the Opposition talks about centralization, he's either missed the point or he doesn't want to hear the point. One of the two, I'm not sure. The reality is that this has been a long time evolving. It was first talked about two, three years ago, and there has been a constant dialogue, constant discussions at the local level as to how this might come about.

We have retained in the Act the requirement that at least half the municipalities have to approve. If they don't approve, nothing happens, they just stay as is. And I have to tell the Member for Souris-Killarney, who sounded that alarm about, what happens if municipalities don't want it, is this Big Brother coming in with a big stick to hit him over the head - and I can tell him, if they don't want it, there's no formal resolution of council, and nothing happens. It's just not going to be. But where they do want it - and they have indicated they want it - and the Manitoba Health Organization has indicated they support it, they have been after it for some time. I recall a letter saying, How soon can this legislation come about? Because we know that there are boards that are anxious to get going. And I'm informed today by the Minister of Health, who has spent some time with some of the members of the Manitoba Health Organization at the conference that he attended, that in fact they are waiting for this and hoping that this goes through as quickly as possible.

So, Mr. Speaker, what I say is valid. There is no attempt at centralization - as a matter of fact, for the first time, there is a real attempt at decentralization. The municipalities will be represented by at least one member from each municipality. The question was raised, well what about the municipality with a large population as against one of a smaller population, or a higher assessment and a municipality of a lower assessment being within one district - how is the representation going to be worked out? Is it going to be on a one for one basis? Is it going to take into account assessment, or population? At this point in time, you know, I can't answer that question. That has not been resolved. But it hasn't been resolved in the present Act either because the hospital districts I don't think make any distinction as to assessment or anything else. And today you'll have as many as five and six and seven municipalities within a hospital district, and they make appointments to a board, as they will under this legislation as well. But what the Leader of the Opposition is really trying to do, is to frighten people into believing that something untoward is happening, and refers to the B.C. legislation. The B.C. legislation, he should hear his counterparts in B.C. talking about the B.C. legislation by the way. He'd be shocked. He likes it, but he should hear his counterparts there talk about it. No, they don't like it. No, they don't like it. --(Interjection)-- I don't know what their reason is but they don't like it.

But the fact of the matter is, in B. C. the Human Resources Board are elected bodies. They deal with social services only, and something along these lines may develop in time. But here we have existing established systems. We have hospital boards. We have public health boards. We have the department delivering defined legislative . . . the services as defined in legislation, statutory services, and what they're trying to do is bring them all together. Instead of people having to wonder where to go or being in a position where a person is dealt with by four and five different agencies, we're trying to make it possible for all the resources to be brought together, linked together so that in linking they can deal with the whole person and his needs, or the whole family and their needs, rather than forcing the family to go here for their social allowances, here for some guidance, here for health, somewhere else for public health services, somewhere else for hospital services, somewhere else for home care, and somewhere else again for nursing home care.

The system is totally fragmented to such an extent that there is no system. What we're trying to do is create a rational system, one that will be more reflective of local needs and desires - because in some parts of Manitoba the nature of the population is such that they may have an emphasis, and may require an emphasis somewhat different from another part of Manitoba, and those are the differences that have to be taken into account, and it's very difficult at the present time to take them into account, because when something is controlled centrally through a department or only through a regional office, it is almost impossible to take these differences into account. And so the service is delivered in accordance with the

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(MR. MILLER cont'd) . . . regulations laid down province wide. And only by creating this kind of board, which is more sensitive to district needs, and which they are people who reside in the district, who know the district, who know the district, who reflect the district - because I can tell the Honourable the Leader of the Opposition, if he thinks that a member of the district board will be someone living in Winnipeg if that district board is in the Killarney area, then he's wrong, then he's wrong.

And if we have to spell that out for him then I'm sorry for him, because if he is . . . may I suggest he go back to 1870 and read every statute that's on the books, and he would have to rewrite every one of them, every one of them. Because he starts on the basis that this side is deceitful, dishonest, and out to ruin everything. And I say to him that he and his party have not - he suggested we're trying to ruin it, I suggest for decades he and his party have ruined this province. They have ruined it in every possible way, economically, socially, and every other way. --(Interjection)-- You know, he's trying to build a case based on falsehood. He's trying to impute to this side of the House a falsehood for which he is responsible. --(Interjection)-- You know, it takes one I suppose to know one. That's the way he operates. That's the way he operates. Maybe he would use this kind of tactics. I don't have to. I don't have to. You know, I don't have to resort to this. I say without any equivocation, these boards will be made up of people who live in the area. He doesn't believe me, he doesn't believe me - I couldn't care less. But let him check to see who are on the boards in Hamiota and the . . . district, in the Leaf Rapids, in Churchill, who are on there? People who live in the area. Not people who live elsewhere, and he knows it. He's bringing up a red herring.

A MEMBER: He likes herring.

MR. MILLER: But he likes the idea. He figures there's mileage in this, and maybe he's going to scare someone. Well, you know, we've heard his scare tactics before. We've heard his scare tactics before. We've heard these scare tactics from the Opposition before. And the fact of the matter is this, we have launched programs and every time we launch them they've nit-picked away, and nit-picked away, and you didn't say this, you didn't say that, you didn't say something else, but the reality is those programs are operating in a more democratic manner than ever existed in Manitoba before, and they know it.

You know, one of the arguments raised was what about the deficits? These municipalities are going to be stuck with the deficits. You know the fact of the matter is, that's the Act now. That's how it is now. The hospital deficit the hospital board, the district, if it runs into an operating deficit over and above the money granted to it by the Health Services Commission, now has to levy for it. That's the reality.

A MEMBER: They were paying for public health.

MR. MILLER: So they had to do it. And for public health, you know how much they had to say about the budget? You know this wonderful democratic system that now exists today, and under this former government, a health district, a public health district or unit rather was made up of municipally nominated people, and it was very very democratic. Who set the budgets? The province. How was the budget determined? The province would say, "You the municipalities that comprise this public health unit, you will pick up one third of a budget that we determine." That's the democratic system. That's what they have today. So when they're suggesting that somehow what we are doing is unfair and undemocratic, it just isn't so. They're either reading the wrong legislation, or they don't know what they've got in their own legislation. They don't know what they've got or they understand what now exists, or maybe they're talking about something that may be ten years down the line, and say, "Well, it isn't Utopia, and it isn't perfect. You haven't crossed every 't' and you haven't dotted every 'i'. You know, it would be a mistake if we did, because one of the virtues of this plan is that it is flexible so it can react to the needs. It's permissive. It's permissive. --(Interjection)-- One of the worst things - and this isn't Autopac, that's the point. This is very flexible.

One of the virtues of legislation of this kind is that it permits variations. It will make it possible for the department to respond in different ways to different area needs, to different district needs. They would rather have an Act which spells out specifically very little, every dot of exactly how and when and where it shall be done. And then they would argue that we're putting the municipalities and the people of Manitoba into a strait jacket. That would be the argument then.

You know, this is the sort of bill which I expect will be amended year after year after year

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(MR. MILLER cont'd) . . . as it develops, as it grows, as we become more conscious of the needs in the district. As the district becomes more knowledgeable and desires to take over more and more services, if they have an interest in it, if they have the desire for it, they will ask for it. This is the kind of legislation which will make it possible. And I don't doubt there will be amendments every year; if there isn't I'll be very surprised, because there should be, there should be in order to make it flexible.

But I know one thing, I know that in order - and the Member for Brandon made this point, he said we shouldn't take all this credit for the combining of health and social services because in fact it was their government, their party, which originally instituted it in 1969. This is true. It was under the former government that the merger of health and social services first took place. It was just in its infancy when we took over. It had just been created. Dr. George Johnson had just become the Minister at the time, and what we were confronted with was the beginning of the embryonic stage at the administrative level within government. Now it's finally percolating down to the grass roots, and in order to make sure it works, in order to make sure that it is reflective of the needs of a community, in order to make sure that the Department and Health Services Commission from whom the funds will flow, both Department and the Commission, in order to be able to react, in order to be able to fund adequately, in order to make sure that there's both accountability on the one hand and yet freedom and flexibility to introduce programs which are relevant to the needs of that community, in order for that kind of thing to happen you need this kind of legislation. If you try to make this more defined, if you try to specify exactly what will happen in each community, then you're putting the entire system into a strait jacket and it'll live under that kind of strait jacket long enough. There has to be the kind of flexibility I'm talking about.

So Mr. Speaker, I have to totally reject the speech made by the Leader of the Opposition, and I have to put it down, not to the speech to which he's really committed to, but I think that somebody put him up to, and he's simply reacting by reading it into the record.

So I can tell him this, that this bill is far-reaching, it's far-reaching in this sense, that it will continue to do what they started to do, and tried to do but never got around to doing, continue to develop a system in Manitoba at the grass roots level, to give more and more of the responsibilities, to shift more and more responsibilities to the grass roots level, so they can have the kind of programming that they require to meet the needs of their particular district. And as I said, it'll vary from district to district. And it is permissive. If the municipalities involved half of them don't want it, or over half don't want it, it's not going to take place. And frankly I'm not all that anxious that it should happen overnight. As a matter of fact I think I can speak for the Ministers, too, and say to him, that he wouldn't want a bill which says, there shall be immediately 150 districts in Manitoba, or 100 districts, or whatever it is. He wouldn't want it either because the system couldn't absorb it fast enough. There's no way. It's far better to let it come about of itself, and if these district boards develop and they feel that in addition to hospitals and nursing homes, they want to take over some of the social services, then arrangements will be made whereby the provincial staff can turn over to the district staff some of these responsibilities, whether it be in child welfare, where there is no Children's Aid Society, whether it be, as I say, the home care program, whether it be in any of the programs in which the department is involved. And these can slowly and gradually move to the local operation and administration. And the funds that are now used through the appropriations will be made available to the district, and within those budgets they can proceed to develop programs that their community wants, at a level that they can handle, at a pace that they can handle, and the net result will be a far more responsive system than now exists, and a system which is accountable to the people in the community, and for which the people in the community will themselves have to account to the public.

Mr. Speaker, I'm absolutely satisfied that this is a giant step forward in Manitoba - it was long overdue - and that the people of Manitoba will welcome this as a very important step in the provision of health and social services.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I wonder if the Minister would accept a question. Could he be a little more specific on the role of the voluntary agencies under the district single integrated delivery system of these programs.

MR. SPEAKER: The Honourable Minister.

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MR. MILLER: Yes. The voluntary agencies will continue just as they have right now. They work with government departments, or they'll work with a district health board. They can continue to work in exactly the same way as they do now. There is no requirements, there's no reference to them here, there's no requirement that they come in or not come in. I indicated child welfare - where there are Children's Aid Societies operating they'll continue to operate. There are parts of Manitoba of course, where the CAS does not operate and where the function of that particular program is operated by the Department of Health and Social Development. It's where the department operates the service that a board can then take over if they want to. But as far as the voluntary sector is concerned, they continue just as they are. If there's a hospital guild - if that's the kind of thing the member is speaking about - they can continue to be a guild and raise funds for their facility, and provide services to people who are hospitalized whether it's bringing books around or just visitation during the day, all these things can take place. and no way are they affected by this legislation.

MR. MCGILL: Mr. Speaker, to the Minister specifically. Are the programs now administered by, say, the Children's Aid, will they be supervised directly by the integrated board?

MR. MILLER: No. No, Mr. Chairman. The Children's Aid Society is still going to continue to exist and is still going to continue to do its thing. At the present time they are responsible in certain parts of Manitoba, Winnipeg and a few others, where they deal specifically under the Act as required in the Child Welfare Act, there are certain responsibilities which devolve to them, and they'll continue with that. Now as boards come into being and social services are taken over by a district board, then they will relate to that district board in the same way as they now relate to the regional offices of the Department of Health and Social Services.

QUESTION put MOTION carried.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, on behalf of the reactionary democrats at this side of the House, I ask you to call the Yeas and Nays.

MR. SPEAKER: Call in the members. The motion before the House is Bill No. 48, the District Health and Social Services Act.

A STANDING VOTE was taken, the result being as follows:

YEAS

Adam	McBryde
Axworthy	Malinowski
Barrow	Miller
Bostrom	Osland
Derewianchuk	Patrick
Desjardins	Paulley
Dillen	Petursson
Doern	Shafransky
Evans	Toupin
Gottfried	Turnbull
Hanuschak	Uruski
Johannson	Walding
G. Johnston	

NAYS

Banman	Jorgenson
Bilton	McGill
Blake	McGregor
Craik	McKellar
Einarson	McKenzie
Enns	Minaker
Henderson	Sherman
F. Johnston (Sturgeon Creek)	Spivak

MR. CLERK: Yeas 26; Nays 16.

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MR. SPEAKER: In my opinion the ayes have it. I declare the motion carried.  
The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I was paired with the Minister of Highways. Had I voted, I would have opposed the . . .

MR. SPEAKER: Thank you. The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): Yes, Mr. Speaker, I was paired with the Honourable Member for Logan. Had I voted, I also would have voted against.

BILL NO. 56 - THE LANDLORD AND TENANT ACT

MR. SPEAKER: Thank you. Bill No. 56. The Honourable Member for Pembina.

MR. HENDERSON: Thanks very much, Mr. Speaker. I'd like to make a few remarks about Bill 56. I'd like to begin by thanking the Minister for having given me his notes that he had explaining the different changes in the bill because it made it much more simplified. There is really quite a number of changes and it shows that the Act really did need quite a bit of cleaning up, and I give them credit for cleaning it up because whether it's a good deal or a bad deal, as you could say lots of times, there's nothing like having it straight so there's no further mix-ups.

I think that the Minister and his group did right in changing some of the things that affected tenants that were affected by noise by owners which were in multiple dwellings, and by clarifying security deposits so tenants weren't mixed up in this at all, because if there was a change of ownership it certainly had nothing to do with the tenants, so it's a good thing that there's no mix-up so as they were holding them and causing the tenants problems.

In fact there's many things in there which were good for the tenants as well as for the owners and I think it's very good that we are getting them cleared up. There is one particular section that I think is very good where it's being cleared up, it's where it's speeding up the action before the courts for the landlords when he gives notice that somebody is to move, he can give it to them in three days and then he can also serve notice that he has to vacate too. And this can be brought before the judge in much quicker time and save much loss, because at the present time if you have to get a lawyer to get a tenant out and go through the procedure, everybody loses a month's, or two, rent, and usually it was at the expense of the good tenants because the landlord had to raise the rent so as to make up for it.

However I had hoped that the bill would have gone a little bit further in a few other cases, because I think that interest on security payments which are as small as \$50.00 and down, or maybe up even to \$50.00, it was really just of a nuisance value trying to figure out interest on these small security deposits. In many cases people aren't paying a high rent and to figure out interest on small security deposits, I think is just a nuisance. I think it's the right thing to have interest on security deposits but I don't think on these small ones that that should be necessary.

And I also think that under today's conditions, that one-half of a month's rent as a security deposit isn't enough, because if you happen to get a poor tenant by the time you become aware of it and give him notice to move and he moves, why there is considerable damage done. And in the case of only one-half of a month as a security deposit, it's no good at all really. It just starts it, and if you want anything further you have to sue the individual. And the very type of individuals that you have to sue are the kind that will hike out overnight and they'll leave and you don't know where they go, and they don't leave any forwarding address, and so it's a very difficult thing to locate them, and then it's a very costly thing to get a lawyer to work for you. So I think that I would have liked to have seen something done in there.

The other thing that I think is that where we have welfare families in certain dwelling and there is considerable damage done from time to time, I think that the government has a responsibility to assume at least a partial amount of the damage that's done by these tenants because if they don't, we're going to find people denying welfare families the right to use their place, or else they'll be raising rent excessively so as to cover things like this. So I'd like to see that the government would assume the damage done to houses where the people are on welfare.

I think there was another part or two in the bill that I didn't altogether agree with, and I think it's really not necessary, and it's within a clause that referred to the limitation of the term of the agreement. And it said that the agent "except at the tenant's specific request" - well I don't think it should be at the tenant's only, it should be by mutual agreement and not

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(MR. HENDERSON cont'd) . . . . just at the request of the tenant. I think that a clause like that could be taken out because if it's mutually agreeable it's all right, but it shouldn't be at the request of the tenants.

And then I was also wondering about where they do have trouble trying to get people out, and whether it's renewing a lease or not, and the owner sends a letter to their place of address and then later on the people say they didn't get it. And then in one particular case here, in this change to the Act, if he doesn't get it, the lease is continued in force as it was for the next six months. And I think that this isn't very fair to landlords because I think that they may have given the fellow notice, they may have told him about it and they may have even sent him a letter, but if he denies that, or says he didn't get it for any number of reasons, and there are any number of reasons that they don't get them from time to time, but there should be some way spelled out there because I think it's a penalty on the landlord because a tenant might say that he didn't get a notice that he can continue on for the next six months without any increase in his rent or any change. In other words if he was going to raise the rent, if he didn't do it in writing and the tenant recognized it and signed the new agreement, then they continue as where the rent was before. I think in some cases the tenants may take advantage of this, so I think there should be something done there.

But generally speaking I think that the amendments are good and I'm happy to see them go before committee, and I hope that if there's any people then that have any further suggestions that they'll come and let their views be known because it's the people that are actually having these experiences that are more capable of making comments on them. There may be other members on our side which care to comment on it but these are my remarks. Thank you.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I'd like to initiate my comments on this Act by observing that the Landlord and Tenant Act as it is presently functioning in 1975 is a very different Act, and plays a very different purpose than it did when it was first introduced, and the reason for that of course is that the housing market has changed qualitatively and there is now a very different kind of market. In fact, it isn't a market at all. That the role of the Landlord and Tenant Act when it was originally put forward was a way of setting some basic rules and standards for arbitrating and setting forth the respective rights of tenants and landlords. But the whole premise of the Act when it was first introduced was that the housing market would still rely to some degree upon the ability of tenant and landlord to bargain in a housing market where there was some room for leverage. By that I mean basically that there would be room for bargaining because there was a supply of housing in the market so that if a landlord or tenant disagreed or didn't find satisfactory arrangements, there was always somewhere else to go. As most housing economists will point out, you only have a housing market when there is upwards of a five percent vacancy rate. It's only when you reach that particular state that there is any mobility or any capacity for a market operation to work as a way of allocating disputes and allocating places and prices. So the Landlord and Tenant Act as it was originally introduced was designed to basically fit into that kind of market.

Mr. Speaker, that market no longer exists in Winnipeg, and certainly in the foreseeable future will not exist. We now have a one and a half percent vacancy rate, which is virtually no vacancy at all, and as a result the Landlord and Tenant Act and the Rentalsman office has increasingly been forced to play a very different kind of role, that rather than simply acting as an arbitrator on the market it's now having to replace the market. It's now being forced to make choices and decisions about the rights of tenants and landlords not on the basis that they still retain some bargaining powers, but there is no bargaining power left because in fact the tenant is simply totally captive by the fact that if they don't like what's happening to them they have nowhere else to go at a price they can afford. And that's what happens, Mr. Speaker, when you don't have an adequate supply of housing, which we don't have in Winnipeg at the present time, in the rental areas.

So in a way as we look forward to the proposal of amendments to the Landlord and Tenant Act one of the things I was interested in seeing is whether in fact that change in the housing market would have been reflected in a changing role of the Rentalsman function, and the changing role in the operation of the Landlord and Tenant Act. And I would if I may put in parentheses, Mr. Speaker, I don't pretend that the Minister has an easy job in that particular operation because there is no more difficult area of government involvement, or government



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(MR. AXWORTHY cont'd) . . . . intervention, than trying to provide some replacement for a market in a case where there is just no alternative.

So what we were trying to determine, Mr. Speaker, was to what degree would these changes and amendments act as a way of replacing in effect the market, and giving the capacity and power of the Landlord and Tenant Act to fulfill what it is forced to fulfill, and that is really quite a new role. I think that in part some of the amendments are helpful in that respect. That certainly the clarification of some of the more ambiguous and more difficult to implement areas, such as the security deposits, are welcome, if small and minor changes, and we would certainly approve of them and endorse them. There's no question that they make a change.

One of the major areas of changes proposed in this particular bill, Mr. Speaker, though, it still replaces ambiguity with a high degree of ambivalence, and that is in the area of occupancy, which was written into the original Landlord and Tenant Act which states that in fact even though there may not be a signed agreement the tenant, if he fulfills certain kinds of basic obligations, has the right to remain in the premises even though there is not a written lease.

That's now been changed and it's now being asserted that a lease must be signed after a three month notice before the expiry date. Well that's all well and good, Mr. Speaker, except if the Minister would look at the rental market in Winnipeg he'd find out that very few landlords are any longer offering one year leases. That because of the extreme pressure on rental properties what's really beginning to happen is that landlords increasingly are resorting to three months' and six months' leases, or short-term agreements, or no leases at all, because in fact many apartment blocks are now experiencing one or two or three price hikes within one year. And so, in effect, the amendments are still responding to the situation that might have been existing a couple of years ago, but in no way are reflecting the present housing market at all.

And that particular problem of the right of occupancy related to the signing of a lease would be absolutely fine if in fact people were signing leases now. But if you go into the major apartment blocks in the Roslyn Road area, River and Stradbroke, Broadway, St. James, East Kildonan, you're finding out that increasingly landlords are simply not signing leases. And that is creating a high degree of uncertainty, and we would have liked to have seen, Mr. Speaker, certainly some provision or some requirement perhaps, in terms of the Act of signing of a lease.

One of the questions we would like to have the Minister clarify is, do these particular set of amendments to Section 8 of the new Act, is it really a requirement to sign a lease, or is it simply again a permissive thing that if the leases are to be signed, because if it is a requirement that that would go some way to dealing with one of the major problems and that is, the lack of security now in the rental market, because obviously when it is totally and completely a sellers' market, as it is now, then the tenant in this case is captive to it and has no recourse or any protection.

Of course the one thing that is missing in the Act still is really any reference to the question of rent, that while most tenants and landlords would agree that there are minor and irritating problems dealing with security deposits, and even right of occupancy, the overriding issue, the only issue in fact that is uppermost and sensible to the concern of people who own and operate and live in apartments, is how much is it going to cost? Because as we've discussed in this House many times before, the cost of apartment block operation and maintenance is escalating, escalating in part because of rising interest rates, but also escalating, Mr. Speaker, interestingly enough due to public policy. I think that a letter that was written to the Minister by members of the Apartment Owners Association points out, that 30 percent of all rental increases are due, or a result of raises in areas that are subject to public policy, mainly property taxes and utilities. And if you're beginning to ask questions about rental increases, then that becomes one of the major areas of concern.

On the other side of the coin, Mr. Speaker, is the almost unbearable situation now being faced by most tenants, and that is that they simply have no security of rent price, and that in many cases they are now receiving an average of rent hikes on a six-month term. So that the average rents - and I don't need to repeat the figures - are averaging 30, 40 percent a year in many blocks, and of course as we all know and have discussed before, that really is an intolerable situation.

And so it really still bothers me, Mr. Speaker, as we come to the end of the session

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(MR. AXWORTHY cont'd) . . . . after having received numerous promises, vague indications, suggestions, proposals and ideas, that at some point in time before this session ends the government was going to do something in dealing with the rental problem, that we still see no indication in this bill that there is any action forthcoming. And it is simply, Mr. Speaker, not only bothersome, but really, I guess, it is I think an absence of responsibility that's being shown. Because as we have pointed out many times before, even in the Act right now there are provisions for a rent review procedure and the Premier, and I believe the Minister of Consumer Affairs, have stood up and said, "Well, we don't think it's that good. We don't think the proper powers are under the Act." Well I take some issue with that because I think that if I read the Act the way it's written then the government has the right under regulations to set forward certain powers. But even if they are right, here was the opportunity at this time, when this Landlord and Tenant Act was being brought forward to this House to establish the kinds of powers that might have been required to properly implement a rent review procedure.

Now let me make it clear, Mr. Speaker, of what we're talking about, because there has been some confusion in the minds, particularly from the Member for Riel, the difference between rent control and rent review. Rent control is basically a program that applies a universal price ceiling on all rents in any one jurisdiction, similar to the kind of rent price control that now operates in Vancouver. Rent review is a very different procedure. It establishes simply the right of individual grievances to be heard in individual apartment units where there appears to be rent increases that go above and beyond any increase warranted by price cost, and that that would give the Rentalsman, or whoever is the designated authority, the right to examine that particular increase in rent and determine whether in fact it's warranted according to the rise in costs and, if it's not warranted, to rescind it. Now that's a very different kind of procedure. It is not across-the-board; it applies to individual apartment units or rental properties. And where it does apply, Mr. Speaker, and where it would have its effect, is to offset or provide an antidote to the landlord or rental owner who - and there may be only a few cases but a few cases are a few too many - who take advantage of the present inflationary situation to provide rent increases that are unwarranted or go beyond the proper requirements.

It strikes me strange, Mr. Speaker, why that particular requirement is not introduced in this bill, that if additional powers or a clarification of powers were required, now was the time to do it. And I would point out for the attention of the members of this House, Mr. Speaker, that the rent review idea is not one that is simply being proposed by our group in this province. I would point out that both the New Democratic Party and the Liberal Party of Ontario, in the present hearing before the Legislature, are asking for rent review procedure. Because again in the City of Toronto, the City of Toronto itself is asking for rent control, that the two opposition parties in Ontario are both asking for a rent review procedure there as a way, again, of providing the antidote or some corrective device towards applying a measure of restraint and a measure and degree of protection for tenants who feel that they are somehow being badly abused by the system.

Now, Mr. Speaker, I've never said that that is the panacea. It is certainly only one of a number of measures that should be taken to deal with the central problem that this Landlord and Tenant Act would find itself, as it replaces the market, being forced to do; and that is, what does it do about rent? Certainly we have talked before about the number of additional other kinds of measures the government should have been taking, but I would make a proposal, Mr. Speaker, now, just a simple proposal, and I make it now to this Minister because he has taken a fairly important stance in the housing and rental question, but it would also be something that I would hope that the Minister of Urban Affairs would have the message communicated to him so we might discuss it further in his own estimates. But in order to take the pressure off the rental market, I would propose at the present time that this government go into a leasing program, a major rental leasing program, so that in individual cases where tenants are now having to absorb rent increases, say, above the range of 25 or 20 percent, that the government would then make arrangements with individual apartment owners to provide for a rent supplement or lease arrangement in individual apartment units. Because what is happening - and I know that the Minister is receiving many of the letters I do because when people write or call me I tell them to write to Mr. Turnbull, so that he has a copy in the record on file of the same things as I do - in those cases where people are faced with the situation where the rent's gone up over 20 percent and their income is limited, or frozen, and they can't absorb it, then it

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(MR. AXWORTHY cont'd) . . . . would seem to me that the government should be prepared to offer the invitation to individual apartment owners to start sharing the cost of that lease.

Now that is one way of dealing with the immediate crisis, and is a proposal that can be cost-shared by federal moneys at the present time - there isn't a Federal proposal on the books for that kind of cost-sharing of a leasing program - and it would provide, I again am not saying the full answer to the rental problem, but it would take some of the pressure off at this time, would provide some, not only correction to the tenant, but I would suggest, Mr. Speaker, would also offset one of the other problems that we're now facing, and that is that in many of the old apartment areas of the city the property is being downgraded or allowed to deteriorate because there is no longer any incentive for private apartment owners to keep property up as their own costs rise. There is no return on investment. They are simply captured by that . . . And one of the important results that have now been concluded by the Urban Institute in the United States - and I would point out that the American Government has a much more extensive rent-leasing program - one of the important side benefits of a leasing program is that it provides a stimulus for upgrading and rehabilitation of older rental properties, that you don't have to get into elaborate neighborhood improvement programs or major reconstruction programs, but simply by providing a security of tenancy and a security in the economic rentals coming in, it does provide that kind of incentive, a marginal incentive for owners to maintain and upgrade property.

I would point out, Mr. Speaker, that that's not a problem that should be discounted easily, and again I looked for something in this Act that would respond to it. Because one of the things that's happened in the Province of Ontario, and I suggest it could very easily happen here, is that as owners get squeezed by costs, one of the first areas where the squeeze is affected is in the maintenance of property, the upkeep of property, that the one place where you could cut is in keeping the place painted, keeping the grass cut, keeping the apartment block in repair and keeping the heating system properly functioning, and one of the things that's beginning to happen now is that that's the area where the cutbacks will take place: maintenance will deteriorate.

I would point out that there was a very important court case, just decided, I think, in the last month or two in the Province of Ontario, where the County Court in Ontario now establishes the right of tenants to withhold their rents and put their rents in trust for maintenance purposes, that they now have the right to withhold rents. And I would suggest, Mr. Speaker, that if the present situation in - and it was based upon the Ontario Landlord and Tenant Act, that where there are provisions under Section 96 of the Ontario Landlord and Tenant Act, which is similar to our own sections of our own Landlord and Tenant Act requiring proper maintenance, the courts have decided that rents can be withheld and held in trust for tenants and be applied to maintenance programs unless the owner is prepared to keep up maintenance. Now that is requiring a major change in the Ontario Landlord and Tenant Act, and I would have liked to have seen some clarification and anticipation of that problem here, because what worries me, Mr. Speaker, is that as the rental problem increases in the City of Winnipeg and as the maintenance problem is cut back, then the same kind of disputes will emerge, and the tenants will be forced to start withholding their rents to get proper maintenance. And that, I would suggest, Mr. Speaker, would provide even a further deterioration in the relationships between tenants and landlords, and that is not a deterioration that we can very complacently anticipate, because one of the things that is required is a very good working relationship between tenant and landlord. We can pass all the acts that we want, and settle all the legal provisions, but if at a certain point in time there breaks down some sense of confidence and some sense of mutual restraint and mutual tolerance on the part of landlord and tenant, then it becomes increasingly an open warfare situation, and that leads to a series of disputes and conflicts and confrontations and it simply provides a breakdown, a further breakdown in the housing market.

So it seemed to me, Mr. Speaker, that one of the things that we should have set out is that if that problem is going to come - and I'm not wishing it to come; I would hope it would not arise, but you can see it happening now because I certainly receive enough calls, and I'm sure the Minister does, where there are increasing complaints now, the problem of maintenance in apartment blocks - then it does warrant some further attention in terms of the application of this Act.

And what are we going to do about the question of tenant withholding of rents and held in trust for maintenance purposes? In fact, Mr. Speaker, I think that there is a kind of dodge in

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(MR. AXWORTHY cont'd) . . . . this particular Act that does worry me, and I hope the Minister will take some time to explain it. Going back to the provisions under Right of Occupancy, the Section 8 amendments, one of the things that's now spelled out is that an owner can ask a tenant to leave for purposes, I think, of using the premises for his own purposes or for his family, and secondly, if he wants to renovate or repair. Well, Mr. Speaker, let's hypothesize for just a moment. Landlord "A" has a series of tenants who have been there for a long time, have been living in the apartment block, and he feels that the only way he can keep some return on investment, or perhaps increase it, is to get rid of those tenants. They may be older people, for example, who he knows can't pay and he doesn't want to receive a complaint. Under the new Act, what he can now do is say to everybody "Well, I'm going to repair every apartment unit." Well, what kind of repairs? It's not really spelled out. Is he going to reconstruct every apartment unit or is he simply going to go over it with a paint brush one Saturday afternoon and do a little dabbling up, and under that particular provision, have the right to expire every tenant in that apartment block? Now that could lead to a very interesting dodge, and I'm not trying to give hints to the Apartment Owners Association as to how to look for loopholes in the Act, but I am saying that that particular thing worries me because it could lead to the kind of situation I spelled out, and I would hope that the Minister would be able to point out in the House that in fact he has due protection. I realize that the Rentalsman could arbitrate and that there is some recourse for appeal, but the Act does say that the owner has the right to evict, or to expire, if there is renovation or repair to be provided. --(Interjection)-- Well, that's under the new amendments, as I understand. That's the way it is now. But I'm saying that as that problem goes forward, the new amendments also permit that provision of renovation and repair, and what is the protection again that's being afforded in that area?

So what we're saying, Mr. Speaker, is that really the only solution so that this Act will not become an Act that has to be applied in every single instance, the worst kind of possible worlds in the rental market in this province would be if the Landlord and Tenant Act has to be applied in every instance, and it's going to have to be applied in every instance if there is no market for housing, because there will simply be no bargaining position for the tenant, because it will have nowhere to go.

Now the only way to overcome that situation, Mr. Speaker, is to provide other kinds of solutions to recreate the market. And of course we've talked about getting more housing on the market, investing more money at a lower interest rate, and the direct proposal we're making now to provide a lease arrangement, so that in fact the Landlord and Tenant Act won't have to become the policeman in every case, so the Rentalsman won't have to triple its staff or quadruple its staff, because it won't be called into every single dispute and conflict and disagreement, and that there won't be apartment owners being forced to look for dodges and forced to look for ways of dealing with tenants in an untoward manner in order to keep their own, sort of, income or cash flow to a point where they can at least keep their costs maintained. That is going to happen, Mr. Speaker, and it's beginning to happen now, because of the total and complete sort of deterioration and almost complete absence of any kind of market supply and demand in the rental area. So we must provide some alternative to that if in fact this Act is not going to become one of the biggest sort of policemen in the whole province, with all kinds of staff having to run around for every dispute.

The point we're trying to make is that there is no Act in the world that can be designed to really fulfill the operation of the rental market without applying almost a Rentalsman officer for every apartment block. The only way to overcome that problem is to solve the housing rental problem in the City of Winnipeg. That's the only solution. And I would therefore like to hear from the Minister, as he deals with these amendments, to see whether in fact we can now get a clarification at this point in time that (a) are they going to do something about rental review? (b) are they going to do something about putting some increased capital into the housing market; and see how they're going to respond to proposals to undertake a direct leasing program in a variety of apartment blocks to deal with the individual discrepancies in rent that they face. Because that's really the only solution, if we can begin to move in a series of funds, begin to apply solutions in different areas, to try and put some flexibility and some moveability and some restraint back in the rental market. If not, Mr. Speaker, what we are kind of adding to here is just the creation of a monster, and a monster that will simply sort of increasingly acquire an ever more important role as the government seeks to respond to every dispute and every conflict, because the market is no longer there as a way of allocating it.

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(MR. AXWORTHY cont'd)

So I would hope, Mr. Speaker, that in presenting himself to these amendments and to the changes in the Landlord and Tenant Act, that the Minister is going to be able to provide some assurance for us that this Act will return to its rightful function, setting out some basic rules and guidelines and not being forced into the role of replacing, in effect, the housing market as a way of allocating places and spots for people, and of some way of providing for restraint in prices. And if we can now gain, at this time, some indication from the Minister that before this session ends in the next 10 days or two weeks we'll get some movement in that area, then I think that not only will we be grateful, but I know that all the people in this city will be too.

MR. SPEAKER: The Honourable Minister of Consumer, Corporate and Internal Services.

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services)

(Osborne): I'll be closing debate, Mr. Speaker.

MR. SPEAKER: That's correct.

MR. TURNBULL: Mr. Speaker, the Member for Fort Rouge is an academic, and he sounds always very plausible and, to a certain extent, very convincing. But it seems to me that he has, in the closing remarks that he made, contradicted the position, the assumptions with which he opened. It's my understanding when he opened that he made the point, erroneously as it turns out, that the Landlord and Tenant Act was introduced originally in order to mediate the economic disputes between the landlord and tenant. --(Interjection)-- Pardon me? And set up, right. Right. And at the end of his remarks, it appeared to me that he contradicted this statement of the premises for the Act originally by saying that this Act will in fact - and he regarded this as a bad thing - this Act will in fact become the replacement for the market situation in rental accommodation. In my mind he has come full circle and contradicted himself, contradicted the original premises that he set out, because he did indicate, in giving the reasons for this Act in its original introduction, that it was an Act which was designed to alter the market situation, to replace to a certain extent the problems that arose from the market, and closed by saying that if the Act did do that, it would not be advisable, not be wise.

Mr. Speaker, this Landlord and Tenant Act was never introduced to change or alter the market situation in rental accommodation in the province. I do not recall any debate along those lines. What the Act was introduced to do was alter the preponderance of right that the landlord had before the Act was introduced. Before the Act was introduced, as the member well knows, the landlord had it all his way. He could write into leases virtually any provision and to generally lord it over the tenant. Now he could do that. And the Act of course changed that situation, changed the rights and gave to the tenant more rights than he had before the passage of the Act. I think that the Landlord and Tenant Act has struck a fair balance between the landlords and the tenants in a rental accommodation situation, and has taken from the landlord some of the incredible right and power that they did have because of their ownership of property.

Mr. Speaker, the Member for Fort Rouge outlined a number of possible areas for the government to become involved in, and he did, of course, touch upon an area of concern, namely the increases in rent in this province and of course, in every province in the country.

Mr. Speaker, if I were to bring an Act which provided for either rent review or rent control it would not be an amendment to the Landlord and Tenant Act. It would be a separate act. So I can tell him that any meaningful rent review with teeth in it will not likely be in this Act and certainly any provision for rent control would not be in this Act. I think that subject in itself is important enough to warrant a special Act.

The rent review provisions that currently exist in the Landlord and Tenant Act, Section 121, I had a legal opinion on as to what I can do under those provisions and I have a course of action ready in the event that I deem it necessary and can get the support of my colleague to see that such review is necessary.

I was interested to hear the Member for Fort Rouge outline, to elaborate really, what he has meant in the past when he talked about rent review. He isn't really referring to rent review as it existed in the Landlord and Tenant Act. He is talking about rent review which can be followed up by rescinding a rent increase. That in my mind, Mr. Speaker, is not a review function at all, it is the power to control rent. And the Member for Fort Rouge is lumping this power to control rent, to rescind a rent increase in under the term "rent review." I think to a large degree that that is misleading. That if he's talking about rent control he should call it for what it is and recognize what rent control might mean for the housing market in the

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(MR. TURNBULL cont'd) . . . . . Province of Manitoba. I can assure him that the reason we don't have rent control today on the books is because of the dire effects that the industry representatives tell me rent control will have on new construction in the province. And until we have sufficient resources available from the private sector and commitments to bills, or until we have a sufficient public housing program to offset any decline in private sector building, rent controls solely within the provincial context, I do not think would be advisable at the present time.

Now, Mr. Speaker, the market situation is changing very rapidly and at the present time will not, perhaps, continue for very much longer. But I think that the idea of rent control is one that should not be, you know, Landlord and Tenant Act which does set out the balanced right between landlord and tenant.

The other idea that the Member for Fort Rouge tossed out was one that I think has to be called a rent subsidy, and he's calling it a lease arrangement, which is an euphemism in my mind, for a subsidy for rent. I find it rather interesting that both the Member for Pembina is talking about a subsidy to a certain extent when he refers to the government picking up the tab for any damage done to rental accommodation by people on welfare, and the Member for Fort Rouge is also talking about a subsidy to tenants for any rent increases over a particular amount. Mr. Speaker, this idea of a "lease arrangement" as the Member for Fort Rouge called it, or a "rent supplement" as he also called it, or a "subsidy" as I call it and believe it is, runs into the same problem as any control mechanism would have. And that problem is, what is a reasonable rate of return on the investment.

The Member for Fort Rouge mentioned that if increases were over 20 percent then the government should pick up the difference between the 20 percent level and the actual rent increase. Mr. Speaker, can you imagine anything so foolhardy for a government to become involved in? If landlords then went to their tenants and said to them, "We're going to increase your rent 50 percent but don't you worry because you'll only pay 20 percent and the government's going to pay the other 30 percent." Mr. Speaker, I can't imagine a system like that working in any feasible way. It would be an invitation, that kind of a subsidy program would be an invitation to the landlords to jack up rent and rip off as much as they could - not from their tenants, but from the government and the general taxpayer. And I think that that kind of a scheme is just not very feasible. The idea, especially when it's presented as a lease arrangement - you know, I guess one could think well, a lease arrangement would be a normal course of landlord and tenants getting together on an agreement or a rent supplement, but it is a straight subsidy, and unless the Member for Fort Rouge can find some way of elaborating on what the maximum rent is going to be and what difference actually the government is going to have to pick up, then this scheme, I don't think, can work generally in all accommodation. Besides, Mr. Speaker, can you imagine the public of Manitoba subsidizing someone to live in a penthouse where the rent went up over 20 percent? A penthouse accommodation is what - \$1,000 a month, or \$2,000 a month, I don't know - and the increase, 20 percent the tenant pays, and anything above that the Government of Manitoba is to pick up. And of course share it with the Federal Government. Mr. Speaker, I've seen a great number of cost-shared programs and all I can say is . . .

MR. SPEAKER: Order please.

MR. TURNBULL: . . . that they are mere justification for spending more money.

MR. SPEAKER: Order please. The Honourable Member for Fort Rouge state his point of order.

MR. AXWORTHY: Mr. Speaker, I have a point . . . The Minister is misstating the words I used, where I did not talk of across-the-board rent subsidy but one that was a selective one based upon individual rents and individual incomes on apartment blocks that they would then work out in negotiation. He is somehow presenting the case for across-the-board subsidy which was not my point at all.

MR. SPEAKER: That is not a point of order. That's a different interpretation. The Honourable Minister.

MR. TURNBULL: And for that reason, Mr. Speaker, that you mentioned, that I was reluctant to yield the floor to the Member for Fort Rouge, but he has given me some clarification of his own ideas. He has clarified his ideas somewhat more and I don't think that it's any more feasible as a result of the clarification. Because what he is suggesting then is that

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(MR. TURNBULL cont'd) . . . . not only should the government pick up the subsidy but it should delve into the income of every person involved. On what basis, I'm not sure how the government would get involved in investigating their income, but I can assure him that there are many many people who do not like the government to go probing into their personal income in any given year and finding out how much they made in order to justify paying them a subsidy for rent or for any other reason. So again I don't see, from what the member has said, that this idea of a subsidy for tenants in Manitoba would be an idea that could be practical and could be made to work.

I think though that I have to come to agreement with him that the problem lies not too much in regulation and control, but in the enhancement of enlargement of supply. Supply is the problem with rent, and if there could be some way of encouraging real commitment and construction from the private sector and from the public sector then this rental increase problem might be mitigated, might be reduced somewhat.

Some of the other ideas that were tossed out again were relatively interesting. The Member for Fort Rouge was talking about maintenance and how maintenance could be kept up in an apartment block when the rate of return was going down because of low rents - I gather that's the main point he was making. He alluded to the situation in Ontario. He does know, I gather from what he said, that the maintenance can be required now under our existing Landlord and Tenant Act and I'm not sure what his point in this case was. The tenants in Manitoba today can ask the landlord to make immediate repairs or maintain and if the landlord will not do that, tenants can go to the Rentalsman and put the rent into trust and the Rentalsman will try to get the repairs completed. I think it's a good system. It's worked. And why he raised the Ontario situation I'm not too clear.

The other allusion that he made was to the provision in the present Landlord and Tenant Act with regard to the tenant's right to continue in occupancy. That right to continue in occupancy is in the present Act and it will be continued with these amendments. But, we have made some changes to enable the landlord to get occupancy of premises that he needs. The Member for Fort Rouge was, I gather, trying to make the point that the present Act contained provisions with regard to enabling the landlord to get occupancy if the landlord needs to make renovations. And if that's the case, I have no knowledge so far in my term of office in this portfolio of any problems arising from this section. That's not to say that there are no problems and there never will be any problems. But I have not heard of any landlord getting people to move out, getting tenants to move out on the pretext that they want to make some kind of renovations and then merely painting the suite or putting in a new light switch.

If that's the point the Member for Fort Rouge was making then I can say that the problem hasn't arisen. The new Act, the new changes that I'm introducing will not make any alteration in the right of the landlord to get occupancy to make renovations, no change. So again I'm not clear what points the Member for Fort Rouge was making when he dragged in this matter of the landlord getting occupancy to make renovations. He did indicate that he thought definition of repairs would be important. There being no problem I'm not at all convinced that repairs or renovations should be defined. Besides, I think that the Rentalsman needs some scope for administrative discretion and the way the Act is drafted now he does have that discretion.

Another point that the Member for Fort Rouge dealt with was that regarding the apartment managers not signing leases. Again, if this is the case, if apartment managers are in fact not signing leases, then the Act would have to be looked at again. I don't know of any great increase in the number of leases not being renewed or not being renegotiated for the term that they had previously been negotiated for. But I can say to him that if this arises, then certainly I would have to look at the Act again. The Act, Mr. Speaker, you know, is one that does maintain a balance between landlord and tenant. I'm just trying to maintain that balance. I don't think that the Act or the Rentalsman office should go overboard on behalf of either the landlord or the tenant. You can always tell, you know, when an office or a civil service or an Act is maintaining a balance because then when that's happening that office or the Minister responsible for the legislation gets it from both sides. And in this portfolio I get it from the landlords because they say the Act is too favourable to the tenants and I get it from the tenants because they say the Act doesn't go far enough to support tenants, therefore I come to the conclusion through this practical experience that the Act must be right on and maintaining a good balance between landlord and tenant.

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(MR. TURNBULL cont'd)

Mr. Speaker, the Member for Pembina did allude to a number of specific things that could be altered in the Landlord and Tenant Act. I cannot disagree with him that any Act to introduce amendments could go further, could involve different changes, or go about things in a somewhat different way, but I don't think that the one point that he mentioned, that he's raised twice before and I've responded to before with regard to welfare recipients damaging premises, is one that the government could feel justified in getting into. His point is that because a person is on welfare and damages the premises the government should pick up the tab to repair the damages. Mr. Speaker, I do not know how many welfare recipients rent accommodation and how many of those who rent accommodation damage the premises they're in, but I do not think that the government should be responsible for repairing damages to rental accommodations merely because that accommodation happens to be rented to a welfare recipient.

Mr. Speaker, the Member for Pembina also talked about the size of security deposits and the interest on that deposit, both of which he considers to be too small. That I suppose is a matter of opinion, a matter of judgment, I think one-half a month's rent as a security deposit is adequate. The rents go up, the Member for Fort Rouge is continually alluding to increases in rent, as the rents go up the security deposit goes up and I think that the deposit therefore maintains a fair ratio with the total rental costs, and therefore I do believe that the security deposit as laid down now is adequate.

There were some other points that he made, all of which I think amount to policy, and whether or not the government feels that such changes would be warranted or not to amend the Landlord and Tenant Act. I do not think that they warrant alterations at the present time.

The final point to make, I think, is again to return to the question of rent controls and rent review. I have indicated that the market situation is such that rent control or review is being studied and I hope from discussions between my staff and people in the business that I will have an adequate information base in which to make decisions with regard to rent review and rent control. At the moment that information is being compiled. And while it is always tempting of course to rush into the field with legislation in order to deal with any particular problem, I am not going to do that, I am going to wait until I have solid information that can be substantiated across the city and across the province and at that point in time make a judgment as to whether or not control of rent or reviews of rent which would involve the power to rescind increases, would be justified.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, would the Minister permit a question? When the Minister states that he finds the idea of rent leasing or supplement unworkable, I'd like to ask him if he or his staff have examined the rent leasing or rent supplement program that's presently operating in British Columbia and in Ontario, and if they have done such studies, have those studies determined that it is unworkable? And would he release such studies and evaluations to members of this House so that we will be able to make assessments for ourself and counter it with other forms of assessments which have been shown?

MR. SPEAKER: The Honourable Minister.

MR. TURNBULL: Mr. Speaker, I was referring to the situation that the Member for Fort Rouge laid out for us and dealing with his remarks, and his remarks left a number of unanswered questions in my mind, and studies that might be undertaken by the Rentalsman's office or by my research group really are not pertinent to the remarks that the Member for Fort Rouge made. But certainly, if the scheme can be made to work, can be made practical, then of course it would be considered. But I'm always reluctant to see subsidies for individual consumer transactions, because these are not only costly but I think they encourage the suppliers of the goods or the services to charge whatever they can with the certain knowledge that the government will pick up a good portion of the increase. And it's because of that that I find the idea as stated by the Member for Fort Rouge to be one that not only is unworkable, but one that would encourage rip-offs.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 58.

MR. HARRY SHAFRANSKY (Radisson): Mr. Speaker, before we proceed I would like to make changes . . .

MR. SPEAKER: Order please. Order please. I will now recognize the Honourable Member for Radisson.



COMMITTEE SUBSTITUTIONS

MR. SHAFRANSKY: Mr. Speaker, I would like to move some changes on the committees. On Economic Development, substitute the name of the Honourable Member of Mines and Resources for that of the Honourable Minister of Consumer and Corporate Affairs. On Law Amendments, substitute Desjardins for Pawley, Selkirk; Uskiw for Miller.

MR. SPEAKER: Bill No. 58. The Honourable Member for Brandon West. (Stands)  
The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Health, that Mr. Speaker do now leave the Chair and the House resolve itself into Committee of Supply.

MOTION presented and carried, and the House resolved itself into Committee of Supply, with the Honourable Member for St. Vital in the Chair.

COMMITTEE OF SUPPLY - DEPARTMENT OF LABOUR

MR. CHAIRMAN (Mr. Walding): Order please. I direct the attention of honourable members to Page 33 in their Estimates book, the Department of Labour. Resolution 70(a). The Honourable Minister of Labour.

MR. PAULLEY: Mr. Chairman, just before the committee rose at the lunch time, I was completing what I hope were my final remarks dealing with the Department of Labour. At that time I was speaking of the Workers Compensation Board, its operation, and endeavouring to answer some of the questions that were raised by honourable members dealing with the same. I had made reference to some remarks that were made by the Member for Assiniboia dealing with the make-up of the Workers Compensation Board, and I felt that it would be necessary for me to make a remark or two dealing with one or two other aspects of the Workers Compensation Board and the operation thereof.

One of the points raised by both the Member for Assiniboia and the Member for Fort Garry dealt with an association named the Injured Workers Association as related to the legislation that was passed last year, permitting the setting up of an advisory committee to the Minister to assist in advising the Minister of the operation from time to time and matters dealing with compensation. I want to say to my honourable friends that while the board hasn't been set up, as I indicated a few days ago, it would be my intention to have a person on the advisory board ostensibly representing the Injured Workers Association. As a matter of fact, I have already received a nominee from that association.

Another thing that was raised dealt with the matter of an advocate in Workers Compensation. I know that the Honourable Member for Assiniboia has a Private Members' resolution suggesting the setting up of such a position, and I would just refer him to the present Workers Compensation Act. It might be that the honourable member is not aware of the provision of the Act at the present time, and it is Section 91 of the Act, which already makes provision for an advocate for anybody who so desires when making representation to the board. And just for the benefit of the honourable member I would just quote partially from the Act: "An officer of the Department of Labour may be appointed as provided in the Civil Service Act, and every person so appointed shall, when requested by an injured workman and in accordance with the general direction of the Minister of Labour, represent him and assist him in preparation and presentation of his case in hearings before the board on matters being dealt with under subsection (3) of Section 51," namely the Compensation Board.

In addition to that, Mr. Chairman, there is a leaflet produced by the Workers Compensation Board, titled "Compensation Benefits - General Information for Workmen" which indicates the rights and privileges of an injured worker, dealing with the effect of the operation of Workers Compensation, for the information of the worker. I don't know here whether my friend has had an opportunity of seeing one of these booklets, but I think that it would be proper for me to just make one or two passing references to it.

It's noted here that "whenever the Claims Department determines that a claim is not acceptable" - and this is addressed to the worker - "he will be advised by letter the reason why the claim is not acceptable, and also be told the further steps which may be open to you should you wish to appeal that decision." And then further on it states that "the Board of Review Committee which is set up, can hear at the option of the employee, either before the Board or simply review the evidence by the Board, and at a hearing you may appear with any representative you wish and present your case, or this can be done for you by your lawyer, union

## SUPPLY - LABOUR

(MR. PAULLEY cont'd) . . . . representative, or best friend." So there is provision for an injured worker to have somebody along with him or her in going before the Review Committee. Some people have the impression, erroneously, that there isn't this provision in the Act and guidance rules at the present time, and have the impression that an individual is almost forsaken and has to stand alone when appearing before the Compensation Board. But such is not the case.

This pamphlet goes on further to say: "If the reasons for non-acceptance of the claim are based on medical grounds, then whenever there is shown to be a difference of medical opinion by way of a certificate, in writing submitted by the workmen's attending doctor, the worker can have his case referred to a Medical Review Board." That's dealing with technical - well, medical opinions. So there's a board there for that.

And then again, Mr. Chairman, in the pamphlet that is issued by the Workers Compensation Board, the following is contained therein: "Anyone wishing assistance in following appeal procedures with respect to his claim can contact the Review Officer of the Board, who will assist you and advise as to what further steps can be taken. The government has appointed an Assistance Officer who will be prepared to help you in presenting your case before the Board, should you so desire. The Assistance Officer is Mr. Frank Cummer, who may be reached by telephoning or contacting him at 618 Norquay."

Now this is in the Department of Labour, and I appreciate the fact that the honourable members who spoke of the question of an advocate or an assistance officer have in their minds somebody apart, I presume, from the Department of Labour, although the general situation pertaining to the Department of Labour and Workers Compensation is that the Minister of Labour is responsible to this House for the actions of the board, and the Workers Compensation is not part and parcel actually of the Department of Labour, but they do supply the Assistance Officer. Now I understand that the services of Mr. Cummer have not been used to the advantage that they might have been, and I would inform the House that I believe at the end of this month Mr. Cummer reaches the age of retirement, or is going to retire - maybe that's a better way of putting it - and then, as Minister, I'll have to consider the person who may be named and the name publicized in order to assist the injured worker.

The Honourable Member for Flin Flon made one or two references to safety regulations and Saskatchewan legislation dealing with matters of safety. I want to tell my honourable friend that I've read with a great deal of interest the legislation at present in Saskatchewan and also legislation in other jurisdictions as well. I will be attending an international conference of Labour Ministers in July. One of the subject matters of at least a half day of the three day convention we're going to hold will dwell on the matter of safety, safety regulations and legislation.

But the Workers Board is not waiting before getting down to the real nitty-gritty of industrial safety. I believe I mentioned to the committee the other day that a task force is considering the possibility, or the feasibility, the desirability there, of having all legislation pertaining to industrial safety under one umbrella, and the committee is working on that at the present time. Apart from that, I want to indicate to the honourable members that as far as the Workers Compensation Board is concerned they've already made a start, or a start has been made of a more intense investigation into the matter of industrial safety.

I indicated to the House the other day that, through the co-operation of the Community Colleges and the medical profession, training has and is going on in order to educate technicians into the matter of using hearing devices for noise purposes, or the detection of noise pollution, and this is going on. In addition to that, I'm informed that the Workers Compensation Board has recently engaged a university professor as a consultant to work out with a committee of labour and management to look into the problems of industrial safety and occupational health on an ongoing basis. That would be almost tantamount to an advisory board dealing with industrial safety. I'm informed that one of the first matters they are looking at is that of industrial noise - and I just made reference to that - by the detection devices, and they're also going to look into methods of controlling industrial noise or preventing it.

The professor will also be looking at problems of heat and fumes on workers. And by fumes we mean gas fumes and fumes from paint and the likes of that. As the committee proceeds with its work, it will be making recommendations for standards and regulations and procedures for achieving higher safety standards. So I say this, Mr. Chairman, to indicate to the committee, something is ongoing.

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(MR. PAULLEY cont'd)

Also, Mr. Chairman, honourable members may have noticed just recently there has been some publicity given to the possibility of asbestos causing injury to workmen, and this too will be the subject of a special study of the problem of asbestos that has been put under way in the Department of Health and Social Development, which is one of three or four departments that deals with industrial safety. So I would say, Mr. Chairman, that the matter of industrial safety is being given intense consideration by myself, as Minister responsible for the Workers Compensation, to this Assembly and also that the board itself is carrying on intense study into the problem.

I think, generally, Mr. Chairman, that is a summary or reply to the questions that were raised by my honourable friend dealing with Workers Compensation. I did table, in accordance with legislation, the Annual Report for 1974 of Workers Compensation and I'm sure honourable members will find the report very informative. The Honourable Member for Assiniboia mentioned that last year there were quite extensive amendments made to the Workers Compensation Act, and also considerable changes were made insofar as the pensions and other factors awarded to injured workers, and a general upgrading. I announced at that time that I thought with the increases that were being suggested it would put us close to the top position across the Dominion, and that still holds. This does not mean to say, however, Mr. Chairman, that we're not giving consideration to other possible changes. I suggest then that that covers, as I indicated a moment ago, most of the questions raised in respect of Workers Compensation.

Just before lunch, Mr. Chairman, I did say that I would attempt to answer the questions that were raised on various aspects of my responsibility, but I could not sit down at what, hopefully, is the conclusion of the consideration of Department of Labour estimates without making one or two remarks to the Honourable Member for Fort Garry, who gave us this morning a rundown - yes, a summation - of the activities of the Minister of Labour and one or two other things. I must say, while not being complimentary, he at least wasn't being antagonistic in his remarks this morning. I'm sure honourable members of the Assembly - some at least - might have hoped that the remarks might have sparked a real confrontation between the two of us - we've had a few during this session - but I listen with a great deal of interest to everything that the honourable member says even though it may not appear so, so I'm not buttering him now, only indicating that it is not my desire or intent, in what I hope again is the winding up of the consideration of the estimates, to make reference to some of the comments of the Member for Fort Garry.

He said that "now that the estimates appear to have been given consideration, the Minister of Labour will be able to go into the quietness of his office and a period of relaxation until the next time the committee meets, when once again he will be under fire and under scrutiny." And, you know, Mr. Chairman, as I listened to my honourable friend, I could not help but internally say, "Gee, I wish it were only so." Because it is not so. I appreciate the remarks that have been made by honourable members of the Assembly that this is a tough year - not only tough because I happen to be the Minister of Labour, but it's tough in the whole area of industrial management relations. And I want to say to the honourable member, and I'm sure that he knows it, that it isn't a question of getting out of the scrutiny of this Assembly and going across the corridor into my office and relaxing. I'm not pleading for that double salary that was suggested by my colleague from Flin Flon, but I do want to assure the honourable members that it's an ongoing battle at all times, these days particularly, in the Department of Labour for the Minister and for all of the staff. Problems are being created almost daily. There's new approaches being made. I note in the press today that the Canadian Labour Congress and one or two of the affiliated unions are taking another look, or a closer look, at the whole matter of strikes in the industrial arena. We set up the Woods Committee that looked into the public sector. We approved of them going ahead into the private sector in a co-operative manner to try and assist in helping to solve some of the problems that we're being confronted with at the present time. And in all of these areas of activity, Mr. Chairman, I want to assure my honourable friend there is continuous consultation with the Minister that doesn't give too much time for the taking off of shoes and the placing of bare feet up on a desk. As a matter of fact, if my honourable friend came into my office now, he would find a pile about two feet high of unanswered correspondence that has just accumulated in the few days that we have been giving consideration to the estimates of the Department of Labour here. I have to catch up on all of that -

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(MR. PAULLEY cont'd) . . . again, not crying; it's one of my responsibilities; and back in 1969 I accepted those responsibilities and try to carry them through. So I say, I say to my honourable friend, I appreciate his remarks but I'm not going on holidays as yet. As a matter of fact, I didn't even have one except for a week last year, and while I was out in sunny B. C. the First Minister gave me a telephone call and asked me to come back because of some eruption somewhere on the industrial scene.

However, I do appreciate, Mr. Chairman, the contributions that have been made by all members of the Assembly in this, the most intensified investigation of the Department of Labour that has occurred since I became the Minister. I thank the members, and if from time to time it did appear as though the fur was really flying, in moments of quiet reflection and consideration I think it has been a fruitful investigation into the operation of labour. And when we talk of the operation of Labour, it is true that I'm only answerable for labour matters within the Province of Manitoba, but the concern is also within the department for the effect of the activities of Labour in the fields in other provinces and in the federal arena as well, because as sure as the good Lord made little apples, sometimes something happens in some other jurisdiction that meets the eye of others and, as a net result, we have the same problem to be confronted with here, and this is one of the benefits of having a research department to keep me informed as to what's going on.

So, if this indeed means, Mr. Chairman, that we've passed these estimates, I close on a note of thank you for your co-operation, thank you for your criticisms, and we will do our best to get on with the job of trying to bring about more stability than is prevalent at the present time in the industrial world, particularly the industrial world as it affects Manitoba.

MR. CHAIRMAN: Resolution 70(a) - passed. Resolved that there be granted to Her Majesty a sum not exceeding \$334,400 for labour. Passed.

That concludes the Estimates of the Department of Labour. The Honourable House Leader.

MR. GREEN: Mr. Chairman, the Minister of Labour is also responsible for the Civil Service and has indicated to me he desires to go ahead. I didn't mention Civil Service but I expected that you would be . . .

SUPPLY - CIVIL SERVICE

MR. CHAIRMAN: I direct the attention of the members to their Estimates book, Page 12, Civil Service Estimates, Resolution 29. The Honourable Minister of Labour.

MR. PAULLEY: Mr. Chairman, I would suggest that most of the items, or a considerable amount of the items dealing with the Civil Service Commission, were covered in the consideration of the Department of Labour estimates. However, it may not be so, and there may be questions that would be arising from time to time by honourable members as to the operation of the Civil Service Commission as far as detailed operations are concerned, and it may be that in the time left this afternoon I would not be able to really get much further than an introduction of the estimates and a brief note of opening.

I think - I'm positive - that the first thing I should say, Mr. Chairman, is a word of commendation to the Civil Service of Manitoba in general.

A MEMBER: Commendation or commendation?

MR. PAULLEY: Commendation. I don't know if any of my honourable friends would condemn them, but I would say that my remark is one of commendation in general to the Civil Service of Manitoba. They are doing a good job, in the main, on behalf of the citizens of Manitoba. They've had their troubles too, and I appreciate the fact that they have had their troubles, and as the result of some of their troubles, as indicated by the Honourable Member for Lakeside, they learned how to demonstrate. And that's all very well, and it is their democratic right so to do. Something - No, I hadn't better. No, I'd better not, because it might bring home to my honourable friend the Member for Lakeside years gone by, and I think that in the spirit of co-operation that I feel just at the present moment, rather than to raise the ire of my honourable friend from Lakeside, I'd better not make any further comment on days gone by and attitudes and approaches of government to the Civil Service. But I do agree with him that recently we did have a well-controlled demonstration of the anxiety and the problems exhibited within the Civil Service that previously hadn't been done. However, it does seem to me that, notwithstanding that, there is within the general Civil Service a continued desire to do their job on behalf of the citizens of this province of ours. So I thank them.

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(MR. PAULLEY cont'd) . . . .

I can appreciate their concern, particularly in the field of salaries, and hope that, as a result of the deliberations conducted between the department, the committee set up by the Cabinet and the executive officers and representatives of the Manitoba Government Employees Association, the difficulties will be resolved, at least for a period of a year. I will at some stage be making more detailed references to the industrial arena as affecting our civil servants, but I again reiterate, Mr. Chairman, that Manitoba, generally speaking, is well served by the Civil Service. Sure, there are complaints. There are always going to be complaints. I know that in past years when we considered estimates dealing with the Civil Service, the Civil Service Commission, complaints were made. Hell's bells, it took a long time for the employees of Manitoba to fight for recognition of an association that had some bargaining power. That only occurred around about 1964, 1965 before by legislation the Manitoba Government Employees Association became recognized as a group to be competent or to be allowed to enter into some sort of bargaining with the government of the day. It was a step forward, and further steps are in process. So I say it is a fact of life, Mr. Chairman.

And also I want to say that as a result of legislation passed last year so far as the civil service is concerned, if you recall, Mr. Chairman, authority was given to increase a number of members of the Civil Service Commission from three to seven - haven't filled the quota yet because some people have fears that we're jumping too quickly into expansion. However, during the year since we last met, I've had the honour and privilege of naming the first woman commissioner to the Civil Service Commission in the name of Mrs. Hazel Allen. So we're progressing and having greater representation.

As far as the operations in 1974 are concerned, there were 1,400 competitions held, Mr. Chairman, for positions - an increase of 300 over 1973; over 18,000 applications received for these competitions, an average of approximately 13 applications per competition. One half of the applications were for managerial or professional positions in the Civil Service. Over 5,000 people made general inquiries about employment. The total number of applicants was over 23,000 in 1974, about the same as the year before. Approximately 10 percent of all appointees had a university degree. I think this indicates two things: First of all I think it indicates that more people, more youngsters particularly, are taking advantage of their opportunities of obtaining university degrees today than they ever had before, and this is being reflected, too, insofar as the civil service is concerned, that recognition that more people of more experience or higher education are entering into the Civil Service. I do not attempt to berate those that haven't got university degrees or full university education, that have been good civil servants over the years. I merely point this out as an indication of the attraction of the Civil Service to a greater number of people today who have university degrees than previously.

There was 710 display advertisements placed in 95 different publications. A new format in advertising was introduced by the Commission in the middle of the year which resulted in savings dollarwise in the operation of the department of about \$40,000. Out of the 23,000 applications, only seven formal complaints were received by the Commission from the Ombudsman and the Human Rights Commission. Of the seven, all were resolved, withdrawn or found to be without justification.

I point this out, Mr. Chairman, to point out that while from time to time we have criticisms voiced in the House and outside of the House of the possibility of the Commission being unfair to applicants from without or from within, the proof of the pudding is in the statement that I made - only seven formal complaints of the 23,000 applications came from the Ombudsman. This doesn't mean to say that the Civil Service Commission itself did not deal with a number of complaints, but it indicates, Mr. Chairman, that the Commission itself - and I consider the Commission to be very efficient, with Mr. Duncan as the Chairman, Chris Hubert and Jim McFee joining Mrs. Allen from McGregor in the Commission - I think that it's an indicator of their fairness in adjudicating complaints that only seven apparently went beyond them.

Also, Mr. Chairman, if you recall last year, last year in respect of the Civil Service Act an amendment was made giving a further right of appeal beyond the Commission to the Minister responsible for the Civil Service Commission where a person felt internally, that is a present employee, felt the Commission had dealt with him unjustly then there was a further

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(MR. PAULLEY cont'd) . . . appeal to the Minister. I haven't had one. Which indicates to me that the general satisfaction with the decisions of the Commission, or if not satisfaction at least that added provision of the Act is not being used. I might say that I have on my desk at the present time one request for investigation of a nature of a complaint - it seems just at first glance that it's not included in the area of final appeal to the Minister, but I will be dealing with that outside of the House.

In keeping with stated government policy of decentralization of government services, the Civil Service Commission is making provision for the establishment of regional offices in Brandon and Thompson. With the growth of the civil service decentralization we felt it necessary to set up in Brandon and Thompson regional offices so that the employees in those particular areas, or those general areas, would not have to direct all their inquiries into the City of Winnipeg as they have in the past.

Decentralization of the administration and delivery of government services from the provincial capital toward other regions and communities throughout the province can help to broaden the economic base of these communities and thus increase their chances for continued viability. As well, and as equally importantly, decentralization can bring government programs closer to the people they are designed to serve and this way make them more responsive to community needs. As a central personnel agency supporting all government departments, the Civil Service Commission, and the Minister, believes in an extended base of operation in recruitment and selection, job analysis, training and development, staff relations, manpower training. We believe that this will be beneficial to the working of the line departments and also to the people in areas served.

I have some more remarks to make, Mr. Chairman, in respect to the Civil Service. I note the clock has reached 5:30 and on that, as far as I am concerned, subject to the House Leader, I'll terminate my remarks for today.

MR. CHAIRMAN: The time of adjournment having arrived, Committee rise. Call in the Speaker.

Mr. Speaker, the Committee of Supply has passed certain resolutions, directed me to report same and ask leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for St. Vital.

MR. JAMES WALDING (St. Vital): Mr. Speaker, I beg to move, seconded by the Honourable Member for Churchill, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: The hour of adjournment having arrived, the House is now adjourned and stands adjourned until 10:00 a. m. tomorrow morning (Tuesday) Committee on Economic Development meets at 8.