

LEGISLATIVE ASSEMBLY OF MANITOBA
Thursday, 19 February, 1981

Time — 8:00 p.m.

CONCURRENT COMMITTEES OF SUPPLY
SUPPLY — LABOUR AND MANPOWER

MR. CHAIRMAN, Morris McGregor (Virden): I call the Committee to order. We're on page 84, Labour and Manpower 1.(b)(1) — The Honourable Minister.

HON. KEN MacMASTER (Thompson): Mr. Chairman, I promised the Member for Churchill a copy of the speech. It was a typographical error, the 303, we have penciled and corrected the error. It's 313 plus the 1.

MR. CHAIRMAN: 1. The Member for Churchill.

MR. JAY COWAN: Yes, I know the Member for Inkster is not here right at the moment. He may be coming in later. I'm just wondering if the Minister wanted to hold his answer to his questions until he got here. The Minister indicates yes, so perhaps we can go on to some of the matters which we normally discuss under this particular allocation.

Perhaps I'll pass and allow the Member for Logan to proceed with some specifics and pick up the speaking order after that.

MR. CHAIRMAN: The Member for Logan.

MR. WILLIAM JENKINS: Thank you, Mr. Chairman. Mr. Chairman, first I would like to ask the Minister just under what section, I believe it's under here that we discuss Workers Compensation or where do we, because I don't see any specific item in the Estimates anywhere and I just wondered if the Minister could tell me just where we discuss that?

MR. MacMASTER: That's a bit of a debate among ourselves. If it's okay with the committee, I'm quite prepared to talk about it now or under Minister's Salary. It's a responsibility that I hold. It's not earmarked as a division within the estimates, so let her go anytime now or at a later date, if you want to prepare questions.

MR. JENKINS: A later time then, Mr. Chairman.

MR. MacMASTER: Okay, that's fine.

MR. JENKINS: I want to pick up on the point that the Member for St. Johns was raising with the Minister this afternoon. Since the Minister is the administrator of quite a number of Acts here, I don't intend to read them all out, but the Minister, this afternoon, was saying that policy developed for the administration of these Acts were, if I understand him correctly, the responsibility of the various sections or whatever you want to call the portions of his portfolio.

Now, can the Minister elaborate how the policy is developed for the administration of these Acts? Is there certain responsibilities allocated to well, say fire prevention, or the Manitoba Labour Board or the Employment Standards Act or Labour Relations Act

and how is the policy evolved for the administration, since the Minister has said that there are different ways in which he interprets the policy. Are these policies developed by the various departments and then does the recommendation of how the Acts will be administered come to the Deputy Minister and in turn to the Minister for final decision on approval of the policy for the administration of the various Acts under his jurisdiction?

MR. MacMASTER: The Member for Logan has spelled it out reasonably clearly, keeping in mind that some Acts and some legislation are very specific to the duties of those that are assigned the titles of heading up that particular division and keeping in mind that some policies per se, an approach to dealing with a matter, has been in place by and large in some cases for many, many, many, many years.

And I'm not sure philosophically whether, well, I am sure that in a lot of cases, parties over the years, in different governments, haven't changed the approach to dealing with certain segments of legislation. That's why it's, I don't suppose nothing's impossible, but it's close to being impossible to give you a blanket statement. Because if I do, as we go through, you're going to say, well what's the policy in dealing with this particular division and how does the regulations and legislation apply and is there any variations and under what circumstances — everyone varies to a degree and that's really what I'm very openly and honestly trying to tell you and was trying to tell the Member for St. Johns.

MR. JENKINS: Thank you, Mr. Chairman.

MR. MacMASTER: . . . but by and large what the member has said is correct. Time has dictated. Time of previous governments and ours has dictated the most sensible method of dealing with certain situations. So time and practices has established a policy to a degree. Your departments and your divisions certainly are continuously looking at better ways, different ways, and bringing them forth up through the process, the exact process that the Member for Logan was talking about.

MR. JENKINS: Thank you, Mr. Chairman. Now that leads me then to the next question. Since the Minister has taken over this portfolio, has there been any change in the policy of administrating any of the Acts that he has under his jurisdiction? Has there been any radical change in the policy or is it, as he said, a time and practice system, mainly in place. What changes has the Minister made since he has taken over the portfolio?

MR. MacMASTER: I don't believe there have been any dramatic changes. Civil servants within, particularly the Department of Labour have been there, some of them, for many, many years. And I am blessed with the company of many, especially on the labour side who have a tremendous amount of experience, my Deputy Minister, for example, who has been right through the system from the bottom to the top. And I think by and large, you know, the

Department of Labour isn't the same as Economic Development, we'll say for example, because the Minister of Economic Development may have a philosophical approach to things, that maybe the previous administration didn't.

But when you've got a man, for example, like my Deputy Minister, who's been here many, many, many years, been part of the system, a Minister would be very foolish and I say this without any hesitation, would be very foolish to throw out his advice and his caution and his attitudes totally.

Now, during conversation, or through discussions with your Deputy, you may decide to approach a particular problem in a little different way. But by and large, the Department of Labour is somewhat unique in government circles, I believe, not just because I happen to be the Minister, but I really believe that. And I believe Ministers of Labour across the country would by and large say the same thing. So established practice that's worked well and reasonably for industry and labour within jurisdictions across this country is certainly — an awful lot of credit is given to that by any Minister of any particular political stripe in this country, I'm sure.

MR. JENKINS: Thank you, Mr. Chairman. I thank the Minister for that information. I just want to say a few words on administration here because of some of the items here that I will later on particularly have an interest in, and I will take a more active part in it. I think that my colleague, the Member for Churchill raised one this afternoon which I think is a topic that is very current nowadays, and that is the age of mandatory retirement. I realize that while the Minister has a certain responsibility in this area especially with the fact that he is also responsible for the Pension Commission here in Manitoba, I hope that the Minister will, as was brought out this afternoon, get to grips with this situation because it is one, and I want to tell my friend from Churchill that I'm not entirely opposed to some of his views but I have some differing points of view that I would — before I would see the age of mandatory retirement completely abolished that in order to protect pension plans that are in place there has to be some very serious decisions made.

For instance, many plans have a mandatory time of contribution. I know the railway unions which I belong to, after 35 years times two gives you 70 units. That puts you at a maximum of contribution to the plan and there is no further contribution. Now, I am sure the Minister is aware, is aware as I am and many other people, that people can reach that maximum long before the age of retirement. True, there is a policy in effect in places where early retirement without any cutback in the pension is in place, but if we allow people to work beyond the age of 65 there could be cases of people working 15 to 20 years without any contribution into a pension plan which would put a tremendous onus on those who are still below the number of units that would have to carry the plan, and so those are some of the views —(Interjection)— Pardon? —(Interjection)— This is quite true. As the Minister of Agriculture says, there is the contributions in the Canada Pension Plan. Once we start tinkering with the age of retirement, we certainly have to take a lot of other factors into consideration and I, for one, I want to say to the Minister and to my colleague, I can remember my

father retiring from the railway and he retired at the age of 65 but he was absolutely lost because that was his whole life. So we have to consider these factors. We have to consider what contributions, and I realize that some of our people at that age still have many good years of actual contribution that they can make to society, but we have to be very careful when we are studying this. It is something that is not going to go away, Mr. Chairman, through you to the Minister. We have already had cases before the courts and cases that have been heard and upheld by the Human Rights Commission.

But before we do that tinkering with the age of mandatory retirement, we have to have in place an awful lot of information, and it's not simply the fact that it is just this Minister we are dealing with now, but there are other Ministers who are involved and I think that the point that was brought out this afternoon, which is a good one, that it should be perhaps three or four Ministers who should be working in conjunction with each other, because it eventually will require some type of legislation. That is one aspect that we will discuss, I think, in greater length when we get to the section on the Pension Commission.

Another one that I would like to deal with a little bit later on when we get to it is fire prevention. I think it is something that has become of major concern to all of us, and I say to all of us, not only in Manitoba but in Canada and in North America. There has been of late seemingly almost an epidemic of hotel fires. We see two in Las Vegas, I think two in Toronto. We had a minor thing here in Manitoba. I would hope that the Minister and his staff would be looking very seriously at some of the building codes, some of the fire prevention and some of the fire warning systems that are in place in some of the hotels and motels, anyplace where the public is. That also, Mr. Chairman, applies to some of our high-rises that we have in our modern society of cliff dwellings that we seem to be evolving to, where many many people are living together in close proximity. Of course, the incidence of fire, in many cases, some cases, it has been proved that it has been arson, or there are allegations that there has been arson.

I would hope that the Minister and his staff would be seriously considering some form of inspection, some form of recommendation to upgrade the facilities in some of the hotels that we have in place — and it's not, you know, well enough to say well, because the building code when these hotels were built, say five or ten years ago didn't require these things to happen. Because the Minister has already taken some steps which I congratulate him for in some of the developments of housing that needed some changes.

There are also perhaps cases in apartment dwellings, hotels, places like that, that perhaps the same prompt action should be forthcoming from the Minister because we could have some very disastrous happenings, as has been proven already, the city of Las Vegas, I'm not making any charges, I'm just saying that I think that the Minister is, because it's his department — you know it's a bit of a misnomer, this department, the Minister of Labour and Manpower, but it includes many other facets of our whole fabric of life here in the Province of Manitoba, and the Minister is involved with many of

them. So that's another one, I hope that when we get to that, I would — what I am trying to do and hope that the Minister will take cognizance of, that when we get to these points, that's one of the points that I would like to discuss with him in perhaps greater detail than I have right now.

I still haven't forgot about the apprenticeship programs and women in the work force, but I wanted to point out those two items to the Minister, because they are particular concern to me at this time that we're looking at his departmental Estimates.

MR. MacMASTER: Just a quick comment, I spelled out some of the problems I have seen this afternoon dealing with age, the age of 65, that magic age and it's certainly not with any glee that I know the MFL's position, I know the Member for Churchill's position, which is contrary to the MFL. I have listened to the Member for Logan. I suppose we could circulate the opinions around quite a bit and come up with differing approaches to it, which is where we're at now. We are trying to get some good sensible, logical, rationale to deal with that particular problem.

On the fire thing, just a quick comment. The Member for Logan must always remember, as we all do, that regulations and laws are not going to, they can help, but they're not going to save sometimes the lives and fatalities and disasters that we have when society has some sick people running through it, doing some very unforgivable things. So if we just keep that in mind when we talk about the Fire Commissioner's office, that's something that we just can't forget.

MR. CHAIRMAN: The Member for Kildonan.

MR. PETER FOX: Mr. Chairman, I'm not certain whether this area was covered, but I understand we were discussing, in a general way, under administration, the fire aspects and I know that the Minister made a few comments, but I just would like to get my two cents worth in too, if he doesn't mind.

With the view of the experiences that have occurred in respect to hotels and highrises and I know we've been updating our standards in respect to what has to be placed in respect to new construction. Are we looking at any retrofitting in respect to other areas that have been constructed earlier when the code wasn't as strict as it is? Are we doing any research into that and are we learning from past experience, not only our own but others, because I think last year I mentioned the fact that we were having difficulties in respect to high rises. The ladders will only go so high; the pressure will only reach so far, and then of course we also had other areas of problem in respect to getting into some of these areas. Elevators were being used and I know we got around some of that by having special lock mechanisms put on elevators so the firefighters could get at it. But, are we looking at upgrading some of the standards which did not apply when these places were constructed?

MR. MacMASTER: We can get into some more detail on the Fire Commissioner's section, but the general answer is yes, yes it is being . . .

MR. CHAIRMAN: The Member for Churchill.

MR. COWAN: I suppose we should go through the statistics first before we get into some general

questions which normally flow as to which activities, boards and commissions that report directly to the Minister have taken. I would ask the Minister if he would be amiable to my running down a list of positions which were filled in the past, and he can just indicate if the numbers have stayed the same or if they have increased, and that would probably be the most efficient way to go through it.

Of course the Minister and Deputy Minister are one each. Executive assistant . . .

MR. MacMASTER: Two Assistant Deputy Ministers.

MR. COWAN: Two Assistant Deputy Ministers.

MR. MacMASTER: Would it expediate things if I read them out and you can compare them with your . . . One Deputy Minister, two Assistant Deputy-Ministers, one Director of Administration, two Executive Assistants, one new position this year — that's the one that I outlined before, an Assistant — no, pardon me, the Assistant to the Deputy Minister was there last year. A communications co-ordinator, consultant on the Status of Women, administrative secretary to the Minister, administrative secretary to the Deputy Minister, one investigator, and two new special projects officers, one chief of financial and administration services, one supervisor of accounting services, one administrative services officer, one supervisor of voucher accounting, four clerks in that same area; one administrative officer, one chief of personnel services, a personnel administrator, and three personnel payroll clerks within that same area; eight administrative secretaries, two clerk typists, one office manager; two administrative secretaries in Brandon; one administrative secretary in Thompson; one clerk typist, one term SMY for clerical assistance during peak periods. That's the 44 that we had last year.

MR. COWAN: According to my files on this, in 1978, and I'm sorry I don't have 1979 figures, but in 1978 and 1977 there were three clerical staff in Brandon. The Minister mentioned specifically two in Brandon. Does that mean one position has been removed from Brandon, or is that under a different area that I missed?

MR. MacMASTER: There are still three people in Brandon, two Administrative Secretaries, and one has been promoted to Office Manager.

MR. COWAN: Thank you. We had discussed very briefly Workers Compensation. I would ask the Minister if he can indicate when the Workers Compensation annual report will be available to us, because we will need that in order to fully discuss the matter during the Minister's Salary.

MR. MacMASTER: I am advised that we hope to have that report late next week and to save a question, the Cam MacLean Labour/Management Review Commission, that report I hope to be tabling in the House on Monday.

MR. COWAN: When speaking about Workers Compensation, I think it might be appropriate, while not to address ourselves to the general subject, to address ourselves to the specifics of the Workers

Compensation Review Committee, which I gather would report directly to the Minister, which we discussed under this same item last year. I would ask the Minister if he can provide us with an update as to when we can expect that report, as it is overdue, given the self-imposed timetable that the Minister had forwarded to us a year and a half ago and if he can indicate what action he will be taking once he has received that report.

MR. MacMASTER: Well, Ministers sometimes impose deadlines that they are very optimistic all people can concur with and then they sort of sweat and run around in circles when they don't get them. This is like other reports, I am sure.

I guess the answer to the problem, if there is a problem in getting that report down, is that I think if we checked the history books in the Province of Manitoba, there probably hasn't been a review like that — there might have been someplace, somewhere. There are three, I think, exceptionally good people on that committee and certainly I would have liked to have had it three or four months ago but I really believe, and it is just a part of me that if you give good people a job to do, then you can ask them to do it as quickly as possible, and the Opposition has witnessed several things where I have hoped it would be in by the following Thursday and it wasn't in for another week. But when you charge people with the responsibility of doing something, particularly with the three people involved in that review, I would rather not, at a future date, have any one of them ever say, well, if that damn Minister had just left us alone and given us another month or let us have one more hearing in Dauphin or given us time to research a little more, it might have been a better, more accurate report.

If the Member for Churchill is a little frustrated at not having it, I share that frustration; I think we all do. But I think they should be allowed to bring in a good report. I understand it is going to be a very comprehensive report, much exceeding what we thought would be the general guidelines. I know when they travelled throughout the province, before they left the question was posed, how defined; how tight do we contain people who are making presentations? My answer, and I say to you very frankly, was, let it go; we are out to find out what is going on in the field of compensation, what the problems are, so let it be and use your own good judgment as to how far you stretch the supposed terms of reference.

When do I expect it? I don't want to put another deadline but I would think it is going to be another month or month and a half.

MR. COWAN: The reason I ask the question at this time is I think it would probably be beneficial to us to have that report to review before in fact, we went into detailed Estimates on Workers Compensation. I am certain the Minister can appreciate that we do find ourselves sometimes in the position of not having all the research material available to us that we would like to have in order to ask the most comprehensive questions and to thereby be better able to determine the action which the government is taking, or the action which we think they should take.

So if we had that report before these Estimates were completed, then of course it would have been

of some real value to the Opposition. It appears as if that is not going to be the case.

I would ask the Minister if he can indicate at what stage that report is presently? I will be more specific in the question: Can the Minister indicate if that report has gone to the printers?

MR. MacMASTER: The last I heard, the report was — I don't know whether it was in the third stage or the second stage — it was in the final stage, I believe, and I am guessing — it was a week or 10 days ago, maybe it was last week — that they had had their final meeting to review the final draft and I knew that if the final draft was accepted by all parties, it was going to the printers.

MR. COWAN: The question specifically was: Does the Minister know, or can he report back to us at the next sitting of this committee, as to whether or not that final draft is in fact at the printers?

MR. MacMASTER: As far as we know, the final draft was approved, so I have to assume that it has gone to the printers.

MR. COWAN: Now, I don't want to put the Minister in the position of getting himself into a procedural problem, but I would ask the Minister if it might not be possible to get Xerox copies, advance copies, of that report so that we can review it before the Estimates are through so that we can have the opportunity to look through the materials and have some good, healthy and detailed discussion on where Workers Compensation will be going in this province over the next little period of time.

MR. MacMASTER: I can take that under consideration. I will get back to the member on that.

MR. COWAN: Thank you. I would appreciate that. I understand that is a lengthy report as well and may take some time to Xerox, but if you gave us one, I am certain that we could make certain that we were able to make copies available to all the members on our side.

I would ask the Minister what action he will be taking upon receipt of that report? Are we going to follow the same procedure that the Minister followed with the Wright Committee Report on the Health and Safety and Conditions in Manitoba's Metallic Industry, and that is the setting up of another committee for review and implementation, or does the Minister propose to act directly upon receipt of that report and to put into place those recommendations which he finds he is in agreement with?

MR. MacMASTER: Maybe the member has me at a disadvantage; he might know more about the report than I do. I would have to wait until I see the report. That is an honest answer as I can give him.

MR. COWAN: Then I'll be as honest back. I don't believe I know more about the report than the Minister does. I have not seen a copy of the report but I do understand that it is long, comprehensive, and should be before the printers.

But notwithstanding the details of the report, what we are talking about is a mechanism. Does the

Minister foresee being able to act immediately on some of the recommendations, those recommendations which he can get Cabinet approval for and then can implement as soon as possible, or does he see the intervention of another committee to examine that, as happened with the Wright Committee Report?

MR. MacMASTER: Without seeing the report it is virtually impossible to say whether there is any that can be implemented immediately or what effect they would have on organized labour, individuals, industry, whatever.

I know with the Wright report it was unanimously agreed by the unions, primarily the steel workers and the mining industry that they themselves should have a committee to tell us how to implement that. That's fair. I think all three parties, government, unions and industry, in that particular case felt that some of those recommendations could be implemented immediately, and that's fair too.

The committee themselves chose not to recommend in piece meal 5, 10, 15 or 20 of the quick possible ones that might be implemented. They chose to review the entire report and come in with what I understand will be a total comprehensive recommendation of the entire report. I suggested to the Member from Churchill that that's fair too.

All I can say, I know with the Wright report if you were to take round figures and they're very round, there might have been twenty-five recommendations that could have in fact been implemented reasonably quickly and I'm using round figures again, 25 that might have been implemented in six to eight months or a year and it's felt that 25, there should be somewhat of an ongoing committee because there's some things that are a lot of lengthy review and research has to go in to how you would implement the others. Now that's a very rough breakdown.

We might find within the Compensation Review Committee that something very similar is in place. I'm not sure how I would deal with that till I have a look at that particular situation. I may find that organized labour and industry and people in this province look at that report and say look, that's great, because they're all going to have to view it. It is going to affect the entire province and maybe they want to talk about how it should be implemented, maybe some of them we've been discussing already within government that we think should be implemented. So that isn't, I guess, the answer the member wants, but that's the best that I can give him at this time.

MR. COWAN: What I really wanted was the answer that the Minister gave us last year on March 6th to this question when he said, and I quote the Minister, "Once a committee comes in with its findings and that we have a good look at it, and implement as quickly as possible what is possible to implement". So, that was the answer that I had anticipated and I'll put that answer on the record for review, I guess, at next years Estimates if it's necessary.

When speaking to the issue of the Implementation Committee for the Wright Committee Report, can the Minister indicated when we can expect a report from the second committee, that is the Implementation Committee.

MR. MacMASTER: To the best of my knowledge, that Committee started meeting in October. They

met November, December, one, two or three days, two days I believe in January. I think they've met a couple of days this month, they were scheduled to meet next Tuesday and Wednesday and the Steel Workers informed us yesterday that they couldn't make it next Tuesday and Wednesday, that they wanted to postpone it for another week or ten days or something, but they postponed next week's meeting. I understand, and I have to say it that way, that it will be a two day meeting if it's scheduled to be a two meeting next week, it's going to be now scheduled the early part of March, a two day meeting and to the best of the information I have, and we never know how these committees will go, but to the best of my information, they seem to think that that will be the last meetings that are required to totally complete their report and their recommendations on how that Wright Commission of Inquiry into Workplace Safety in the Mines and this province should be implemented and they will be handing that to government. I don't know whether they want that printed or whether they want that retyped or what they want but it's just a matter of physically getting it together after that, I think.

MR. COWAN: And the Minister anticipates at that point being able to implement many of the recommendations?

MR. MacMASTER: I certainly hope so. When we met in Flin Flon, there seemed to be some agreement by union and industry at that time that some of the recommendations could have been implemented very rapidly, so I really suspect that a good number of their recommendations can be in fact put in place very quickly.

MR. COWAN: I don't mean to pre-empt the committee report, but there is one specific recommendation that I would like to discuss, not because it is a recommendation but because it is matter of discussion before this committee for several years now and that is appointment of an occupational medical officer for the Workplace Safety and Health Committee.

I'd ask the Minister if he can indicate if such an officer has been appointed as of yet and if not why has that not transpired?

MR. MacMASTER: I wonder if the Member from Churchill would be kind enough to deal with that precise position under the Workplace Safety and Health section, and we'll get in to who's in place and where they are, if that's fair. I think it is.

MR. COWAN: That's perfectly acceptable. I'd ask the Minister if he'd like to discuss the Advisory Council to the Workplace Safety and Health division under this section as it reports directly to him or if he would prefer to cover that area generally when we talk about the Workplace Safety and Health division. I'm in his hands on this.

MR. CHAIRMAN: 1.(b)(1) — The Member from Churchill.

MR. COWAN: Just to make certain that the record is clear then at that point, we would also discuss the designation of mandatory safety and health

committees at workplaces. The Minister has indicated that he is in agreement with that so we will leave that for that particular line-by-line examination.

I'd ask the Minister if he can report to us as to the activities of the Advisory Council on the Status of Women. I know over the past year he has made several appointments to that, I would ask him if he could detail the appointments to us, the specifics of those appointments and who those individuals were? Last year the Minister indicated that he would be making those appointments on a geographical basis. I think that it's appropriate then to when asking him whom has been appointed to the committee to ask him where that person resides or where it is intended that person should represent?

MR. MacMASTER: There were ten appointments. I can read them off and give you an idea, well, maybe I could give you a copy, to save some time, of the press release that we released. I can just run through it quickly, give you the copy and then you'll have it at your fingertips. Stephanie Hodges of Winnipeg is an Executive Director of the Planned Parenthood, Winnipeg; Elizabeth Legge is a teacher at the University of Winnipeg; Bev Goodwin is a housewife, Past President of the Provincial Council of Women, a volunteer in the Canadian Cancer Society, YWCA and many others; Leona Penner of Winnipeg is a home care nurse, Past President of the Westgate Mennonite College Auxiliary and she's been a writer for some newspapers; Josephine Klymkiw of Winnipeg is a partner of B & D Plumbing, Immediate Past President Ukrainian Women's Winnipeg Branch, newly elected First Vice-President Ukrainian Canadian Committee Women's Council, and she's on the National Executive; Susan Shineton of McCreary is a teacher; Ann Moore of Nelson House is a former child welfare worker, school co-ordinator and former Indian Band Councillor, Past President of the United Church in the Nelson House area and has many other northern activities and credits; Patricia Graham of Newdale is a real estate broker; Kay Hamblin of St. Jean is a housewife, former teacher, immediate Past-President of the Manitoba Women's Institute, she is active in many other areas, she is associated with the planning of the First National Farm Women's Conference in Ottawa, she has been on the planning committee for the Conference of Associated Country Women of the World, and is involved in many other . . . ; Mrs. Muriel Arpin is the head of that committee, her credentials are very credible and lengthy. I'll hand this press release over to the Member for Churchill to view.

MR. COWAN: Thank you, Mr. Chairperson. I thank the Minister for the press release. Going over it very briefly, can the Minister indicate why it is that there appears to be no woman on there from the workforce other than the teaching sector. There appears to be, and I may be wrong, no woman there that would be considered to be part of secretarial or clerical staff, or heavy trades staff, industrial sector, and if that is an oversight on the Minister's part, or if the Minister thought that it was not necessary to have that particular occupational sector represented on such an important commission or council?

MR. MacMASTER: I think all the women who are involved in this particular committee are hard-

working persons in their own right. I didn't precisely look for a person that belonged to any particular difficult working area in society. I assumed, by the credibility of these people, that they have been hard-working women in their own professions and in their own lifestyles for many many years.

We received recommendations from organizations all over the Province of Manitoba and I tell you that it was with a great deal of difficulty that we eventually ended up with the group that we have, which I really believe is pretty wide and well-represented.

MR. COWAN: I certainly don't mean to take away any of the credibility or to denigrate any of the qualifications of the members of that council. I am certain that they are all well-motivated and very capable and will serve the council and the women in this province, as well as women in this country, extremely well.

However, I do point out to the Minister that there appears to be an area of the occupational sector that could be better represented on the particular committee. I don't mean to say that in a negative sense or to cast a finger of blame. I just say that to point out what I perceive to be a deficiency and perhaps ask the Minister to consider dealing with that in some way in the future.

I would ask the Minister if he can provide us with a list of meetings that that council has held since it has been appointed.

MR. MacMASTER: The council has had two meetings, one in November and the one in January was a two-day meeting. I intend certainly at a later date, maybe even the next session, to table their report. They haven't been at it long enough, really, to have a comprehensive report. It is a brand-new council; they are getting to know each other; they are getting to know the experience that each other has had, the contributions each other can make. You have to appreciate that here are 10 women put together from all walks of life, all segments of society, and it is going to take them a period of time to really get down to dealing with some of the problems that they all in their own way feel are facing the women in this province.

But I intend at a future date and, again, I say in all honesty I don't believe it will be this session, but I do intend to make it a practice of an annual report being tabled by this particular council.

MR. COWAN: The Minister indicated a year ago that he would be asking that committee to review the entry of women into the skilled trades area. I would ask him if he has passed that recommendation on to the committee and if they are now examining that particular problem or area of concern?

MR. MacMASTER: I asked the provincial advisory council if they would do three things. One was to look at the Women in Trades Program that we have initiated in Manitoba. It is certainly not without fault, I suspect, but it is, again, the first of its kind not only in Manitoba, but in Canada. We are reasonably pleased with the progress we have made in that particular endeavour. We expect, as we get into the apprenticeship training — I'll bring it to the member's attention that we expect to extend that

program very shortly. I have asked them to review that.

I also asked them to review something that keeps cropping up not in a specific manner, but occasionally I hear it, and that is that some job postings within the Manitoba Government, as in all provincial governments, as is in the Federal Government, are in fact worded in such a way that women feel they shouldn't apply. I say to you very honestly and frankly, as I said to the Provincial Council of Women when one person raised it, that I have looked at them and I have looked at them since and I guess I look through a different set of eyes, but I can't see where the words are such that women wouldn't feel comfortable in applying. The Provincial Council of Women did not precisely give me examples, but they did in fact say that it was a feeling. I have asked this Advisory Council, through 10 sets of eyes, to look at those job postings within this Manitoba Government and to assure me that women feel comfortable in applying for jobs that are posted within this government.

MR. COWAN: The Minister indicated there were three areas. One was the Women in Trades Program; the other is job postings. I am wondering if he can inform us of the third area.

MR. MacMASTER: I am afraid that my three thoughts got tied up with a whole bunch of theirs; I can't remember what the third one was. I can give the member, in addition to the three things that I gave him — I will find out what that third one was — they are looking themselves; they have itemized seven areas that they are interested in, for starters, and again you have to appreciate everything is just getting started, and that is family law; the rape crisis in our country; rural women; women in trades; — that is one of the thoughts that I had in there — equal opportunities for women.

Now I remember what the third one was that I mentioned and I will spell it out to the Member for Churchill. The third point that I had was the Civil Service Commission, through myself as Minister, is reasonably pleased and in fact fairly proud of the fact that we are running some exceptionally good courses through the Civil Service Commission, and we'll get into that when we get into that section. We believe they are being very very helpful to all civil servants in the Province of Manitoba, but especially for women. I have asked the Advisory Council if they would look at that whole host of courses that are available to women within the Civil Service of Manitoba and tell me whether in fact they are doing the job that I, as a Minister, believe them to be doing. So that was the third point.

There also, well, here's another one of my points and the seventh point on here is the same as my point too, so they've thrown in my three points along with three or four of their own. And that's the points that they're dealing with at this precise time.

MR. COWAN: I would just indicate to the Minister that we look forward to receiving their report on an annual basis as well as any ad hoc or specific documents which originate out of their work. We wish them well in their work. We have pointed out what we believe to be a deficiency in regard to their composition, which is in fact, no reflection on any

member of the commission, but rather is an area which we believe can be fairly effectively and easily taken care of by an additional appointment or two of persons in different occupational sectors so as to round out the committee and perhaps make it easier for all the members to provide the type of first-rate materials which we anticipate will come out of their work.

Moving on to another area, I would ask the Minister — and if the Minister wishes to discuss these items under line-by-line sectors, we'd be more than pleased to, but these are items that we have discussed under this particular area during the past Estimates. So I thought it would be appropriate to bring them up here and if we direct them to another area, than at least we know where we want to discuss them at a later time.

I'd ask the Minister if he is giving any consideration to any legislation in regard to those Acts which he is responsible for administering in this session.

MR. MacMASTER: Just on a procedural thing, can I answer that question at the next sitting? The reason being, I don't profess to be the expert on procedures. Yes, the answer in general is that we are bringing in some amendments to some legislation. I think procedure-wise it would be improper and inappropriate for me to say at this time what they are or what Act they are, until at least I've tabled them in the House. Now maybe that procedure can be waived because we're in Estimates, but just let me check out the procedure with my own House Leader and see. I'm not trying to skate away from it. If he says it's fine, let her go, I'm quite prepared to let them go.

MR. COWAN: We appreciate that there are certain ways in which legislation and amendments to legislation are traditionally announced. If we can discuss it during the Estimates, it certainly provides another area where we can discuss and debate and examine legislation, however, there is no lack of opportunity to do the same in the House. I was hoping to get some more information from the Minister because it's always nice to know what amendments to anticipate and now the Minister has whetted my appetite, as the Member for Logan says, has put me a bit on edge as to which amendments he's going to bring forward, but I certainly appreciate that he will have to check with his caucus, his Cabinet and his House Leader and if he can come back and tell us, well we will certainly welcome any information he can provide to us in that particular regard.

In the past we have discussed the appointments to the various boards. I don't want to take up the time of the committee in detailing them out completely. I would just ask the Minister if at some time during the Estimates he can provide us with a list of appointments and changes in boards that he's made over the past year. It doesn't have to be a verbal exchange between the two of us. It can be written on a piece of paper.

The Minister indicates he'll do that by written correspondence and we'll look forward to that as well.

MR. CHAIRMAN: (1) — the Member for Churchill.

MR. COWAN: The Minister indicated in his opening remarks that Manitoba is one of five provinces to table materials for Canadian plan of action at the Mid-Decade World Conference in Denmark. I would hope that the Minister would be able to provide us with a copy of Manitoba's contribution to that conference and perhaps at this point, he may not have the copy available. If he does not we can have it at a different sitting of the committee, but at this point he can indicate, or he can give us some more information on what that conference was and what generally was Manitoba's participation in it.

MR. MacMASTER: Mr. Chairman, I am quite prepared to give the member what information I have as it relates to that conference. I can give him the document. He can probably, and rightly so, review it and he may wish at a later date to discuss a point, or two or three or four in it. So I can hand that copy over to him.

MR. COWAN: Perhaps the Minister can indicate who presented the paper. It's under the letterhead of the Premier of the province. I'd ask him if we had representatives at the conference that participated in the conference and brought this forward on behalf of the Province of Manitoba?

MR. MacMASTER: Not precisely, Mr. Chairman, we presented it, Manitoba sent the copy through to the Honourable Lloyd Axworthy. He selected people from across our country to represent our country and accompany him and it was presented as a Canadian paper. There was a great deal of dialogue, phone calls, letters, telegrams, floating across Canada during that period of time in an effort by the Federal Government to get a total provincial participation in that endeavour. I am somewhat sorry to say that there was in fact, only five provinces in our country. If the member wants the names of those provinces I can get that, but there was only five that sent in their provincial position.

MR. COWAN: Thank you, Mr. Chairperson. I would anticipate that we can probably discuss this under the Woman's Bureau as well, this particular item. Would that be the proper place to carry on a more detailed discussion of that which is contained in the document?

MR. MacMASTER: It certainly is.

MR. COWAN: Last year in the Estimates, the Minister, in response to a question from one of my colleagues, indicated that he was going to talking to the Cam MacLean Committee about a list of arbitrators.

By way of background this list was drawn up by the Cam MacLean Committee and presented to the Minister as a standing list of arbitrators at which time the Minister indicated that he had some questions, not concerns, but some questions about the criteria, the selection, the methods of selection of the arbitrators and whether or not real agreement existed in respect to that selection. The Minister indicated at that time that we were just going to have to bear with him, while he reviewed the list and while he in fact sat down with the committee and talked to them about the list.

I would hope that the Minister would be able to, at this point, provide us with an update as to whether or not he held those conversations, firstly, and secondly, if so, what the result of those conversations were, and lastly, if we can expect to see a formalized list of arbitrators coming from his department in the near future.

MR. MacMASTER: Yes, Mr. Chairman, a list was presented to myself and I certainly had some questions about it. I talked to the Chairman of that committee and it appears that they had the very same difficulty that I suppose any committee would have, but the committee, the differences were certainly enlarged where it appears that what ended up is labour presented who they thought were fine and management presented who they thought were fine and I suspect that the routine that then took place is they tried to take off the ones who might not be acceptable to their side and they wrestled with that and eventually ended up with not coming to any conclusions and it's very obvious by the list that each side had their good group of people, very credible people, I suppose, in the eyesight of either side, but couldn't come to any mutual or neutral sort of agreement as to who might be down the road, middle of an arbitrator type person, and the list signified that to me, when you see it, and where are we at?

I say that the Provincial Government today is in a position, very candidly and openly, we are in a position where we do not have a long established list of arbitrators. We have some people in Winnipeg, five or six or seven, who are generally acceptable to both sides, that we're still utilizing on occasion. My Deputy Minister and I can't give you a specific but I know on occasion or two in the last year he's approached labour and approached management on a particular case and said what do you think of so and so, and we have had one or two favourable reactions to that approach, so the list, if you wish a list, it's not a list, but the group of which we can call on has enlarged by a couple over the course of the year.

MR. COWAN: Perhaps the Minister can explain in more detail, the reason for calling for a long list in the first place. Was that to rotate through the list on a specific basis, or was that just to provide the Minister with more names upon which to call in the event an arbitration was necessary?

MR. MacMASTER: I think idealistically, and I am being very idealistic, a Provincial Government might have 12 or 15 names, but what happens in the labour industrial field in any province is, these people who are good arbitrators today, during the course of time, may end up not always working for labour. They may end up doing a fair amount of work for management and they get themselves involved with a steel company, for example. Now that gentleman or woman, whoever it might be, at one time might have been considered by all sides as generally neutral, but now because of their work pattern, they have eventually ended up working for either labour very extensively — got themselves involved in some pretty heated hot issues — or for industry, got themselves involved again, then they become somewhat unacceptable to either or other party. So

it's a cycle that carries on and there is really no way as a government that you can stop what an individual lawyer or businessman or union leader or whatever the case may be, what he's prepared to do with his life in future. Sometimes it's quite possible for a person to work himself out. I have had the odd union say to me we just can't accept that guy, absolutely — he's been involved in something. You go back and you worry that around, you wrestle it around, and on some occasions you say fine, I guess they have a point. The guy has been involved in something and it's just a little too close to the situation.

I have had members of the Labour Board tell me the same thing. They say look, I just can't sit on that case — hell, I'm just a little too close to it or something very related to it. So I suppose we could be very idealistic, and maybe I was, and hoped that I'd have a nice big list and it's just check, check, check, but it just doesn't seem to have worked that way.

MR. COWAN: Is the Minister prepared to provide us with a copy of the list which was not acceptable and a copy of the list of those arbitrators whom are frequently used by the department presently?

MR. MacMASTER: Okay.

MR. COWAN: The Minister has indicated that he will be able to do that and we again look forward to being able to review that. It is a difficult process as the Minister knows. It's difficult for the government that's involved as well as for management and for labour. In order to pick out "neutral" arbitrators, they must many times go through a long arduous process of picking and choosing and finally coming down to name which is acceptable, so I empathize with the Minister's difficulty with this. I do hope that they are able to compile a larger list as time goes on and develop some system whereby the appointment of arbitrators is a bit more — planned would perhaps be the wrong word, but at least a bit more systematic, and that may take some of the burden off of the Minister or he in fact then would not need so many new additions to his administrative staff.

MR. MacMASTER: I understand the difficulty right from experience. I was a sole arbitrator myself, selected by a hospital board and what then was a retail clerk's union, as not an arbitration board chairman, which I might suggest to the member is a far different thing than the sole arbitrator. When you put your trust in a sole arbitrator that person must be pretty credible and I suppose I was in the eyesights of the people at that particular time. It is very difficult — I had dreams one time I suppose of having a list and as I say going check, check, down the list, but you also find if you really get into it as I have, that a person may be very very acceptable to the packing house workers and their particular industry, but he sure as heck might not be acceptable to the steelworkers out at Dominion Bridge, and yet the person is pretty valuable and he may be one, two, or ten, on the list, and might be used once every two years because he's very acceptable and unions have had a good experience with him, industry has had a good experience with him — so, I don't know what kind of a list he goes on, but there's that variation to the system too.

MR. COWAN: I think the Minister and I both appreciate, as do all members here, the difficulties that face him in this regard and I can only wish him luck in developing a longer list.

Moving on to another point which was brought up in past Estimates and I think might be discussed at this time, I would ask the Minister if he can indicate what progress if any has been made in regard to the Cam MacLean Committee's deliberations on essential services. It's a matter which we discussed last year. It's a matter that's been before that committee for quite some time now. In the past the Minister indicated that progress was being made and that he was hopeful that an understanding would be reached in regard to being able to identify essential services, when and where necessary, and had been fairly optimistic. Given that information, I would expect that we should be able to hear at this time of some specific progress which has been made in this regard.

MR. MacMASTER: Mr. Chairman, I in no way can control fate, and fate took its toll last summer in the health service industry in this province, where by and large the majority of health institutes were shut down. The reason I talk about fate — the unions involved in that particular industry and the industrialists, if you wish, on the other side — I guess that's the wrong term but certainly management on the other side, were, if I was to guess, a month or two away from coming to some pretty solid conclusions as to how they would deal with essential services in the health industry. Maybe they were closer than that, but the fever of the negotiations got in the way. I know very well that in times of peace, it's the time that you should plan for the future, not in times of when you are getting revved up and when the blood is running a little fast at negotiating time. Consequently, there was some difficulty. There was an attempt. I don't think anybody, CUPE or the Health Sciences Centre, would think it was very successful, but they both made an attempt to utilize the essential service portion of the agreement that they had just about reached in the Health Sciences Centre during that particular strike. We are asking the Cam MacLean Committee to have a look at really what took place there, how effective that was, what the faults were, and we have said to them, "Let's not forget that; let's not forget that particular industry." Now that there is peace in that industry, I think now is a heck of a good time to go back at that essential service philosophy, which I had preached, and an awful lot of people seem to agree that there was some merit to it.

Now, I haven't read the Cam MacLean Committee report, but I have signified to the Member for Churchill that I will be tabling that, I think next Monday or Tuesday, early next week anyway, and he will have an opportunity at exactly the same time I will to review it. Maybe they have said something very specific in there, I don't know, but it certainly hasn't been forgotten.

MR. COWAN: But the long and short of it would be that as far as the Minister knows, there has been no agreement reached in regard to the provision of essential services and further to that, if I have been interpreting the Minister's statements correctly, it

would appear as if they have not been actively discussing this particular item since the health care strike of last year.

MR. MacMASTER: I think that is a reasonably correct statement. Now, they might have had some preliminary discussions that I am not aware of. That committee and that group of people deal in not always regimentalized sort of meetings. They meet and they talk and each side talks to the other and they meet with Cam MacLean, they meet with John Atwell and they discuss different ways to approach different problems. It is very difficult to get a concise written and documented method of how they reach their conclusions because it is a very difficult field. But a lot of their resolutions to problems are very worthwhile.

MR. COWAN: Mr. Chairperson, on the subject of the Cam MacLean Committee, can the Minister indicate if he has received any word back from the committee in regard to his appeal to them to come forward with a plan to deal with a problem that workers may face when their employer goes out of business and they are left being owed wages.

MR. MacMASTER: Yes, Mr. Chairman, when we brought in the legislation last spring which took the payment of wages out of first place, which in fact the courts of our country had taken it out of first place, whether I be chastized for doing that or not — certainly I was by some and wasn't by others, I know the Member for Churchill certainly chastized me through various union publications, which I have read. The problem, of course, as I saw it, rightly or wrongly, it has been done, was that we shouldn't carry on with a piece of legislation which in fact was a teasing piece of legislation, certainly not false but it led people to have expectations that something was there that wasn't there.

At that time, I said the Cam MacLean Committee was going to be asked to develop some type of procedure for this province. I said I didn't really care if there is no other type of procedure similar to it in Canada or the United States. I suspect that when the procedures are in place, and I have a general idea now what they are and I again, because of government procedures, am not prepared to discuss them at this time. Without question I believe that all parties in the Legislature here in Manitoba will be pleased with the effort. I think they are going to find that it can't be touched by the courts of this country, which is so terribly important. That committee has been working on that for several months. They have reviewed many many approaches to the problem and I guess the major criteria that I wanted was, I didn't want to have to, after the next election when I am back as the Minister of Labour, two or three years from now have my friends in Opposition say, "Great, you chastized us for our piece of legislation, which we thought was good, the courts found it wrong and you did something about it, now you brought in something you thought was better, that's great, now three years later, Mr. Minister of Labour, get the hell out there and do something about it because we find it's no good."

So I think, really, regardless of the political flak that that would create, the injustice that it would be to the working men and women of this province

would far supersede the political flak that I might get, but nevertheless, I am satisfied now that there is a procedure. I am satisfied now that quite possibly there is not another procedure like it certainly in our country; we don't believe there is one like it in the United States either.

We think, without question, the British Columbia Government, probably the Saskatchewan Government and a couple of other that do have payment of wages legislation similar to the one that the NDP brought in here, that they will be giving a heck of a lot of consideration, in fact I think pressure; pressure in society will probably force them to adopt something, if not identical, very similar to what we are going to bring in in Manitoba.

Yes, I have close to the final document and, yes, I expect that to be tabled long before this House is out, unless the Member for Churchill can tell me we are going to be through in about two weeks, and I don't think it is going to be that quick. But, yes, we will have a method in place in the Province of Manitoba which I don't think the courts can do anything about. I think, in fact, they will be happy with it. Everybody in the Province of Manitoba is going to be happy with it and I think maybe the members opposite are going to be very pleased with it also.

MR. COWAN: I hope that we are pleased with the program which the Minister has dangled before us and yet, justifiably so, I imagine, refuses to provide us with any details in respect to what it is and how it will operate. I would ask the Minister if he has asked the Cam MacLean Committee as well to investigate the actions on the part of the Federal Government in regard to the priority of wages owed to employees in the event of bankruptcies and foreclosures, so that there is not a duplication of the service, nor may in fact be a contradiction of the service.

MR. MacMASTER: Yes, Mr. Chairman, I just wanted to assure myself, I knew, as individuals supposedly sometimes know that we had, and I have been assured by my Assistant Deputy Minister that, in fact, yes, we have been dealing very closely and working very closely with the Federal Government. I understand that they are proposing some legislation. The members opposite and my own caucus and myself are not satisfied with the length of time it has taken me to get it together. I think we would all be less satisfied if we were to wait until the Federal Government comes in with theirs. The closest prediction we have is that the Federal Government will not have theirs in place in the year 1981; it will be some time in 1982. I have said ours will be within the next short period of time, so yes, we have been in touch with the Federal Government. I don't know what their legislation is. I don't think it can be any fairer, any more equitable, or any more of a guarantee, than the legislation that we'll be presenting and the method that we'll have in place in Manitoba. So regardless of what they bring in, I think we're going to be satisfied and comfortable with the one that we have.

MR. COWAN: I don't want to leave on the record any impression that I had suggested that the Minister of Labour wait for anything for the Federal Government to act, just as I would not suggest to

the Federal Government that they wait in respect to any of their actions for the Provincial Government to act. I think that governments have to take action onto themselves and if you didn't put in a position of waiting for the other to act, it becomes a very frustrating process. However, I did suggest and that is what I wish to have clearly stated on the record, that the Minister consult with them to ensure that there was not duplication or contradiction and he has assured me that has been done.

We are going to have to choose to disagree, or agree to disagree as they say, in respect to the withdrawal of the protection which existed previously; we have before. I want to again make certain that the record is clear, that not only did I speak out against the Minister's actions in certain union publications, but also as well in debates in the House and Estimates in the House at every opportunity that I had. I would continue to do that when I believe that the action he had taken or he was taking and in all fairness it was action that was being taken by the Attorney-General in this regard. But when I believe that the action that his government is taking is detrimental to the working people of this province, I believe that then, I believe it now, I am willing to wait to see the proposal which the Minister has suggested will take care of the difficulties which are currently present before I make any valued judgment as to whether or not, they in fact do provide the type of protection which we all seek for working people, but we are going to have disagreements from time to time on how to achieve that protection.

Certainly we have in the past and I expect it will go on in the future, no matter who is Minister of Labour, for whatever party, there will be disagreements between the two parties on what labour legislation should do and where it should go. There may even be disagreement within the parties; one can never say.

I would ask the Minister if he can give us a more specific time table as to when we can expect those particular programs to be made public. He mentioned two weeks as a hint. I'd ask if that is more than a hint on the programs pertaining to protection for workers in the event of businesses going out of business and owing them wages.

MR. MacMASTER: I think I made reference to two weeks but I thought it was something else; I didn't mean to say two weeks. I said to the member that it would be before this House adjourns, unless he tells me that the House will be adjourned in two weeks and then I might have a heck of a time getting that thing through that quick.

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

MR. COWAN: Thank you. There are a number of other areas. This is a fairly detailed portion of the Estimates, we usually spend a fair amount of time going through the various sectors, because it gives us an opportunity to talk about a number of committees and also to discuss some policy in very general terms, although we have other opportunities for that as well.

Last year the Minister indicated that he was setting up an advisory group or he had set up an advisory group. I'm not certain as to the specifics in regard to

identifying where manpower training and funding should be directed. He at that time said that there were representatives from the Mechanical Contractors Association on that advisory committee. He said there were representatives from several companies and several unions on that committee and they were examining new methods for attracting more workers into the blue collar trades. That's all the information that the Minister provided to us last year. I would hope that he would be able to update that information and elaborate upon his comments of last March 5th.

MR. MacMASTER: There are several of those types of groups in place. I would prefer to get into that under the Manpower section, if you don't mind. We think under Manpower and the Federal-Provincial agreements, critical trades, apprenticeship, there have been a tremendous amount of committees set up, committees revitalized. We found some committees where people were not only absent, but had passed away, in fact, many years previous and that was both on labour and management sides. So some of the trades advisory committees certainly were less than functional.

We believe today that they are all in place. Now there might be one or two that isn't. But under the Federal-Provincial Training Agreement section, I'll be quite pleased to talk about the type of membership the people, what segment of society they represent.

MR. COWAN: Thank you, Mr. Chairman. Last year under this section, we discussed the carcinogen program, which was at that time, part of this particular portion of the Estimates. I believe the position for that came under the administration. The Minister indicates it's now been changed to Workplace, Safety and Health and that we'll discuss it under that area.

I'd ask the Minister then, because my figures last year show that he had indicated that there were 45 persons under this particular item. This year he says that there are 44. I'd ask him if that extra person was a carcinogen study program, or however you call it and that that has been transferred out and that is why we have a discrepancy between 45 and 44.

MR. MacMASTER: Yes, there was one position. There was some confusion on it. If I recall right the gentlemen in question was I think in England on a leave of absence from the government taking some courses. I just don't recall the details. But I think we agreed amongst ourselves at Estimates debate that we could consider that person under administration and a later date would be transferred the position, would be transferred to the Workplace, Safety division and that's what happened.

MR. COWAN: Welcome back to the Chair, Mr. Chairperson. The Chairperson indicates that he is not certain whether that is a compliment or not. I assure him that it is a compliment and I only said that out of respect for the fine way in which he handles the committee hearings. Having said that I am certain that I will have an opportunity to remind the Chairperson of those accolades throughout these Estimates from time to time. It's a matter of record now.

I would like to discuss the issue of mandatory retirement, which the Minister has discussed with

other of my colleagues, but I would like to follow up on a number of statements he made and ask him some specific questions in regard to those statements he made in the afternoon, during the sitting of this committee.

He at that time said that he was continuing to have discussions with the Manitoba Federation of Labour in regard to mandatory retirement. I would ask the Minister if he could provide us with the details of discussions which have been held to date with the Manitoba Federation of Labour in respect to mandatory retirement.

MR. MacMASTER: Well, Mr. Chairman, I don't know if it's always important to clear the record or Hansard but if I use the word continuing, that's incorrect. I had meant to say and I think I said, it certainly was my intention and I think when Hansard is out, it will show that was the trend of thought that people such as the Manitoba Federation of Labour, tradespeople, the MGA, CMA, Chamber of Commerce, that we intend or at least I intend and I don't know who all the other Ministers are dealing with; I know that we will pool our findings. But I intend to contact all those organizations and you will have to excuse me if you find out that I contact many more than that, but they are the precise organizations that I will in fact be asking for their position and their rationale for their position. It's just too big, too big a problem, if you wish, and I'm not sure if you call it a problem, but it's too big a turn of events within the Province of Manitoba to attempt to make some decision yourself.

So certainly I have a great number of dealings with the MFL and trade unions and the MGA and certainly on occasions with the CMA and Chamber, so those are organizations that I'll certainly be contacting and I don't mean a week or two or three from now. I've directed that communications go to those people and I expect to be receiving it very shortly.

MR. COWAN: Just to clarify the record then, the Minister said at that time that he would be carrying on discussions with industry. What he meant was that over, I don't want to put questions or answers in his mouth, but what I anticipate he means given his last answer, was that in the course of carrying on general discussions with those groups he would be directing specific attention to this matter. He has not met with industry in regard to mandatory retirement; he indicates no.

MR. MacMASTER: Yes, the two questions, I think we have to start from, is what is the policy. What is the position of these organizations and secondly, and just as importantly, what is the rationale? That's the two precise questions that I'll be posing to, at the very least, the organizations that I've mentioned this evening.

MR. COWAN: Yes, as the Minister knows, as I mentioned earlier, I am not in agreement with my brothers and sisters in the labour movement or at least in agreement with their organizations stated positions and that ranges from the Winnipeg Labour Council, the Winnipeg and District Labour Council, right up to the Canadian Labour Congress in respect to mandatory retirement. I think I only have to

mention that that shows that no political party is handcuffed to any labour organization or is any labour organization handcuffed to any political party, as the Minister had indicated in his speech earlier.

Again the record should be clear. The Minister put that statement on the record and I think it's important that one realizes that it's not exactly the case. There is room for honest disagreement between all parties.

The Minister indicated earlier that the Advisory Council on Aging might be directed to review this specific problem. Can the Minister now inform us as to what direct action he will be taking in regard to seeing that this problem is brought to the attention of the Advisory Council, in that they are directed to report back as quickly as is possible with their findings, because they are a credible body and a body that should be consulted in respect to this situation.

MR. MacMASTER: Well, as easy as one Minister can assure what another Minister is doing, I can say to the Member for Churchill that I am sure the Minister of Health who is responsible for the Council of Aging in the Province of Manitoba, will in fact be asking for their viewpoints on that particular problem.

MR. COWAN: We saw earlier that the different Ministers may have some contact with this problem in various ways and that they all seem to be dealing with their specific area of concern. Their jurisdictional involvement was confined to their own department. Is the Minister prepared to impress upon his colleagues in the Cabinet, the necessity for a co-ordinated approach to the whole area of mandatory retirement and retirement in general and make certain that there is a co-ordinated approach to dealing with the problem and that may in fact necessitate a Cabinet Committee which has been formed from time to time to deal with specific problems of this nature.

MR. MacMASTER: Mr. Chairman, three Ministers are dealing with this. If you wish to call them a committee, that's fine; the Attorney-General and the Minister of Health and myself. It was suggested this afternoon that the Minister of Economic Development should involve himself in this problem and I can concur. I think that it certainly, he certainly has some input and some expertise and the people close to him certainly have. I have no hesitation in saying that the three of us will call on the Minister of Economic Development for his input into this too. So three of us are at the moment reviewing that.

MR. COWAN: Realistically can the Minister indicate when he believes there might be some resolution or some government policy to the concept of mandatory retirement, because right now there doesn't seem to be any specific policy from the government? It seems to be floundering, as a result of recent court cases and decisions by the Human Rights Board, and that it has put the persons in this province, who are facing retirement shortly, in a precarious or at least in difficult and confusing situation. If they do not wish to retire, they are not certain as to their rights under the law at present, because the issue is cloudy, it is murky, it's not clear, and if they should wish to work on, they are

facing a battle in almost every individual case, because there does not seem to be any government direction, any government policy, in respect to mandatory retirement and that places them in an even more difficult position at a time of their life which is stressful to begin with. The whole idea of retiring does cause a lot of stress to an individual. It's a major lifestyle change and some people would rather avoid that change; some people would rather keep on working for positive reasons in that they believe they are playing a productive and a functional role in society. I, for one, think they should be permitted to do so. I, for one, think they should be encouraged to do so. I'll go beyond a neutral stance in that regard, they should be encouraged to continue if they want to; if that is there choice. As it stands now, we can't encourage them. It's hard to say whether or not they are permitted to, and in fact there are so many differing opinions that they themselves — and they have come to me with these questions — find themselves confused by the state of affairs, and find themselves confused as to what decisions and what options are available to them.

I had started that statement with a question. The question was, when can we expect some action on the part of government so as to clear up some of that confusion?

MR. MacMASTER: Mr. Chairman, when you have what some people have termed a shock to the system, if that's two words that explains and I think it does, and that's what really happened, and there certainly is a lot of confusion, a lot of bewilderment and a lot of real concern being expressed by people in the organizations that I mentioned that I'd certainly be contacting. It's just too immense a problem to give the Member for Churchill or anybody else a definitive answer as to when a stringent policy will be established in the Province of Manitoba.

The court case, and I'm guessing was five or six weeks ago — nobody can be accused of dragging their feet. When something as dramatic as that happens to a society that's really been built around the system of something happening at age 65, the whole system in our country has developed around that, rightly or wrongly, and it's just too big a thing to tell the member privately or publicly when I think that will be resolved in this province.

MR. COWAN: I beg to differ with the Minister. It's not that recent. The court case, which was five to six weeks ago, was the result of a court case which was a year ago and that we had discussed this very same subject last year during the estimates in much the same manner because of court cases and decisions that had been handed down at that time. It's been a year that the Minister has been able to see this coming. It's been a year that we have been trying to direct the Minister and other Ministers' attention to the problem, and so it's not a problem of recent vintage. I do agree with the Minister that it is an immense problem, but I think it may be a case of, and if I can use the proverbial, it may be a case of not seeing the forest for the trees, or in this case seeing the forest and not seeing the trees, because while it is an immense problem for society, it is also an immense problem for individuals. You have to bring the problem down to the case of the individuals. You have to talk about individuals who

are being affected today by the lack of direction from the government. You have to talk about the case of individuals who are today confronted with a very serious and important, immense if you will, decision, a change in their lifestyle, and they are not getting direction, they are not getting any sort of positive feedback from the government. It is not a recent problem. It is a problem that should have been under consideration for quite some time, and while immense, it is also very important to specific individuals.

I would ask the Minister then if he can — and I'd ask him again — if he can indicate as to when he would expect some sort of direction to be provided to those individuals by the government.

MR. MacMASTER: Mr. Chairman, I guess we could keep asking ourselves the question back and forth. There has been by two speakers this evening both from the same party differing views, both people who have some knowledge of my particular estimates and my department. That in itself signifies that there certainly is a bit of a shock treatment that is going to take place within certainly the New Democratic Party and quite possibly within our own.

I have said to the member, and I don't want to repeat it, that there's many many organizations, and I'm not going to get into the ones that I have named or others that must in fact be involved, their opinions must be sought, so some day, somewhere down the line, a sound decision may be made, and it's just too immense — it's just, in my opinion, come upon us. The member talks about a decision a year ago. If he will check with the New Democratic Party in British Columbia, he will find that there was a court decision came down somewhat contrary to the one here in Manitoba, which signifies another set of wisdom coming out of the heads of people in the courts in British Columbia.

I can't give him an indication today. I can assure him as we progress along the way that I can make him aware of the progress that we're making, periodically, and that's really the best that I can do at this time.

MR. COWAN: The Minister is going to have to do better than that because I'm certain that the question I am going to direct to the Minister now, which is a question which has been directed to me outside of this House, is a question which has been directed to the Minister by persons outside of this House, and that is, what should a person who is approaching 65, who is locked into mandatory retirement by either a contract or custom or legislation and does not wish to retire — what action should that person take? What advice would the Minister of Labour, who has to play a very vital role in any sort of resolution of this problem — what advice would that Minister give to that individual who approaches him with that specific question?

MR. MacMASTER: Mr. Chairman, if there's a contract in place, I suppose that the parties involved would attempt to live up to the contract and may find that it's invalid. I can't help the member on this particular issue at this time.

MR. COWAN: But it's not me who is doing the asking. There are individuals out there and I am

certain the Minister has had contact with them. I would be surprised if he has not had contact with individuals or his department has not had contact with individuals who have that very specific question. The individual is saying that they do not want to retire at age 65. They are met with conflicting . . .

MR. CHAIRMAN: The Attorney-General on a point of order.

HON. GERALD W. J. MERCIER (Osborne): I would like to raise a point of order, Mr. Chairman. The question of mandatory retirement is a question that involves the administration of The Human Rights Act, and I would therefore suggest to you, Mr. Chairman, that the discussion and the questions are out of order because the administration of The Human Rights Act is not under discussion.

MR. CHAIRMAN: The Member for Churchill on the same point of order.

MR. COWAN: I thank the Attorney-General for his advice. I assure the Attorney-General that we will be discussing the item under the other areas, which allow us an opportunity to discuss the item, but I know the Attorney-General is not able to be in Labour Estimates as much as he would like to be, and I can only hope to inform him as to what has transpired not only this year, but last year in regard to this, and hope, Mr. Chairperson, that the precedent will be acknowledged. The precedent is that in these estimates last year on March 11th, we had fairly lengthy discussion in the Chamber in respect to mandatory retirement, and that discussion was not ruled out of order at that time. I would also hope, Mr. Chairperson, that when considering this point of order raised by the Attorney-General, that you will take into account the fact that we have had quite lengthy discussion today under this particular section of the estimates in regard to mandatory retirement. I would hope that you would — just because the Attorney-General enters the room and sits in on the committee, that it is not then decided that we can't discuss something which we have been discussing for hours.

MR. CHAIRMAN: The Honourable Minister on the same point of order.

MR. MacMASTER: In attempting to be a conciliator — (Interjection) — I want to speak to the point of order. I have legislation which I am responsible for and under the Civil Service Commission is The Superannuation Act, where it is mandatory — and I notice some members are nodding their heads — for civil servants to retire at 65. If we could agree that the Attorney-General has a point with The Human Rights Act, and if we could agree that the Member for Churchill says that yes, in fact, we talked about this before, maybe we can agree that the Member for Churchill can raise this again under The Superannuation Act, which I'm sure he will.

MR. CHAIRMAN: The Member for Churchill.

MR. COWAN: I had fully intended to raise it under the Civil Service section of the estimates as well as under other sections of the estimates.

Maybe with one last question, which would necessitate a very brief answer from the Minister, we can agree to carry on this discussion at assorted and varied other times including the Attorney-General's estimates and any bills which may come before the House, and resolutions which may come before the House with which we can make even the vaguest connection.

I would ask the Minister if he can indicate what action he is directing his department or persons within his department to take in respect to determining whether or not The Civil Service Act as supremacy over The Human Rights Act when it comes to consideration of mandatory retirement. He may want to take that as notice and provide us with an answer during the specific discussions of the Civil Service, but I did want to provide him with notice of that question, if he doesn't wish to answer it at this time.

MR. MacMASTER: It's my advice at this particular moment and we can discuss it again under The Superannuation Act, but just to give the Member for Churchill notice, my position at this moment is that The Superannuation Act supersedes and has the authority to permit us to retire people at age 65 — so that you gave me notice, I give you notice.

MR. CHAIRMAN: 1.(b)(1) — pass — the Member for Churchill.

MR. COWAN: I'm just going to ask the Attorney-General if he's going to take that lying down, that the Minister just indicated that The Civil Service Act has supremacy over The Human Rights Act. I'm sorry, Mr. Chairperson, I didn't mean to get off the subject like that.

MR. CHAIRMAN: I have enough trouble here without you crossfiring without the Chair getting involved. The Member for Churchill.

MR. COWAN: Thank you, Mr. Chairperson. There are a number of other boards and commissions which answer to the Minister directly which we have discussed under this item in the past, however, I would be willing to discuss them under the specific line-by-line areas, if we can have some commitment from you, Mr. Chairperson, that that would be allowed at that time. The reason I ask that is that there has been some question about that in the past in respect to where we discuss those particular committees and I don't want to lose an opportunity to be able to fully debate the estimates of the Minister.

To get back to the specifics of the Minister's Department, and I have to apologize to him, because while he was reading through the detailed description of the four new positions in his department earlier this afternoon, I was unable to take down all the information that he provided to us. I'd ask him if he has a written description, job description of those four positions that he can provide to us and if not if he can, a little bit slower this time, go through the specific job descriptions of those four individuals.

MR. MacMASTER: Mr. Chairman, the two special projects officers, and as I said without being flippant, that's the easiest names that we can apply to the

two positions at this time. These two positions will be attached to the Assistant Deputy Minister of Manpower's Office and for specific projects, e.g. the Winnipeg Center Core Development Project; the Manitoba Hydro: Western Grid Project: the involvement of more native people in Northern Manitoba in those projects; the expansion, if possible, of critical trades. There's a host of fairly major endeavours coming up, we have got into new areas this year, we find that were just short of good talented people. We've just stretched our human resources as far as we can and we just can't cope, in our opinion, with the number of manpower ventures that we're into and that we will be involved in. It's just too immense a job for the present staff.

We can't say and I apologize for that, I can't give you a precise job description at this moment, because we may find that one-and-half SMYs worth of time, we have to go into negotiating very deeply with the Feds and the City on how we're, I guess, to be candid, how we get our share of Manpower involvement in the Inner City Core Area Project. For example, we may have for a period of time assign both people to that particular project till we get it going and then reassure ourselves that, in our opinion, and of course that then goes through the agreement negotiating group, but in our opinion that Manpower needs are being met to the best of our ability under that major agreement. That's the best I can do on that particular position.

On the Special Assistant to myself, I find, again being very candid, that I'm not as involved as I would like to be and in as many places as I should be. Again a lot to do with Manpower, I'm being consistently asked by my Manpower people, the Director of Training, the Assistant Deputy Minister, to involve myself more in a lot of committee meetings. There is negotiations coming up with the Federal Government on Manpower needs in Manitoba. There's agreements to be negotiated. I have to say that I just really feel that I need a particular person who can represent me in a lot of these major functions that are taking place.

The secretarial service to the Director of Administration, I think, is reasonably self-explanatory. We have a new Director of Administration and he certainly needs a competent secretarial person to assist him.

MR. COWAN: Can the Minister indicate what participation his department is involved in, in respect to the negotiations of that program which is to continue the Northlands Agreement of the past?

MR. MACMASTER: Well, we're involved and it's another area of deep concern to myself, we're involved to a fair degree because there are Manpower related programs that are in place within that agreement and I can't physically say the numbers of meetings and the persons and the people that go to them, but here again, we find that, and I don't think protective is probably the word, but assurance for myself I guess as the final person responsible. I am demanding that myself and my staff be kept involved in the development of that agreement. We have some projects involved in there that are cost-shared. We, without question, are satisfied that they're very meaningful projects and they're very meaningful programs and we intend to

do our very best as other Ministers will tell you if they wish to, that we're very demanding that a lot of the programs that are in place now stay there. Now that's within ourselves, and other Ministers feel very strongly about some of the other programs that they have in place. Again, I don't think I've been delinquent in my duties, but I sometimes wonder whether I really have the time, and I find in a lot of cases I don't to involve myself as much as I'd like to.

Yes, we're involved in the development of that agreement amongst ourselves and yes, without question there are some differences between ourselves and the Federal Government and yes, there seems to be a heck of a lot of big difference between what the Federal Government and the Department of Indian Affairs feel is right for the Indian people and the Mtis people in Northern Manitoba and there is a difference between what they think is right and what the Indian and Mtis people tell me is right, and that certainly came to light at the Four Nations Conference in Thompson.

I have to say politically and as a person, I was very pleased with that meeting because the Indian Chiefs told me what I thought to be the case, some of the things that they wanted in that agreement, some of the very very things that I wanted very badly myself, and we found that — and I think it was really in fairness, the kindest thing I can say was the lack of communications between the Federal Government and some of the Treaty and Mtis people in Northern Manitoba. I hope that has been cleared up, but again here is another communications problem where I was positive that I knew what some of the needs of those people were and the desires and the aspirations of them and we were having difficulty at the negotiating table with the Federal Government. I don't think that it is irreparable, but it certainly created some difficulties. So yes, I guess the final answer, I'm sorry that I took so long, Mr. Chairman, but I think the member is interested in the whole spectrum of what is happening and how we're involved.

MR. COWAN: I can assure the Minister that I appreciate the detailed answers and that it does provide us with information which is invaluable to us as well as provide us with some insight into the actions of the governments in respect to these negotiations.

As the present Northlands Agreement with the one year extension runs out on March 31st, 1981, I believe, and as the Minister has indicated that there appears to be a great deal of difficulty in reaching agreements between the parties involved in the negotiation of this agreement, further to that the Minister says that there are many differences existing now between the province and the federal government in respect to how they see this agreement being fulfilled; it leads me to the question to the Minister and that is, does he expect that these negotiations will be completed by March 31st, 1981, the date on which I have been informed the present agreement even with its one-year extension will terminate?

MR. MACMASTER: Mr. Chairman, I hope that the member was listening well when I said that there are some difficulties. I didn't mean to say that difficulties were great. I said if there was a difficulty it seemed to be the greatest difficulty was in communicating.

You have several provincial governments, provincial departments, who I think communicated very well, but then you have the Federal DREE people, then you had the Federal Indian Affairs Department, and then you had the treaty people who we thought at one time that the Indian Affairs people were representing. I'll tell you we got a heck of a shock when we got to Thompson and went to that conference and found out that wasn't the case. I don't want to leave the impression that there is insurmountable difficulties. There certainly was a problem in communications. I think we've clarified that.

I know our government is now working very hard with the federal people to assure ourselves, and in negotiations you sometimes have that difficulty assuring yourselves that the other side is really talking on behalf of the people they represent. That's sometimes a little difficult, and we certainly found out in Thompson, again, that wasn't the case coming from the other side of the table. I think the federal people appreciated that within their bureaucracy there were some difficulties and they have corrected them.

What about the deadline of March 31st, I think that's the correct date. One of the major things that we're talking about right now, as the member I'm sure can second-guess the answer, is what about retroactivity? That's the question that we are facing now in talking to the Federal Government. If that thing isn't signed, and as responsible negotiators, as I have done many years with unions, and industry does the same — you somehow as crunch-time comes there's two ways you play it, I suppose. You either keep the hammer there to make sure that something is resolved, or your both mutually agree that you need more time, but whatever is in place is retroactive to the date of signing.

That is the one situation that has been dealt with. I can assure the member that it's been well discussed, as much as a week or two ago, and I don't remember the exact date. That was being communicated to the federal people, and the federal people are aware that things just can't come to an end on March 31st. That issue is being dealt with positively, absolutely, right now.

MR. COWAN: If I understand the Minister correctly, even if an agreement is not reached by March 31st, the programs that are ongoing now will continue. Is that a proper interpretation of his remarks of previous?

MR. MacMASTER: Mr. Chairman, they sure as hell better be, and that message is very clear from our negotiators at the table with the Federal Government, and in fairness the kindest thing I can say is that the Federal Government certainly understands our position. There is no question where the Provincial Government stands on this issue, that those programs that are in place must continue and they must be carried on and that some form of understanding, some agreement of understanding has to be undertaken. We could again be optimistic and I keep getting in trouble when I get optimistic, but we could be optimistic and say, you bet you on March 15th, there is going to be an agreement. I don't know whether we are going to have time to specifically say that or not, or whether we can

actually get that in place. Our efforts are geared, and I want to assure the member and the Opposition that our efforts are being geared to having an agreement signed by March 31st. That's (a) position; (b) position is that somehow we come to some conclusions how we handle those programs now in place.

MR. COWAN: In respect to the Minister's remarks, I just have to indicate that there are several parties negotiating and the Minister knows full well that in any negotiation or any set of negotiations, no party is entirely blameless, and I know that the Minister wishes to place a lot of responsibility for the non-completion of those negotiations on the Federal Government. I understand that. It may in fact even be a fact, I'm not certain, however the Provincial Government also has to take some responsibility for the fact that this agreement has already had to be extended one year, and it looks as if there may be some difficulty in reaching agreement before the one year extension is up.

I accept his perceptions of it, however I suggest that if I were talking to his federal counterpart that the perceptions would be somewhat different — (Interjection)— And the Minister says, yes, but I wouldn't believe him, and he may in fact be somewhat correct. I would probably take the Minister's word first, but not uncategorically without some qualification and some consideration. I do believe the province does have to share some of the responsibility for the failure to negotiate that agreement; to have that agreement in place now, and we will be discussing that, I believe, more under another department's Estimates, but it is an issue which has to be addressed.

MR. MacMASTER: If I can just comment on that, and I don't want to mince words or play with words, but the responsibility that a Provincial Government has with citizens that agreement serves is to try and present to the best of our ability what we think their desires and aspirations are. I tell you that I was beginning to wonder at a certain period of time whether we were correct, and I thought I was correct in the endeavours that we thought we were bringing forth and the positions we were bringing forth to the Federal people. Again, I say to the member, and it would have been refreshing — I'm sure he had friends at the meeting in the region hall in Thompson, but it was very refreshing and enlightening to listen to position after position after position from Chiefs in the northern communities which, certainly, I got my chastisements because the odd road wasn't there and the various things, and that happens, but by and large, the Federal Government, I think, found that next time they went back to the table, they had to change their position somewhat.

So, yes, both parties are always responsible if an agreement isn't signed. To a degree, we think that there was a communications problem and we think that's corrected and we think that we're on our way.

MR. COWAN: As the Four Nations Confederacy deals primarily with the Federal Government, one would expect them to take out the bulk of their criticism on the Federal Government. I could only suggest to the Minister that if the Federal Minister was sitting at an MMF meeting, that perhaps the

criticism might be flowing the other way and that Minister might in fact be surprised by the extent and the intensity of that criticism.

So the Four Nations Confederacy and their frustrations are certainly a part of the entire situation. The province and its frustrations are certainly a part of the situation but I would suggest as well that there are other participants who might look differently at the negotiations and perceive the province's role a bit differently. But as I said, that is probably more justifiably a topic for detailed discussion under a different department, although I do appreciate the opportunity to discuss it at this time and be updated as to the perceptions of the Minister in respect to the Northlands Agreement.

The Minister indicated that one of the two special project officers would be attached to — or that two special project officers, excuse me, would be attached to Manpower, one of which, or perhaps one-and-a-half of which or two of which, will be dealing with the development of Manitoba Hydro if and when it is brought on stream by this government. He suggested that one of their tasks would be to ensure that northerners were employed as fully as possible on that job site. I think I may have gone even a bit further than the Minister's own words, but I think he said that one of the tasks would be to ensure that northerners had access to the jobs there.

I would ask the Minister then if that is an indication that he is planning to come forward with positive, affirmative action programs for the employment of northerners on hydro construction sites?

MR. MacMASTER: I don't know what the interpretation of affirmative action is by the Member for Churchill, but I intend to endeavour, to the best of my ability, to make sure that people living in northern Manitoba have a greater opportunity to participate in major developments up there than they tell me, and there were briefs presented when the member made his tour of northern Manitoba that signified less than satisfaction with the participation of northerners on the hydro projects during the time of the NDP government, of which, in fairness to the Member for Churchill, he wasn't part.

The fact is, I suppose, that years from now somebody may present a brief to me saying, thank you, but you didn't allow us as much participation as we would have liked either. We hope to involve people of all talents wherever possible in northern developments and it is not a dramatic statement; I think it is one that was made probably by the previous administration, where they hoped that they would involve as many as possible.

If the member means by affirmative action, quota systems, then I oppose quota systems, so we know where we stand on that particular issue. I know that the president of the MFL, for example, is an advocate of quota systems and he and I disagree on occasion on various things. Maybe the Member for Churchill feels that quota systems are part of an affirmative action program and, if he does, then we will have to disagree on that particular philosophy.

MR. COWAN: If that were the fact, it wouldn't stop me from trying to convince the Minister of the justice of my argument. But I don't want to discuss a quota

system right now because I think there are other opportunities to delve into that in more detail, and I don't want to belabour this section of the Estimates any more than is necessary.

However, the Minister is absolutely correct when he says that there is criticism of the way in which the previous government attempted to promote greater opportunity for employment of northerners on hydro projects, and I don't back away from that criticism. I think it is in some instances justifiable criticism and I think we have to take it in the way in which it was offered, and that was constructively. The criticism is that our intentions were good but perhaps our mechanisms were not perfect, and that is exactly what happened. I believe we had very good intentions and I believe because we were dealing in an area that was somewhat new, and as the Minister has indicated, when you are dealing with areas that are new, you sometimes create difficulties as well as have difficulties that you would not have if in fact you had more experience and expertise in that specific area. So while we put in a preferential hiring clause which was intended to ensure that northerners would have greater access to those jobs, it didn't work out exactly the way we had anticipated it to work out and that can be said because of our lack of support mechanisms to supplement that of preferential hiring clause.

One of the very important things that we learned from that experience is that preferential hiring clauses alone are not enough, that you in fact need to have support mechanisms. That's why we had the Tawow Program, which has been continued by this government in Leaf Rapids, and that is why we had a number of other programs, New Career Programs, that have been continued by this government and other programs which were intended to provide those sort of support mechanisms. One can only hope that if we had had more time, that we would have been able to do a better job. Having said that, one can only hope that we will have more time and that we will do a better job in the future.

However, what we have to deal with now is the Minister's intentions in respect to this. We know that preferential hiring clauses cannot stand alone as an effective affirmative action tool; they have to be used in conjunction with other activities. We also know that one of the problems when you bring a hydro site on stream is that you suddenly need a large number of workers at a specific time who have fairly developed skills. You always need laborers but you will find if you hire a number of laborers from northern Manitoba, and the Minister knows full-well the scenario, the laborers were always hired to cut the bush, to do that sort of work, and then were never integrated into the system and able to develop skills that would enable them to stay on in employment once the laboring jobs and the heavy construction jobs were completed.

So that being the case, it has been determined that you need a specific period of lead time in order to develop skills so that when these projects come on stream, native northerners are able to take full advantage of them, that they aren't just going in at the labouring level. We always know that once in, and a certain number will have to go in at the labouring level, it is necessary to provide upgrading courses to try to encourage the development of

specific skills, work skills, occupational skills, to enable them to stay and progress through the occupational system as others would be able to.

I would ask the Minister therefore if he is right now developing lead time programs which would encourage and enable the development of those skills by northerners currently residing in the areas where hydro projects are expected to be ongoing?

MR. MacMASTER: Mr. Chairman, there are a lot of — I don't have numbers — there are a lot of northern native people involved in a large number of upgrading courses at the moment. There are northern native people involved, in fact, in many apprenticeship programs that are going on in northern Manitoba. I intend, again with the help of some of the additional people that we need, to commence discussions with Manitoba Hydro. We have had preliminary discussions with them but we have to get in some greater detail what faults they have seen with the system before, with the contractors and sub-contractors. I have to determine myself why a northern preference clause did not work. It is fine for others to say it didn't work. There are those who liked to wave the banner and said it was great and it worked. I intend to find out why in fact it did not work. I intend to carry on discussions with the trade union leaders. I have had passing conversations with some that I have met on various occasions and a fairly lengthy discussion with a couple about some of the problems that we may find with the trade unions, seniority in job hiring and a whole host of things that I believe, with some help, I can work out some system which will better assure ourselves that more northern native people are involved.

We have a lot of talented people right now in northern Manitoba who could quite easily qualify today. I don't know whether they are union members; I don't know what the union's position is and I don't wish to second-guess what their position may or may not be. I don't know what the positions of the contractors are, but I think where you start in this issue is, as I have asked in my Estimates for some additional help, we started by dealing (a) with Hydro; we start by talking with some of the contractors who were involved previously and find out what problems they seemed to think they had; and we talk to the union leaders that had people involved in that particular project to find out what problems they experienced. You try and put that together and see that if in fact you had the concurrences of the people that are running the show, then maybe a northern preference clause is all that is needed. I am not saying it is or it isn't but obviously it didn't work last time. I don't know of anybody that can precisely tell me all the details of why it didn't work, but I don't think you charge off, Mr. Chairman, and look for a bunch of new rules or regulations until you find out what was wrong with the system that was in place and how faulty was it? The Indian people have said, through presentations, through press releases, various things, that they weren't as involved as they would like to be. How factual is that? I am not saying that they weren't telling the truth, but what really are the facts as they relate to their participation?

MR. CHAIRMAN: I wonder, the Minister of Agriculture has been trying for a long time to get in and I wonder if we could give him . . .

The Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur): I have two points, Mr. Chairman. One, I cannot find on this particular appropriation where we have anything to do with Hydro. I think there will be an opportunity to discuss that at the time of the Hydro Estimates. I am not trying to curtail the debate of the member but on the principle of trying to give preferential treatment to different people in Manitoba for working on any projects in any part of the province, I consider the opportunities of Manitoba should be available to everyone. I don't think that through government direction, that people should be prohibited, whether they are from southern Manitoba, western or northern Manitoba, from going to work if there is a job available.

I agree with the Minister that the last program probably didn't work and that there should be ways of encouraging those people to be employed right in their home area. I think that is a commendable objective, but when you start forcing that kind of thing on people, then I think that there is reaction, and there should be, because there are a lot of people in other parts of Manitoba, and in fact Canada, that have a lot to contribute and should have the opportunities to contribute and be part of that society, without government forcing the issue of saying, I'm sorry, these opportunities aren't available to you. That's a basic principle that has to be protected and I will continue to fight for it.

I want to come back, Mr. Chairman — I think we have continually gone all over the waterfront on these Estimates tonight. We are on Administration and there are members sitting here who, I am sure, have a lot of questions to ask in all the departments and I would like to see get on with some constructive — particularly to do with the specific appropriation.

MR. CHAIRMAN: I agree. I would like to see us progress a little faster than we are, but I am at the mercy of the entire committee.

The Honourable Minister.

MR. MacMASTER: Well, I suppose there's all kinds of places we could discuss this particular project; we could discuss it under Manpower Training. I want to clear up the record and add to it, not defeat anything I've said, but add to it which may satisfy the Member for Churchill and he can get into more in-depth in the Manpower section.

But when I said that we had started preliminary discussions with Manitoba Hydro, I've been informed it's more than preliminary. I've been informed that they have in fact established a planning committee, that that committee does in fact involve the unions, hydro, the Federal Government and two of my people and that they are at the moment trying to establish. Now you can't do this positive, but they're trying to establish the qualifications and the calibre of workers that will be required.

This froze into your Federal-Provincial negotiations, which again, I say in all honesty, we're short of help. Once the list is established, it's our intention to attempt to establish funding, mutual funding from ourselves and the Feds for training programs.

We're right now at the stage where we're trying to establish the qualifications with the hydro. I didn't know the committee had been set up; I knew that

they were meeting and I knew they were discussing, but there is in fact, a committee established. It involves the Feds, the Provincial Government, Hydro and the unions and they're trying to right now identify the numbers in general of what they'll need, so the unions of course, will be able to tell them what's in place and hopefully through that mechanism, plus myself of course, dealing personally with some of these people, that maybe we're progressing faster than we really thought.

MR. COWAN: Thank you, Mr. Chairman. I found it interesting that the Minister of Agriculture suggested that we shouldn't be discussing this item and then went on to discuss it. I'm going to avoid the temptation to be provoked into debate on the basis of his comments and try to expedite the deliberations of the committee and as the Minister has indicated, the Minister of Labour in this case, there will be other opportunities to discuss this. I am certain that we will take advantage of those opportunities.

However, before leaving the item, I think it's important to make just a couple of comments on what the Minister has said. Number one, he has indicated that his department has met with Manitoba Hydro, the trade union leaders, the contractors, and that there is a preliminary committee, planning committee made up of two provincial representatives, representatives of the Federal Government, representatives of Manitoba Hydro and representatives of the union. The only group, or two groups that have been isolated, or three groups perhaps, that could provide input into that whole process and are not part of the process now, would be the MMF, the Foreign Nations Confederacy and the Northern Association of Community Councils and I would suggest that those groups being representative of many many northerners be included at this stage, which is the most important stage in the development of these programs in the deliberations and in the negotiations and I would just make that as a suggestion to the Minister, one which I know that he will consider seriously and follow up on if at all possible.

I would also suggest to the Minister that while reviewing the whole problem, that we as a government found and he as a government has found and the private sector have found, in respect to providing true opportunities to everyone in the province and that includes northerners for full employment, that he consult the Canadian National Railways in respect to what they have done in Gillam, because they have had a much more successful record I'm told by the Fox Lake band in encouraging native northerners to work and to stay on and to progress their way through the system, than we did with Manitoba Hydro. And so I think they may be able to provide some very positive input and some very specific examples as how we might be able to better accomplish what appears to be a mutual goal.

So having giving him those two small suggestions, as I said, I will resist the temptation to debate the stand that the Minister of Agriculture made, although I will just inform the Minister of Labour, if I heard him correctly, he did associate you with some of his statements and that you should review the Hansard carefully to determine whether or not you wish to remain associated with those or wish to clarify your own position in respect to that.

MR. CHAIRMAN: 1.(b)(1) — pass; 1.(b)(2) — pass — the Member for Churchill.

MR. COWAN: On (2) and the Minister doesn't have to provide it verbally, he can provide it by correspondence, if he wishes. I would ask him for a breakdown of the different expenditures under this item and that has been given to us in the past and it's purely for my records, so if he wants to put it on the public record, by way of a verbal representation, that's fair; if not, if he wants to expedite matters and pass it to me by way of correspondence, I will make certain that my colleagues are informed of its content.

MR. MacMASTER: I'll get you a copy of the expenditures.

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

MR. COWAN: I wonder, Mr. Chairperson, as has been done in the past, if this might not be an expedient time to have the committee rise. We have intended to do that on previous Estimates. I would ask your advice on that suggestion.

MR. CHAIRMAN: Committee rise.

SUPPLY — HIGHWAYS AND TRANSPORTATION

MR. CHAIRMAN, Abe Kovnats (Radisson): This committee will come to order. I would direct the honourable members' attention to place irrigation reservoirs or reservoirs for water conservation so that in future years we do not find ourselves in the position that we were in this year, with an extreme dry condition or extremely droughty condition and very little water reserves held back. So I think it's a matter of working with the people in Water Resources as well as our staff to continually make sure that we have the agriculture land base, the water resource and it be used in a responsible and productive manner and not, as I've heard the term of certain cases, not mine our soils but to improve our soils through practical and modern agricultural practices.

Within this allocation falls the area of our Farmlands Protection Board. We've indicated in our Throne Speech that there will be some changes made and look forward to further opportunities to debate it at that particular time. We have in the past year hired a full-time investigator to try and enforce the intent of the Act and I'm sure that with some of the evidence that is being brought forward it will be helpful in some of the changes that are going to be proposed. Again, I believe that it is our responsibility to work with the Federal Department of Water, of PFRA, both in the area of water development projects and/or projects that are interrelated, which I know we have last year opened the project near Dauphin where there was a joint program put in place to provide that town with additional water supplies.

I found it quite interesting when we went to open the facility with the Minister from the Federal Government who is also responsible for administering the drought programs, when we landed

in Dauphin that particular day, it was like landing in the Garden of Eden because that particular area around the airport had received a tremendous amount of rainfall whereas the rest of the province was drying up and it was very difficult to explain to him some of the extreme difficulties that we're having throughout the province. But those are the kinds of things that happen. It was an interesting discussion that was being held because it did look extremely good in that area.

But anyway I just want to say that I think that the department who have been administering this have done a good job and I think that the programs that have been provided for the farm community, on an ongoing basis, there are some new initiatives, but basically the Water Services Board have been carrying on their responsibilities over the past number of years. I would look forward to some constructive debate from the members opposite on this part of the department.

MR. CHAIRMAN: The Member for Lac du Bonnet.

MR. USKIW: Mr. Chairman, I thank the Minister for giving us at least an outline of what is happening. I would like to, however, pursue the question that I think is on the minds of many Manitobans throughout the countryside, and that is whether or not the department is in a position to indicate just what kind of a moisture pattern we are facing this coming year, this coming summer. Given the fact that we have had such a severe drought area a year ago, and the Minister knows very well what I speak of in that certain sums of money have been spent to try to reduce the impact of the drought last year, to what degree has moisture been replenished since that time and on a regional basis are we still facing that kind of a problem? The reason I indicate that, Mr. Chairman, is that we are witnessing at the moment a substantial lack of moisture during this winter period. Most of the Manitoba countryside is fairly naked, that is, a complete lack of snowfall.

Perhaps my opinions are somewhat dated there, I haven't flown across the province recently but when I did not too long ago 82 of the Main Estimates, Department of Highways and Transportation, Resolution No. 87, Clause 9, Motor Vehicle Branch, (a) — pass; Management Services, (1) Salaries — the Honourable Member for Ste. Rose.

MR. A. R. (Pete) ADAM: I didn't want to jump the gun on the Minister, Mr. Chairman, I wasn't sure whether he had completed his remarks before we adjourned for supper and he may have wanted to add to the brief overview that he provided for us before the supper hour. I'm not sure whether the Manitoba Public Insurance Corporation comes under his purview or not. I see it here as an item in his Estimates. Am I seeing correctly here? Not specifically, I'm not seeing correctly? Mr. Chairman, perhaps the Minister could give us an overview as to why we find such a substantial increase on the global figure which is \$3 million which appears to be about a 25 percent increase over last year and I am just wondering if — I'm sure the Minister would want to elaborate on why one department has suddenly gone up to that extent — I'm sure he must have a lot to tell us about the new programs, the safety programs, the new licences coming up next year, 1982, or am I

correct on that? Perhaps I will sit down and give the Minister a chance to give us just a little more clarification on the 25 percent increase on this particular section of the budget.

MR. CHAIRMAN: The Honourable Minister.

HON. DONALD ORCHARD (Pembina): Thank you, Mr. Chairman. I would give that as we go section by section. I can better follow through my explanation book and if the member would care to get into the major increase which is in (b) I could get on with that kind of an explanation if he so desired.

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

MR. BILLIE URUSKI: Thank you, Mr. Chairman. The Minister indicates that he can give us a greater explanation in terms of the specifics of the increases. Are there any new areas within the department that the Minister is proposing in terms of thrusts, and is he prepared to give an overview of the entire department before we get into the specifics of the discussion of drivers licensing, vehicle registration, safety and all the other areas? What changes and outlooks does the Minister have in terms of the motoring public in Manitoba insofar as the administration of the Motor Vehicle Branch is concerned?

MR. ORCHARD: Mr. Chairman, I indicated the two new major thrusts in my opening remarks before we closed at 4:30, being the Critical Item Inspection Program and the School Bus Inspection Program.

MR. URUSKI: Mr. Chairman, the Minister gave — I must apologize, but I was not here right at that moment; I presume it must have been in the last five minutes — around 4:30 that the Minister made those remarks.

In terms of the Vehicle Inspection Program that has been in place. I gather the procedure now is, through the computer printouts, to select certain numbers of vehicles annually on the inspection program and I would like the Minister to tell us what the existing program is and how it is changing in terms of the vehicle inspections, and as well dealing with the school busses, Mr. Chairman.

MR. ORCHARD: Mr. Chairman, as I indicated, that is part of the explanation in (c) and no doubt members arriving later than the Member for St. George will want to get into the safety all over again and I would suggest, with all due respect to my colleagues, that if we could deal with (a) and then (b) we could get to the safety programs in (c) and work on them in detail, Mr. Chairman.

MR. URUSKI: Mr. Chairman, insofar as the Management Services, I presume that deals with the computer systems and the staff within the Motor Vehicle Branch itself, in the administration of it. There is a decline of some roughly \$250,000 in expenditures; I would like the Minister to explain that. I believe from recollection that the class licensing system now is in motion but the Minister may want to elaborate on that.

MR. ORCHARD: First of all, Mr. Chairman, in the administration section itself we have a decrease in

our SMY complement; it's not an actual decrease in the amount of salaries and wages as the member can see from (a)(1), but it's a lesser increase than what we have experienced in other departments because we are not funding two-and-a-half SMYs within Salaries under Management Services.

In the Other Expenditures category, Mr. Chairman, we have a decrease in funding requirements of almost \$300,000 this year to last year. That increase is due because of quite an improved computer system that we have which has added greatly to the operating efficiency within the department and we're using the computer time much more efficiently and we're able to save ourselves a fairly significant amount of money in the other expenditures portion of the administration of the Motor Vehicle Branch.

One of the main areas that we've been able to accomplish this in, is in fitting our computer processing into the weekend time slot with Manitoba Data Services and take advantage of substantial discounts for the off-hour use of the computer over there and I think the results show for themselves that we're \$300,000 down with increasing; you know generally everything else is increasing and we've got a fairly significant decrease here.

MR. URUSKI: Yes, thank you, Mr. Chairman. I gather that in terms of computer time, is the use on the computer services — and that would likely take the bulk of the expenditures in this section in terms of office administration — is the use of the computer in terms of input. I am assuming that it's the input time that we're really talking about that is being able to be utilized on off hours in terms of drivers' licence renewals which are constant monthly work, which can be done in the off hours.

The on hour use of the computer, what is the use of on time that the computer is used? Is it primarily for insurance, registration validations and police services and how is that broken out, Mr. Chairman?

MR. ORCHARD: The portion of time which is on time that we use primarily as you approach the end of the month with increased drivers' licence requirements and a buildup at the end of a monthly period and we often run into more than we can run of weekends there so we're on time there; but as much as possible the day-to-day computer time that we can put off till the weekend, we certainly do, to take advantage of those kinds of discounts.

Included in the Other Expenditures are the traditional grants, of course, that the department has been involved with for some time, Canada Safety Council, Manitoba Safety Council and Traffic Injury Research Foundation. In those, Canada Safety Council is getting a grant of \$2,400.00. Manitoba Safety Council, \$133,500, Traffic Injury Research Foundation is getting a \$800 grant and our memberships in the Canadian Conference of Motor Transport Administrators is increased somewhat this year, from \$7,600 to \$11,700 because we are undertaking a little more work in following up on the motor vehicle, the Reciprocity Agreement and a couple of other major studies of the CCMTA now has under way, so that contribution has gone up and that has contributed somewhat to the increase.

MR. URUSKI: Yes, Mr. Chairman, so they are really talking about \$150,000, an outlay of other areas besides the Administration.

The Canadian Safety Council, the Minister indicated, had a grant of \$2,400.00. Is that an annual grant that has been going on for many year and what sort of relationship does that grant have to the Manitoba Safety Council which, if I recall correctly, the grants going back three or four years ago were around the \$90,000 mark; they have risen now to \$133,500.00. Could the Minister explain the extent of their program that the province is now funding or is prepared to fund?

MR. ORCHARD: The Manitoba Safety Council, he is quite correct, the grant prior to last year was about \$97,000.00. We increased it by almost \$40,000 last year and have continued to offer that kind of support funding for them.

We are having the Manitoba Safety Council primarily take on our driver training for referred drivers; anyone who accumulates the six points on their driver's licence is referred to the Manitoba Safety Council for their defensive driving or performance driving course and that is the main function that the Manitoba Safety Council carries on on behalf of the department. If that is more money than what they would expend in a year training our drivers, then of course the contribution goes into other traffic safety promotion that the Manitoba Safety Council might undertake.

MR. URUSKI: Mr. Chairman, the Minister indicates that the Safety Division of the Motor Vehicle Branch will refer drivers for upgrading when they are on recall, I presume, from the Safety Division for accumulating a certain number of points as a result of convictions; the Manitoba Safety Council conducts the Defensive Driving Course. But he indicated the driving training. Does the driver training that they offer go . . .

MR. ORCHARD: Just defensive driving and performance driving; driver training, that was an error; it should have just said performance driving.

MR. URUSKI: All right, then performance driving, for my information, is that a new area that they are involved in in terms of the drivers that we are sending for what one could consider a re-test, not a re-test but an upgrading in terms of their skills as a result of the convictions that they have received. I know that they have for years conducted the defensive driving course throughout the province where they have held courses and people were involved on a voluntary basis, going to these courses and taking the defensive driving course. How do these two mesh or what are the differences involved in and is this a relatively new area that they are involved in?

MR. ORCHARD: The Manitoba Safety Council always offered the defensive driving course; that's been in place for a number of years. The performance driving course was what you might call an improved version of the defensive driving course and it was developed by the Manitoba Safety Council, Motor Vehicle Branch personnel, and some personnel from the University of Manitoba; and basically, I think you could say that on a scale of one to ten, if a defensive driving course was eight, the performance driving would be nine. It's a little more

in-depth course than the defensive driving course, but I must say that there are much more instructors available for the defensive driving than the performance driving course, so that the majority of the people referred are taking the defensive driving course rather than the performance driving course, in terms of the referral and the intent of referring drivers who have accumulated six points, really a refresher in driver attitude, rather than driver technique. Both course are equivalent; we don't consider one to be incredibly more superior than the other, to say that we should only have the performance driving course and not the defensive driving, so in some areas where we don't have an instructor for performance driving, the defensive driving course fits the bill quite well.

MR. URUSKI: Mr. Chairman, this referral system, has it started recently? Can the Minister explain when was this developed, this referral system developed?

MR. ORCHARD: 1973-74, Mr. Chairman.

MR. URUSKI: Mr. Chairman, the referral is done, and I would like to have some of the rationale. I'll make some assumptions that sending people, after receiving six demerit points or more, in terms of dealing with their attitude, and that's probably the biggest part of some of the habits that motorists have, is their attitude once they do get behind the wheel. A body such as the Manitoba Safety Council being apart from the regulatory agency of the Motor Vehicle Branch can at least appear to take a more objective view of the driver, taking him in fresh. These are the assumptions I'm making and if I am fairly accurate in this, which I really don't disagree with in terms of making sure that these referrals occur, I think it's probably the best thing that can happen to many of our motorists who, as a result of convictions of one nature or another, and once they've accumulated those points, really do get pulled in and sort of pass through a system to have them re-evaluate their situation well realizing that driving is not a right, it's a privilege that is given to them by the citizens of this province. In terms of dealing with this, I'd like to know as to how many motorists would be referred to the Manitoba Safety Council, say on an annual basis? Is it a fairly steady stream? And is the Council funded on a per motorist basis that takes the defensive driving course or are some of their funds they raise as well on their own, in terms of the fees that they collect from the defensive driving courses that they handle or conduct throughout the province? I would like the Minister to comment on that if he would.

MR. ORCHARD: Well, what the Member for Ste. Rose indicated in terms of the general intent of the defensive driving course are correct. We don't pay any per driver fee. The \$133,500 is deemed to be the costs of them providing the 3,000 to 4,000 referred drivers, defensive driver course per year, that's an average range between there. And at the same time the Manitoba Safety Council, as they're offering the courses for the referred drivers, of course they invite the general public to come in and take the defensive driver course. All, even the referred plus the general public coming in, pay an additional fee, and I don't

know what it is, to the Manitoba Safety Council for taking the course. I think it's \$30.00 or \$35.00, is it not? About \$15.00.

MR. URUSKI: Yes, Mr. Chairman, I'd like to find out from the Minister, is it automatic that the safety division refers drivers as soon as they hit the six points, or is there a range or a severity of offence that is involved when drivers are referred? I raise that question in this light, Mr. Chairman. There are drivers who are, no doubt from time to time, picked up for impaired driving or blood alcohol in excess of .08. Would those drivers automatically be referred, let's say they had no other convictions but that or refusal to take a breathalyzer, would those drivers be automatically referred through this process in terms of their driving habits? Or would it be primarily a driver who has been convicted of moving traffic offences dealing with speeding, dangerous driving, failing to stop, these kinds of offences which can lead, or being involved in accidents of which he has been responsible, but no charge is laid — there may have been that grey area where police said, yes, we think he may be responsible but there isn't enough evidence to lay the charge and this kind of information would be compiled — what kind of background goes into the selection of these 3,000 to 4,000 motorists?

MR. ORCHARD: The motorists at six points are called in for an interview, first of all, with personnel from the safety division and if the interviewer thinks the person, like as the member indicated, you can accumulate six points pretty innocently sometimes without it actually being a fault for any serious traffic or moving offence, and the judgment of the interviewer will determine whether that driver would potentially benefit from the Defensive Driving Course, so that not all six-point drivers are referred. Also the drivers convicted on the breathalyzer, which is an automatic six points, aren't referred. It is primarily moving offence and particularly certain categories are automatically referred, like reckless driving, dangerous driving, leaving the scene of an accident; those kinds of things are automatically referred because I think, as the member can appreciate, that immediately demonstrates a rather poor attitude towards the driving, the responsibility and the duty of driving.

So some are automatic, dangerous driving, etc., and some are at the discretion of the interviewer, depending on the attitude of the driver and his general knowledge when interviewed.

MR. URUSKI: Mr. Chairman, of the, I gather, between 3,000 and 4,000 drivers referred annually on the basis, how many drivers would have — I don't know if that information is available — would have demerit points on their driver's licence at any one point in time? Of course, I don't even know how many drivers are there on the system now that are licensed drivers; some may be under suspension and some may not be. How many drivers do we have; how many would have demerit points?

Mr. Chairman, the point that I was getting at, to find out how many motorists are actually under suspension in the Province of Manitoba, roughly, at this point in time? So there are several statistics that the Minister may be able to provide for us.

MR. ORCHARD: Now, if I understand the question, was the member getting at how many people have points on their driver's licence, out of the drivers?

MR. URUSKI: The first figure, if we can do it in order, is the number of licensed drivers in the Province of Manitoba.

MR. ORCHARD: About 800,000.

MR. ORCHARD: About 800,000. Of those 800,000, how many would have clear driving records as far as the point system is concerned?

MR. ORCHARD: About 600,000.

MR. URUSKI: So about 75 percent of the drivers have good driving records insofar as convictions. They may have had accidents but insofar as the demerit point system is concerned, they have a clear record. So we are talking about basically 200,000, and of that 200,000 who have demerit points about 1 to 2 percent of those would be in the category that required some further analysis and further coaching, education, attitude remodeling, shall we say. So those are the drivers that we are really talking about which, is really basically, Mr. Chairman, a very small portion of the licensed drivers who are considered, and I am making this consumption, that they are considered probably one of the worst in terms of attitudes, possibly not so far as the demerit points — they may not have accumulated as many demerit points as some others — but because of the types of infractions they were involved in they would be considered worse in terms of their attitude and their responsibility to other motorists on the highway.

I am wondering whether some of those who are suspended, of those 3,000 or 4,000, have been under suspension without mandatory suspensions that are imposed by alcohol-related offences, Mr. Chairman.

MR. ORCHARD: The member is a little bit ahead of himself on that one. The safety record of Manitoba drivers is, really, if you do a number analysis, is not that bad. That demonstrates, we think, quite clearly in the accident rate in Manitoba, which is in direct comparisons with our sister province which is the closest to us in terms of training drivers, insurance system, etc., the record of Manitoba drivers is better than the record of Saskatchewan drivers. We think that speaks well for the kind of safety programming that we have got in the Province of Manitoba that we can develop that kind of driver attitude.

Of the 3,000 to 4,000 — and my Deputy reminds me of the good roads in the province, too, Mr. Chairman — but of the 3,000 to 4,000 drivers that eventually end up taking the Defensive Driving Course on a referral basis, none of those are suspended, they have only been called in because they have achieved the six-point range and, as a matter of fact, we conduct something a little over 7,000 interviews a year, of which 3,000 to 4,000, on average, are referred for defensive driving; so that none of those people are suspended.

We did last year suspend some 27,000 drivers for various causes. Probably the major one, of course, would be the Criminal Code offence, but none of the 3,000 to 4,000 drivers that we've been talking about in the last few minutes are suspended drivers.

MR. URUSKI: Mr. Chairman, when the Minister indicates that last year there were approximately 20,000 to 27,000 suspensions that would have been conducted, and he indicates that the major portions of those would have been automatic, and I'm assuming by virtue of the convictions of the three different offences under the Criminal Code dealing with alcohol or some other substance which impairs the driver's ability, then Mr. Chairman, the branch, in terms of its safety division, would actually interview, suspend very few drivers on its own in terms of meting out suspensions. I'd like some comment on that from the Minister. How does it relate? How many drivers would be, maybe not the numbers, but in terms of the interviews and the safety division's analysis of the driving habits and the record that a motorist has; how many would they have suspended?

MR. ORCHARD: About 10 percent of the total, around 2,700.

MR. URUSKI: Yes, Mr. Chairman, so in terms of the 7,000 interviews that have been conducted, would that include the 2,700 that they would have suspended; that would be in addition, so we're really talking a fair volume of drivers who would go through the system to be interviewed insofar as their their records and their attitude towards driving is concerned. How would this analysis of drivers, rehabilitation and rechecking by the Safety Division be broken out? Would there be sort of a regional component? Do we have safety officers say, in Thompson or Brandon, Dauphin, in all regions of the province, would there be a safety officer and is there a regional breakdown? I would assume that Winnipeg having 60 percent of the population of the Province of Manitoba or thereabouts that the bulk of the interviews and suspensions would be in the City of Winnipeg, but is there any proportion or any analysis or anything significant that the branch has insofar as the driving habits of motorists outside the City of Winnipeg in relationship to the region or area that they reside? Is there any significance to their driving habits insofar as the suspensions that the branch has?

MR. ORCHARD: First of all, we do have driver training safety officers in various parts of the province but we don't have a breakdown as to region by region per se and can't offer that kind of information to the member.

MR. URUSKI: Mr. Chairman, in terms of staffing, how many safety officers would the branch have in terms of dealing with the referrals and the like and its breakdown? Do some of the testing people also act as safety officers throughout rural Manitoba as well on a joint basis? Do they conduct interviews or most of the interviews brought back into Winnipeg for the drivers to be heard here or in the areas that they reside? Could the Minister sort of outline where these interviews are handled and in what areas are the safety officers throughout the province that deal with this area?

MR. ORCHARD: Once again, Mr. Chairman, I don't want to wrest the gentleman but that's down in the safety category and it will take us a couple of minutes to get the staff in the various areas, if he wants that.

MR. URUSKI: Mr. Chairman, the other two grants that the Minister spoke about, one was to the Canadian Traffic Association, it's a relatively innocuous grant of \$800.00. Can the Minister give us sort of a brief outline of what is involved in that? What are we really talking about?

MR. CHAIRMAN: Coffee money.

MR. ORCHARD: Tradition, Mr. Chairman.

MR. URUSKI: Mr. Chairman, I don't know the tradition, so where is this organization based and what basically are their functions in terms of the driving public of this province or indeed our country? What relationship do we have to that organization?

MR. ORCHARD: They're based in Ottawa, Mr. Chairman, and when I say 'tradition', we've granted them some moneys for a number of years so that's why I say 'tradition', but they do provide a useful service in traffic accident analysis to identify potential hazards along the highways, make recommendations on guard rails, on bridges and things like that, that are safety procedures that may well be a causative agent to accidents; and through compiling statistics from across Canada they are able to identify certain traffic or road features that are hazardous and make those kind of observations known to the rest of Canada. So for the \$800 I would think that we're pretty well served.

MR. URUSKI: Mr. Chairman, I thank the Minister for the explanation. Are they a private agency and what capacity in terms of research do they provide? When the Minister said they had done surveys of various roads, are they involved at all in the surveys that are conducted through, say, the university group that has done traffic studies and accident and people studies in terms of whether they favour the use of seat belts and the statistics that have been compiled insofar as the acceptability of the use of seat belts, say within this province? Would they be involved in providing funds to university groups and the like or is this strictly to deal with road services, signs and . . . ?

MR. ORCHARD: To maybe help the member, it's the Traffic Injury Research Foundation of Canada and it's a foundation operated independently from governments and funded by various departments such as mine and also there's substantial private funding goes into it. I can't answer the kind of questions that the member is saying; I'm not that familiar with the Traffic Injury Research Foundation.

MR. URUSKI: Thank you, Mr. Chairman. Insofar as the — I think it's CCMTA grant of 11,700 — there is a study that is being undertaken dealing with reciprocity agreements and I know all provinces contribute to this organization on I think per capita basis I believe, if the Minister would care to explain on how we contribute to this organization and the extent of the studies that are being undertaken this year dealing with reciprocity, what are some of the components of the study that we are trying to agree upon or get information from, Mr. Chairman?

MR. ORCHARD: We contribute on a flat fee per registered vehicle in the province and there's two

things, two major new items that the CCMTA is undertaking. With the advent of the Commercial Vehicle Reciprocity Agreement there have been a number of ongoing meetings with CCMTA staff to develop such things as cab cards and other items that are necessary for the Commercial Vehicle Reciprocity Agreement and to determine the methods of distribution, the pro-rating of the licence fees, that's added costs to the operation of CCMTA, and as well they are undertaking a driver training education study to see what might be a better driver training program to offer to driver training officers in various parts of Canada.

MR. URUSKI: Thank you, Mr. Chairman. We have embarked over the last number of years and I would assume that one of the functions that was involved in embarking into the class licence system was as a result of conferences and agreements arrived at through this organization. When the Minister speaks of developing a better drivers' licence testing system, is there a move now in this field to attempt to standardize the way the driver testing system and procedures should be conducted throughout this country so that no matter where we move, that the procedures used are basically the same. Have we reached a point where, and I think we have in some instances, but I would like to know whether we've now reached a point where we do reciprocate driver's licence training or driver's licence testing, we accept testing of motorists who have been done in other provinces? I know it wasn't the case a number of years ago where I recall during my term when I was in training in Regina, when I moved from Manitoba to Regina I was tested by the Motor Vehicle Branch there to obtain a Saskatchewan licence for the one year or thereabouts that I was there — and I rode a horse — Mr. Chairman, then within 10 months I was transferred from Regina to Ontario and before I could receive my driver's licence there I was tested again. So within a short period of within a year I was tested several times in terms of the driver's licencing procedures of the three prairie provinces. I'm assuming that this agreement and this group is dealing with the standardization of this and will we come to a point where all the licence testings will be recognized throughout this country? I would like to have the views of the Minister.

MR. ORCHARD: I take it, Mr. Chairman, we are now dealing with Item (b)?

MR. CHAIRMAN: We're almost there, yes.

MR. URUSKI: Mr. Chairman, the Minister made two points, if I recall in his remarks, that the CCMTA is dealing with at the present time; one of which was the reciprocity, and I haven't dealt with that in dealing with the prorating of the licences between commercial trucks between the provinces; and the other one dealing with the driver's licencing system. I'd like to have the Minister's views as to what is the intent and the process that is being undertaken. What are we looking for in the future out of these kinds of meetings, dealing with the driver's licencing system? Now that we have gone, and I believe it's five provinces or is it more, that have adopted the class licencing system, we do have a recall system in

terms of medical requirements and testing, what are we really talking about in this study, Mr. Chairman?

MR. ORCHARD: Mr. Chairman, the licence reciprocity or the exercise that the CCMTA is undertaking, is in a comparison of driver education or driver training in driver testing procedures throughout Canada, to pick the best from each system and hopefully improve all of them thereby. With the class licence system there is full reciprocity of the driver's licence across Canada.

MR. URUSK: Yes, thank you, Mr. Chairman. Certainly it's no doubt a very worthwhile exercise that this organization does perform in terms of being able to meet periodically or regularly, not periodically, regularly and discuss what is happening in each jurisdiction as to how each area is proceeding with driver training testing licencing. Mr. Chairman, the prorating of the commercial licences that have been established, is it now an agreement that this is carried on throughout a vast part of this country, because we have truckers who are based in Manitoba, who travel all the way to British Columbia and all the way east — I'm not sure whether all the way to the Maritimes but I do know some would go as far as Montreal and some would go south — to what extent have we reciprocal agreements and how is it actually apportioned or worked between the various provinces? How does that differ to what agreements we may have with some of the individual states, south of the border?

MR. ORCHARD: The CAVR or the Canadian Agreement on Vehicle Reciprocity has no impact whatsoever on agreements with the United States; it's only a Canadian Plant. Nine of the ten provinces are signatory to it. Prince Edward Island chose not to sign in September for reasons strictly their own, and they will be working out a separate agreement with the few trucks that end up going to Prince Edward Island. So I think in fairness you can say that the agreement is across Canada. It's going to be implemented April 1st, 1981 and Quebec has a 1982 implementation date. So they are one year later. All the rest of the provinces are going to be part of that program as of April 1, 1981.

The system involves the prorating of a licence fee, and let's take an example of a trucking firm which has a franchise to haul freight from Manitoba to Ontario. Those trucks can be registered in Manitoba, they would then prorate the Manitoba licence fee, which would be — for easy figures — say \$2,000 on that tractor. They would prorate that \$2,000 licence fee based on the mileage travelled in each jurisdiction. So if they travelled 75 percent of their miles in Ontario and 25 percent in Manitoba, 25 percent of the fee would be coming to Manitoba, 75 percent to Ontario. If it was a trucker who had an agreement who had the franchise to truck from Manitoba clear through to Saskatchewan, Alberta and B.C. and he paid his licence plate and registered his vehicle in Manitoba, he would pay a prorated amount of the Manitoba licence plate to all four provinces based on the percentage of the mileage driven in each jurisdiction. So, what basically we have with the CAVR is a one-plate, one-registration fee concept.

With the purchase of a plate from a province who is signatory to the agreement, that trucker or

trucking firm can be assured that he can travel to the jurisdictions that he has a franchise in and not have to purchase any further licence plates or registration fees in those jurisdictions. My department, the Motor Vehicle Branch, for trucks licenced in Manitoba for travel in the other jurisdictions will look after the prorating and the distribution of that licence fee to the other provinces. Reciprocally, if a truck in Alberta has the same kind, or a truck in B.C. say has the same four province agreement and registers in B.C., likewise the B.C. counterparts to my Motor Vehicle Branch will register it, provide him with his plate and distribute the fees according to the mileage travelled in each jurisdiction.

And what we are going to find from this, this is something that the Canadian trucking industry has been very very interested in having for a number of years. Under the old system, for instance, and let's use the Manitoba-Saskatchewan situation, a trucker based in Manitoba wanting to haul to Regina would pay his full plate fee in Manitoba and then he would go out to Saskatchewan and, in order to have running rights in Saskatchewan, he would buy what would be equivalent to a half plate in Saskatchewan. If he had four province's jurisdictions he would likewise purchase a half plate in each of the jurisdictions, what is roughly equivalent to a half plate. What he would end up with is the front of a truck covered with six, eight, ten plates even, if he had running rights in all ten provinces; that wasn't all that common. But, basically, what the trucking firms tended to do, and some of the major firms in Manitoba who operate extensive fleets throughout the prairie provinces, they would only register so many of their trucks in Manitoba, so many in the other jurisdictions. Now we believe, experience will show us because Alberta has had a prorated agreement with some of the northern U.S. states, and what they found with the prorated agreement is that trucking companies who had the franchise would automatically register all of their tractors in the Province of Alberta, so that at any time that they were at the border and they didn't have the Alberta plate on that particular truck they weren't stopped, or didn't have to pay a single trip fee. It allows the trucking industry much greater flexibility in their motive power and eliminates, to some extent, the amount of deadheading that would happen. Two trucks without licences for Ontario and Manitoba respectively would each deadhead to Ontario, pick up each others loads and then come back instead of having the same truck make the whole trip.

We see, and that was the great persuasion between the provinces to go ahead with this CAVR Agreement, we see a significant benefit to the transportation industry and as the Member can well appreciate, a benefit in equipment flexibility to the trucking industry is going to translate into lower operating costs which may not decrease freight rates, but certainly they won't increase as quickly as would have been normal had we had the multiple jurisdiction registration that we had before.

Staff has put in a lot of hours working with the other Motor Vehicle Branch staffs across Canada in developing the framework, the prorating scheme, the sharing of the plate fees and the development of the forms and whatnot; it's been a massive undertaking,

but quite successfully done, and done in about two-and-a-half years, I believe. I think it really demonstrates, when we face today with a Constitutional debate where we have significant disagreement among the provinces and the Federal Government and the argument is put forward that the provinces really can't get along and can't agree on anything, this CAVR has really demonstrated that, with a goal in mind, the provinces can, indeed, cooperate, bend some of the things. Not all of the provinces got exactly what they wanted out of the CAVR, but they accommodated the desires of other provinces and ended up with a system which is, by and large, a very good one.

MR. URUSKI: Mr. Chairman, it's certainly interesting the information that the Minister has provided and I thank him very much, because it's certainly a topic that is, I'm sure, one that is of great interest to the transportation and trucking industry, because Manitoba has based many large interprovincial outfits within this province and who do a lot of freight hauling throughout. Does this agreement mean any actual less fees, direct licence fees that a trucker will actually put out initially? Does it mean a decreasing cost to some of the truckers?

MR. ORCHARD: Oh, yes. The individual trucker who, let's take the example of the fellow that's going from Manitoba to B.C., he would pay approximately \$2,000 to Manitoba now and have that prorated to the other four jurisdictions, whereas before he would be paying the \$2,000 to Manitoba and roughly \$1,000 to the other three jurisdictions, so it was costing him in the neighbourhood of \$5,000 to undertake that franchise run before. Now it'll cost him \$2,000, the one plate cost.

MR. URUSKI: Yes, Mr. Chairman, is there an estimate, and there must have been some figures kicked around before this agreement came up as to what provinces were prepared to lay on the table, in terms of the licence fees? What would the cost on an agreement basis — there must have been a figure as to what is really being turned over to the industry in terms of licence fees across this country; has there been a breakdown between provinces?

MR. ORCHARD: No doubt the breakdown has been done, each province has done their own. We guesstimated as roughly as we could that it was going to reduce the truck licencing revenue by, I believe, around \$900,000 in the Province of Manitoba, so it's a significant reduction in licence fees. Some of the other provinces also — well all of the provinces have a decrease, but it shifts variably. The impact on Manitoba, I'm not convinced it is going to be that \$900,000, because Manitoba is, you might say, a corridor province because we're in between Alberta and Ontario, if you want to put it bluntly. With the increased fleet flexibility that's available, you can appreciate that a trucking firm which has the franchise rights in Ontario to deliver to Alberta, and they are making a haul, it doesn't cost them one cent more to, instead of registering only 10 out of 50 trucks for Manitoba for that haul out west, to register the whole works, because the trucking firm pays one licence fee and prorates it to other provinces. Alberta has told us in the early

negotiations that our guesstimate of the cost to the province in reduced licence fees, we would not experience that because we are a corridor province, and they likewise. When I mentioned to them that Alberta was part of this for some three years on the Western Compact, which is U.S., their truck traffic was using Alberta as a corridor to Alaska. On their prorating basis they found, just as I mentioned, instead of a 50-truck firm registering only 10 trucks and making all the hauls with those 10 trucks; they, with the prorated reciprocity agreement, registered all 50, so that at any given time they could legally and quite ably bring any one of their fleet of 50 trucks through Alberta on a haul to Alaska. They indicate, and I think it's a logical assumption, that it doesn't cost the carrier in Ontario any more to register all of his fleet on a prorate basis and proportion a part of the fee for each and every one of his trucks to Manitoba so he's got that fleet flexibility. We may not see the projected \$900,000 or thereabout reduction in fee revenues, but we're shooting at a moving target until we have the scheme implemented and it's in place for a couple of years, so we really won't know the revenue impact until, we may not even know two years from now, but we'll have a pretty good handle on it by then.

MR. URUSKI: Yes, Mr. Chairman, I appreciate the information the Minister is giving us and we've had basically no experience in that, but is it in place now?

MR. ORCHARD: April 1st.

MR. URUSKI: April 1 of this year Mr. Chairman, who does the declaring? Is it the owner of the fleet that comes to the Motor Vehicle Branch in the province in which he is based? Are those the people who declare as to the number of trucks that they will be operating elsewhere and how the funds should be prorated? What is the mechanism that is used to determine this?

MR. ORCHARD: Let's take a carrier in Manitoba. He will come in and let's say he's got those 50 trucks and he's got the franchise between here and Alberta, he would come into the Motor Vehicle Branch and he would say, I want to register all 50 trucks — everybody keeps mileage records because of the fuel tax collection — so he says based on last year's experience, he's figuring 25 percent, 25 percent, 25 percent, I want to register all 50 of my trucks for all four provinces; the Motor Vehicle Branch will figure him out a total bill for the 50 trucks and prorate it on the basis of the mileage that he's given and at the end of the registration year the carrier will verify on the basis of actual mileage and fuel tax paid in each of the other provinces, whether in fact there needs to be an adjustment on that 25, 25, 25, you may end up with 21, 27, etc., etc. Then you'll generally find, unless there's major changes to the routes, additions to the routes, that that mileage stays fairly constant and after the second year you can base your prorating pretty well without variation from year to year. That's been the experience at any place that this prorating agreement has been used. The United States has had it in the Western United States for several years and their experience says that after a few years the

prorating becomes a very simple method to verify because of the fuel tax collection.

MR. URUSKI: Mr. Chairman, I see from this that using the calculations that the industry has to keep now in terms of the fuel that they buy in each province, it's much simpler than I originally envisaged, however, Mr. Chairman, there is one point. Could this lead to an area where we would find truckers intending to move their base of operations from one province to another, based on the fees that the province may charge for registering them, could you have a kind of effect where, if let's say Manitoba's fees happen to be the lowest in the country, an influx of base operations into the Province of Manitoba so that trucking outfits end up registering all their trucks in the Province of Manitoba on one, basically for the licence fee, number two, the insurance fee? How is this method regulated? Can that not be an effect and how is this to be looked at? Because, Mr. Chairman, there are Manitoba-based outfits who have bases in other provinces so it's a very simple matter I believe in the corporate world for them to say that although today my base is Winnipeg, tomorrow my base could be Edmonton, because I have trucks running out of both areas. Is that a possibility and how is that viewed amongst the agreements between the provinces insofar as the registration fees? Is this going to be a factor in determining what Manitoba may want to set in the future, how Manitoba may set its registration fees on its vehicles in the future on the basis of the agreement that is now agreed upon between provinces? Will it have an impact?

MR. ORCHARD: No, this program will have a minimal impact. One of the reciprocity agreements that was suggested was a straight full and free reciprocity whereby all 10 provinces being signatory to it and if you registered in one, that plate would do the same as your car plate does, give you full and free access to all provinces across Canada where you had a franchise. That could have led to plate shopping but under this one where all jurisdiction — because only the home base jurisdiction under full and free would get the original plate fee — any other province would get nothing and Saskatchewan really kicked up a big fuss about that one and quite frankly I didn't agree with it either. I didn't think it would last in the long run in giving the trucking industry the reciprocity on equipment they wanted. You would have jurisdictions like Saskatchewan that didn't have that many home-based truckers and plated truckers out of Saskatchewan providing a corridor service with no return on the licence plate. So that wouldn't have been fair, that's why Manitoba chose — and Ontario wanted to go full and free as well — but we chose to go with the prorate because we could see that being the best long run solution with the least opportunity to plate shop, because you'll find your differential in registration fees is in the neighbourhood of about \$300 between the highest and the lowest jurisdiction in Canada. So, okay, if you're running in four provinces, what are you talking, \$75.00 at the most difference to register and the prorate reciprocity agreement is the best one to eliminate that kind of a problem. I think we would have, under the old system, just what he indicated, plate shopping in jurisdictions, but under the prorate

reciprocity, not so. We don't anticipate any problem with that because it's to the jurisdiction's advantage to register their trucks and have the fleet flexibility in pro rata.

MR. URUSKI: Mr. Chairman, I see the argument or at least the analysis the Minister gives in respect to the cost of plates where they may be say, a \$300 difference between the high and low and the medium in terms of the provinces, but, Mr. Chairman, that's I'm sure not quite the case when it comes down to the larger costs and that is of insuring the vehicles. Of course, three provinces in Western Canada now have public insurance schemes and the remainder of them do not have public insurance schemes, how has that entered into the picture and how will that impact? Because we do know there is a substantial difference and there are packages where fleets can determine their rates and there can be quite a substantial difference in terms of a package policy, especially with outfits that have 100 or more trucks that are on the highway, how is that viewed in terms and negotiations, Mr. Chairman?

MR. CHAIRMAN: Before I allow the Honourable Minister to answer, I realize that there is some connection between insurance and driving of trucks and I'm going to allow the Honourable Minister to answer but I would hope that we won't get into an extended discussion on insurance. (Interjection)— I realize that there is a connection and that's the reason I'm not ruling the question out of order but there is really nothing in all of the preamble or in the particular articles that covers insurance. Again, I'm not ruling the honourable member out of order.

MR. URUSKI: Just to explain a bit further, Mr. Chairman. I realize the dilemma that you're in. This agreement, no doubt, is very historic in terms of provincial-federal relations dealing with motor vehicle transportation, truck transportation in this country. This agreement that is going to be put into force in a matter of two months will have an impact and the Minister admitted, he sees now that there may be a loss in revenue of close to \$1 million in terms of the Province of Manitoba. Now, that may be a trade-off that we should accept by going into this agreement, we'll have some discussion on that but, Mr. Chairman, it does have an impact as to how this agreement will work and will have an impact I believe even on the registrations that may be in but I don't intend to, let's put it this way, get into a long protracted debate on insurance specifically but it does have a bearing on the agreement that we are discussing.

MR. ORCHARD: Well the insurance aspect of it, of course, was discussed and MPIC informs us that they cannot foresee any impact, either on the number of vehicles rushing to Manitoba to be insured here or a loss of vehicles on insurance; it's a draw situation. Part and parcel of the CAVR is that the trucks must prove, in the jurisdiction they register in, that they had adequate insurance. That's No. 1 priority so that all trucks are going to be guaranteed of insurance; as it was before, there is no difference they had to make that kind of proof and the insurance aspect was not a major consideration.

MR. URUSKI: Yes, Mr. Chairman, in terms of the trucking industry the province does not envisage

movement to any great extent, one way or the other, in terms of their base operations. The principal, and I would like the Minister to verify this, as I understand it and I just like to make sure, is that a trucking firm will have to declare what their home province is; what they see as their home province and it will remain as such until the base of operation actually changes. How is that to be determined in terms of do we pinpoint what the home base is; how do we determine that, of a company? I think some Manitoba-based firms which run trucking outfits in the Province of Alberta and have a base there and have a base here, who determines which is home base; I believe for insurance purposes there were fleets that had a Manitoba base and they also had an Alberta base and they shopped in terms of their insurance on the fleet basis and some of which were I believe insured in the Province of Manitoba.

And that's why I raise the point. Is there going to be some shopping or how are you determining home base declaration; can there is switching around?

MR. ORCHARD: The home base determination under this agreement is no different than what it was on the other because with the kind of reciprocity we had in place before a trucking firm could have a firm —(Interjection)— A trucking firm today who had operations in the three prairie provinces; even though he had his main distribution warehouse in Winnipeg, today there is no obligation under the existing system today that he register all his trucks in Alberta if he thought that would be advantageous. The same thing will happen under this system. How they choose their home jurisdiction is determined by the trucking firm themselves, there is no persuasive reason why they should choose any one province or another.

I say again that there is less potential for plate shopping jurisdictions under this system than there is even under the existing one because under the existing one, for instance, if Alberta had a \$1,500 license and Manitoba's was close to 2,000 there would be a definite advantage to locating all your trucks in Alberta and buying a half plate in Manitoba and Saskatchewan. Under this one the advantage is not nearly as significant and we won't find the kind of plate shopping that may have been a problem in the past. So we don't anticipate any exasperation of a problem.

MR. CHAIRMAN: Would the honourable member speak so I can identify him by voice. The Honourable Member for St. George.

MR. URUSKI: The Minister indicates that there is less chance of having this problem snowball in terms of where the truckers decide to set up home base. In the event that Manitoba, or any neighboring province, let's say Manitoba wanted to raise their licence fees substantially in terms of the trucking industry; let's say we went to a \$500 or \$600 difference from our neighboring province, would there be an encouragement then for a Manitoba-based firm to say we are going to move our base of operation to Saskatchewan if they were using — I'm only talking those that are travelling interprovincially. Where is the, sort of, the saw; where is the point, and that's the point I was getting at; where is the point where we, while we have agreement now but in

the event that Manitoba sees that it has to raise it's fees for revenue purposes, where is the break-off point, Mr. Chairman?

MR. ORCHARD: I don't know whether you can identify a break-off point until it's too late. So far we have a higher registration fee than other jurisdictions and the natural advantage of locating in Manitoba has kept our base-plate truckers here. I would suspect that if we were to be \$1,000 between other jurisdictions, yes, definitely we would get into some problems. So I suppose you might say that is a marketplace equalizer to make sure that some jurisdiction doesn't inordinately raise their fees.

MR. URUSKI: Yes, Mr. Chairman, or the reverse could happen where a jurisdiction would want to say, well, we are going to charge one dollar to have trucks registered in our province. But, Mr. Chairman, what impact is there and are there any benefits for the trucking firms that are based in Manitoba but are intraprovincial only in terms of operations? Are there any benefits that can, out of this agreement, be passed on to the trucking firms within the Province of Manitoba?

MR. ORCHARD: No, there's neither an effect nor a benefit. Mr. Chairman, there is neither an effect or a benefit.

MR. URUSKI: Yes, Mr. Chairman, did I get the Minister correctly. There are no benefits or change. When the Manitoba-based trucking industry, and of course they will see what has occurred in terms of Canada-wide agreements, will they say to the Province of Manitoba, what is in it for us; where do we fit into the picture in terms of simplification of deregulation and the like; what do we have in terms of benefits that our competitors who travel and some of them, of course, are both, they travel out of the province and some within? Is there anything that in terms of changes that would help Manitoba truckers per se within the Province of Manitoba in this agreement?

MR. ORCHARD: Well, Mr. Chairman, this is a Canadian vehicle reciprocity agreement. It is for interprovincial movement of trucks. It has no benefit to any truckers in any province which operates solely within provincial boundaries.

MR. URUSKI: Mr. Chairman, is there any changes in vehicle registration if the province intends to make up the proposed loss of roughly \$900,000 in revenues that they see as a result of this agreement?

MR. ORCHARD: No, Mr. Chairman.

MR. CHAIRMAN: Before we pass this item, I have a couple of remarks I wanted to make and I would ask the Honourable Member for Emerson to please come and take the Chair.

MR. DEPUTY CHAIRMAN, Albert Driedger (Emerson): The Member for Radisson.

MR. KOVNATS: Thank you, Mr. Chairman, I won't be too long. I just had a couple of remarks that I wanted to make to the Minister on what I would consider to be a fairly serious subject and it comes

under Management. A few years ago, just as a preamble, you've got some pretty good staff down in your licencing departments, the one that checks out the elderly when they get too old to drive and things of that nature. I ran into some very nice people down there and very co-operative on a particular situation, where —(Interjection)— and my glasses. This is a particular situation a few years ago when my own father was recalled because of his age for a particular test and I had to drive him down because he couldn't drive without a licensed driver at that time. He took his test and as it happened he was stopped from driving, his licence was recalled and rightly so, Mr. Chairman. He really wasn't capable, his eyesight had gone, his hearing wasn't very good and traits that his son has come to accept, because my eyesight is going and my hearing are going, but his licence was recalled and it was a traumatic experience, Mr. Chairman, for a man who had had his licence for — I'm going to guess — somewhere around 50 consecutive years, to have his licence taken away from him.

I really went through this experience with him and I'm going to suggest to the Honourable Minister that there's got to be some way to relieve these people of this traumatic experience. I'm not suggesting to the Minister that they be allowed to drive a car, there's just no way that some of these people should be on the streets and driving cars, but is there some sort of a licence that could be issued to them to allow them to keep their dignity and their pride of having licences for so many years? Is there a licence that could be issued, even if it's only for identification purposes? I remember vividly him saying to me, "Abe, if they would only let me keep my licence, I promise not to drive," and this is from a gentleman. Well, I would think that there could be other means of having this licence, even if it's only for identification purposes.

You know, it is a little humourous, but when you go through a situation like that with an elderly chap past his '80s, it kind of got to me and I thought, there's got to be some way that this man could be allowed to keep his licence and I would hope that the Honourable Minister would take it into consideration for those people who shouldn't be driving, but could be issued a licence, just as a courtesy even. I'm not saying to charge them the full amount, maybe charge them \$1.00, \$2.00 or \$5.00 and stamp right across it, 'This does not allow this person to drive a motor vehicle'. It would certainly help the Member for St. George who would like his licence just to drive horses.

It is a little humourous but not to be too humourous, Mr. Chairman, in direction to the Honourable Minister, we could licence epileptics, we could licence blind people, but just as a form of identification. I can just see the Honourable Minister going down in history. Friendly Manitoba. The Honourable Minister and the headlines in the newspapers right around the world, "Province of Manitoba Licence Blind People". I think the dignity that it would allow some of these people to have a driver's licence, even though they would not be allowed or be very restricted in the amount of driving or the type of vehicle that they would use, would certainly be to the benefit of the Province of Manitoba. I would hope that maybe the Honourable

Minister might comment on it and I am being serious.

MR. DEPUTY CHAIRMAN: The Honourable Minister.

MR. ORCHARD: Well, knowing that my colleague the Member for Radisson, never brings up anything but the best suggestions in this House, Mr. Chairman, I have to say that that is something that we will definitely take a look at and as a matter of fact, I would immediately, tonight, second the Member for Radisson to provide me with some suggestions that my Assistant Deputy, the Registrar of the Motor Vehicle Branch, could work on to provide just that kind of a licence to be used by senior citizens who no longer have driving privileges and a licence to serve the purpose as identification only. Maybe you could have a different colour code on the licence or something like that, so it would be identifiable as a driver's licence, not for driving, but for identification. I think that would go a long way to relieving some of the trauma that the member refers to and I think it's an excellent suggestion. If I could do it right now to get into those headlines around the world, I certainly would, but I think it's just too fresh an idea to get into the Estimates this year but nevertheless, an excellent suggestion.

MR. KOVNATS: Mr. Chairman, I don't mean to prolong it. I certainly do offer my services in something of that nature and I would be happy to accept it.

Not only would you be providing the dignity to these people — and I'm not saying to give it to them free of charge — I would think that there's got to be 10,000 to 20,000 people around the province and I would think a charge of \$5.00 would bring in, let's say, \$100,000 worth of revenue, so it would more than cover itself. It would not cost the people of the province one penny to allow these people to have the dignity of having a driver's licence. I know that I've been proud to have a driver's licence in the Province of Manitoba and I would like to see some of those people who haven't had the opportunity, to have that opportunity. Thank you.

MR. CHAIRMAN: The Member for Inkster.

MR. GREEN: Mr. Chairman, it's always refreshing to hear an imaginative idea, and I don't know whether I'd go along with everything that's been said, but I do know that some people get attached to having a particular card. I know that there are a lot of people, long after they have ceased to be members of unions, who say, I still carry a card in the Topographers' Union or whatever, and they continue to maintain that card even though they have long since not belonged.

Now, I think it is stretching it to call it a driver's licence, and a licence not to drive. If the man is going to be kept off the road then it's hard to call it a driver's licence, and I don't have the optimistic projections that my friend makes about being able to sell them for \$5.00 apiece. You may find that you might not be able to pay the cost of a print of 100 cards.

But what if there was a retired driver's licence? In other words, it's a retired driver who is being given a

recognition that he was a driver, he is no longer a driver, he is retired and here are the particulars that he usually submits when he is providing that card for identification. I don't know if it will make 10 people feel that they are still in the realm of the mainstream of life but if it does, then I certainly think the member's suggestion is worth thinking about and the Minister says he will.

MR. ORCHARD: Mr. Chairman, I do think that's a worthwhile suggestion and I do wish other members would quit adding things to it, so I can still get the credit for bringing it out.

MR. CHAIRMAN: The Member for Ste. Rose.

MR. ADAM: Thank you, Mr. Chairman, I think I will also make a suggestion. I appreciate the Member for Radisson coming up with a new concept for people who have driven for so many years. I would almost be in that category now, Mr. Chairman, because I think in the days when I was young, now I don't know what the legal limit age was in those days, but I think I started when I was 13, so I'm afraid that I've been driving around for a number of years before the legal age and I was a fullfledged professional driver by the time I reached the legal age of whatever it was in those days, I think it's 16 now.

I would maybe suggest that for that type of a licence, I'm not sure how many would want to avail themselves to that kind of a licence and I'm not sure how much it would cost to set up the apparatus of the machinery to put it into place, but perhaps I could suggest an honorary — I'll add another word for the Minister so that he'll have all kinds of suggestions — an honorary retired driver's licence: 'John Doe has driven in the province continuously for the last 55 years', and then he shall be very proud; maybe a gold coloured card or whatever it is.

But to get back, I just have a couple of comments that I wanted to enquire from the Minister on the topic that we had been dealing with prior to the Chairman getting into the debate and I wanted to ask the Minister if the reciprocity included the bus transportation for passenger vehicles. Are the buses also included as well as the trucking, coast to coast or province to province, interprovincial, includes the buses as well?

MR. CHAIRMAN: The Honourable Minister.

MR. ORCHARD: Yes, buses are part of the CAVR and subject to the same kind of licensing that trucks are.

MR. ADAM: I was wondering also, there must have been on the reciprocity negotiations with the other provinces, a lot of studies, a lot of documentation; there probably was a report of some kind and a final recommendation. Has that been made public or are there reports available so that all members can look at the studies that have been made and the final recommendations? It seems to me that if it's going to have that kind of an impact on the province, loss of almost \$1 million in revenue, we'd like to see the recommendations and I'm wondering how the Minister is going to supplement this loss of revenue. Is he going to look somewhere else? Can we look for

an increase in licensing fees to the average passenger driver next year? Where is this loss going to come from? I would hope that this would not be the case, where the average driver of a motor vehicle would have to pick up extra costs because we have had reciprocity for trucking and that. By the way, before I forget, perhaps the Member for Radisson when he spoke he said he thought that there would be people who would be willing to pay \$5.00 for one of these cards. I think the driver's licence is only \$3.00 now, so it would be an extra \$2.00 that they would be paying if they paid \$5.00. But I wonder if the Minister could advise us whether or not a passenger vehicle licence is going to increase.

MR. CHAIRMAN: (1) — pass; (2) — pass.
The Honourable Member for Ste. Rose.

MR. ADAM: I'm wondering, the Minister says that there will be no increase in the licence fees the next year. That's the understanding I get. Is there a report available for us on this entire study of reciprocity to be made available to Members of the Legislative Assembly?

MR. ORCHARD: There was no bound and presented report on the prorated reciprocity. There was a number of working-group papers that were presented and modified at various CCMTA working-group people. There is no single document that I can table which explains from square one all the steps that the CCMTA went through to develop the system.

MR. ADAM: I just had one more question in regard to I believe it was, not the Safety Council but the Canada Traffic Association, is that a Canada-wide association, Mr. Chairman? — They co-ordinate the programs from province to province; was that established? What I'm saying is, has one jurisdiction done a study on a particular item and then another province does the same study and it could be available in another jurisdiction? We saw that, for instance, on the insurance, on the Autopac insurance that was undertaken by the province and I think the study could have been obtained in Saskatchewan for about \$12.00. I don't know what it costs here but it costs about \$600,000 I think. That's the question I'm getting at as to whether or not one jurisdiction does one thing and they've got all the records, they've got all their studies and we undertake a similar study here when it's already available.

MR. ORCHARD: The purpose of the organization is to establish mutually agreed upon topics that are of interest to all jurisdictions and any jurisdiction which may have input into that provides it so there is, if anything, just the opposite to what the member fears is an effort to reduce the kind of duplication of studies across Canada.

MR. CHAIRMAN: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Mr. Chairman, I would like to ask the Minister whether or not — and perhaps he has done it and if he has already done so then I will pass — whether he has given us an overview of the safety programs that are in effect by the department. I'm sure there are a number of public and private

programs but a year ago, in fact for a number of years, I have been very much interested in programs that would reduce the number of accidents and, through that reduction, a number of deaths on the highway and, in particular, with respect to young people. The question of how our school program integrates with the safety program of the Department of Highways and perhaps the Minister wouldn't mind to take a few moments to explain to us just what is going on now or happening that is new in that connection, Mr. Chairman?

MR. ORCHARD: Mr. Chairman, I wonder if we might get through (a) and I think we're finished with Vehicle Registration and then we could get down to all the ins and outs in the Safety Program under (c).

MR. CHAIRMAN: Yes, this was suggested before to the Honourable Member of Lac du Bonnet. Safety comes under (c), Safety, the third item. Is that satisfactory, the Honourable Member for Lac du Bonnet?

MR. USKIW: Mr. Chairman, it doesn't matter to me where we discuss it. I notice in Resolution 87 we deal with safety, public information, driver improvement, driver testing, maintenance of records, etc., so that's why I decided to deal with it now but if he prefers that we wait till Item (c), I have no problem with that.

MR. CHAIRMAN: I don't think we're too far from it. The Honourable Member for Ste. Rose.

MR. ADAM: I'm prepared to allow this to move on to the next item with the exception that I still have a few comments on licencing, driver licencing, and I can deal with it at the next item.

MR. CHAIRMAN: Okay. (1) — pass; (2) — pass; (a) — pass; (b) Driver Licencing and Vehicle Registration. The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, I guess the Member for Ste. Rose doesn't mind a rest.

MR. ADAM: Go ahead.

MR. GREEN: Yes, he says that I should go ahead; I would be willing to defer to him. But I do, Mr. Chairman, have a subject which has arisen, again in my practice. It's good to be out in the world to do things and you find out how the administration of the province works when you are dealing with them.

Now, Mr. Chairman, we have a situation, and it is not an uncommon situation, where there is an automobile accident and there is a difference of opinion, again it's not an unusual situation, as to who is the cause of the accident and if you're a lawyer you know that your client comes in and says that the accident was the other guy's fault; that is almost universal. And the other guy has a lawyer and that lawyer says the accident was your fault. In the case of third-party liability the other fellow doesn't have a lawyer, generally, his case is taken up by the Manitoba Public Insurance Corporation. And the Manitoba Public Insurance Corporation — and I'm not going to be critical at this point because I believe that they have to protect the financial integrity of the

fund — they act as the adversary to the person who has been involved in the accident because if the person involved in the accident is claiming damages and he is successful, the other fellow is responsible, then the MPIC must pay and therefore the MPIC is in the position of defendant; they are in the position of appointing counsel, a lawyer, for the person against whom a claim is going to be brought. Again, without in any way being critical, their position starts off generally from "we are not responsible". Now, they are not completely unreasonable; if their man was going through a red light at 50 miles an hour at the corner of Portage and Main and there was all kinds of traffic in the way, and pedestrians in the crosswalk and he ran into them without blowing his horn and hurt somebody, they would likely say that they will accept 100 percent responsibility and then you have an argument about how much, not whether there was, it was not an accident. Now between that and their man being hit from behind, in other words, the person who is making the claim struck somebody from behind and bumped his own head against the windshield, in which case they would accept no responsibility, quite rightly, there are all of the intermediate cases and it's the intermediate cases which are the tough ones.

A man is driving down the street and he is going to turn into an intersection, as he is making the turn somebody who is behind him tries to pass and there is a collision, . . .

MR. CHAIRMAN: Excuse me just one moment, to the Honourable Member for Inkster, I hope you're leading up to Driver Licencing and Vehicle Registration. The debate appears to be on MPIC at this point.

MR. GREEN: It's Driver Licencing, Mr. Chairman, I'm going to deal with the surcharge on the licence.

MR. CHAIRMAN: Fair enough, carry on.

MR. GREEN: Is that okay? Because there is a surcharge on the licence if he has two such accidents in one year where the licencing branch feels that he is responsible. That is the proper item to be discussing this under.

MR. CHAIRMAN: The Honourable Minister on a point of order.

MR. ORCHARD: No, no, I'm just wanting to ask, is this going to get down to points on the licence, basis the assessment of fault as determined by MPIC because . . . ?

MR. GREEN: We're going to be talking about surcharges on the licence which are increased when you are involved in two motor vehicle accidents.

MR. ORCHARD: Right but, Mr. Chairman, my department collects the surcharge . . .

MR. GREEN: That is correct.

MR. ORCHARD: . . . on the basis of an assessment of accident fault made by MPIC, not my branch.

MR. GREEN: That's exactly what I'm talking about. I'm talking about the surcharge on the licence and

the assessment by MPIC, and the assessment as it goes on the licence because I am now going to tell the Minister that the licencing branch, which he is talking about putting the surcharge on is refusing to take MPIC recommendations that they not assess when there is a settlement in which neither side has accepted responsibility. My advice is that his branch is telling the MPIC, we will not accept that recommendation, we will only deal with your assessment as you originally proposed it.

I see Mr. Degala is thinking about it and I am suggesting to him that is now occurring. That's what I want to discuss. All of the intermediate points are areas where there is going to be an assessment by MPIC. The MPIC originally will make an assessment. We feel that we are 75 percent responsible; or we feel we are 25 percent responsible; or we feel we are not responsible. It has recently come to my attention, Mr. Chairman, because I have tried to settle a claim with MPIC in which my client says he is not responsible; the MPIC says you were responsible to the extent of 75 percent; and we have come to the conclusion that the only way we can settle this case is for neither of us to agree that we were responsible. My impression is — and this I get from the solicitor — the settlement was made on the condition that we would not accept their assessment and there would be no surcharge on the licence. The Licence Branch has gone back to the MPIC and said we will not accept that recommendation. If you settle this case it's going to be on the basis of your assessment.

Mr. Chairman, that stops settlement. The only thing that then can happen is that the clients have to go to court and that settlement, as between the MPIC and the person who is suing as plaintiff, has been stopped because the Licence Branch says they are going to go ahead with the surcharge that the settlement was based on.

Now, does the honourable member see the point? Well, I'll try and explain it again. The settlement that MPIC was recommending was 50 percent, let us assume, the person who is making the claim says, I will settle with you but I don't accept the fact that I am 50 percent responsible. Therefore, if you will to it that I am not surcharged for 50 percent of the accident there will be a settlement. The MPIC tells me that the Licence Branch refuses to waive the surcharge or waive the assessment because there is no surcharge if he's not involved again. My impression again is that you have to be involved in two accidents within 12 months for which you are responsible. In the case that I'm talking about it probably is hypothetical because he wasn't involved in another accident and therefore there will be no surcharge; but the principle is the same. The MPIC lawyer says, I assess this at 50-50, but the other side wouldn't accept it and we have now come to a settlement only on the understanding that there is no surcharge because the other side does not accept responsibility. The licence branch says to the MPIC, we cannot accept that, we are going to surcharge or put that mark down on this person's licence. Now, Mr. Chairman, if the Minister thinks I am dreaming I will give him actual names, dates and places that that is what is happening. Now if the Minister is telling me that that is not supposed to happen, we have a settlement. I will phone back the MPIC

tomorrow and I tell them that they will not require my man to be assessed on the basis of this original assessment and there will be no surcharge. He will not be marked down as having had one accident which will result in a surcharge to his licence because that was the basis of the settlement that we did not agree that we were responsible but if we have to fight it out, we have to go to court, we have to go for examinations — well, we've had our examinations for discovery — we have to have a trial which we may win, we may lose, but the parties are agreeable to settlement. The MPIC say we have tried this but they won't accept it. They are going to do it on the basis of our original assessment of the accident. Well I am glad to hear that is not so. But I am telling the Minister that that is the information that I'm getting and if that is not the case, then a case which I thought could not be settled will be settled, which it should be.

MR. ORCHARD: Well, Mr. Chairman, we can settle that case quite quickly if the member would want to indicate or give me the name of the person and if that kind of a surcharge has been placed on, where my Motor Vehicle Branch indicates that it should not have been applied, then the case indeed, as the member indicates, is settled.

MR. GREEN: Mr. Chairman, the fact is that there is no surcharge now, but let me say it again and probably never will be because 12 months will have elapsed from the first accident. You do not get a surcharge unless you have two accidents for which you are responsible in a 12-month period. The MPIC has agreed to recommend that this not be counted as one. The licence branch say, we can't accept that; we have to do it on the basis of your original assessment. You're telling me that that doesn't have to be? Maybe the case is settled. We have a settlement right here tonight.

MR. CHAIRMAN: I'm sorry, you confused me, I thought you wanted to speak. The Honourable Member for Ste. Rose.

MR. ADAM: Thank you very much. I have a couple of points that I want to bring to the attention of the Minister and that is to do with the five-year suspension of a driving privilege. I brought this to the attention of the Minister last year. We have a case where a particular person has a liquor problem, where he is an alcoholic and he has been convicted sufficient times to have a five-year suspension, now it would be about four years ago. He has now completed three years of his suspension. He has a restricted licence to operate a vehicle in Manitoba but he cannot get a driver's licence, he cannot get his case reviewed. This particular person has gone through a reappraisal of his habits; he has gone through a cure; he is no longer affected by alcohol. In fact alcohol today has less effect on that particular person than perhaps any of us here and he has absolutely not touched a drop of liquor since he has changed his life style but he is still restricted, there is no recourse for him and it seems to me that there should be some kind of a review where he could have his case reopened.

Now, I know that what the Minister will tell me. He will tell me, well he should go to a court; he should

take it to a county court and get the whole thing opened up again, that's probably what he may suggest. But the odd part of it, Mr. Chairman, is that the fellow now goes to Alberta and obtains a full driver's licence and as long as he doesn't show his address as Alberta he can obtain a driver's licence and drive all he wants in Alberta. In fact, he had a licence last year and it's been a case that I have been looking at for the last year or so and it seems to be a harsh case because the man has completely rehabilitated his life style and he is never touching a drop of liquor of any kind but he is still under suspension and that is a long suspension, five years.

He was a sick man, he had a disease, it was cured, he is no longer a sick man and I find it very peculiar that last Saturday, in fact, I spoke to him again and I asked him, how are you making out with that suspension of yours? I know it restricts his ability to make a living in the Province of Manitoba and he says well, what I am doing now is I'm travelling to Alberta and I can get my driver's licence over there so I work in Alberta and when he comes back to Manitoba he uses a restricted licence, if he wants to drive in the Province of Manitoba. I said well, how can you do that because under the Criminal Code it is supposed to be from coast to coast that you are restricted from driving? But he says as long as I don't show my address as Alberta, but it's a Manitoba address, I can obtain my full driving privileges and a driver's licence in Alberta. I would like the Minister to comment on whether that's correct or not because this person just told me that on Saturday; that he had a licence; he's been driving in Alberta during the summer and he said as long as he didn't have to show his address and if I was an Alberta resident I wouldn't be able to obtain my full driving privileges but I show my address as Manitoba and I obtain my licence, and that is one situation that I would like clarification on.

Another one, is that a complaint was brought to me in regard to medical requirements for examination. Now here is another type of illness. Perhaps a person has a heart condition or something and because he has been honest and he shows on his licence, his application that he has a heart condition — it is not a serious one — but I have a heart condition and now he is obliged to take an annual test, I believe it is. He has to go in every year and get a clean bill of health and he gets a clean bill of health. The doctor says, you're fine, everything is okay, there's nothing wrong. He doesn't take any medicine or anything or drugs for that, and that part he doesn't disagree with. He says, if I have a heart condition I don't mind paying for the medical examination. But what he doesn't like is that there are probably hundreds and hundreds of people driving around the province with perhaps just as bad a condition as he has but they don't show it on the licence. When they make their application they don't show it. So therefore, he feels that he is being penalized because he was honest enough to say, well, I have a heart condition; it is not a serious heart condition but I have one; but then when he talks to other people who say, well, why did you bother to report it? Well, he knows that there are other people out there that have the same condition as he has or perhaps worse and they don't have to get their medicals because they have not reported it. Now

that seems to be another situation that seems to be unfair.

Now, what I advised him was that I thought he was safeguarding himself by being honest and by saying that he did have a slight heart condition; that in the event of an accident or insurance that he would be probably covered. But on the other hand if it could be found that another person had not reported that he had a heart condition and was involved in an accident, that there would be probably serious repercussions and I think that I am correct when I say that, I don't know, but I would like some clarification on that. What happens if a person who has not reported that he has some kind of an illness, whether it be a diabetic or whatever it is that he may have, a heart condition, if he doesn't report it and he is involved in an accident, what happens? Who is to blame? It can be discovered that the driver had been going and taking treatments long before the accident but he had not reported it and he doesn't have to take his medical and I believe there are hundreds and hundreds of people driving around who perhaps should be getting medical examinations to qualify for a driver's licence, but they are not doing it.

Now, this is the complaint that I have received and I have put it on the record for the Minister's attention. I would appreciate it if he'd want to comment on it and those are all the comments, Mr. Chairman, that I want to make on the drivers' licencing. The first case really bothers me because the fellow is just as sober as anyone that I can think of and here he has got two or three years ahead of him yet that he is restricted in his life style; he is restricted in his way of life the same as any other citizen and yet he told me just Saturday last, I had an Alberta driver's licence all summer, without restrictions. I said well, how did you do that because you were convicted under a criminal offence and that's right across Canada? He said well, as long as I don't show that I'm an Alberta resident I got my licence.

MR. ORCHARD: Well, Mr. Chairman, the member presents an interesting case and I have a great deal of sympathy for the gentleman who is now completely rehabilitated from an alcoholic problem. But what the member is really asking us to do is to set up a special category to deal with a person who, after having the shock of receiving a five-year suspension of his driver privileges, with no recourse to appeal until the third year in which then he can go to the Licence Suspension Appeal Board and make his case, that he is a rehabilitated alcoholic and therefore qualifies to drive, you know, it is a very very touching case.

But let's put it into perspective as to what finally was probably the major contributing factor to make that person realize that they had a drinking problem and rectify it. I suggest to the Member for Ste. Rose that it was probably because he got suspended for five years and could not drive for five years and that's what made him rehabilitate; because obviously to get a five-year suspension he had to have been caught twice within two years for a breathalyzer offence or an impaired driving offence. Now, if that by itself contributes to the man's rehabilitation as an alcoholic then maybe that is merit in itself to have that kind of a severe penalty. I cannot answer for what the Alberta Motor Vehicle Branch does in terms

of their ability to grant a driver's licence to a person who is suspended for five years in Manitoba, I can't answer that. But I can tell you that Manitoba's safety record is demonstrably better than Alberta's and maybe that has an awful lot to do with it, that we take very seriously in Manitoba the offence of the drinking driver. I think 95 to 99 percent of the Manitobans if not 99.9 percent of the Manitobans agree that the drinking driver is still the most major safety hazard that is on the road today. I don't think too many people who have a five-year suspension really get all that much sympathy even though there are isolated cases like this one where the gentleman is rehabilitated and can prove that.

But always when a person is suspended the first time and this is something that we have made very sure that the Licence Suspension Appeal Board tells the driver is, that if you are back again within a period of time, the next time the suspension is five years and there is no appeal for three years and that is a very very serious offence and in fact we try to do some counselling in the course of suspending that person's licence the first time. Now unfortunately human nature being as it is some people don't learn the lesson easily and I don't know how we develop a system in Manitoba to provide exceptions for people who have continued to make the same mistake and furthermore I'm not so certain that we should, as a province, undertake those kind of special exemptions because where do you draw the line? Certainly I could practically guarantee that another person could come up with equally as good a story of his ability to drive as the gentleman that the Member for Ste. Rose is referring to.

I think that the drinking driver is a serious enough problem in Canada and in Manitoba, that I agree completely with the kind of penalties and the kind of restrictions placed upon them when they are repeat offenders. I can't suggest to the Member for Ste. Rose what we should do to accommodate them because we have tried in the course of the first suspension to make them fully aware of the implications of receiving a second conviction. I personally am not in favour of trying to come up with a system to accommodate the second or the third offender and I don't know how we do that. Under the system the way it is now for a five-year suspension after three years, the person has the recourse to the Licence Suspension Appeal Board. If he has been a rehabilitated alcoholic for the past two years that is a readily provable thing then I would suspect, Mr. Chairman, that that person could make an adequate case and prove that he is fit to drive at the end of a three-year suspension. What more we can do, Mr. Chairman, I don't know and furthermore I don't know whether it would be in the best interests of the driving public of Manitoba to undertake it.

MR. ADAM: Yes, thank you. The thing that surprised me last Saturday when I met this fellow — by the way we were at a social and he was drinking cokes, he wouldn't touch it, and so was I by the way, we were both drinking cokes — but that table was a non-drinking table because everybody was drinking cokes at it. But anyway I found it odd that he says well, I can go to Alberta and I drove there all summer and no problem as long as I don't tell them that I am not a resident of Alberta and I was able to drive there and he has a driver's licence. I was

surprised that that took place because I thought that a conviction under the criminal impaired driving was coast to coast, that's the way I thought.

But I'm wondering if the Minister would comment on the second item that I brought to his attention and that is the situation where a person puts on his application for a driver's licence that he does have a heart condition which is controlled and it's no problem, it's almost the same as the alcoholic that controls himself and because he has been honest and said on his application that yes, I have a heart condition, he has to go and get an examination every year. Now he doesn't dispute that — he's glad it's there, he says it should be there and I'm not disputing it; I'm saying yes, it should be there — but he also knows that there are hundreds of people out there with heart conditions just as bad as his who don't put it on the application and as a result of that they don't have to go in for the medical examination and pay the extra fee because it doesn't come under Medicare, and it shouldn't come under Medicare, because it's a separate issue. It's an issue where somebody wants to have the privilege to drive and it shouldn't come under, in my opinion anyway, it shouldn't come under Medicare coverage but nevertheless he feels bad about it. He says I know there's hundreds of people out there that have the same condition as I have but they're getting away with it and I'm wondering if the Minister wants to talk about that or not.

MR. ORCHARD: Mr. Chairman, the medical requirement on a repeating year to year basis is required only if the doctor indicates that the person should come back in one year's time for another medical because he's not satisfied as the member indicates, that he's completely cured. If the doctor were to give a heart patient a clean bill of health saying that he is not a potential hazard on the road, there would be no requirement for a further medical until such time as he maybe had a second heart attack or a stroke or whatever. If the doctor who is examining that person does not have the confidence to indicate that the person cannot safely operate a vehicle for the next five, ten years or whatever, then I don't believe that I should ask anybody on my staff to make that kind of a determination.

MR. ADAM: Yes, but I think the Minister is missing my point because the person involved is not complaining about having to go and take a medical. What he's concerned about, is that there are hundreds of people out there that have the same condition as he has and I'm not taking the medical examination, that's the complaint.

MR. CHAIRMAN: (1) — pass — the Honourable Minister.

MR. ORCHARD: I don't know how we solve the problem of someone who may be going to have a heart attack tomorrow, from driving today. That requires a great deal of intelligence that I don't know whether that exists in Manitoba to make that kind of prediction in advance in determining the health of a person to drive a vehicle. The system is operating now on people who have a known record, a known medical health problem and if the doctor thinks that he should come back in a year's time for a medical,

that is indicated on the medical report and that is required.

MR. CHAIRMAN: (1) — pass — the Honourable Member for St. George.

MR. URUSKI: Yes, Mr. Chairman, there is a substantial shift in the cost of vehicle licencing or registration. I'm assuming we're on that section. Can the Minister explain those amounts?

MR. CHAIRMAN: The Honourable Minister.

MR. ORCHARD: The major portion of the increase is the purchase of the new licence plates which will be coming up in the next licence year, some \$2.3-4 million.

MR. ADAM: Will people who want their same numbers be able to obtain them as in the past years if you have a particular number on your plate. Some people get attached to their number. Will they be able to obtain their same numbers as they did in the past?

MR. ORCHARD: The ability to select a number will be there.

MR. CHAIRMAN: (1) — pass; (2) — pass; (b) — pass; (c). The Honourable Member for Winnipeg Centre.

MR. J.R. (Bud) BOYCE: Just while we're on that item, I had given the Minister notice. I wondered if he would tell us what is happening with the suspended licence program vis-a-vis, the AFM Program.

MR. CHAIRMAN: The Honourable Minister.

MR. ORCHARD: That program has been in and out and now is in the process of being rejuvenated, Mr. Chairman.

MR. BOYCE: That's why I raised the question, Mr. Chairman. It was the hope that people would realize that — I'm going to put that in a different way — it was the hope of some people that those who were involved in developing the program had to do it in a way in which the Motor Vehicle Branch and the licencing people had the final say of what kind of program it was and the suggestion was made that it be done by way of secondment of people from the AFM to the Licencing Branch so that they would have a control over it in a way that would meet the requirements as a I understand it, because we charge the people in licencing to determine in the public interest who should and shouldn't be licensed so that in the final analysis that the program should be more or less as determined by the licensing branch, albeit that the expertise and program itself as far as the people who designed the program should have some input to it. I know this has been going on for quite some time and I think it is a type of jurisdictional dispute that happens in some areas and I wonder if the Minister could review the situation so that perhaps we could discuss the item in more depth and under the Estimates of the Department of Health, which is the department responsible for the funding of the Alcoholism Foundation.

MR. CHAIRMAN: (1) — pass — the Honourable Member for St. George.

MR. URUSKI: Yes, thank you, Mr. Chairman. The major difference in cost the Minister indicated, was the new licence plates that will be coming out for 1982 — '83? The 1981 licences we're still having this year are coming out in '81, '82 and then in February — no actually the new licence plates will be here then for February of 1982, yes — I'm assuming because we're in 1981 now and this sticker will be good for 12 more months and then there'll be a new plate, otherwise we would not need the expenditure for this year, I'm assuming.

Mr. Chairman, along the lines of the new plates, in previous Estimates we've had the discussion dealing with the shared cost between the MPIC handling of the vehicle registrations and the MVB handling the drivers' licence fees. Where are those negotiations? Where are they at now and has there been any progress in the resolution of this matter once and for all in terms of the cost-sharing between MVB and MPIC and the drivers' licence and registration fees?

MR. ORCHARD: We have a 55-45 cost-sharing on the computer and we are a hairbreadth away from getting the flat fees and commission sharing resolved.

MR. URUSKI: Mr. Chairman, the plates are for 1982 for next year, is that correct?

MR. CHAIRMAN: It's been established. The Honourable Minister.

MR. ORCHARD: The spring of 1983.

MR. URUSKI: Okay, the lead time of two years then is required because of the time it takes to order them; is this the reason and we have to prepay? Is it a prepayment of the costs?

MR. ORCHARD: This appropriation, this \$2 million so many dollars, \$2,343 million is for material orders which are going to be purchased for the manufacture of the plates next year, so that the new plate will be on another sticker for February of 1982 and then the new plate issue in '83.

MR. URUSKI: Yes, Mr. Chairman, therefore the actual plate costs will be substantially more than what is shown here. This is strictly a material cost that will be expended in this fiscal year so that the material is purchased and sent. Where are the plates manufactured, Mr Chairman? For the Province of Manitoba it's a four-year cycle, I believe, in terms of the plates. Is there one institution in this country, or elsewhere, that does it? Ontario, some of the provinces of course rotate year-in, year-out; there is a new plate every year. Manitoba has not taken that. Is there only one place where this is done or is it done within the Province of Manitoba through some metal shop or what's the process to arrive at the tendering of the plates?

MR. ORCHARD: Well, there is one, part of that \$2,343,000, of course is the annual plate reorder that we have to reorder a certain number of plates each year. There is also the material for the new plate

issue. We hope to manufacture the plates in Manitoba and there is a manufacturer in Manitoba that can undertake that work but we will be tendering the process; and there is another manufacturer in Regina and we are hopeful that our Manitoba manufacturer will be the successful bidder; he has been in the past and we think he probably will be in the future.

MR. URUSKI: So then there is a Manitoba manufacturer who has stamped out the plates in the past. Mr. Chairman, the Minister indicated that the 45-55 cost-sharing on, I presume the computer, on the administrative costs of the registration and driver's licences is in place when he speaks about a hair-breadth away from an agreement. Would he care to elaborate on that?

MR. ORCHARD: Well, we have had a committee, chaired by Finance, to determine what an appropriate cost-sharing formula will be and one, not only that's appropriate but one that's relatively easy to administer, in terms of cost-sharing the flat fees and the commissions. We think we've come to that agreement but it's a matter of just finalizing it and making that everyone is satisfied with the process plus the breakdown.

MR. URUSKI: Yes, Mr. Chairman, I agree that the process is very important because the cost will be ongoing and they will have to be dealt with in the future so that if there is agreement on that, on the process, is as important as the actual percentages at the present time that are arrived at. Mr. Chairman, could the Minister indicate whether there is a change in the commissions paid to agents, driver's licence and motor vehicle agents in terms of the plate issuing commissions. Has there been a revision on that? Could the Minister indicate what the commissions are at the present time? Do they change and have they changed in the last number of years? I recall that I think there was a 35 or 25 cent fee or 50 cent fee for driver's licences and \$1.65 or something like that for motor vehicle registrations. Is there a scale; if there is no plate issues there's a certain fee; if there is a plate issued there is a certain fee; could the Minister supply us that information?

MR. ORCHARD: There is \$1.25 fee for issuing a licence plate and 20 cents for a driver's licence and those kind of fees are in place right now; as well with the MPIC Agents there is the commission on the insurance as well.

MR. URUSKI: So it's 20 cents on the driver's licence and \$1.25 for the plate registration. Are the commission fees located in this amount, Mr. Chairman. If they are not where would they be located as a cost of administration?

MR. ORCHARD: Mr. Chairman, they are part of Item No. 2, the supplies expenses.

MR. URUSKI: Part of the \$4 million figure; what would the commissions be for last year, you must have a last year's figure for driver's licences, cost of issuing them and the cost of registrations? Is there a breakdown in the fees? Is there a breakdown in terms of Winnipeg versus non-Winnipeg or what kind of figures do you have?

MR. ORCHARD: The flat fees on driver's licences cost us about \$40,000 and for licence plates about \$980,000.00.

MR. URUSKI: Yes, Mr. Chairman, the commissions paid would be approximately \$1 million in terms of commissions to the agents. Those would not be the fees calculated through the Motor Vehicle Branch offices as well, would that be a transaction that would be an in-out figure? That would not include the Provincial Motor Vehicle Branches; that would be a completely separate item, strictly on its own merit. This is in addition to the plates that are handled through the MVB offices in the various communities in the province; is that correct?

MR. ORCHARD: Yes.

MR. URUSKI: It is accurate, Mr. Chairman. Then we're talking about additional \$1 million of expenses. What other major items would be involved in this \$4 million figure, Mr. Chairman?

MR. ORCHARD: I indicated 2.3 million of it is the licence plates.

MR. URUSKI: 700,000 yes.

MR. ORCHARD: And then the others are built up of you know, there's some equipment rentals and routine office expenses are all part, telephone, etc., they're all part of that.

MR. URUSKI: Yes, Mr. Chairman, the Police Departments do utilize the services of vehicle checking, registration checking, is there some arrangement between the various forces as to picking up some of the costs of this system or is it a national co-operation scheme that we belong to and that is thrown in as a service to our local and our national police services?

MR. ORCHARD: There is no charge for providing that information service that we charge to other jurisdictions or they to us; it is part of the national interest to have that kind of information readily available at no charge

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, the Honourable Minister indicated that people will be able to choose numbers and I notice in some places they choose names. For instance, somebody could choose SHMO, meaning shmo and standing for Sherbrook McGregor Overpass. Is that in the cards, like could my friends to the right of me choose NDP 198, NDP 199, etc., is that a possibility on new licence plates?

MR. ORCHARD: That is a possibility but it is going to be a costly possibility, in other words, if you surcharge if someone wants specific letters, we are contemplating making that available but we're determining how much additional cost we'd have to charge.

MR. GREEN: But it will be available.

MR. ORCHARD: Well, if it's not going to be say a \$50 charge that we think we have to get to recover

the additional costs and we don't think too many people would take advantage of it. If it looks like that can be done at a reasonable cost, let's say \$20 additional cost and we think at \$20 a lot of people might want to choose that kind of a service, yes it will be available.

MR. CHAIRMAN: The Honourable Member for Winnipeg Centre.

MR. BOYCE: Just for the information of the Minister. In California it's \$25 initially and \$5 additional every year.

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

MR. ADAM: Yes, Mr. Chairman, I wonder if the Minister can advise how he anticipates to make up for the lost revenues on the reciprocity of licences; there is a loss of almost a million dollars. And how does he foresee making up that loss of revenue to his department?

MR. ORCHARD: We're not going to make up that loss. That is just a straight decrease in the amount of vehicle licencing fees that we're going to collect next summer; that \$900,000, as I have mentioned to the Member for St. George, is a ballpark figure. We don't know whether it's going to be that; indications are that it will be less than that. But any loss in the commercial vehicle registration fees will be a direct loss in revenues that are available.

MR. GREEN: Mr. Chairman, with respect to licencing. It's my recollection, and it's not too clear at this moment, that either last year or two years ago, more likely two years ago, we introduced legislation which indicated that the Manitoba Licence Branch wouldn't accept without question a Highway Traffic violation in another jurisdiction as a demerit on a Manitoba licence. We didn't say that we wouldn't put it down but we did give the man who was charged with this violation the right to take proceedings to in some way undo it. Now, I wonder whether the Minister can give us a report as to what has happened with that particular area; whether, in fact, people have been able to come in and convince the Registrar that that particular violation wasn't a violation; that he was going through an area where he just didn't want to plead guilty, he didn't want to plead not guilty because it would be too much trouble to do so because there was considerable debate in the House as to whether that legislation should proceed in that way or not.

MR. ORCHARD: I am advised that we are accepting the transfer of out of jurisdiction traffic offenses and there is an appeal mechanism, I believe, within MPIC, the Rates Appeal Board within MPIC, where a person who has been so assigned to his licence has the ability to go to that Rates Appeal Board, as I understand it, and if he makes a good enough case there has been rollbacks of that particular demerit point assignment.

MR. GREEN: Although I can't remember the exact details I remember what the legislature did is said, yes there is a violation but a person could go

someplace and show that it isn't a violation that should be registered against his licence. And I'm really asking is whether it has worked, whether people have in fact gone to the Appeal Board and have obtained redress?

MR. ORCHARD: Advise that the system is in place and it has worked.

MR. GREEN: Just one additional question because it is of some interest to me since I had something to do with convincing the government to do that thing. Could the Minister obtain for me, not now, and send to me, or send to Members of the House that are interested, the number of outside of province convictions which were undone by this particular appeal procedure?

MR. ORCHARD: Yes.

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

MR. ADAM: Yes, I have one more question to ask the Minister in regard to whether or not Manitoba recognizes driving offenses in the United States? We know that the laws are completely different; they have a different way of meting out justice in the United States insofar as drivers are concerned. We know that the sheriffs there probably get their salaries on how many convictions or offences that they can collect on. I'm just wondering, if the driving offence is not recognized in Manitoba, that's fine, I have no problem but I understand that some of the way that justice operates in the United States is much to be desired insofar as the driving public is concerned.

MR. ORCHARD: Mr. Chairman, that is exactly the issue that I just addressed with the Member for Inkster in which I indicated that there is an appeal mechanism through the Rates Appeal Board at MPIC which has turned back some of the convictions that the member refers to.

MR. CHAIRMAN: (1) — pass — the Honourable Member for St. George.

MR. URUSKI: Mr. Chairman, with respect to the new merit system, it's been in place for two years — I've received the licence but I guess I haven't been a good boy — what notations appear on an individual's driver's licence with respect to the merit? Have any licences been issued giving the merit marks to motorists?

MR. ORCHARD: Starting next year there will be the notation that if you are a merit-point earner it will be on the driver's licence. Until now there hasn't been any notation on your licence but there will be starting next year.

MR. URUSKI: Just to refresh my memory, Mr. Chairman, is that two years conviction and accident free or is it just strictly conviction-free with respect to the merit mark? Could the Minister explain exactly the criteria that is being used to be fed into a person's record? The criteria, is it five years, two years? Two years accident and conviction free with no responsibility or what is the criteria used for that, just to refresh my memory?

MR. ORCHARD: Two years and no demerit points and a demerit point can be gained from an accident or a moving violation. So it's no demerit points for two years that earns you one merit point.

MR. URUSKI: Yes, and the one merit is equal to two demerits? Mr. Chairman, what is the system? Is it designed to go up to five merits, that is the designation? Could the Minister indicate whether there are discussions now with MPIC to look at this system in terms of insurance rates at all?

MR. ORCHARD: I am most pleased to undertake those kind of discussions with MPIC but they have shown no inclination to date to implement the kind of very worthwhile program that the member refers to.

MR. URUSKI: Mr. Chairman, the reason I raised it because there's no doubt that their having this type of a system in place certainly has many possibilities in terms of rewarding the good drivers. We've talked all this evening in terms of how do we deal with the outcasts, so to speak, in our society, in terms of the individual's driving record but we rarely discuss how do we treat, in a positive way, good driving habits of our motorists and recognizing the financial benefits that can accrue out of the merit system already in terms of, if one gets into trouble there are already financial benefits which will accrue in the event that motorists do stray. So there are some benefits already accruing to the motoring public from this system but certainly this system has a lot of possibilities in terms of future rates and rate implications that can be looked at in terms of combinations and the like, Mr. Chairman.

MR. CHAIRMAN: (1) — pass; (2) — pass; (b) — pass; (c) Safety, (1) Salaries — pass — the Honourable Member for Ste. Rose.

MR. ADAM: Mr. Chairman, there has been a lot of suggestions that we introduced, seat belts in the Province of Manitoba, and I think it's coming fast and furious from many directions I understand and I know the Minister in the past has been reluctant to advance in this direction although there are many other provinces that have. I know that last year when we talked about it in Private Members' Resolutions and in debating his Estimates, he has suggested that he prefer to go the way of educating the driving public to use their seat belts. I'm wondering if he's had any change of mind in view of the fact that there are many groups including doctors and so on that are recommending that seat belts be implemented in the Province of Manitoba.

I would like to also ask the Minister, I know that this year has been a bad year for winter snowmobiles because of the lack of a snow cover, but we still see snowmobiles going across major highways anywhere, any time, and I'm just wondering how do we control this?

There is an article in today's paper in regard to harassment by snowmobiles in the Selkirk area where there could be danger of an accident and I'm just wondering how we are proceeding to control this particular problem.

MR. ORCHARD: The problem with snowmobiles crossing the road is kind of a difficult one to control

for my department. However, the RCMP attempt to control it by issuing tickets wherever they can catch up to the individual who has made that offence. What we are attempting to do in assuring that that kind of thing doesn't happen is with a good snowmobile safety program to attempt to train as many snowmobile operators with the common sense rules of safety and courtesy in operating a snowmobile, part of which is not inadvertently or deliberately darting back and forth across the road, as the Member for Ste. Rose has indicated.

MR. ADAM: Mr. Chairman, I know that we do have training for snowmobilers, but is this in conjunction with the schools? Do we have a program in the schools? Because you know a lot of the drivers are young people, a younger age, who may not participate in a school somewhere or a defensive driving course as far as snowmobiles, I'm wondering if we shouldn't be looking at the school system to see if we can't get closer to the students who are old enough to drive and old enough to have a licence and so on. I'm just wondering if we wouldn't get more people involved in the training programs for snowmobilers by going to them rather than waiting for them to come to us, sort of thing, that's what I'm wondering; if that wouldn't be more successful in reducing this problem and the complaints that we get. As I say this year we didn't get many because the conditions were not conducive for snowmobiling this year.

Also, the Minister didn't answer my question on the seat belts. I know he doesn't like to talk about this particular subject but I think he should. We're almost at the end of his Estimates. I don't know how long we're going to be here but anyway, I think the Minister should comment on the seat belts.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, before the Minister comments I wonder if the Member for Ste. Rose will permit me to pursue that a little but because I think it's a very interesting subject in the context of what we are now discussing.

My impression is — and I don't know that I have any real reason for it — is that when I drive through the United States I do not recall being told at any of the places that I am required to wear a seat belt and I wonder whether there are any jurisdictions in the United States that have compulsory legislation with regard to seat belts. Mr. Dygala is shaking his head, so then I don't have to hear from you. If he shakes his head, that's enough for me. (Interjection)— No, I think, Mr. Chairman, this is a very important discussion in the context of what we are now discussing.

Now I know that everything we talk about leads me to the Constitution but nevertheless that's where we are. It's interesting and it's not accidental I am sure and now I am guessing but I am so certain that the guess is right that I am willing to pursue this. My guess is that compulsory seat-belt legislation would be found contrary to the Constitution of the United States with regard to life, liberty and the pursuit of happiness. Well, Mr. Dygala is shaking his head — it's not that reason. Is the Minister aware of any United States cases with regard to seat belts and/or

helmets being not prohibited on Constitutional grounds?

MR. ORCHARD: I'm not aware of any case but then, of course, there are no states that have seat belt laws in the U.S.

MR. GREEN: All right, now, would the Minister determine again whether he knows or doesn't know or whether his staff knows or doesn't know what the reason for this is and if he knows whether the reason is because such laws would be held to be unconstitutional?

MR. ORCHARD: I can't answer that, I don't know whether that would be the reason why.

MR. GREEN: Then, Mr. Chairman, I'm going to go ahead with my guess. Unless I was told I was wrong and the staff there can't say that I'm wrong, it would appear to me that this notion which is popular in many countries by the way, there are many places in the world where seat belt legislation is compulsory. It is not compulsory in the United States, nor do I think there is helmet legislation in the United States, or is Mr. Dygala saying there is helmet legislation? There is helmet legislation in some states. Well, that would defuse what I am saying, Mr. Chairman, but nevertheless I would venture to say that the absence of seat belt legislation in the United States is because of an entrenched Bill of Rights saying that the Legislature can't require you to wear a seat belt, because that's the kind of thing that the Supreme Court rejects.

If I didn't want to wear a seat belt and I wasn't going to hurt anybody else and only myself were in danger, then I could go to the courts and say that the Government of Manitoba in trying to make me wear a seat belt, is enacting law which is contrary to my rights to life, liberty and the pursuit of happiness because liberty gives me the choice of wearing or not wearing a seat belt. Now if that has happened or it has not happened I tell the honourable members that that is the kind of case that gets to the Supreme Court. The reason I mention it, Mr. Chairman, is that many of those —(Interjection)— Why can't it be taken now anyway? Because Mr. Diefenbaker's Bill of Rights has no application to provincial law, so you cannot use the Bill of Rights to challenge seat belt legislation. There is no Manitoba Bill of Rights, so if Manitoba enacted a compulsory seat belt law, you could not take it to court because we are able to pass such a law. If there was an entrenched Bill of Rights, the meaning of an entrenched Bill of Rights and the meaning of Mr. Trudeau's entrenched bill is that no provincial Legislature, no federal Legislature shall enact a law which deprives a citizen of his right to life, liberty and the security of their person. If the Legislature of the Province of Manitoba passed a law requiring me to wear a seat belt, by normal and ordinary standards of Bills of Rights cases — and if you will go to the States you will see thousands of them — you can go to court and say that that law offends against the entrenched Constitution and, on balance, I think a judge would say, yes, that it does offend against the entrenched Constitution. The reason I say this is that most of the entrenchers that I know also speak in favour of compulsory seat belt legislation. Now if they have their way with the

entrenchment, they may have their compulsory seat belt legislation made impossible by virtue of the Supreme Court.

My position is as follows, that the Legislature can legislate seat belts or they cannot legislate seat belts and that I'm willing to fight it. I say that it is contrary to my rights, and I have said so in previous debates, and I am willing to try to convince the Members of the Legislature to agree with me. If they agree, they won't pass the law, and if they don't agree, they will pass the law and I will have to live with it until I get a majority to undo it.

The entrenchers would make my view on that question irrelevant, irrelevant. You could have this Legislature adopt the view that they are in favour of compulsory seat belt legislation, adopt it unanimously; and then Mr. Trudeau's Charter of Rights — God forbid that it should be passed — could be used by any citizen of the Province of Manitoba on a prosecution, the case could arise in various ways; prosecute for not wearing a seat belt saying it's contrary to the Charter of Rights. That goes up to the Supreme Court and if the Supreme Court says it is contrary to the Charter of Rights, then that legislation is struck down and the very entrenchers who want it see the striking down. (Interjection)—

My friend says you can amend the Constitution. The Member for Winnipeg Centre is being facetious and he knows it and it's right. The guys who say you can amend the Constitution, with all of the formulas presently put forward by amendment, mean that you have to not only have the votes in this Legislature, but you have to have the votes in six other Legislatures containing approximately, what is it, 70 percent of the people of the country, or some formula of that kind. Or, you have to get the Federal Government to ask for a referendum on an amendment permitting the wearing of seat belts. Now the whole notion that we would abandon responsible government for that kind of mishmash, should be raised on this question, Mr. Chairman, should be raised on this question.

I would like the Minister, because he's going to be dealing with the item today, and since there is no compulsory seat belt legislation in the United States; and if there is compulsory helmet legislation, I think the Minister could easily get research from his department as to whether there have been any civil rights cases or constitutional cases on either of those two questions and transmit the information to the House.

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

MR. ADAM: I'm hoping that the Minister will react to our questions as to what he intends to do with all those requests that have come forward. I'm not speaking in favour nor am I speaking in opposition to seat belt legislation, I am asking what does the Minister intend to do with all those requests that have come forward asking that seat belt legislation be implemented in the province.

And while I'm asking him that he should also comment on the fact that there have been a number of people who have suggested that there be compulsory helmet legislation for motorcyclists. I would hope the Minister would have the courage to

get up and tell us what his opinion is, and not lay in the bush on this particular topic because I'm sure that there are a lot of people out there who are anxiously waiting to hear what his views are.

MR. CHAIRMAN: (1) — pass; (2) — pass — the Honourable Member for St. George.

MR. URUSKI: Yes, Mr. Chairman. The Minister didn't answer a number of questions I posed to him earlier when he indicated dealing with staff in the Safety Division, dealing with drivers' licences and the like, Mr. Chairman, how they were distributed throughout the province. Those were numerous questions I raised with him before and he didn't answer them.

MR. ORCHARD: Out total staff complement in Safety is 167 at branch offices in, of course, Winnipeg, with branch offices in Brandon, Portage, Dauphin, Flin Flon and Thompson. And then, as well, we have nine staff mobile units that serve communities other than the ones with branch offices and Winnipeg.

MR. URUSKI: Yes, Mr. Chairman, how many of those — did he say 116? — (Interjection)— 167, I'm sorry. How many of those 167 would be safety officers who would be conducting reviews and how many are medical safety officers dealing with medical reports that would have to be filed pursuant to the class licence system and the recall system that is in place?

MR. ORCHARD: Approximately 21 of those staff are involved in the safety interview process.

MR. URUSKI: To what extent is the department involved in dealing with motorcycle safety courses and snowmobile safety courses in terms of promoting driver safety of those two vehicles that are presently there? Are there some special courses that young drivers can undertake in terms of motorcycle safety that would be available to them within the Province of Manitoba?

MR. ORCHARD: The department runs both the snowmobile safety course and the bicycle safety course, but the Manitoba Safety Council runs the motorcycle safety course.

MR. URUSKI: Yes, Mr. Chairman, the Manitoba Safety Council handles a motorcycle safety course; how would rural residents, you know, the Manitoba Safety Council is primarily in the City of Winnipeg, how would rural residents be able to have their children who may have a trail bike, for example, which is a motorcycle but is not licensed because it is not to be used on roadways because most of the operators would not be of licensable age, but nevertheless they are operating a motorbike on trails and on their own property. Themselves, as well as their parents, might be interested in some safety courses in terms of operating, so that a good foundation of operating procedures and rules can be shown to the young people who will be driving those vehicles. What's available for them outside of Winnipeg?

MR. ORCHARD: There are no structured courses available outside of Winnipeg. The Manitoba Safety Council course is available only in Winnipeg.

MR. CHAIRMAN: (1) — pass — the Honourable Member for St. George.

MR. URUSKI: Yes, Mr. Chairman, is there a way of making them available to other areas? Is there any way that can be made available, say, if the Defensive Driving Course can be sponsored and has been sponsored throughout rural areas provided there were so many applicants and the like? Is this a possibility that the province would be prepared to fund, or at least consider funding, some project to see how it pans out, say a pilot, to try it out for several courses throughout rural Manitoba? I don't know, has that been considered at all?

MR. ORCHARD: Mr. Chairman, it's coincidental, but over the last few months, I have had several discussions with members of the motorcycle community and some of them have been involved with the Manitoba Safety Council training course. The nub of the discussions I had was one of the problems we have is there aren't enough applications for motorcycle safety training from rural Manitoba. But, I intend to pursue over the next few months, there won't be anything for this summer because we're just too far down the road, but I intend to pursue with these people I've met in the motorcycle-riding public, the possibility, because they have their contacts in rural Manitoba and I'm hopeful that we can set up with some of the motorcycle groups the ability to offer a motorcycle training course in rural Manitoba at selected locations. We have to go through a number of hoops to determine how much funding is involved, etc., etc., and also on a trial basis to find out how many people we might get, for instance, in Morden or Arborg or Melita, to take the course. But it is something I've had some discussions about in the last couple of months with people in the motorcycle community and I'm intending to follow up on it with the hope of being able to develop some sort of training course for rural Manitobans.

MR. URUSKI: I thank the Minister for those comments, Mr. Chairman. Could the Minister indicate what progress has there been in the last year to expand the Driver Training Course into high schools in the Province of Manitoba? How far have we gone in terms of expanding this program? I know it's been a problem; not all high schools carry the course; I gather the course is open if there are instructors. Are there plenty of instructors now available? What's the situation on that?

MR. ORCHARD: Right now there are seemingly quite adequate numbers of instructors, but not quite adequate numbers of students who want to take it. What we've been seeing, particularly over the past several years, is a gradual decline in participation by students in the Driver Education Course. Particularly there is a decline in the number of male students that are enrolling.

When I introduce my Highway Traffic Amendments this year we have one amendment which we hope will encourage drivers to take the Driver Education Course and, at the same time, when the member referred to MPIC negotiations on the merit system, I am also having discussions with the Minister responsible for MPIC on the hopes that we can

reinstate something along the lines of the incentive program from the insurance of automobiles that existed prior to 1970 when the MPIC became part of the insurance scene. The private companies did offer insurance to the owner of the car if his son or daughter had taken the Driver Training Course, they would still remain at the preferred rate, rather than the under 25 surcharge, until such time as that student might have an accident and then the surcharge would apply. That incentive is not available from MPIC and I'm hopeful that, with the amendments that are coming up, hopefully to encourage more drivers to take driver training that we could parallel it with an incentive from MPIC to encourage our young people, through premium reduction, to take the Driver Training Course, because it has proven to be statistically a very worthwhile program to have students enrolled in driver training.

MR. URUSKI: The Minister didn't indicate to me; has there been an expansion to other communities throughout the province of the Driver Training Program in this past year? What kind of statistics has the Minister got? You know, Mr. Chairman, the Minister mentioned that there has been a general drop in the number of students, primarily in the male category, that have neglected or been shying away from taking this course. There is of course the move, and the Minister didn't indicate what move he intends to make in terms of the amendments in The Highway Traffic Act that would be interesting to know, the move that I suggested the other day when I spoke on driver training, on the seat belt resolution in terms of dealing with the issue of adequate training for our young people who will be driving likely the rest of their lives, Mr. Chairman, and if there is a definite correlation between numbers of accidents and driver training or lack of it that can be shown fairly clearly, then there should be no hesitation on the Minister or his government to make some bold moves and say look, the training that we offer is for the benefit of everybody in this province and before anyone gets a driver's licence they have to take a recognized course.

Mr. Chairman, how are the fees? Have they been kept constant over the last number of years to the students or have they been increased at all in terms of turning people away? What's the situation with respect to the fees, student numbers and the like?

MR. ORCHARD: I don't think you can draw a correlation between the drop in student numbers to the fee increase. Fees went up about two years ago because no longer were cars made available free of charge. The various car suppliers throughout the province decided that they needed to have at least a minimal return for the provision of those vehicles and that did add to the costs of providing the course. But there's no incentive to take the course and that is the problem nowadays because a person can get a driver's licence without having taken the driver training course and we intend to put some incentive back into the system whereby they would be encouraged to take the driver training course.

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

MR. ADAM: Yes. I would like to ask the Minister why he's so reluctant to state his position on seat

belts? I'm amazed that he will not give us a reason, Mr. Chairman.

MR. ORCHARD: My position, Mr. Chairman, on seat belts has not changed from last year. I fully believe in the use of seat belts; I use them myself; I would encourage everybody to use the seat belt if they so desire. But I do not believe as I indicated last year that it is the correct thing to do to legislate people to use seat belts because seat belts as I indicated last year are certainly a benefit but there are also down sides to wearing seat belts and my colleague, the Member for Emerson, yesterday pointed out one accident in Ontario which indicated that three people lost their lives because of injuries sustained from wearing seat belts and I don't believe it is incumbent upon any Legislature to pass a law in which there is a down side which may cause a further injury or exasperate the injuries to people inside a car. Leave the person to choose to wear the seat belt. If they choose to wear it there is nothing in this province, there is no statute which prevents them from using it and that is the way it should be and I would encourage all Manitobans as they have done last year at this time and I have done all year, to wear their seat belts but I'm not going to introduce legislation to compel them to wear their seat belts.

MR. ADAM: Yes. Then I would ask the Minister what programs of promotion does he have in place to encourage people to wear those seat belts? Does he have any programs in place to do that? I think I have heard from time to time about some promotion but I'm wondering is it the department that's doing it or is it the Safety Council or who is doing it? I would ask the Minister if he could answer that at least, whether or not if he hasn't got a program in place to promote the use of seat belts, does he intend to put one in place?

MR. ORCHARD: Mr. Chairman, that seat belt program was run by the Federal Government as I understand. What we intend to do is encourage people to wear their seat belts, not through an advertising campaign, but through the Manitoba Safety Council and through the Driver Training Program.

MR. CHAIRMAN: (1) — pass; (2) — pass; (c) — pass; (d) Highway Traffic Board, Motor Transport Board, Taxicab Board and Licence Suspension Appeal Board (1) Salaries — pass — the Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, I wish to make a presentation with respect to this particular item but I don't believe that it's an item or a presentation that should start at 11:05 in the evening because I expect it will be some time, it's of some importance. It involves the deregulation of Manitoba roads and that being the case, Mr. Chairman, and knowing that the item could be of some time I'm asking the Minister's indulgence to suggest that it be started at the next meeting of the Committee.

MR. CHAIRMAN: I'm a servant of this Committee. The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, I expect that it will take some time. It's not an item that will be passed in an

hour and I don't know why one would want to start that kind of an item. I think that the committee has been making good progress. I don't think that there's been any unreasonable delay and I don't intend to have unreasonable delay but I don't wish to work until 1:00 o'clock in the morning for no reason at all when it could be done at a sensible hour. It's not as if it's going to finish. There is the Minister's Salary and the Motor Transport Board. And if the Minister would research it I would like him to hunt to the next committee meeting and tell us, where is the legislative authority for the Motor Transport Board? Because I find some difficulty with that question and I wonder if the Minister could tell us the history of how we have an entity known as the Motor Transport Board?

MR. CHAIRMAN: (1) — (pass) — the Honourable Member for Ste. Rose.

MR. ADAM: Mr. Chairman, I wanted to just add to what the Member for Inkster has to say. He has notified the Committee that he will be speaking for at least an hour. Now, there are probably members on our side that will want to ask a number of questions as well on the Motor Transport Board. I have a number of questions on my note at the present time on questions that I wanted to raise and we will still be going into the Minister's Salary after that and I am just wondering whether or not the Minister would . . . This might take us into 1:00 o'clock in the morning or even 2:00, depending on how it goes. I'm just wondering perhaps if it would not be a good idea, Mr. Chairman, if the Minister is agreeable, that we come back Monday or whenever is the next sitting or maybe tomorrow, I don't know. I don't know whether we go into Committee tomorrow but I would hope the Minister would be amenable to maybe adjourning at this time and we complete the business. I think we made good progress, Mr. Chairman, much better than last year by the way. We have done real well. If you want to stay here all night well that's up to the Minister.

MR. ORCHARD: Mr. Chairman, I take it that the gentlemen don't think there's a possibility of finishing the Department of Highways and Transportation in a couple of hours this evening because it would be time well spent if we could.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: That's true and I have not said that we should have more hours when we should have. Mr. Chairman, I think that if you look at the records of the House I have not been one who resisted working longer hours when it made sense but I tell the honourable member that it's a new item, I will be some time on it and if there are members over there who are going to be some time, there is no use going to 3:00 o'clock and I don't think that it makes any sense to do so because we're not going to be productive. We've been working all day and we've been a long time in this Committee today.

MR. CHAIRMAN: Item under discussion is (1) Salaries — pass — the Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, I move Committee rise.

MR. CHAIRMAN: Committee rise.