

LEGISLATIVE ASSEMBLY OF MANITOBA
Wednesday, 25 February, 1981

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): The Honourable Member for Virden.

PRESENTING PETITIONS

MR. MORRIS MCGREGOR: Mr. Speaker, I beg to present the petition of Manitoba Elevators, praying for the passing of An Act to amend An Act to amend and consolidate An Act to incorporate Manitoba Pool Elevators.

MR. SPEAKER: Reading and Receiving Petitions

**PRESENTING REPORTS BY STANDING
AND SPECIAL COMMITTEES**

MR. SPEAKER: The Honourable Member for Virden.

MR. MCGREGOR: Mr. Speaker, the Committee of Supply has adopted certain resolutions; directs to report same, and asks leave, to sit again.

I move, seconded by the Honourable Member for Dauphin, that report of committee be received.

MOTION presented and carried.

**MINISTERIAL STATEMENTS
AND TABLING OF REPORTS**

MR. SPEAKER: The Honourable Minister of Fitness and Amateur Sport.

HON. ROBERT (Bob) BANMAN (La Verendrye): Mr. Speaker, I'd like to table the Annual Report of the Co-operative Promotional Board for the year ending March 31st, 1980; and also the Annual Report of the Co-operative Loans and Loans Guarantee Board for the year ending March 31st, 1980.

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W. J. MERCIER (Osborne): Mr. Speaker, I wish to table the report of the Board of Internal Economy Commissioners for the fiscal year period, ending the 31st day of March, 1980.

MR. SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

MR. ARNOLD BROWN introduced Bill No. 30, An Act respecting The Sperling Joint Community Centre District.

INTRODUCTION OF GUESTS

MR. SPEAKER: At this time I would like to draw the honourable members' attention to the gallery on my right where we have 40 students of Grade V

standing, under the direction of Mrs. Greenberg from the Winnipeg Hebrew School. This school is in the constituency of the Honourable Member for Inkster. On behalf of all the honourable members we welcome you here this afternoon.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, my question is to the Deputy Premier. In view of the promise by the Province of Alberta to cut back oil production by some 60,000 barrels a day, apparently just recently increased to 100,000, to commence on this coming Sunday, can the Deputy Premier advise whether or not there will be a negative impact as far as Manitoba is concerned?

MR. SPEAKER: The Honourable Minister of Energy.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, there is no evidence of supply shortage for Manitoba, and that does not appear as a problem. There is of course the negative impact overall that the oil will have to be displaced by foreign imports and the price of the foreign imports is more than twice as high as the Canadian price, and as a result there will be a net cash outflow from Canada for the purchase of those oil supplies; 60,000 barrels beginning on March 1st, and then as has been indicated another 60,000 three months later and up to 180,000 at nine months.

MR. PAWLEY: Mr. Speaker, further to the Deputy Premier, can the Deputy Premier advise the Chamber as to whether or not his department has undertaken any analysis as to the financial cost that the cutback will cost to either Manitoba taxpayers or Manitobans as consumers?

MR. CRAIK: Mr. Speaker, as the Leader of the Opposition is probably aware that when the Federal Government increased the amount of taxation at the well head which affected both gas and oil, there were additional revenues that flowed to the Federal Government as a result of that increase. The increased cost of the imports now will have to be taken from that or from other Federal revenues; there is no vehicle for them to transfer the cost directly to the gas pump. So therefore the answer I suppose is that the calculation is there would be zero evident impact at the gas pump as a result of this move or other oil and gas products. However, there will be a net cash additional cost to Canada as a whole that will run up to about \$450 million a year.

MR. PAWLEY: Mr. Speaker, then further to the Deputy Premier. Can the Deputy Premier advise whether or not it is still a policy of his government to support the policies as enunciated by Premier Lougheed of Alberta to bring about an increase in oil prices to world levels or near world oil level prices. Can the Deputy Premier advise whether or not that is

still the policy of his government, as indeed it has been, such as same has been proclaimed from time to time by the First Minister?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, I don't know whether the Opposition members are applauding their desks in anticipation of world price, or what they're applauding for. To the best of my knowledge, even Alberta, has not advocated world prices. Their position has advocated, I think 75 percent of the Chicago price. However, Mr. Speaker, that position that has been taken in Alberta has not been the position taken by the Province of Manitoba. The position of the Province of Manitoba has been that Canada should be attempting to attain self-sufficiency and we are now seeing the result of it.

The Province of Alberta and others are taking the position that with the discrepancy now between world and Canadian prices, that the oil in terms of Canada's future is more valuable in the ground than it is flowing at the present time. And as a result of that, you have this dilemma that isn't being solved by either policies of the Federal Government or the Alberta Government. And we have not taken the position that is as polarized as those positions. We have said consistently that there must be a pricing regime that brings about self-sufficiency of supply, and that that can happen in ten years if a sensible approach is taken.

MR. PAWLEY: Mr. Speaker, since we are now, and further to the Deputy Premier, since we are now hearing from the Deputy Premier that Manitoba is disassociating itself from the position that has been taken in the past by Premier Peter Lougheed of Alberta, and indeed is now announcing some form of pricing regime that will relate to self-sufficiency levels, could the Deputy Premier now indicate what he means by self-sufficiency by way of price translation? Is he now speaking in terms of a made in Canada pricing policy; is he speaking in terms of a pricing policy relating to 85 percent of world prices; can he define more closely for us where he disagrees and where he disassociates himself from the policy position enunciated by Peter Lougheed of Alberta?

MR. CRAIK: Mr. Speaker, really, there's a point of privilege involved here. The Leader of the Opposition insists on trying to manufacture and portray some position that this government has taken that he can identify with the position that Alberta took. Manitoba, this government, has always said that the target of Canada and the interests of Manitoba are served by pursuing a self-sufficiency policy. At the present price —(Interjection)— Mr. Speaker, if we have the federal responsibility, then we can itemize these things in detail. They are equipped to do that. The producing provinces are equipped to do that. But it must be completely evident to anyone, the average citizen, that at the current Canadian price, the industry is not responding, the governments are not responding, we are not approaching, the tar sands are over 30 a barrel, we're going to have to have tar sands supplies, oil sands supplies, to achieve self-sufficiency for one thing. We're going to have to have frontier area production which may be higher, who knows, but all we do know is that the price is higher

than the current Canadian price. It may not be world price. We assume it's not. Maybe it's half of world price. Maybe it's three-quarters. But we do know that the price is going to rise. We're not achieving self-sufficiency of supply. We're the envy of the rest of the world now because of the potential that's in front of us, but we don't seem to have enough common-sense to go out and discover the oil and produce it at a price that can be lower, and much lower than world price and satisfy our supply requirements within ten years.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MS. JUNE WESTBURY: Mr. Speaker, my question is to the Honourable Minister of Health, and refers to the press release from his department encouraging expectant parents to enroll in pre-natal classes; and continuing, the importance of pre-natal care and preparation is becoming increasingly recognized. Good pre-natal care and education can significantly increase the chances of a successful pregnancy and birth. Mr. Speaker, is the Minister now prepared to answer the question he took as notice last week about the inability of a pregnant deaf woman to participate in this pre-natal program and education because nobody would provide an interpreter and there were no instructors who were capable of using sign language?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. R. (Bud) SHERMAN (Fort Garry): No, Mr. Speaker, I regret that I'm not. I took the question as notice and I will supply the honourable member with the information as soon as I have it. I don't have it yet.

MS. WESTBURY: On another matter, Mr. Speaker, to the same Minister, would the Minister advise whether the Provincial Government will be participating in or contributing to studies covered by three awards from the National Health Research and Development program totalling over \$200,000, all for health research at the University of Manitoba? Is the provincial government participating in that in any way, Mr. Speaker?

MR. SHERMAN: I don't know, Mr. Speaker. As the honourable member knows, we have established a Manitoba Health Research Council and are funding it to an extent possible each year in our annual budgets now and will be doing so again in 1981-82, the current fiscal year. I can't tell her whether there is direct participation in the project to which she refers but I will investigate it.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: Thank you, Mr. Speaker. My question is directed to the Deputy Premier, and follows up on the questions of my leader regarding oil price increases and the whole question of self-sufficiency. In view of the fact that the debate over oil price increases has taken place over whether in fact any increase in oil price should go to a public energy self-sufficiency fund to be used to fund the

exploration for new oil, or whether in fact oil price increases should go to multinationals to induce them to look for oil, could the Minister indicate what the position of the Manitoba Government is on that question? Where should oil prices go, to multinationals or to publicly funded exploration for oil for self-sufficiency purposes?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, unlike the members opposite our position on this is much more pragmatic than finding an absolute solution in the funding of an entirely public corporation. It must be very clear at the present time that the oil industry is one of the most, if not the most, controlled industry in all of Canada. It is controlled from one end to the other; it's controlled on the profit end where it applies its revenues, etc. There is no problem for any government establishing a policy at this time that will lead to the required exploration to provide self-sufficiency with the Canadian industry structured as it is now, and without undo concern about loss of revenues.

MR. PARASIUK: I would like to ask a supplementary to the Minister, and ask him if it is then still the avowed policy of this government to back the multinationals as opposed to publicly funded enterprises in respect to oil development? Is it still the policy of this government to sell Petro-Canada's exploration development and marketing divisions to private enterprise, the only private enterprise companies who could afford that, being foreign multinationals? Is it still the policy to sell off PetroCan.

MR. CRAIK: Mr. Speaker, we're talking about new oil supplies, we are not talking about marketing and that seems to be the problem these days, is oil supply and I can tell the member that actions speak louder than words.

First of all in the last three years we freed up Crown lands for exploration. The member might be happy to know that one of the principle purchasers of those lease sales was Sask Oil and Gas, which we didn't put up a barrier to, to come into Manitoba and do their exploration work, Mr. Speaker, so as I say, we're entirely pragmatic. It's whatever gets to the root of the problem, and that is further exploration whether it's a Crown operation, whether it's PetroCan, Sask Oil and Gas, or any other that are doing their exploration work in Manitoba. We don't control the national policy. We don't control who owns Petro-Canada, any more than the member opposite does. But I can tell you in the actions that have been taken within Manitoba, where there is jurisdiction, this government has taken action that has brought about a much better approach and a much better supply than we would have under the policies of the former government when they were in office.

MR. SPEAKER: The Honourable Member for Transcona with a final supplementary.

MR. PARASIUK: I would like to ask the Minister if he is now repudiating the statement of September 1st, 1979, by the Premier of Manitoba, who at that

time urged the Federal Government to sell Petro-Canada's exploration development and marketing divisions to private enterprise, saying that the need for a publicly owned oil company has not been demonstrated anywhere in the world? In view of the Minister's statement just now, is he repudiating the statements of his First Minister, one year ago?

MR. CRAIK: Mr. Speaker, I fail to see what Manitoba's position would do to have any bearing whatsoever on Petro-Canada would be. I might also point out to the member, that I noticed that Petro-Canada is one of the companies that notably in the last two weeks, has started to publicly complain that they are losing money on their production of natural gas in the Province of British Columbia and that if the Federal Government does not come to grips along with the B.C. government with the taxation problem, that they too are facing a problem. I don't know that it would maybe make any difference, Mr. Speaker, on what the policy was with regards to Petro-Canada. They are in trouble as well.

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

MR. D. JAMES WALDING: Mr. Speaker, my question is to the Honourable Minister reporting for Manitoba Hydro. I would like to know if the Minister can confirm reports that the new senior management at Hydro has downgraded its public relations department and severely restricted the flow of information?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: No, Mr. Speaker, not that I'm aware of.

MR. WALDING: Mr. Speaker, would the Minister be prepared to look into this and find out if that policy was instituted independently by the new president of Hydro, and whether it has the concurrence and agreement of the Minister?

MR. CRAIK: Mr. Speaker, I would doubt that it would be their policy. It wouldn't certainly be with the concurrence of the Minister. But I would suggest to the member that it would be a good question for him to direct to Manitoba Hydro when they appear before the Public Utilities Committee hearing.

MR. SPEAKER: The Honourable Member for St. Vital with a final supplementary.

MR. WALDING: A second supplementary question, Mr. Speaker. The chairman of the board of Manitoba Hydro is quoted as saying, "We will provide any and all information. We are only concerned that that information be accurate." I wonder if the Minister would agree that this would permit Hydro to release the three secret reports that the Minister refuses to release.

MR. CRAIK: Mr. Speaker, undoubtedly the member will advise me of what reports he is referring to, because I certainly don't know offhand what he refers to. With regards to his mention of accuracy, that was mentioned by Hydro, certainly it means that they have read the Tritschler Inquiry Commission

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report in which the head of the public information service there before, was pretty severely castigated for issuing inaccurate material.

MR. WALDING: Mr. Speaker, in reply to the Minister's question, the reports I was referring to were the Teshmont study into transmission to Alberta; the Foster Report on the economic feasibility of selling power to Alberta; and a UNIES Report on both of them. Now is he prepared to allow the Chairman of Manitoba Hydro, as he apparently wishes to do, to release that information?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, that question has been dealt with before. It's not my position to deal with those reports directly. They were initiated as a three province study by the three Premiers of Saskatchewan, Alberta and Manitoba, and when the Premiers advise the committee to release reports and whatever they'll be released; but it will be their decision, it's not a unilateral decision at the present time.

He makes reference to a Foster Report, it seems to me that a Foster Report was released about a year ago.

MR. SPEAKER: The Honourable Member for Dauphin.

MR. JIM GALBRAITH: Thank you, Mr. Speaker. I have a question for the Minister of Economic Development. Yesterday I asked a question regarding closure of the Glenella Creamery as reported in an NDP brochure that was distributed in my constituency; can the Minister inform me whether Bata Shoes are closed?

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, Bata Shoes never did have a head office in Manitoba. Their head office is Batawa Ontario, their sales office is Scarborough, Ontario; Bata Shoes in 1977 had four stores in Manitoba, in 1980 they have seven, Mr. Speaker.

MR. GALBRAITH: Thank you, Mr. Speaker, a supplementary. I'd like to ask the Minister whether the New Democratic Party and their leader were aware that these untruths were put in this pamphlet before it was sent out to the Dauphin area?

MR. SPEAKER: Order please. Questions of awareness are really not questions seeking information in this House. Would the member care to rephrase his question?

MR. GALBRAITH: Mr. Speaker, I'll rephrase the question. Were members opposite advised about these untruths before this pamphlet was sent out into my area?

MR. JOHNSTON: Mr. Speaker, in the Throne Speech debate in December I brought it out very, very plainly and pointed out in that speech that Bata Shoes never did have a head office in Manitoba and never did leave Manitoba, but the pamphlet still continues to be delivered.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: I'd like to ask a question, Mr. Speaker, of the . . .

MR. SPEAKER: Order please.
The Honourable Member for Brandon East.

MR. EVANS: Thank you, Mr. Speaker, I'd like to address a question to the Deputy Premier, the Minister of Mines and Energy, with regard to the question of oil pricing and multinationals. Can the Minister comment on the fact that the multinational oil companies, of which he is a friend, can he comment on the fact that the multinational companies, that there is considerable evidence that these companies are using profits earned from recent price hikes to buy up real estate, coal mines and other non-oil-producing assets in this country; therefore, Mr. Speaker, using Manitoban's money, monies of Canadians, to buy more and more . . .

MR. SPEAKER: Order please. Order please. May I suggest to the honourable member that when he asks a question of a Minister to comment, that he is inviting a lengthy answer. I would suggest that the questions be framed in such a way as to produce a short, sharp answer.

MR. EVANS: Mr. Speaker, on the point of order, I could only help but note that the Member for Rock Lake asked the very question the other day, last week, asking a Minister to comment which was ruled in order, which was accepted.

But regardless, Mr. Speaker, I would like to have this Minister indicate to this House whether it is not a fact that the multinational oil companies in this country are using their excess profits to buy up non-oil-producing assets, in effect using our money, the taxpayers' money to acquire more and more foreign ownership of this country.

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, the member has asked for a comment. It can't be more than a comment because no provincial government is going to be able to address that question, although a Federal Government could. The only comment I would make on it is that if that can be shown to be a problem, and it poses a problem in the national interest in terms of further oil supply and the general economic picture, I think the Federal Government does have the powers at the present time to address the problem. If it's a problem, I agree with him that it should be addressed by the Federal Government.

MR. EVANS: Thank you, Mr. Speaker, will the Minister of Energy acknowledge that the higher oil prices that he is desirous of seeing in this country will cause inflation and thereby lower the standard of living of the people of Manitoba, this province being a net oil-consuming province; will the Minister acknowledge that those oil price hikes that he wants is going to cause more inflation and thereby take money out of the pockets of the people of this province?

MR. CRAIK: Mr. Speaker, neither I nor the government have advocated higher oil prices for the

interest of having higher oil prices. What we have advocated is self-sufficiency because as long as we are vulnerable to a shortage of supply, and in oil alone we're somewhere in the order of 20 percent or more deficient in our own supply; whereas five, six years ago we were completely sufficient, we're going the wrong direction, and the only way we can avoid the problem that he is trying to point out, namely, vulnerability to high prices, is to become self-sufficient.

So in the short term his problem may become a reality; but in the longer term, it could become a catastrophe for the country. And if the lack of sufficiency in supply continues to worsen and we are exposed to either a cutoff of international supply, which would be the worst of all problems, where pricing would become secondary to the issue and supply would become the major issue, that would be the worst of all conditions. That is the one that Canada has to address and is the one approach that we have supported.

Now supposing we do follow it, it's very likely, I haven't seen a prognosticator, at this point in time and in recent history, who has said, or predicted, that Canada's self-sufficiency price would be anywhere near world price under natural conditions when we reach it, which is 1990. —(Interjection)—

Well, the members opposite are so paranoid they have to throw up Premier Lougheed's name every time they have bad dreams.

MR. SPEAKER: Order please. The question was only addressed to one Minister. We don't need a dozen answering.

The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, very seriously, the answer to the Member for Brandon East's question, very clearly is that if, in fact, we do reach self-sufficiency by 1990, there will be much less impact on the Canadian economy, much less inflationary impact and our standard of living will be far better than if we take the short-term view and try and wipe out the necessity for self-sufficiency.

MR. EVANS: Mr. Speaker, everyone in this House is in favour of self-sufficiency and that's a motherhood issue, we're all in favour of self-sufficiency. Mr. Speaker, we just don't want to give away the kitchen sink in the process to the multinationals. I would like an assurance from this Minister, because we recognize that this country is blessed with a surplus of all forms of energy except oil, we know that, we are very blessed with coal, hydro electricity, gas and so on, but we are short of oil, and we recognize the need for self-sufficiency, so, Mr. Speaker, I would like to get an assurance from this Minister that he will at least go to the conference tables in Ottawa or wherever these conferences are held and speak on behalf of the Province of Manitoba, not as though we were the shiekdom of Alberta under Shiek Lougheed, but that we are a poor net consuming province of oil, and that the interests of the people of the Province of Manitoba will at least be protected at these conferences.

MR. CRAIK: Mr. Speaker, the member can be absolutely sure that I will take that position and that I will find that solution in the longer term, whereas his

interests are shorter term. I would simply remind him again with his reference to multinationals, is he again not aware of the fact that PetroCanada is now complaining about the present pricing policy in Canada because they are losing money on their production of natural gas?

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

MR. LAURENT L. DESJARDINS: Mr. Speaker, to the same Minister. In view of the fact that the Minister is saying that the price of gas will increase, should increase, and the Minister I'm sure is interested in fighting inflation, does the Minister intend to change the policy brought in last year of putting a percentage tax on gas at the pumps so the people will have less to pay and try to fight inflation?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, the Manitoba Government introduced the ad valorem tax last year along with three or four or perhaps five now of the other governments. It represents 16.7 percent of the price of gas paid at the gas pump and, Mr. Speaker, I don't think any provincial government has to back away from taking the responsibility, which they all do, of providing the road and highway system and street systems of this province, whereas I can't say the same for all the other economic rents that are being applied to the price of gas at the gas pump. Mr. Speaker, the answer to the question is, that I think it will be found to be a fair tax. The initial results would indicate that the reductions in consumption have so far offset any price increases that have occurred as a result of that tax. In other words at this point in time, at least in about January, about a month or two months ago, the revenues from that tax change were not increased, did not produce additional revenues to the province over what they had been under the old tax, because simply consumption has gone down because of the increased price of gas.

MR. DESJARDINS: Mr. Speaker, the Minister did not really answer the question. He made a long speech. My question is, because of inflation and it's certainly not costing — the Minister should know — it's not costing the Province of Manitoba one cent more, I am asking in view of the fact that the Minister himself is saying that there will have to be an increase if we're going to be self-sufficient in Canada, and I'm repeating the question. Is it the intention of the government to put in a fair tax, not one that will be based strictly on percentage, and when prices are inflated that the tax will be inflated, it will cost the people of Manitoba that much more? I'm not asking if any other government is doing that. The Minister just finished saying that he's interested in setting policies for the good of Manitobans, and that's my question.

MR. CRAIK: Mr. Speaker, there is of course more to it than what the Member for St. Boniface indicates. There also was a scale of taxations introduced varying from diesel fuel, railways, aircraft, gasoline, gasohol which was completely exempted, and so on down the line; insulation programs for

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complete taxes were taken off insulation and so on; it's a complete energy approach strategy in the package; it isn't just the ad valorem tax that he refers to, the across-the-board tax on gasoline. There are other aspects to it as well as the gasoline.

MR. DESJARDINS: Mr. Speaker, I'm sorry, but I'm not interested in debating the Budget at this time. My question is a very simple one and should be easy to understand. Will the Minister feel that because the price keeps going up, and therefore it certainly helps in creating more inflation, will the Minister feel that this is not a fair tax and does the Minister intend to change this — or maybe I should direct that to the Minister of Finance — but does the Minister intend to change the policy on a flat tax instead of a percentage flat, which is inflated and causing more inflation?

MR. CRAIK: Mr. Speaker, in view of the fact that the experience so far is that the consumption has gone down somewhat and in the early months at least that there has been an offset that has yielded basically a revenue picture which is the same as it would have been without the change in the tax levels, I think that the tax is proving to be a reasonable one. Furthermore, the provinces can hardly be expected and Saskatchewan, Manitoba, Quebec, Prince Edward Island, and I believe perhaps one or two of the others — one at least of the other Maritime provinces for approximately 50 percent of the Canadian provinces — have come to the conclusion that to pay for their highway and road systems at 16.7 percent is not an undue portion of the sales price of a gallon of gas to dedicate to the system that is going to have to carry the cars and the trucks and the other vehicles.

MR. DESJARDINS: Just to make sure, the Minister is saying that he considers this a fair tax, a percentage tax instead of a flat tax is a fair tax in these days of high inflation; apparently this is what the Minister is saying.

MR. CRAIK: Mr. Speaker, what I'm saying is, to operate a highway and road system out of a product and still not operate it, it still only pays for about half of the combined capital and operating program of the highways department although the money is not dedicated directly, it still doesn't even pay for the entire program — and particularly if you included the contribution towards the streets program in Winnipeg on top of that and then the other grants — certainly, Mr. Speaker, the portion, the 16.5 percent or 16.7 percent of the price of a gallon of gas that goes towards that and is collected by the Provincial Government and funnelled through to that end, would appear to be one of the fairest parts of the price of a gallon of gas that you and I pay at the gas tank.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, yesterday the Member for Transcona asked me a question relating to an explosion at the CNR reclamation yards and a letter I had subsequently sent to the CNR, and he asked me if I had received a reply, Mr. Speaker. I did receive a reply on December 22nd, 1977, and my records

would appear to indicate that I sent a copy at that time to the Member for Transcona.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, since we are observing rather a topsy-turvy situation pertaining to the government relating to this very important issue of oil pricing, I would like to ask the Minister if he could explain just how it can be that in the space of some short six months that the government has done a turnabout, apparently, in their policy regarding oil pricing. In July of 1980 the First Minister advised the House that anyone that did not see the need for higher oil prices as proposed by Alberta, was either, and I quote, "either a fool or living in a cloud cuckoo land." I wonder if that means that the Minister is now either a fool or a cloud cuckoo in view of his answers to us this afternoon?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, with the full knowledge of the fact that there was now a Liberal Government back in Ottawa, any fool would know that the price of gas was going to go up.

MR. PAWLEY: Mr. Speaker, back to the Honourable Minister. I nearly, a slip of the tongue, said something else just now. It was 1980, not 1970.

Also, could the Minister —(Interjection)— no, Mr. Speaker, 1980 was said earlier. It was the Minister who apparently misunderstood.

Mr. Speaker, the Minister indicated that he was not on Premier Lougheed's side. On October 31st, Information Radio, the Minister indicated basically in response to the Federal Budget, basically I would have to say we feel on Mr. Lougheed's side, they haven't answered adequately yet the takeover of Natural Resources of the provinces and effectively that's what they did without any consultation. Does the Minister now indicate that indeed the policy of the Government of Manitoba is not to be on Peter Lougheed's side?

MR. CRAIK: Mr. Speaker, let there be no doubt.

MR. SPEAKER: Order please. I find it extremely difficult to hear the answer.

The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, let there be no doubt. We have always supported, and still support, and will continue to support, the argument that the provinces are the owners of the resources. And that is effectively what Premier Lougheed was advocating and supporting. And when the Leader of the Opposition uses that to transpose it into a support of world price, of course he's dead wrong and he's carrying it to an illegitimate conclusion. But we do support completely the argument that the provinces are the rightful owners and custodians of the resources lying within the province.

MR. SPEAKER: The Honourable Leader of the Opposition with a final supplementary.

MR. PAWLEY: Mr. Speaker, further to the Deputy Minister, in view of the statement by the Minister of

Finance yesterday to the effect that the inclusion of tax points as part of the Federal Government's contribution to post-secondary education was a distortion, misleading distortion, can the Minister advise whether or not he, as Deputy Premier, associates with that statement of the Minister of Finance?

MR. CRAIK: Mr. Speaker, I just would like to provide a bit information for the Leader of the Opposition which might enlighten him a bit and be a little more accurate than some of the material that he's been working from to now. I just would like to point out that in the former government's Estimates, using as an example, 1976-77, that the government at that time did not include those tax points as being revenue from the Federal Government.

MR. PAWLEY: Mr. Speaker, I think if the Minister of Finance would check his facts, which he has pretended to be so accurate upon this afternoon, he would find that the agreement didn't come into effect until 1977-78. My question again —(Interjection)— well yes, let's put that in the brochure. They started on the wrong date.

Mr. Speaker, back to the Deputy Minister, Deputy Premier, because we haven't received any answers from the Minister of Finance, does the Deputy Premier associate himself with the statement by the Finance Minister that the inclusion of federal tax points within the Federal Government's contribution to post-secondary education and health is indeed a misleading distortion? Could the Deputy Premier advise as to the government's position?

MR. SPEAKER: Order please. May I point out to the honourable member that questions dealing with Finance should only be directed to the Minister of Finance. The honourable member should know that it is highly improper to ask questions of a Minister when the other Minister is here in charge of that department.

Order please. Order please.

The Honourable Member for St. Boniface on a point of order.

The Honourable Member for Kildonan on a point of order.

MR. PETER FOX: Mr. Speaker, The Honourable Leader of the Opposition was asking a policy question and he was directing it at the Deputy Premier, and I think that is totally in order. It doesn't have to go in front of the Minister of Finance or in front of any other Minister. There's a Minister in charge of all of the departments and that's the Deputy Premier or the Premier, and the question was in order in the absence of the Premier.

MR. SPEAKER: Order please. The time for question period having expired, we will proceed with Orders of the Day.

The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker . . .

MR. SPEAKER: Order please.

The Honourable Member for St. Vital.

MR. WALDING: Mr. Speaker, I rise on a point of privilege. There was an announcement from

Buckingham Palace yesterday announcing the engagement of Prince Charles, and followed by a resolution that was introduced into the House of Commons, and I understand passed unanimously yesterday. I look in vain on our Order Paper today for a similar resolution that would enable the members of this House to join in those pleasant congratulations.

Mr. Speaker, I would ask the . . .

MR. SPEAKER: Order please. May I point out to the honourable member that omissions from the Order Paper are not points of privilege.

Orders of the Day. The Honourable Minister of Cultural Affairs.

MRS. NORMA L. PRICE (Assiniboia): Mr. Speaker, may I have leave to make a non-political announcement? (Granted)

NON-POLITICAL ANNOUNCEMENT

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

MRS. PRICE: The Constituency of Assiniboia has come through with another team of champions in the curling world, and this time it's the team of Mert Thompsett, again from the Assiniboine Memorial Curling Club. They won the Canadian Junior Men's Curling Championship at St. John, New Brunswick, which entitles them to represent Canada at the World Championships next year in Fredericton, New Brunswick.

On behalf of this House I would like to congratulate them for the fame and honour they have brought to Manitoba.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Bill No. 8.

SECOND READING — GOVERNMENT BILLS BILL NO. 8 - THE GARNISHMENT ACT

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER presented Bill No. 8, An Act to amend The Garnishment Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. MERCIER: Mr. Speaker, just briefly, this Act will permit the garnishment of pension benefits for the purpose of enforcement only if a court order for alimony or maintenance, including maintenance and education of a child, pursuant to an order under the Child Welfare Act. Presently under the existing law, benefits received from pensions are not subject to garnishment proceedings. The amendments will allow for garnishment of benefits payable under pension schemes or plans, superannuation schemes or plans, life or fixed term annuity policies, accident sickness or disability insurance policies.

I point out, Mr. Speaker, that these are benefits which are taken into consideration in calculating the amount of a maintenance order awarded to one spouse.

Mr. Speaker, I also point out that a bill has been introduced into Federal Parliament, I believe at the end of last June, which provides for a number of things including garnishment of Federal civil servants, which is something that we had requested for Manitoba, and as well Part II of that Act would allow for attachment of pension plans to satisfy financial support orders.

Mr. Speaker, I say this amendment is another step taken by this government to provide for better enforcement of all judgments and orders for maintenance and alimony. In particular this amendment will enhance the remedies available under the present Maintenance Enforcement Program. This computerized program, which was implemented by my department in January of 1980, has proven to be probably the most sophisticated and progressive in the country and this amendment will give the court officers another avenue through which money can be obtained to satisfy arrears under maintenance or alimony orders.

Mr. Speaker, I point out again that inasmuch as such benefits are taken into consideration in calculating the amount of a maintenance order, it is only reasonable to allow for, or to make such benefits available to satisfy maintenance orders.

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Elmwood that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

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

MOTION presented and carried and the House resolved itself into a Committee of Supply with the Honourable Member for Emerson in the Chair for the Department of Government Services and the Honourable Member for Virden in the Chair for the Department of Labour and Manpower.

CONCURRENT COMMITTEES OF SUPPLY

SUPPLY — LABOUR AND MANPOWER

MR. CHAIRMAN, Morris MacGregor (Virden): The Honourable Minister.

HON. KEN MACMASTER (Thompson): Mr. Chairman, the Appointments Standards Branch is responsible for the administration and enforcement of a number of statutes concerning minimum standards in matters such as hours of work, vacations, general holidays, wages and their payment, maternity leave, termination of employment and equal pay.

In doing so the Branch observes four principle objectives. They are (1) to improve public understanding of standards relating to the terms and conditions of employment in Manitoba by operating effective and educational programs; (2) to increase public awareness of the rights and obligations given employers and employees under the law and of the availability of services to uphold those rights; (3) to establish and maintain a high degree of efficiency in collecting wages by effectively using available resources and manpower and; (4) to establish and maintain effective investigative and enforcement techniques to ensure compliance with the existing standards.

A prime function of the Branch is collecting wages found owing to employees, either through the findings of the branch officers or by orders of the Manitoba Labour Board which result from a adjudication hearing. In the reporting year ending October, 31st 1980, the total number of complainants handled increased three percent over the preceding year. Total wages collected increased by approximately 15 percent. Staffing — last year we had 30.36 staff man years, this year we are requesting the same number.

That's it, Mr. Chairman.

MR. CHAIRMAN: The Member for Kildonan.

MR. PETER FOX (Kildonan): Thank you, Mr. Chairman, and I thank the Minister for his opening statement. The other day we had a news article in respect to employer's being ordered to repay over half-a-million dollars and I would like to understand the Minister's rationale where he said the public embarrassment is more effective than a fine, and yet there is no public announcement of who the firms are that are involved. So how does the public embarrass that particular employer who is delinquent or who is exploiting his workers and in consideration of the fact that it was over half-a-million dollars levied against employers, why was there just one person or one employer taken to court according to the report?

MR. MACMASTER: Mr. Chairman, it has been the policy of the Manitoba Government for many many years not to use the weapon, if you wish, of taking companies to court. On the first side, it's a better approach in my opinion to work with the people and attempt to recover what is owing to the employee or to the employer and there is a good number in both cases. I have no intentions of changing the policy in any way, shape or form that we make companies or employees or any other individuals make their names public in this particular regard. If a company is not treating its employees correctly that word gets around the system pretty quickly. I have no intention on further adding to that bad name of the employer or the employee by making those names public.

MR. FOX: Yes, Mr. Chairman, I realize that there are also employees that take advantage of the system, but I'm certain that the amount that is taken advantage of by employees is very very much smaller or else there would have been some note of the fact that this had occurred. What really bothers me about this system, Mr. Chairman, is the fact that there is no

way of anyone determining whether there's an employer that is a habitual violator, and as long as this is kept secret — now it may have been done in the past, but it may be time that we changed this system.

We just saw recently where there was some discussion in respect to informing the public about restaurants that were not sanitary, that were not up to standards and there was some discussion about informing the public of who these people are. I think that is one protection. The fine sometimes just becomes a licence to violate these statutes and as a consequence if we do not have information as to who these people are, they shall keep on doing it.

So I just wonder if the Minister can inform us how many of these violators are repeaters, have been doing it consistently; secondly, as to whether those people, if they are fined are fined on an escalating scale or what is the procedure that the Minister has in this particular regard, because as long as we don't have the information there's no way we know whether it's being carried out fairly, and \$.5 million is a lot of money to be paid out in fines, so that there must have been very many violators of one kind or another. How many of those were repeaters?

MR. MacMASTER: I answered the question the other day that it would just take thousands and thousands and thousands of man hours to go through all the records going back 15 or 20 years to determine which are repeaters and which aren't. The staff eventually know if somebody is repeating a year or two after each other and that in fact triggers a reaction certainly from the staff.

Let me just give you a couple of figures that you apparently weren't looking at or it's sometimes confusing and you didn't understand. On Page 40, Table 4 on Terminations — there was 828 complaints lodged by employers, there was 920 complaints lodged by employees and if you follow the figure around you'll see the disposition of claims that were settled was to the tune of 102,731 by employees, amount paid back to them, and the amount paid back to the employer is just about identical, 102,838. So you see, Mr. Chairman, and through you to the Member for Kildonan, it is a very large problem, it involves an awful lot of people, individual people and individual companies. Again I reiterate, I'm not prepared — maybe the Member for Kildonan wants to tell me whether he thinks that employers only, that their names should be made public or does he wish to have employers and employees? I don't wish to make either public.

MR. FOX: As I said earlier, Mr. Chairman, I have no desire to make this public, but what intrigues me is the fact that the Minister said there is public embarrassment and I cannot see the logic of public embarrassment when there is no pronouncement as to who is violating what — that's my first point.

My second point is that I think fines sometimes just become a licence if they are inadequate, and I would suggest that possibly the department look at people who are violating, whether it's employers or employees, more than once, who are doing it as a habit, that those are the ones that should be publicized, not necessarily first offenders. Everyone could make a mistake once or twice, but if they're doing it repeatedly, then I think there should be

some further action taken and I think public information, if the department can't keep statistics or feels that it's too great a task to do over a period of years, fine, I can concur with that, but then at least if they are aware that someone is coming up repeatedly that they would announce at least that party, whether it's an employer or an employee and the public's memory would help to make that party toe the line, because as I said, I can concur that \$100,000 on both sides of the coin in respect to termination of employment, that may just be a one-time occurrence, with an employee or with an employer, but the other still means that there's something like 80 percent of fines were levied for other infractions and I think that has to be considered.

MR. MacMASTER: I guess the embarrassment part is what we're trying to get at, and I simply say to the Member from Kildonan that if a company in Northern Manitoba, for example, and it's, I guess, simpler for me to talk about my part of the province, if a company up there is giving its employees a hard time and not dealing with them fairly, that name spreads throughout Northern Manitoba and there are two or three companies up there who just virtually find it impossible to get employees; some have left operating in Northern Manitoba. It may be that, and I would suggest and I don't know the big city aspects as well probably as I do my own part of the country, but I would suggest to you that if you had a hotel (no names mentioned) in Winnipeg that was mistreating its employees, terminating them improperly, not giving them their proper overtime or monkeying around with the minimum wage aspects of the legislation, that word would soon spread around the City of Winnipeg. Now, I suspect it would and that's really what I was trying to say.

Embarrassment — you can call it whatever you want — after living the number of years I have in the north I know of companies who have — I think embarrassment is a small word — they just find it very difficult to operate and in fact some aren't operating up there, so I guess I was speaking from my knowledge of the workings, confined as it may be, 21 years in Manitoba and by and large all of it in Northern Manitoba. Maybe embarrassment isn't a good word. In the north, if a company mistreats its people, it's more than embarrassment. Eventually, people just shun that company and I guess maybe the word embarrassment is the wrong word, but I think, knowing society generally as I do, that if a hotel within this city was constantly doing that, the people would just eventually say, that's just not a good place to work.

MR. FOX: I concur with the Minister that in isolated areas and in small communities this would be a proper and just way of handling it, but we also have to remember that Manitoba, uniquely or otherwise, happens to have only a couple of large urban centres where most of the population is concentrated and where the greatest part of the labour force is as well, and if the Minister is aware, I'm not certain, but probably he's heard that in the large urban centre, most of the people hardly know their next door neighbour, never mind what's going on 2 or 3 blocks away, whether it's at a place of work or otherwise, and this does create a problem if they are just fined

on the q.t., because as I say it becomes a licence in a way, after a fashion, and I would just hope that the Minister would have another look at this situation and see if we can't improve it. One conviction for the number of infractions that there were is a very very minimal way of looking at it in my opinion.

Thank you, Mr. Chairman.

MR. MacMASTER: Mr. Chairman, consideration certainly could and I suspect in past has been given. I am quite prepared to give that consideration if we find an employee in the city that pretty blatantly is abusing the legislation and abusing the people that's working there on a repeated basis. What the member is saying as one example is sometimes when it's held up and waived is a good lesson for a lot of other people. That philosophy isn't all that bad and I'll take certainly that under consideration.

MR. FOX: I just want to ask the Minister because he said employee, would he also include employer so that we have both sides of the coin? I'm certain the Minister didn't mean just employee.

MR. MacMASTER: Well maybe it's my garbled speech. I didn't say employees, I said an employer who is abusing the legislation and employees. I respect the position the Member for Kildonan is raising, but just to clear it I was saying an employer repeatedly, if they're abusing the legislation and employees, that's how I used the word employees.

MR. CHAIRMAN: The Member for Logan.

MR. WILLIAM JENKINS: Just to follow on what the Member for Kildonan raised, and this has kind of raised a bit of confusion in my mind because I understood the Member for Kildonan to say that it was fines of \$.5 million or was it recovery of wages? —(Interjection)— Recovered. What process does the department use for the recovery wages now that we don't have The Payment of Wages Act as it was before? Under prosecution under legislation as administered by the Employment Standards Division on Table 5 on Page 41, there was only one employer prosecuted and the charge was stayed in the period November 1, 1979 to October 31, 1980.

MR. MacMASTER: Mr. Chairman, the member must be under a disillusionment about The Payment of Wages Act. The Payment of Wages Act is still intent, still in place, except now it's recognized so that people know, as the courts decided, that it doesn't come No. 1. As they know in British Columbia, which has identical legislation, that it's not No. 1; and as they know in other jurisdictions in the country that it's not No. 1. The Payment of Wages Act, all the mechanisms within it for the collections of wages are still there except that you now don't allege to people or employers or yourself or government or anybody else that you have first shot at recovering the wages because the courts of our country have said that that isn't the way it should be. Now The Payment of Wages Act is still used. The Labour Board procedure is still used, the same mechanisms to the Member for Logan are still in fact in place.

MR. JENKINS: Thank you, Mr. Chairman. Has there been any cases since the law was changed last year

where employees have not been able to recover wages since they do no longer have first claim on recovery of payment of wages not paid to the employee. Have there been any cases where the department has been unable to collect wages due to an employee under the Act as it is now?

MR. MacMASTER: Mr. Chairman, in as honest an answer as I can give you we would have to assume that it was still as good or assume that something wasn't there because of the change. The legislation is still in place. Previously to changing the ranking of wages, the courts decided that we were wrong in attempting to get those wages. That's what happened.

Now, I don't like it; I don't think any member in the Legislature likes it. We've made it very clear that we're and — I'm sure other jurisdictions don't like it. We're not guessing at that. We know darn well that every other jurisdiction in the country doesn't like it, at least they're saying so, and many jurisdictions in our country today are looking at some type of methodology, and I have promised this Committee, I have promised the House, I have promised the people in the province that we are going to bring in a method to assure and hopefully one that the courts won't, well can't, I've legally been assured that they can't interfere with the method that we are going to bring into place.

So, to the member's question, there is no change in the prosecution; there is no change in your possibilities of achieving what you were able to achieve before.

MR. JENKINS: I don't know, maybe the Minister misunderstood my question. Has there been any foreclosures, bankruptcies as such, where employees due to the position that they are now on the waiting list to collect money, that have been unable to collect their full wages since the Act has been changed. I am not arguing with the philosophy or anything, I just want to know if there has been any employees since the Act was changed last year, the previous Act with . . .

MR. MacMASTER: The answer is no.

MR. JENKINS: The answer is no. Well then that answers that question then, Mr. Chairman.

I raised last year with the Minister and I realize that this comes under Workers Compensation, but it is listed under this department so I imagine this is where the Worker's Advocate would be covered. I raised the issue with the Minister last year, I think I raised it before, that due to the trouble that people have been having in filing and receiving their proper, what they feel is their proper, due under Workers Compensation, has the Minister and his department and the government given any further consideration to setting up the position of the Worker's Advocate as almost like an Ombudsman in Workers Compensation because we — I realize that this may be hinging on the report that is due and I only raise this issue here because this is where, I imagine, the salary and whatnot for the Worker's Advocate is, because it's listed in the Employment Standards Division. If the Minister recalls, I think I raised that issue with him last year and the year before, that perhaps we should be looking at that. It's almost like

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a Worker's Advocate being like an Ombudsman in the field of Workers Compensation.

MR. MacMASTER: Mr. Chairman, I think the Worker's Advocate is darn near an Ombudsman. I think he's part priest and he's part advocator; he's part conciliator, a very very difficult job and, in our opinion, and I think the opinion of unions and industry and employees in the province who have dealt with the gentleman, we think he does an admirable job. The title "Ombudsman" has not been considered and I think the member may be touched, consciously or unconsciously, on something that may flow from the review of the Compensation Board. There's a good likelihood — and I have to be honest with him, I don't know — but there is the likelihood that sort of problem he's talking about may be dealt with by the Compensation Board Review.

MR. JENKINS: I thank the Minister for that information and I want to make it quite clear that I am not criticizing the Worker's Advocate. I just want to give him a bit more power than he has right now. I don't believe that under the legislation, as it is presently set up, that he has the powers that the Office of the Ombudsman has. So really what I, and the Minister and I would both agree I guess, that we don't know what's in that report and we are looking forward to receiving that report with great anticipation because I don't suppose that there is any other item that we, as MLAs, get more bugging at us than the problems under Workers Compensation, not just speaking from the Injured Workers Association but from constituents as well who, in many cases, feel that they are not dealt fairly with and the argument about whether personal medical documents and criteria that the board has on the claimant, whether it should be made public or whether it shouldn't be. This I imagine will all be dealt with in the report but I certainly hope that when the report is delivered that my fine hopes of a Worker's Advocate having a much greater power than he has at the present time will be fulfilled, but time will only tell. As I say, we are waiting for that report, I imagine, with just as much anticipation as the Minister of Labour is.

MR. CHAIRMAN: (2)(d) — the Member for Churchill.

MR. COWAN: Thank you, Mr. Chairperson. Earlier my colleagues were talking about the enforcement of the Act and their dismay that there had been as few prosecutions as there has been. I'd asked the Minister because we went through this in previous years and he indicated that rather than follow a route of prosecuting employers and employees under the Act, the division preferred to file what they called board orders or division orders as judgments in the County Court which, I guess, is the procedure that's provided for under the legislation. I'd ask the Minister if he could indicate how many board orders or division orders were filed last year?

MR. MacMASTER: 183.

MR. COWAN: The Minister indicates that there were 183. I'd also ask him if he can indicate how that compares to the year previous? Just for a matter of clarification, are we running from an October to October year when dealing with those figures?

MR. MacMASTER: Yes we are.

MR. COWAN: The Minister indicates it is October to October, and I'd ask him how many were therefore filed in October '78 to October 31, 1979?

MR. MacMASTER: I'll have to get that figure, I haven't got it with me.

MR. COWAN: When these division orders or board orders, and I'm not certain what the exact terminology should be, are filed, is that then a matter of public record?

MR. MacMASTER: Yes it is.

MR. COWAN: So that at least in 183 instances, and we don't know how many employers or employees would be accommodated under those 183 instances, there would be a public record of persons who had in fact violated the Act. An enterprising person if they so wished to desire that would be able to find that information. Would the Minister be willing to table a list of those board orders which were filed in the last year?

MR. MacMASTER: No.

MR. COWAN: The Minister is not willing to table a list. Then I would ask the Minister if he could indicate why he would not be willing to table that particular list if it is already a matter of the public record?

MR. MacMASTER: Because it's a matter public record and anybody can go get it. If the member thinks that I'm going to be boxed in a corner of this department writing out the names, and that's virtually what he's saying in a roundabout way, I am not. If anybody is interested and wishes to check the courts of the land in the Province of Manitoba they can; if they want to check the Labour Board reports they can.

MR. COWAN: Would the Labour Board reports be those reports which would specify those employers and employees which orders were issued on during the previous quarter or three months or however often the Labour Board reports? Perhaps we can answer it during the Labour Board if it's more expedient because the Minister will have his staff here then.

MR. CHAIRMAN: The Member for Churchill or the Member for Kildonan, one of you make your mind up.

The Member for Kildonan.

MR. FOX: Yes, Mr. Chairman. I wonder if the Minister could explain that Table 9, in respect to special permits; it has under it Child Employment, Handicapped Workers and Change of Pay Period. What I'd like to know is can the Minister indicate the parameters within which child employment are given special permits?

MR. MacMASTER: These forms are signed by the employer, by the principal of the school, by the parent and by the participant or the youth and it outlines on it the hours of work, the details of the perspective employment.

MR. FOX: Can the Minister indicate what fields or what areas these permits are issued? Are they issued discriminately across the total labour spectrum or do they fall into a particular area?

MR. MacMASTER: Mostly the service industry.

MR. FOX: Yes. The other question I'd like to ask is whether there's been any further thought and development given to a little more protection for paper carriers. I know we've discussed this a number of times and they fall into a sort of a no man's land because they're supposed to be contractors on their own. Since they are, in most instances, minors many of them do not often realize the rights and the ways to proceed in respect to what they should be paid. I'm not saying that this is widespread but I do say that many of these boys or girls are sometimes exploited because they do not know what their rights are. They do not collect from the customer, it may be the customer's fault, it may be the Circulation Department's fault, there are a number of reasons why and consequently these minors or children work and do not always get what they are really entitled to. I'm just wondering whether the Minister's department has had any kind of discussion and thought in respect to having a look at this particular field.

MR. MacMASTER: Mr. Chairman, I don't say that there isn't problems with the young people that deliver papers but I asked this question probably a month ago for another reason and I just asked it again now to make sure that my information was correct. We have not had a registered complaint to the best of our knowledge in the last year. It certainly wouldn't be the young people, I suppose, that may at the age be knowledgeable about what to complain about but you would think that if there was some abuse or if it was farspread that the parents would certainly be taking advantage of the knowledge that they have to relate to somebody knowledgeable, a union leader or somebody prominent in the community or their MLA or the government or something. I've wondered about that, if there is abuse in that particular area, but I've been assured that we have not had any complaints, Mr. Chairman.

MR. FOX: I appreciate the Minister's remarks but I would like to point out to him that we have difficulty communicating just across this barrier and we're supposed to be knowledgeable in some of these areas and we find out that there's much that we don't know. I would imagine that at the public level probably the same applies to parents; then of course children being children don't often want to communicate that they haven't done something. So I do believe that there should be an attempt, since it falls under the Labour jurisdiction, for the department to see if there isn't any better way of adjudicating this particular area. Now I don't know whether we can ever find an answer to it or not, but I'm saying that I think that as we become more aware of the responsibilities to each other in the society, we should try to do this, because as I said, sometimes the communication gap is great between children and their parents and others and consequently, although the Minister always places a lot of faith in unions and I do too, it's still only 30

percent of the labour force and not every person who is in the labour force is knowledgeable about where to go, what to do, and how to get an action started, even is his child does communicate a problem to him.

So I think it behooves the department to try a little harder to see if we can't find out that there should be more protection for these youngsters that are involved in this particular kind of field. And they're not just in the newspaper, there are some other areas that they fall into as well.

I'd like to move on to another area. There are no special permits issued for handicapped workers in the report this year and that leads me to my question. I thought we had some protected industries where handicapped people were working. Would they not come under permits of one kind or another? Maybe not special permits, but I'm just asking for my own edification, Mr. Chairman.

MR. MacMASTER: The system that is in place in part, is somewhat confusing and we were trying to straighten it out and I think I have been asked this question before. If the people are under the jurisdiction of the Department of Health, then the social agencies involved do not request a permit, they work with the person and with the agency that's attempting to get that person placed and the procedure has not been for many years, I have been advised, for them to officially apply to the Department of Labour for a permit.

MR. FOX: And that is change of pay period, there's one special permit issued. Does that indicate that an employer has to have the special permit to change pay periods, or is this a special case?

MR. MacMASTER: Yes, there is one official application that we dealt with and it was granted. All parties agreed to it.

MR. FOX: That brings up a further question. Do employers have to register every time they change their pay periods or are there only special circumstances when they have to apply?

MR. MacMASTER: I'll get the answer to that question. I'm not positive about it and I'd rather not put it in the record.

MR. CHAIRMAN: 2. (d)(1) — the Member for Churchill.

MR. COWAN: I had given up the floor to the Member for Kildonan for those questions and wanted to get back to the item that we were discussing before that last series and that's in respect to board orders or division orders and the Minister had indicated that he would not be boxed in by my question respecting the provision of a list of persons who had orders filed against them as judgments in County Court by the department and I had not intended to box the Minister in. As a matter of fact, what I was hoping to do was to allow the Minister an opportunity to provide that information.

I would ask him why it is he is so adamant that that information not be provided even though it is a matter of public record. There are many times when we ask the Minister for information which is not a

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matter of the public record, but is important to the workers in this province and is important to the Members of the Opposition and important to the public generally, that information is provided. However, in this instance, and it's not up to us, I believe, to judge the importance of that information, but rather to make the request to the Minister, he refuses to accept the request for the provision of that information.

So there must be some reason that motivates him to make a decision which appears to be out of character with his past performance, his past actions and his words of numerous occasions, when he says that he believes very strong in providing information to people requesting it. I don't have the exact quotes before me; I can find them easy enough. When the Minister said, and I'm paraphrasing, that it was not his intention to withhold information and yet here we have an example of that type of withholding of information, as he still refuses to provide us with that list.

So the question, the obvious question to him is, what makes this matter so different than other matters where we have asked for a similar type of information which may be embarrassing to one party or another, but the Minister felt it was important and the public felt it was important and therefore it was laid upon the public table by way of a tabling or the providing of a list by the Minister?

MR. MacMASTER: Mr. Chairman, I do not intend to get the Department of Labour and Manpower in a position, as long as I'm Minister, where employees' or employers' names are labeled one way or another in this particular regard and that is the end of that. I've said that before, I say it once more, and the Member for Churchill, the Member for Logan, the whole Legislature can condemn me for it. I just do not wish to make those names of individuals for a damn good reason. I'm not prepared to, in any way, inhibit their future employment opportunities, or their future in any way, I do not wish to do that to young people — and by and large I suspect that it is young people — or middle-aged people, or whatever it may be and I'm not going to segregate between one and the other in this particular issue. If you open the door and put your toe in, then there's the next request and the next request and the next request and I don't think it's fair to the future of young people in particular, to start putting their names forward as being poor employees. They have a difficult enough time getting themselves established in the work market as it is, in the work place.

In answer to the Member for Kildonan, the time that you would apply for an exemption or a change in pay period is if it exceeds two weeks. You shall pay every two weeks and if for some reason the employees and employer got together and wanted to get paid every three weeks — I can't think why — they then would apply.

MR. COWAN: My question to the Minister is, when did the Legislature apply for their official exemption not to pay the MLAs every two weeks? Had we not received our pay when we did, there were many of who were seriously considering going to the Employment Standards Branch and asking for some assistance in respect to moneys which we felt were owing to us by our employer. However, as it turned out, that step was unnecessary.

There are some of us also, who are thinking about going to the Workplace Safety and Health Branch as another aside in respect to the offices downstairs and the air circulation in them. We thought we weren't going to have to do that either, but it appears as if that may be necessary. I know the Minister will entertain that request with all due consideration if it comes across his desk.

However, the Minister has said that he has, and I quote him — they're not my words — "damn good reasons" for not providing the names and he says the reason that he gives — that's in the singular, not the plural — is that he doesn't want to in any way cause the actions of young people, young workers or middle-aged workers as the case may be, to be reflected on badly because of a mistake, or because of an error, or because of a judgment under the board which then goes in as a judgment under the court, but the fact is that his department is making it a matter of public record by issuing orders. The question that has to follow then, is the Minister going to direct his department not to issue orders as judgments in County Court any longer because that is opposed to the Minister's concept of keeping those names out of the public realm?

MR. MacMASTER: I think the member appreciates that that's nonsense. I have no intentions of doing that but I also have no intentions of relating really to this particular topic unless there's a new question. We've been over this and over this and over this. My position is very clear and as good as the Member for Churchill may be trying to come at it from different angles, my position is pretty adamant on this problem here.

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

MR. COWAN: Mr. Chairperson, I wish the Minister would recognize that I'm trying to assist him in this matter and that I think he's taken a bad position; and I think that it is a position that is not in keeping with logic; I think it's an illogical position. I think if the Minister follows it from the perspective of a development of a logical argument he will have to agree that the argument is illogical. His position is very strong; nobody has suggested that the Minister has not taken a strong position on this issue and one certainly has to admire people who take strong positions on issues they believe very strongly on. However, one will admire them more if they can provide good solid reasons for those strong provisions and that is what is lacking here. It is not a deficiency in the strength of the position that the Minister has taken but it is a deficiency in logic. They are a matter of the public record. The Minister agrees and they are a matter of the public record because the Minister's department makes them a matter of the public record. Again, we can only assume that there's agreement in that, yet the Minister says that they won't provide a list.

Now, I'm not even certain that list is extremely important to us but I do think that when we run across a position in this regard that is inconsistent, we have a responsibility to try to convince the Minister and by doing so assist the Minister to make a more consistent stand and to make a more logical stand in respect to this.

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So we have to disagree with this inconsistency. We have to disagree with the fact that he says it is a matter of the record, that his department makes it a matter of the record, but that he is not going to either direct this department not to do so or provide that information to members of the public or the Legislature who ask for it. It's accessible; I don't know how difficult a form it is in now, I'm not certain, it may be extremely accessible, it may be easy to get, it may be difficult to get but the fact is that it is on the record and I would hope that the Minister would review his position in this and that the Minister would take under consideration the discussion that we've had today and look towards coming forward with a more logical and consistent stand. Just as strong a stand, I might add but just more logical and more consistent.

MR. CHAIRMAN: The Member for Kildonan.

MR. FOX: Mr. Chairman, on the Labour Management Review Committee there is a Committee set up on payment of wages and the report indicates that it would be reporting early in the year. I'm just wondering whether the Minister has had a report from that particular Committee or if he can indicate to us when anticipates that early report.

MR. MacMASTER: We have, let's call it, the final report, the final sets of recommendations I guess is its better terminology. They have been forwarded to me. I have thought that I made it clear that that report is in government now and is being dealt with from the legal aspects and administrative aspects of how it will apply, and legally to assure ourselves that it can be applied without interference, and that it's fair and equitable to the employees in the Province of Manitoba. The precise answer is that it's now in government being dealt with.

MR. FOX: Does the Minister have any kind of a deadline as to how soon? According to a report, it was supposed to be early in 1981. We are going towards the end of February. Will it be before the end of March or is there any time frame at all on it?

MR. MacMASTER: The last thing I want to do, Mr. Chairman, is give a precise deadline. I said before that the early part of the year meant January or February. We've now received the report. The member is correct; it's going on towards the end of February. I said very positively that it would be public before the end of the Legislature unless we adjourned in a heck of a hurry and I have backed off that and said it certainly will be not anywhere near the end of the sitting, it will be certainly sooner than that. I would think in the next, hopefully, four or five weeks and that's generally the end of March, I suppose, early April but I hope it to be the latest. We have it in government as I said and I want to assure myself from the A-G's Department that thing is legal, correct and concise. I want to assure myself very thoroughly that it can be administrated adequately in an appropriate way.

MR. CHAIRMAN: The Member for Logan.

MR. JENKINS: Thank you, Mr. Chairman, a question to the Minister. When the department

issues special permits on behalf of minors, does the department — I don't know who signs the permits — does the Minister sign them or the director?

A MEMBER: The director.

MR. JENKINS: The director. Do they make available to the minors concerned, because there are names and addresses I imagine on the permit, what their rights are under all existing provincial labour legislation in the province, like payment of wages, the minimum wage, vacations with pay, whatever? If they are not doing this and it wouldn't be such a great amount because there is only 928 according to what we have here, would the Minister consider even the printing of a small pamphlet which would be available to these young people who are entering the work-force for the first time, just what their rights and privileges are under the labour legislation here that is in force in the Province of Manitoba?

MR. MacMASTER: Well, we do a variety of things, Mr. Chairman. First of all, the hours of work and the wages must be on the permit and if they are not appropriate they wouldn't be signed. Our staff talks to as many as possible but I can't guarantee we talk to everybody. We have gone into a program in the last year or two. In fact, I think I mentioned it last year in Estimates — it's been that long, yes — where we're getting out to the high schools and to the schools in the province and speaking to students about their rights and their obligations.

Obligations, I think, are just as important as rights. A lot of these young people are not taught that when they go out they have some obligations. They certainly learn about their rights and they learn about the technical abilities of learning to become whatever they are going to be in life, but we also try to make them aware of the fact that there are some obligations when you do get a job. So we've gone into the educational system in the province and we are speaking to the young people right throughout the schools.

MR. JENKINS: The Minister didn't answer the last question and I commend him for what he's doing, but has the department given any consideration to — and I quite agree that their obligations should be listed as well as what their rights and privileges are under legislation — it might be a very good thing for general distribution into the junior and senior high schools because we have quite a number of young people, approximately 1,000 according to here that are under the age of 16, what are classed as minors under the labour law here in Manitoba. Is it under 16 or is it under 18.?

MR. MacMASTER: Under 16 and the thought of — if I can just interject in part of the questioning with an answer — the thought of making a pamphlet available to be attached to, if you wish, the permit, has been discussed. It's a good point. It's one that we haven't done but certainly something that we could consider doing.

MR. CHAIRMAN: 2.(d)(1). The Member for Churchill.

MR. COWAN: I'm sorry. I thought the Member for Logan had another question. But there are a couple

of areas that we should still discuss under this particular item and one is an area that was brought up by my colleague and that's in respect to sheltered workshops. The Minister indicates that there is a jurisdictional situation here where you have the sheltered workshops coming under the jurisdiction of the Department of Health primarily, if I understood his remarks of a few moments ago correctly. The question to the Minister is one of who has responsibility for examining those sheltered workshops to ensure that the labour standards are kept up, to ensure that the employment standards are kept up, to ensure they are being conducted in a safe and healthy way? Is it the Minister's department that has that responsibility or has all the responsibility for those particular workshops been handed over to the Department of Health?

MR. MacMASTER: By and large the social workers are the ones that determine if it's an adequate place to work, adequate conditions, the state of the client and conditions and adequacy of the type of employment that they may be trying to get them.

MR. COWAN: The Minister's Department has no involvement in that particular area at all? He indicates not. We all know the need for shelter workshops. As a matter of fact, the Minister has one in his own constituency of which we have discussed previously, and now it's involved in making extension cords and selling them and provides gainful employment for individuals and performs a useful service. There are other shelter workshops, of course, which perform useful services.

But we have found from experiences in other jurisdictions that the concept of a shelter workshop is from time to time abused. Now, I'm not saying that any one workshop in this province is abusing its workers, I don't know that that is the case, but we do know if we read the literature and if we examine the situation generally that in the past and presently in other areas, at least for certain, that abuse does exist. Therefore, we can only make the assumption that there is a potentiality for such abuse in this province. Again the records should be clear. I'm not suggesting that it does exist; I'm only suggesting that one can make a proper assumption that the potential does exist, and I would hope that the Minister of Labour, who is responsible for all the workers in one way or another in the province, would take that into consideration and review the situation to ensure that for whatever reasons that those persons who are currently being employed in shelter workshops are being provided all the protections of the law, which are provided to all citizens regardless of any disadvantages or handicaps they may have. So I think that it really should be an area where the Minister's department is involved.

When we talk about employees of Crown Corporations, because they are government agencies we don't exempt them from the other legislation, at least we don't in every instance and we may in some isolated instances. When we talk about employees of the government we don't say because the government is responsible for their welfare that we are not going to make certain and make available to them all the assistance that they can derive from the Department of Labour and I don't think we should do the same in the instance of handicapped people. I

think that they have a right to the protection under the law and that the Minister's department has a responsibility to ensure that they are afforded all that protection under the law. We can't leave it up to the department which is in fact the employer or in fact is a party to an employment contract to do that alone. So I just bring that forward to the Minister's attention for his consideration. I don't expect that he would be able to make a policy statement in that respect right now, at least I don't anticipate it, but I do think it is an area that is worthy of some discussion and some consideration, given experiences that are documented in other jurisdictions and given the fact that there is a potential for the same here.

On to another subject now, the Minister suggested that the great majority of permits which are being issued for minors to work, are being issued in the service industries. Is there any study that the Minister's department is doing to follow up, to make certain that the provisions of those permits are followed, to make certain that in fact the contract is being carried forward in full?

MR. MacMASTER: Certainly, if there is any complaints, we follow up on that. Spot checks are taken periodically to assure ourselves that in fact the contract is being lived up to.

MR. COWAN: There is a policy of spot checks on a certain percentage of the workers and the employers who are working under that type of a special permit.

In Table I in the Annual Report which is entitled, Number of Inspections Made and Novices Issued Under the Employment Standards Act, the Minimum Wage Regulations, Vacations with Pay Act and the Payment of Wages Act by industries. The last industry is Domestic Service. Perhaps the Minister can be more explicit and provide us a detailed report as to exactly what that category includes.

MR. MacMASTER: Number 57 is households where they have domestics that are paid directly by the household.

MR. COWAN: Is that a contractual agreement that's entered into between the domestic and the representative of the household, or is it a matter of contractual agreements that are entered into by services which provide temporary help or domestic help as part of a commercial service?

MR. MacMASTER: Not all necessary written contracts, some are verbal arrangements.

MR. COWAN: Well, perhaps the Minister can correct me if I am wrong then. I don't believe that domestics would come under any of those particular regulations or acts. We had this discussion the other day. Is this a different type of service which we are talking about or are in fact the people that are being investigated in a number of claims and investigations arising from workers who are not covered by the specific act?

MR. MacMASTER: If an agency sends out domestics, they're covered under The Employment Standards Act, and if individuals hire an individual they're not covered under The Employment Standards Act because there's an exclusion.

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MR. COWAN: Now the point has to be made that we've just added another class of domestics. We have the foreign domestics who are covered by contract with the Department of Immigration; we have the domestics who are sent out by an employment agency and we have in the lowest class according to provisions provided to them under the law, domestics who are self-employed domestics. In other words —(Interjection)— The Minister says it's always been that way and the Minister is absolutely correct it's always been that way but that does not mean that it always has to be that way, and that's the point we're trying to make.

I don't want to belabour the point. We've had a fairly lengthy discussion. Although it was not as satisfactory as I would have hoped, it was indeed a thorough discussion on the subject the other day, but the fact is that we did not have this information available to us at that time. We now find that there is a third class and we now find something very interesting — that there are a number of complaints by domestics. We know that there are complaints to the Federal Department of Immigration because I have documents of those complaints. We know that there are complaints by domestics working for employment agencies and we know that at least the numbers of calls and claim investigations are increasing. This year they were 57 and last year they were 21, so it seems to be a problem that is on the increase, if one can take two years and try to suggest a trend. That's an unfair use of the statistics. I won't do it except to point out that there is an increase. There's also an increase in the number of routine inspections. It appears that the department has decided this year as compared to last year, to undertake routine inspections on those areas, eight having been conducted this year and none having been conducted last year. But we know there are also 198 employees and establishments investigated and inspected. We know on at least 198 individual cases there was enough cause and justification and concern to call an investigator in.

That is why we made the suggestion the other day that domestics should be brought under the provisions of the act. We will reiterate that and try to reinforce the logic for that statement. I think it is an important area, and when the Minister says that it's always been that way, I must, on behalf of my caucus and my Party and the previous government, take some responsibility for the fact that it's been that way, just as the Minister must take some responsibility for the fact that years and years and years — I think domestics were excluded in the early 1900s, 1930s and that area. I could check that out easy enough, but it has been around for a long time and perhaps it's time for change and that's the point we're trying to make. As I said before there'll be more opportunity to discuss this particular matter and we will take that opportunity, but we think this information should be highlighted for that discussion.

MR. CHAIRMAN: 2.(6)(2) — the Member for Logan.

MR. JENKINS: Yes thank you, Mr. Chairman. I'd like to refer to Table 2 on Page 38, Mr. Chairman, and dealing with the major building projects where there were 14 calls in claims investigations, but we don't see any inspections were carried out on these complaints. What would be the nature of these

complaints in the main, Mr. Chairman, through you to the Minister?

MR. MacMASTER: It could be unpaid wages or overtime wages — that's just a couple of examples.

MR. JENKINS: And they would be settled by a phone call or what? How would they be settled since there was no inspections made of the calls or claim investigation? I see there's only 13 employees involved here and I just wondered, since there's not that many employees involved, if the Minister could be a bit more specific; just what these calls and complaints were and especially since there are no investigations whatsoever, no notices issued or no number of items contained in the notices — if the Minister could just elaborate on that.

MR. MacMASTER: The cases were resolved that's why there's nothing else being said about it. They would be resolved in a variety of ways. It might be resolved over the phone or it might be resolved on going out to the plant and talking to the parties involved.

MR. JENKINS: Then that doesn't show up. What do you mean by number of routine inspections? If you look at the one above there was 421 and there was three routine inspections. What would be the criteria for an inspector to go out? Is it an inability to rectify the situation that calls for an inspection? What is the criteria that the department uses for a routine inspection to be made? If you look at Greater Winnipeg (2), which was the City of Greater Winnipeg and a 30-mile radius and all major building projects within the entire province, there were 421 claims. It entailed 547 employees, three routine inspections; number of notices issued 66 and the number of items contained in the notices, 104. What I wanted to know is, what is the criteria under which an investigation is made? The inability to settle claims? Is that when a routine inspection is carried out or just what is the criteria for a routine inspection made under this Industry Wages Act?

MR. MacMASTER: I have to say you've been wandering a little bit. The routine inspection, there just wasn't any routine inspections of major building projects, that's obvious. The report says no. There were 14 complaints and the 14 complaints were dealt with; there was 13 inspections with 13 investigations which dealt with them.

MR. JENKINS: Maybe the Minister and I are not on the same wavelength here. The Minister now tells me that the 14, there's no inspections and yet he said there was inspections or there was something. He says number of routine investigations and then the estimated number of employees in establishments investigated and inspected. Now, did they inspect 13 of those or didn't they? That is the question. They weren't routine inspections. Were they special inspections to settle those claims? That is the question that I wanted to get from the Minister.

MR. MacMASTER: I think if the member would look at the headings — the headings tell the story. There were 14 complaints. They were investigated, inspected — those complaints were — and resolved.

But there is no, as he can see, there is no routine inspections.

MR. JENKINS: In other words, the Minister is telling me then that the investigation and inspection that took place at those 14 projects were just specifically dealing with the claims or calls that were made on those items.

MR. COWAN: I think it would be appropriate under this department to discuss what is happening with the notice of mass layoff or mass termination provisions under the Act, The Employment Standards Act? Is that a correct assumption before I proceed? I'd ask the Minister if he can provide us with information as to how many notices are currently outstanding and have been filed with the Departments after notices of mass terminations as provided for in the Act.

MR. MacMASTER: I'll get that information for the member.

MR. COWAN: Has the Minister looked at the Act in reference to some problems which were experienced last year with companies providing a blanket sort of notice trying to take into account possible layoffs and yet those notices weren't in keeping with the exact requirements of the Act? The Minister will recall the specific example was, I believe, with an employer in Selkirk, where they had provided notice, there was a blanket sort of notice without a specific date and the Minister became involved in that incident upon the urgings of the Opposition; I believe we brought it to the Minister's attention. Within a few days the Minister came back having taken speedy action and said that those layoffs in fact, were not going to be proceeded with, because the notice did not comply with the provisions of the Act. Has the Minister reviewed that situation generally?

MR. MacMASTER: Yes, Mr. Chairman, I'm satisfied that the intent of the Act has been lived up to.

MR. COWAN: As we all are aware, there is an economic change constantly ongoing in society that certain plants close, that certain plants open, that certain plants layoff employees at a certain time of the year and others hire at a certain time of the year.

We are starting to see more and more as an increasing phenomena, is plant closures. We can use the emotional terms if we want of flight of capital, runaway shops, we can talk about the whole problem that the industrial economy is undergoing, but the fact is, given the way in which we run our economy now, we are going to see more and more plant closures.

Now, the reason I bring that forward under this particular department is that one of the basic protections that are provided to workers in respect to plant closures is advance notice, a period of advance notice. There are many other jurisdictions which are now looking forward — and in that sense I mean in the literal sense — and trying to devise better strategies to provide advance notice for their employees. I would ask the Minister if the Province of Manitoba and if his government is currently conducting any studies as to the appropriateness of our advance notice requirements for mass terminations and possible changes.

MR. MacMASTER: In answer to the previous question, the number of notices that we have are at present, two, and I am not prepared to divulge the names of the two at this particular time. Both companies are attempting in a variety of ways to deal with that situation. The employees have been made aware, for competitive purposes, I am not prepared to make it public if the employees want to. I know in one instance, from phone calls from the employees, they damn well don't want it made public, they don't want an issue made of it, even though there are those in public life today who are trying to make an issue of it and making it very difficult for the employees and the company. So I am prepared to keep my part of the confidentiality of the situation; the employees have asked me to and so has the company, in that sense.

The other question relates to the conditions of the legislation today. At this moment I think it is adequate; that opinion could be changed in the future.

MR. COWAN: Well, I am well aware of the instance that the Minister is talking about where the employees do not want it to be made public and they have also talked to me in that respect and you will note there at least two people in public life who are not making it public, although I suggest that there are many more people in public life who know about it and are respecting the wishes of the employees in that instance. So I don't want the inference to be on the record that it is our party or the Minister's party that is trying to make a political point at the expense of workers who have suggested that it might harm them in their endeavours, so I think that has to be on the record.

MR. MacMASTER: I see in one particular instance, they certainly are concerned about public utterances and if the Member for Churchill wants to leave it there, I'll leave it there. If he wants to continue with it, I am prepared to continue that.

MR. COWAN: Well, now let's . . . please, we have run so smoothly, gentlemen and others — (Interjection)— I don't think it's a matter of the Minister controlling anyone else, I think in that instance it was a matter of self-control on the part of the Minister. However, the fact is, that we are not attempting to make it a public issue and I don't want to get into it any further because I think the Minister knows where that will lead and that will lead eventually to enough information being provided that we would inadvertently work against the interest of the workers and the employers, in that instance, and we don't want to do that.

The Minister indicates that there have been instances of, right now, there are two active notices; how many notices were provided under that particular section in the last year, in total?

MR. MacMASTER: could get that information, but if I had to guess I'd say six or seven, maybe more. On at least two occasions it was worked out with the Union, I think there was change of shifts, shorter work week and they got through the difficult time. On another occasion, for sure I think two, the lay offs did not have to take place.

MR. COWAN: To use a couple of the few remaining minutes to speak to the issue because I think it is an

important issue. The Minister says that he is not currently reviewing the legislation as it exists today in regard to advance notice provisions, although he reserves the right of course to initiate such review in the future. I would like to encourage the Minister to initiate that review now. As I said before, we are starting to see an increasing number of plant closures; we will see more and more, it's a symptom of the economic times in which we exist and the Minister is as much aware of that as anyone else. What we have to do is look at the existing legislation which was intended to serve a function at a given time and determine if it is in fact, meeting the needs of the times as they are now. Advance notice provisions, I would suggest as they exist in Manitoba law today, are not fully meeting the needs of the workers; in that I mean that they are not comprehensive enough; that they need improvement and that will be for the benefit of the entire society.

There is also a number of side issues which we may or may not discuss which revolve around trying to put in place legislation which discourages plant closures rather than allows them to go unimpeded so that we have an unfettered fight of capital rather than a system where we can bring to bear the legislative mechanisms that we have to try to prevent plant closures.

Let us talk now specifically about advance notice provisions. They have three basic purposes. One is to warn the individual workers that they are about to lose their job. That is a very important function because it allows them an opportunity to put their advance financial affairs into order; it allows them an opportunity to examine ways of dealing with their impending unemployment. That is very important to me; unemployment is a very stressful situation in one's life. The Minister knows full well, in the discussions he's had with individuals, especially older individuals who are in the 45 to 65 age category, where statistically we know and by experience we know, they are going to have difficulty finding new jobs; that unemployment has even more of an effect on them. The longer the period of advance notice, the longer the period of time that they have to try to deal with that very stressful situation.

The other, of course, is to notify all levels of government, or at least in theory should be to notify all levels of government, that mass terminations are about to occur because mass terminations don't only affect the mass of individuals who are involved but also affect all levels of government. If there is a mass termination the municipal government must put into place mechanisms to deal with the strains on the social system. There needs to be a certain amount of lead time in place to do that; they must also try to figure out how to deal with the financial loss they are going to suffer and invariably do suffer in plant closures if it is a fact of a plant closure; they are going to have to provide more social services at a time when their tax base is being eroded by the plant closure itself because that plant is no longer going to be providing taxes to the municipality and the workers are no longer going to be providing taxes to the government. They are going to become a strain on the system rather than a positive input into the system. So we need periods of advance notice in order to notify all levels of government to enable them to try to deal with the financial

difficulties, to provide them with a specified period of time in which they can set up support mechanisms for affected workers and communities. We know the federal government is taking some action in respect to the economic dislocation created by plant closures on communities and on workers and they are looking at several areas, advance notice being one of them.

In the case of more developed plant closure legislation, which we hope this province will have in the near future, advance notice periods allow for a specified of time for any review committee to perform its work. There are some difficulties and we talked a bit earlier about setting up different classes of workers in respect to domestics, the fact that certain domestics are protected by legislation, other domestics are not protected by legislation. Well, the fact is, when you put into effect mass termination provisions invariably, perhaps that's too strong a word, generally you create artificial distinction. As we have in Manitoba now, if it is a group of less than 50 people, they have different requirements for advance notice than a group of greater than 300 people or a group of 200 people. So, let us use the example of a cut-off level of 100 persons. If you were 99 out of 99 being laid off you may not be entitled to, as a matter of fact you would not be entitled to, the same length of advance notice as were an individual who were 100 out of 100 being laid off or as were those 100 individuals. So one has to deal with that and that is a distinction and a disparity and an inequity that is built into Manitoba's legislation, one which I'm not certain that we can entirely erase, but one which we must review to see its effect and one which we must come up with, I believe, some more positive options.

The Member for Rossmere, sitting next to me, brought this matter to the attention of the Minister on several occasions during the question period, there is an assumption that employers can manipulate their work forces in such a way as to escape the major impact of existing advance notice legislation in the province today. Now, it is more difficult than if there were no advance notice legislation, but there is certainly an opportunity for that to happen. The Member for Rossmere was talking about a specific instances of which we are all aware. I'm not saying that that happened in that case, as a matter of fact, the Minister has assured us that it has not happened in that case. However, we still reserve the right to question the situation and to apply the specifics to a more general situation. I believe the Minister could not assure us that it is not possible for that type of a procedure to occur, given the existing legislation; that an employer, if he or she did so want to do, they in fact could manipulate layoffs in order to escape coming under the provisions of the mass termination legislation as it exists today.—(Interjection)— Well, now I hear the comment that that is true and that there's no way of correcting it. I will have to agree that it is true with the first part and I will have to take a slight disagreement with the second part, that there are ways of developing legislation that would better ensure that it would not happen. Again, I'm holding a side conversation Mr. Chairman, I apologize. But we will have an opportunity to discuss that in more detail.

I do believe that there are other jurisdictions who have dealt with it in other ways that are better ways

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and that is no reflection on the previous government or the people who developed that legislation. I think they did an excellent job in bringing it forward; I think, perhaps, it was even the government before them that developed it, I'm not certain. — (Interjection)— It was the New Democratic government. Well, I don't mean to reflect badly on it. All I mean to point out is that legislation from time to time needs review and on the basis of that review from time to time it is found that it needs refinement and it is my opinion that, in this instance, the review is necessary. I am going to go one step further, and in doing so, suggest that I have reviewed it myself and have reviewed the examples of other jurisdictions and have found that the refinement is probably necessary; not only is it probably necessary but it is most likely achievable. But we will have time to discuss the details of it during the other opportunities throughout this session.

There is some concern on the part of some that you also created another distinction when you isolate individual terminations from mass terminations and when you make necessary different legislative requirements for those two groups. However, that is an issue which is even more difficult to deal with. Again, the person who is being laid off, as an individual, in an individual worksite, as a small group of employees, is going to suffer much the same effects as is a person who is laid off of a larger group, however, is entitled to less protection under the law. The reason, I think, and the justification for isolating mass terminations is not so much the effect of the individual but the effect on the community and the effect on governments. I think there is a problem in the existing legislation today where we find in some instances — and I'll ask the Minister for more details on this when we meet again — where we find in some instances that mass termination notice provisions are being legislatively subverted by payment in lieu of notice. In other words, when the Tribune closed down it did not give notice, it gave payment in lieu of notice. Now that, in fact, did provide the workers with a legislative protection, but it did not provide the community with any legislative protection and that was a lay off of what, 500 or 600 people in that general area? So, I can just finish by suggesting that we need to review this situation more carefully, Mr. Chairman, and I know that we will have an opportunity when the committee next sits.

MR. CHAIRMAN: I would just like to say a word — I see we have our recorder back, Ray Sly, and he's been here, to the newer members, something in excess of 30 years, long before any of us around here now were here. I just came in this afternoon, I guess I didn't look up, I didn't recognize Ray and I know he's had some health problems and I'd like to put it on the record and welcome Ray back, we have missed you, we hope you don't get tagged with those long long hours that we will but in any case, we welcome you back.

The hour being 4:30, I move Committee rise for Private Members' Hour.

SUPPLY — GOVERNMENT SERVICES

MR. DEPUTY CHAIRMAN, Mr. Albert Driedger (Emerson): I call this Committee to order. For the consideration of the Committee, were are on page 71,

Government Services, Resolution No. 73, Item 6, Acquisition/Construction of Physical Assets — pass — the Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Chairman, I want to discuss with the Minister — basically I want to deal with the main construction program of the Government but since we did delay a discussion on the sound system in this Chamber this certainly would be an appropriate time to just review the matter with the Minister.

I have to tell the Minister that I certainly enjoyed his demonstration the other day of using a lariat and some rodeo tricks that he picked up down at the Morris Stampede — about spinning around your ear plug and so on and he really was in fact imitating the boys in Ottawa and what they do with these devices when they are standing up asking questions. That was all in good fun and I don't object to that and but I do want to say again to the Minister I'm serious about this matter and that's why I've raised it a number of times. I think the present sound system is a complete failure and all you have to do is to watch our question period or our debate in this Chamber and simply observe that who ever has the floor doesn't have any particular focus of attention or clout, in comparison to people who are carrying on conversations or heckling; that a heckler has equal auditory status to the person who is holding the floor. It strikes me that is a bad feature of the present system.

I said to the previous Minister — I asked him whether he would attempt to supplement the sound system in the Chamber so that a person who is on the mike recognized by The Speaker or The Chairman will have a greater amplification of their voice. Now I know that there's a value in those who want to have ear plugs and I know that some of our MLA's are hard of hearing and I know that certain parts of the Chamber are difficult to hear from, but at the same time, I think most MLA's have good hearing and prefer to listen with their natural ears; they don't want to; it's not a question of vanity; they find it discomfoting to have an ear phone or a head set or anything else, and I simply say that the previous system was superior.

Now we've expended \$70,000, we have a system which is worse. I was quite shocked when I came into this Chamber a month ago and participated in a debate and found out what kind of a system we had. Everyone expected an improvement. It's not an improvement, it's worse than the previous system. I simply say that it surely would be a simple matter for the Minister to ask his staff to go into this question with the people who installed the devices and provide some supplementary amplification in the Chamber, so that we'll have, I think, more control and it'll be a more reasonable situation, because I find the present situation totally unsatisfactory and so do many others. I know the Minister said everybody should be wearing their ear phones and so on — well, I'm looking around — I guess there's about eight or ten of us here one is wearing his and the others aren't, and on many days, many days the overwhelming number of people are not wearing theirs simply because they prefer to listen to the debate without any mechanical aids. I asked the Minister whether he would instruct his staff to make a determination of what it would cost and what could

be done to simply amplify or supplement the present system.

MR. DEPUTY CHAIRMAN: The Honourable Minister.

HON. WARNER H. JORGENSON (Morris): When the sound system was renovated in this Chamber it was done for three reasons, the first one being that the old system had deteriorated to the point that there were gaps in the transmission, it was very difficult for the recording staff to get continuity and it was difficult for the people who were doing the transcribing to accurately reflect what was being said in the House. There was no question that the system needed renewing.

Secondly, we had been using sound systems in the committee rooms that were I believe rented, and since we renovated a second committee room it was felt desirable that the system be one that would enable us to utilize the system that is being used in here in order to provide the sound for both of the other committee rooms.

Thirdly, it was felt, that in the light of the Supreme Court decision last year, there would come a time when it may be necessary to have official translations in this Chamber. One does not know how far away that day is, the possibility does exist that will happen. If that day does arrive, then the system is in place and it will not be necessary to install a new one, a different one in order to accommodate that translation. So for those three reasons the system that was chosen was one that would enable us to perform all three of those functions.

Now my honourable friend suggests that there should be an amplification of the existing sound in the Chamber and I can sympathize with him, if he is standing in his place and wanting to be heard while there are some disturbances in the House, as there is frequently from time to time during the question period in particular. But at the same time if my honourable friend is wearing the hearing device that is provided, and he has the floor, then his voice comes loud and clear above all the din and noise that is taking place in the Chamber. So he has a way of overcoming it and it is the way that is being used in other areas. The House of Commons has had such a system for years and it would virtually impossible to have a sound system in the House of Commons that would enable members to hear the voices of the members and at the same time have a system that could accommodate the translation, and so all the systems that are developed for that purpose have the hearing devices that you find in this Chamber and it maybe difficult for my honourable friend to get use to it, but under normal circumstances granted the system is not required because, as of right now I believe that it's quite easy to hear what is being said, and we expect that this House operates under normal circumstances most of the time, so it is not necessary.

I find it difficult to understand why my honourable friend, the Member for Elmwood, persists in wanting a system that was thrown out because it was inadequate, a system that dates back to many years ago, and why it so difficult for him to adjust to the twentieth century. This is the system that is being used in this Chamber. I think it's far superior to what we had. I think that once one gets accustomed

to it, there's no great discomfort in using the hearing devices that are provided and under normal circumstances they are not even necessary, as they are not necessary at the present time.

I might add that if an amplification of the sound that currently exists in this Chamber were provided I'm willing to bet my honourable friend that he would find that a much greater discomfort than the hearing device that is provided for him, because then all else would be drowned out. You would not even be able to carry on the normal conversations with your seat mate as happens from time to time because the sound would prevent that from happening. It would mean that your voices would have to be raised in order to make yourself heard and it would be much more difficult to then hear what is being said by the person who has the floor.

I looked at the possibility of amplifying the sound in this Chamber and I can tell my honourable friend that I doubt very much if he would be satisfied with it or if anybody else would be, because I believe that it makes it much more difficult in this House to operate in a normal fashion if the sound were amplified to the point were it was booming out at you from all sides.

MR. DEPUTY CHAIRMAN, Wally J. McKenzie (Roblin): The Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman, just on this point, I don't think the Minister is being reasonable on this matter. I have been in this Chamber for fifteen years and I have not had any complaints about the fact the sound system provided an amplification of the voice. There was a better acoustic in this Chamber under the old system then there is today; far superior; nobody complained about a ringing in the ears or about a blasting effect from the microphone.

Now I think one of the problems is that the Minister was in the House of Commons and he is accustomed to this procedure. He sat in the House of Commons for a number of years. The House of Commons is, what, five times as large in terms of the number of elected members, five times as large. I have only sat in the galleries there but I'm sure that if a person were a member there, one would need, because of the vastness of the Chamber, to wear their ear phone and most members of course do. But this isn't the House of Commons, this is a much more intimate arena and the problem is that we had a sound system that worked. It didn't provide all those nice features that the Minister talks about — about the opportunity for those people who want to use an ear phone; or about some improvement for Hansard, I'm all in favour of that and the possibility of bilingual simultaneous translation, I'm all in favour of that. But what about the MLA's, I mean what about the MLA's who formally could hear properly without the use of mechanical devices and now are being asked to use them at all times by the Minister.

I don't think that is an improvement. I don't think that's a modernization, I think that's a backward step and I think that the Minister should simply ask his staff to bring in some people who know something about it; make a study. His predecessor was prepared to do that, at least he said he was and I took him at his word. I am simply saying what would be wrong with asking for an investigation and determining whether a series of amplifiers in the

Chamber which would be comparable to the previous system would make an improvement.

That's the point that I'm trying to make to the Minister, I will accept all the other points that he makes but I think he should accept my point that it was easier to hear and it was of no discomfort previously and there were no complaints previously about the level of the voice of the person who had the floor. But now as soon as other people start up conversations, as soon as the hecklers chime in, it's chaos in here; you cannot hear properly. I say that we should have a system that should be at least as good as what we had before in that regards. I simply ask the Minister, would he be prepared to have somebody investigate what it would cost and whether an improvement could be made so that we could have an amplified voice of the person who is on the mike?

MR. DEPUTY CHAIRMAN: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I hesitate to intervene in this momentous discussion of the microphones. I really have been looking at my microphone not from the point of view as to whether I can hear but as to whether this microphone can withstand the assault of a roll of paper with a pipe inside of it and I say that, Mr. Chairman, only half in jest.

I know that if the members behave in their traditional fashion sometime in the middle of August if I'm being optimistic, these microphones are going to be under assault and I, Mr. Chairman, won't spend a lot of time but I do want to spend a few minutes in assessing, and it's part of the Minister's Estimates particularly with regard to Government Services, whether we shouldn't reassess what is done on the last day of the Session; not merely with respect to microphones but with respect to what could be serious damage, and there have been some, I will say minor — the main reason I say minor is that they didn't happen to me — perhaps to the people who received the bruises they were not minor — but there have been some injuries sustained by people and certainly injuries sustained to equipment and we stand here talking about the Estimates and wasting this and wasting that. I suppose on the last day of the Session we cause a certain amount of what would normally in law be called Wilful Damage.

Now Mr. Chairman, the paper barrage started as an action whereby members swept loose paper off their desk in the direction of the other side and people who were in the second row tried to throw it and usually it never got past the first row so the paper landed on the people in front of them rather than on the other side. Then some ingenious members of the Legislature decided that if you roll the paper up in a fashion to make a stick of dynamite out of it, that it can be —(Interjection)— well or put a pipe in it, a lead pipe, I'm not certain what those rolls contain, although everybody is smiling and I, myself, they are missiles and have been used as missiles, Mr. Chairman. The fact is that members who are acting in jest are at the same time venting perhaps seven months of hostility against somebody on the other side who they wanted to, or had the urge to do violence to, for a long time and find that this is a way in which that urge is satisfied.

Mr. Chairman, I really believe that something should be done about this and I don't think that I am now pioneering. I think that after the last session there was a suggestion that people get together and do it, but when the fall arrives people forget and when the session ends —(Interjection)— well, my friend the Member for Elmwood says fist fight. I don't mind as long as long as it's two other people. They used to have champions that did this type of thing. I'm not particularly enthused about engaging in that myself.

I think that the sticks of dynamite should not, by some type of legislative rule but by some type of common understanding, be prohibited. I don't want to see a law to that effect but I want us to get back to some sort of civilization. I don't expect that in one jump we will be able to go back to the 8 1/2 x 11 or 8 1/2 x 14 flat sheets of paper which can't fly at all so I imagine that the model airplanes would be acceptable. I would even imagine Mr. Chairman, that tightly packed snowballs made of paper, because in the months of August it is not likely that you will find snow, but tightly packed snowballs as tight as you can pack them, I still don't think could do anybody any harm and certainly would not harm the microphone.

So alongside with what my friend, the Member for Elmwood is talking about so far as the sound is concerned, I realize he is very concerned with this matter, I haven't particularly noticed the difficulties. Maybe I am well situated in terms of acoustics, but I do think that the occasion of discussing of the sound system is a proper occasion to discuss, Mr. Chairman, and hope that perhaps somebody will send out a directive to their members at the end of the year in consultation with various members, that this tradition is not to be burnt or destroyed but is to be modified so that —(Interjection)— My friend the Minister of Finance says a "SALT" agreement, if somebody will give me the proper initials, we can give it out —(Interjection)— Yes, I know what "SALT" stands for, I'm just trying to think of paper limitations instead of arms limitations. In any event, Mr. Chairman, I say it now because we do forget and when time comes nobody will say anything at the end of the year and on the last day of the session I would see people bringing in cartons of rolled up missiles to throw at the other side and I will probably descend to the same lowest level that all of us reach and catch the missiles that are thrown from the other side and try to hurl them at people that I wish to huri them at which could be on both sides of the House, Mr. Chairman.

MR. JORGENSEN: Mr. Chairman, I'm glad to have my honourable friend raise that particular question because I was under the impression that I was the only one that felt that the practice that had been building over the past few years, and there has been a considerable acceleration of the work there in this Chamber from the time that I came in until today. I agree that there should be a strategic arms limitation treaty signed that will prevent the proliferation and the refinement of those missiles. We're only a very short step now away from having a stick of dynamite inside them and a fuse attached. That's a very short step now to what we have at the present time. I have never participated in these games because I've felt they were childish, I felt that they were destructive

and I was concerned that somebody was going to get hurt, namely, me. I beat a hasty exit whenever the battle started, but I'm glad to have my honourable friend raise the question because I was concerned about the fragile nature of these microphones when I came in and I made a mental note that it seemed unlikely that they could withstand the assault at the end of the session. I hope that we can come to some agreement without having to pass some edict prohibiting that which takes place at the end of the session but, through some agreement, we can prevent damage to this Chamber and more so prevent damage to individuals in this Chamber.

MR. ENNS: Well, Mr. Speaker, before the doves totally take over in this Chamber and this debate, let me put forward a more hawkish point of view, and let me put the facts on the record as they actually occurred.

Firstly, as honourable gentlemen, we have far too much respect for each other that we really intend to maim or hurt any of us. My recollection of those fights is that we aim most of our missiles up to that gallery. My further recollection is that it was the unfortunate incident of someone who normally is not here to cover these events, who was the instigator of the concern that this all suddenly has become; while I can sympathize with my pacifist friends about the acceleration in the annual paper fight, I do stand up seriously about seeing traditions which have their roots in parliamentary procedure so easily put aside.

Because, Mr. Chairman, if that's the case, then we can do away with a lot of other little traditions that we have in this chamber. I suppose the Sergeant-at-Arms would feel just as comfortable if he didn't have to march in and carry that maze on his shoulder everyday or do the traditional steps forward and backwards and bow to the Speaker. It's not I believe, that we have ordered him to show that particular acquiescence to the Speaker, but I could go on and on about the number of traditions that make this Chamber the Chamber it is and I include the paper fight as being one of those traditions. It was really a demonstration of some of the finest aspects of parliamentary democracy, in the sense that it was a visual and graphic portrayal of how we do battle with each other in a very serious way. We argue very seriously on ideological grounds; we argue very seriously on particular bills that a government believes should be passed in this Chamber for the benefit of all Manitobans; and Her Majesty's Opposition argues just as seriously that they ought not to be passed. This kind of verbal battle that takes place in a parliament, that is underlined by the paper fight which says that we have devised a way of settling differences and arguments other than the resorting to arms; other than the resorting to fisticuffs; and that really to me has been the import of the paper fight.

Now, I appreciate that when a stranger enters our Chamber and teleizes it for the first time or for a particular time, that is not perhaps imbued with the longstanding traditions. If that stranger then particularly is the recipient of one of the missiles, as indeed was the case by one CBC staffer by the name of Miss Judy Waytiuk, who then makes it a cause celebre to be teleized, not just here in Manitoba but across the nation, as I recall. Certainly, you know my

immediate reaction is, and I am sure it is shared by other members, that we shall cease and desist from that practice and I suspect that that's what will happen.

But, Mr. Chairman, I go on record as lamenting the loss, the fact that the Minister of Government Services, who otherwise has an exemplary record in the annals of warfare along with his brothers, I find it passing strange that in his aging process now takes on the more pacifist attitude that usually is reserved to those members of my faith, the Mennonites.

Mr. Chairman, I couldn't help but put these few comments on the record in defense of a tradition that I always believed to be worthwhile and indeed allowed for a little bit of pent-up feelings to be emoted on that day whenever it happens, usually in the wee small hours of the morning when the session finally grinds to a halt and so, Mr. Chairman, I rather regret that the Minister of Government Services is counselling that we now cease this activity, supported by the Independent Member for Inkster. Instead, Mr. Chairman, I would counsel that we take the advice given from his chair, that is coming from the Minister of Finance, that we should perhaps enter into agreements, arms reduction agreements of some description to see that this otherwise worthwhile, if not heavy, tradition of the House continues.

MR. DEPUTY CHAIRMAN: The Member for Winnipeg Centre.

MR. BOYCE: Mr. Chairman, I agree with the Minister of Government Services that discretion is the better part of the valour and I was interested in the Minister of Natural Resources' remarks because I'm still of the opinion, with very little evidence, that it was the Member for Lakeside that threw the bound journal that hit me in the head and the excuse that somebody had thrown it at him first and he was actually aiming at the former Member of Radisson, convinced me in 1970, that I should just withdraw whenever that started. I am still of the opinion that the little things that are go on in the House, I am still of the opinion and my initiation in the House, that it was the Member for Lakeside. I know the Minister of Natural Resources wouldn't be involved in such shenanigans but I still believe it was the Member for Lakeside that sent me a note that threw me into a tizzy the first time I stood up that my fly was open back in 1970. I think it is important, because on that particular occasion I got hit on the head, I think that light was broken across over there, one of the microphones was broken. So it is important, I think that some limitation is put on and I agree with the Minister of Government Services, short of sticking a lit fuse or a stick of dynamite in it.

MR. DEPUTY CHAIRMAN: 6. pass.

Resolution 73. Be it resolved . . .

The Member for St. Vital.

MR. WALDING: Mr. Chairman, our main critic on this department has been given some information by the Minister which I believe he did want to take up in some detail. Now that he has rejoined us, he can speak for himself.

MR. DEPUTY CHAIRMAN: The Member for Elmwood.

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MR. DOERN: Mr. Chairman, there are a number of projects that I wanted to review one at a time with the Minister and I know my colleague from The Pas wishes to also participate in the debate. Maybe I could start with the consultant fees. I received a copy of fees paid for 1980-81 and I'd like to ask for a couple of clarifications here. For instance, I note that Damas and Smith Limited undertook a parking study. I wonder if the Minister can tell us something about that.

MR. DEPUTY CHAIRMAN: The Honourable Minister.

MR. JORGENSON: Mr. Chairman, in response to the Member for Elmwood's question, the parking study that is being conducted by Damas and Smith Limited is a parking study within the area of the Legislative Buildings and foresees some difficulties arising and they have been asked to do a survey to determine just what can be done in order to ensure that there is a capability of parking in this area.

MR. DOERN: Well, Mr. Chairman, I'd like to know a little more about this. There have been all kinds of governments that have made parking studies in the downtown area and I recall when I first became the Minister of Public Works, I remember one particular plan which may have sounded rather wild but probably was quite sensible, of in effect putting an underground parking structure either under Memorial Park or under Memorial Boulevard and I remember asking how they would undertake this. Since I assumed in the case of the boulevard, which was the one mainly talked about, I assumed that they would drill somehow or other under the roadways, but apparently that would be too expensive and too long a technique and that the preferred method would be simply to dig the whole thing open, say, to a depth of 20 feet, or whatever was necessary and then build the structure and put a top on it so then the existing boulevard would simply continue as is. That would be the way engineers would undertake it.

There was also a parking structure plan on the government lot south of the Convention Centre and the plans are in place for that particular project because of the fact that there are thousands of employees in the downtown area and the present government is going to build an extension to the Law Courts and they are going to have a heck of a time in terms of eliminating existing parking and requiring people to park somewhere else. So I simply say to the Minister that the parking problem is not new. It's obviously been wrestled with for at least 20 years, if not longer, and raises all sorts of other issues about taking a bus and the Dash system and walking and things like that — or for your benefit, Mr. Chairman, horseback — and I'd like to know whether there have been some plans developed by Damas and Smith, whether the old plans have been thrown out or eliminated. Can the Minister give us any further information?

MR. DEPUTY CHAIRMAN: The Honourable Minister.

MR. JORGENSON: Mr. Chairman, as my honourable friend is aware, there have been some developments that have taken place in this core area

within the past few years and there are further developments being planned as my honourable friend knows, the new Law Courts building. All of these plans and these buildings that are being constructed to accommodate greater numbers of people and people who will be using those facilities, will require parking of some form or another and what the study is intended to do is to take into consideration the needs of the future so that when we do make plans for adequate parking, we have some idea what we have to plan for. That seems like a reasonable thing to do in the light of the developments that are taking place in this area. So the survey is simply intended to provide us with information as to how we should plan our parking to ensure that it accommodates the needs of the people who will be working in the additional space that is being provided.

MR. DOERN: One further question on parking, I wanted to ask the Minister for a clarification again on the old garage. I gather he said something yesterday about using it for parking temporarily. I assume that what he meant was, that the facility will not be knocked down and then used for parking but it will be used as kind of an indoor facility. I just wonder if he could confirm that and if he could also indicate whether any other departments will access that building? For example, will there be storage in there? Will there be people in there other than say, a minimal staff to service vehicles?

MR. JORGENSON: Mr. Chairman, the honourable member heard correctly when I said yesterday that the old Central Provincial Garage is going to be used as a temporary parking space because the new Law Courts Building is being constructed on an existing parking facility, so some space will be required to accommodate those people who are currently using that space.

I cannot project as to what its ultimate use will be, but at least until the Law Courts Building has been constructed and we have a report from the firm that has been asked to do the surveys, it will remain as it is as a temporary parking facility but what its future will be, remains to be seen.

MR. DEPUTY CHAIRMAN: The Member for St. Vital.

MR. WALDING: Mr. Chairman, I'm not sure that you were in the Chair at the beginning of the Minister's Estimates when I asked him for a list of special warrants that had been issued by his department, and this was a couple of days ago. As of yesterday evening we had reached about the half-way stage in the Minister's Estimates at Supply and Services, I reminded the Minister I had not yet received this sheet and he said, well it's upstairs. I took from his words that it was in the possession of one of his staff who was sitting in the gallery and I waited with some interest all evening to receive that particular paper. I didn't receive it then, I haven't received it today and here we are at Item 6, which is the last item on the Minister's Estimates other than his salary, and I'm still awaiting with greater and greater interest that particular information, Mr. Chairman, greater and greater because I'm even more curious as to why the delay. I take a rather dim view of the Minister not

being able to produce that information for me, until as of this very moment which has just arrived on my desk for which I thank the Minister, and hope that he would be a little more prompt in future when we ask for the documents.

MR. JORGENSON: I apologize to my honourable friend. When I said that the information was upstairs, it was, but not the information of that. As you know there is sometimes a difference between what is being prepared and what is ultimately passed and what I wanted to provide the honourable member was the information that had been approved.

MR. DEPUTY CHAIRMAN: The Member for the Pas.

MR. RONALD McBRYDE: Mr. Chairman, while we're on this section, I would like to ask the Minister a few questions. One is in relation to construction projects the province is undertaking. Of course, my special interest is in Northern Manitoba and it was the policy and practice in the past to attempt to employ local people when these projects were coming on stream for the construction of the various projects up north. I wonder if the Minister could tell me if that is still the emphasis, if that's an approach of the department, or whether that particular approach has been abandoned by this government, or what is his policy? What sort of emphasis he gives in this regard?

Mr. Chairman, I would just remind the Minister that in the past an effort was made to do this because often what would normally happen up north is, that a school or another type of structure that the province was funding, would go into a community and an outside contractor would get the contract, bring in 100 percent of his own crew and not hire any local people, or hire very few local people.

I'm reminded of after the provincial election, there was a contract awarded to the carrying out of the landscaping at the school in Cormorant and because of the particular policy at that time, the construction crew was brought in from Brandon to do work that could be done locally. That construction crew was put up in the Cormorant Lodge, which is quite an expensive facility, and I raised the matter at that time, but that is an example of the kind of problems we run into, and I wonder if the Minister has awareness of that situation, and what his emphasis is, or what his policy in that regard is.

MR. DEPUTY CHAIRMAN: The Honourable Minister.

MR. JORGENSON: I'm not aware of the precise project that my honourable friend mentions at Cormorant. I can only tell him that the policy that he outlines of hiring people in the local areas, is one that is being followed wherever it is possible to be followed. Wherever there is a capability of providing the staff from a local area, that is being done. I'm sure my honourable friend recognizes that from time to time there are tradesmen that are not available in the local area and have to be brought in from the outside. As a general rule, we endeavor to employ people in the local area inasmuch as it is possible to do so.

MR. McBRYDE: Mr. Chairperson, when I spoke initially, I was thinking basically of the labouring

requirements in other skills that might be immediately available. There is also a problem in terms of sub-trades in assuring that local contractors get a chance to be involved in construction and I wonder whether there's been any change in approach in that regard or whether emphasis is still made to have sub-trades contracted for some of the work.

MR. JORGENSON: Mr. Chairman, as a matter of fact I was in The Pas recently looking at the construction that was going on there and I noticed the number of people in that area that I was told are working on the project who were from that area. As a matter of fact, the contractor told me that he had some difficulty getting one particular contractor that was available in the area. He had approached him on some occasions and tried to get him to work, and either because he had other commitments or didn't feel that he wanted the job, I don't know, but he had to go outside and get another contractor because of the inability to get the local people. I don't say that is a general practice, I don't think that's a general problem, but he mentioned this particular one, as an example of the reasons why he had to get an outside sub-contractor to do the particular job for him.

MR. DEPUTY CHAIRMAN: The Member for the Pas.

MR. McBRYDE: Mr. Chairperson, while we're specifically on the Courthouse and Jail, it's almost towards the completion stages now at The Pas, I wonder if the Minister has any idea or whether he can get the exact numbers in terms of local residents first of all that were employed in the general labouring categories of people that are readily available and wouldn't have to be brought in because it is my understanding Mr. Chairperson, from talking with people at The Pas, that in fact, outside labourers were brought in at that project and that there were not as many local people as there were jobs available of that nature.

The second part, Mr. Chairperson, I wonder if the Minister has information on, is that when the original contractors left, that contract was awarded to a contract who had northern sub-trades, going to do the sub-trades work and it is my understanding that the sub-trades work was in fact not done locally and there is in fact, a lawsuit now pending by a local firm against the — I'm not sure who the principals are in the court case — whether it's the pro-plan, the sub-contractors, or whether it is another sub-contractor or whether it's against the province, but there is a case by a local firm being brought before the court at this time as I understand it, because outside people were brought in to do the job, and there was problems in terms of the method of cancellation of his contract. So I wonder if the Minister does have figures in terms of both the labouring type of jobs and the sub-trades and skilled jobs in that particular project.

MR. JORGENSON: Mr. Chairman, I don't have those figures with me, but I can tell my honourable friend that I'll be trying to get them for him to determine just to what extent local trades and local labour was used in that particular project. I'll have to make those enquiries of the contractor.

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MR. McBRYDE: Yes, Mr. Chairperson, in reference to that specific project, I would also ask the Minister what is the state of the court case that was brought in by the original contractor who was awarded the contract by Foundation in the province when they cancelled the project and cancelled that contract that had been awarded. Is the Minister aware of the status; has that been settled out of court, is that still in the courts, what has happened with that particular situation.

MR. JORGENSON: I'm not able to tell my honourable friend at this point as whether or not that matter has been settled. My understanding is that it has not proceeded to court. One assumes that there is an effort to reach an out of court settlement.

MR. DEPUTY CHAIRMAN: 6. pass — the Member for The Pas.

MR. McBRYDE: Yes, Mr. Chairperson, there was considerable discussion of course, in the past when the Minister held other portfolios on that particular item, because the contract had been awarded and the sod had been turned and the contractor had a number of costs already incurred, then the project was frozen by the Conservative Government and I think the lawsuit was over half-a-million dollars that was brought against the province by the company that was awarded the contract originally.

There was a real concern expressed at that time by the contract management method that the government chose to proceed with and on August 29, 1979, there was an article in the *Opasquia Times*, which is *The Pas'* newspaper, and it was headlined "Government Tending Questioned on Jail. An executive from the Winnipeg Construction Association said last week that the appointment of Propine Construction Services Limited as project consultant for The Pas Jail was not clear, open and clean.

"Executive Vice-President of the WCA, Gervin Greasley told the local trade contractors here that they had every right to question the government tendering plans for the jail. There was no opportunity for any other project management company to make a proposal, he said. (Someone in the government) knew Tony and he got the job. (Tony Lamancia is project manager with the construction company.) Greasley was in *The Pas* as part of the northern tour to assess the construction industry in Northern Manitoba.

"The jail issue emerged when local contractors complained about the Provincial Governments lack of policy on tendering public projects. Percy Pielak of the Mid-Can Electric Limited in *The Pas*, said he wrote to Sydney Spivak, former co-chairman of the government, to ask for an organization economy last spring, to complain about government tendering.

"Although the previous government used the bid-depository system to accept tenders on government projects, Pielak said the present government has called for management contracts from large companies, or as with *The Pas* jail, simply appointed a management company. The sub-trades must then bid on jobs through the architect or general manager. The bid-depository system — sub-contractors submit two copies of bids to the depository in Winnipeg. When the tender call closes,

one bid is forwarded to the contracting body while the other is opened and recorded at the depository."

So there was a questioning of the system at that time and there were some questions from this side of the House in terms of the effectiveness of that contract management procedure and how that contract management procedure would in fact ensure that local people are hired, would ensure that northern sub-trades were hired. The gentleman mentioned here, quoted in the article, Mr. Percy Pielak, was probably known to the Minister because he was the Conservative candidate in the provincial election in 1977, and he was quite concerned about the change in policy and the change in attitude and wanted a government policy to clarify that they were going to develop a method, a fair method, to give preference to the northern sub-trades for these kinds of projects.

The other problems that arose at the time, Mr. Chairman, and one is the fact that they did cancel a contract and then there was a court case of over a million dollars, I believe, that the Minister says is probably still before the courts. The other problem then was the method of assigning the contract management by the government. The third problem then with the contract management is how do you ensure that local sub-trades are hired and local people are hired for the job, because you can make it a clear condition in terms of when you are tendering northern work that that clause is contained in the tendering documents so that can be guaranteed and the contractor in fact isn't living up to his contract if he doesn't employ local people and if he doesn't — well, he would include in his original tendered documents, the tenders from the sub-trades for the various aspects of the work.

I understand that there are other problems on-site with this kind of management system and I wonder if the Minister or with advice from his staff would care to comment on whether they have had those problems with this type of management system in terms of the on-site jobs; in terms of the — I'm not sure how it works and I don't want to make any sort of wild accusations but I get the impression that if there is a contractor in there, then if there's not a bids-tendering system that he tries to get a friend in to do the other parts of the job, or a company that he has some relationship with to do the other parts of the job. I think that's what happened in the case of the second law case, that there were certain manoeuvres made so that another person could be brought in from Winnipeg to *The Pas* to do certain work that could have been done by a firm that was depending on the work, right in *The Pas* itself.

I wonder if the Minister would care to comment on that kind of a situation.

MR. JORGENSON: Mr. Chairman, the only comment that I can make at this time would be that as my honourable friend just pointed out, the project manager was in charge of the entire operation, but it is my understanding that each phase of the work that was carried out and each sub-trade was tendered so that people living in the area, trades living in the area, would in my view have somewhat of an advantage in tendering by virtue of the fact that they didn't have any distances to travel and were close by, so the opportunity presented itself for the local trades to tender on each of the contracts that were let.

MR. McBRYDE: I think that sort of the proof of the pudding is in the eating, and I would ask the Minister to see if he could get some figures in terms of the sub-contractors that were or were not hired and get information in terms of the local work force, in terms of the local labour force, the numbers of people that were hired.

I think my colleague, in my absence, the Member for Elmwood, asked the Minister to check on whether or not — there were rumours in The Pas the last time I was there that in fact the furniture for the new complex had been delivered to The Pas. A number of chairs, I think the rumour was over 100 different kinds of chairs and other furniture was delivered late in the week and the next Monday morning they weren't there any more. I wonder if that was just a rumour or whether there was in fact a problem of missing furnishings for that complex.

MR. JORGENSEN: Mr. Chairman, I'm not sure when this alleged disappearance took place. I was there last Monday and I know that there had been a considerable amount of furniture that had been delivered because it was in the building, and nothing was mentioned to me about any furniture theft. However, perhaps if it did occur it might have occurred after I was there so we'll make checks to find out if that is indeed a fact.

MR. McBRYDE: Just for my further enlightenment, could the Minister tell me what is the security system and who is responsible for that at that stage when you have project management, a number of sub-contractors, and then materials being delivered, which I assume then are in fact from the province, I mean they're bought by government purchasing, who is responsible and what kind of a security system would be in place.

MR. JORGENSEN: I'm advised that it would be the responsibility of the project manager on the site.

MR. DEPUTY CHAIRMAN: 6. pass — the Member for Elmwood.

MR. DOERN: Mr. Chairman, I just wanted to revert for a moment to the Damas and Smith parking structure and ask what the budgeted or estimated amount for that study is.

MR. JORGENSEN: Mr. Chairman, first of all I want to correct an impression that my honourable friend may have left in his choice of words. The study that is being carried out is not with a view to building any particular structure. It is simply a survey to determine what the parking needs of this core area will be in the light of development and building construction that has taken place and the work force that will be employed in this area.

MR. DEPUTY CHAIRMAN: 6. pass — the Member for Elmwood.

MR. DOERN: It may result in a recommendation to build a parking structure, but holding that aside, the Minister did say it was a study. We don't know what the study will recommend and I don't know what it's going to do other than count spaces and demonstrate that there is inadequate parking in the

central core area of the Legislative Buildings. But I ask the Minister in terms of that proposed study, what is the estimated expenditure?

MR. JORGENSEN: I believe that the estimate will be in the neighbourhood of about \$20,000.00.

MR. DEPUTY CHAIRMAN: The Member for St. Vital.

MR. WALDING: Mr. Chairman, the Minister was good enough to send me a couple of documents having to do with Special Warrants and I want to be sure that I understand what the material is. There is a one-page sheet labelled Schedule A, Special Warrant Detail, OC1169/80, which lists four different categories, headed Government Services. The other document runs to three pages and it's headed OC85/81 Schedule A pertaining to Government Services.

I would assume from looking at them that the first page is a special warrant that was issued in 1980 for a total of almost \$2 million. The second document I'm not sure that I understand what it is, whether it's an Order-in-Council that has been passed, whether it's a completely separate document from the first one; I wonder if the Minister could elaborate please.

MR. JORGENSEN: Yes, Mr. Chairman, there are two separate documents.

MR. WALDING: Can the Minister then confirm that the second document is also an Order-in-Council that has been passed and the Minister is nodding and in which case I note that the second document is for a total of some \$6 million. If those amounts are in thousands as they would appear to be, if that is added to the almost \$2 million on the first document, it would seem that from an approved budget last year of some \$48 million and an additional \$8 million was necessary for the running of this department; 8 into 48 looks like about 17 percent, Mr. Chairman. I wonder if this is the reason why the Minister was a little slow in getting the material to us.

He would have to query a couple of the larger items on that list, one of them being for the Central Vehicle Branch under Other Expenditures at \$1.5 million and that's on top of the \$4.5 million that was approved last year under that particular heading. We see another rather large amount on the second sheet under the same heading of Central Vehicle Branch, Other Expenditures of \$1 million for a total of \$2.6 million of Additional Expenditure.

The next largest item that comes to notice, Mr. Chairman, is under the Resolution that we are presently considering Acquisition and Construction of Physical Assets which would indicate that some \$2.6 million marked as unallocated which I don't know what that means; the Minister can probably explain to us. Perhaps he would like to acquaint the committee with the reason for an additional \$2.5 million in the Acquisition/Construction of Physical Assets. Could he tell us why this additional money was needed and on what was it spent?

MR. DEPUTY CHAIRMAN: The Honourable Minister.

MR. JORGENSEN: Mr. Chairman, that particular appropriation of \$2.6 million is attributed to the

1979-1980 carryover expenditures of \$903,000 and additional Treasury Board approvals of \$1,697,000, which include Winnipeg Rental office space at Colony Square and Wilkes Avenue Signals Building, the Eden Mental Health Centre and the Environmental Laboratory, the Portage la Prairie Correctional Institute and a number of other minor projects.

MR. WALDING: Mr. Chairman, I didn't quite catch the Minister's opening sentence about carryover from a previous year. Is he speaking of a carryover of authority or carryover of projects that were not completed in that year?

MR. JORGENSEN: They are moneys that had been budgeted in the previous year, weren't spent, and so had to be reappropriated in the current fiscal year.

MR. DEPUTY CHAIRMAN: 6. pass — the Member for St. Vital.

MR. WALDING: Mr. Chairman, I had also asked the Minister if he could give us an accounting of why his Department needed an additional \$2.615 million for Other Expenditures under the Central Vehicle Branch.

MR. JORGENSEN: I'm not sure just which item my honourable friend is speaking of. Is that on the third page?

MR. WALDING: Mr. Chairman, I note on the first document there is an amount of \$1.5 million; on page 2 there is an amount of \$1.115 million. I added them together at \$2.6 million.

MR. JORGENSEN: Well, Mr. Chairman, as I outlined yesterday when we were discussing this particular matter there had been some difficulties doing a proper cost accounting procedure that would enable us to properly assess the costs and then budget for those costs.

We've had some difficulty but feel that we have an accounting system in place now that enables us to more accurately predict what this item will involve. What this Special Warrant is intended to do is to make up the difference of what our budgeting was at that time and what it actually turned out to be, taking into consideration of course that one has little control over such matters as the increase in energy costs and repair costs which have accelerated considerably in the last year. So it was for two reasons, first of all to make up for the underbudgeting that occurred at the beginning of the year, and secondly, to compensate for the rather substantial increases in operating costs and repairs.

MR. WALDING: Mr. Chairman, I would like to ask the Minister whether it would be an accurate thing to do to add something like \$8 million to the \$48.3 million approved last year. Would the \$56 million in round figures be an accurate indication of the amount spent by Government Services in this present fiscal year or are there perhaps approved moneys under other appropriations that will not be spent?

MR. JORGENSEN: Yes, Mr. Chairman, I believe that my honourable friend's calculations would be reasonably accurate.

MR. WALDING: One final question, Mr. Chairman. Can the Minister show the House that his estimating for the coming year will be more accurate than the 17 percent error that we saw from a year ago?

MR. JORGENSEN: Barring some unforeseen increases in costs, yes, but they are difficult to predict.

MR. DEPUTY CHAIRMAN: The Member for Elmwood.

MR. DOERN: Mr. Chairman, just on that point, we don't have too much confidence in the ability of the government to estimate both in this particular instance and in other instances, and I simply say in passing that they estimated the cost of the Tritschler Commission at a \$150,000 and it came in at a \$1.5 million. So that order of magnitude in the wrong side of the equation is certainly shocking evidence of some lack of management ability, and as I think a clearer example or instance of mismanagement on the part of the government.

Mr. Chairman, I wanted to review with the Minister the situation at Red River Community College, where there were some problems in the main buildings, some structural flaws that were discovered a number of years ago. These buildings were I guess constructed basically in the mid to late 1960s and some very very serious problems were discovered in the early to mid 1970s, and as a result there has been some costs incurred by the government which were rejected four or five years ago to be of the order of some \$6 million to repair the structural flaws and the design flaws in those particular projects.

So my first question to the Minister is, can he indicate approximately how much money has been spent over the last number of years to correct those problems at Red River Community College and how much does the department project will be required to complete the job?

MR. JORGENSEN: Mr. Chairman, before I respond to that question I can't resist the temptation to tell my honourable friend that in regards to his comment about budgeting, I kept a fairly accurate record of the budgets that were struck by honourable gentlemen opposite when they were on this side of the House and the final budgets that were reached at the end of the year, as reported in the Public Accounts, and in some years there were some striking differences . . . occasion did my honourable friends over-budget. In one case it reached I think as high as \$76 million, so when my honourable friends talk about inability to budget, perhaps they should review the record of the years that they were in power as well and then ask themselves the reason why it occurred when they were in government.

But to respond to his question with respect to Red River Community College, my understanding is that there has been about \$6 million spent in repairing that building over the past number of years and that the repairs now are all completed, so that they're not anticipated that there will be any further expenditures.

MR. DOERN: Then, Mr. Chairman, the Minister has just given us a good illustration because our administration estimated the cost of repairs at \$6

million, the Minister confirms it was right on, as \$6 million.

I want to also ask the Minister about recoveries to date. There were some attempts made to recover funds from the architects. Now the problem goes along these lines that when you lay a bill of \$6 million on an architectural firm or a contractor, in most cases it means that firm disappears and this certainly happened in the instance of a number of the participants.

A very interesting and colourful and talented designer named Ron Lazar who is no longer an architect but who is now a developer, designed a building, and also another firm of Libling Michener which is no longer around under that name. The last that I recall was that there was a settlement made four or five years ago with the architects for I think some \$450,000 and I don't know if all of that was obtained; that's the first question I'd like to ask the Minister. How much money in total was recovered from the architects for the problems that arose?

MR. JORGENSEN: Approximately \$400,000.00.

MR. DOERN: This might be just to refresh my memory, was any money recovered from Ron Lazare?

MR. JORGENSEN: No, Mr. Chairman.

MR. DOERN: Can the Minister indicate whether any monies were recovered from contractors because apparently there were some disputes involving contractors in terms of construction; some were design problems, those concerned the architects; some were construction problems and that concerned one or more contractors, so I wonder if moneys have been recovered from contractors or whether there are still any lawsuits pending?

MR. JORGENSEN: The answer to both questions Mr. Chairman, is no.

MR. DOERN: I then ask the Minister whether an attempt was made, whether there was a lawsuit undertaken by the Government to recover some of those funds?

MR. JORGENSEN: Information is that investigations were conducted to determined the extent of the damage but nothing went to court.

MR. DOERN: Mr. Chairman, there must be a moral here in the sense that the Government suffered the unfortunate experience of hiring a firm of architects in the early to mid 1960's; proceeded to construct a complex in the 1960's and now in 1981 we discover because of the inadequacies of their design and/or inadequacies on the part of contractors to implement that design, both proper and improper, that the Government has been handed a bill for \$6 million and the Government has recovered \$450,000, so we're out \$5.5 million. I think that raises all sorts of questions which I intend to explore later about liability insurance and the selection of architects and the monitoring of the project, etc., but that certainly was an expensive lesson for the Department to undergo.

Mr. Chairman, I'd also like to ask the Minister in terms of major projects and consultant fees paid —

the Environmental Lab, can the Minister indicate whether that lab is now fully operational and when it was officially opened?.

MR. JORGENSEN: The lab is operational and the official opening is scheduled, I believe, for the 3rd of March.

MR. DOERN: I wonder if the Minister has a breakdown of the approximate number of employees and the departments that will be placed in that building.

MR. JORGENSEN: I suppose one could get that information, but I wonder if it may be more appropriately directed to the Minister of Consumer Affairs and the Environment whose estimates will be coming up. I'll apprise him of my honourable friend's question and perhaps he can have that information for him. I don't have it here.

MR. DOERN: Mr. Chairman, I wonder if we could get an update on the Provincial Judges Court. I see here for example, the Number Ten Architectural Group and beneath them, Crosier, Kilgour Structural Engineers; Scouten, Mitchell, Sigurdson, Mechanical and Electrical; and Unies Energy Consultants.

Mr. Chairman, this project has been kicking around for at least 15 years, maybe more. It certainly stems from the time when the Attorney-General was the Honourable Sterling Lyon, and it's proceeded from, I suppose, the Roblin administration through the Weir, through the Schreyer and to the Lyon administration and it's still being talked about and it's still being assigned and the architects are delight to have the commission. There's only one problem, in the last 15 years that they and others have had the commission, they haven't earned a single penny. Or at least if so, they have earned very little in view of the particular project.

Now there is a list here of consultant fees paid and I wonder if the Minister could tell us how much money has been expended on the Provincial Judges Court. These terms I find very confusing, because there's the building on Broadway and then there's the planned new facility and then there's the renovation of the existing Law Courts, etc. So I'm not exactly sure what 93120 is. I am assuming that's the new proposed building adjacent to the existing building and I wonder if the Minister could indicate at what stage the plans are and also how much money has been paid to date on that particular account.

MR. JORGENSEN: Mr. Chairman, as my honourable friend has pointed out, the Number Ten Architectural Group are the people that are doing the design of that building. I believe that they had been retained by my honourable friends at one time. It's the same firm, so we just re-engaged them to continue on.

The amount of money that is being allocated this year for design and architectures is \$410,000 and there is also \$2 million being allocated for construction which we expect will take place later on in the year.

The total estimated cost of the project will be in the order of something like \$16 million; \$2 million of that is being budgeted for this year.

MR. DOERN: Is the Minister telling me that in the spring or summer of 1981 that construction will commence, excavations, etc.?

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MR. JORGENSEN: I am not going to be so definitive as to say that it will be in the spring or the summer. It will be this year, I think more probably later on in the fall construction will begin.

MR. DOERN: Could the Minister indicate what is happening in terms of the existing Law Courts? Are any renovations being undertaken now and to what extent?

MR. JORGENSEN: The existing Law Courts Building will not be, renovations will not be proceeded with until the new building is completed, but the design is being planned in concert with the construction of the new Law Courts Building, so that they will both be designed in such a way as to complement one another.

MR. DOERN: The Minister is saying then, that the new building now has an estimated cost of \$16 million, which strikes me as considerably more; the new Law Courts \$16 million compared to I guess earlier estimates of \$10 million, and I wonder if the Minister could indicate whether this is straight inflation, or whether the program has been expanded.

MR. JORGENSEN: I am not sure as to the extent of the inflation, but I believe that this particular building has been in the planning stages for about 15 years. I would anticipate that there would have been a considerable amount of inflation occurring during that period.

I just forgot what the second question was that my honourable friend imposed. I wonder if he'd mind repeating it.

MR. DOERN: I'd also like to ask the Minister whether the new building, and there have been many complaints about this before, will be air-conditioned.

MR. JORGENSEN: It would be I think inconceivable to put up a building of that nature, in this day and age, without including in the design, air-conditioning.

MR. DOERN: Mr. Chairman, I certainly agree with the Minister 100 percent, but I wonder whether he would not also agree that it's inconceivable that an existing building, in this day and age, is not air-conditioned, namely, this building.

MR. JORGENSEN: It would appear that my honourable friend has designs in remaining in this place for some considerable length of time, and so therefore is providing for his future. I can tell my honourable friend that it is not high on my list of priorities at the present time, I plan to leave shortly.

MR. DOERN: . . . From each according to his ability, to each according to his need . . . Mr. Chairman, I also wanted to ask the Minister this point, which may be difficult for him to answer and probably is a point that I will raise during the estimates of the Minister of Corrections, and that is the transporting of prisoners. One of the reasons that the Schreyer administration decided to build a new court building adjacent to the Winnipeg City Hall, was the fact that it would enable the easy transport of prisoners from the city jail to the courts, etc. There are holding facilities nearby.

The other reason of course, was the fact that it was a part of an urban renewal and a desire to expend funds to enhance the core area. There were several buildings that were specifically going to be placed in the core area for that purpose, among them the lab, Environmental Lab, which the Minister indicates is going to be opened in a few days, sometime early next week, and the proposed Autopac building which was cancelled, and the Provincial garage which was built and is now fully utilized after some fooling around.

One of the problems of course, is the transporting of prisoners, and the old Vaughan Street Jail, which I certainly never thought would be around in this day and age, and I remember speaking strongly about the Vaughan Street Jail, some ten years ago, is still there. It's still being used as a holding facility or in some capacity, and then there's the City Police area, which has been renovated and improved, but is still the major holding facility.

I wanted to ask the Minister whether in the design, whether the system visualized will include the transportation of prisoners in any special way, shape or form, because I saw something on television recently, which I thought was rather interesting. It was an American situation and it concerned this character who set fire to the last hotel in Las Vegas. I think the boys are playing pretty rough in Las Vegas and I have an uneasy feeling that this is not a series of incidental fires, but a series of deliberate fires, because of some gang war or activity along those lines, but the person who was charged with setting that fire or admitted setting that fire, was handled by a judge in a building, presumably a court building, and the prisoner was presumably in a lockup a number of blocks or miles away and the judge had a T.V. monitor and he was addressing the — and I say this may be of interest to the Attorney-General because I certainly intend to discuss this procedure with him — so apparently there are systems in place, in the United States, in at least the preliminary stages or the early elementary stages of a trial, the judge is in his court room and the prisoner is in his cell or something like that, and in the preliminary stages there was a two-way transmission. Then I assume for the actual trial that the full panoply of judges and lawyers and witnesses and police and accused, etc., will all be together.

But given modern communication systems which the Minister is a strong advocate of, then I ask him whether any new innovations were being planned or programmed in the design of the new Court Building, and this one in particular.

MR. JORGENSEN: I'm not sure what my honourable friend means by new innovations. I presume that he's talking about the Remand Centre and the problem of transportation of prisoners.

I can tell him that although there is nothing in the existing plans that calls for the construction of a centre, we are still waiting for the Department of Corrections to submit, what they consider to be, their plans for such a facility.

But the site of the old Provincial garage, which is very close by, would seem to be a reasonably logical location for such a centre and that could well develop into a reality in future years.

MR. DOERN: Mr. Chairman, I think we heard that before from the previous Minister, that there was

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thought being given to. I assume, rennovating the old provincial garage for a possible Remand Centre, or as the Minister is suggesting, that there may be a new holding facility constructed on that site.

MR. DEPUTY CHAIRMAN: The Honourable Minister. 6. pass — the Member for Elmwood.

MR. DOERN: Well the Minister I think, is confirming that there is a thought of a new holding facility being built there, so the cost of that would of course, have to also be included in the package and would be an addition to the \$16 million expenditure.

Can the Minister indicate the estimated cost of that particular project?

MR. JORGENSEN: Mr. Chairman, I'm not able to do that at the time because the design and the plans have not been completed yet. As I indicated earlier, it is not included in the present plans; it is being considered as a possible future site for a Remand Centre and the cost, the design and those other features will have to await a decision on the whole matter.

MR. DEPUTY CHAIRMAN: The hour being 4:30, Private Members' Hour. Committee rise. Call in the Speaker.

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

PRIVATE MEMBERS' HOUR

MR. SPEAKER: The Honourable Member for Emerson.

MR. DRIEDGER: Mr. Speaker, I move, seconded by the Member for Springfield that Report of Committee be received.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I am led to believe that there is unanimous support for the following Motion. I move, seconded by the Minister of Natural Resources that this House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2:00 p.m. tomorrow. (Thursday)