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DEBATES
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PROCEEDINGS

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OPENING PRAYER by Mr. Speaker

MR. SPEAKER, Honourable Peter Fox (Kildonan): Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 25 students, Grade 11 standing, of the West Kildonan Collegiate, under the direction of Mr. Ruta. This school is located in the constituency of the Honourable Member for Seven Oaks, the Minister of Finance and Urban Affairs.

And we have 100 students of Grade 6 standing of the Morden Elementary School, under the direction of Mrs. Lang. This school is located in the constituency of the Honourable Member for Pembina. On behalf of the honourable members we welcome you here this afternoon.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. STERLING LYON (Souris-Killarney): Mr. Speaker, a question to the Minister of Consumer and Corporate Affairs. Has the Minister a statement to make about the continuation of rent controls in Manitoba? Has a decision been made by the Cabinet with respect to that topic?

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HONOURABLE RENE TOUPIN (Springfield): Mr. Speaker, I intend to make a statement tomorrow afternoon.

MR. LYON: Mr. Speaker, a question to the Minister of Industry and Commerce. Does the Minister intend to set up a study to monitor the effectiveness or the costs and benefits of the Provincial Employment Program?

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

HONOURABLE LEONARD S. EVANS (Brandon East): Well, Mr. Speaker, on past occasions when we have conducted a provincial employment program there has been a rather extensive analysis provided by the staff of the number of jobs created in the province by the various programs, showing the alleviation of unemployment in the various regions of the country and, no doubt, in fact I can state very categorically we will be doing that type of analysis again. The Leader of the Opposition refers to a cost benefit analysis. We haven't conducted that in the technical sense of the term but what we have done is analyze the employment activity that's been generated directly by these expenditures. The difficult part of it, Mr. Speaker, if you want to do a true cost benefit analysis is to try to calculate the multiplier effects which are there, but it is very difficult to do this with any degree of reliability.

MR. LYON: A supplementary, Mr. Speaker. Could the Minister advise how large a staff will be assigned to this kind of ongoing study of the \$33 ½ million program and how many new people will be employed on either a permanent or a term basis?

MR. EVANS: Mr. Speaker, I would say that history has proven that the provincial job office, which is the focus of the administration of this program, has been very lean indeed with a very very small staff. The numbers that are retained are the numbers that are required to conduct the program. In the past the analysis has been done immediately after the initial implementation of the program and most particularly at the end of the particular program, when there is more time. But as much as possible, Mr. Speaker, the existing staff of the various departments, whether they be Health Services Commission, whether it be the Schools Finance Board or whatever agency of government is involved, as much as possible we use existing staff put in place. In case of the small business program, we do have to hire additional monitors, but this hiring will be done in accordance with the demand and need for this type of personnel. So it is our endeavour to minimize the administrative personnel required to conduct this program efficiently.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, going back to the statement made by the Minister of Labour last week in response to the resolution on fire safety indicating be prepared to provide assistance for the introduction of fire safety equipment. Can the Minister indicate whether his department, and the Fire Commissioner's Office has done any monitoring of the kind of fire safety equipment that is presently being sold in the city, and the firms that are doing it, to determine whether in fact the products and systems being offered are effective ones and are ones within a proper range of cost?

MR. SPEAKER: The Honourable Minister for Labour.

HONOURABLE RUSSELL PAULLEY (Transcona): That's a pretty hard group of questions to answer just off-the-cuff. Starting out with the first remarks from my honourable friend, I did not indicate that we had accepted the resolution, and were going to start providing firefighting equipment to municipalities if that's what my honourable friend meant in his opening remarks. What I

did say in a debate in the House was that the government was prepared to give consideration to the establishment of a fund insofar as safety devices, etc. for owners of property and the likes of that. Now I did say also, we had made a start in supplying air compressors in some areas in the Province of Manitoba. As far as the equipment itself is concerned, it is being sold, and incidentally very costly; an ordinary pumper now costs about \$60,000, and one of the reasons for the mutual aid area is so that the municipalities can get together and make a joint purchase for the area, rather than the municipality. And that's ongoing.

But some of the other points raised by the honourable member, I have missed his intent and purport of the questions, but the whole matter of checking into firefighting equipment is one that is done between the co-operation of the Fire Commissioner, Mr. Auguste Thorimbert, and the various municipalities, that they rely on his advice. And of course under our legislation, the Fire Commissioner, the chiefs of police . . . in municipalities, are in effect, assistant fire commissioners under his jurisdiction. I don't know if that is the full answer to my honourable friend. Again I repeat that I did not say that we were going into a joint venture. We were considering the resolution as proposed by my honourable friend.

MR. AXWORTHY: Mr. Speaker, perhaps I can clarify the question for the Minister. The fire safety equipment that I referred to is primarily of the kind used in homes such as smoke detectors and heat detectors, and based upon reports that certain firms are selling such systems at fairly expensive prices, and that much of the equipment that is being introduced is not of the kind that is necessarily protective of life or property. I am asking if the Minister and the Fire Commissioner's Office is looking into the distribution sale of this equipment and is prepared to begin providing more extensive information to consumers or people interested, so that they would know which equipment they should be buying, what is appropriate for their own home or apartment, and approximately what kind of price they should pay, and where they can get advice concerning it.

MR. PAULLEY: Well, I thank my honourable friend for the further clarification. I do want to indicate, Mr. Speaker, to the member and to the House, there have been at least two or three occasions that I am aware of, that the Fire Commissioner's Office, with my approval, have banned the sale of certain types of detectors that do not comply with the standards of the Canadian Association standards of safety. So that has been done, and the Fire Commissioner's Office is constantly reviewing the type of equipment that is being offered for sale to ascertain as to the effectiveness of such devices. So it's an ongoing matter in the department.

Also my honourable friend made mention of prices. We're not in that particular field as to the adequacy or the pricing of the equipment. Our job is to do whatever we can to make sure that any device that is offered for sale would comply with the National Fire Code, the code of the Fire Fighters Associations of Canada.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, could the Minister indicate where an individual could get advice if they were interested in acquiring such equipment for installation in their own home or apartment and whether the Fire Commissioner's Office is prepared to give that sort of advice about the kind of system that would be most appropriate and where it might be obtained?

MR. PAULLEY: I'm sure, Mr. Speaker, if the honourable member or any individual of the community would drop the Minister a line or the Fire Commissioner a line asking as to the effectiveness of a certain piece of equipment or what type of equipment is available, an answer would be forthcoming as quickly as possible to the writer.

MR. SPEAKER: The Honourable Member for Fort Rouge. Final question.

MR. SPEAKER: Thank you, Mr. Speaker. I just have one more question. Considering that the Province of Alberta and that of Ontario have both introduced legislation making smoke detectors mandatory in all new buildings and also beginning to make it retroactive to some older buildings over a period of time, does the Province of Manitoba have any intention of introducing such legislation, making smoke detectors mandatory in new buildings, residential accommodations, say, above those of a single family home?

MR. PAULLEY: This is a matter, Mr. Speaker, that has been under consideration over the years and of course the first requisite is to make sure that the detectors are safe. Now I'm not conversant with the law of Ontario or Alberta but I know, and I think I just illustrated a few moments ago, that there were endeavours to sell on the markets in the Province of Manitoba smoke detectors that would give false security to the purchaser. Now I just want to indicate that we are constantly endeavouring to make sure that that is done. As far as application of by-laws of the local municipalities, to bring into use the mandatory placing of smoke detectors, it has been deemed thus far at least, not to make the by-laws retroactive for a considerable period of time. But any construction, Mr. Speaker, over a certain amount of money, it is a requirement that safety provisions be upgraded insofar as fire is concerned.

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

MR. HARRY E. GRAHAM: Thank you, Mr. Speaker. I have a question for the Attorney-General. I

would like to ask the Attorney-General if a date has yet been set for an inquest into the tragic deaths, fire deaths in Portage of about a month ago?

MR. SPEAKER: The Honourable Attorney-General.

HONOURABLE HOWARD PAWLEY (Selkirk): Mr. Speaker, I keep inquiring each day and as I indicated earlier, I will advise the House as soon as I'm notified of same.

MR. GRAHAM: A supplementary question. Has the Attorney-General received the police report yet?

MR. PAWLEY: No police report has been received as of two days ago or yesterday morning. I will make an inquiry because my Estimate review is coming up later this afternoon and probably can advise the honourable member then if same has been received.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN: Thank you, Mr. Speaker, my question is to the Honourable the Attorney-General. I would like to ask him whether he can confirm that the Manitoba Liquor Commission this morning finally yielded to sweet reason and reached a settlement on its parking facilities at its Fort Garry outlet?

MR. P Mr. Speaker, I LEY: have no knowledge as to what happened this morning. If something did happen then I can only assume that the other gentleman that was involved in the transaction yielded to sweet reason and the power of the competent representations that were made by the Manitoba Liquor Control Commission to finally arriving at a reasonable settlement — if that in fact did happen this morning. That's what I must presume.

MR. SHERMAN: A supplementary, Mr. Speaker. Would the Attorney-General be able to undertake to assure the House that the Liquor Commission would now be prepared to go one step further and enter into settlements for damages to those property owners in the area into whose back fences and yards liquor trucks have been backing for the last five months.

MR. PAWLEY: Mr. Speaker, I think residents of Fort Garry, like residents throughout the entire province, are aware that if there's provable damages that those damages have resulted from negligence, they have every right to make claim and if it's a justifiable claim then those claims will be paid either voluntarily or involuntarily through the courts, if there is dispute as to the legitimacy of the claims.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BOB BANMAN: Thank you, Mr. Speaker, I direct my question to the Minister of Tourism and would ask him if he could confirm that Lake Riviera, a tourist attraction and recreation facility in the Rural Municipality of Ste. Anne, will not be on open to the public this year?

MR. SPEAKER: The Honourable Minister for Tourism and

HONOURABLE BEN HANUSCHAK (Burrows): Mr. Speaker, just off the top of my head I rather suspect that that's a privately-owned operation. We do not direct any private operator of a recreation facility as to when he should open his facility or if he should open it at all.

MR. BANMAN: I wonder if the Minister could inform the House whether there has been any attempt for involvement by his department to try and keep this recreation facility open for the residents of that area.

MR. HANUSCHAK: Mr. Speaker, I have no knowledge. If the honourable member is correct that the owner does not intend to open it for whatever reason, I'm sure that he can contact him perhaps even much easier than I can. I would think that he could. But as I've said before, private operators are in full control of their operations and we do not persuade or discourage them or in no way interfere with the operation of their affairs.

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY: I have a question to the Minister of Agriculture. —(Interjection)— You see how the jackals feel uncomfortable.

MR. SPEAKER: Order please. The honourable member proceed with his question.

MR. SHAFRANSKY: Mr. Speaker, I have a question to the Minister of Agriculture. Some two years ago a man by the name of Mr. Peter Friesen appeared before the Land Use Committee charging that Manitoba Agricultural Credit Corporation employees actively sent out farmers to purchase land for the Manitoba Agricultural Credit Corporation. Can the Minister confirm whether that was a fact?

MR. SPEAKER: The Honourable Minister for Agriculture.

HONOU (Lac du Bonnet): BLE SAMUEL USKIW Mr. Speaker, I don't know that I can remember the particular incident. I can respond though by pointing out that we have had numerous allegations coming from members opposite and people out in the countryside and in each and every one of those instances when we checked them out they were found to be completely wrong.

MR. SHAFRANSKY: A supplementary. The other day the Honourable Member for Morris read a letter into the records indicating that a civil servant indicated to a private citizen that you have to vote properly in order to lease land from the Crown. Can the Minister indicate whether there is any basis to that allegation?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Well, Mr. Speaker, it is my intent to give a full report in the course of the debate in the next few days on Bill 56 but, I in the meantime did have an opportunity to check this out and I am told that the individual in question, the civil servant, completely denies that and we will follow it through further, Mr. Speaker. I believe it might be appropriate to follow through with an affidavit from the individual and perhaps, subsequent to that, perhaps legal action.

MR. SPEAKER: The Honourable Member for Radisson. Order please. Order please. The Honourable Member for Radisson.

MR. SHAFRANSKY: Yes, Mr. Speaker. A question to the Minister of Agriculture. It seems to be a common practice from the Opposition . . .

MR. SPEAKER: Question please.

MR. SHAFRANSKY: . . . to make allegations. Is the Minister prepared to call a Committee of Agriculture and, under the provisions of the Standing Committees I believe there is provision that members can be called before the Committee under oath, and make those statements before the Standing Committee of the Legislature as to the facts facts, whether they are right or not?

MR. USKIW: Well, Mr. Speaker, I am not sure that that is the most prudent course of action, but I did indicate that we will pursue the matter in order to clarify the situation to the satisfaction of all members of the House.

MR. SPEAKER: The Honourable Member for Radisson. Final question.

MR. SHAFRANSKY: A supplementary. A question to the Minister responsible for the Civil Service. Would it be possible for the Civil Service Commissioner — I believe it's a body of private citizens — could they be convened to investigate these allegations made by the Member for Morris and to call a kind of investigation which, I believe, should be followed and if it is found that the allegations by the member. . .

MR. SPEAKER: Order please. Order please. Order please. The honourable gentleman is debating the question. The Honourable Member for Morris have a question?

MR. WARNER H. JORGENSEN: Well, I have a question of privilege, Mr. Speaker. The Member for Radisson implied that the accusation was made by me. I simply read a letter into the records. — (Interjections)—

MR. SPEAKER: Order please. Order please.

MR. JORGENSEN: Well, Mr. Speaker, I repeat my question of privilege. I did not make the accusation. I simply read a letter into the records which was written by a farmer in the Franklin area.

MR. SPEAKER: The honourable member has had four questions. The Honourable Member for Radisson.

MR. SHAFRANSKY: Yes, Mr. Speaker. I have a question to the First Minister and this is with regard to the demand billing. Has the Minister given any consideration to the amendment that was made to the motion presented to the House by the Member for Minnedosa with regard to consideration to help community clubs, community curling clubs and others with their problems, especially those who claim that their Hydro bills have gone up, way out of proportion?

MR. SPEAKER: The Honourable First Minister. Order please. Order please. I wonder if the two gentlemen that are waving arms and talking to each other would kindly cease and desist. If they don't know the parliamentary rules they should look them up.

The Honourable First Minister. Order please. Order please. I would suggest to the Honourable Leader of the Opposition he should look up his rules and regulations. If he's not prepared to accept the way the House is chaired, he has a course of action to follow. The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, now that the petulance on the other side has subsided, may I answer the question. In reply to the Honourable Member for Radisson, I would say that as of the past couple of weeks, we have commenced the process of investigation in detail with respect to the contention that energy costs by virtue of demand billing are onerous on community skating rinks and curling clubs. As a consequence of that, we have detailed a staff person from the Department of Tourism Recreation and Cultural Affairs to prepare detailed cost comparison figures based on given amounts of consumption as between Winnipeg and rural points, as between Regina and rural points in Saskatchewan, as between Calgary Power, Edmonton Power, and rural points in Alberta, and on the basis of that information, we intend to formulate policy. I might indicate further, Mr. Speaker, without speaking in generalities that the cost comparison shows most specifically that by virtue of power demand billing, that the cost for a community recreation facility indicates approximately 40 percent lower cost to a given Manitoba community than those served by Calgary Power rural. — (Interjection)— Yes, I would think it is great, Sir, with respect. . . Well it's an amazing thing, Sir. It's 40 percent lower. . .

MR. SPEAKER: Order please.

MR. SCHREYER: With respect to Edmonton Power it is 25 percent lower, that's for equal units of consumption. With respect to Alberta Power rural, it is 50 percent lower for equal amounts of consumption. With respect to Saskatchewan Power Regina, it is 1 percent higher, and with respect to

Saskatchewan Power rural, it is approximately 8 percent lower. So that the policy we formulate will be in the context of prevailing rates that obtain and exist in Western Canada.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BANMAN: Thank you, Mr. Speaker. I direct my question to the Minister of Municipal Affairs and would ask him in light of the passing of a resolution which was introduced by myself, which pointed out certain inequities with regard to real property assessment as it applies to gravel pit owners, municipalities and operators, and in light of the fact that the resolution was passed unanimously by the House several months ago, I wonder if the Minister has initiated any talks with municipalities, with operators, and with gravel pit owners with regard to developing a policy which will be beneficial and streamline the existing tax structure.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. URUSKI: Mr. Speaker, the matter is being reviewed, in fact, there was a meeting of officials between the Department of Highways, Mines and Municipal Affairs several weeks ago. However, we have not at this point in time met officially with municipalities who are involved in the specific area that have large gravel deposits in them, but that will be put forward at a later date.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID BLAKE: Mr. Speaker, my question is directed to the First Minister in view of his statements in connection with the resolution that I proposed to the House some time ago: If the results of his study that he is undertaking would indicate that some rural recreation facilities have been subjected to unduly high hydro costs, would he consider making the assistance to them retroactive, to pick up the slack that they may be enduring now with hydro bills coming up June, July, and August?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, the reason that we have this information is because we did undertake to do an investigation of a comparative nature to attempt to ascertain the true nature and extent of the problem, and in doing so, we have been able to ascertain these facts, namely that the cost for comparable units of energy consumption in a Manitoba curling rink or skating rink is 40 percent lower than Calgary Power, 25 percent lower than Edmonton Power, 50 percent lower than Alberta rural Power, 1 percent higher than Regina, and 8 percent lower than Saskatchewan rural points. Now we will take all that, and in the context of that, we will formulate a policy as to what extent, if any, we should be providing supplementary assistance.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable House Leader.

HONOURABLE SIDNEY GREEN, Minister of Mines (Inkster): Mr. Speaker, would you please call Bill No. 62.

MR. SPEAKER: The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON: Yes, Mr. Speaker, before Orders of the Day, I'd like to change a member on the Law Amendments Committee, and substitute the Member for Fort Garry for the Member for Charleswood. (Agreed)

MR. SPEAKER: The Honourable Member for Flin Flon.

MR. THOMAS BARROW: Mr. Speaker, I would also like to make two changes in the same Committee. The Minister of Labour will replace the Minister of Agriculture, and the Member for Point Douglas will replace the Minister of Education. (Agreed)

ORDERS OF THE DAY

ADJOURNED DEBATES ON SECOND READING

MR. SPEAKER: Did the Honourable House Leader say Bill 62?

MR. GREEN: Yes, Mr. Speaker, I would like to call Bill 62, please.

BILL (NO. 62) - AN ACT TO AMEND THE CITY OF WINNIPEG ACT

MR. SPEAKER: Bill 62, proposed by the Honourable Minister of Urban Affairs. The Honourable House Leader.

MR. GREEN: Mr. Speaker, I move seconded by the Honourable the Attorney-General that Mr. Speaker, be . . .

MR. SPEAKER: Order please. Does the Honourable Member for River Heights wish to speak on Bill 62?

MR. SIDNEY SPIVAK: Yes I do, Mr. Speaker.

MR. SPEAKER: Very well. The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, this is a proud day for Manitoba. It is a culmination of many many months of long and hard work carried on to attempt to restructure the capital city of this province to make it ready to deal with the future. I think it will be a proud day for Greater Winnipeg at a future date

when it becomes so organized that it can cope or attempt to cope with what we know will be tremendous problems that the future holds in store, and which we know with certainty because we know what is going on in the other cities of the world and especially to the south of us. It's first and foremost a total and absolute, an unqualified commitment to real democracy at the local level. It is a categorical commitment to the belief that if you make it possible for people to determine how their own community shall be run, determine it in the most direct and personal way, and in all aspects, the daily affairs of the community, they will do it very well indeed. They will do it very well indeed, Mr. Speaker.

We have to recognize that the people for whom we were creating a new structure were much more important and that particularly at the local level, which is theoretically closest to the people, there had to be people involvement. We know from experience and I speak now of people in our group who had represented at the local level, at the municipal either at the school board or council, had represented areas such as the City of Winnipeg and others, that the theory of people involvement were not true for all parts of the community. We felt with people for their need for direct involvement, they had to have a close contact with their elected representatives, a real chance for citizens to have a direct and personal say in what affected his day to day life. We found municipalities within Greater Winnipeg where they had that say, where they felt they really were participants, and we found great areas where they did not.

Well, Mr. Speaker, there is one other quote: "The purse strings are controlled by the people who are elected, and the people are elected from wards, and the people elected from wards sit on the community councils and the regional council. The purse strings are controlled in such a way that the budget requirements for the delivery of services at the community level will be prepared and sent to the regional council."

Mr. Speaker, it is three years . . .

MR. CHERNIACK: Would the honourable member permit a question?

MR. SPIVAK: Yes.

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

MR. CHERNIACK: . . . those sentiments.

MR. SPIVAK: Mr. Speaker, I'll answer the Minister or the former Minister in my few remarks today. But I want to point out, Mr. Speaker, that it is three years really since the time that the intent as expressed by the former Minister of Urban Affairs, the Member for St. Johns, was given in this House — three years after we are meeting once again with 140 amendments to restructure the City of Winnipeg. And one has to wonder whether, Mr. Speaker, out of this we are going to get better government. One has to realize that we have the Michener Commission, we have the Local Government Boundaries Report, we had all the Blue Paper with respect to the proposals for the change in the City of Winnipeg, the actual legislation, and Mr. Speaker, we are still restructuring. One has to make a comparison to the provincial level, notwithstanding the fact that there are some changes that occur within the structure of Cabinet, this Legislative Assembly has not been restructured. Essentially, we have been able to operate over a period of time and operate fairly effectively, notwithstanding all the pressures that occur.

Now the problem then, Mr. Speaker, in dealing with the amendments and the proposal for another restructuring, is to analyze philosophically, where the problem lies and what the problem area is. And the question, Mr. Speaker, is whether we really are prepared to debate the issue as to whether the City of Winnipeg is supposed to be a master in their own house or not. Mr. Speaker, the basic question that has to be determined is whether in fact, those who are the elected representatives, who are accountable to the electors in their area, have the capacity and the ability to be able to carry on their responsibilities in the way in which they deem fit, and to be answerable to the electorate for the policy decisions that are arrived at. The problem is that we are again going to debate the structure, we are going to deal with it again, we are going to tinker around, we are going to argue in terms of the philosophical merit. We are going to obviously expand our thinking because at one point, the ward system of 10,000 people was the be-all and was the rationalization for the 48 and 50-member council that was first talked about and then finally proposed by the government because that was the right number.

Mr. Speaker, what concerns me in dealing with this — because I have no intention at this point to get involved in the specifics of the various amendments — I think we'll have adequate opportunity in the Committee and I have no doubt that there will be a number of presentations. But aside from the issue on specifics, the question at this point is whether we, as a Provincial Legislature, are going to allow the City of Winnipeg to, in fact, be the masters in their own house. I have a feeling, Mr. Speaker, that that question has not been answered, that in effect, we are talking about restructuring again, and that notwithstanding what we will do, we are going to be back, or some will back in another term of the Legislature within a four-year period, dealing about restructuring again.

Now something is wrong here, Mr. Speaker. It doesn't mean that improvement has not occurred, but there is something fundamentally wrong with respect to the essential approach. Now there's our

basic problem, Mr. Speaker, and it related to the time we discussed this bill in the first place. There is a contradictory position with respect to the unification that has occurred in the city in the sense that we have attempted both a centralization and a decentralization. It's a very difficult situation to rationalize. And the problem is that in working out the centralization and decentralization obviously there will be emphasis in different aspects in which the actions will be consistent with one position or the other. And the problem is whether we are really better equipped here to make those decisions, or whether the people who are directly involved are better prepared because of their experience to make the decisions.

It would seem to me, Mr. Speaker, that in effect we have created the Minister of Finance as the trustee for the City of Winnipeg by this bill. And in the course of doing that, we have not only solved the problem of being masters in their own house — because we have in effect said that they are not — we also have provided the centralization, the greatest symbol of centralization, with respect to what is being attempted.

Mr. Speaker, I recognize that the municipalities and the cities are in fact creatures of the province. But I also recognize that they have to account to their own people, and that they have, in their own way ' the legislative responsibility of being able to answer for their actions. The problem, Mr. Speaker, is that that in terms of the true democracy that the Honourable Member for St. Johns referred to when he spoke initially, that's really where the element of true democracy would exist — the ability for them to be able to answer to the people, not to the Minister of whatever government it may be in power at the time. And Mr. Speaker, you know that is not — (Interjection)— Well, we're not talking just in respect of financing; we're talking about in terms of the overall action plans, the development plans.

Well, Mr. Speaker, we still have the finger on 500,000 people, on half of the population, on essentially a ward system which will be really representative of half of this House and pretty well all of the city representatives who are in this House. And the problem at this point is whether the rationale for this has been answered.

My point, Mr. Speaker, in rising now, is to point out that the government, who have a responsibility in presenting this change to justify it, who have a responsibility to present, in terms of their proposals, a fairly solid case, simply have not done that. The presentation has not been made in that way, the presentation has been made really on the assumption that the city is evolving and the political recognition that there is a concern for the number of council members, and the fact that in many respects there have been failures on the carrying-out of the programs. Of course, it is easier then to attach the blame to the councillors, rather than to the concept.

One of the things I would like to know — and I think the Minister should be in a position to indicate — is whether those consultants who are responsible for the development and creation of the Unicity Council in the first place, have in fact been involved, whether this is their advice. Have those same consultants been hired? Have they made the assessment? The Minister of Industry and Commerce just a few moments ago announced that , with respect to the Job Formation Program, there is an evaluation that is going on right now from his own department to be able to assess it. I wonder if those people who are responsible for the concept, whose expertise and advice were given, were they allowed to do the evaluation? And is this their recommendation? Or do they recommend something different? Or were they hired and retained? And I think here, Mr. Speaker, the government has the responsibility of answering.

So I think that the philosophical question of whether the city, whether this bill, or whether the actions of the government, are allowing the city to be masters in their own house, has really not been answered. But the problem of the contradictory position of centralization and decentralization still exists, and that hasn't been answered. That is also going to create problems with respect to the operation.

But you know, you have to ask, Mr. Speaker, what are we really doing? Is there going to be better government as a result of this? And if that is the question, I'd like the members opposite to be able to prove it. Is there going to be a better quality of life as a result of this? Mr. Speaker, if that is the case, I'd have to ask the members on the opposite side to prove it.

Mr. Speaker, with respect to the urban area of Winnipeg, there has been a persistent attempt to basically change the structure and the form. And to what purpose? This is the problem that hasn't been addressed by the members even if they can relate the experience. And the question that has to be asked is: Are they really getting into the fundamental problems of the city? Then they have to then define really what the fundamental problems are. I have to say, Mr. Speaker, that the Minister of Urban Affairs hasn't done that nor has the government. What are the fundamental problems of the city that you are trying to correct? If it is leadership, it is not up to you to select the leader. It's not up to you to in fact impose the leadership. It's up to the people.

Now, I'll come back to the whole question of the political issue over the party system within the structure. That, Mr. Speaker, I have to say, is a question that maybe is something, not to be raised in this House, but to be raised by those who object to what is happening within the city. But the problem is what is the purpose? How are you really in any way, Mr. Speaker, accomplishing anything? And Mr.

Speaker, what are the expectations of this proposal, aside from what may be housekeeping amendments? What really is the expectation? We have the expectation, and I can recite it over and over again, from the Member for St. Johns and the others at the time the presentation was made. Now, what is the expectation that has changed? I don't know, I really don't know.

Now, Mr. Speaker, it goes back to something further, Mr. Speaker, what are its goals now? You see, Mr. Speaker, if we are to be presented with what is really now a fundamental change from what was proposed, it has come as a result of the evolution that has occurred and the experience, it has come because there are certain things that are basic and there are certain justifications for it. Now in effect the case has not been presented. We all have some idea of what the reasons are but the basic problems with respect to the operations of the city are going to continue. Mr. Speaker, you almost get a sense that in effect what has happened is that the present government have taken a film, a polaroid shot, an instant shot of the City of Winnipeg and have viewed this situation and have legislated it on the basis of the situation as it is today, with really no regard to the future. Have talked, Mr. Speaker, or have presented and are talking and rationalizing a position which is really based on the political realities of the Council today and the tremendous political power of the Mayor who they are not prepared to offend, but who they're not prepared to ignore.

Mr. Speaker, as a result we have a situation which I think, in this proposal, unless it's altered, is quite ludicrous. Because, Mr. Speaker, we really have a situation where we have a Mayor who is really not possessed of the powers of the Chief Administrative Officer of the City of Winnipeg. Mr. Speaker, there is no question he should be the Chairman of the Executive Policy Committee. There is just no question that he should have the power that a Mayor should have and we find a situation which is really, you know, consistent with what really has happened. The government's proposal initially was not to have the Mayor elected. Their proposal was predicated on the assumption that as a result of the councillors being elected to the wards, they in turn would elect the Mayor, and that in effect they would have a basic parliamentary system with a form of responsible government. That was their basic concept. That was the concept of the people who were their advisors they had to deal with the political power of the Mayor at the time and they altered. Mr. Speaker, I have said that once the Mayor has been elected and that is the decision and that was the will of the group here, that the Mayor will always have to be elected and that reality has to be faced. Now the problem at this point is, do you have an integral part of the Council and do you allow the Council itself to function, or do you have him in the position where he really is like the Lord Mayor of London who in effect is really an honorary person responsible in attending to all the ceremonial functions of the office, but not with any direct responsibility of carrying it out. And this goes back to the whole question of being masters in their own House.

Mr. Speaker, we now go to the whole question of the wards themselves and the ward structure. Now I think there's been some experience with the community councils which are pretty important and I think there has been some experience with the resident advisor groups that are pretty important, but I don't think that that experience has been understood and is properly translated in the proposals that have been provided. Mr. Speaker, if in fact we are going to provide a situation in which we have six community committees with in some cases four and in some cases five ward councillors to be elected, the problem has to be discussed and the proposal has to be put forward even though it may amount to heresy to the members opposite, that in effect the system of electing the member for the ward may not necessarily be the best system. It may very well be far better, Mr. Speaker, for the four councillors or the five councillors or the three councillors, as the case may be — and I don't think that's the case — to be elected by the members of the community committee itself.

Mr. Speaker, I'm suggesting to you that the concept of the ward, which was that the person would be closer to the ward, has now been expanded from 10,000 people to approximately 14,000 electors, so we talking approximately 22,000 people, if I'm correct. And, Mr. Speaker, we have more than doubled it and in effect, I think we've got to be realistic. When we talk in terms of community committee we're talking in terms of community of interest, of a general area. I wonder now whether we haven't really reached the point where the councillor doesn't really represent the total community in which he is part of the community committee more than in effect than his own ward; and whether it's not perceived by the members in the Community Committee that in effect; that is the members who are electorate of the people, that in effect the councillor really is the part of that total community committee and not just identified to a ward. The question at this point is whether it wouldn't work more effectively if that be considered.

Now what I'm saying, Mr. Speaker, is that I believe should be considered and should be debated. I think the concept originally of the ward system, 10,000 people, that's been thrown out. As I recall the statement of the Member for St. Johns, and he said this on several occasions, "We do believe" — and I quote him — "in the rough 10,000 to 12,000 people per elected person, we do believe in the community committee concept. We do believe in the commission of former government. There are certain matters that we believe are vital and important."

Well, Mr. Speaker, I know the member has spoken on the bill already and I know that he's

indicated some concern, but in reality, more than this statement — there were other statements made in the House in which he indicated the fact that they basically determined that 10,000 was the factor — (Interjection)— Oh yes, 10,000 was the most important factor. That was the way in which democracy would operate effectively, and now they're changing it. And I'm suggesting that in terms of the community committee concept it may very well be that the other proposal is something to be seriously considered.

Mr. Speaker, we have one other situation, in that again in this Act we still have a law for the government and a law for the people. In the sense, Mr. Speaker, that the government is not subject to the degree of control with respect to planning, I think in this respect we have a law for the government and a law for the people, and not sure that that really is consistent with the kind of democratic spirit that's supposed to characterize this, Mr. Speaker.

Well, Mr. Speaker, let me try and suggest this. I'm rather surprised. I have to say this because I've reread the Hansards. I recall very much the debate that took place. I know the position of the Minister. I was aware of the positions of the consultants in private discussions with one of them in particular. I know the concerns he had with respect to the —(Interjection)— No, not a leak. He talked I think freely with everyone with respect to the development that was taking place in the proposals. I think really, Mr. Speaker, that to a certain extent the changes that are proposed are serious enough to raise into question again the motivation for the change on the part of the government. It's really not consistent with the positions that were expressed. It appears to be that snap-shot at this particular time — that instant photo — which has given them some clear insight into the need for a change now, but at the same time. . . Well, I think I can see the motives, but the problem that I have is that I'm not sure that even in the accomplishment that has been undertaken by them, that there is any particular achievement, nor do I really believe that there is going to necessarily be anything far better. Nor do I believe, Mr. Speaker, that they've addressed themselves to the fundamental problems.

Again I repeat the problems, and I'll close with that. There is a basic contradictory position with respect to the proposal initially for Unicity, and was the centralization and decentralization. That was never answered satisfactorily and it's not answered now.

The other proposal, Mr. Speaker, is realistically whether they should or should not be masters in their own house. And obviously the government says they should not and the question at this point is whether that position is right. I would think, Mr. Speaker, one has to say that they should be masters in their own house. They should be responsible for the electorate, they should have to be accountable. And you know, Mr. Speaker, one could go through the proposals of the government in the Blue Paper, proposals for urban re-organization, in which they said the objectives and the purpose of the Manitoba Government in the policy statements were to make it an effective functioning unity, to have an urban community and yield the maximum benefit, not merely to the people who live within its confines, but the people of Manitoba as a whole. To recommend a basis for a more effective urban-provincial-federal relationship. These were the objectives, Mr. Speaker, and none of them appear to have been met.

Now I want to, if I may, before I close' talk with respect to the whole question of party politics because there's been certain discussions in connection with this in the House. Mr. Speaker, I don't think it's difficult to present a case. That notwithstanding the fact that the citizens' group in the City of Winnipeg have taken on different names at different times. But since the 1919 strike there have been party politics on the city level and I think those who would say and those who would suggest otherwise are just arguing against reality and against the facts of life.

Now, the problem here is that the party politics are not necessarily the party politics *per se* of the parties that make up this House. Now —(Interjection)— No, no, Mr. Speaker, they have been citizens' groups whose party affiliation may or may not have been involved in the parties opposite. The problem, Mr. Speaker, with respect to what is happening, is that it's not perceived yet by the electorate in Winnipeg, and that may be to the advantage of the citizens' group, but in effect they are a political party *per se* and have been, although it's taken different forms. And there have been enough evidence to support the position I have expressed and, Mr. Speaker, I think that is in fact to the detriment of the people in Winnipeg because I think if the people in Winnipeg understood this then the degree of accountability, which really should come from a group who are committed, for whatever purposes, to stay together for whatever determinations that they intend to be together, they at least would have to account and they would at least have to be in a position to answer for their actions.

So, to those who would be concerned about party politics in the City of Winnipeg, I say we've had party politics and it's been there and it's wrong to suggest that it hasn't. To those who are concerned that this is in effect to the detriment of the City of Winnipeg, I would say it's not to the detriment of the City of Winnipeg. The problem has been for the public to recognize this, and the further problem is that the parties involved have never really properly presented a total urban program to the electors that they are soliciting their support from. Now, if in fact the structure and the proposals will, in fact, cause this to happen then I think this is fine, because I think in the long run we will be better off if

those who are elected to office are committed to basic policies that are at least understood and known, and there is an opportunity for the evaluation to take place whenever they have to seek election again or whenever anyone standing up to support the position of one party will have to come forward. And I think that's very important, Mr. Speaker, because I think that will create the accountability. And so for those who talk about party politics and are upset about it, I would say we have had party politics and that the degree of —(Interjection)— well, I'm talking overall, Mr. Speaker, and I'm talking to the members of this House and I'm talking to all who may hear me. Albeit there may be only a few at this point and I can also turn around. But Mr. Speaker, it's important that you understand that what is necessary is the accountability, and what is necessary is the proper urban planning. I do not think that any political party, including the government opposite, in terms of the representatives who have been seeking office under the NDP banner, have in fact presented such a policy, and I would hope that the time will come that those policies will be presented in such a way that the accountability will take place and that in effect there can be the kind of evolution into the kind of democratic government and representative government that in effect the members opposite have suggested.

So, Mr. Speaker, although there is a reduction of a council which will meet the political need of trying to suggest to the people of Winnipeg that somehow or other there will be a saving in cost and it will be less unwieldy than it has in the past. I really have to suggest that I am not sure and there is no evidence and there is no proof and there is no basis for any judgement that would indicate that what is being proposed is any better or that we are not going to be involved sometime in the future, probably in the immediate future, with another tinkering around. And it will only come and stop, Mr. Speaker, when we realize that the City of Winnipeg is going to be given the opportunity of being able to conduct themselves in the way they see fit and to be able to structure themselves within their limited authority, and be able to accomplish what's required, and to give them the responsibility for which they will have to account to the people in the City of Winnipeg. And if that happens, then that improvement will be a very important factor, Mr. Speaker, in the evolution that has taken place.

The Minister's statement assumes that we are on a sort of critical path toward a better situation. I don't really think that that's the case. I don't see the evidence and I would be very interested hearing in the debate that will take place and after the presentations have been made, whether there is really any supporting evidence, other than wishful thinking on the part of the members opposite, that this will, in fact, happen.

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the loge on my right where we have the Honourable Gilbert Clements, Minister of Tourism, Parks and Conservation of the Province of Prince Edward Island. On behalf of the honourable members we welcome him here.

The Honourable Minister for Urban Affairs.

HONOURABLE SAUL A. MILLER(Seven Oaks): Mr. Speaker, I wonder if the Member for River Heights would respond to a question? I was trying to follow the member and I'm wondering is he suggesting that he would prefer the Municipal Board to continue with the arbitrary authority that they now have over the city with regard to capital financing and with regard to approvals, amendments, etc., on any zoning applications to the city?

MR. SPEAKER: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, I guess the answer would have to be found in two phases. I think it's better than the Minister because of the political realities with respect to that situation, and having accepted as I do the fact that the control of a council should be essentially in the hands of a political party and that political parties have been, in fact, operating and the citizens' committee has, in effect, been in control since 1919.

That's number one. However, having said that, I'm not sure that they shouldn't have full responsibility to deal with it themselves. And I think we come back to the basic question, at what point in the maturing process are we going to essentially say that they are accountable and they answer and they are responsible. Because, in effect, under this Bill the Minister becomes the trustee, realistically, right at the beginning before a receivership has even taken place.

MR. SPEAKER: The motion will remain in the name of the Honourable Member for Fort Rouge. The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, if we could now proceed into Supply.

MR. SPEAKER: If the Honourable Minister will make the motion we will.

MR. PAWLEY: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Urban Affairs, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

MOTION presented and carried and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair for the Attorney-General and the Honourable Member for St. Vital in the Chair for the Civil Service Commission. .

CONCURRENT COMMITTEES OF SUPPLY
ESTIMATES - CIVIL SERVICE

MR. CHAIRMAN, Mr. D. James Walding (St. Vital): We have a quorum, gentlemen. The Committee will come to order. I would direct the attention of honourable members to Page 13 in their Estimates Book. Order please. Order please. Resolution 29(c)(1). The Honourable Member for Fort Garry.

MR. L.R. (Bud) SHERMAN: Mr. Chairman, just before speaking to that particular resolution, I wonder if I could just have your indulgence to apologize to the Minister and to the Committee for the fact that I was not able to be here yesterday afternoon. The amendments to the Employment Standards Act had just been distributed and I was caught in the kind of reaction and response that always results from that sort of thing, and I was tied up with a number of meetings. So I do apologize to the Minister and his staff for not having been here yesterday.

HONOURABLE RUSSELL PAULLEY, Minister of Labour (Transcona): On the same point of order, may I suggest that he may have to apologize for what he said about that very progressive bill that I introduced yesterday.

MR. SHERMAN: I doubt that. I doubt that, Mr. Chairman.

MR. CHAIRMAN: Order please. The Honourable Minister.

HONOURABLE BILLIE URUSKI, Minister of Municipal Affairs (St. George): Mr. Chairman, just before we go into comments, there were two matters raised in the Hansard which completely change the statement that I made, in fact the verbiage used, and one of which is on Page 3124 of Hansard in the last paragraph where they have, "no, discrimination based on race, colour, religious creed, national origin, sex, ancestry and age is legal." The point is "No." and the word is "illegal" that discrimination based on race, colour or religious creed, national origin, sex, ancestry and age is illegal. That's the point that I made. And on the following page 3125 of the May 17th Hansard in the third paragraph, the first sentence should read, and it reads presently, "Our employer is expected to hire the less qualified." The correction should be, "Are employers expected to hire the less qualified over the more qualified to meet affirmative action goals?" It was a question that I was posing.

MR. CHAIRMAN: Resolution 29(c)(1)—pass. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, the Minister gave us a fairly thorough briefing yesterday morning on the rationale behind the affirmative action program and the kind of perspectives that he felt his department was bringing to bear in that area. I would like to ask him to what extent he feels optimistic that the program has now surmounted many of the initial difficulties which seem to surround it, largely in the areas that we discussed yesterday, or whether he is in a position to give us an assessment on that. He said, and I agree with him, that a program of this type should not be regarded as a panacea or an overnight solution. On the other hand, I think one expects a period of experimentation in any areas of this kind to come to a conclusion in a period of measurement and reassessment at some point. I would appreciate the Minister's comments as to whether the program has been examined and reassessed and measured for effectiveness up to this point and what the projections are for a continuation and for continued progress, if any.

MR. URUSKI: Thank you, Mr. Chairman. First of all before I specifically answer the honourable member I would like to introduce a member of my staff that was not here yesterday. In case the honourable members here are not familiar with my staff, on my left is Doug Duncan, who is the Civil Service Commissioner, and Lorna Leader-Elias, who is the director of the Career Planning Branch. I would like to say that Lorna, unfortunately, is leaving the Civil Service of Manitoba in the next month or so, I believe, and I would like to publicly thank her personally for having begun the directorship of the Career Planning Branch and for the dedication and hard work which she undertook in the formation of policies in the affirmative action field, and as well, Bob Best, who is director within the Civil Service Commission.

To answer the honourable member's questions, as specifically as I can, I would use a phrase that I would put forward a cautious optimism that we are proceeding in a steady course forward, although evaluation is a continuous basis within the affirmative action program with various departments. As I indicated yesterday, not all of the departments have as yet submitted plans and goals, which have been established, will have to be monitored and continuously evaluated and re-evaluated as time goes on.

But to give the honourable member specific statistics about who and how many have been hired I think would not be of any material benefit because the program has really had no time to have proved itself; it is really just beginning to get off the ground.

MR. SHERMAN: Well, Mr. Chairman, I have a file. I didn't bring it with me but it would not be unfamiliar to the Minister — a file of correspondence and references to correspondence. It is probably, without exaggeration, two inches thick, related to the goals that are being pursued by the Career Planning Branch in the area of affirmative action, and related to the various areas of

controversy, and areas of concern that have had to be studied and resolved, and also there is some considerable background material, as I'm sure the Minister has, pertaining for example to the employment of in particular women in the public service and native persons. Particularly with respect to women, I would say perhaps my file isn't up to date and I trust the Minister's is but it doesn't appear to me, on the reading of the material that I have, that there has been very much significant progress made in opening up opportunities for women much beyond the clerical and stenographic level in the public service and I don't see even a comparable degree of success where native people are concerned.

So I think it's that kind of definition that I'm asking from the Minister, whether he has any specifics on that I don't know, but I presume that affirmative action was undertaken to attempt to reduce any qualities in terms of group representation in the public service. My correspondence with persons in that area to date indicates that there hasn't been much progress made.

MR. URUSKI: Well, Mr. Chairman, I would try and respond to the honourable member in this way, as I know he agrees with me and he agreed with my earlier statement that I don't, as the Minister, see the affirmative action as a great panacea that will change the entire process within the Civil Service overnight. It is a long-term process of attitude changing, of managers and of persons in all walks of life. We have, specifically within the department, departments that have filed plans and have goals set and we will be evaluating because the program has really gotten off the ground to a tangible degree within the last year. So that there will be progress reports and measurements taken as to how departments have proceeded to implement the plans that have been approved and where they have gone.

You know I could give you some specific examples of what has happened in certain departments but really that isn't the intent of the program for me to wave a card and say, yes, we have hired two women managers or two natives in this area or that. That is not my intent in order to describe whether there is success or failure of a particular program. I don't want to even get into that statistical game of saying, "yes, we've hired ten native people and we are doing a good job." I think what has to be done is there has to be a recognition of the hiring procedures by staff within the Civil Service Commission, by staff of departments who are in the role of dealing with staff hiring processes, that they be knowledgeable of the barriers that are faced by these people and approaches that they could take to make more positive the affirmative action program. Those kinds of monitoring tools are in place for the plans that have already been filed, and they will be monitored. But I am unable at this point in time to say to you that I am going to give you any specific figures, because I think they would be meaningless.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: The Minister told the Committee yesterday, Mr. Chairman, that on the basis of experience in other jurisdictions, primarily in the United States, I guess, if he didn't have much confidence in a quota system for this kind of activity, that he preferred to set goals rather than quotas. And I would ask him how he measures whether the goals are being achieved or not. I recognize the moral shortcomings to a quota system, but at the same time the achievement of goals, I would suggest, is infinitely harder to measure than performance on a quota system.

MR. URUSKI: As I indicated to the honourable member yesterday, I was dealing and speaking specifically about the contract compliance provisions in the USA dealing with Federal Government contracts and firms who take contracts with the U.S. Government had to comply with the hiring of minority groups within the United States. And they have had so many thousands of complaints and violations of contract compliance that they can nowhere be able to begin to rectify the problems, and they are almost are in a point, I would consider, of not knowing which complaint to take first because they have so many thousands of them. And I used the figure yesterday that I took off the top of my head, it was in the range of 40,000, but I also recall when I met with staff in the Department of Equal Opportunities of the United States when I was in Washington last fall, there were two figures bandied about. One was in the 40,000s and the other was in the 200,000s. Now I may have used the lower of the two, but I can tell you that the numbers of complaints that were received dealing with specifically a quota system, they were not able to redress them and handle them at all.

The approach in the goal system, frankly, by having goals set, is really I would say a more mature, more understanding approach that the department would be taking with other departments and managers to try and to really rationally not only convince, but to indicate the real rightness of the approach that we are undertaking in dealing with an affirmative action program.

I don't think that the moment you start using a heavy hand, shall we say, and using a quota system and saying you have to meet certain guidelines, what happens is that people start, you know, when you start forcing issues, people start turning their backs up and you get nowhere. You are further behind than you will ever be ahead, because no matter how good your policy in terms of gracious statements by the elected representatives and the leaders might be, if the staff down below are not in agreement with, and are at least not brought about to recognize the approach and change in philosophy, you can stand on your head and things won't happen, so that you have to do a

convincing job that this is the right approach. And I think that that is the approach to take in this area.

MR. SHERMAN: How are people selected for jobs in the Career Planning Branch itself? What are the criteria? Are those all bulletined jobs, are they all posted and applied for in competition?

MR. URUSKI: Yes, they are.

MR. SHEAN: Are there sort of specific preferences in the area, for example, of age or sex, that are contained in the job specifications in this field?

MR. URUSKI: In the hiring and the job description that is submitted, part of the criteria is that there be a knowledge of the area of affirmative action, a knowledge of the problems that people face that we will be dealing with. That's part of the criteria. As well we have used the affirmative action approach in hiring practice within the Career Planning Branch itself, but part of the criteria that we applied is a knowledge—of persons who are applying—is a knowledge of the barriers that the target groups face. That is part of the criteria for employment within the Career Planning Branch.

MR. CHAIRMAN: The Honourable Minister of Labour.

HONOURABLE RUSSELL PAULLEY (Transcona): Because of past association with the department and involvement, too, particularly in the area of concerns to women, as the Minister responsible for the Women's Bureau, which is closely related insofar as new careers and career planning for engagement of the fairer sex without it being discrimination, of course, we have augmented our staff recently with two or three persons engaged in just this area of human endeavour, careers for the disadvantaged in the work force, not only within the Civil Service itself, but it has gone beyond that into the consultations with the private sector as well in an endeavour to get the private sector as well as the public sector more concerned with the necessity or desirability—I guess necessity—of carrying on with an educational program to employers, and that includes government of course, to expand from the former narrow policies that existed over the years. So it is an ongoing process, both internally and externally, and the association that I have, as Minister of Labour, through the Women's Bureau is one that's attempting to reach out to the community as a whole.

Now of course we are considering under these Estimates, I would suggest, Mr. Chairman, the operation of government forces, but I thought it would be of interest to the members of the Committee that the process is also being extended to the private sector through consultation with women's groups, through consultations with the employers, so it is broadening out.

I would like, if I may, Mr. Chairman, just make reference to the question of quotas. I had the honour a year ago of being the president of the International Association of Government Labour Officials and came into close contact with the various departments of government in the United States dealing with women's rights and career planning, and pretty well on every occasion when a discussion took place as to a quota system dealing with the employment of blacks or whites or those of Indian ancestry, and indeed to some degree with the handicapped, it was pretty well the unanimous opinion of the experts I spoke to, and I think the Minister responsible for the Civil Service has indicated this also as a result of his discussions down in Washington, that the establishment of a quota system oftentimes leads into more difficulties and more troubles than is really worthwhile.

MR. URUSKI: I would like to just elaborate a bit more on the goals versus quota system. It has just been brought to my attention, and I should have mentioned it earlier, that the goals are really intended to be flexible and recognize individual situations within separate departments and be much more flexible as the job market might dictate the areas of supply and demand of particular job areas and so that they are flexible enough to deal with not only the job but of the times that the job may come open and the times in our society; so that the goal area has to be flexible enough to deal with the changing periods and the changing jobs and the changing times in our society so that they are not rigid as a quota might have to be because times and attitudes and situations do change periodically and if you become very rigid in your system, then, of course, people's attitudes become hardened and you are, I would say in the long term, farther behind that you had originally intended to be by having a very rigid system.

MR. SHERMAN: Could the Minister tell me how long the Career Planning Branch as a branch has been in existence. I assume the Honourable Minister of Labour will advise me that I should know the answer to that question but even if I did know the answer, I might ask the question.

MR. URUSKI: It's the second year in operation. It was established in the latter part of 1975.

MR. SHERMAN: How many people would this salary total represent?

MR. URUSKI: Six staff.

MR. SHERMAN: Six staff.

MR. URUSKI: Yes, that is including the director.

MR. SHERMAN: That's the figure covered by the \$73,600 appropriation for salaries. That's the total covered by that \$73,600 vote.

MR. URUSKI: Yes, it is, Mr. Chairman.

MR. SHERMAN: Well, are the six staff members in the branch the same six that the branch started with or has there been any turnover?

MR. URUSKI: Mr. Chairman, the branch started with one perso, with the present director, and it has been a continuous expansion but during that period there has been some staff turnover. I believe several, I think two persons have left the branch.

MR. SHERMAN: Could the Minister tell me what the reasons are for the turnover? Is this a question of moving on to a different career opportunity in the Civil Service or outside the Civil Service or is it because they were fired?

MR. URUSKI: Because they were what?

MR. SHERMAN: Fired.

MR. URUSKI: There was one termination and one advancement.

MR. SHERMAN: Would the termination, would the one who was terminated have applied and gone through the bulletining procedure to get the job?

MR. URUSKI: They did and they were on probation at the time.

MR. SHERMAN: They were hired, that person was hired on probation and . . . Well, they **A MEMBER:** all are.

MR. SHERMAN: . . . was hired on probation and terminated before the end of his or her probation. Is that right?

MR. URUSKI: Yes.

MR. SHERMAN: And then was subsequently replaced?

MR. URUSKI: Yes.

MR. SHERMAN: What will happen in terms of the directorate when the present director leaves? Will that be an opening that will be posted again?

MR. URUSKI: As a matter of fact, Mr. Chairman, there is a bulletin that is out now. Prior to the director leaving, the job is being bulletined and we hope that there will be a melding of past experience and the new individual coming in, so that they can work hand-in-hand for a short period of time to be able to break in the new director.

A MEMBER: It might be a good chance for the Member for Fort Garry to apply for it.

MR. SPEAKER: Order please.

MR. SHERMAN: Before I would apply, Mr. Chairman, I just want to check the results of the next election before I apply. It might be that the Minister might be interested.

Let me just go back one second to the termination, the single termination. Would that have been a termination at the the instruction of the branch or would it have been a voluntary on the part of the person who was on probation?

MR. URUSKI: When a termination is a termination, it would be on the instruction of the management of the branch. Yes. Not as a termination of voluntary — you know I don't believe that there is such a thing as a voluntary termination. There is a resignation where a person wants to leave, but if it is a termination, it's really exactly what it means.

MR. SHERMAN: I appreciate that distinction and clarification.

MR. URUSKI: Mr. Chairman, I might add that during the term of this employee, the branch did extend the probation period to allow for more time to see whether that individual could work into the job. So there was an extension of the probationary period to see whether the employee could work out during the time, but it just didn't work out.

MR. SHERMAN: The Minister of Labour made reference to the fact that some activities and initiatives from the Career Planning Branch are being extended into the private sector now. Where would that . . .

MR. URUSKI: No, he mentioned the Women's Bureau in the Department of Labour, not the Career Planning Branch.

MR. SHERMAN: Oh.

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Chairman, I think if I may supplement what the Honourable Minister has said that it is all part and parcel of the overall approach to Career Planning and I have before me the Annual Report of the Department of Labour where it makes definite reference to Career Planning and I say that is all embracive and not restrictive to the Civil Service.

Page Page 30 of the annual report of the Department of Labour, "The bureau also continued its research and information program during the last year. With the aid of summer students it carried out a study of career aspirations of female students in the third year of university. Publications including a career selector for use in schools; studies on part-time employment, employment and daycare; and a counselling profile of women . . ." and so on and so on.

So I would suggest to my honourable friend, the Member for Fort Garry that we're not working in isolation under the aegis of the Minister responsible for the Civil Service. But as a result of the initiatives that was taken within the Civil Service, it spilled into the Women's Bureau of the Labour Department, so we're not working in opposition, but in concert with each other to expand availability of information insofar as Career Planning is concerned inside and outside.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Is there anything in the appropriation in front of us that we're voting, that covers outside activity?

MR. URUSKI: The initiatives, I would say, that cover outside activity in this way, in part of the Affirmative Action Program in recruitment and selection, the Career Planning Branch and the Civil Service Commission would do outreach programs within the context of the specific plans that departments may have and outreach programs would be carried on to expand on the affirmative action approach in job areas, but not specifically dealing with the private sector. That would be handled by the Department of Labour Women's Bureau.

MR. SHERMAN: So the other expenditures item, the \$6,700 appropriation, that just refers to office expenditures, and that sort of thing?

MR. URUSKI: That is correct. Primarily the bulk of that would be printing and stationery supplies, and advertising.

MR. CHAIRMAN: Resolution 29(c)(1). The Honourable Member for Fort Garry.

MR. SHERMAN: Just one last question, Mr. Chairman. There is a slight reduction in that vote of \$1,300 over the past year. Is that because advertising programs have been withdrawn or curtailed?

MR. URUSKI: No, as a matter of fact, it's just been part of the restraint program. Our travelling budget has really — of the breakdowns, I would say that the travelling budget has been tightened up completely. In the first year the start-up expenses were higher, of the branch, and they have now settled down, and we've worked out the administrative procedures within the branch.

MR. CHAIRMAN: Resolution 29(c)(1). The Honourable Member for Fort Garry.

MR. SHERMAN: On the basis of the average in front of us, the branch does not envisage any expansion in terms of personnel in the coming year.

MR. URUSKI: No. That is correct. There is no expansion. The Career Planning Branch is not the program initiated. The departments are the initiators and the facilitators of the program. The branch itself is a monitoring agency, and an advisory nature to the departments, and that is the approach that the branch is taking — not as an entity unto its own trying to start a program of its own. It is really a facilitator and a co-ordinator of all the departments of government.

MR. SHERMAN: Just one other point, Mr. Chairman. How often would the branch, and its employees, its officers meet with supervisory and management personnel in the Civil Service to present them with the objectives of the program, and to outline the goals that the Minister has referred to, and the goals which are obviously the objectives of the program itself? Is that a continuing sort of communication or do you hold seminars every so often?

MR. URUSKI: To be very specific, three days out of every week there are seminars being held with various groups, and departmental managers, and departments throughout the Civil Service. In the intervening time monitoring is going on, reassessment of goals and plans that are being submitted that it is a continuous process of bringing forth information and dialogue with departments, and assessment with the relevant departments.

MR. SHERMAN: Thank you, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Crescentwood.

MR. STEEN: Mr. Chairman, yesterday when we were dealing with this particular department, I perhaps should have asked the question I'd like to ask under (b), but maybe with your permission the Minister might answer it now, because I don't see under Civil Service Benefit Plans, a spot where I should ask the question. The Member for Brandon West yesterday was talking about employees that were off the job, and he questioned the numbers that may have been off through family problems and drinking habits, and so on. Can the Minister tell me the numbers of sick days an employee is permitted per year?

MR. CHAIRMAN: The Honourable Minister.

MR. URUSKI: Mr. Chairman, I will answer it in this way. I am not too positive on the exact days, but I'll answer this way. It is part of the collective agreement that the government has with the MGEA and I believe, and I might be out $\frac{1}{4}$ of a day — it's either $1\frac{1}{4}$ or $1\frac{1}{2}$ days per month, with an annual maximum.

MR. STEEN: Let's say for example, it is $1\frac{1}{2}$ days — times 12?

MR. URUSKI: Times 12.

MR. STEEN: Can an employee accumulate and save these days, and is there a maximum in that area?

MR. URUSKI: I believe the days are 292, somewhere in excess of 200 days.

MR. STEEN: Mr. Chairman, to the Minister. An employee that has enjoyed good health through their working days — can they retire, and let's say they did accumulate the maximum 292 days they retire 292 working days earlier and use up their sick leave at the tailend of their career?

MR. URUSKI: No, Mr. Chairman, at the present time it's not. But I want to indicate to the honourable member that this whole area is being — and this is not part of it, it really can be dealt with under Estimates, the Management Committee of Cabinet where the area of bargaining and staff relations is found — but this area is from time to time raised by and is part of the ongoing bargaining

process with the employee groups, and being looked at whether or not some alternatives can be explored in the vein that the honourable member is suggesting. So that this is not a static proposal. It may change from year to year depending on the scope of the negotiations that go on.

MR. STEEN: If an employee is permitted 18 days a year, we're assuming that it's a day and a half, what is the average number of sick days used by the average employee?

MR. URUSKI: I would have to — If I could take. . .

MR. STEEN: The reason for asking the question — I was wondering if most employees use their maximum?

MR. URUSKI: No. No. I seem to recall a statistic or at least a statement to the effect that the women employees have a better record of absenteeism than male employees within the Civil Service, and the normal statement or the attitude or thinking is the reverse. But I will try and be more precise and get better statistics for the honourable member. That I would get from the Management Committee of Cabinet, and Staff Relations Branch. I'll try and provide that for him. I will make a note of it.

MR. STEEN: I have one other question, one other area that I would — and I believe under Career Planning it could be dealt with — is, like to discuss with the Minister, and that that in the Department of Health and Social Development there is a figure in there for \$80,000 for fitness development to promote activities to increase the individual levels of physical fitness. The central YMCA in Winnipeg here have in the last year and a half, brought in a man in from the City of Montreal who is trying to develop company-orientated physical fitness programs, such companies as the Richardson Securities and the various offshoots of the Richardson firm, where they try and get groupings of persons to take an active part in physical fitness and so on, and I believe that the YMCA has a discount for government employees. Does the Minister and his department encourage through bulletins, through discussions, through career-planning with various employees, such persons to get themselves involved in such programs, and perhaps make themselves that much healthier, therefore, that much a better employee?

MR. URUSKI: Mr. Chairman, I thank the honourable member for his comments. Although I will try and answer his question, the Career Planning Branch, unfortunately, is not the area that deals with it. But I'd like to indicate to the honourable member that there are committees within the Civil Service dealing with physical fitness, and as well, there are many informal committees and activities within the Civil Service that staff have undertaken even on their own, dealing with various sports and physical activities. I have to agree with the honourable member, that to have a better physical being, well-being promotes a much better and healthier mind to be able to cope with problems and situations and to be a better performer in employment. I believe over the years, this type of innovation — or at least, I would call it a common-sense approach. Many sectors of society were very much down-played and pooh-pooed and as a matter of fact even ridiculed that large office buildings would, for example, maybe put in an exercise room or some type of physical activity room for their employees. The opponents or the media or whoever really ridiculed that kind of a change, but I think it is being recognized more so that a relaxed and a well-fit employee is much more capable of performing his job and function much better than one who is in not very good physical condition.

There will be areas from time to time when buildings, whether public or private, that will be built, and there may be requests of that kind of a nature from employees, organized groups to have that type of facility. I would like to have some comments from the honourable member whether there would be general support for that kind of an approach in large office buildings that may be constructed from time to time.

A MEMBER: Eliminate the elevators, that's their problem.

MR. STEEN: Mr. Chairman, perhaps a humorous note. A week ago Wednesday, the wonderful PC Caucus softball team played the media, and in a five-inning baseball game, lost 33-29. So you can see that the defense was lacking and the offence was there. I wish that the Deputy Clerk was here because he was our umpire, and he was trying to get the Honourable Member for Virden to ask the Minister of Health and Social Development if he might institute a physical fitness program for MLAs. The Member for Emerson tells me that your caucus baseball game has been postponed, so perhaps it was wise.

MR. CHAIRMAN: Perhaps the PC softball team could use some career planning in that area.

MR. STEEN: Mr. Chairman, if you could have seen some of them at the end of the five innings playing in 90-degree heat, they needed a little assistance, and not only from the brown bottle.

MR. CHAIRMAN: Resolution 29(c)(1)—pass; (c)(2) Other Expenditures—pass. (c)—pass. Resolution 30 — Civil Service Benefit Plan, (a) Civil Service Superannuation Act. The Honourable Member for Crescentwood.

MR. STEEN: I wonder if I may ask the Minister, does the Provincial Government . . .

MR. URUSKI: That's why . . . both Ministers

MR. STEEN: All right, okay. The Superannuation Act, is it a pension plan that is a two percent times the number of years of service? And if so, is there a ceiling on years of service? The reason I ask that question is — for example, if a person joins the civil service at the age of 17, he could work to 65

and therefore could be above a normal maximum. Is there a maximum?

MR. PAULLEY: Seventy percent of the average over the last seven years. I believe that's two percent, is it?

MR. STEEN: Two percent times 35.

MR. PAULLEY: 1.4 on The Canada Pension and .2 percent on anything above that. We have reduced progressively the penalty and also the period of the last years of service has been reduced in order to reflect the higher wages that are being paid now. It was ten years, I believe, two or three years ago and it has been reduced now to seven. And incidentally, Mr. Chairman, that was made applicable to retired pensioners as well as those just retiring.

MR. STEEN: To the Minister, Mr. Chairman. What benefits or credits did the civil service personnel who served in the armed services receive? Did they get full credits for their time away from work while serving our country?

MR. PAULLEY: For a long period of time, the Act stated that they had to be in service for a time before they joined the armed services and had to return to the civil service within a period of time after the hostilities had ended, or else they were not able to contribute. But in the last session, I believe it was, the changes were made so that the benefits were extended — that is the benefits for war service — to permit a person who, before enlistment or engagement was an employee, he then again enters employment within the limits outlined in the proposition to obtain credits for war service. In order to obtain some of those credits, it was necessary for the employee to pay back his contribution plus the amount that would have to be paid out. So we changed that sort of aspect in order to give greater recognition to the those engaged in war service.

For the benefit of the Member for Crescentwood, Mr. Chairman, there are brochures available clearly delineating all of those that I don't have right at my mind at the present time, and I would be more than happy to ask the general manager, who incidentally is on my left, Mr. Walter Worosz the General Manager of the Superannuation Board, to forward to you or me, information.

MR. STEEN: One other question to the Minister responsible. During this session, he introduced a bill to amend the pension plan for members of the Legislature so that a retired member who is to pass away, their beneficiaries would receive a portion of the pension that the retired person would have received. Does that benefit apply for civil servants?

MR. PAULLEY: Yes, Mr. Chairman. As a matter of fact, the amendments made to the Legislative Act was to bring that back in the pensions of MLAs into conformity with those on retirement in The Civil Service Act.

MR. CHAIRMAN: Resolution 30(a)—pass; 30(b)—Canada Pension Plan. The Honourable Member for Crescentwood.

MR. STEEN: Mr. Chairman, to the Minister. There is a major reduction here in the government's portion of the payments to the Canada Pension Plan. Can he give an explanation for that, please?

MR. PAULLEY: I am afraid my honourable friend has me somewhat stuck. I believe that there was a reduction in the amount required under some changes that they made in the Canada Pension Plan on a percentage basis. That is my impression, Mr. Chairman. I will endeavour to get precise information for my honourable friend.

MR. STEEN: Pass, then.

MR. CHAIRMAN: Resolution 30(b)—pass; 30(c)—Civil Service Group Life Insurance. The Honourable Member for Crescentwood.

MR. STEEN: Mr. Chairman, on the Group Life Insurance, can the Minister tell me, is the same carrier — and I believe it's the Canada Life People — are they the original carrier of the program? Can he tell me what year it was instituted?

MR. PAULLEY: I am informed, Mr. Chairman, that it was originated in 1960 and just recently renegotiated, if memory serves me correctly, giving a greater benefit to employees — their option — and also there were increases made in the coverage. As a result of the renegotiations, I am sure my honourable friend will note that the amount has remained rather constant, that is for 1976-1977, 1977-1978, and that was as a result of negotiations that were carried on due to the increase of volume with the Canada Life.

MR. STEEN: Mr. Chairman, when the Minister speaks of "renegotiated," was it just renegotiated with the current carrier or was it put out for option to other major life companies?

MR. PAULLEY: At the time, Mr. Chairman, there was consultation with others, but during the process of that consultation, it appeared that no one would be able to match the offer made. So while it may not have been a precise tendering request, a thorough investigation was made by those concerned into that aspect.

MR. STEEN: Mr. Chairman, can the Minister tell me what a civil servant did prior to 1960 in the way of group life insurance? Was there no such program available prior to 1960?

MR. PAULLEY: No, I don't believe that there was. I believe that the government that was in power in 1960 should be given the credit for at least starting the program.

MR. STEEN: Mr. Chairman, although I haven't been around this Legislature too long, it is nice that the Minister of Labour does say something kind about the government that preceded the one he is with. I welcome that.

MR. PAULLEY: It's really an exceptional situation when I am able to do that, Mr. Chairman, but I do it on occasion.

MR. STEEN: Mr. Chairman, he has the Honourable Member for Fort Garry in a stunned position right now.

MR. PAULLEY: Yes, I guess it's senility, is that what they call it?

MR. CHAIRMAN: Resolution 30(c),—pass; 30(d)— Workers' Compensation Board. The Honourable Member for Crescentwood.

MR. STEEN: My question to the Minister of Labour is: what types of employees within the civil service would qualify for Workmen's Compensation benefits? Would it be, for example, the flag man in the survey crews with the Highways Department and that type of employee? I am sure that most clerical and management types of persons would not qualify.

MR. PAULLEY: Yes, Mr. Chairman, it is my understanding that all of the employees within the civil service, no matter what their category is, are covered under Workers' Compensation. I may say to my honourable friend that the assessments in respect to accidents are a levy against the Public Treasury on the basis of the incident of accidents that occur within the civil service.

MR. STEEN: A question to the Minister of Labour, Mr. Chairman. If an employee breaks a leg, for example, falls down the stairs of the Legislative Buildings, when does the Civil Service Benefits Department take that person off the normal payroll and draw benefits from the Workmen's Compensation Board?

MR. PAULLEY: From the time of the incident of the accident, Mr. Chairman. There is no different treatment that I am aware of insofar as the civil servants are concerned, than the ordinary employee in industry generally.

MR. STEEN: Still to the same Minister. If an employee has a heart attack, whether he is on the job or at home, it doesn't matter, he or she must use their accumulated sick time. Is that correct?

MR. PAULLEY: There's one qualification. My honourable friend mentioned about a heart attack at home, which is not covered. But there has been established in the last two or three years in outside industry — with the fire-fighters in particular — I recall an incident of a chap that had a heart attack in an industry in Selkirk, Manitoba. He was on the job and had the heart attack and it was established that the heart attack could conceivably have been caused by his work input, and he was paid compensation. But there is no compensation paid from the assessment here to anybody that has a heart attack at home or the likes of that. That will be a subject matter possibly of some consideration, hopefully this session.

MR. STEEN: To the Minister of Labour, Mr. Chairman. Do persons working for the government that are above the Civil Service Commission Deputy Minister's assistant, Deputy Ministers and so on, do they, like other employees, accumulate a day and a half per month and so on?

MR. PAULLEY: I don't think there is any differentiation, Mr. Chairman, insofar as the category of the employee. Of course that is not related to the item under discussion because this only relates to coverage under the Workmen's Compensation Act.

MR. CHAIRMAN: Resolution 30(d)—pass; Resolution 30(e) — Unemployment Insurance Plan. The Honourable Member for Crescentwood.

MR. STEEN: Under (e), I would ask the same question to the Minister as I did under (b), the Canada Pension Plan, as to the reduction in the contribution that the government has made, and could he get me the same answer?

MR. PAULLEY: Could I get you the same answer, that I would check into that?

MR. STEEN: Yes, would you? As to the reason.

MR. PAULLEY: Yes.

MR. STEEN: It's either that we overpaid last year and we're getting a benefit this year or . . .

MR. PAULLEY: Yes, that is what it seems to me to be. And there were, of course, reductions or adjustments made in the Unemployment Insurance contributions based on salaries for next year. But I will get that information as to what is reflected in the reduction contained in these Estimates.

MR. CHAIRMAN: The Honourable Member for Crescentwood. Resolution 30(e)—pass. Resolution 30. Resolved that there be granted to Her Majesty a sum. . . The Honourable Member for Fort Garry.

MR. SHERMAN: We're on 30 at the moment.

MR. CHAIRMAN: The Honourable Minister.

MR. PAULLEY: You might say, Mr. Chairman, if you'll excuse me, I have a doctor's appointment that I must keep. I trust that it will be considered as though I'm still here for the purpose of carrying on but I understand that the Committee is now back on the Minister's Compensation and Salary and I want to assure the Members of the Committee that I do not share even a portion of the Salary that's being awarded to the Minister responsible for the Civil Service Commission and I'm only acting in a

gratuitous manner when I attended this Committee to consider these Estimates.

MR. CHAIRMAN: Resolution 30. The Honourable Meer for Wellington. Use the microphone please.

MR. PHILIP M. PETURSSON: It's hardly that important that it need to be dignified with a microphone. I was just going to suggest to Russ as he leaves and if he walks past the Caucus room, go in there and tell some of those guys to come in here to relieve me.

MR. CHAIRMAN: Resolution 30: RESOLVED that there be granted to Her Majesty a sum not exceeding \$10,626,500 for Civil Service—pass. I refer the attention of honourable members now back to Resolution 29(a) Salaries. The Honourable Member for Fort Garry.

MR. SHERM: Thank you, Mr. Chairman, I would like to ask the Minister if he can give us some comparative figures with respect to the Civil Service of Manitoba and its size in the present year in comparison to the previous year or two, which would give us a handle on the growth rate, and I'm speaking here of the Civil Service. I would like to deal with Contract Employees also. He may want to handle that subject at the same time or handle it independently of the professional civil service. I would just simply say that I think all Manitobans, indeed all Canadians, are concerned today about the growth of government, regardless I might say, of jurisdiction. And it would be very helpful to the Committee if we had some comparative information on that subject from the Minister.

MR. CHAIRMAN: The Honourable Minister.

MR. URUSKI: Mr. Chairman, for the honourable members member's information, specifically in terms of numbers. I'll give the year end figures, December of 1975 there were 12,886 civil servants and that includes permanent and term employees. And at the end of December of 1976 there were 12,476 employees under the same two categories, for a decrease, I believe, of 410 less than the previous year. Now, presently under contract, which would be in addition to the numbers that I've given him, as of May of this year, there are approximately 850 employees under contract to various departments. That would be in addition to the numbers. That includes, in that 850, about 170 new careerists employed through the Department of Education, Continuing Education as really an off-shoot of an affirmative action plan within the specific department which embraces all other departments.

MR. SHERMAN: The figures for December '75 and December '76 the Minister has given us. . .

MR. URUSKI: 12,886 and 12,476.

MR. SHERM: Yes, so they embrace permanent and term employees. What's the difference between term and contract?

MR. URUSKI: The term employees would be employment in specific term positions which could be office employees on a specific project or duration, it could be Public Works employees on a specific construction job. It could be any cost of employee. Contracts primarily would be of a specific expertise, more of a technical nature or of higher classification of employee than term and they would be hired by various departments. I can give the honourable member some of the breakdowns, but they are from a low of 1 in Highways to a high of Continuing Education of 193 which includes New Careers, so it varies from department to department.

MR. SHEAN: Just excuse me one minute, Mr. Chairman. Just following up in that area, Mr. Chairman, would the Minister have figures for contract employees as of December '75 and December '76 independent of the permanent and term figures he's given us.

MR. URUSKI: I will try and get them. I don't have them handy but I will try and give you a rough. . . We have April '76 which gives a fair indication as compared to May '77. It was 874, so the difference is, I believe, 24 contracts.

MR. SHERMAN: April '76 was 874 under contract.

MR. URUSKI: Right, as compared to May '77 of 850, so it's been very little change in that area.

MR. SHERM: And would that figure for April '76 have included some new careerists two?

MR. URUSKI: Absolutely, the same terms of reference that I gave to you for the '77 figures. Yes, in the various departments the figures may vary but it would include the general terms.

MR. SHERMAN: When we're looking at Salaries in this item in the Estimates, we're looking at Salaries of the Civil Service Commission, right?

MR. URUSKI: Just of the Commission.

MR. SHERMAN: We're not looking at Salaries of the Civil Service or any component of it other than the Commission itself.

MR. URUSKI: Just the Commission itself. Yes, the salaries of the Civil Service, I believe in the Estimates would either be under Management Committee or each department as well, on the Salaries of every department.

MR. SHERM: Would the Minister be able to suggest that there would be an obvious ratio in terms of salaries that would be comparable to the ratio in terms of employees. For example if we're looking at 12,476 permanent and term employees in December '76, 12,476 and we're looking at approximately 850 under contract, that is what? Some 7 percent. That's just an //, 6 or 7 percent. approximation Would the salary totals break down approximately the same way? Would there be 6 or 7 percent of the budget going on Contract Employees?

MR. URUSKI: Of the total expenditure on contracts, we would not have the specific contracts within the Civil Service Commission as to the specifics of every contract employee, but we have nothing to do with the contract employees. I can give you my experience as a member of Management Committee. I can indicate that by these numbers as they relate to the various departments — I'll just quickly scan here — I would say overall that you're really, in terms of numbers per department, they correspond very close from year to year, so that basically I would think the salary amount in terms of dollars would not change drastically from one year to the next in the contract employees other than negotiated increases in the contracts, if it was the same individual going. But it changes because contracts and employees and categories of employees change from year to year so new employees would be hired, chances are at a lower rate than the contracts that may expire for other technical reasons. But in terms of numbers in relationship to the departments in each case they correspond relatively close together, so I'm sure I wouldn't be far out in saying that in terms of salary it would be very very close.

MR. SHERMAN: Would there be specific departments that sort of led the list in terms of contract employees.

MR. URUSKI: As I indicated to the honourable member the Continuing Education which included New Careers had 193 on May 8th, '77 and in the '76 one it was also the colleges' portion was the highest at 208, very close to the same amount.

MR. SHERMAN: The other one you gave me was Health and Social Development.

MR. URUSKI: In '76, in April '76, 223. And in '77 that's gone down to 167. The Department of Health by far is the largest department within the Civil Service and would comprise of, I would say, half of the entire staff of the Civil Service of Manitoba.

MR. SHERMAN: Is there any policy in effect in the Civil Service from the Ministerial level at the present time to freeze the size of the Civil Service at this point or to restrain, restrict growth?

MR. URUSKI: Mr. Chairman, the member should be aware of the program that the government undertook last fall in dealing with the entire size and budget of the Government of Manitoba in holding the line in terms of numbers of staff and budget constraints, and I would say that during the exercise that was undertaken the figures and the dollars bear that out, that the restraint exercise that was conducted through the Cabinet process, through the Estimates process, did in effect have an impact.

MR. SHERMAN: Well, I'm aware of the program that was initiated last fall but what I'm concerned about is whether there is a program, an ongoing program of that nature to try to contain the growth of the Civil Service.

MR. URUSKI: Mr. Chairman, in the new Estimates process the departments were held to 90 percent of their respective levels of hiring in this current year and on the short-term, under the newly announced Job Creation Program of the six, about a thousand jobs that would be opened up within the Civil Service for a short period of time, that would be in addition to the 90 percent holding of staff positions within the Civil Service.

MR. SHEAN: Can the Minister advise the Committee of the state of relations with the MGEA? There have been a number of areas of concern expressed primarily before this Committee and others over the past two or three years with respect to the relations between the MGEA and the government itself, largely centering around the much publicized desire of the MGEA to be brought under The Labour Relations Act and some dissatisfaction expressed by the MGEA over amendments that have been made in the last two sessions to this Civil Service Act. I assume there have been ongoing consultations between the leadership of the MGEA and the Minister with a view to resolving some of those problems. Is the Minister intending to make changes either to The Civil Service Act or to the status of the MGEA with respect to that Act and the Labour Relations Act.

MR. URUSKI: I will answer to the honourable member in this way. Yes, there have been numerous meetings between the Government of Manitoba and the MGEA in discussions relating to the presentations that have been made by the MGEA to this government over the last two years. I think the honourable member well knows that the position the MGEA has taken in these last two years is in fact a complete reversal of the position that the MGEA took in previous years about being placed or having the same bargaining rights as any other employees within the Province of Manitoba.

I would venture to say that at this point in time we certainly have considered, and the Order Paper does show that, that there may be amendments brought forward to The Civil Service Act, but at this point in time I'm really not at liberty to indicate what the extent of the amendments will be to The Civil Service Act.

MR. SHERMAN: Are those discussions and consultations still going on or has that phase of the procedure ended?

MR. URUSKI: No, they are still going on as a matter of fact, Mr. Chairman. We have had numerous meetings since the beginning of the year and they have not been concluded as yet.

MR. SHERMAN: So the Minister is telling the Committee that there are alternative choices being

considered by both sides, that it's not necessarily a case of making the changes necessary to bring the MGEA under The Labour Relations Act. The decision may be to make the requested changes under The Civil Service Act that meet some of the MGEA's requests and demands.

MR. URUSKI: It could be put in that way, but I want to be as frank with the honourable member as I can. In order to provide the same working relationships that any other employees or groups of employees have in the Province of Manitoba, and that is really what the MGEA has stated they want. I don't believe personally that you can have that under the Civil Service Act and still have the statutory recognition for the MGEA itself as being the sole bargaining agent of the employees. I think you can't have, in my mind, the best of both worlds. On that point alone there has been much dialogue to which approach may be better handled, whether a move be made under the Labour Relations Act, whether or not amendments be made to the Civil Service Act, these are all under consideration.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Would the Minister care to comment on the climate surrounding the merit system in the Public Service of Manitoba. I can tell him and I am sure it comes as no surprise to him, it probably happens from time to time in all jurisdictions, I can tell him that I have had representations made to me which insist that there is not as much emphasis on merit and on the merit system in terms of promotion and advancement in the Public Service of Manitoba as used to be the case. I would appreciate his comment on that.

MR. CHAIRMAN: The Honourable Minister.

MR. URUSKI: In this case I will be very very blunt. In the specific comment that the honourable member makes I would say that I would reject that kind of a statement completely and indicate that naturally there will always be in the size of a staff of the magnitude that the Civil Service has, there will always be from time to time individual staff members who feel for one reason or another that another employee was promoted into a position because of factors other than merit. But I can indicate to the Honourable Member quite sincerely that the avenues open to that employee — in fact, there are two avenues open to an employee now; in fact, to grieve or challenge such a move or attempted move by a department or relative manager of a department, a move or promotion into that position, under the present collective agreement an employee is able to grieve a position or promotion of another employee and as well, directly under the Act, that if a member of the Civil Service who applied for a job feels that an employee was promoted for reasons other than merit, he can appeal to the Civil Service Commission and be heard and the matter be investigated. If upon the ruling of the Civil Service Commission he still is of the opinion that the individual that was promoted in a duly constituted competition, he can appeal to the Minister and the Minister is obliged to appoint an investigator, who investigates the entire matter surrounding the job involved and makes a determination. I have to say in all frankness, I don't think the numbers of appeals or, if I might say, if I might say I would go historically, varies very much. It may vary from year to year depending on the number of job openings and the number of applicants per job, but historically I would say that it would change only in degree with the size of the Civil Service. So that I don't think — the principle itself of merit is practised by departments, ministers and department heads and the Civil Service Commission, whose mandate is within the Act in selecting employees on the basis of merit. There is from time to time, I have to say, there is from time to time cases where there are complaints and from time to time there have been cases in which, in fact, I have been involved in, in which I have overruled the department concerned in an appeal through the Commission where the Commission upheld the department and upon conducting an investigation by an appeal to myself, I have overturned the department's selection. But I can tell you that by the number of complaints they are few and far between per the number of employees within the Civil Service.

MR. SHERMAN: What about the opportunity for, I guess you could call it creative input by the people in the Civil Service, and I think particularly of people in planning and research branches of specific departments and I think primarily of the Department of Northern Affairs and the Department of Renewable Resources, where there seems to be some dissatisfaction with the lack of opportunity for a creative contribution and some suspicion of too much government meddling and interference in areas of that nature, which is destructive of the morale of the branch and carried to an extreme would certainly be destructive of the morale of the Service generally.

MR. URUSKI: Mr. Chairman, I am not in a position, and I don't intend to start dwelling or begin dwelling into the activities of each and every department as to how the management of that department functions. But from the point of view of the Civil Service, from the point of view of hiring practices and promotion on competition, I can comment on the Civil Service as a whole. And that is the only area that I would be in a position to discuss the process and/or complaints dealing with it, but the management of every department really should be debated and undertaken by each relevant Minister as to how the employees within the department are handled. I am not able to be put into the position or do I have any authority to start discussing the specific management functions of each department. All I can indicate to the honourable member in terms of overall hiring practices and promotions of advertised jobs, the comments that I have made still stand. There are relatively very

few problem areas that encounter and the merit principle is practised throughout the hiring of the Civil Service.

MR. SHERMAN: Just one final question, Mr. Chairman, and it would, I suppose, really touch on the same area of authority and arms-length authority that the Minister has already referred to. In terms of participation by civil servants in outside activities, particularly in the area of the labour disputes, a field that is not unfamiliar to the Minister or any member of the House in the context of the present session of the Legislature, are there specific directions laid down by his department covering involvement of civil servants in outside activities such as strikes and picket-line activities, areas of that nature?

MR. URUSKI: Mr. Chairman, there is absenteeism within the Civil Service, and civil servants like any other employees from time to time are involved in problems whether it be through the courts of one type of a charge or another; or in any other areas of dispute there is a standing procedure within the government, a long-time procedure that if the employee is not at work there is no pay. If the employee is not at work without permission and has not sought permission of the supervisor, depending on the investigated misdemeanour or the problem that the employee gets involved in, there are suspensions from time to time which range anywhere from one to fourteen days depending on the seriousness of the nature that the employee gets involved in, but each is carried on and reported through and handled by each respective department. The Commission would not be involved in the overall supervision of employees. The Commission's role would be of a judicatory body. As I have indicated to the honourable member, when disciplinary actions are handed out and employees grieve or want to appeal those actions, appeals may be taken as one course of action through the Civil Service Commission and they may be ruled on or dismissals or the like.

There has been no specific standing or changing order throughout the Civil Service as a result, for exale, of the dispute at Griffin Steel. Because absenteeism without permission has occurred from time to time, you know, historically, and disciplinary actions by relevant managers and Ministers of their departments are carried on at all times regardless of the situation. They will range, as I have indicated, depending on the severity of the infraction. They have ranged I have seen in some cases where employees have actually been dismissed for actual insubordination because of leave without permission and actions taken. So that each case is dealt with on its own merits and it is nothing new because of what has happened on the Griffin.

But if the Member is asking me, I as one Minister of the Crown, I certainly do not condone any employee taking part in any unlawful activities and if any employee of my department was off work without permission from myself or my immediate supervisors, action would be taken. I would venture to say that every manager of every department that is brought up to date on the specific cases that are brought to him, if there has not been prior permission to be off work without authority, or if he has got into some infraction, appropriate disciplinary action should be taken.

MR. SHERMAN: But the role of the Civil Service Commission as such and is above and beyond and is simply a judicatory in that investigation.

MR. URUSKI: That is correct. That is correct. They are not involved in the day-to-day management of the departments.

MR. SHERMAN: Just before we conclude there is one question that I intended to ask and has come back to me now so I would like to put it to the Minister. It is my understanding that past practice for many years with respect to a number of particular types of appointments in the Public Service of Manitoba that the prospective appointees were narrowed down to a group of about three I believe and the process through the Civil Service Commission and those three names then went forward to the Minister for his decision. It is also my understanding that that system has been changed in recent years to where they narrow them down to three, but then they are forwarded in order of preference, one, two, three. Is that a fact?

MR. URUSKI: Mr. Chairman, I would have to say that the three names is generally prevalent. I will give the Member my preference as a Minister. I have asked the Commission in job classifications which would be routine, to in effect indicate to me, because I do not know the applicants who apply for the job. I am not aware of who applies and I would have to rely on the judgment of the selection process and the people who are qualified in recommending to myself employees who would be qualified. Now if in the terms of the number of applicants per this specific job and there is one or two individuals that may bring forth extra qualifications or qualities that may not be quite as noticeable in the other applicants, I would want to know about that. I would want the Commission to state that and to indicate that, "Yes, although these three people may be equally qualified, this individual may in our recommendation do a better job for you. And in that case that is brought forward to ministers. Some Ministers have asked in the past that just three names be submitted. I give you my personal preference that there be, that the Commission and the staff people of the department who sit on the Selection Board and the neutral third person from other departments who sit on it, really have a better working knowledge than I who signs the final document.

MR. SHERMAN: But in other words, it is not a prescribed practise of the Commission as such. It is

base predicated on the individual preference and the individual request of the ministers. Is that what you are telling me?

MR. URUSKI: I would say in the main the recommendations that are put forward are put forward and have continued to be put forward in the three name basis if it is for one job. There may be, of course, times where there are two jobs per selection and they may have five names put on a list for two jobs. So the numbers will vary. But in the main the number of people qualified for a job will be three in the main. But normally I have asked for remarks from the Selection Board as to their feeling on the particular candidate. I would want to know how the Selection Board rated these people that they recommend. I don't want to in a routine position or any position to take for granted that each one is qualified. If they are qualified there will be no problem, the Commission will say that the three applicants are equally qualified.

MR. SHERMAN: That is up to the individual minister to request a priority rating or just a general listing of three names. Is that correct?

MR. URUSKI: Yes, it's really — the three names still are prevalent. If a minister in a particular department would like some rating he can request additional information on the specific job, if he has a problem in making a decision.

MR. SHERMAN: That's all, Mr. Chairman. Thank you.

MR. CHAIRMAN: Resolution 29(a)—pass; Resolution 29: Resolved that there be granted to Her Majesty a sum not exceeding \$549,200 for Civil Service—pass. That then concludes the consideration of the Department of Civil Service. Committee rise and report.

ESTIMATES — ATTORNEY-GENERAL

MR. CHAIRMAN, Mr. William Jenkins (Logan): I would refer honourable members to Page 12 of their Estimates Book. Resolution 28 Legal Aid (a) Salaries \$1,212,300. The Honourable Member for Morris.

MR. JORGENSEN: Well, Mr. Chairman, I was just rising to let the Chair know that the Leader of the Opposition had the floor when the Committee last rose and he will be coming in in a moment and I wanted to kill time until he arrived so that I could resume the debate.

MR. CHAIRMAN: I see that he has arrived. The Honourable Leader of the Opposition.

MR. LYON: Thank you, Mr. Chairman. Thank you for your courtesy. In brief continuation of what I was saying about Legal Aid before the noon hour adjournment, I am the first to admit, as the Attorney-General well knows, that we live in a very complex time. The amount of legislation that is being ground out by the Parliament of Canada, the Legislature of each of the provinces and the by-laws of the various municipalities, cities, towns and villages in this province; the infringements, the encroachments of government upon the lives of individuals, all of these things lead to a complexity that was not present in our day to day lives five years ago, ten years ago. So I am the first to admit, as I'm sure the Attorney-General would say, that because of these complexities there are areas today where citizens who cannot afford regular legal advice from time to time do require assistance through legal aid or other sources. Make no mistake, I've always been a supporter of the concept of legal aid, as I think every member of this House is, but like all good things, one must make sure that the pendulum does not swing too far and that is why I mentioned this morning in the course of my remarks some concern about the outreach program which in other terms might be described as agencies of government going out beating the bush looking for work to do, and if there is no propensity in this direction by the present Legal Aid administration, then I commend them. If there is that propensity then I suggest that they look at it very very carefully because we do not need that type of approach, whereby in order to justify growing bureaucracy and to increase so-called caseloads, we should be looking for people who may or may not have real problems that require assistance from Legal Aid.

I mention in this connection only two other items; two bills that are presently before the House. I think again, it's an observation with which the Attorney-General would probably agree. Should the House see fit this Session to pass the Marital Property Legislation and the related statutes, I think the Attorney-General would agree with me that that will increase the traffic into law offices and into Legal Aid in a way that perhaps would boggle the imagination of most people. We will be talking about the Marital Property Law on another occasion when the second reading of that bill is before the House as it is at the present time. But I think that we can use that as one example of the kind of law that is going to engender in average people who have never been concerned perhaps with the law or lawyers, never in a criminal sense and very seldom in a civil sense, seeking out advice as to how they stand, vis-a-vis their assets under the marriage bond and so on, and I think we should be prepared to accept the fact if the law is passed and we will see what transpires in that regard.

We should be prepared to accept the fact that there will be an increase not only in the business of lawyers but in the business of Legal Aid. In fact I heard one wag say the other day, and I rather agree with the thought that the passage of this bill by itself is going to increase the law business in Manitoba probably by 25 percent. The Attorney-General nods disagreement. I ask him to take a close look at the bill. If he has not had some of the questions that I have already had about the bill and on reflection he may come to agree that that prognostication is not too far off the mark.

Well, be that as it may, I think the point is made that while we, by our very presence here and by the bills that are brought before us by government and by private members, are contributing to the complexifying of society. One of the responsibilities I think, not only of this Chamber, but to the extent that they can of the legal profession, is to help decomplexify the myriad of laws, and the myriad of conflicting regulations and orders and by-laws and edicts and quasi-judicial pronouncements and quasi-judicial boards and commissions that are established to look after this or that, real or imagined important matter in the work-a-day lives of the people of this province.

An estimate by the Attorney-General would be appreciated, Mr. Chairman, as to what he foresees as an increase in the so-called caseload — a term that I don't like — an increase in the number of applicants to Legal Aid, based upon the experience of last year and upon some of the legislation that is coming into force this year, either out of this Legislature or out of the Federal Parliament.

Now a final word in conclusion. I heard the Member for Fort Rouge this morning making some comment about the legal profession. He was apparently concerned that one or two members on this side of the House had expressed some views about the self-governments of the Law Society and so on. I was about to say at adjournment that he need have no concern as to the position of the Conservative Party with respect to the Law Society or the other professions and their statutes, many of which are undergoing evolutionary changes at the present time, either with or without benefit of

the work that is being done by the Honourable Member for St. Johns.

Probably a number of people are not aware that the Law Society was among the first of the self-governing professions to ensure that it had lay members on its board on the bench of the Law Society, which is the governing body for, and the disciplinary body for the legal profession in Manitoba. I happened to be one of the persons who sat on the committee that was formed by the Law Society to look into these matters. In support of that concept and in practice, so far as I am aware, the concept is working well with — at least I think it is four lay members sitting as benchers of the Law Society — providing as the term was used when the recommendation was made, that kind of a window into the profession that is necessary for the public to be assured that the interests of the public are being properly safeguarded by the professionals who sometimes by lay people may be thought to be introverted and self-protective. In my experience, since I was called to the Bar, some 24 or 25 years ago, I have not found the Law Society to be that way. I have found them to be extremely jealous of the reputation of the total profession and extremely cognizant of the rights and the obligations particularly of every practicing member of the society toward his fellow citizens, toward his community and toward his province.

But it is important for those who may not be aware of it to understand that in addition to that attitude that is borne by the law profession — and in this I agree with the Member for St. Johns — that there is this window provided by the four lay members who sit on the board whereby they can bring their own expertise and their own ideas and their own value judgments to the deliberations of the bench of the Law Society, and I think that that has been a helpful and a forward looking measure that was taken. I know that other professions have moved in the same direction, so to that extent I certainly agree with the Member for St. Johns and the Member for Fort Rouge.

I would caution the Member for Fort Rouge, however, not to be too concerned about his making pronouncements on behalf of the Official Opposition. I realize that in a caucus of three, it's easier to arrive at a consensus than it is in a caucus of 23 or in a caucus of 31. I realize too, that it may be difficult for the honourable member to understand that by the very nature of the party which I have the honour to lead, we are a group of individualists and we do have our own individual opinions. And I would defend, as I'm sure the Attorney-General would, the right of any individual member of his caucus, I defend the right of any member of my caucus, to stand up and to say what he thinks, what his own attitudes may be, particularly if he is a layman, about the law. I think those of us in this House, who are lawyers, should pay some attention to what is being said because the opinion that is being reflected is probably more widespread than we would wish it to be. And so, I regard that as a healthy type of reaction that we get from time to time in House; it's not new to this Chamber. I can remember sitting on that side of the House and hearing some fairly cogent criticisms made of the legal profession by the members of my government caucus, by members of the opposition. It's not a new thing at all.

So, I'll merely say to the Member for Fort Rouge that we do respect that right of our individual members to express their opinions. They have as much right as anyone else in this House, and the Government, or the opposition, to be right or to be wrong from time to time or to have genuine disagreements with those of us who may not hold the same point of view. But I assure him that if we have any party pronouncements to make with respect to the governments of the professions, we will make them in a clear and unequivocal way so that even the Honourable Member for Fort Rouge will be able to interpret that they do represent the feeling of the party.

One final point, the Honourable Member for St. Johns was glowing in his defence of the profession, as he interpreted certain criticisms that might have been made by the Member for Wolseley or the Member for Pembina, and I support his view that the profession has done a good job for the people of Manitoba. I only wish that he would apply his well-known persuasive powers to some of his colleagues, more particularly the Minister of Health, and engender within that Minister the same even-handed and balanced sense of outlook toward the professions that obviously my honourable friend from St. Johns shares because part of the problem that we face in the delivery of health services, about which the Member for St. Johns was speaking, was the fact that there is an antipathetic attitude by the Minister toward the profession, that there is a certain amount of prejudice in the dealings with that particular profession which does not augur for the good and for the public interest and for the good health of the people of Manitoba.

With these few comments and with the questions that I alluded to earlier, I take my seat. I pose one final question to the Attorney-General as I do: On Page 24 of the Report of the Provincial Auditor, a note is made at the top of the page of an action that was taken by the Legal Aid Services Society of Manitoba making payments above and beyond those required or set forth under The Civil Service Act. This was apparently brought to the attention of the Minister and then to the Legal Aid Society's group, and it was found that the hiring in the question or the extra pay in question was illegal under The Civil Service Act. I would like to have from the Minister an explanation as to how this came about what correction was made and what disciplinary action, if any, was taken.

MR. PAWLEY: Mr. Chairman, I would like to deal with some of the points raised by the Leader of

the Opposition. First, I would like to just comment that I understand, I think, quite well the concerns that were expressed by the Honourable Member for Pembina. At the same time, I do believe that the professions can best operate if they operate on a voluntary self-policing basis, attempting to introduce into their governing structure as much lay representation as is possible.

But I want to just say that I think the expression of opinion today, voiced by the Honourable Member for Pembina, could very well be majority opinion in the Province of Manitoba. I have that impression. I think because it is majority opinion that we ought not to dismiss it as not worth concern as to what is the cause of the fact that so many would concur with the Honourable Member for Pembina. The impression that I have is that there is a minority of representatives of each professions that spoil the reputation of the entire profession, and the legal profession is not exempt from that. I know that I receive frequent complaints in my office — in fact, the frequency, I believe, is increasing — of complaints involving members of the profession in Manitoba.

I don't know just what is the best way of dealing with it. I am not totally satisfied that the complaints involving members of the profession are being dealt with in such a way that those that complain feel that they've been dealt with fairly and properly. I am not satisfied that those that complain leave with the opinion or the impression that those complaints have been dealt with as forcibly as they might be in view of the relationship of the association, the professional association to its own members. And I think then we do have the generation of this type of suspicion towards the entire profession.

If I could just say that I think that the professions might wish to consider it. I am not off the top of my head saying that they should do this, but I think it deserves very serious consideration that possibly it's time that the professions in Manitoba made some effort to come together because I think each of them face the same problem, each group, each association, and ascertain whether or not it might not be a wise idea for them to join together and have an ombudsman or someone that can actively delve into the many many . problems that are presented involving members of the professions.

People have problems with government departments, civil servants, interpretation, actions; the ombudsman I think has done a relatively good job in many instances. Sometimes, I don't agree in all instances with him but I think that he has performed a very useful role. And all that I can say in view of the many many complaints that I receive in my office, that I wonder if an ombudsman-like function would not be useful. I think the profession has to attempt, certainly attempt, to come to grips with this problem. I think they have a public relations problem.

Again, I think the opinions expressed by the Honourable Member for Pembina is a majority opinion and I think the opinion expressed by the Leader of the Opposition, the Member for St. Johns and myself would be a minority position. I think we ought to recognize that and that some steps should be taken by the professions to try to clean their own house. — (Interjection)— Well, they try but maybe they can try a little harder.

The question of legal aid: A reference was made by the Leader of the Opposition to the situation back in the 1960s when legal aid was provided through the Law Society. I remember the method that was used then. A certificate was mailed out, usually as a result of someone going down, I believe it was on a Tuesday night, to Courtroom C or D and waiting in line to finally receive approval from a panel of lawyers. I think it was a most inadequate system from the civil end, family cases, I think it was a most inadequate system.

The Law Society, of course, in 1971 was one of the first to recognize that it was an inadequate system, as in fact were most law societies across Canada as well as most governments across Canada. The fact remains that in 1968-69 the changes were not adequate in order to bring about the improvement of legal aid Legal Aid in Manitoba. The 1968-69 steps, if they were steps, were but inches along the way in one's journey to having something which at least we could call reasonable in ensuring that effort was made to provide legal assistance to all those that face serious charges, criminal charges, charges that could result in the individual losing one's liberties, and as well, of course, dealing with the private matters, 90 percent of which by the way are family matters that Legal Aid is engaged in. They're engaged in very little private work that is outside the area of family.

The salaries of Legal Aid lawyers is not \$1.2 million as indicated this morning, but rather is \$700,000.00. The operating costs of the centres, the support staff, the rental of the accommodation, the equipment and disbursements is \$500,000.00. So within that \$1.2 million, we have \$500,000 which represents the support. Lawyers in the city law offices assist most of the 20,000 persons per year who get informal advice. These are 20,000 in one year matters which never do get to court that are handled through negotiation and simple advice. In the Legal Aid Services Society of Manitoba report on Page 22 there is a listing of the number of telephone and drop-in enquiries broken down at the various offices which indicates the large number of simple enquiries that are made by telephone or by drop-in, matters that are resolved there and then, and fortunately never reach court because they are resolved at a very early stage by the Legal Aid. I wonder how many of these matters would eventually end up within the court process if it wasn't for the initial steps by Legal Aid in order to deal with them.

Also, as far as Outreach is concerned, yes, Legal Aid is engaged in some outreach. They are engaged in outreach to the extent that they travel to remote areas, for instance, Norway House, Cross Lake, Berens River and other remote communities. They are also involved on a regular basis, I believe, in providing legal aid outreach in some of our institutions such as the Brandon and Selkirk mental institutions. They provide some assistance to the residents therein; they provide assistance on an outreach basis to various senior citizens groups and others.

I do feel that Legal Aid is quite conscious of the fact that Outreach has to be reasonably controlled and it can't reach the point where any group of citizens coming together as a group can insist upon legal representation regardless of the fact that their case may not be meritorious or alternatively, that the group combining their assets or their earnings ought to go and hire their own lawyer. I do think that we have to be very careful and I think the Board has to be very very careful to ensure that any group of 15 or 20 people with a cause obtain legal aid when they could very well accumulate their earnings and obtain assistance on their own. I think that certainly if that got out of hand, then it would reflect upon the entire legal aid system and I agree that again there has to be some balance, but there has to be certainly a careful monitoring of the extent of the outreach, that that doesn't get out of hand in an unreasonable way.

The Legal Aid lawyers from the clinics, Legal Aid clinics, only defend a very small percentage of the criminal cases in the adult court. Most of those cases are fielded out to the private lawyers; very few are handled by the Legal Aid clinics and thus, I would disagree with the Leader of the Opposition when he refers to a drift to the public defender system. I don't think that the information backs up the accusation there is a drift. But I want to say to the Leader of the Opposition that there is a role for both the public and the private sector insofar as the provision of legal aid.

I wish to come further to that. Again, the figures certainly show that the majority of Legal Aid in Manitoba and it's stayed roughly around the same ratio. There have been variations but roughly, the same: there has been 65 percent private bar and 35 percent public bar. That's the last figures that we have. But most of the legal aid from the staff is provided on the domestic side, in the Family Courts. By the way, we wish to reduce the expense expenditure on the domestic side by utilizing more duty counsel, where hopefully people can be advised of their positions earlier through duty counsel and minimize some of the pressures and more expensive legal assistance in order to bring about conciliation at an earlier stage, and the duty counsel system helps in this regard. Hopefully, the introduction of that within the family court system will be of help.

I want to also mention that when it comes to the private work, 90 percent of which again is the Family Court, the information, the figures that I have seen indicate that the work can be done at less cost by the public lawyer through the Legal Aid Clinic than by the private lawyer. The ratio is about one-half the cost, so that if we were fielding out that work to the private Bar we would in fact be having to ask this House for substantially increased moneys, if we were fielding out all the work that is presently being done by the clinics on Family Court matters to the private Bar. So I think that is a very important consideration that on a pragmatic basis, as I indicated before, there is need, there is a useful purpose for the public clinic to the extent that it reduces the pressures upon the cost to the entire legal aid system.

The Leader of the Opposition — I am not quite sure what he means when he uses the term, "the Public Defender's system is alien to us" because if we examine the situation across Canada, we'll find that there has been an introduction of the public defender system into many parts of Canada by governments of all political shades. Prince Edward Islands has an out-and-out public defender system. There is no legal aid that is on the criminal side, and I believe on the civil side, that is not handled through the public defender system attached to the Department of the Attorney-General in the Province of Prince Edward Islands. Also most of the cases in Quebec, and that started prior to the present government but under the former Liberal government in Quebec. In Nova Scotia, Saskatchewan and British Columbia are handled by staff lawyers rather than by private bar lawyers. So I don't think we can say that there is something alien because by these figures, we'd be looking at about half the population of Canada that would be served through a system which emphasizes the role of the staff lawyer rather than the role of the private lawyer.

Our system here in Manitoba has been acclaimed by many because of the very fact that it is a mix, an attempt to provide the public sector where it can be most useful, private sector where it can be most useful. It has been acclaimed by the Justice Osler in his report on the Ontario legal aid system where after a great deal of analysis in his report to the Ontario Legislature, he favourably commented upon the Manitoba plan. I believe the words were that it was the best, or among the best that he had observed. We had, only a few months ago, a group of lawyers from the Caribbean in Manitoba that travelled right across Canada. They were from Guiana, Barbados and Jamaica and we received the result of their conclusions after travelling from one end of Canada to the other, and they decided after their travels to single out the Manitoba scheme as the one which they would like to introduce into their home countries. This is after they had been to, I think, most provinces in Canada. They concluded that the Manitoba plan was a preferred plan because of the very fact there was this private-

public mix relating to the various responsibilities. —(Interjection)—

The honourable member says . . . I should like to point out to him that if he studies the *per capita* expenditures on Legal Aid across Canada that he will find that we are fifth in *per capita* expenditures, fifth, so we're certainly not out of line with the expenditures in other provinces. I just can't get a hold of that at the moment but I gather it is five. Ontario, Quebec, Saskatchewan and British Columbia are all ahead of us as far as *per capita* expenditures are concerned on Legal Aid.

The Leader of the Opposition also indicated that he didn't want to ape the United States. Well, our legislation has not been build upon the American legal system, but our system of Legal Aid has been based upon the English and on the Ontario Legal Aid plans, and what has been developed in Manitoba has been mainly borrowed from the English and the Ontario systems. We have attempted in Manitoba to draw the best out of both programs to insert into the Manitoba program. But now let me say that the Ontario program is borrowing from ourselves as a result of Justice Osler's analysis of Legal Aid in Canada and his recommendations to the Ontario government.

We have a full-time staff of 32 lawyers and that number we feel is necessary to ensure that along with the services of the private Bar that we're able to provide what we feel is a suitable Legal Aid system . . . And we feel again, the best Legal Aid system . . . in Canada. Representation of Legal Aid in Manitoba have received invitations from all over North America and I mentioned the fact that the recent analysis of our program by the lawyers from the Caribbean and the results of their study.

The final question the Leader of the Opposition had asked about growth in Legal Aid and I think that the best analysis we could make, like most other jurisdictions in the early stages Legal Aid grew very very rapidly, people were not aware of what the services were under Legal Aid, so in the early years there was a tremendous growth. But the growth rate is now slowing down, as it is in other jurisdictions. On Page 2 the reduction in growth rate which was from 35 percent between 1974-75 and 1975-76, to between 5 and 10 percent in the year 1977-78 and following. So what started off at 30-35 percent growth to now we can safely say that the growth rate is in the 5 to 10 percent area.

I want to warn honourable members though if the unemployment situation continues to rise and economic circumstances continue to deteriorate across all of Canada then certainly the amount of moneys that will be spent on this program, as well as other social programs, are bound to increase. So much depends upon economic situations that exist in the province, that poor people and lower income people face as a result of worsening economic situations, so it's hard to project. But certainly there has been a levelling off process and that is the trend that is apparent to us at the present time, subject to that uncontrollable factor.

I believe there was another question which dealt with the Auditor's Report. We'll obtain a report which I'll have on that.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. LYON: Mr. Chairman, I thank the Minister for his comments. I would make just a few final observations on them. When I was referring to outreach I was not referring to geographical outreach because I think I specifically said that Legal Aid storefront or outpost operations in remote areas are something that one would contemplate as being a necessity in a province-wide type of program. The kind of outreach I'm concerned about is the advertising that is done on radio by Legal Aid, presumably paid for by public funds. Any other so-called promotional activities that take place that I think are questionable in terms of the efficacy or the viability of a sound Legal Aid program.

The Minister himself made the comment, Mr. Chairman, that the Legal Aid staff lawyers were a dedicated group — I forget the exact words — they have a ! cause. I think it's one of the responsibilities of the Minister and of the Board and of the Executive Director to make sure that the cause doesn't overwhelm the responsibility and that the cause does not become superimposed over what the purpose of the program is. I tend to regard radio advertising and other types of broadcast of Legal Aid, if you haven't got a problem just think for a minute and maybe you have, and if you have why we're here to serve you, that kind of thing, is almost an encouragement for the kind of litigiousness that I spoke about earlier. The one disturbing fact, of course, that he mentions is the overwhelming amount of family work or domestic relations work that is done by the profession or through Legal Aid. This undoubtedly is a manifestation of the society that we live in today where there are more breakups in marriages and so on and so forth. So to that extent it's a straight carry-through statistically from what is happening in the society that we happen to live in.

One historical correction I would make for him, however, he suggests that if this work were to be farmed out amongst the profession it would cost more. He will remember — I can remember — where there was not an institutionalized form of Legal Aid such as we have at the present time, that the work was still done and very often it was done free of charge; most often it was done free of charge by the private law firms throughout Manitoba. It's not the kind of work that law firms, as the Minister and I both know, necessarily welcome, but in any cases of need that I ever heard of, certainly in any law offices that I was ever associated with, that kind of work if there was need on the part of the person who needed assistance, I'm sure 99 times out of a 100 the work was done totally free. No bill to the State, no bill to the client, no bill to anybody because it was regarded by the lawyers who were faced

with that kind of problem from time to time that that was part of the obligation that they owed as a professional to a society in which they made their living and practiced their profession. I only hope that we're not drifting too far away from that concept either when we establish fee structures, institutionalize the provision of the services, provide a bureaucracy and a support staff for the services and so on. I hope that there is not, within this institutionalized concept, a diminution of the professional responsibility that the lawyer should feel toward his community. I've always been a great believer in the fact that if a lawyer is accorded certain rights under the Law Society Act that as with all rights there is a coterminous obligation, and that obligation, on the part of the lawyer, before we had the kind of institutionalized Legal Aid that we have today, was to carry out that responsibility with respect to clients who could not afford his services and to do them most often for no fee at all. So, when he says that there is a saving, I suggest to him that there was an even greater saving at one time when the lawyers used to absorb the cost themselves. I don't know if they still would or not, that's part of the deprofessionalization and the kind of — how do we describe it — commercialization that comes with this kind of a State operated venture. I think that's one of the prices that society probably pays because you don't have that obligation felt on behalf of the professional that he and he alone, must fulfill the need in the community, whether he is paid or not, and the question of pay used to be subservient to the question of whether or not he could provide the service to the person who needed it.

I'm happy to hear the Minister describe, as only one would expect him to describe, our system as being one of the best in Canada. I tell him a little anecdote. He tells us that the system was modelled at some considerable extent upon Ontario. I tell him the anecdote, when the system was in the preliminary stages of reformation in '68 and '69, and measured by my honourable friend's standards that may have only been a movement in inches, but it was a movement that was going on in approximately the same degree right across Canada. I think Ontario had taken the lead at that time. And I pass upon to him some gratuitous advice, that I received at that time from the then Attorney-General of Ontario, which was corroborated and supported by the then Premier of Ontario who was also a 6 lawyer at that time. The advice was, "As you structure your Legal Aid system in Manitoba, for God's sake don't follow our example because we have developed a system which has gotten out of control." Well you can imagine my concern as a citizen, sitting back and seeing some of the steps that were being taken and then to hear today my honourable friend say that we did follow the Ontario system which has had to have a number of corrective actions taken with respect to the limits on the number of cases that lawyers can handle and so on and so forth. So he doesn't put my mind particularly at ease when he tells me that we were modelled on the Ontario system, because that system, while probably one of the most tightly structured systems across Canada, did have many many growing pains, probably still does have very many growing pains, and I'm afraid that some of the bureaucratic blunders into which Tory Ontario fell with respect to Legal Aid have been transmitted into socialist Manitoba. I don't want my honourable friend to think that it's any defense for his system to say that he copied the Ontario system because we were warned not to copy that system that had gotten to some extent out of control at that time. I'm not speaking of today, I'm speaking of '68-'69 and that period.

So we would hope that he would remain, as always, receptive to new ideas, receptive to the concerns that are being expressed on this side of the House, and I'm sure by members of his own caucus and members of the profession, that a very careful eye be kept on the growth of this particular service, and that such comparisons as I made at the outset of my remarks this morning, be kept in mind, where one sees that the structure for Legal Aid, by comparison with the structure for criminal and civil lawyers in Manitoba. **ow the Legal Aid structure, is now creeping up to comparable size with our criminal prosecution staff. There can be no question whatsoever as to the need for the availability of legal aid. There can be considerable question as to whether that kind of a program should be running close to matching the fundamental responsibility of the State which is to preserve law and order through the criminal prosecution branch, and through the civil branch looking after public affairs and so on. So I ask my honourable friend to keep those two figures in mind and to draw his own conclusion as to where the bulk and the weight of not only the votes that are given to them, but to the relative importance of them, is with respect to his function as the Chief Law Officer of the Crown.**

MR. PAWLEY: Mr. Chairman, it maybe will come as some pleasure to the Honourable Leader of the Opposition to be advised that I'm informed that during this past year not one penny was spent on radio advertising. I think that the honourable member must have been thinking of radio advertising in connection with the opening of the Brandon and the Dauphin clinics which would have back in the year 1975, but I'm informed that during this past year there hasn't been any money spent insofar as radio advertising is concerned.

The reference to the pre-Legal Aid days, I would just like to point out to the Leader of the Opposition a very very serious deficiency. . .

MR. LYON: . . . what the pre-Legal Aid days were, there's been Legal Aid in this province since 1932 that I'm aware of.

MR. PAWLEY: Mr. Chairman, prior to '72. I'm afraid though I don't give the same credibility to us having what I would consider a Legal Aid system prior to '69.

MR. LYON: . . . the Minister perhaps ascribe that to his lack of years rather than to his lack of knowledge of the system. pre-1972

MR. PLEY: I'll agree to use the term pre-1972' serious deficiency existed, certainly there was no legal aid at all of any nature, type of nature, and that involved divorce actions. There wasn't any means by which Legal Aid could be obtained for a divorce action which certainly is a very important field of Family Law. Also I'm informed that there were only about 500 to 600 matters that were handled through Legal Aid by the Law Society of Manitoba as far as separations are concerned; 500 to 600 a year. The important point, I think, to make is that it was the profession which is clearly on record in 1971-72 as saying to government that we don't have a proper Legal Aid system in Manitoba, we're not handling these cases properly, separation cases. We're not handling the divorce matters at all, we're not even touching them. We want a comprehensive system in Manitoba with the profession itself that acknowledged that in 1971 - 1972. I enjoyed the honourable member's reference to Ontario, although I indicated that we drew heavily upon the Ontario experience and certainly was not aware of the advice that he had received from his colleagues in Ontario.

MR. LYON: You can tell my honourable friend I'm sorry to interrupt him. I gave it to his immediate predecessor when we had a half day together as he was assuming office. I made sure he was told the story.

MR. PAWLEY: Well, maybe then my predecessor gained valuable information from that because only the best was taken from Ontario and the worst was left in the Ontario system. For instance, in Ontario the Private Bar handles all the legal aid up until just recently and thus the costs that are thrust upon the Legal Aid system in Ontario — that's probably one of the major reasons why Legal Aid *per capita* is more expensive in Ontario than in Manitoba. The Private Bar has been handling not 65 percent as in Manitoba but 100 percent up until just recently when they have started now to hire a few staff lawyers for a few matters.

I think that's all the points. I want to just comment on the question of the Auditor's Report. I'm advised that we can't obtain that until tomorrow and I wonder — well, we'll probably continue on into Estimates tomorrow — so I'll be able to provide that then.

If I could just interject an item that's a little off topic but I did commit myself to provide an answer to the Honourable Member for Birtle-Russell during the question period. I've quickly checked the report re the Portage fires. Police reports were received yesterday, very comprehensive reports. I am advised that the Director of Prosecutions is now examining them and we'll be meeting with Chief Provincial Judge Giles. We anticipate that a date will be established for a hearing, the date will be established sometime next week.

MR. CHAIRMAN: Resolution 28(a). The Honourable Member for Birtle-Russell.

MR. GRAHAM: Well, Mr. Chairman, we've had a fairly good discussion on Legal Aid, but there are one or two things — and I think my Leader pointed out some of the concerns that we have had with some of the secondary aspects of Legal Aid — and one of the questions, I know it's a very small one, is dealing with the Lamb News — the Legal Aid for the staff and friends of Legal Aid in Manitoba — a special news magazine that is published by Legal Aid. It says, "The Lamb News is published by Legal Aid in Manitoba and is ordinarily distributed free of charge to about a thousand Manitobans." Now, when I received this copy I went down to — this is the Winter edition — I went down to Legal Aid about a month ago and they said that the new issue would be out in about two days time and they promised to send it to me, but maybe when they found out who I was they decided that maybe I should not be on their mailing list, so I haven't received the new issue yet. I'm looking forward to the receipt of that though.

MR. PAWLEY: Mr. Chairman, let me just remove any doubt. We will undertake to satisfy the honourable member that we will get a copy to him as soon as possible. Let me assure the honourable member we're not avoiding the forwarding of a copy to him.

MR. GRAHAM: Well, Mr. Chairman, it's not really important because once you read the news you wonder really what the purpose in printing it is, because as far as I can see there is very little in it. I don't know what the cost of printing it is, but some places it's humorous, it contains poetry and humorous incidents, but I don't quite see the value of the publication, but perhaps it is worth it. It depends on who establishes what is worth, what I may consider to be unworthy, somebody else might think might be well worthy of the time and effort and the cost of publication.

I would like to know if it is published quarterly or every two months. The one I have here is the Winter Edition 1976 No. 7. I imagine the next one will probably be the Spring Edition. So from that I would assume that it is probably published quarterly. One of the things that I do find though, it says, "Demand for the news far exceeds the supply. We therefore ask that you assist us in circulating this newsletter by passing it on to someone after you have finished with it or by posting this in your school library or your agency." Well, having looked at it, Sir, I can't really see that much value in this type of

publication ; but perhaps the Director may think it is worthwhile and may be able to give us a rough estimate of the cost of the printing.

MR. PAWLEY: The cost is \$600 an issue and the issues are printed on a quarterly basis.

MR. CHAIRMAN: Resolution 28(a)\$1,212,300—pass; (b) Other Expenditures \$1,727,700—pass. Resolution 28: Resolved that there be granted to Her Majesty a sum not exceeding \$2,940,000 for Attorney-General—pass.

I now refer honourable members back to Page 10 in their Estimates Book. Back to Resolution 20(a) under General Administration, Minister's Compensation — Salary and Representation Allowance \$15,600.00. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Well, Mr. Chairman, we're now back to the Minister's salary and this is the area where we more or less have the only opportunity that this Chamber provides for some discussion on the operation of the Manitoba Liquor Commission. However, before I get into that particular aspect of it, there are two or three other things I would like to talk about, just in a rather general way, with respect to the operation of the department itself and some of the activities within the department.

And one of the things that I think has certainly been some concern to me for more than a year, has been the — what we referred to last year as the Pilutik case — to my knowledge that is still not solved. The Law Society — I think it's had one or two meetings — I would hope that the Law Society will have a report out very shortly . I am somewhat at a loss and I would like to seek the advice of the Attorney-General in this particular matter, in where the jurisdiction of the Law Society lies in this particular matter and what possible avenues they have that they could come up with. I would suspect that the Law Society, as far as its own activities are concerned, would probably only have the power of disbarment of a practicing member. I don't know if they have the right to fine members themselves or whether they — when they are finished their deliberations — whether they make a recommendation to the Attorney-General or someone, that charges be laid and prosecutions occur. I would suspect that in that respect that their power is only one of referral, but I'm guessing. If the Attorney-General could enlighten me in that particular matter I would appreciate it.

MR. PAWLEY: Mr. Chairman, the Law Society's major responsibility, of course, would involve membership in the Law Society of Mr. Pilutik and that they will, of course, deal with that matter at the conclusion of their hearings which are in process and I gather will be completed fairly soon. Insofar as criminal proceedings, that is a responsibility in our department. Of course, we never have been adverse to any information being brought to our attention where anyone feels that criminal proceedings should be launched. We would not be adverse to receiving that type of information so it could be evaluated. So certainly the Law Society could feel free to provide us with any information that they feel ought to lead towards launching criminal proceedings. But it is not in their role to initiate, of course, such action. It is the responsibility of this department.

MR. GRAHAM: Well, Mr. Chairman, that more or less substantiates what I thought was the proper role. But what has concerned me, Mr. Chairman, is that this matter — it's well over a year since it was brought to public attention and as yet we have really seen no clear evidence of activity or whatever may come of it. I would hope that it doesn't just carry on indefinitely with the vain hope that maybe people will forget about it and it will just be lost. I don't think that will occur and I think that it is only proper that people should be informed of the final outcome of the entire matter.

However, Mr. Chairman, I believe I asked a question yesterday of the Deputy Minister , and perhaps I should have gone to him personally today, so maybe I'll leave that one out right now and move straight into the field of the operation of the Manitoba Liquor Commission.

Sir, there is one area in the operation of the Liquor Commission that I think has caused a fair degree of concern throughout the entire Province of Manitoba. This is an agency of government — a sole agency — it has no competition whatsoever in the sale of its product, and yet I would think that the advertising budget of the Manitoba Liquor Commission is one that deserves a fair degree of scrutiny and I would hope that the Attorney-General would be able to provide us with the figures that the amount of money that is spent by the Manitoba Liquor Commission in its advertising campaign.

We know, as any of us who are sports enthusiasts and follow the activities of the Winnipeg Jets, are fully aware that the Manitoba Liquor Commission is quite involved in the advertising and the sponsorship of a certain aspect of that program and that, in itself, may be somewhat questionable . But what becomes even more questionable is when the Chairman of the Liquor Commission condemns others in the liquor industry for their activities in the sports field.

We find the Chairman of our Liquor Commission here in Manitoba, who is pretty well a one-man operation, the Liquor Commission is almost a one-man operation in that respect, he is himself, through the use of public friends, involved in the promotion of sporting, advertising and the carrying of sports broadcasts in the province and yet he condemns those that are in the distillery business or in the brewing business for their activities in helping to promote sports in the Province of Manitoba and in the Dominion of Canada. I think it's just one more piece of evidence of the double standard that is prevalent in so many areas of this government's activities. We find that this, at least to me, is what I would consider to be a very unnecessary type of public expenditure.

In the operation of the Liquor Commission I find that in the past we have had a real concern about the problems of alcohol, alcohol education and alcohol abuse, and there have been many members in this Chamber from time to time who have expressed the concern about utilization of some of the profits from the Liquor Commission in a program to educate the public in the dangers of the use of alcohol. However, we do find that there is now a special department in the Department of Corrections to deal with that and the program, I think, is receiving more and more attention. I'm not in my own mind convinced that we are doing enough yet in the field of educating the people and providing adequate facilities for those that do have an alcohol problem. If we as the public are insisting on government operation of and complete government control of the sale of alcohol, then I think we as the trustees of the public purse, have to take a greater responsibility in the field of alcoholic use and abuse. I know the Member for Assiniboia has, and I've heard him on repeated occasions pleading in this Chamber for greater input in this field, and if I can add any assistance to his pleas of before, I am more than happy to do so now.

We do find, Sir, in the operation of the Liquor Commission some rather strange procedures I think are occurring, and I think the Member for Pembina raised one the other day. He may perhaps want to enlarge on it at the present time. If so I will let him do so, and not refer to it at this time.

But I would hope, Mr. Chairman, that perhaps we could revise the operation of our estimates, and provide some place in our examination of government, a committee some place, whether it be Public Utilities or what, where we can have the Chairman of the Liquor Commission come forward and we will deal specifically with the report of the Liquor Commission at that particular committee. I would think it would be a far better method, than the method that we presently use in dealing with the matter under the Minister's Salary.

Well, Mr. Chairman, it is my hope that we can complete the Estimates of the Attorney-General today, and I realize that there is only 45 minutes left in this particular Session, and I know that there are other members who would like to say something on this matter, so I will leave my comments at that.

MR. CHAIRMAN: Resolution. The Honourable Member for Morris.

MR. JORGENSON: Mr. Chairman, in the light of the fact that the Liquor Control Commission has become so much involved in our lives today, I would hate to see that this particular responsibility of the Minister goes by without any reply from the Minister, or without any further comment, because there are certain aspects of the activities of the Chairman of the Liquor Control Commission, that in my opinion, are highly questionable. I don't know whether the Chairman of the Liquor Control Commission is so completely independent that he is a law unto himself, and I sometimes think that that is the case, or whether there is any direction provided for him by the government. If there is direction provided by the government, then I would suggest that the direction that is being provided is headed in the wrong way, and that it should change for that reason. Perhaps a debate on this particular aspect of the Minister's responsibility is very much in order.

Recently the Chairman of the Commission saw fit to criticize the distillers and the breweries for their involvement in sports — somewhat of a highly questionable criticism in the light of his own activities in, as my colleague, the Member for Birtle-Russell has pointed out — in the light of his activities with the Winnipeg Jets. Maybe he is attempting to usurp the whole field to himself, I don't know, by intimidating the breweries and the distillers to get out of the field so he can monopolize it. It wouldn't be inconsistent with his approach to the distribution industry, which he is attempting to monopolize.

The fact that the Liquor Commission seems to be spending, and I don't know whether that particular item in the report suggests the amount of money that is spent on advertising, or whether it's a general item dealing with other aspects of the Liquor Commission's activities, I'm not sure, but it is found on Page 24 of the 53rd Annual Report of the Liquor Commission, and the particular item is called Public Information Services. If public information services can be interpreted as that part of the activities of the Liquor Control Commission which we see flashing about on the television screens daily, in telling me how much I should drink, and when I should drink, and how I should behave myself if I drink, to me is the kind of an attitude that I dislike very much.

I don't need Frank Syms telling me how to control my drinking. I can do that perfectly well on my own, and to have to spend public money in order to do that, irks me even more. The Chairman of the Liquor Control Commission, I think would be far better advised' and I find this position a hypocritical one, to be responsible in this province, to have a total monopoly on the sales of alcoholic beverages, and then spend money to advertise "moderation," is the height of hypocrisy. What I would suggest, that that total amount of money that is contained in this promotional program — liquor does not need any promotion or the sales of liquor does not need any promotion. The \$234,000 that is contained in the Report of the Liquor Control Commission as directed towards public information services, if that amount was doubled, and handed over to the Alcoholic Foundation' and let them do the job of directing those who have problems with drinking, it would be far better spent, and far less hypocritical as far as I'm concerned. They know where the problem areas are, and they could direct

their entire intention to those particular problems instead of gratuitously telling people who do not have a problem how they should drink, and what their habits should be.

I had my share of battles with the Chairman of the Liquor Control Commission on several occasions. I don't find that the things that I complained about three or four years ago have diminished at all. In fact, I think that his activities have increased in those fields.

I criticized several years ago, the intrusion into the hotel industry and telling them what depth carpets they've got to have in their rooms, not in the beverage rooms. I'm going to make it very clear that as far as the sale of liquor is concerned in the beverage rooms, that the Chairman of the Liquor Control Commission and his staff, should do everything possible to maintain a fairly high standard, and he has complete authority there. But I suggest to you, Mr. Chairman, that he has no authority to go beyond that. That he has no authority to decide what colour the rooms of a hotel should be, and whether or not they should have toilet seats made out of material that only the Chairman of the Liquor Control Commission decides upon or things of that nature.

I find that the hotel industry is one that, in my opinion, is very critical and very important to the successful promotion of the tourist industry in this province. We cannot on the one hand have the Minister of Tourism sending brochures all over the country, attempting to encourage people to come into this province, to stay in our hotels and our motels, and then place the operators of those establishments in straightjackets that prevents them from making the adjustments that are necessary in order to survive, and in order to attract the tourists that are going to be staying there. And yet' such is the authority of the Chairman of the Liquor Control Commission. Or if it is not his authority he is certainly assuming it. I suggest that the Minister should have, or at least somebody should have a very serious talk, and I get the feeling that this government, because the hotel industry to a large extent, except for those few establishments that they own themselves, are hostile, or the government is hostile to the hotel industry. They regard them as another one of those free enterprising bunch that has to be placed under the thumb of the government.

A MEMBER: They don't like winners.

MR. JORGENSON: Well, yes that's true, they don't mind enjoying the hospitality of the Hotel Association, but I would think that, and not because the hospitality is good, and I might add, that I don't attend those functions. —(Interjection)— My honourable friends say that I'm much the worse for it — perhaps I am — it's not because I don't enjoy that kind of hospitality, I just feel that they hold it on, as far as I'm concerned, on a very bad night for me. I usually reserve Wednesday nights to go home. So I perhaps am not in the best position, or maybe it's just the contrary, maybe I'm in the best position since I don't take advantage of that hospitality, to stand up and to make some comments on behalf of the hotel industry, if I may presume to do so. Because I find that in talking to various hotelmen across this province, that they're scared to death even to make one word of criticism for fear of having an inspector in that establishment the next day, finding some reason to close the establishment for them. They live in a reign of terror as far as the Liquor Commission is concerned. I think it's an absolutely intolerable situation to exist in this province. That the Chairman of the Liquor Control Commission is judge and jury at the same time, in laying down the law to the hotelkeepers of this province, and denying them the right even to speak out against any injustices that we know occur from time to time. And honourable gentlemen opposite, maybe they don't talk to hotel proprietors, maybe they don't visit the hotels in their own riding and find out the problems that they have, and maybe they never studied the report that was commissioned by the Hotel Association to determine their position in the economy of this province today. Where a report which indicates that although costs have increased tremendously in the past four or five years, the edicts of the Liquor Commission make it impossible for them to adjust their prices in order to meet those costs. The fact that there was a hotel chain that closed down just recently is evidence of that fact, and if there has been investigation caused into the reasons for the closing down of those hotels, and I think it will find that, to a large extent, it was as a result of their — which is not particularly revealing — but a result of their costs exceeding their revenue. And to a large extent, those costs exceed revenues, because of conditions imposed upon them by the government.

Well my honourable friend from Churchill continues to squawk from his seat over statements that are made on this side of the House, when any criticism is leveled at the government for any reason whatsoever. —(Interjection)— Well you see, there again, that's the very thing I'm complaining about' the very thing I'm complaining about, the attitude on the part of the government that everybody has got to follow their direction, that everybody's got to say, even in this Chamber, we're only supposed to say the things that they want us to say. —(Interjection)— Well you can be in the backbench, but certainly in the backbench you've learned a lot from the frontbench in their attitude towards the hotel industry, and other industries in this province.

The fact is, Sir, that the Hotel Association or the hotelkeepers of this province, are in a very difficult position, and I'll repeat, primarily because of conditions imposed upon them by the Chairman of the Liquor Control Commission, or if the government want it another way, by the government if they want to, and as they should I suppose, take the responsibility for what happens in

the Liquor Control Commission, then they must accept that responsibility, and they must if they are serious about wanting to maintain a healthy industry in this province, and thereby accommodate the tourists that they obviously want to come to this province, then they must do something about it. I see no evidence on the part of the government that they are prepared to do that. I see no evidence that there are going to be any changes forthcoming, and I see no evidence that the heavy hand of the Chairman of the Liquor Control Commission is not going to continue to impose conditions upon hotel owners and proprietors that in my opinion are not in his jurisdiction or that he should have nothing to say about at all. I do not deny the right of the Commission to impose conditions in those places where beverages are sold, intoxicating beverages are sold, whether that be in the dining room, the cocktail lounge or the beer parlour or whatever. I say to you, Sir, that he has no authority to impose conditions in areas over which he has no control.

And he has much less license to instruct the breweries and the distilleries as to what role they should be playing in the encouragement of sports in this province. Without the kind of encouragement and without the kind of assistance that they have been getting, it would be unlikely that there would be as many sports activities going on in this province as there is today. And I can say from personal experience, without the initial assistance, the encouragement that was provided to the people of the Town of Morris in starting the Manitoba Stampede, which is one of the big tourist attractions in this province, without the assistance that was provided initially by the breweries it probably never would have got off the ground. I'm not talking about the assistance that was provided in the form of beverages, setting up press conferences in order to promote, making rooms available to the press and to the people who were attempting to promote the Stampede and providing loudspeaking facilities that were necessary to the successful conduct of the Stampede itself. All of those things, we don't require them to the extent that we did then, but in helping that Stampede get started we owe a great deal to the breweries of this province. And we're grateful to them.

The Chairman of the Liquor Control Commission now suggests that that is all wrong. Well, if that is wrong, then it's wrong to be advertising tourists to come into this province. It is wrong for the government to attempt to promote sports activities in this province because I don't think that the government with all the best intentions in the world could ever duplicate the efforts that have been put in to the promotion of sports and the successful advancement of sporting activities in this province by those that are now condemned by the Chairman of the Liquor Control Commission for participating in those sports.

I think it's an attitude and I suspect that the original intention of the Chairman of the Liquor Control Commission is to promote himself as a candidate in the Fort Garry nomination. Now that that has been set aside and the people have determined who they want as a candidate, and it may be because of an adverse reaction to the attitude that he took that he was defeated.

Perhaps it tells the government something else, that even amongst members of his own party the Chairman of the Liquor Control Commission is not all that popular. I can assure him that if the members of his own party feel that way can you imagine what other people think.

MR. CHAIRMAN: The Honourable Meer for Pembina.

MR. GEORGE HENDERSON: Mr. Chairman, I would like to bring up something. It's of a different nature. It's something that probably there's not too many members would like to bring up and I want to express that this is my own opinion. It isn't necessarily being caucused. But we find that the Liquor Commission is issuing permits now for so many occasions that it is very very difficult for hotels and small areas to get along. I come from an area where we were without a hotel for some time. At one time we had two hotels. We had a very difficult time in getting a person to build another hotel. I was active on the Chamber of Commerce at that time and I know the Council went to quite a lot of trouble to try to get somebody interested enough to build a hotel and at that time we were quite willing to tell the hotel man that the local Legion in town wouldn't be selling liquor at a lower price, or that we wouldn't be having cabarets and socials all the time where we'd be selling drinks below his price. In fact we promised we wouldn't be selling them at all. Now what we find out in local rural areas, and mind you in bringing this up I can't do anything but lose votes in another sense because the people are gaining from it but it's mighty tough on the hotels, because what we find is that the hotels have to raise their price. The water is up. The hydro is up. Room service is up. All the labour is up. All the regulations that govern them are costing them more.

Here we have the local hockey club, curling rink, you name it, weddings, cabarets, sports days, everything, and they're using the hall down the street where they got free labour and not paying any of these other things and they're selling their drinks at 50 cents a drink. Now how can the hotel keep the crowd when this is going on. It's not one group one night and nothing for another two weeks. In some of the areas there is something going on several nights in the week.

I know that the hotelmen don't like to complain all the time because if they're going to make a living in a certain area you have to be good country people and good mixers, but the way this is turning out is that one group after another keeps moving in and having these cabarets and we find that local hotel men are having a very tough time to pay their staff and taxes and bills and I don't know

how the Commission can deal with this. I've thought of different ways to deal with it but in talking with other people I found that it would really make the trouble worse. Like, if they charged more for their drinks, I thought well maybe this would be at least equal competition to the hotel, but then the organization that would be putting it on would be making so much more money by charging more for their drinks where they have free service that they would be sponsoring more and more cabarets and the hotel would really even be worse off.

I really think this is something that has to be dealt with by the Liquor Commission. I think it's something that other members have got to take fairly seriously. Probably it isn't something that's going to happen in Winnipeg, but you're going to find that the small towns around where they're sitting with nobody in them and everybody's down at the cabaret. And the nights of the sports night, and on Friday evenings and Saturday night that this is going to hurt that small town and having been in a town where we were without a hotel we realized how important to the town and to the business community the local hotel is. And I just don't like to see this continuing to that extent.

MR. CHAIRMAN: The Member for Assiniboia.

MR. PATRICK: Mr. Chairman, I just wish to bring a couple of points to the Minister's attention and I'm sure, because I've had some private discussions with him a year ago, a couple of years ago and he will probably agree that in my opinion the Liquor Commission is too restrictive in some respects. I know quite recently, in the last six months or so, I had it brought to my attention by legal counsel working for a couple of people that own hotels in the rural community and the point was that the work order that they put on some of these small towns in the first place a small town had a very difficult time to maintain or keep that hotel open. Then if you slap a work order on that small community, on that small hotel for say \$25,000 or \$30,000 that small business man may have to close that establishment because it's almost impossible for him to generate that kind of new capital or perhaps add on to an old established place. As long as it's safe and clean I can't see why we have to put so much to renew these places in a small town, in some instances very small places. In fact, some of the hotels, I believe one in western Manitoba — I don't remember the name, if I find it I'll give it to him — has closed because there are just too many repairs to be made. I believe we should be fortunate that some of the small towns — I know they want the hotel because it's a meeting place for many of the people around the community. Many of the folks do come in for a weekend or a Friday or Saturday and the hotel as well probably serves meals, so it would be unfortunate that because we get too stringent regulations that we have to close them. Maybe the comparison, we're trying to make a comparison with some of the city hotels which is fine, but it just would be too difficult for some of the small towns and small communities. This has been brought to my attention by a couple of lawyers that are acting in two different cases. It has been brought to my attention by a couple of owners of hotels, and I know that the Minister should be aware because we had the situation here even in the city where the liquor licence was going to be taken away because they didn't meet the standards. Well, I think that we should be concerned to maintain standards but in some of these small communities it's just too difficult. Perhaps, maybe instead of following the rules and regulations right to the line, perhaps we can use some judgment to see if something could be done.

The other point, Mr. Speaker, I see that suspension of licences for the hotels in the report and there must be, I don't know, 50 or so, some for three days and some for less. I think it's unfortunate. I think I would sooner see a fine imposed on an establishment than say, closing the hotel for three or four days because surely we must realize, Mr. Chairman, that some of these establishments are \$4 million or \$5 million establishments and if you close the operations, say, their cocktail lounge and beverage room for three days, you are also taking away probably 35 or 40 jobs as well at the same time. I am not saying that we should do this but perhaps the Minister can give consideration and review. Maybe that would be a better approach than to suspend the operation for three or four days and close the establishment, it may be better to impose a fine instead of dislocating so many employees of that place. My concern is for the employees in this instance.

The other point as well, I think that the quicker we move, and I know that we've talked about it for years and years, about ID cards for young people. I am sure that the young people favour that, the Hotel Association favour the ID cards, and we've talked about it in this Legislature for quite a few years but nothing has transpired or come to fruition. The difficulty that many of these places have is serving minors. I would like to have anyone in this House put themselves in a situation where a youngster does come in and shows you an ID card which is not his. It is difficult not to serve him when somebody shows you some identification card, be it a driver's license or something that doesn't belong to that person, and then you get fined, the hotel gets suspended because you served the minors a drink. I think with an ID card with a picture on that card, the 18-year old would be reluctant to give that card away because he knows that he or she would be punished and would perhaps have a penalty imposed on him for giving his ID card to somebody else that he is not allowed to.

So, this is where the most infractions do happen, so perhaps the Minister can give us some indication what were the reasons that we didn't proceed with the ID card, and that's where most of the problems are created in respect to serving to minors because the hotel owner finds himself in a very

difficult position just like any one here would, if we would be operating a hotel and somebody comes in with some identification and shows you that he is 18, you'd have no right to not serve him. And then when you do serve him and finally he is caught by the police, and when they do find his real identity, then the hotel is suspended or operation is suspended for three days so you can't keep your employees working for next three days. That's a problem; it's a serious problem. I hope that the Minister or Attorney-General would give some consideration to see if maybe the industry itself can prepare the ID cards for the people in that age group so that we don't get the 16 and the 17 in by getting somebody else's ID or somebody else's driver's licence or getting in by false pretenses.

I think that some other points raised in respect to the chairman of the commission saying that the breweries have no right to support or promote sports. I would like to take issue with the chairman because really, as we know, some of the breweries cannot advertise their products and one way of promotion is through sports and they have been giving a considerable amount of money and as long as they are not infringing on any law I can't see why we should be condemning an industry that has been of great assistance in many areas. Again, I wonder if the Minister or the Attorney-General himself agrees with the criticism that has been levelled at the industry because they've been able to buy uniforms for some ball team or sponsor some teams or sponsor a hockey team to go to some competition.

So these are a few of the points that I wanted to raise. There is one more, I know in the Minister's Salary we can raise many of the issues. There has been debate and the Criminal Code was to be amended in respect to the way that proceedings are carried out in respect to rape charges. As the Minister is aware the rape cases have certainly been on an increase to a great extent and there was to be legislation that there would be a greater sensitivity in the way that the lawyers handle the cases. How far have we proceeded in that respect? Has that legislation been in operation? Is it working satisfactorily? Some of the victims, as has been indicated before that when they appeared in court, and after cross-examination, they walked out of the court and their case had to be dropped because some of the females were not prepared to be cross-examined the way they used to be. I want to know has that consideration and legislation been changed? Is it working satisfactorily and what else should be done? I am sure that the Attorney-General and the enforcement officers are watching the situation but it seems to me that the cases have been on the increase and what are we doing to keep it down or eliminate it?

MR. CHAIRMAN: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE: Mr. Chairman, I am not being repetitive, I have two questions to the Minister. I think it was last year or the year before I raised the need for public washrooms in government liquor stores. I wonder if that was carried out? —(Interjections)— In the government liquor stores.

The other question I want to raise: I wonder would the Minister or the Commission give us the names of the firms from which wines, beers and spirits were purchased and the amount that is purchased from each of those firms in the fiscal year ending March 31, 1976?

MR. CHAIRMAN: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Thank you, Mr. Chairman. The comments that have been made during this part of the discussion of the Minister's Salary have come to me, really, I think, as a sequel to the debate that we had in this House over raising of the drinking age. I think since we have debated that in the House, Mr. Chairman, there has been pause for a number of questions to be asked about what is the effective proper way of dealing with the problem of alcoholism in this province. I was taken with some degree of disappointment I guess or perhaps, a better word would be a degree of apprehension when I look at the statistics put forward in the Liquor Control Board Report, which points out that the *per capita* consumption in all areas of spirits, wine and beer have gone up from 1971, some cases almost going up 30, 40 percent to the 1975-76 period where you have spirits from 1.58 to 2.0, and the area of beer from 15.7 gallons to 17.98. What it seemed to indicate to me, Mr. Chairman, one of the points I tried to make in that debate that alcoholism is not something that is a problem confined simply to those that are young. It is a problem that is becoming endemic through all parts of our population and that it is something which I don't feel has been grappled with with any real degree of seriousness at this stage, and I say that, having served on a board of one agency which deals with the problem of alcohol treatment in the province, and realizing that we are still just nibbling at the edges of it.

And it's particularly prompted when I look at the report again, Mr. Chairman, to discover that if you start comparing what is made in the way of profit from the sale of alcohol, and what is spent to provide for effective enforcement of the laws, and for more effective rehabilitation, you see that we are much better at making money on it than we are of controlling it. The net profit is around \$51 million. If you look at the amount that we put back into the Alcohol Foundation and Related Services, it's \$4.5 million. That's a 10 to 1 ratio, Mr. Chairman. The government finds itself in the curious position really of being almost — it's an irony that they catch themselves into because that \$51 million is an awfully nice addition to have to consolidate revenues. It makes for being able to pay property tax rebates or whatever other kinds of application. But it does mean that there is almost a built-in

argument against either trying to reduce the purchase and sale and consumption of alcohol and certainly there is a predilection against providing the proper kinds of enforcement and treatment for it. I think frankly, Mr. Chairman, that what is the conclusion that the Minister should draw from the debate that went on earlier in the House and perhaps from the examination of this report, is that there should be a much higher degree of statutory requirement for liquor profits to be put into those areas both for enforcement and in for the treatment and rehabilitation.

I can give you an example, Mr. Chairman, where after the debate, I spoke to a number of the people in the high schools and said, what goes on in the schools now that passes in any way, shape or form for alcohol education? When the answer came back it was virtually nothing, that this is no longer a standard part of what used to be called old guidance training.

But there is really very little effort made by the Commission or anyone else to ensure that the young adults coming out of high school are fully aware of exactly what the serious potentials of alcohol are. There really is very little effort made in those areas, and effort takes money, there's no question about it. Yet what we see are very very large profits being made that certainly go for many other kinds of purposes, all of which are probably quite valuable.

I just don't think, Mr. Chairman, that we have made anywhere near the same kind of judgment that the moneys gained should be moneys spent to see if we can provide better controls and enforcements. I go back to the point that if it is a problem, it is not one that should be directed just to young people. It is one that must be directed to all sectors of the population because these statistics very aptly and clearly point out that it is a problem right across the board in this province. If you talk to those — not just in the schools but in industry and in the professions — you will find out that literally millions of man hours are lost through alcoholism and a high degree of human suffering is caused by it. Again, if you compare that kind of suffering to the efforts that are put into it, it's pretty minor indeed.

So, Mr. Chairman, I would simply like to make the point, I think the Minister has the option to begin stating that a much more substantial proportion of the money gained from the sale of alcohol should be put back into its treatment, rehabilitation and education.

MR. PAWLEY: Mr. Chairman, it's twenty-five after five. I wonder — there's been many many questions asked — if we should call it a day and then proceed on tomorrow.

MR. CHAIRMAN: The hour of adjournment having arrived, Committee Rise. Call in the Speaker.

The Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to move, seconded by the Honourable Member for Point Douglas, that the Report of the Committee be received.

MOTION presented and carried, and the House adjourned until 10:00 a.m. Thursday.