

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**Monday, 4 May, 1981**

**Time — 8:00 p.m.**

**CONCURRENT COMMITTEES OF SUPPLY**  
**SUPPLY — NORTHERN AFFAIRS**

**MR. CHAIRMAN, Morris McGregor (Virden):** Call the Committee to order. We're on 3.(b)(3) — the Member for Ste. Rose.

**MR. A.R. (Pete) ADAM:** I wanted to ask the Minister. We spoke about constables for the rural areas, remote areas and I was wondering are cars supplied for these people or do they have to purchase their own car.

**MR. CHAIRMAN:** The Honourable Minister.

**HON. DOUG GOURLAY (Swan River):** No, cars are not supplied.

**MR. ADAM:** I wonder if the Minister could tell us just how much are they paid for the use of their automobiles, the mileage and their per diem or the method of payment.

**MR. GOURLAY:** They are paid at the government rate mileage.

**MR. ADAM:** Are they restricted to mileage where they can operate?

**MR. GOURLAY:** In some cases one constable serves more than one community and so the mileage would be extended over the total area that he serves.

**MR. ADAM:** Do they have to have special insurance coverage with their automobiles. Supposing somebody is arrested or something and brought into a car, what type of insurance do they have on their automobiles. Is there any special . . .

**MR. GOURLAY:** They'd be required to have business insurance.

**MR. ADAM:** I beg your pardon?

**MR. GOURLAY:** They'd be required to have business coverage.

**MR. ADAM:** Just business coverage. Is that what they say, the City of Winnipeg — no special category for that kind of occupation? You know if there was to be a high, wild chase somewhere; you have cases where guys are nightlighting and they run into you and they try and get away and all this kind of stuff. I was just wondering if they had a special category that they were in.

**MR. GOURLAY:** If you're referring to the City of Winnipeg, I'm not sure. The city would have their own vehicles.

**MR. ADAM:** I'm just using that as a comparison for the rural areas. I'm not sure what are the R.C.M.P.,

do they have a special coverage, because I think they do work closely with the R.C.M.P.? In fact sometimes, Mr. Chairman, they work together, my understanding is.

**MR. GOURLAY:** Sorry I didn't catch your last question.

**MR. ADAM:** You know they do work with the R.C.M.P. on some occasion, they work very closely in co-operation with them.

**MR. GOURLAY:** Yes, yes they do.

**MR. ADAM:** It's just a point that I raised and I wasn't sure just what kind of insurance coverage there was if people were apprehended or arrested and brought in and if they had special — however, that's fine if the Minister hasn't got any information on that or he can maybe . . .

**MR. GOURLAY:** Well they would be required to have business insurance. The amount of liability, I would presume that the Police Commission would make a recommendation to the constables but I am only assuming that.

**MR. ADAM:** Are uniforms supplied as well or do they have to purchase their own?

**MR. GOURLAY:** Those uniforms are supplied to the constables.

**MR. CHAIRMAN:** 3.(b)(3) — pass; 3.(c)(1) — pass; 3.(c)(2) — pass; 3.(c)(3) — pass — the Member for Rupertsland.

**MR. HARVEY BOSTROM:** Mr. Chairman, perhaps the Minister could outline the list of local services which are provided through the operations of his section and the funding of each specific type of service.

**MR. GOURLAY:** The increase this year is \$140,000 and broken down; sewer and water maintenance is up some \$23,000 from last year; internal road maintenance is up \$26,000; generating plant maintenance is up \$20,000; and we have just have a replacement plant to be used wherever it might be needed, it's \$20,000; yard maintenance in Dauphin, \$50,000; equipment for operation maintenance is up \$1,000, from \$49,000 last year to \$50,000 this year.

**MR. BOSTROM:** Could the Minister list the amount budgeted for each service?

**MR. GOURLAY:** Okay. Sewer and water maintenance, \$120,000; internal road maintenance, \$125,000; generating plant maintenance, \$50,000; a new plant replacement, \$20,000; yard maintenance at Dauphin, \$50,000 and equipment for operation and maintenance is \$50,000; for a total of \$415,000.00.

**MR. ADAM:** Does that include all the road maintenance in these areas? Is there anything for

roads there and maintenance for that or does that come under construction?

**MR. GOURLAY:** This money for road maintenance is for the Dauphin area, 150 miles between the various communities that we are responsible for and any major problems that may come up during the year.

**MR. ADAM:** Could we get a breakdown of that as well? Do you have a breakdown on the region, like the breakdown in the region?

**MR. GOURLAY:** That make up the 150 miles in the Dauphin area?

**MR. ADAM:** Yes. How much is the figure for that, \$150,000.00?

**MR. GOURLAY:** \$125,000.00.

**MR. ADAM:** \$125,000 for 150 miles.

**MR. GOURLAY:** That covers snowploughing, maintenance, gravelling and any major problems that might occur.

**MR. ADAM:** Do you have a breakdown, Mr. Chairman, of where this work is going to take place?

**MR. GOURLAY:** We can supply you with a map showing it.

**MR. ADAM:** That will be fine, if you could show us.

**MR. GOURLAY:** We don't have it here, but we can supply that to you.

**MR. CHAIRMAN:** The Member for Rupertsland, if the Member for Ste. Rose is finished.

**MR. BOSTROM:** I note that the expenditure per mile is somewhat less than that usually budgeted by the Department of Highways for road maintenance and winter clearing of highways. Can the Minister indicate what is the reason for that? Is there a lower standard of maintenance and snowploughing?

**MR. GOURLAY:** A number of the roads are a narrower type road. They don't require as much maintenance as some of the other PRs or Provincial Trunk Highways, for instance.

**MR. CHAIRMAN:** The Member for St. George.

**MR. BILLIE URUSKI:** Mr. Chairman, this amount in terms of road maintenance of \$125,000 as the Minister indicated the Dauphin region, what about the other areas of the province in terms of road maintenance in the Northern Affairs areas? Does that include those areas as well, that \$125,000.00?

**MR. GOURLAY:** No. Just in the Dauphin area we have roads between communities that are the responsibility of Northern Affairs, where the other regions they're picked up by the province, they're through highways or the like. These are connecting roads that serve between communities that are assigned to Northern Affairs to be responsible.

**MR. URUSKI:** These roads then would be where your own department has equipment and staff that

do the maintenance, or do you still contract out with highways as you would for example, in Dallas, Red Rose, a community committee where highways would do the snowploughing, the grading and the maintenance through those areas? Would this be the difference that you are indicating? Is this the difference?

**MR. GOURLAY:** Actually Highways do most of the maintenance on these roads on behalf of Northern Affairs but they're charged to Northern Affairs.

**MR. URUSKI:** Then, Mr. Chairman, why would you have a budget in Northern Affairs for the roads showing maintenance in one area of the province and you would not have that shown in other areas? Why the difference?

**MR. GOURLAY:** In the case of the Dauphin area, they're inter-linking roads, they're not designated roads, PRs or the like. They are the responsibility of Northern Affairs in that they differ and that other areas of the province, they would be Provincial Trunk Highways, Provincial Roads and are administered under the Department of Highways.

**MR. URUSKI:** Mr. Chairman, where would the budgets be for example for road maintenance for the community of Pine Dock, Matheson Island and Dallas Red Rose, which are in the northern end of the Interlake? Where would one question or see your budget specifically for road maintenance in those areas?

**MR. GOURLAY:** In those areas they would be handled under the communities' budget. They would be within the communities as such and would be handled through the community budgets to look after those internal roads.

**MR. URUSKI:** That would be under the Local Government in your estimates.

**MR. GOURLAY:** You are wondering where they show?

**MR. URUSKI:** Yes, where do they show in your estimates?

**MR. GOURLAY:** That would be 3.(b)(3) Community Current Funding, under current community funding. We just finished those areas.

**MR. URUSKI:** Are you talking about Local Government Services, Community Operations?

**MR. GOURLAY:** Yes.

**MR. URUSKI:** Okay.

**MR. CHAIRMAN:** The Member for Ste. Rose.

**MR. ADAM:** I wonder if the Minister could give us an example of the difference, why the Department of Northern Affairs is doing some of the work, and Highways. We know that most of the staff was transferred from Northern Affairs to Highways, a year ago or two years ago, and we still see some of the work being done here, and I am wondering if the

Minister could give us an example of some communities. Would this be inside of a community itself?

**MR. GOURLAY:** No, they would be connecting roads between the communities; I think the best way I could describe it is that they would be similar to a municipal road. They are somewhat below the standard of a provincial road and they fall under the jurisdiction of Northern Affairs being the overall municipal body covering those areas.

**MR. CHAIRMAN:** 3.(c)(3) — pass — the Member for Ste. Rose.

**MR. ADAM:** Could the Minister give us an example of one of these roads somewhere? Let's say the community of Mallard, I'll help you; there's a road from Waterhen to Mallard. Are we involved in that or is that Highways?

**MR. GOURLAY:** In your particular constituency, the roads within the Crane River area are a community responsibility but roads that lead from Crane River into some of the ranching communities that are removed from the community are the responsibility of the Department of Northern Affairs, those types of roads. But we will give you a map showing the roads in the Dauphin area that would be maintained under this item.

**MR. CHAIRMAN:** 3.(c)(3) — pass; 3.(d)(1)(a) — pass — the Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, on this perhaps the Minister could indicate what he's referring to under Municipal Support Services, Canada-Manitoba Northern Development Agreement. What these moneys are budgeted for?

**MR. GOURLAY:** This is the developed printing resource materials which directly support the development of local government units; direct the taking and compilation of community census within the Northern Affairs communities every three years; carry out the functions of the principle electoral officer and maintains a departmental library.

**MR. CHAIRMAN:** 3.(d)(1)(a) — pass; 3.(d)(1)(b) — pass; 3.(d)(1)(c) — pass; 3.(e) — pass — the Member for Rupertsland.

**MR. BOSTROM:** Yes. Could the Minister itemize the list of grants that are proposed here and budgeted for the year? Could you list the amounts too, please?

**MR. GOURLAY:** Native communications, - \$102,600; Northern Association of Community Councils, \$181,000; and then there's the supplement to tax sharing, an adjustment where the communities and the population statistics, Canada Census figures vary. They're considerably under what the communities have and we do our own census there. We make an adjustment payment and we've allowed \$16,200 in that area.

**MR. CHAIRMAN:** 3.(e) — the Member for Rupertsland.

**MR. BOSTROM:** What about the per capita grants that are made to communities? Where does that come?

**MR. GOURLAY:** That's under the Department of Finance.

**MR. CHAIRMAN:** 3.(e) — pass. Be it resolved that there be granted to Her Majesty a sum not exceeding \$3,975,200 for Northern Affairs — pass.  
4.(a)(1) — pass — the Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, again could the Minister indicate what the responsibilities are in this section and what the items are budgeted for?

**MR. GOURLAY:** Mr. Chairman, this is management of the Northern Development Agreement in terms of programming, expenditure allocation, monitoring and also preparation of progress and evaluation reports, the management requirements and other associated tasks relating to the maintenance of the Northern Agreement.

**MR. BOSTROM:** Does the Minister have a copy of the Northern Development Agreement, which is available to the members of the Opposition?

**MR. GOURLAY:** This is on the new . . . No, these are not available.

**MR. BOSTROM:** When will they be available?

**MR. GOURLAY:** As soon as the necessary signatures are obtained for their approval.

**MR. BOSTROM:** Mr. Chairman, has the Minister not made it possible for the people who are to be affected by the agreement to have some discussion as to the items that are contained within the agreement and why should there be a secrecy about the agreement to the point where it would not be possible for him to make a copy available so others will know what there is being signed?

**MR. GOURLAY:** There's been the consultation process enabling the people to put the activities, proposals together; we have submitted this to the Federal people for their approval; they are sitting on it at the present time and there may be further negotiations required but they have not come back to us at this point to say that they are going to go along with it all.

**MR. BOSTROM:** Who has submitted proposals and, of the proposals that have been submitted by the various organizations, can the Minister indicate if they have found their way into the agreement in the way of concrete proposals to be signed as part of the ongoing agreement?

**MR. GOURLAY:** The various groups that were prepared to submit proposals and discuss the issues, they have been considered, and in most cases there was a lot of consensus on the various items. These have been rolled into the various activity areas and with, of course, emphasis being on economic development and employment-type projects. This is what has been submitted for approval to the Federal people.

**MR. BOSTROM:** Mr. Chairman, can the Minister indicate what are the general activities that will be

funded, or is proposed to be funded through the Northern Development Agreement, as it's called now, and perhaps if he cannot supply us with a copy of the agreement he can outline the specific program activities that are to be contained within the proposed agreement.

**MR. GOURLAY:** In general terms I can say that, for the most part, the agreement contains a lot of the same areas that was in the previous Northlands Agreement with further thrust being directed to employment and economic development.

**MR. BOSTROM:** Can the Minister indicate the new thrusts in those areas of economic development and employment? What new and innovative programs is he proposing to have funded through this new Northern Development Agreement?

**MR. GOURLAY:** I think it would be very difficult for me to elaborate specifically on those areas because we have no assurance at this time that the Federal people will agree to it and it certainly would, I think, jeopardize the finalization of the agreement to make known some of these areas and then subsequently find that the Federal people are not in agreement with it.

**MR. BOSTROM:** Well, Mr. Chairman, I find it curious to hear the Minister's explanation because really I would think that most of the items which are in the proposed Northern Development Agreement are contained somewhere or other in this Estimates Book, that is, they are broken down into various departments and we have completed the examination of most of the estimates by now. We have completed the examination of certainly those departments that could be in any way described as developmental departments, whether it's the Department of Economic Development or it's the Department of Mines or the Department of Natural Resources, Agriculture, Labour and Manpower, and in each of those, Mr. Chairman, at least the ones I was able to attend, I asked the Minister responsible for each if they could outline to me any new and innovative programs that they were bringing in in the area of economic development and employment because if there is an area that we have been most disappointed in this government, Mr. Chairman, as far as the north is concerned, it is in those areas of employment and economic development.

The government has seen fit to reduce or eliminate most of the programs that were geared for employment and economic development that were in place when they took office and I am asking the Minister if he can outline now and point out to us in his department alone, if he can point out any new and innovative programs. I see a couple in here, Mr. Chairman, that are the old programs; they are not new. I see the Agreements Management and Co-ordination; the Northern Flood Agreement which appears to have some money coming back from Canada; the Special ARDA Agreement, which is not a new program appears to have some money coming back from Canada, I assume it's under the Northern Development Agreement; I see Acquisition/Construction of Physical Assets has some moneys under this agreement; I see the Canada-Manitoba Northern Development, a lump sum there of \$20 million-plus in this agreement.

I would ask the Minister if he could even be specific enough with this department to indicate to us what are the new and innovative programs in those areas of employment and economic development.

Further to that, I don't think it should be that difficult for him since he's the Minister responsible for the Northern Development Agreement, to indicate in a specific way each of those new and innovative programs that are to be funded and delivered through other departments. I think that we have examined some of them in the individual estimates of the other departments but we haven't had an overview and I think this Minister should be able to give us that overview.

**MR. CHAIRMAN:** On a point of order, the Member for St. George.

**MR. URUSKI:** I raised my hand a while ago and I was deliberately watching the Member for Roblin, he raised his hand and you called him. Mr. Chairman, if the Minister is not prepared to answer the Member for Rupertsland then I think you should follow the order of the members that have raised their hands.

**MR. CHAIRMAN:** On the point of order the Chair has tried to be reasonably fair to go from one side to the other. I may have missed on occasion but I think very seldom does the Chair recognize a member from the government side and the Member for Roblin did catch my eye. I may have mentally recognized the Member for St. George and lost it but I did recognize the Member for Roblin and I think if the Chair has not been fair there is one way of changing the Chair.

The Member for Roblin.

**MR. MCKENZIE:** I don't want to annoy the Honorable Member for St. George, I'll waive my rights and let him speak first.

**HON. JAMES E. DOWNEY (Arthur):** On a point of order, Mr. Chairman, I think you were correct in recognizing the Member for Roblin because he was in fact prepared to speak and I think you're correct that alternating makes good debate and a good examination of the Estimates.

**MR. CHAIRMAN:** I'm not sure if that would be recognized as the House directing the Chair and I hope that not be accepted that way. I recognize the Member for St. George in that case.

**MR. URUSKI:** Mr. Chairman, the Minister has been vague or less than vague in terms of providing information with respect to the proposed agreement, the Northern Development Agreement. Can the Minister indicate what areas have there been general agreements on that programs will either continue? Can you at least indicate where there is agreement and unanimity between the two levels of government in setting out the terms of the agreement? Where are you agreed upon and what can we take for granted in terms of programming in terms of the proposals here? Where are we in agreement on?

**MR. GOURLAY:** Well, Mr. Chairman, it was not my intention to avoid answering the questions from the

Member for Rupertsland. I gather that other members had their hands up, they wanted to comment on the same areas. With respect to the items, there are a number of items that are shown in the book that hopefully will be covered by the Canada-Manitoba Northern Development Agreement. Should they not be covered then it would be the responsibility of the Provincial Government to pick up that 100 percent funding. New programs that are not spelled out of course are shown in the Enabling Vote and I can't be specific on those programs at the present time because they may not be agreed to by the federal people and we do have to share some confidentiality between the two major partners in this program in that we have submitted the package to the federal people; they have not seen fit to sign it yet and if they disagree with many of the new initiatives then the province may or may not go ahead with those programs.

However those programs that are listed and shown in the Estimates, hopefully they'll be cost-shared but if they are not then the province will be on the hook for 100 percent of those programs.

**MR. CHAIRMAN:** I'm not sure if the Member for Roblin still wants his . . .  
The Member from Roblin.

**MR. McKENZIE:** Well, Mr. Chairman, I've been listening to the questions raised in the House of Commons for the last several months, especially on matters of economic development in Canada. Up to now I haven't heard anything coming out of Ottawa from the Minister of Finance, Mr. MacEachen on economic development, inflation, interest rates, unemployment. Maybe I'm not listening at the right time but I'm wondering, on the agreements that are being negotiated now between the Federal government and the province, and that involves Northern Affairs, Medicare, Post-Secondary Education, RCMP services, there's a long laundry list of these programs, if the Minister in this case, or the other Ministers, can't come to an agreement with the federal people on the sharing of these dollars then the event would be we'll have to cut back. Am I correct in that?

**MR. GOURLAY:** Well I think, Mr. Chairman, that's true. We list certain programs that are underway; we want them to continue. They have been cost-shared in the past; we're hoping that they'll be cost-shared in the future and we are prepared to pick up those programs 100 percent if necessary. The new programs that we're discussing with Ottawa, we're not sure whether their going to be received or not but if they're not then we'll maybe have to drop the idea of funding those but I can honestly say that we have been constantly in touch with Honourable De Bane to get on with the agreement and he has assured us that he would be back to us this week to give us some assurance that at least the programs from the first of April till now will be cost-shared on a retractive basis but to date they've given us no such assurance on those either. Mr. De Bane has been contacted by telex, by phone and we are waiting to hear something this week as to their acceptance or non-acceptance of the proposals that they have before them at the present time.

**MR. McKENZIE:** Can the Minister advise the Committee has he any indication the other provinces are facing similar problems, Saskatchewan, Alberta?

**MR. GOURLAY:** Our program is the first one to be renegotiated at this time and we don't have any indication what will happen in the other provinces. The programs are quite a bit different in a lot of respects than what we've had in the province but we really don't have any indication as to how other provinces will be.

**MR. McKENZIE:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** The Member for Rupertsland.

**MR. HARVEY BOSTROM:** I'm surprised that the Progressive Conservative government here is having so much trouble with Ottawa seeing how popular their First Minister is in Ottawa these days. The Northern Development Agreement that is referred to here, Mr. Chairman, contains a number of projects as the Minister indicated which they hoped to have cost-shared and those are in the Estimates. Now can the Minister indicate if any of these projects are being held up at the present time, that is, projects that communities are counting on to be commencing immediately or in the near future and for which funds are to be provided through various appropriations which are labelled in here as part of the Canada-Manitoba Northern Development Agreement; can the Minister indicate if any of these projects are being held up and if the communities are being told that the reason their projects are being held up is because they Northern Development Agreement has not been signed yet and they'll have to wait until it's signed before any moneys in the particular project that's relating to their community can be forwarded to them so that their project may begin?

**MR. GOURLAY:** There are a number of what we consider essential type programs that will have to continue. Each department looks at their own particular programming as to whether feel they should be deferred until final approval from Ottawa and so it's up to the individual Ministers but in the case of Northern Affairs programming all essential programming has been reviewed right now so that if we feel that they should continue that there will be no hold up because of funding.

**MR. BOSTROM:** Mr. Chairman, there appears to be a contradiction here because the Minister just finished explaining that if the Northern Development Agreement is not signed that the government has a commitment to spend 100-cent dollars on these particular projects. If that is the case, if the Progressive Conservative government here has established these as their priorities for funding and are prepared to fund them regardless of a Northern Development Agreement being signed, why would the Department of Northern Affairs be telling communities that certain projects are not to proceed until the agreement is signed? It appears to me that there are two stories coming on, one certainly doesn't match the other.

**MR. GOURLAY:** I think, Mr. Chairman, in many instances the programs have been deferred pending the negotiations with the federal people because obviously, with no retroactivity clause and no agreement in place, and we pick up 100 percent funding on all the programs that are slated to go

then the chances of those being included in the new agreement, our chances are much less than if they are being deferred until such time as an agreement is in place. But we're presently reviewing those because of the hardships or we don't want to lose time because of weather or whatever may affect those programming, to get underway with them. But at the same time we have deferred them to this point pending some indication from Ottawa as to what Ottawa is going to be either agreeing or disagreeing.

**MR. BOSTROM:** Mr. Chairman, I have a concrete example of one program or project that I referred to the Minister's Department just in the last few weeks and that is a Breakwater Project at Princess Harbour. The Minister twiggged my mind to it when he mentioned weather considerations because, in that particular case, the community had proposed to begin the project which I understand was budgeted for in the Northern Affairs Estimates, they wanted to begin the project while the ice was still on the harbour at Princess Harbour and they wanted to get the cribwork in place and have all of that work done while it was easy to do and it would be least expensive to do the work; also, from the community's point of view, to have it ready for the fishing season which starts June 1st. They were told, I'm informed, that project could not proceed because the Northlands Agreement was not signed.

Now, Mr. Chairman, if the department is now repriorizing the projects and indicate at this point that they are going to go ahead with that one they are going to be hard pressed to have that project completed before the opening of fishing season. The Minister talks about employment and economic development, and I think that he should be listening more carefully to the needs of the community because in this case I think there's an example of where the community, if they are consulted, can give the department the best advice as to when something can be done, both from a point of view of the weather and from the point of view of the maximum employment opportunities for the community.

There would be not much point, for example, in going in there and trying to construct that breakwater while the fishing season is on, since most of the community members are fishermen and they would be fully employed at that time. So I throw this out to the Minister as one example of where it may very well be that my information is correct, that this particular project is being held up and it's in the process now of being repriorized, as the Minister is mentioning. I think there are some serious problems in terms of delivery of many of these projects if there is holdbacks on the funding so that the projects cannot proceed when it may be optimal to proceed with them.

**MR. GOURLAY:** The project of which you speak was budgeted for 1981-82. The community wanted to get started sooner than that. I understand the proper design for this project was not available. I'm not sure that it's completed this time but in any case the project was not shareable under the Northlands Agreement; it wasn't a project that was shared in any case. It was 100 percent provincial funding regardless of the Agreement.

**MR. CHAIRMAN:** The Member for Ste. Rose.

**MR. ADAM:** Thank you, Mr. Chairman. Manitoba is a province that requires federal assistance and federal cost-sharing on many many programs and requires federal transfer of payments of one sort or another. In fact I think a large part of the revenue of the Province of Manitoba does come some way or another through federal funding.

It seems to me that we have seen a serious deterioration in the relationship between this particular government here and the Federal Government. Mr. Chairman, it's not surprising that we are seeing cutbacks on the federal level; it's not surprising that this government is having difficulty to negotiate with the Federal Government. We have seen that happen in the Department of Agriculture where there was no way you could get coordination on the funding for flooding and that. We have seen I believe, gross federal-bashing by this government and by almost every Minister for the last three years, in particular the First Minister who has severely criticized the Federal Government on their deficits. He has been highly critical of how Ottawa is managing its finances yet at the same time knowing that we are in a difficult position having to depend so much on federal help; we need a strong central government. We're not like the three provinces to the west of us, Mr. Chairman.

It's unfortunate that this has happened but now the Minister is asking us for a blank cheque. He is saying there's moneys here in this Estimates book the Minister is asking for and he's asking for a blank cheque. He's saying, "I want these moneys. We're not going to tell you how it's going to be spent or what it's going to be spent on". I think the Minister is highly presumptuous to take that position. That's an arrogant position in my opinion. For the Minister to come here and say, "Give me a blank cheque and I'll tell you what we're going to do with it sometime in the future, maybe", I don't think that's correct at all. I think the Minister should be able to provide this committee if he's asking for money here, he should be able to tell us how this money's going to be spent. The people have a right to know how it's going to be spent. That is our role right here, right now, to question these Estimates here, how that money's going to be spent and that's not what the Minister's doing, Mr. Chairman. He's saying, "Give me the money and I'll tell you later or maybe I'll never tell you".

**MR. DEPUTY CHAIRMAN:** 4.(a)(1) — pass. Order please. The Member for Ste. Rose in the last five minutes has been speaking. I haven't heard him ask any questions. —(Interjection)— Order please. Order please. I'm saying to the Member for Ste. Rose, I listened to him very attentively, if he has some questions that he's seeking information on the Estimates, that's fine. But I heard him make a speech. I never heard him ask any questions. All right, the Honourable Minister.

**MR. GOURLAY:** Mr. Chairman, the Member for Ste. Rose is indicating that we're asking for a blank cheque, that's not true at all. We spell out the programs that we feel have to proceed whether or not we get any cost-sharing from the federal people. The other programs that are not spelled out are shown in the Enabling Vote, provided the Agreement is signed with the federal people and I can't be any

more specific than that. If there's no agreement, there's no additional programs. There's not likely to be any additional programs.

**MR. URUSKI:** Mr. Chairman, when I asked the Minister, I can see partly his dilemma of not wanting to specifically announce programs because I gather that's not protocol until there's an agreement signed, that any announcement would have to have signatories and two Ministers making the announcement. But surely the Minister can and has enough flexibility to indicate to this committee by saying, here are the areas that we are after. We don't know whether there will be cost-sharing, whether there will be agreement but here's the tenure of our present programs. We know the sewer and water and several of the other programs that are going ahead come what may, whether Ottawa agrees to it or not, we are proceeding whether it's in this department or another department.

But certainly the Minister should be open enough to say that these are the kinds of other things that we certainly see ourselves, see our departments, see this government as being innovative in providing programs and policies for Northern residents and Northern people. These are the areas we would like to see cost-shared and that's generally the thrust of our negotiations in terms of the agreements. I think there would be enough flexibility in that so that the Minister would certainly not be giving away any secrets or any confidentiality that he may have between his officials and Ottawa's officials in the present negotiations.

I gather — and maybe I'm misinterpreting the Minister wrongly — he's indicating that we are pretty well finished our negotiating. The Agreement is pretty well wound up; we have forwarded the Agreement on for Ottawa to sign. If that's the case then there are general areas the Minister should be opening up in terms of saying, yes, we've done these kinds of programs that we are proceeding with regardless, and some of the areas that we are really thinking about and we would like to see are these kinds of things. Certainly the Minister would not be breaking protocol discussing in general terms the kinds of thrusts he would like to see in Northern Manitoba. If it doesn't come to pass he then of course has a strong case and he would have members on this side as his allies in terms of saying —(Interjection)— Well, Mr. Chairman, the Member for Roblin indicates, "Like fun he would". Mr. Chairman, if there has been serious negotiations between Manitoba and Ottawa and that there is a general feeling and a general understanding that programs will go ahead; there has been general agreement, surely the agreement that is being put forward wouldn't have been put forward for Ottawa's signature if there hadn't been some general understanding and agreement between the officials for the Minister's signatories unless I misunderstood the Minister's statements up until now.

**MR. GOURLAY:** Well, Mr. Chairman, that's exactly the process. We're in a negotiating process. For some time now the feds have had our proposals; they have not responded back to us. We're not sure that they are going to go for this package in complete detail and so it's at the Minister's level. The civil servants here from the federal people, they can't

do anything further and we've been in touch with the Minister in Ottawa by telex, by telephone. Came the first of April we indicated — will you make this retroactive to the first of April — we've had no indication that will happen. So this is the dilemma we're in. Now they may come back and say we're not prepared to go for this whole package but we want to negotiate further on some areas. We're not sure they may go for the whole package or they may not but as soon as the package is signed by both parties then a joint announcement would be made and for me to say here are the things that are going to happen would be irresponsible for me to give those various details of activities that we're negotiating.

I can say that during the first five years of the Northlands programming I think there was some misconception that it was a highly concentrated employment package whereas it was really more of the establishment of the infrastructure and preparing for Northern development. I think that we have over the past five years, had quite a bit of input into the northern communities. The next five years as we see it, is to concentrate on employment and economic development in those areas, including training and resource development and those are the general areas that I can talk about but I can't be specific because in an area where you're negotiating for one party to come out and say this is what's going to happen, invariably we'd be shot down and I think rightly so.

So, I would like to be more specific on certain areas but at this point in time we have not had any commitment back from the Federal Minister to say that he's prepared to go completely along with our proposals. However, he's indicated that he'll be back to us this week with more information but I have not heard anything further on it, at least to date.

**MR. CHAIRMAN:** 4.(a)(1) — pass; (2) — pass; (3) — pass; (4) — pass; 4.(b)(1) — pass.

The Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, perhaps the Minister could introduce this section.

**MR. GOURLAY:** This is the Management area and I can just give you briefly some of the points that's covered. To manage and co-ordinate various Canada-Manitoba and other agreements on behalf of the Minister of Northern Affairs in accordance with the terms and conditions specified within the agreements and the policy of the Provincial Government. The agreements referred to are the Canada-Manitoba Special ARDA Agreement and the Canada-Manitoba Northern Development Agreement; also to manage and administer the Northern Flood Agreement in accordance with the terms and conditions specified within the agreement and the policy of the Provincial Government on behalf of the Minister of Northern Affairs; and to carry out the duties and responsibilities assigned to the Indian Land Claims Secretariat by the Indian Land Claims Subcommittee of Cabinet; to analyze and evaluate the impact of provincial and federal programs on the northern economy; to provide assistance to the Minister and Deputy Minister of the Department of Northern Affairs respecting the identification and co-ordination of Provincial Government programming in

Northern Manitoba relative to meeting needs of various communities, group associations, individuals, and so on.

**MR. BOSTOM:** Could the Minister give us the Status Report on the Northern Flood Agreement? What is happening with that agreement as far as the Provincial Government is concerned and what, in particular, the amount of moneys that are budgeted for the year 1981-82, what they are budgeted to pay for?

**MR. GOURLAY:** Yes, under the Northern Flood Agreement we have budgeted for \$1,069,500 and the breakdown would be: land exchange \$27,000; surveys and mapping \$250,000; geotechnical surveys \$20,000; arbitrator expenses \$125,000 and that figure is cost-shared equally with the Federal Government; Wildlife Advisory Planning Board \$107,600; Community Liaison Committee \$93,700; Employment Task Force \$25,800 and the Niyanun Development Corporation \$400,000 and the Agreement Co-ordination is \$18,800 and the Niyanun Board Representation is \$1.6, that's for the directors involved on that board for travel expenses.

**MR. BOSTROM:** Mr. Chairman, the moneys that are provided by the Provincial Government, are they cost-shared in any way with the Federal Government? I notice here Recoverable from Canada \$62,500, is that the only amount that's recoverable out of this amount?

**MR. GOURLAY:** The only recoverable is the \$125,000 paid to the arbitrator, like in the case of Niyanun we put in \$400,000, I think the feds put in \$400,000 as well.

**MR. BOSTROM:** In the case of the development corporation referred to, is this according to a budget which they submit to your department or is there just a flat amount given for them to utilize for development purposes and is there any monitoring of the functions of that development corporation to ensure that there is some benefit from the funds that are being granted?

**MR. GOURLAY:** This was according to the agreement that was signed some four years ago and our responsibility was \$1.6 million provided on the rate of \$400,000 per year and I believe this is our last payment coming up in September and there's a non-conditional grant paid to the Niyanun Board.

**MR. BOSTROM:** Yes, Mr. Chairman, in the case of the arbitrator, can the Minister indicate what he is doing at the present time and what he proposes to do over this next year? What cases if any, are referred to him?

**MR. GOURLAY:** At the present time he has 12 cases before him.

**MR. BOSTROM:** I realize the conversations are pretty interesting over there but I can't hear them.

**MR. DEPUTY CHAIRMAN:** I thought the Minister was going to finish his answer.

**MR. BOSTROM:** Mr. Chairman, could the Minister perhaps give us some more detail now that he's heard some more?

**MR. GOURLAY:** Of the 12 cases, some are against the province, some are against the Federal Government and some against Manitoba Hydro.

**MR. BOSTROM:** Are these personal cases or are they community disagreements with various actions of the Provincial and Federal Governments? What are the nature of their disputes?

**MR. GOURLAY:** Most of them are community.

**MR. DEPUTY CHAIRMAN:** (b)(1) — pass — the Member for Rupertsland.

**MR. BOSTROM:** Yes. With respect to the Wildlife expenditure, \$107,000 I believe the Minister referred to, can he indicate what that is being used for?

**MR. GOURLAY:** This is for the committee involved with the Wildlife Advisory Board, their expenses for travelling and per diems.

**MR. BOSTROM:** Are there any concrete proposals coming out of this activity or is this just a meeting and discussion group?

**MR. GOURLAY:** I understand that they've come forward with many proposals and they've been dealt with on an ongoing basis.

**MR. BOSTROM:** Can the Minister give us any examples of any recommendations they've made that have resulted in changes to the wildlife regulations or Wildlife Management practices?

**MR. GOURLAY:** In hunting and trapping there have been wildlife policies. We could probably provide you with a list of specific items.

**MR. BOSTROM:** Mr. Chairman, I'd appreciate that if you could give us a list of examples of the cases that are being considered by the Wildlife Committee and also if you could give us a general list of those that are under arbitration at the present time by the arbitrator.

There was an item just following the Wildlife item which I didn't catch but I think the amount he referred to is \$193,000-something. Could the Minister indicate what that expenditure is for?

**MR. GOURLAY:** Mr. Chairman, this is money paid to the Liaison Committee as far as travel and per diem costs involved in the various claims. This is to supply the various liaison between the various groups involved, whether it be Hydro or whatever to the committee.

**MR. BOSTROM:** Does the Federal Government contribute a similar amount?

**MR. GOURLAY:** 100 percent provincial, I'm told.

**MR. DEPUTY CHAIRMAN:** (b)(1) — pass; (b)(2) — pass; (b)(3) — pass — the Member for St. George.

**MR. URUSKI:** Before we leave that section, have all the land claims been settled? Is this the end of the land claims within the Agreement or where are the land claims?

**MR. GOURLAY:** No, it's an ongoing process and a number of land claims are still be settled as yet.

**MR. URUSKI:** Mr. Chairman, in this Budget there is if I recall \$27,000 for land exchange. Could the Minister indicate what this involves and what other land claims are in the process of negotiation? What has been settled up till now and how much more is there to go in the disputes?

**MR. GOURLAY:** This is strictly under the Flood Agreement, land exchange under the Flood Agreement.

**MR. URUSKI:** Are there other land claims under the Flood Agreement yet to be settled?

**MR. GOURLAY:** Apparently none of the land claims under the Flood Agreement have been settled to date but the severance lines have been established and it's an ongoing process but I understand that actual land claims under this have not been finalized to date.

**MR. URUSKI:** The land claims that would be outstanding which are just really begun in terms of the land losses due to flooding on reserve lands and non-reserve lands, is that the process that it's going through now, now that the severance lines have been drawn up and established, the negotiations are beginning to see what kind of settlements there will be for lands that have been flooding? Is this what's really happening now, a calculation of what lands have been lost?

**MR. CHAIRMAN:** The Honourable Minister.

**MR. GOURLAY:** Yes, it's a four-for-one settlement and it just involves the band areas. It doesn't involve the Metis communities.

**MR. URUSKI:** Mr. Chairman, when the Minister says it doesn't involve the Metis communities, what process are the those communities involved in at all in terms of land, being that they are provincial communities not under special status of the Department of Indian and Northern Affairs?

**MR. GOURLAY:** Where it involves the community or private lands, this is being negotiated directly with Manitoba Hydro and those communities. Where it's Crown lands, Indian reservations, this is under the Flood Agreement.

**MR. URUSKI:** Mr. Chairman, in terms of the non-Treaty communities, are there communities in the area that are non-Treaty in the flood area? Which are they and at what stage are they?

**MR. GOURLAY:** There are a number of communities. Nelson House, Cross Lake and Norway House are three that have the Metis operation alongside the resident reservations.

**MR. URUSKI:** I see. Has there been a formula agreed to for the non-Treaty status communities in terms of land exchange or is there no land exchange? Is it going to be a cash settlement or is it that still in the process of negotiations?

**MR. GOURLAY:** This is being negotiated between the communities and Hydro. Apparently it could be either one or both.

**MR. CHAIRMAN:** 4.(c)(1) — pass; 4.(c)(2) — the Member for Rupertsland.

**MR. BOSTROM:** I put my hand up for 4.(c)(2). That is related to the Special ARDA Agreement Other Expenditures. Can the Minister indicate what the item is budgeted for and perhaps provide us with a breakdown of this item?

**MR. GOURLAY:** Other Expenditures? This is \$728,800, an increase of \$54,000 and really it covers the inflationary increase, fees \$1,300; facilities and equipment \$5,000; specialized equipment, supplies and service \$6,500; operating costs \$21,000; subsistence \$900; project grants \$694,100.00.

**MR. BOSTROM:** Mr. Chairman, have they budgeted the actual grants? Perhaps he could give us a list if he has them there of the grants and areas to which they are allocated.

**MR. GOURLAY:** This year six were in the field of agriculture; 14 in fishing; 14 in training programs; 15 in trapping for a total of 49. The amount was \$585,618.00.

**MR. CHAIRMAN:** The Member for St. George.

**MR. URUSKI:** Mr. Chairman, while there's a breakdown of the numbers of grants, can he further refine that in terms of the grants? Is that industry-wide community-based grants or what are we really talking about?

**MR. GOURLAY:** This is in primary resource related projects.

**MR. URUSKI:** The six grants in agriculture, can the Minister indicate the funding for that and what type of grants are we talking about?

**MR. GOURLAY:** That's for gardening, land development, some equipment.

**MR. URUSKI:** And how much?

**MR. GOURLAY:** A total of \$62,281.00.

**MR. URUSKI:** And the fishing?

**MR. GOURLAY:** The fishing was \$262,200, basically for nets and equipment associated with primary.

**MR. URUSKI:** Mr. Chairman, there are a number of applications. Is trapping included in this group too?

**MR. GOURLAY:** Yes.

**MR. URUSKI:** There were a number of applications submitted from communities in the Interlake, the reserve communities, as of November although there were no answers provided to the applicants until they contacted the staff of the department some time in January. The response they received was that although they applied for grants for the 1980-81

trapping season, the applications would not be considered until this time of year. What is the process? Are you always one year behind in terms of the applications or one season behind, or how are the grants operated? Or are there so many applications that they just could not be handled in the year they were applied for?

**MR. GOURLAY:** On the average they've been running about a three-month turnaround period on the applications.

**MR. URUSKI:** Mr. Chairman, the community I mentioned — I didn't raise it before — is the Lake Manitoba or Dog Creek Lake Manitoba Reserve. They brought in I believe some 30 applications in the month of November. Not until January until they raised it with me and I made some enquiries, did we find out those applications were put — if one can indicate — on the back burner and they really were not handled. To this point in time I am not aware that they have actually been considered and whether they have been accepted or rejected. That's not been known.

There's another area with respect to these grants that the Minister I believe should reconsider the process they go through. There is a consultative process I understand between the department and trappers where there are trappers who are I guess elected or appointed at annual meetings, at least, in speaking to trappers the organization is very loosely knit and although trappers are consulted — or at least the representative is supposedly consulted — my impression from speaking to some of the trappers is that they're caught in a situation of everything is cut and dried and really they have little or no input in the decision-making as to how the grants are administered because the program I guess is straightforward. If that's the rationale I'd like to hear that from the Minister.

But certainly they find it very frustrating, at least the individuals I spoke to who were representing the Trappers' Association from the Interlake area, they found it quite frustrating in terms of being involved in the selection or in the process of approving or not approving the applications for grants. What is the mechanism the department and the Minister uses with the trappers in this area? Is it strictly an informative role that they are consulted as to this is the way it's going to be, or is there really some definite work and expertise or information that the department is seeking from these individuals?

**MR. GOURLAY:** I'm advised by my staff and they're not aware, that there's been any major problems. There's been consultation with the local Fur Council, he's consulted on all the applications. However this isn't to say that there might be some individual problems. If you have any specific cases you would like to bring to the attention of staff they'd be more than pleased to follow up on them.

**MR. URUSKI:** The point I'm getting at, Mr. Chairman, is for example — and I'll relate this to the Fisherman's Advisory Committee — there presently is underway in the communities, especially around Lake Winnipeg where there are area committees, a movement to change the structure of the way that the representatives of the fishermen are being

elected and how they relate to the Advisory Committee to the Minister in terms of the Fishing Grants.

The complaint with respect to the trappers is very much the same, although there is a Trappers' Council the election, of which is handled quite loosely, there is really as I understand it a very informal structure within the trapping areas as to how the representatives are elected to represent the trappers with respect to the grants. If I could suggest, maybe something that the department has had feedback on, in terms of, although a bit more formal relationship between the trapper people and a bit more formal election process so that all trappers, say that have registered, are notified by letter that there is an annual meeting and that kind of thing. I gather notices are put up of meetings in areas but you know, as notices go, many people don't read them and as a result there is a feeling of frustration amongst many trappers, and even those who are elected to sit on the Fur Council and are part of the selection process as I understand it, they find it quite frustrating.

But I'd also like to get from the Minister, what role do the elected people on the Fur Councils play in terms of the grant approval? What role actually do they play? Do they have some say in the process or is it fairly well as put, cut and dried and they are advised, here is the criteria and here are the applications. Is that the consultative process, or what is the process that actually goes on?

**MR. GOURLAY:** Mr. Chairman, I understand that the program is generally well received and the council member has a very important input into all the applications. He is elected by democratic process and the people involved in the grants consult and depend, for a large part, input from the Fur Councillor.

**MR. URUSKI:** Mr. Chairman, there is no doubt, there is no argument I believe from my point of view, that the department does consult with people in the Fur Council. In terms of the elective process of the councillor, is there a mechanism that has been formalized as to how this individual is elected? Is it, as I have been lead to believe, notices are put out in the communities in the areas and there is an annual meeting held? Could there be a bit more formal process in terms of notifying everyone in the past year who held a licence, is that a possibility? I should point out to the Minister there is a feeling of frustration among many of the trappers that they have at least not been part of the process or at least if they find out about it it's after the fact and they certainly feel there is some feeling of frustration.

**MR. GOURLAY:** Mr. Chairman, we're not aware that there are any problems in the Fur Council. It's left to the group to elect their council members and to our knowledge there hasn't been any known or obvious problems.

**MR. URUSKI:** Mr. Chairman, when the Minister says there hasn't been problems, as I understand it, just this past few months there were meetings held in the Interlake and maybe in the registered trapline areas it's a bit of a different story but in the open area I know there were several meetings; there was the

annual meeting held I believe at Fisher Branch and then there was a special meeting held at Dog Creek Reserve because of some of the problem areas that I've raised in terms of the applications and the holdback of applications for several months. So, maybe the nature of the meetings was different but certainly there were concerns expressed and there was more than one meeting held within that area where, if everything was running as smoothly as the Minister would have me believe, generally one annual meeting would have settled the situation; there would have been an election and, unless the meeting was held for some completely different reason, I'd like to hear the Minister.

**MR. GOURLAY:** Mr. Chairman, this is not part of my ministry to become involved in this process. It's a process handled by the trappers and it has not been brought to our attention that there has been any obvious wrongdoings within their group. However, again if you know of some specific problems that we can check out we'll be happy to do so but it's a situation that they look after appointing and having their meetings and deciding on who their councillors will be and I can say that we work closely with those councillors.

**MR. URUSKI:** Mr. Chairman, I don't want the Minister to get the impression that I'm indicating there is some wrongdoing in the organization or anything; that's certainly not what I'm raising. What I'm trying to raise is to improve the dialogue between your department and the trappers of the area; that's the essence of my comments, in order to at least get a feeling. I know in certain quarters in the industry exist that they are not part of it and they're not involved and while there are annual meetings held I understand that the department does co-operate in terms of the holding of the annual meetings to a degree. What I am suggesting is that in order to bring about a more closer liaison, my suggestion is that a bit more formal — whether when I say formal you can formalize it or not formalize it — but in terms of the holding of annual meetings, the notification of trappers that there will be an annual meeting, those kinds of notices, which I understand the department participates in and assists the trappers, that I'm suggesting that this be undertaken.

**MR. GOURLAY:** Well, Mr. Chairman, I indicated earlier that we don't have a role in our department to do those sort of things but I understand that the resources do. That's a function of the resource personnel to assist the trappers in organizing their meetings and this sort of thing. We deal with the elected Fur Councillor but we don't have any role in determining how the councillor is elected. That's not in this ministry but I understand resources do give some assistance to the trappers in notifying them when their annual meeting is going to be held and when the various meetings are taking place and resource personnel help with setting up those meetings; but not Northern Affairs personnel.

**MR. URUSKI:** Mr. Chairman, I'll leave that now as I understand that the individuals who are, or at least I was given to understand and maybe I've been misinformed, that staff who handled the grants in terms of the trapping grants are also the staff who

assist the trappers in setting up the meetings and the like. If that's not the case then, Mr. Chairman, I'll take it up with your colleague.

**MR. CHAIRMAN:** 4.(c)(2) — pass — the Member for Ste. Rose.

**MR. ADAM:** I stepped out of the room for a little while. I'm just wondering on this item, these grants are for traps and trapping equipment, is that what they are for?

**MR. GOURLAY:** Yes.

**MR. ADAM:** How much can each trapper apply for? Is that on an annual basis?

**MR. GOURLAY:** The amount of funding is based on the need of the individual trapper.

**MR. ADAM:** Up to?

**MR. GOURLAY:** No, there's no limit established.

**MR. ADAM:** There's no limit. This would apply to special grants in the blocks or out of the block? Out of the trapping blocks, or everywhere?

**MR. GOURLAY:** I understand that any licenced trapper is eligible to apply for this help.

**MR. ADAM:** This would include say skidoos as well or the snow machines as well, eh?

**MR. GOURLAY:** All equipment would be included or considered.

**MR. URUSKI:** Mr. Chairman, could I ask the Minister specifically where in the system are the 20-odd applications from the Dog Creek Reserve that were applied for at the end of November I am led to believe? Have they been approved or where are they in the process?

**MR. GOURLAY:** Mr. Chairman, we'd have to take that question as notice and staff could check that out and advise you.

**MR. CHAIRMAN:** 4.(c)(2) — pass — the Member for Ste. Rose.

**MR. ADAM:** Again I was out of the room but the Fur Council are the group that make the recommendations for the applications? Is that correct?

**MR. GOURLAY:** They are consulted on all applications.

**MR. ADAM:** I see. The applications come direct to the Minister's office or to some office in the Minister's department?

**MR. GOURLAY:** They come to the Department of Northern Affairs in the Woodsworth Building.

**MR. ADAM:** Say, like in our area they would have an office in Dauphin or is there a branch office in the district office in Dauphin?

**MR. GOURLAY:** They basically all come to Winnipeg.

**MR. ADAM:** I'm wondering if the trappers are aware that these grants are available? It seems to me that in the other areas, in fishing for instance, I don't get so many on trapping but I certainly do get a lot on fishermen. They phone me and they ask me, you know, so and so gets grants, there are grants available, how do you go about getting these grants and they are unaware of what's happening. I'm just wondering if that's the same thing that happens in this, if this is happening as well.

**MR. GOURLAY:** Well, I understand the grants have been available now for nine years and is probably one of the most well-known grant programs known to fishermen and trappers.

**MR. ADAM:** Well, I don't want to talk about fishing but is it in this, the fishing? I see.

**MR. CHAIRMAN:** 4.(c)(2) — pass — the Member for Ste. Rose.

**MR. ADAM:** I see, just a minute. So the fishing grants are here as well. I was wondering whether or not they were under the Minister of Agriculture. Well, I can say that I did get a call just recently from a fisherman who wanted to know how to go about getting grants. You see, this is nine years already and they still are unaware of how to go about getting the grants. I advised him to get in touch, Mr. Chairman, with the Manitoba Fishermen's Association or Federation.

**MR. GOURLAY:** Mr. Chairman, the Fishermen's Association is very well informed on the grant procedure. However, if you have a specific case that you want to refer to us we will certainly provide him with the information. I might point out that we handle the grants through this program but the Department of Agriculture handle loans to fishermen, so there could be a confusion there as to whether it's a loan or a grant.

**MR. ADAM:** Through MACC. Okay. So the trappers can obtain loans as well?

**MR. GOURLAY:** No.

**MR. ADAM:** Not the trappers, just the fishermen can obtain loans. I see, so that's where the confusion is. Well, this particular case that I raised about the fisherman after nine years is unaware where to go; unfortunately, I did steer him I guess in the right direction because I told him to get in touch with the association, the Fishermen's Association. I have seen him since then and I enquired as to how he made out and he says, yes, I guess you put me in the right direction. So hopefully he will be making an application for next winter. But the trappers, they don't have this similar type of association as the fishermen. They have a Fur Council, is that a membership kind of a thing?

**MR. GOURLAY:** Yes, they have a duly elected fur councillor and that's organized, as I mentioned earlier, by the Department of Natural Resources, or

they assist in the organization of that group. The council member that is elected is consulted on all the applications that are received.

**MR. ADAM:** How many members are there on this council?

**MR. GOURLAY:** It varies between three and seven people I understand, depending on the size of the association.

**MR. ADAM:** I see. Then there are locals, is that it? There are locals in different areas and there isn't a broad-based membership. How do you coordinate all this group? Do you have them coming in to a meeting? How do you coordinate all these locals, they are all in little . . .

**MR. GOURLAY:** The Manitoba Association of Registered Trappers coordinates that.

**MR. ADAM:** That is the association that compares with the fishermen's group then?

**MR. GOURLAY:** Yes.

**MR. ADAM:** That's right. They set up their own, they have their own constitution and their own regulations; they set up their own membership fees, is that correct?

**MR. GOURLAY:** Right.

**MR. ADAM:** I see, and their Fur Councils are the little local groups, is that correct?

**MR. GOURLAY:** I didn't get your last question.

**MR. ADAM:** The Fur Councils are the little groups at the local level and they're tied in with the . . .

**MR. GOURLAY:** With the overall organization, right.

**MR. ADAM:** I see. Then if anyone wanted to apply for an ARDA grant he would apply to — would it be Dauphin? Is there a branch there or where would he go? They have to come to Winnipeg.

**MR. GOURLAY:** Any conservation officer would be able to assist.

**MR. ADAM:** I see, he can apply to a conservation officer and they could assist there. That would apply maybe even as well to the fishermen, wouldn't it?

**MR. GOURLAY:** Right.

**MR. ADAM:** I see. Okay.

**MR. CHAIRMAN:** 4.(c)(2) — pass.

Be it resolved that there be granted to Her Majesty a sum not exceeding \$2,272,300 for Northern Affairs — pass.

5.(a) — pass; 5.(b) — the Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, perhaps the Minister could outline the expenditure involved here and break down the amount by function and location.

**MR. GOURLAY:** For roads, we have budgeted \$335,200; water and sewer, \$45,600; equipment

acquisition and repair is \$48,800; garbage facilities, \$144,000; buildings, \$264,800; docks, \$29.6; subdivisions, \$122,200; the Fire Program is \$606,400 for a total of \$1.6 million.

**MR. BOSTROM:** The budgeted amounts, have these amounts been allocated to specific projects in specific locations, particular communities?

**MR. GOURLAY:** Yes, they've been allocated to specific projects.

**MR. BOSTROM:** Mr. Chairman, can the Minister give us a breakdown of those, not necessarily right now if he doesn't have them immediately at hand?

**MR. GOURLAY:** Those can be provided.

**MR. CHAIRMAN:** 5.(a) — pass — the Member for Rupertsland.

**MR. BOSTROM:** I note that this is under the Northern Development Agreement, Mr. Chairman, and I would like to ask the Minister if these are high on a priority with his department that these will receive funding regardless of whether or not the department receives the cost-sharing with the Federal Government.

**MR. GOURLAY:** Some of these definitely will be provided. There may be some that will have to be deferred if cost-sharing isn't forthcoming.

**MR. BOSTROM:** What is the status of the Water and Sewer Program at the present time and what priority is the department putting on this? I ask this question to see if the Minister can tell us how many communities are still in a position of not having an adequate water supply and proper sanitation and sewer facilities. Does he have a long-range plan to implement this system or systems in the various communities that he is responsible for as Minister of Northern Affairs?

**MR. GOURLAY:** Mr. Chairman, this project is progressing very well and a number of the projects are covered under the Water Services Board and we can provide that list for you. We don't have it right here.

**MR. BOSTROM:** Mr. Chairman, what I would be interested in seeing is more than just one year's estimate or budget but what the whole program is over the period of several years to incorporate a proper water and sewer system into all of the Northern Affairs communities. What I would like to see is, you know, which ones have been done to date; which ones are planned for the fiscal year under consideration here, 1981-82; and what the program is; which ones are on stream for 1983-84-85, etc.? If he has that kind of long-range projections I'd like to see that.

**MR. GOURLAY:** We can provide the information with respect to those communities that have been done to date, those that we are planning on doing in 1981 and also projection, where we're going on the remainder of the communities, whether they be the community of 15 or 20 people to the larger communities that do not have the services right now.

**MR. BOSTROM:** With that in mind, Mr. Chairman, could the Minister indicate what are the general objectives of his department; that's beyond the specific projects but what are the general objectives with respect to water supply and sewer service for communities; that is, what level of service is the department projecting to provide as a general rule in Northern Affairs communities?

**MR. GOURLAY:** We want to provide safe drinking water to all of the communities as well as adequate disposal facilities and the levels are being established in consultation with the various communities. That's a process that we are doing right at the moment. We are having a series of meetings with the communities to discuss these levels of service for the respective communities.

**MR. BOSTROM:** Mr. Chairman, is the department having discussions with the Federal Department of Indian Affairs at the same time, since many of the remote Northern Affairs communities border on an Indian reserve and in some cases are the smaller part of the total community? I would think that any kind of water supply program or sewer and/or garbage disposal program could make logical sense if it were incorporated in with whatever program planning the Department of Indian Affairs is proposing. I would ask the Minister if they've had any success in being able to co-operate with the Department of Indian Affairs in projects of this type. In particular, looking at this year, 1981-82, are there any of these proposed projects in the area of water and sewer and garbage disposal that there are agreements with the Department of Indian Affairs to perhaps share facilities or share at least the cost of the program when it's in place?

**MR. GOURLAY:** The Department of Indian Affairs are fully aware of the process that is going on now with the communities and we haven't any projects identified to date that would be a joint venture but certainly we're interested in working with the communities and particularly in the Fire Program. I think we've made considerable progress there with joint facilities between the Metis communities and the Indian bands. Hopefully, we will get much agreement with the Department of Indian Affairs on some of these other services too, in the various communities.

**MR. CHAIRMAN:** 5.(a) — pass — the Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, with respect to the area of expenditure under the heading Subdivisions, can the Minister indicate which communities they're proposing to have project activities relating to the development of subdivisions in this fiscal year, 1981-82?

**MR. GOURLAY:** I just don't have that information right at the moment but I'll obtain that for you.

**MR. CHAIRMAN:** The Member for St. George.

**MR. URUSKI:** Mr. Chairman, with respect to the agreement again, on roads. Are there any new roads in Northern Affairs communities and areas that will

be proceeding with? One that's been talked about for a long time is the Red Rose-Jackhead access, the upgrading of that road. Are there any funds slated for at least upgrading some portions of that road or the beginning of the upgrading of that road to provide a better access for the community of Jackhead?

**MR. GOURLAY:** In connection with the Jackhead-Dallas road the feds have indicated they will not participate in any cost-sharing of roads, I understand.

**MR. URUSKI:** Mr. Chairman, the Minister indicated there's an amount of \$335,200 in terms of a road program. What areas are we talking about? Is there any major road work in that agreement, or is that again maintenance in other areas? What are we really talking about?

**MR. GOURLAY:** Mr. Chairman, if I may go back to the question with respect to subdivisions, there has been \$25,000 budgeted for a new subdivision at South Indian Lake; \$80,000 for a subdivision at Norway House; also \$30,000 for subdivisions at Gods Lake Narrows.

**MR. CHAIRMAN:** 5.(a) — pass — the Honourable Minister.

**MR. GOURLAY:** There is also some smaller subdivisions, \$3,000 and \$1,500 for Easterville; Manigotagan, \$9,000; Little Grand Rapids, \$3,000; Pine Dock, \$3,000; and Stevenson Island, \$10,000.00.

**MR. CHAIRMAN:** The Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, if any subdivision work then is proposed for Bissett as a result of the mining activity, is that presumed to be paid for by the mine and not by the Department of Northern Affairs?

**MR. GOURLAY:** No, that would be handled through provincial funding but that hasn't been sorted out at the present time as to the amount.

**MR. BOSTROM:** Mr. Chairman, are there any services that are budgeted at the present time in this Minister's Estimates for public-works-type activities for the community of Bissett? If so where are they found and how much is budgeted?

**MR. GOURLAY:** No, there's been no funds budgeted.

**MR. BOSTROM:** Mr. Chairman, where are those funds if they are to be budgeted in the fiscal year 1981-82 for work there — I assume there will be work done there in this fiscal year — where will those funds be appropriated?

**MR. GOURLAY:** In the case of Bissett, it wasn't known at the time the Estimates were finalized. Work will obviously be done there and it will have to be covered by special warrant I would expect.

**MR. BOSTROM:** Mr. Chairman, is there any thought given to the mining company providing the necessary

infrastructure by way of their own expenditures, rather than the government doing it?

**MR. GOURLAY:** This has been part of the discussions that have taken place at recent meetings but nothing finalized in that connection.

**MR. BOSTROM:** Mr. Chairman, can the Minister at least indicate what position the government is taking in these discussions? Are they proposing to the mining company that the mining company pay 100 percent or 75 percent or 50 percent or nothing? What position does this Minister have and the government have with respect to the provision of roads, sewer and water, garbage disposal sites, necessary public service buildings, subdivision expenses, fire program? Almost all the things the Minister has listed here is necessary expenditures for other communities. I would ask him in view of the fact that the development here is largely as a result of the mine being put in place, does the Minister see this as a necessary 100 percent liability of the Department of Northern Affairs, or is he proposing some level of cost-sharing with the mining company or in fact even proposing that the mining company pay for the whole shot?

**MR. GOURLAY:** Well, these are areas we are currently discussing with the mining people and the various government departments. I would expect that there will be input from the mining company in some of the infrastructure projects that will be undertaken.

**MR. BOSTROM:** Could the Minister indicate if any of the community council or community committee at Bissett are involved in these discussions, and if not will they be involved at some point? Will they be a party to the agreement that's reached so that the community council will know where the funds are coming from? In most of the communities, the community is involved in preparing the budget for the necessary expenditures in their community, or at least putting forward the proposals for various infrastructural needs in the community. I wonder if there is any difference in this case, why there would be a difference and why the community would not be involved in these kinds of discussions.

**MR. GOURLAY:** Mr. Chairman, we're trying to sort out the actual requirements of the community at the present time. When this has been determined, further discussions will be held involving the community people, the mining interests, the various departments of government as well as other agencies, the school, Hydro and so on.

**MR. BOSTROM:** Mr. Chairman, I would still like to know if the Minister can indicate to us what policy position if any, the government has adopted with respect to a development like this. This may not be the only mining development that takes place — hopefully not the only one that takes place in a Northern community in the years to come — and I would wonder if the government of the day has a policy with respect to the development of mining towns.

The former government had a policy with respect to development of towns like Leaf Rapids, where the government said, "We'll put the development in. The

people that live there will have their own town and the mining company will pay taxes to that community just like any other industrial or manufacturing facility in a town or city". That was the policy of the NDP in government. Can the Minister indicate if this government has developed a policy or is prepared to enunciate a policy at this time respecting the development of mining communities, mining towns?

**MR. GOURLAY:** I can't spell out the exact program that will be finalized in the community of Bissett. We are currently working on it. No doubt it will be similar to the Leaf Rapids situation but I can't be specific at this point. But certainly we have discussions well under way with respect to this community.

**MR. CHAIRMAN:** 5.(a) — pass; 5.(b) — pass — the Member for St. George.

**MR. URUSKI:** Mr. Chairman, can the Minister assure us of those projects that have been announced, in the event there will be expenditures required that are not budgeted for — for example the community of Bissett — that the projects that have been announced will not be held back as a result of internal dollar shifts from one program to another, from one community to another? Can I get from the Minister that kind of an assurance?

**MR. GOURLAY:** Mr. Chairman, I could give the member that assurance that we would be going in that direction.

**MR. CHAIRMAN:** 5.(c) — pass — the Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, could the Minister indicate what this other expenditure as budgeted would be made up of?

**MR. GOURLAY:** This is the non-shareable portion of the projects. We show a decrease here mainly because we did not expect to have a major remedial project at South Indian Lake reoccurring. When I say reoccurring, we did some 39 homes there last year, put up new foundations. Since that time another 29 homes have been identified as an emergency situation, plus remedial work to the store. Those were not known and we didn't budget for emergency situations of this magnitude. So we show a decrease of \$258,000 but obviously we'll be requiring, I think it's something like over \$.5 million for the work that has to be done at South Indian Lake this year.

However, the various projects that we list, roads was \$436,000; water and sewer, \$20,000; equipment acquisition and repair, \$1,500; garbage facilities, \$7,500; buildings, \$75,000; docks, \$4,000; subdivision, \$14,000; miscellaneous projects, \$40,500; recreation facilities, \$16.5. The miscellaneous projects of course cover the many things that can crop up on short notice especially in the water and sewer projects where the water people involved may have to in emergency situations, buy pumps and that sort of thing.

**MR. CHAIRMAN:** 5.(c) — pass.

Be it resolved that there be granted to Her Majesty a sum not exceeding \$615,000 for Northern Affairs — pass.

6. pass — the Member for Rupertsland.

**MR. BOSTROM:** Mr. Chairman, we probably have the same question. I would ask the Minister to itemize the expenditures which are budgeted in this item. It's rather a large item.

**MR. GOURLAY:** These are the various projects listed under the various departments that have a cost-sharing program with the agreements. There's 11 or 12 departments involved that participate in this and the total of those comes to this \$20 million.

**MR. CHAIRMAN:** The Member for St. George.

**MR. URUSKI:** Mr. Chairman, can the Minister list them just so we can cross-reference the departments and the programs?

**MR. GOURLAY:** Yes, we can provide that list.

**MR. CHAIRMAN:** 6. pass — the Member for Rupertsland.

**MR. BOSTROM:** Here again, Mr. Chairman, could the Minister indicate if this amount will be approved for actual expenditure?

**MR. BOSTROM:** Well here again, Mr. Chairman, could the Minister indicate if this amount will be approved for actual expenditure if the cost-sharing agreement with the Federal Government for the Northern Development Agreement is not approved?

**MR. GOURLAY:** Mr. Chairman, as I mentioned earlier, this would be in the realm of each department to make that determination. I have the list here for you if you want: Agriculture is \$2,579.7 million, that will be water and sewer primarily I guess; Community Services and Corrections \$127.1; Education \$3,568,000; Energy and Mines \$575,700; Finance is \$366.8; Fitness, Recreation and Sport \$275.2; Highways and Transportation \$3,280.0; Labour and Manpower is \$2,442.7; Municipal Affairs is \$159.0; Natural Resources is \$3,739.2 and Northern Affairs is \$2,983.2 for a total \$20,096,600.00.

**MR. CHAIRMAN:** 6. pass.

Resolved that there be granted to Her Majesty a sum not exceeding \$20,096,600 for Northern Affairs — pass.

7. the Member for St. George.

**MR. URUSKI:** Mr. Chairman, just looking at the Agricultural Estimates in terms of the Northern Development Agreement showing the figure of \$2.36 million and yet the Minister of Northern Affairs gave us the figure of \$2.579 million in terms of the agreement, could the Minister indicate the difference in the two figures that are shown in the Estimates?

**MR. CHAIRMAN:** Could you give us the page number?

**MR. URUSKI:** On Page 13, Resolution No. 15, now there may be another one that I may have missed. I'm sorry, Mr. Chairman, yes there is the figure of \$219,000 in another lot. Thank you.

**MR. CHAIRMAN:** 7.(a) — pass; 7.(b) — pass; there is no resolution there so we turn to 1.(a).

The Member for Rupertsland.

**MR. BOSTROM:** On the Communities Economic Development Fund why did this become a shareable item under the Northern Development Agreement? Is this a new proposal for this to be cost-shared?

**MR. GOURLAY:** The items covered under this has always been shareable.

**MR. CHAIRMAN:** 1.(a) The Minister's Salary — pass.

Be it resolved that there be granted to Her Majesty a sum not exceeding \$201,000 for Northern Affairs — pass.

Committee Rise.

### SUPPLY — ATTORNEY-GENERAL

**MR. DEPUTY CHAIRMAN, Len Domino (St. Matthews):** Call the Committee to order. I direct your attention to Page 16 of the Main Estimates, Item 3.(b)(1) — pass — the Member for Fort Rouge.

**MS. JUNE WESTBURY:** I have a couple of questions to ask the Honourable Attorney-General on this matter of the Manitoba Human Rights Commission. I would like to know, first of all — I've read the report but I didn't get the answers in the report — I want to know how many cases the Human Rights Commission took to court in the past year and, if possible, a breakdown on cases of discrimination, racial and sexual discrimination, if that's possible to get that, Mr. Chairperson, please.

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

**HON. GERALD W.J. MERCIER (Osborne):** Mr. Chairman, there have been during the last year five Boards of Adjudication which is not really a court hearing but it's a procedure whereby I appoint an adjudicator and the adjudicator calls a hearing. Those are set out — if the member has the Annual Report — on pages 15, 16 and 17, the five Boards of Adjudication that were held here in 1980.

**MS. WESTBURY:** Well, Mr. Chairperson, I'd have to go back and have another look at the report. I read each one of those but it doesn't really seem to have been a very strong case put by the commission for the rights of individuals, which I heard our Premier say not very long ago, "The rights of individuals are best protected by their Legislatures". I therefore would have expected the Manitoba Human Rights Commission to be playing a more aggressive role in protecting rights. I would like to look at a couple of cases. I heard the member for I think it was Churchill this afternoon ask when you expect the report of the task force on the 65-year-old retirement age to be presented. Did he receive an answer to that?

**MR. MERCIER:** No, we ended, Mr. Chairman, before I was able to give an answer. He asked a number of questions and I can try and answer them now. I was going to wait until he was here. He asked when are public hearings planned? Mr. Chairman, I'm given to understand that public hearings will take place the

last half of June and into July, Mr. Chairman. I expect to receive a report before the end of the year from Mr. Rothstein. The Member for Churchill also raised the question of why is there just a reference to The Human Rights Act in the Terms of Reference. In the Terms of Reference, Mr. Chairman, "refer to, enquire into, evaluate, study and report with respect to the advisability or inadvisability of revising The Human Rights Act and/or related legislation". The Member for Churchill just went as far as The Human Rights Act and I suggest to him, Mr. Chairman, that the additional words "and/or related legislation" include the Acts that he referred to, Civil Service Act and Employment Standards Act, Public Schools Act and all the other statutes in which mandatory retirement is referred to.

**MS. WESTBURY:** Mr. Chairperson, I want to ask a question about the Public Safety Building. I tried to ask under another section, I'm still trying to find out just where I should be asking this. Under what authority do the corrections staff at the Public Safety Building Jail demand blood samples from individuals booked through the jail; under what authority and under what circumstances?

**MR. MERCIER:** Mr. Chairman, I'm not aware of that practice, perhaps the member for Fort Rouge can give me some particulars later on. It certainly doesn't pertain to the human rights legislation we're dealing with in the operation of the Human Rights Commission under the legislation but I would be happy to look into it for her.

**MS. WESTBURY:** I'd like to know what the qualifications of the officials are? It's my understanding that they do take blood samples without the consent of the individuals who have been booked. My source did not want his name used so I'm afraid I can't give examples, although I can try again to get some and I'll pass them on to the Honourable Minister. First of all, I want to say that I think one of the weaknesses of the legislation as we have it now has been proven to be the inability of the Commission to act where the government is the body being complained against in matters of human rights.

There was one complaint of my own that I referred to the Human Rights Commission to which I don't really want to make further reference at the moment but there was a complaint that I registered with them against the Manitoba Telephone System and I do think that it needs to be pointed out that the Human Rights Commission really was not able to, or willing to, take any particular action in this instance. It was the case of a woman who had been separated from her husband. The couple, as a married couple, had a telephone for some time and when the marriage broke up and the woman applied for her own telephone she was harassed because she didn't have a credit rating with the Telephone System. The husband had a credit rating with the Telephone System; the wife did not and there was considerable anger about that, on my part and on the part of the complainant and on the part of a number of other women who, I've found out afterwards, have been in a similar position. The final letter that I received from the Manitoba Human Rights Commission on this matter dated September 2nd and the File No. is

79A274, if anyone wants to look it up, said the investigation revealed that the wife's account had been treated in accordance with established policies of the Manitoba Telephone System without regard to her sex and/or marital status.

Now, Mr. Chairperson, I suggest that was not quite an accurate statement. There was no denial on the part of the Manitoba Telephone System that she had been treated as she was being treated because she was a separated or divorced wife. The husband was not treated in the same way. This woman was harassed.

She received a letter at 5 o'clock one afternoon to the effect that her telephone would be cut off the following morning if she didn't pay her bill in full. That was the first information she had received on that particular bill. It was demanded of her that she pay a deposit, which was not required of the husband and all apparently because the husband and wife had a telephone in the name of the husband. When they had listed their telephone they had asked to have it in both names and the Telephone System for reasons of economy and not wanting to have to put two names in their directory, because if everyone wanted to do that they'd need a much larger directory obviously, had talked them out of having it listed in both names then when the marriage broke up the woman was discriminated against. All that came out of it on a positive note was that the respondent, the Manitoba Telephone System, had voluntarily agreed to review their policies and procedures and make modifications where necessary. I don't know if anything has happened to change but the Human Rights Commission just stated the file will now be closed.

So I think there's a weakness there, Mr. Chairperson, through you to the Minister in that the Human Rights Commission apparently had no authority when dealing with a government department to insist that the rights of this particular woman should be recognized. There have been a number of other similar cases. When I brought this to light, brought this into the open a number of other people came to me and said they had been treated in exactly the same way. I feel, (a) that the Manitoba Telephone System when asked to list both names, the people were prepared to pay the extra cost if necessary, should at least undertake the responsibility if they talk them out of having it in both names, or refuse to allow them to have it in both names, they have to shoulder the responsibility for future action and for the future credit rating within the system of both parties to the marriage.

So I think this is something the Minister should have a careful look at and perhaps the Human Rights Commission needs strengthening where government departments are concerned. I've said this before publicly and I'll say it again, I do believe this Minister has a sincere concern for the rights of women. I wish I could say that about all the people who sit on that side of the House with him but from my experience in City Council and in this House I do believe the Minister has a sincere concern. I have no hesitation in suggesting to him that he have another look at the Human Rights Commission and their authority where it relates to government departments.

**MR. MERCIER:** Mr. Chairman, as far as the legislation is concerned, Section 35 of The Human

Rights Act would appear quite clearly to bind the Crown. It states the Crown and every servant and agent of the Crown is bound by this Act. So I don't think if there is a problem it's with the Legislation.

Mr. Chairman, the executive director advises me, although he can't recall the details of the particular case that the member refers to, he doesn't recall it generally and he will have an officer of the commission contact the Member for Fort Rouge to discuss the details of it with her.

**MR. DEPUTY CHAIRMAN:** The Member for St. Johns.

**MR. SAUL CHERNIACK:** Thank you, Mr. Chairperson, may I ask the Minister how much was spent last year on this item? Under Item (b)(1) and (2). While he's looking that up, Mr. Chairperson, I'd like to know how much of this proposed budget, how it's divided as between complaints and enforcements and education and publicity on the purposes of the legislation?

**MR. MERCIER:** Mr. Chairman, the information I have is that approximately \$100,000 was spent in this area last year and about 30 percent was spent on education.

**MR. CHERNIACK:** Mr. Chairperson, I just want to get it clear. The Minister requested and received an authority to spend \$472,000 last year and does he say he only spent \$100,000.00? —(Interjection)— I said (b)(1) and (2).

**MR. MERCIER:** Mr. Chairman, referring to the total expenditures. The advice I receive is that approximately 30 percent of the total would be spent on education.

**MR. CHERNIACK:** Mr. Chairperson, I had asked how much was spent on this Item (b)(1) and (2) and the only thing I received is \$100,000 which I now gather was Item (2). How much was spent in the entire (b)?

**MR. MERCIER:** Mr. Chairman, about \$475,000 was spent.

**MR. CHERNIACK:** Is there any change in staff man years as between last year and what is expected for this coming year justifying the increase of about \$75,000 under (b)(1)?

**MR. MERCIER:** There is no increase in staff man years.

**MR. CHERNIACK:** Mr. Chairperson, that would imply a 20-percent increase in Salaries. Is that what the Minister will confirm, with the same number of people; an increase of some \$75,000 or \$73,000 over last year on 37, I think it's sounding more like a 25 percent increase, 20 to 25, is that correct? How can he explain that in view of the fact that it's not expected that Salaries will have been increased substantially? There is still an item in the Estimates for a nil amount for salary increases in several departments. I'm sorry, Mr. Chairperson, I must correct myself. To my astonishment — oh, yes, I see that on Page 115 under Item 25, General Salary

Increases there's a expectation that it'll go up. I'm just surprised to notice that under 106 the Premier and President of Council's salary, Minister without Portfolio, Ministers' Salaries and all there's a further increase expected. I really was not aware of that item but I'm coming back to what is an apparent increase of 20 to 25 percent.

**MR. MERCIER:** Mr. Chairman, I believe what looks like a large increase is something that appears quite often throughout the Estimates this year as a result of the two-year settlement that was entered into last year so that, in comparing the two, the figure for this year includes a 9.5 percent increase I think during the last fiscal year plus 10 percent for this year, plus increments.

**MR. CHERNIAK:** But, Mr. Chairperson, I had asked what was spent last year not what was budgeted last year. We were told that what was spent last year was about \$475,000 of which \$100,000 was Other Expenditures which makes it \$375,000 for Salaries spent, not authorized but spent. It's a very similar amount to what was authorized. Now the increase of what was spent last year to what is requested this year is still an increase of 20 to 25 percent for one year without an increase in staff. Therefore, I don't think the Minister has explained the large increase by saying it's a two-year jump in view of the fact that he says the same amount was spent last year as was appropriated. I hope I make my question clear because the Minister's answer was clear but is not reconcilable.

**MR. MERCIER:** Mr. Chairman, I'm advised that departmental officials do not have an exact figure for last year, that there would have to be added to \$472,200 additional moneys to take into consideration that portion of the wage increase for last year that is not reflected in that statement; that exact figure is something I don't have.

**MR. CHERNIAK:** Mr. Chairman, I'm at a loss to understand how it is that the Minister doesn't know, doesn't have before him, the figures of Expenditure under this Item (b) for last year. I gather from him that he has the appropriation but that additional moneys spent in this item he said the departmental officials don't have. Frankly I don't understand that; it seems to me that when moneys are spent for an item they are spent and should be recorded in the proper department and in the proper category. I'm concerned to understand how it is that the department doesn't know what is spent on this Item (b). Is that the impression the Minister wants to leave us with, that the department doesn't know how much was spent?

**MR. MERCIER:** Mr. Chairman, to get the exact figures is a little early because, as I understand it, the fiscal year just ended March 31st. The figures that do attempt to explain the adjusted vote of \$472,200 to convert it to the existing level for that year would add salary adjustments of \$17,300; general salary increases 1980-81 shortfall of \$25,100.00.

**MR. CHERNIAK:** Mr. Chairperson, I think I'm as confused as you are and I'm going to let it go

because I'm assuming that no money was improperly spent, nor were there salaries not paid. I would hope we can get that information in the near future because I really don't quite understand — (Interjection)— Oh, the Minister says it should be available fairly shortly so I'll let it go and assume he will bring that information to us.

Now, Mr. Chairman, as I understand it 30 percent of the Budget is estimated to be spent on Education. Does that then mean that 30 percent of the work load, or is it some different proportion as between the duties and time allocated by staff, in other words, is there an advertising program which is separate from staff or is it just an estimate that, of the total work load carried, 30 percent is for Education and 70 percent for complaints, investigation and enforcement? If that is the case, would the Minister define or describe the manner in which the education is being carried on?

**MR. MERCIER:** Mr. Chairman, the 30 percent is an estimate of the work load of the various persons employed in the Human Rights Commission relative to Education. Enforcement officers, for example, give seminars, make speeches in schools, there are various workshops, speaking engagements, participation in conferences and overall the estimated work load of the Commission staff contributes approximately 30 percent to an educational function.

**MR. CHERNIAK:** Mr. Chairperson, I would like to know the extent to which the commission goes out and looks for opportunities to make this program known, as compared with responding to requests. Is there a concerted effort to get into the schools, to get into fraternal organizations, to get into community organizations, to be able to talk this up and to reach out to those areas of the population where there is most likely to be a breach of the principles of The Human Rights Act? It's not unrelated to ask the Minister at this stage why it is that the City of Winnipeg apparently feels it advisable to set up its own, I would almost call it a Human Rights Commission from the way it described what it is planning to do and that is something to promote inter-racial understanding or public relations of the nature dealing with the impact of biased and bigoted people on society? The city has apparently announced, or the Mayor has announced, that he's setting up a committee, in the form of a commission, and I'd like to know just whether this is being done independently of the Human Rights Commission; is it done in concert with the Human Rights Commission; is the program intended to be co-ordinated in some way?

**MR. MERCIER:** Mr. Chairman, of the estimated 30 percent of the activity of the commission related to education it's further estimated that about half of that, 15 percent, relates to speeches, etc., seminars in an educational way, they are unsolicited so that the commission itself is involved in going out and advising as to its availability, making itself available and speaking or discussing relative to the Human Rights Commission. So about half of that 15 percent is unsolicited and I suppose could be referred to as an Outreach Program. The City of Winnipeg Committee that the member refers to does not, as I

understand it, have any direct relationship with the Human Rights Commission but the Human Rights Commission staff and officials are involved in the schools in the particular area that has been the subject of some discussion but to date there has not been any working together with the Human Rights Commission but that may very well develop.

**MR. CHERNIACK:** I didn't hear the last sentence.

**MR. MERCIER:** That may develop.

**MR. CHERNIACK:** So, Mr. Chairman, I want to react positively to the positive program that the Minister described, the Outreach but, just coming back you said that may develop. I don't believe in happenstance; I'd like to know what effort is being made to co-ordinate the work. It would be a pity if there is a redundant program, one carried on by the city and one carried on by the province. Certainly the allegations in the newspapers, the description of the bigoted attitudes of certain members of the community that forced the Mayor to believe that there was a need for a greater program, a positive program of education, cannot be in conflict with the objectives of the commission itself. It's not that it may develop but that the Attorney-General would attempt to persuade the members of the commission to take a step forward and to approach the people in the City of Winnipeg who have expressed a serious concern and offer to participate and offer to lend their services and offer to share in the responsibilities and offer to carry out whatever programs it is deemed advisable, rather than to see whether it develops of its own accord. I would have liked to have heard the Minister say, yes, our people are talking to the city to see the extent to which they could co-ordinate their activities; that is not what he said, he said it may develop.

**MR. MERCIER:** Mr. Chairman, as I've indicated, the staff of the commission are working in the schools in that particular area where a problem has developed. As I understand it from the commission there has been no attempt by the committee or the Mayor's office to contact the Human Rights Commission. I can certainly raise it, Mr. Chairman, with the Mayor and attempt to determine if the Human Rights Commission staff and officials could be helpful at all in the work of this race relations committee.

**MR. CHERNIACK:** Mr. Chairperson, I would certainly hope that an effort will be made. It's not a question of the commission sitting back and waiting to hear from the city. I would hope that they are not so righteous as to feel that the only approach has to be from the city to the Human Rights Commission and that can't work the other way. They are all, and we are all concerned, with a really very serious problem in community relations in this province and there should not be any holding back or any waiting for someone else to start working on the co-operative effort but rather they should reach out in the outreach way. If they have workers in the schools, talking in the schools that are in the effected area, then surely that should be a co-ordinated job with the Committee.

Citizen involvement is of very great importance in this kind of effort and when members of the

community want to gather together, want to work together, want to do something, then the commission and its people in the Manitoba Commission should be happy to take advantage of the fact that there are people who care to the extent of giving of their time and effort and they should go. I'm glad the Minister has indicated that he will try to co-ordinate some kind of effort that would bring them together and see if they have a common purpose — I'm sure they have a common purpose and a common goal but they should have a common program.

**MR. DEPUTY CHAIRMAN:** 3.(b)(1) — pass; 3.(b)(2) — pass; 3.(c) Canada-Manitoba Criminal Injuries Compensation Board.

The Member for St. Johns.

**MR. CHERNIACK:** Mr. Chairman, I'd like to know how much is now being paid to a person who is permanently injured — I mean injured, not partially but injured so that he or she cannot be active? How much per week or per month is paid as compensation?

**MR. MERCIER:** Mr. Chairman, as I know the Member for St. Johns is aware, this program is administered by the Workers Compensation Board. It would appear that if the victim was employed compensation benefits for loss of wages would be paid at 75 percent of earnings, maximum earnings \$19,000 and I assume that the maximum earnings are figures that correspond to the wage levels, etc. set by the Workers Compensation Board in other matters. So, if the victim was employed, the benefits would be 75 percent of earnings based on a maximum of \$19,000.00.

**MR. CHERNIACK:** Yes, Mr. Chairperson, I assume the Minister means calculated on the basis of a \$19,000 income which means the maximum payment would be 75 percent of \$19,000 even if the person is earning much more than \$19,000.00. Is there a maximum for property damage?

**MR. MERCIER:** Mr. Chairman, there is payment for loss and damage to clothing, eyeglasses, hearing aids, and dentures. That would appear to be the payment that would be closest to payment related to compensation for property.

**MR. CHERNIACK:** That's for damaged clothing, loss or damage, there is no other compensation for actual loss of personal possessions which are stolen, I believe that's not covered by this Act at all. That satisfies me, Mr. Chairman.

**MR. DEPUTY CHAIRMAN:** 3.3(c) — pass; 3(d).  
The Member for St. Johns.

**MR. CHERNIACK:** Mr. Chairman, on the Police Commission I'd like clarification. I don't recall seeing an Annual Report, is there one on the Police Commission? I don't remember seeing one.

**MR. MERCIER:** I'm pretty sure that I've got an Annual Report and I'm sure it was filed in the Legislature.

**MR. CHERNIACK:** Mr. Chairperson, I don't doubt that if there is one that it was filed, I just said I don't

remember seeing one which is not surprising. The Police Commission I believe has two functions — I hope the Minister will clarify if I'm wrong or expand on it — one function is the review of police activities insofar as they affect the public which is really I suppose in the question of disciplinary measures; the other is an educational process to upgrade the standards of the police forces. I believe that that is a general description of the activities of the Police Commission. I wonder if the Minister could elaborate on that?

**MR. MERCIER:** Well, Mr. Chairman, the report perhaps more succinctly set out the role of the commission as a research standardization and co-ordination body to promote the prevention of crime, efficiency of police services and police community relationships in the Province of Manitoba and then also goes on to deal with its powers to hear appeals from enquiries, etc.

**MR. CHERNIACK:** The question of appeals, appeals from what bodies, from what decisions and what is the relationship of the Manitoba Police Commission to the Winnipeg Police Commission?

**MR. MERCIER:** Mr. Chairman, the Manitoba Police Commission can hear an appeal from the Winnipeg Police Commission or, for example, the Brandon Police Commission but, to my knowledge, Mr. Chairman, although we have heard over the years complaints about, for example, the manner in which the Winnipeg Police Commission dealt with an allegation of police brutality, I'm not aware of any appeals that were taken from the decision of the Winnipeg Police Commission to the Manitoba Police Commission.

**MR. CHERNIACK:** Yes, Mr. Chairperson, that's the point I was getting at. I'm wondering the extent to which complainants who appear before the Winnipeg Police Commission are informed of their right to appeal.

**MR. MERCIER:** I wonder if I could just clear something up, Mr. Chairman. The report was tabled and a limited number of copies were left with the Clerks but it has not yet been printed and distributed to all members of the Legislature. I could provide, Mr. Chairman, through the Clerk with an office copy of the report for the Member for St. Johns; apparently it's in the process of being printed into a more presentable form and then would be distributed to all members of the Legislature.

**MR. CHERNIACK:** Mr. Chairperson, I thank the Honourable Minister. This is a comment in some way of our complaint this afternoon that Manitoba Hydro printed a report which was suppressed and burnt, or destroyed in some way, and here we have a report which was tabled but not distributed because it's not yet printed. Nevertheless it's better to have it than to complain that we don't have it because it's not printed. Also it may explain why I don't remember having seen it.

But, Mr. Chairman, I will peruse it and maybe during the Salary in the next few days we can come back to anything that comes up. I heard the Minister say that there have not been many or any, I thought

the case that was dealt with just a few days ago, Frampton or Frampson or something, was that not a Winnipeg Police Commission?

**MR. MERCIER:** Well, Mr. Chairman, the Frampton Case that was referred to was the result of an Order-in-Council referring the matter to the Manitoba Police Commission for a hearing.

**MR. CHERNIACK:** So, Mr. Chairperson, it would appear that there are very few hearings being held by the commission, which may be considered a good thing; that if there is no need for it then why hold hearings. On the other hand, if people are not notified of their rights to have the appeal taken then obviously there wouldn't be many appeals. I see under Investigation and Appeals there is reference to the Susan Irvine case, which is really an employment case with the Winnipeg Police Commission. I think that's the only reference under Investigations and Appeals.

**MR. MERCIER:** One comment, Mr. Chairman, the member has referred to the fact that people aren't aware of their notices or of their right to appeal. As I recollect, in general, the suggestions that the Winnipeg Police Commission had not heard cases of alleged brutality properly, at least in the opinion of the person making the comments, most of the persons making those comments were lawyers and I would assume would be aware of the appeal provisions to the Manitoba Police Commission.

**MR. CHERNIACK:** Yes, Mr. Chairperson, I guess one could assume that the lawyers should know. However, there are many things lawyers don't know. I think that's a matter of knowledge and fact. Is there a requirement as to whether the Police Commission on hearing appeals shall meet in camera or shall meet in open hearings?

**MR. MERCIER:** Mr. Chairman, I don't have the legislation but I think it's optional; but Frampton I am advised was in public, at least a great majority of it.

**MR. CHERNIACK:** Optional on whose behalf, Mr. Chairperson? Who decides whether or not it shall be open?

**MR. MERCIER:** Mr. Chairman, I believe it's the Commission itself who can get out the statute and get the exact reference in the legislation.

**MR. CHERNIACK:** Does the Manitoba Police Commission have any authority to deal with complaints about the RCMP in Manitoba?

**MR. MERCIER:** Mr. Chairman, I referred to that generally in my opening remarks. There was a recent case in the Province of Alberta, Putnam and Kramer, in which the Alberta Court of Appeal determined that the Provincial Police Commission did not have the authority to deal with complaints against members of the RCMP. That was appealed to the Supreme Court. I believe it is being heard and a decision is pending. From that I would assume as the law stands now that until we have a Supreme Court decision overruling the Alberta Court of Appeal, that the Manitoba Police Commission do not have the

jurisdiction to deal with complaints against the RCMP.

Mr. Chairman, with reference to in camera meetings by the Manitoba Police Commission, section 26, 5.1 of the Act provides that the public or any member thereof may be excluded from the hearing of an appeal, etc., . . . or from any part of the hearing if in the opinion of the Commission the interests of public morals the maintenance of order, the proper administration of justice or the ends of justice so require.

**MR. CHERNIACK:** Well, Mr. Chairperson, I'm glad the Minister brought to our attention the date. It's not very often dates like that seem to be meaningful to Ministers and one suspects that when they offer a date there's a reason for doing it. One can't help but suspect that. But I'm glad to know that apparently the legislation provides that the hearings shall be open unless there is good reason advanced and approved by the Commission for keeping it in camera. I contrast that with legislation we passed last year under my protest dealing with professionals, where they were in camera hearings. Professionals seem to get consideration from the Legislature, especially last year's Legislature, to carry on their investigations, hearings and debates on disciplinary measures in camera. I have grave doubts about whether or not that's advisable.

As a matter of fact I might say in comment in relation to the 1972 legislation, that the Law Society itself says that they are in camera unless the person complained against wishes that it be open to members of the society. The public still is not allowed in. But in the legislation we debated last year, even that was barred and as I recall it, members of the society of whatever profession it is are not allowed to be present at a hearing affecting one of their own members. I'm speaking from memory. I'm pretty sure I'm right. In view of the fact that we'll be dealing with a vast number of professional bills this year, I'm glad the Minister was able to read to me the 1972 legislation which seems to put the onus on the Commission, rather than in the legislation.

Mr. Chairperson, I'd like to know also from the Minister the extent to which the Manitoba Police Commission has set certain standards, code of ethics, method of operation, qualifications for police forces in Manitoba or whether indeed it is left to the municipality to determine those standards and those qualifications and those codes of ethics. I see from the report and I'm not unfamiliar with training that is being done by the Commission, I know is doing work with native constables and generally is carrying on various programs which I'm sure are all worthwhile. But do they also set standards against which one can measure the performance of the police officers in the province?

**MR. MERCIER:** Mr. Chairman, I think in this area the Manitoba Police Commission attempts to confine its work more to the police forces outside of the City of Winnipeg Police Force and the RCMP and to work with and hold seminars for, etc., municipal police forces other than those two main police forces in Manitoba.

**MR. CHERNIACK:** Mr. Chairman, it may be that we're talking about very very few police officers if we

exclude the City of Winnipeg and the RCMP. It seems to me that this whole disagreement that's going on about the payment or the sharing of costs with the RCMP would itself make useful an exercise of a review as to the extent of the activities of the police forces which are supported by provincial dollars. In other words it seems to me that there ought to be some overview of the responsibilities carried on by police. Now we touched on it earlier in these Estimates when I suggested that if indeed, \$200,000 was spent on wiretaps and transcriptions in one particular case involving charges against bookmakers, then it may be that same kind of money could have been better spent for more police officers on the beat in the residential communities. It may well be that money spent on traffic enforcement might be better spent again, on the use of police in residential areas where now there is a great increase in assaults of various natures.

I'm wondering the extent to which the province attempts to influence in an educational way, I don't mean by compulsion, in an educational way a review on the basis of the inertia that takes place with departments, with sections of the bureaucracy, could well be that once you have five people doing one job, it is not likely that they will say four could do it as well as the five and we could easily release one for some other purpose.

I raised the question the other day as to who would review this \$200,000 cost — I know that figure has not yet been substantiated by the Minister so I have to use a figure and that's the only figure that has received publicity — who looks at that figure to determine whether or not it is properly spent. Not having had any recent participation in budgeting at a municipal level and I know the Minister himself has had much more recent opportunity to watch the review, I can only refer back to my own experience which indicated to me that very little time was spent on an actual review of actual expenditures. It's sort of left to the Auditor to do that and what Auditor can do other than certify that the people responsible spent the money in a legal way and that the money was all accounted for.

So I'm just wondering whether the Manitoba Police Commission should be setting standards which might be something like a town of 1,000 people mainly residential in nature should have X number of police officers; a City of Winnipeg should in certain residential areas have one police officer per so many residents and per capita of some kind — something like that where we can adopt a standard which if it's good for Winnipeg should be good for Brandon and should be good for Thompson. I'm not aware that our Police Commission or any other branch of the Attorney-General's Department gets involved in that.

I have to ask whether there should not be an effort to see to it that the delivery of police services is standardized to the extent that anywhere in the province we can say that there is equal sort of protection being offered, related of course to the density or sparsity of population per geographic area and to the various problems which are distinctly different from place to place. I'd just like to know to what extent that is being attempted.

**MR. MERCIER:** Mr. Chairman, I think in respect to the Member for St. Johns' first remarks, I think with all due respect he was referring more to establishing

priorities in the spending of moneys on police servicing rather than developing standards, particularly when he referred to, I think, just generally where should a City of Winnipeg Police Force have its priorities, on traffic or on the so-called \$200,000 or on dealing with violent crime.

Mr. Chairman, those areas of priority and expenditures of the Winnipeg Police Force as I understand it go through the Winnipeg Police Commission through the Finance Committee, Executive Policy Committee and eventually Council. Obviously, I think where those expenditures or proposed expenditures would get the greatest review and detail would be either at the Winnipeg Police Commission or at the Finance Committee levels. I would tend to agree with him that it may very well be, Mr. Chairman, that not enough attention is given in the consideration of expenditures for the police department to the establishment of priorities and the spending of moneys on matters of priority. I haven't been there for some four years now. I was never on the Finance Committee and I never really did go through the police budget in that kind of detail to attempt to review the priorities that were being set by the police force.

Overall, Mr. Chairman, with respect to our provincial police force, the RCMP have been conducting for some period of time a study to develop a formula which they would propose to bring into effect all across Canada. The difficulty of course is to establish a formula that's applicable to various centres across Canada because I know the Member for St. Johns will be aware that you have different problems in Thompson than you do in Melita, Manitoba. You have different problems in Selkirk than you may have in Brandon. There are a lot of variables involved in trying to assess the appropriate police strength that should be available in a community. The RCMP have developed fairly extensive statistics based on their yearly operations involved with the number of crimes, the types of crimes, distances, etc., and we attempt to use those figures on an annual basis to assess and determine whether or not a community should receive additional strength or strength should be reduced or whether there should be a detachment in an area or a detachment should be moved. It is difficult to deal with because of the variables but an attempt is being made to develop statistics in some detail by the RCMP and as I say they have an ongoing study in an attempt to develop some formulas that might be used across Canada.

**MR. CHERNIACK:** Mr. Chairperson, the words priorities and standards and formulae are all words which have different nuances but yet they all apply to assessing the provision of enforcement services to the community and of course I myself mentioned the differences in different areas of the province relating to size, nature of the population and various other problems. But I'm assuming from what the Minister said that the Manitoba Police Commission has nothing to do with that.

**MR. MERCIER:** Well, Mr. Chairman, the Police Commission have lately during the early part of this year, I know had some preliminary exploratory discussions I believe with Saskatchewan officials related to training a policeman, standardizing of

training. But as for the moment that is in the exploratory area with a view to attempting to co-ordinate their efforts and use all of the information available to both sets of officials. But as I say with respect to training of and standardization of programs for police forces outside the RCMP in the City of Winnipeg the Police Commission are on a fairly regular basis working with those police departments and holding seminars and attempting to upgrade and improve their efficiency and standards of operation.

**MR. CHERNIACK:** When the Minister described the kinds of studies that are taking place, and I gather that they are just starting to take place, they haven't really developed greatly, if not the Manitoba Police Commission, who in the Department of the Attorney-General does do that to the extent that it's done at all? The Minister has described that there is an effort now to assess the needs of various types of communities. He pointed out the difficulties in setting a formula because of differences of communities. But I'm saying is that now being done to the extent that it is being attempted? Is it being done by anybody other than the Manitoba Police Commission and if so, who does it?

**MR. MERCIER:** Mr. Chairman, generally the department deals with the material and information statistics developed with respect to RCMP services in Manitoba and the Police Commission generally deal with, as I've described, those municipal police forces outside of the City of Winnipeg Police and RCMP.

**MR. CHERNIACK:** Mr. Chairman, I don't know the department that well but who is it in the department that does it? The department consists of people involved in civil litigation, criminal prosecutions, the administrative staff. Just who is there that does it? Is it Mr. Goodman, or is it a committee of — (Interjection)— the department, just who is there in the department that's charged with this kind of responsibility?

**MR. MERCIER:** With respect to the RCMP, Mr. Chairman, Gordon Wiens, in the department, who has been there for some time. I don't know exactly how long; he was there when I arrived there, 15 years. He is a retired RCMP man, Mr. Chairman, deals with RCMP services, the RCMP contracts, and does carry on a liaison role with the Manitoba Police Commission, I think more directly than any other person in the department.

**MR. DEPUTY CHAIRMAN:** The Member for Rossmere.

**MR. VIC SCHROEDER:** Thank you, Mr. Chairman, it's my understanding that outside of the City of Winnipeg, if a person has a complaint about a police officer you go to this particular Commission; is that correct?

**MR. MERCIER:** Mr. Chairman, there are local police commissions. Brandon, I know, has their Police Commission. In many cases, as the department points out, councils themselves serve as the Police Commission in the smaller towns. I know the Dakota

Ojibway Tribal Council have a Police Commission so there are a number of other local police commissions outside the City of Winnipeg and in those cases the Manitoba Police Commission would hear appeals from those commissions.

**MR. SCHROEDER:** The appeals, the Attorney-General is referring to, are they appeals heard de novo with all of the facts to be determined again or are they based on transcripts?

**MR. MERCIER:** Yes, Mr. Chairman, those are hearings de novo.

**MR. SCHROEDER:** In view of the fact that people are entitled to that type of an appeal and in view of the fact that the Commission enjoys, I believe, a very good reputation in the community as opposed to, for instance, the Winnipeg Commission I'm not saying there's anything wrong with the Winnipeg Police Commission but certainly there is a feeling out there in the legal communities that there is not a great deal of trust put in that group. Has the Attorney-General or the department considered giving people the right to go direct to this particular Commission as opposed to going first to that Commission and then to the provincial commission?

**MR. MERCIER:** Mr. Chairman, I think we dealt with this to a smaller extent earlier on in the discussion. I don't know how it got in earlier and I indicated in my introductory remarks, we have circulated a draft Law Enforcement Review Act which would allow for appeals directly to a Commission in the Province of Manitoba.

**MR. DEPUTY CHAIRMAN:** 3.(d)(1) — pass; 3.(d)(2) — pass; 3.(d) — pass; 3.(e)(1) Salaries — pass; (e)(2) — pass; (e) — pass.

**MR. CHERNIACK:** Mr. Chairman, I wonder if the Minister would permit me to go back to (e) just to ensure that that Board of Review is intended to deal with matters such as provincial judges who are reviewed? No? Well then I've misunderstood. I wonder if we can get clarification?

**MR. MERCIER:** Mr. Chairman, that's the Board of Review established under the Code to deal with the cases of persons held at the pleasure of the Lieutenant-Government.

**MR. CHAIRMAN:** Resolution 18. Resolved that there be granted to Her Majesty a sum not exceeding \$1,658,900 for the Attorney-General, Boards and Commissions \$1,658,900 — pass.

4. Land Title Offices, Resolution 19 (a) Salaries.  
The Member for Rossmere.

**MR. SCHROEDER:** Thank you, Mr. Chairman, I'm wondering whether the Minister could give us some figures with respect to the numbers of land transfers recorded in the previous year, and as well the numbers of foreclosures.

**MR. MERCIER:** Mr. Chairman, unfortunately these statistics I have in my briefing book with respect to transfers are not as far advanced as the member would like. He refers to transfers of land in the first

part of his question; the statistics I have here refers to transfers and mortgages which is not what he wants, I think he wants transfers of land separated out, so I don't have that information. I did receive something very lately, statistics from the Land Titles Office. This is the most up-to-date statistic I have, Mr. Chairman. This is a comparative statement for January, February and March, 1980 compared to 1981. For those three months in 1980 the number of titles issued were 5,491; in 1981 for those three months the number of titles issued were 6,266, an increase of 775 titles issued comparing the first three months in this year to the first three months in 1980. The number of documents registered, transfer and mortgage series, 10,845 in 1980; 11,610 in 1981, an increase of 765. The revenue increased from 1980, which was \$671,413.80 to \$724,362.72, an increase of \$52,948.92. Those are statistics for the Winnipeg office.

Perhaps the member can repeat his second question.

**MR. SCHROEDER:** Thank you, Mr. Chairman. I'm just wondering, to put these figures into some kind of perspective, whether the Minister also has figures going back several years, say, 1978, 1975 to see what kind of action there is. The other question has to do with the numbers of foreclosure applications and if the Minister has the figures, as well, the final orders of foreclosure.

**MR. MERCIER:** Mr. Chairman, the figures I have only refer to a total of transfers and mortgages; 1977-78 there were 108,494; 1978-79, 113,556; 1979-80, 124,200. Those would appear to be the statistics for the whole province.

**MR. SCHROEDER:** Has the Minister been able to find something on foreclosures also, possibly using the same years?

**MR. MERCIER:** Mr. Chairman, the figures I have on orders for sale or filing notices?

**MR. SCHROEDER:** Mr. Chairman, both on orders for sale and also applications for foreclosure.

**MR. MERCIER:** I have the notices of exercising power of sale. I have statistics with respect to orders for sale. In 1980 in Winnipeg, 1,085 orders for sale.

**MR. SCHROEDER:** How about the other years the Minister had referred to on transfers? I believe he started in 1977.

**MR. MERCIER:** Mr. Chairman, the figures I have go back to 1975. In the total province, orders for sale in 1975 were 244; in 1976, 197; in 1977, 354; in 1978, 490; in 1979, 700; in 1980, 1,217.

**MR. DEPUTY CHAIRMAN, Arnold Brown (Rhineland):** The Honourable Member for Rossmere.

**MR. SCHROEDER:** Thank you, Mr. Chairman. The Minister indicated a figure of revenue of \$724,000.00. Was that for the latest three-month period?

**MR. MERCIER:** I indicated, Mr. Chairman, that during the first three months of 1980 to the first

three months of 1981, there was an increase in revenue in the Winnipeg Land Titles Office of \$52,948.92, which resulted from an increase of 775 more titles issued.

**MR. SCHROEDER:** Thank you, Mr. Chairman. Could the Minister indicate what the total revenue is that was derived from the public in paying fees to the Land Titles Office?

**MR. MERCIER:** Last year? Mr. Chairman, the figure I have for total Land Titles Office fees 1980-81, \$5,535,500.00.

**MR. SCHROEDER:** Thank you, Mr. Chairman. That would indicate that this is, as I had suspected, indeed a profitable operation. There's several millions of dollars in revenue being earned but I'm just wondering whether there have been any studies done inside the Land Titles Office to determine which areas are returning a profit and which areas are being operated at a loss. I'm thinking specifically of, for instance, the General Register.

**MR. MERCIER:** Mr. Chairman, it's I think difficult to say which. There was a recent report by the Law Reform Commission on the General Register. I suppose that activity itself is not a profit-making process and there's a great deal of work done by Land Titles Office personnel in searching names, etc., on transfers of land and registration of mortgages. So I would think that area of the General Register is not a profit-making part of the Land Titles Office function but just thinking quickly and off the top of my head I can't think of another area of the Land Titles Office process that's not profitable.

**MR. SCHROEDER:** I would want the Minister to know that I think in general the public out there that deals with the Land Titles Offices in the province are quite happy with the service and I believe it's being performed quite well by the staff. That General Register area is an area that generates great anger by people who go to lawyers and are told, "You must swear this affidavit saying that you're not the John Smith who was on welfare in Brandon or Winnipeg or what have you". People become extremely angry with the system when they are confronted with the notion that they have to prove they are not some person named in some document. I know this system has gone on a lot longer than the Attorney-General has been Attorney-General but it's an area that I would hope he would look at for the future.

One other area I would like to ask some questions about is that of staff. I believe some of the senior staff has left in the past year. I'm wondering whether there's any difficulty; I understand one man moved to Alberta; has he been replaced or if you have any general comments on that?

**MR. MERCIER:** Mr. Chairman, a long-time public servant Mr. Lamont, the Registrar-General moved to Alberta. He has been recently replaced by Mr. Mac Colquhoun, who was in the Boissevain Land Titles Office who has become Registrar General. Mr. Evans remains as a deputy. There have just very recently been some changes in district registrars outside of the city to accommodate Mr. Calhoun's moving to

Winnipeg. A new registrar has been appointed in Boissevain, Portage and Neepawa.

**MR. SCHROEDER:** As I'm sure the Minister is well aware there are certain periods of the year when the Land Titles Office becomes a rather hectic place and the ends of the months of April, May, June, July and August especially are times when it takes a good deal of time sometimes to get transfers and mortgages through the Land Titles Office.

There's a new problem developed this year, not with the Land Titles Office, but with the banks who are contacting people who have obtained commitments on mortgage funds. The banks are telling people that if you don't get your money actually paid out by two or three weeks after possession date then their commitment is void. A number of the chartered banks are doing this, I suppose because of the rapid increases in the interest rates, but it is making it that much more difficult when you have several weeks of backlog and you don't have that right now at the Land Titles Office. I was there today and they were signing documents which were registered on April the 28th, which is excellent, although the majority of the registrations for month end will have come in after that date. But very often including last year it gets to a point where you have more than two weeks spent in the turnaround in the Land Titles Office during the summertime. I would suggest that if you have these kinds of problems from the chartered banks then we are going to be putting people who are after all paying good money to the Land Titles Office for performing the service into a position where some of them may wind up not being able to get their money because of the time taken. I would hope that the Minister would consider doing whatever is necessary in terms of staffing to ensure that the summer rush is met possibly in a little more efficient manner than it has been in the past.

**MR. MERCIER:** Mr. Chairman, I wasn't aware of this approach by some banks. Certainly I don't believe it's been advised and it hasn't been necessary to use overtime so far but, of course, if it comes to a situation where the signing of titles gets too far behind then we'd have to do something like that in order to keep up to date.

**MR. DEPUTY CHAIRMAN:** 4.(a) — pass; 4.(b) — pass. Resolution 19, resolved that there be granted to Her Majesty a sum not exceeding \$3,361,500 for the Attorney-General, Land Titles Offices — pass.

Resolution 20, Law Courts, 5.(a) Courts Administration, 5.(a)(1) Salaries — the Member for Rossmere.

**MR. SCHROEDER:** Thank you, Mr. Chairman. I'm just wondering whether the Minister could give us a breakdown of the increases in court fees which have been put into effect between October of 1977 and today — I'm talking about Statements of Claim — all of the various court fees that come along; Petitions for Divorce, Applications for Separation, that type of thing.

**MR. DEPUTY CHAIRMAN, Len Domino:** The Attorney-General.

**MR. MERCIER:** Mr. Chairman, as I recollect, those were handled by Order-in-Council some time ago

and those I could undertake to send the Member for Rossmere, a copy of that Order-in-Council which approved the increases in court filing fees that did take place.

**MR. SCHROEDER:** Were all of the court filing fees increased at one time? Is this just one Order-in-Council or has this been done several times?

**MR. MERCIER:** Mr. Chairman, as I recollect it was only done one time and I think it was about three years ago. Now there might be separate orders that would relate to the Court of Appeal, County Court, Surrogate Court, etc. I think they were all generally done at one time.

**MR. SCHROEDER:** Again to the Minister, does that Order-in-Council or those Orders-in-Council indicate what the previous fees were?

**MR. MERCIER:** Mr. Chairman, I don't think so.

**MR. SCHROEDER:** Could the Minister advise as to the amount of revenue collected by the various courts in all of the fees charged other than fines?

**MR. MERCIER:** Mr. Chairman, it would appear that, if we're talking about revenue from Court of Appeal, Queen's Bench, County Court and Surrogate Court, estimated revenue in the fiscal year, 1981-82, is estimated at \$1,787,500.00.

**MR. DEPUTY CHAIRMAN:** 5.(a) — pass; (1) — pass; (2) — pass; (a) — pass; (b)(1) Salaries — the Member for Logan.

**MR. WILLIAM JENKINS:** Thank you, Mr. Chairman. The amount here for Salaries, does this include the judges of the Court of Queen's Bench, the County Courts, the Surrogate Court, or are they covered under federal and are these costs we have here for Salaries just for the staff of the various courts?

**MR. MERCIER:** Mr. Chairman, the salaries of federally-appointed judges in the Court of Appeal, Court of Queen's Bench and County Court, are paid for by the Federal Government with the one exception that the province pays. I think it's \$3,000 to County Court judges for their work in the Surrogate Court.

Mr. Chairman, while we're on this item dealing with the Queen's Bench and County Courts, perhaps I could take a few moments of the member's time to indicate an action that I've taken with respect in this area. Mr. Chairman, the issue of merger of the Manitoba's County Court with the Court of Queen's Bench has been an area of discussion for the Law Society of Manitoba, the Manitoba Branch of the Canadian Bar Association and for my department for some time. Similar mergers of courts have already been accomplished in Alberta, New Brunswick and I understand that the merger of the courts in Saskatchewan is scheduled to take effect July 1, 1981.

Approximately one year ago I was advised that the Law Society of Manitoba in conjunction with the Manitoba Branch of the Canadian Bar Association were undertaking a study with respect to this issue. At that time I referred to the then president several

questions regarding possible reforms to ensure satisfactory court services to all regions of the province. My understanding is that work on this study did not progress and this past February I received a resolution from the Manitoba Branch of the Canadian Bar Association urging the appointment of a committee to examine and consider all ramifications involved in implementing such a merger. After discussion with officials of the Bar Association, I've just very recently referred this matter as well as some related issues to Manitoba's Law Reform Commission. I've asked the Commission to give this matter high priority and without limiting their study of the proposed merger I've asked them to consider the following matters:

(1) Any reforms considered necessary to ensure speedy in expense of adjudication of claims which have historically been the purpose of establishing a County Court and how this objective can be accomplished by a single trial court system;

(2) Any recommendations with respect of the apparent increase in recent years of the flow of jurisdiction to special tribunals and away from the courts and whether such jurisdiction should be returned to the courts generally or in specific areas and the relationship of any such proposed reform to the recommended single trial court system;

(3) Any other suggestions or recommendations in respect of the jurisdictional operations or structure of the trial courts to improve the administration of justice in this province.

I just thought it appropriate, Mr. Chairman, while we're at this point in the Estimates to indicate that I have referred this question to the Law Reform Commission for inquiry, review, study and report in recommendation.

**MR. JENKINS:** I thank the Minister for that information and the other information that he gave. Then I am to understand that the remainder of the costs, except for those of the judges of the County Court or court officials other than judges and general . . . Fine, thank you.

**MR. DEPUTY CHAIRMAN:** The Member for Elmwood.

**MR. RUSSELL DOERN:** Mr. Chairman, I wonder if this is the area where we might briefly discuss with the Minister the proposed renovation of the Law Courts Building. I wonder if the Minister could give us a report as to what is actually happening in that particular project, whether there is anything taking place or whether there will be little action until the new building is completed.

**MR. MERCIER:** Mr. Chairman, as I understand it, architects who were appointed by the Minister of Government Services have been working for some time in consultation with the Users Committee composed of some judges, court officials, the Law Society, etc., that the plans are very shortly to be ready for approval by Cabinet. This relates to the new Provincial Judges Building to be constructed north of the existing Law Courts Building and then this whole program would involve renovations in the existing Law Courts Building and quite possibly some renovations to the building formerly used as the Land Titles Office.

**MR. DOERN:** My question is, at this point in time is there no further construction taking place in the existing Law Courts Building? For example, I recall that in about 1977 there were I think several hundred thousand dollars allocated. There were supposed to be new elevators going in and certain improvements. Obviously, others cannot take place until the new building is constructed but in terms of the existing Law Courts I assume that those plans perhaps were approved several years ago by the previous administration and also by the Lyon administration. Now, I'd like to ask the Minister, first of all, whether anything is taking place and I'd also like to ask him whether there have been some further revisions in those plans that were approved by probably the two administrations a couple of years.

**MR. MERCIER:** Mr. Chairman, I think the difficulty — I don't refer to it as a difficulty — but there has been a change in plans since the previous administration. We now have a new Provincial Judges Court Building to be built north of the existing Law Courts Building with a connection. There will be some proposed plans for renovations to our former Land Titles Office to perhaps build judges' offices in that building with a connection, so there has been a change in plans. The elevator was constructed I believe as soon as the overall plans had come forth from the Minister of Government Services. When they are approved that will then be in a position to proceed with the construction of the new Provincial Judges Building with renovations to the Land Titles Office and concurrently then, knowing what the overall plan is with renovations to the existing Law Courts Building.

**MR. DOERN:** So, the Minister is telling us then that in spite of two or three years of planning with the Schreyer administration and now some three-and-a-half years of your administration, it's about six years of the judges and the Government Services Department getting together; there is very little occurring and it may not be a year or two — now it sounds like a seven- or eight-year project before some real activity will take place in the existing Law Courts.

**MR. MERCIER:** Well, Mr. Chairman, quite to the contrary. We have already had an operation I guess for at least a year, not a brand new, but a renovated and as good as new Provincial Judges Court Building on Broadway Avenue, 373 Broadway Avenue, at very reasonable cost, with I believe some 10 or 11 court rooms operating for one year. And as we say, we have an overall plan that I think has been well received in that when the new Provincial Judges Court Building is constructed and we have money in the Budget for the construction to start this fall for that project, that we would then be moving the provincial judges from Broadway Avenue into the new Provincial Judges Court Building north of the Law Courts Building and then consolidating juvenile and family courts in the building on Broadway Avenue. I'm sure the Member for Elmwood will be well aware of the dilapidated state of juvenile and family court facilities at Fort Osborne Barracks as well as the fact that it's been a very inconvenient location and when I say that I don't mean so much for lawyers, although it is for many of them, but

inconvenient for the users of that court facility for women who have to attend there and for juveniles.

**MR. DOERN:** Mr. Chairman, I say to the Minister that although there have been some activity that the fundamental problems in that building still exist, I assume that they are the same as they were six or seven years ago, namely the acoustics are poor, almost as bad as in this Chamber, that the air supply is very poor — there is very little air circulation or air cooling in the existing building — that the lighting is poor and that many other improvements are necessary and I don't know to what extent they will be affected by the construction of a new building. I think some of those projects probably could have taken place or should have taken place in the meantime.

Mr. Chairman, I'd also like to ask the Minister in general under this area about the future of the Vaughan Street Detention Home that was to have been demolished 10 or 20 years ago. I don't know if the Minister has any responsibility there or if that's entirely under Corrections.

**MR. MERCIER:** Mr. Chairman, that really is entirely under Corrections but certainly one can't ignore the need for a new facility and in the overall planning in which I have been involved in a new Provincial Judges Court Building. I think there is some provision for a new facility that might be located in that general area.

While I'm on my feet, Mr. Chairman, I have to correct a previous statement. My information that I have is that on the Law Courts Building there is somewhere in the vicinity of \$100,000 budgeted for this coming fiscal year relative to the cleaning up the vaults in the basement, judges lounge and library and renovations to court rooms.

**MR. DOERN:** Mr. Speaker, I'd also like to ask the Minister something that I raised with the Minister of Government Services I guess about a month or two ago on the status of the correctional institute at The Pas. Now maybe again we're talking Corrections here. We had The Pas Court House and Jail so at least some of that is under your department. There was a lawsuit because of, first of all, the delay after tenders were indicated and then there was a redesign and then there was a \$700,000 lawsuit by the Foundation company and the last time we discussed this it was still be decided. I think I raised this with the Minister of Government Services and probably the Minister of Corrections and neither of them supplied any answers. I assume that the lawsuit has now been decided one way or another. It looked as if there was going to be an out-of-court settlement. I don't know whether that occurred but about a month or so ago there was talk of an out-of-court settlement and I wonder whether the Minister can indicate whether that has been decided and what the amount of the settlement was, if there has been one.

**MR. MERCIER:** Mr. Chairman, I believe there has been a settlement. I believe the settlement was about \$115,000.00.

**MR. SCHROEDER:** Mr. Chairman, I believe several weeks ago the Minister was answering some

questions from the Member for St. Johns dealing with a court case currently before the Supreme Court of Canada regarding family custody orders. Can the Minister make any report as to progress? Has a decision been handed down by the Supreme Court?

**MR. MERCIER:** I take it, Mr. Chairman, the Member for Rossmere is referring to the Paul Glass case from the British Columbia Court of Appeal. There has been no decision yet.

**MR. SCHROEDER:** That case and of course it's only speculation as to the conclusion but if that case were to conclude that those orders as to custody made by provincial court judges were ultra vires, I'm just wondering whether the Minister has thought about what he would plan to do with the provincial judge's court family division after that and of course whether there are any plans with respect to the matter of possible open custody because if those . . .

**MR. DEPUTY CHAIRMAN:** Order. Now, I'm new at this job but it seems to me that we are now talking about Provincial Judges Court which is 5(c). Maybe you could let me pass 5(b) and we could go to 5(c) and you'd be on topic.

**MR. SCHROEDER:** I thought we were on 5(c).

**MR. DEPUTY CHAIRMAN:** I'm sorry.

**MR. SCHROEDER:** He was talking about the Provincial Judges Building.

**MR. DEPUTY CHAIRMAN:** How about if we go 5(b)(1) — pass; 5(b)(2) — pass; (b) — pass; and now we are on (c).

**MR. SCHROEDER:** Thank you, Mr. Chairman. I understand that there would be some thousands of custody orders that might be declared ultra vires. Of those I don't image that there would be more than several hundred or probably even less, where there would be any real dispute anyway, but does the Attorney-General have any kind of contingency plan in the event that decision is made by the Supreme Court?

**MR. MERCIER:** Mr. Chairman, the argument has been made that even if it is ruled by the Supreme Court that the Family Court Judges did not have jurisdiction, there is some law to the effect that, at least it's been argued that notwithstanding the lack of jurisdiction, the orders have been made and they are binding. I will have to wait to see what the actual judgement is before we can conclude that those custody orders that may be affected are actually open. If in fact they were null and void and this is a very hypothetical argument of course because we don't have the judgment yet, then there would only be I suppose a small percentage of the outstanding orders where custody was really still in dispute, perhaps the freshest cases may be within a year, a year or two, or three years. Taken under those circumstances the party solicitors would have to act with some, probably want to act with some speed to attain a valid custody order. I suppose the fact that there was an order, although be it null and void hypothetically, the courts would give certainly

perhaps in the first inference, perhaps even for for an interim customary order, some credibility to those existing orders.

With respect to what would happen to the Provincial Judges Family Court Provision in the event that happened, there are a number of possible courses of action that have to be considered. Firstly, we have looked at the work load in the Family Court and family court judges at the present time have a high percentage of their work with respect to Child Welfare Act, with respect to juvenile matters, with respect to maintenance which is not affected, and it's the opinion that we have in the department that they would still have a pretty heavy work load in the fields which would remain.

Now at the same time certainly some consideration would have to be given to asking the Federal Minister of Justice to appoint them federally in order to give them the authority to deal with those matters which might be ruled out of their jurisdiction.

The third possibility and this is in the current state of discussions pretty remote but a number of provinces including ourselves have discussed the possibility of a constitutional amendment. It might be a case where you might get unanimity. Mr. Chairman, it was discussed before and I think discussed during the summer frankly and I don't believe there is any great opposition to it but an amendment that would give provincial judges authority to deal with all aspects of family law.

**MR. SCHROEDER:** Mr. Chairman, as I recall previous conversations the position of the Minister and that of the Opposition with respect to the jurisdiction of or with respect to what should be the jurisdiction of Family Court judges is probably identical. I don't think we disagree in any way.

There is, however, one other matter that I think the Attorney-General could consider regarding this particular court case and that is that if the Supreme Court ruling is against us he might consider tapping into that computer of his or of the Family Courts which lists practically all, I believe, of the cases and the orders because practically all of the orders are now payable through the Family Court and at least those people could be notified of what has just happened. I'm sure it wouldn't be that difficult a matter to notify people of the court decision and also to suggest to them that they immediately consider seeking some kind of order which would protect them if they feel it's necessary. It seems to me it would be a very inexpensive way of at least starting things off and I would certainly agree that it would seem that in circumstances where there has been a custody determination made by the Provincial Court judge, even if it turns out to be void, I am sure that an interim order made ex parte would at least hold the custody through a County Court or Queen's Bench judge until it could be confirmed at a later date. I would hope that the department would consider doing something like that.

**MR. MERCIER:** Mr. Chairman, I appreciate the point and the concern of the Member for Rossmere. I think people right across Canada involved in Family Law have some serious concerns about the implications of an adverse court decision in this matter. I indicated at the beginning the point is being made and the position taken, that those orders should not

be declared null and void; that they should still be considered valid. If indeed they are declared null and void, then there's going to have to be some unusual response to that kind of a situation. I can assure the member that it's something on which people right across Canada are concerned and have been consulting and we'll have to await this actual decision.

**MR. SCHROEDER:** Could the Minister indicate the staff man years from the previous year and into the next? Have you increased the staff man years in the Provincial Judges Court?

**MR. MERCIER:** Yes, Mr. Chairman, there are an increase of 4.26 staff man years, 3.26 being clerks in the Maintenance Enforcement Program and one position for holiday relief.

**MR. DEPUTY CHAIRMAN:** (1) — pass; (2) — pass; (c) — pass.

**MR. DOERN:** Mr. Chairman, there's a couple of questions here and then I think we'll probably make a bit of progress here. Could the Minister indicate what provision is going to be made for parking in the new court building? I see a real problem in the sense that there are several hundred vehicles now on surface parking in that facility. Unless there's some provision made for several hundred vehicles, I think there's going to be considerable congestion in the legislative core area. So I ask the Minister what's he going to do during construction, in terms of trying to provide space, and then what's he going to do when the building has been completed for all these hundreds of vehicles that are there right now?

**MR. MERCIER:** Mr. Chairman, I appreciate the concern expressed by the Member for Elmwood for parking. Parking has been a problem in this vicinity and in the vicinity of the Law Courts Building for some time. The Department of Government Services are conducting a study of the long-term parking requirements in this area and there's a possibility of using the old garage for parking facilities, or using that property. I sympathize with the Member for Elmwood, I've expressed the same concern to successive Ministers of Government Services and they do have this long-term study of parking requirements on. I can assure him that I will urge the Minister of Government Services to attempt to deal with that parking problem in the area.

**MR. DOERN:** I conclude from what the Minister said that he doesn't have any answer. I ask him whether any consideration was given to proceeding with that parking structure south of the Convention Centre whether it is planned for a large parking structure, whether the government has considered that; or whether none of those options are closed at this point in time.

**MR. MERCIER:** Mr. Chairman, that's a question which really would be more appropriately put to the Minister of Government Services. I can only say I don't think any option should be closed in that area to deal with the parking problem.

**MR. DOERN:** Mr. Chairman, in discussion with the Attorney-General and inspired by the other

committee which we just finished, I think we're prepared to let a number of items go up to Resolution 23 and then if we stop there we can resume our discussion tomorrow at 24. There may be a few questions along the way; essentially we're prepared to let things go.

**MR. DEPUTY CHAIRMAN:** (1) — pass; (2) — pass; (c) — pass; (d) Salaries (1) — pass; (2) — pass; (d) — pass; (e) Salaries.

The Member for Rossmere.

**MR. SCHROEDER:** Thank you, Mr. Chairman. On this item, Sheriffs and Bailiffs, I want to make several comments. There seems to be a bit of a problem in Winnipeg, I don't know about the rest of the province, but in Winnipeg, in getting process servers. For instance, this morning I went through the whole list of bailiffs and process servers, including the government department on the fourth floor of the Woodsworth Building and couldn't get anybody to deliver a subpoena for court for today. I had some interesting responses to phone calls. A lot of the places were closed down. There was one at 206 Maryland — Simpson, Bailiff; You-Grab-'Em, Bailiff or whatever. They had about four different names, four different telephone numbers but when you rang any one of the numbers you had the same sunshiny voice answering with a gruff, "Yeah". None of them provided the service. Now of course it's not up to the Attorney-General to tell these people how to run their business but it seems to me that if there are not adequate services available in the private sector you might consider making sure that when people come to the government department for those services that people might be made available. I wonder if he has any comments on that?

**MR. CHAIRMAN:** (1) — pass.  
The Attorney-General.

**MR. MERCIER:** Mr. Chairman, we have added two Sheriff's officers in the Budget this year. I have never received a complaint like that in three-and-a-half years. I wonder if the fact that the Assizes were opening today might have had some influence on the availability of Sheriffs from our office; I would think it would, Mr. Chairman.

**MR. SCHROEDER:** There were also apparently several foreclosure sales going on and I believe that probably occupied some of the bailiffs so maybe once we get some changes in the economic situation that might improve the availability of these people.

**MR. MERCIER:** Mr. Chairman, I believe the increase in activity in the Land Titles Office; the increase in revenue in the number of titles being issued; the upswing in the real estate market; the tremendous increase in house sales obviously indicates a much improved economy in this province and I'm sure that will increase the availability of Sheriff's officers.

**MR. SCHROEDER:** The Minister has referred to those increases and I've heard other members of the government refer to them. I would point out that one could say, "Compared to what?" Compared to last year which was the most dismal year in our recorded history the improvement of this year of some 700

units or something like that is, I suppose, an improvement. The fact that people are selling and buying houses doesn't necessarily mean that the economy is improving. In fact I know of at least several people who sold houses at the end of last month, who sold their houses because their mortgages were coming due and they didn't have the funds with which to continue to make further payments at the high new exorbitant interest rates which they would be charged if they were to renew their mortgages. So those types of figures that the Minister quoted are not figures that necessarily indicate an improved economy.

**MR. CHAIRMAN:** (e)(1) — pass; (2) — pass; (e) — pass; (f) Salaries (1) — pass; (2) — pass; (f) — pass; (g) Salaries (1) — pass; (2) — pass; (g) — pass; Resolution 20 — pass.

Resolved that there be granted to Her Majesty a sum not exceeding \$12,371,800 for the Attorney-General. Resolution 20 — pass.

6.(a) Salaries — the Member for Logan.

**MR. JENKINS:** Thank you, Mr. Chairman, just briefly on this item. The Member for St. Johns had asked me if I would raise the question with the Minister. Has any thought been given to transferring this department of the Attorney-General's Department to the Legislature, rather than having the Legislative Counsel exclusively under the Attorney-General's Department has there been any thought of having this department under and working for the Legislature?

If the Minister is not prepared to consider that idea, I want to throw another idea out to him that perhaps there should be Legislative Counsel available for private members, since last year we had quite a number of government bills on the Order Paper and it was difficult for private members to get legislation prepared. I know this doesn't happen every year but there are some years that the calendar of the Legislature is much heavier with government bills with the result that private members — and that applies to both sides of the House, private members on the government side and on the Opposition — trying to get their bills prepared and into the hopper for discussion in this House. If the Minister is not prepared to recommend that the control of this revert to the Legislature, then would be prepared to see that there would be perhaps legislative counsel during the time that the House is going to be in Session and now that we have passed new methods of remuneration for the members, I imagine that we are looking in the future, and what I am looking at in the future is that we are not going to be sitting in the House in the form or the time frames that we have been sitting in the past. It is quite possible that we will have a spring and fall session and with discussions or hearings on bills between the time that the spring session is held and the fall session where hearings can be held on bills.

So it would be to the advantage of having these bills prepared so that they could then be farmed out to the various committees that would hear them during the recess, because I imagine we won't have — that is my own anticipation of the legislation or the changes in the legislation that we made this year, which I think is a good idea. I am not knocking the idea, I think it's . . . We're one of the last

legislatures, I think, in the country that are operating on the old system of a complete Session where we start at some time of the year, either prior to the end of the year, but in most cases it's been early in the new year and going until we wind up the business either May, June, July, sometimes even into August. I think that isn't a good way of conducting the affairs of the Province of Manitoba. I think the Attorney-General will agree with me. I don't think there's any great argument on that, but if we are going to have that type of set-up in the future, then I think for private members there should be some set-up whereby they will have access to legal counsel for drafting of bills and what not that would look after their affairs.

**MR. MERCIER:** Mr. Chairman, I think because of the statutory responsibilities of any Attorney-General, I don't think any Attorney-General would want to have Legislative Counsel transferred out of this department but at the same time I recognize the concerns expressed by the Member for Logan, Mr. Chairman. I think there has been, Mr. Tallin, and others in his office, who have had a very heavy work load. I cite for example the Committee on Statutory Orders and Regulations, I think, met two years ago, two years or three years ago, and we asked Mr. Tallin and his department to update the regulations at least since 1977, I think, beginning then, and they've been unable to carry out that work. I recognize there is a growing number of private members' bills even, so I think, Mr. Chairman, it is not in the Estimates this year, but I would like to attempt during this fiscal year to add to Legislative Counsel at least one more lawyer who could undertake this work on the regulations. It should be done, and to be perhaps available directly as one individual in Legislative Counsel's office to private members so that their requests can be dealt with in a quicker manner than it is presently being dealt with and we may very well see that there be other additions to staff needed in this department. But I think there is, as the Member for Logan points out, a need to expand this particular area to serve the Committee on Statutory Orders and Regulations and to serve private members.

**MR. DEPUTY CHAIRMAN:** (a) — pass; (b) — pass; 6. pass. Resolution No. 21 — pass. Resolved that there be granted to Her Majesty a sum not exceeding, \$282,200 for the Attorney-General.

7. the Member for Logan.

**MR. JENKINS:** Yes, thank you, Mr. Chairman. I don't know whether it's an act of providence or what but we were discussing this, I believe, this afternoon in Private Members' Hour, and I think that the Attorney-General at that time, when the House rose, was in the position that he was going to speak.

The only question that I want to raise here with the Attorney-General is this, that since we are in the process of negotiating and I don't expect the Minister to tip his hand how much by putting it in the Estimates, but in the eventuality that we are not able to conclude what the Minister considers as satisfactory resolve of the dispute between the eight provinces and the Federal Government and we have to settle nearer to what the Federal Justice Minister is asking for, which I believe is a figure of some — I

think according to the letter that the Attorney-General had in the paper — some \$8 million for this year alone, if I am not mistaken, where does the Minister expect to get this money? Is he going to operate by Special Warrants or just how are we going to determine, and is there a time limit that's been set by the Federal Minister for a resolution of this dispute between the Attorney-General and the Federal Justice Department?

**MR. MERCIER:** Mr. Chairman, I suppose this subject could be discussed for some lengthy period of time, but just let me try to put the history of this into perspective. Firstly, when the contract which expired on March 31st of this year was negotiated, my understanding is that the negotiations went on for some time after the previous contract expired, that it was somewhere in the order of a year before the contract which was expired agreed to. The situation is not unusual on the basis of what has happened in negotiations on previous RCMP contracts.

I will try to be as factual as possible and not try to be political, Mr. Chairman, but the fact is that the Solicitor General of Canada announced his proposal a matter of days after the conclusion of the September First Ministers' Conference on the Constitution. We are given to understand that their position had been formulated sometime prior to that constitutional conference but their strategy was not to release this information until the conference was over. He did so in, I believe, it was early October of 1980. The provinces had been asking for at least six months for an indication of what the Federal Government's position was.

After the Federal Government announced their position the provinces got together and prepared a number of questions that had to be asked about the Federal Government proposal and those questions were asked of the Federal Government and some answers were given. The provinces then met. We put together a provincial position and we sent it to the Federal Government. That was extending into, I believe, January of 1981. The Federal Government have responded with their further position in response to the provincial position. We are still asking some questions and we are in the process of putting together a provincial response in regard to the federal position. I expect that we will be meeting with the Solicitor General over the course of the next month or so. There is a meeting scheduled in June of Attorneys-General and provincial Solicitors General with the Federal Minister of Justice and the Federal Solicitor General on a whole range of outstanding justice matters that have been left by the wayside for the last couple of years while the constitutional discussions have gone on. It may be that we won't be able to meet until then.

One of the bases upon which the provincial position is taken is the statement in writing by the former Solicitor General, Mr. Allmand, when the contract which was just expired was negotiated, in which he said the benefits under the cost-sharing arrangements that have just concluded, represent the fair and equitable division of benefits to the federal, provincial, and municipal governments involved. And we have been asking the Federal Government what has changed in the way of benefits to one of the parties. We have not really received

any evidence of any changes. One must wonder whether these negotiations are tied in with the discussions that relate to the Constitution, energy, Federal-Provincial fiscal arrangements which are coming up for discussion, and they certainly can't be considered to be out of the context of all of those discussions. We feel very strongly that the provinces have a good position. We want to see the RCMP continued as a national institution. We think it's important for the country, probably one of the very few unifying institutions this country now has. We think there is considerable benefit to the Federal policing function that is derived from the provincial force and I think there is a great deal of benefit in the training function, in research, etc., to both parties, and I'm hopeful that we will be able to conclude an agreement that is fair and equitable to the provinces and the municipalities within this province.

I have met with the municipalities in this province and have talked to them about it. They understand the problem we are having. I have asked them to budget, based on the existing cost-sharing arrangement plus an inflationary increase. I think it's premature and poor bargaining for us to indicate at this stage what our position would be vis-a-vis the municipalities based upon a settlement that hasn't been concluded yet. I have assured them that we will treat them as fairly as we possibly can. They're in a difficult situation now. We have attempted from the very beginning of these discussions to carry forward the concerns that municipalities have expressed to me for the last two or three years, both while I was the Minister of Municipal Affairs and in this position. We are trying to incorporate those concerns into an agreement.

**MR. JENKINS:** Mr. Chairman, I thank the Minister for that statement and I am glad to hear that the Minister doesn't anticipate that as was said, I believe, some time ago, maybe in the last month or six weeks, that there was eminence of an immediate cut-off of services of the RCMP, and I think that was a . . . If the Federal Solicitor General was using that type of a tactic, now I'm not sure what we read in the press is always correct or incorrect, we are never always sure, but all I can say is if that was the tactic that he was using it was a most despicable one because I think that was trying to put pressure on the provinces that was uncalled for, because I think we are all in agreement that it is much better not only for the fact that the force is a well-known force, it's been able to maintain law and order well in the provinces that it has served. But it has also been to the benefit of the provinces that have used it because it has been much more economical for us, as a province who have the use or the rental of that police force, rather than setting up a police force of our own, which we've had to have a police college, various other setups that are required. I sincerely hope that our negotiations and the Minister, the Attorney-General, is successful in completing a successful agreement with the present government. I quite agree with him that it's as we were saying this afternoon, it's all part and parcel of the whole argument that is going on today in this country and I think that it is, it's a good unifying force and it has served the people of Manitoba well.

I believe at one time we did have a provincial police force in this province, years and years ago,

and when the R.C.M.P. took over those people were integrated into the present force and I would not like to see us go back to those days because I think we've had good service out of the R.C.M.P. I don't want anyone to misconstrue anything I said this afternoon that I was dissatisfied with the service that the Royal Canadian Mounted Police have rendered as a police service to this province; I think their work has been of the highest calibre. I just wish the Minister well and I quite agree, I don't want to see him putting amounts of money in here. All I want to know is that if he has to get money that he has some means of getting that money.

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

**MR. MERCIER:** Well, Mr. Chairman, in preparation of the Estimates it was made clear to the Finance Minister that no doubt there is going to be an increase in this figure, probably during the course of this year, at least an inflationary increase and perhaps even more, depending upon what the contract is that is concluded; he's aware of that and that money will have to be raised, I suppose, by way of Supplementary Supply or Special Warrant.

**MR. DEPUTY CHAIRMAN:** The Member for Rossmere.

**MR. SCHROEDER:** Mr. Chairman, I just want to say that I don't want my silence on this issue to be misconstrued to the effect that I don't have an opinion on it. I spoke on this matter during the Private Members' Hour several weeks ago and I would just say that anyone who is interested in what I said can just pick that up.

**MR. DEPUTY CHAIRMAN:** Resolution 22 — pass.  
Resolved that there be granted to Her Majesty a sum not exceeding \$15,957,100 for Attorney-General. Resolution 22 — pass.  
8.(a) — Salaries — pass; (b) — pass; 8 — pass;  
Resolved that there be granted to Her Majesty a sum not exceeding \$1,117,000 for Attorney-General. Resolution 23 — pass.  
Committee rise.