

THE LEGISLATIVE ASSEMBLY OF MANITOBA
8 p.m., Thursday, May 13, 1976

INTRODUCTION OF GUESTS

MR. CHAIRMAN: Before we proceed this evening I would like to draw the attention of the honourable members to the gallery on my right here where we have 24 members of the St. Boniface Cub Pack under the direction of Mr. Don Gillies. This Cub Pack is located in the constituency of the Honourable Member for St. Boniface, the Honourable Minister of Health and Sockal Development. On behalf of all the honourable members I bid you welcome to the Chamber this evening.

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MR. CHAIRMAN: When the committee broke off for Private Members' Hour we were on Resolution 31(a) on Page 14. Resolution 31(a)--pass. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I had some concerns I wanted to express to the Minister, but if in fact he has dealt with them when I wasn't able to be here I'd certainly be prepared to read them in Hansard. But I would like to raise them because I think they have some concerns for me as well as some people who I represent.

One question I have in particular, Mr. Chairman, has to do with the new formula that's been applied to the Student Aid Loan Program, which was announced earlier in the year, where in effect the government indicated in its proposals that it was going to defer the granting of bursaries to a period that would be on completion of graduation in three years hence, and that in effect what the student would now have to do was acquire the full sum through a Student Loan Program and if they completed their studies then the Provincial Government would then apply the bursary after graduation.

Let me say to begin with, Mr. Chairman, that that formula itself smacks a little bit of fiscal dishonesty at times because in a sense you are simply really cooking the books in part to try and show a reduced expenditure that in fact is not a reduced expenditure at all but is simply a deferred payment. I think, Mr. Chairman, that the lesson should be learned that if there was any one major fiscal upset in North America last year was the bankruptcy that was occasioned in New York City, and the reason it was occasioned was for exactly these kinds of practices, which was a kind of game they got into which is an attempt to always put off payments in the future that they should have been making in their current expenditures. I think, Mr. Speaker, that this is just bad finances, in fact it comes close to being dishonest finances because you really are not paying your full bill at the full time in which it's being spent, but simply extending your capital operations, and I think that it is not being straightforward to the matter of the . . . this province. But perhaps, Mr. Chairman, more important than that is the effect it would have upon students. My own sense of it is that it would probably have the effect, from the students I have talked to, of providing a deterrent, particularly to students of limited means in terms of their utilizing financial assistance; that if I had to take out a full loan without a bursary it has in part a psychological effect, or whatever it may be.

A MEMBER: Explain that.

MR. AXWORTHY: Well, I'm trying to explain it. That's exactly what I'm on my feet to do is that in effect the expression of opinion that I've heard, Mr. Chairman, speaking to students in the university - where I do spend some time - is that in effect the present program will act as a deterrent to students utilizing government aid to further their education, particularly incoming students, particularly new students, who will neither fully understand the program or feel that somehow - and certainly there's good cause - that perhaps the government may not live up to its commitments eventually. That there is always that implied by putting the payment off into the future, by in a sense saying, well, you have to trust in us for the next three years, then in effect it provides a deterrent.

Mr. Chairman, I don't think the Minister should be scoffing at this frankly, I

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(MR. AXWORTHY cont'd) think - particularly this Minister who has enough problem with his credibility in the best of circumstances - should recognize this as a major concern about this program, and I think, Mr. Chairman, that it is a bad move on the part of the government. I think that I understand the reasons, that they wanted to demonstrate to the public that they were budget-cutters. They were going to cut something, and the one thing they decided they were going to cut was the operation of current accounts on the Students' Bursary Program, but they're not cutting in effect, they're just deferring it. The amount of money is just going to be deferred for three years, so they're getting in a sense a three-year vacation and then they have to put the money up anyway. But in a sense, Mr. Chairman, that is not, I think, proper financial procedures for this province to be following; nor do I think is it providing the sort of incentive that should be offered to students, and in fact will provide a deterrent effect.

So that, Mr. Chairman, is one of the concerns, not the only one, but it's one of the concerns that I have and I think, Mr. Chairman, I would then like to hear from the Minister some response to it.

MR. CHAIRMAN: The Honourable Minister of Colleges and Universities.

MR. HANUSCHAK: I've responded to that on two occasions and I really do not feel that I should take up the time of the committee to respond to that question a third time. It's perhaps unfortunate that the Honourable Member for Fort Rouge was not in the House when Student Aid Program was explained, but there is no attempt at any dishonesty or any gimmickry or anything of the sort; nor is there any attempt at loading the student with an additional loan burden or anything of the kind.

I explained this in full detail, and I'm well aware, and the committee is well aware that the cash outflow of the province will balance in about five years' time. So we're well aware of that. So the honourable member is not uncovering something new that the committee is unaware of or that we as the government have been unaware of. It's making maximum use of the Student Loan Funds that are provided for under federal legislation, but the effect on the student is no different than under the program as it was operating up until last year. So I have no intention of going into an explanation of the program for the third time.

MR. AXWORTHY: Well, Mr. Chairman, I can understand the Minister's reluctance to repeat himself, although that's never bothered him in the past, but the points raised in his abbreviated explanation, Mr. Chairman, I think still in fact support the kind of case I was making, and that is that it is a bad financial procedure, . . . of saying the books will balance in five years hence meaning that five years from now, which by a sheer coincidence happens to be after the next election would be half, will then balance, but it means that they will be paying an extra burden at that time, the taxes will have to be increased inordinately in order to make up what they should be paying for now. That, Mr. Chairman, is simply bad financial practices. However you cut it or try to explain it or rationalize it or anything else, it is just a bad system to get into. Because if you start doing in this program you start doing it in all other kinds of programs, and you end up, Mr. Chairman, where you're simply begging and borrowing Peter to pay Paul, and always in advance and always in arrears. And Mr. Chairman, I think that the Minister - well I won't pursue the point because the Minister doesn't want to talk about it, and of course as we discussed this afternoon we have no ability to force the Ministers to divulge or talk about things they don't want to - then I would think, Mr. Chairman, that the issue still is that this is a very bad precedent for this government to be getting into and a very serious one, and I expect at some point they'll have to answer for it.

Mr. Chairman, in terms of the other issues related to universities I think the one that I would also like to raise is to whether the Provincial Government has begun to take any steps to change the formula of financing procedures for universities. There has been a good deal of public discussion about the fact that perhaps too much is going into universities. I personally believe, Mr. Chairman, that the problem is that it may not be the amounts but the way in which it's allocated and the conditions under which money is given. That the formula of financing is really a way of . . . I think has had a very bad effect upon universities, it has done an awful lot of damaging things to them in terms

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(MR. AXWORTHY cont'd) of securing programs the wrong way, not allowing universities to properly plan for their own programs, nor to have any form of accountability in their own right, that when you're working on an annual budget where funds are assigned according to formula based upon numbers of students in classrooms, the first result that you get is that there is a form of kind of huckstering that tends to go on, and that as a result, the departments of the universities feel compelled to start competing to get more students and graduate students in order to increase their financial rolls to justify more faculty, and all you're simply doing is getting into a circle where one is chasing after one's tail in order to keep your finances up. I think that that has resulted in, Mr. Chairman, first in the deployment of resources in the university in an unfortunate way, in a way that, I think, has eroded in part some of the academic quality and independence of the university that has made it so dependent upon the public funds, that in fact the ability of the university to retain its role as an independent critic and source of ideas in the community has been diminished. I think that one of the primary causes, there are many causes, but one of the primary causes is the way in which we go about providing public funds. There was a time, Mr. Chairman, in this country where higher education was either in whole or in part supported through private donations or private funds.

That's no longer possible - I guess that costs have gone up too high - and as a result we've also wanted to expand universities to include far more people, so that the public has stepped in, but I think that the public purse is not being used in a particularly wise way. I would really like to know whether in fact the government is in any way considering the alternative of going into block financing, say, over a three year period, so that there would be a very set amount of money that would be applied to the universities, they would know exactly what their budgets were. They could then determine and allocate their own priorities, in terms of teaching and research administration; they could change the emphasis rather than having a line by line budgetary approach as they must adhere to, and therefore if they need to raise tuition, if they need to attract private funds, if they need to cut back, then they'd know exactly what they have to do because they've got a certain time formula in which to plan.

But certainly the way in which it's done now, where come Budget time sort of everyone scurries around trying to determine whether they can hike up their classloads, and so one department goes up, and one department goes down, and the whole question of certainty is removed. Really it's very difficult to do any kind of rational planning in a university context, and yet, Mr. Chairman, these are very large operations, we're not talking about sort of a corner store operation, were talking about budgets in the tens of millions of dollars, and if they can't define them properly then you're going to get the kind of results now which I think are not particularly happy ones in the sense of the form that dependency always provides with it a loss of a sense of feeling of independence and autonomy, which has always been the standard by which universities partly have to be judged by society, the degree to which they are able to retain that sense of being a part to some degree in being able to feel independent of the public purse.

So, Mr. Chairman, I would just simply like to know if the Minister and the Department of Colleges and Universities has examined the feasibility of doing block financing for the universities over a three or five year period, and if they have not only examined that problem but also looked at the way in which the fiscal formulas that are now being applied have a dilatorious effect upon the university in terms of its programs of teaching and its autonomy.

MR. HANUSCHAK: Mr. Chairman, I could answer the honourable member's question in one word. I believe his question was: "Is the government considering block financing, is the government considering a revision in the formulae for financing universities?" The answer to that question is no. Because, as the honourable member should know, that it is not the government that deals with the universities in budgetary matters, but rather it's the Universities Grant Commission. And the Universities Grants Commission has certain powers granted to it under the Universities Grants Commissions Act, and at the present time it is not the intention of the government to amend that Act in

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(MR. HANUSCHAK cont'd) terms of in any way varying its powers.

I would want to assure the honourable member that I'm quite certain that the Universities Grants Commission in its dealings with the universities is cognizant of the university's desire and need to plan, and to plan properly and hence no doubt does all within its powers to enable the university to do so.

If we're thinking of planning in terms of multiples of years, which has been used, it's been used in Britain, it's been used in Australia, and when the state of economic affairs is somewhat more stable then no doubt it has merits to it. But I'm sure that the Honourable Member for Fort Rouge will be the first to admit that in a time of instability, and particularly in times of rapid inflationary escalation, then any sort of long-term block financing becomes somewhat impractical, because what one may agree to or what one may decide is a reasonable course of action in terms of monetary allocation for various programs today, may become completely out of line within a matter of months and certainly a year or two.

MR. AXWORTHY: Mr. Chairman, I think that the Minister of Colleges and Universities is engaging in a peculiar form of flim flam when he tries to declare that in fact government has nothing to do with the financing of the universities, that it's all the Universities Grants Commission. That is just not so. I think that the allocation of budget amounts is certainly set by the Government of Manitoba, and as a result the Universities Grants Commission transmits that money and negotiates for it, but it's the Government of Manitoba that decides on those budget allocations. No if, way, or maybe, come on now let's, we're almost among friends, let's be honest with one another. To try and get away with that kind of pristine theory that is always paraded out as a way of somehow demonstrating that there is this fine line that government is simply there standing in a totally dispassionate objective way, is just not the way it works anymore. And the Government of Manitoba through its own department and Minister exercises a high degree of financial determination upon the spending of universities, it isn't only of total amount, then the formula comes into effect. I'm simply saying that that formula is really working to the detriment of the universities. It is not a healthy way of transferring public funds into a high education institution.

Now, once we can clear away that particular bit of underbrush we can maybe deal, Mr. Chairman, with the issue that is raised by the Minister about whether block financing is a way of providing a longer term financial commitment without having to resort to the student or classroom ratio that the formula now applies, whether in fact that would work in times of economic uncertainty, I think the Minister called it. I would propose, Mr. Chairman, that in times of instability that in fact it may provide a more stable form of finances because it is not waiting upon the whim and wigger of a government to decide whether the budget's going to be cut back this year and everyone sort of waits in heavy expectation to the decision that comes down around February or March in terms of, will we or will we not accept the proposal that's come through, and so everyone is sort of hanging on the thread of anticipation waiting for that final word in a sense. If there is a foundation of block financing so the universities know exactly what they've got and what they haven't got, then it's up to them to rearrange their own priorities. That's the way the public can hold them accountable. They say, look fellows, that's the money you've got. You've agreed to that formula; it's taken into account any indexing that may be required for growth factors. If you need more money you do it through tuition, you do it through private fund-raising, you cut back programs, you re-allocate your priorities. Maybe you don't put rugs on the floor this year. If you want to have another Professor of Economics you don't put a rug on the floor, or you cut back, or you turn the lights out, whatever the allocation - that becomes accountable. That's how you start determining responsibility.

But to go through this kind of last minutes, eleventh hour budget financing where in a sense you're putting far more onus on the persuasive negotiating skills of universities in relation to government and less upon their fiscal responsibility in managing the university, then I think that that is why we're getting ourselves into problems and that's why we have been in problems in some . . . Not just in this province, Mr.

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(MR. AXWORTHY cont'd) Chairman, right across the country, I think there isn't a university system in Canada that isn't experiencing that same kind of fiscal reversal and now that the bloom is off the universities, where it is no longer the thing to do and public support is waning or whatever the atmosphere may be, I think the pressure is on even more for a different style of management and I am simply saying, let's put some of the onus back on the university to manage more of its own affairs. But you can't do it as long as the strings are closely tied and being pulled.

Mr. Chairman, I can attest to that having seen the kind of budgetary accounting, the line by line approach that must go on. Frankly that does not in any way indicate autonomy to the degree that one has an ability to allocate programs and it leads to the kind of situation of if a university decides it wants to have a certain kind of graduate program, then it must wait upon decisions of Cabinet and everything else to whether it should be going ahead on these kinds of things, in terms of approvals.

Now I think if universities want to have graduate programs then they have to decide themselves whether it's in their interest and they can make them go or not. That I think is the kind of thing that block financing takes and they have ability to switch funds from one to the other which they won't have any more. They can no longer have budget transfers. If you're going to spend money on heating, you'll spend it on heating; you don't turn it over and buy some more books for the library with it. That is the kind of difficulty that we're getting into and we're almost making universities appendages like another government department. Mr. Chairman, government departments have never been known for their freedom of thought or action and I would be very sorry to see that kind of result or consequence occur because of the way we finance things now.

MR. CHAIRMAN: The Honourable Minister of Colleges and Universities.

MR. HANUSCHAK: Mr. Chairman, I would want the Honourable Member for Fort Rouge to know that this year I'm advised by the Grants Commission that in determining the level of support that is to be offered to the universities out of the public purse, it was on the basis of categorical grants using last year's expenditures as a base plus a cost increase. So to that extent, Mr. Chairman, I'm satisfied that the Universities Grants Commission - and again I want to assure you that it's not my intention to in any way encroach upon the authority which by legislation has been granted to the Grants Commission - but I would want to assure you that the Grants Commission has been mindful of accountability of universities to the community and to the public upon whom it relies for its support and in the manners I've outlined had proceeded in order to do that.

MR. AXWORTHY: Mr. Chairman, I'm sorry I don't know what the Minister said. It was a grouping of words that didn't have any coherence to them. --(Interjection)-- Mr. Chairman, does the Minister want to make another speech or is he finished? --(Interjection)-- Well if the Minister is now finished I'll be prepared to continue, Mr. Chairman.

The fact of the matter is I still don't think that he has answered the basic question about the need to change the financial formulas. Obviously he's not prepared to, so let's pass on to another topic. Perhaps the Minister could tell me at this stage what the position is relative to the development of the adult education on the university higher education level, if there is any major initiatives being planned or support being provided, keeping in mind that the separation of authorities that we're talking about, to move into programs say similar to the Adult Education Associations in Great Britain, or the open university system where in fact the availability of higher education would be stretched out to a much wider group of people throughout the province. I'm aware of the University's North Program which I think is a useful one and some of the extension programs run by the universities. But they represent, Mr. Chairman, a very small percentage of the total allocation of funds for universities and also reach a relatively limited group of people. I was wondering if the government has been examining again the opportunity to develop a thing like University of the Air, or Open University which is becoming a fairly prominent part of the higher educational system in other countries, to see if we're finding anything similar in this province.

MR. HANUSCHAK: Mr. Chairman, I do not know whether the honourable

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(MR. HANUSCHAK cont'd) member was in the House when we were discussing special projects where much of what the honourable member is asking about now was debated then, in fact practically all.

MR. CHAIRMAN: Resolution 31(a) - the Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I would like to raise with the Minister the question that was brought forward by the Canadian Association of Universities and Colleges in its recent briefs, positions related to the availability of research funds particularly in the scientific field, their claim that they're making. It's very much a claim made against the Federal Government which I think is a very important source of it, where in fact the ability of universities to undertake the variety of independent research items on a basis of their choosing, not directive research from government. I was wondering, could the Minister indicate to us some ball park figure as to the funds that the Provincial Government now allocates for various forms of university research and whether the figure is going up or going down or staying static; whether in fact it is directed research or whether it's responsive research and if the government has any plans of rationalizing its research program or any ability to fairly clearly state what its research program is related to support of university research.

MR. HANUSCHAK: Research funds are remaining at about the same level. One source of research funds of course is from the Federal Government, some from our government. The Department of Agriculture provides some funds for research activity in areas related to agriculture. I regret that I do not have an approximate figure but I do know that the level is approximately the same.

MR. AXWORTHY: Mr. Chairman, I'm wondering if the Minister would answer the second part of the question indicating if the government is undertaking any review of its research programs related to higher education in terms of the issue that has been raised by this Association of Colleges and Universities in terms of the severe cutbacks that are occurring in the field and the degree to which research becomes a component of the community in terms of stimulating a variety of benefits. Do we have a research philosophy or research program that is well articulated and is it matched by funding and could the Minister explain what it is?

MR. HANUSCHAK: Yes, Mr. Chairman. The government does have a committee which is responsible for articulating in co-operation with the universities the monies made available through government sources. This is a committee of the Planning Secretariat of Cabinet that's responsible for this. In addition to that the matter of research to the extent of federal involvement in it is a matter of concern to the Council of Ministers of Education which is a matter which presently is under discussion with the Federal Government.

MR. CHAIRMAN: Resolution 31(a)--pass; Resolution 31: Resolved that there be granted to Her Majesty a sum not exceeding \$469,600 for Colleges and Universities Affairs--pass. That completes the Department of Colleges and Universities.

COMMITTEE OF SUPPLY

DEPARTMENT OF TOURISM RECREATION AND CULTURAL AFFAIRS

MR. CHAIRMAN: I would now refer honourable members to Page 55. Resolution 109 - General Administration Division (a) Minister's Compensation, Salary and Representation Allowance. The Honourable Minister of Tourism, Recreation and Cultural Affairs.

MR. TOUPIN: Mr. Chairman, before making reference to my notes here I would like to express gratitude to different groups, starting with my own colleagues in Cabinet for the assistance given to me in the last fiscal year in the responsibilities that I have detained for Tourism, Recreation and Cultural Affairs; equally to my colleagues in caucus and more particularly my legislative assistant, Mr. Tom Barrow, the MLA for Flin Flon. I would like equally, Mr. Chairman, to show gratitude to members opposite who have been able to discuss programs related to Tourism, Recreation and Cultural Affairs and helped me form certain policies that I believe are indicated to be satisfactory to the people that we jointly serve.

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(MR. TOUPIN cont'd)

Over the last decade, Mr. Chairman, the late 1960s and the early 1970s, we have experienced a period in which increased attention has been focused upon those characteristics of society and of individuals which contribute to our quality of life. We have seen new interests and activities developed by people and organizations which have clearly indicated that a set of new qualitative values have become established in our society. Personal fitness, social interaction and involvement, personal creative expression through arts, interest in cultural activities, concern for the preservation of the natural environment and many other activities which have grown rapidly during the past ten years reflect this new awareness of society. The changes represent additional priorities that society has developed, priorities that were made possible by a highly productive, efficient and wealthy economy. Larger numbers of people than ever before had the education to develop these new concerns, the discretionary time to engage in activities, the income and the technology that open up new opportunities in our province.

Governments at all levels have felt the impact of these changes and have responded through larger commitment of funds for recreational and cultural programming made necessary by the increased numbers of people requiring the services and the new kinds of services needed.

The Budget of the Department of Tourism, Recreation and Cultural Affairs for example has increased from \$7 million in 1970-71 to \$21.6 million during the past fiscal year. We are in a period, beginning the second half of this decade, when economic problems which were felt for the past two or three years in most western countries have been affecting us here in this province, a period which calls for restraint on the part of institutions and people in order to ensure that our economic base remains strong and secure. The new awareness and concern for the quality of life which Manitobans have will not vanish because we have entered a period of economic restraint.

Discretionary time which people presently have is not subject to erosion by inflation, nor are their expectations so diminished. The challenges that the current situation poses to my department are clear. We must continue to provide the quantity and standards of service which Manitobans have come to expect and to provide them to an increased number of people during the next fiscal year and we must do this with less of an increase in funds than has been the case over the past few years.

The Department is committed to finding new and more efficient ways of delivering Provincial Park Services, to strengthening only the most productive and effective cultural and recreational programs, to maintaining an equitable distribution of services on the basis of need and to ensuring that our expenditures on the tourism industry increase relative to productivity. To a Department for which these have always been standard goals, the challenge is that much greater for the fiscal year 1976-77. Actions have been taken during the current fiscal year in this regard and their success has already been noticed in the fiscal year before us.

In order to further develop Manitoba's position as a tourism destination, to capture a larger share of the travel market and create a more positive response to the changing demands, a reorganization of the Department's Tourist Branch was initiated in September, 1975. With no increase in staff man years or funds, separate branches were created to deal with Tourism Marketing and Promotion, the consumer side of the travel industry, and industry development being the supply side. Each of these programs is sufficiently important to the economy of Manitoba to warrant the individual attention that they can now receive. Such attention is particularly required at the present time when tourism in many areas is in a depressed condition.

Travel to Canada by United States residents has declined two years in a row from a peak in 1973. Interprovincial travel by Canadians is not expected to grow strongly during a period of restraint and in order to maintain a strong and viable industry in Manitoba the productivity of our tourism promotion expenditures must be maximized. During the 1975 calendar year, non-resident visitors to the province showed no growth compared to the previous year. The trend varies on the basis of visitor's origin with the number of Canadian visitors declining from the 1974 level and the visitors from

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(MR. TOUPIN cont'd) the United States posting an increase from the previous year. Non-resident visitors entering Manitoba in 1975 totalled 3,143,000, being a decline of 7.5 percent from the 1974 levels. American visitors increased from 1,166,000 to 1,218,000 or by 4.5 percent. Visitors from overseas countries reached nearly 20,000 being an increase of 8.1 percent. Canadian visitors from the other provinces declined from 2,214,000 to 1,905,000 being a reduction of 14 percent.

It would appear, Mr. Chairman, that Canadians began to restrict long distance automobile travel during the year while the American market began to improve from the poor performance in 1974. Total spending by travellers in the province reached an all time high despite reduced numbers of visitors. Two factors are responsible for this: the higher prices for goods and services purchased by travellers and an increased length of stay by visitors to the province. It is estimated that total non-resident spending reached approximately \$107,600,000 for the year, an increase from last year's level of \$101,000,000.00. Approximately half of the visitors to Manitoba arrive here in June, July and August each year and of these over 85 percent are travelling by automobile.

The department's Research and Planning Branch conducted a study this past summer of the major segment of our visitor market. On the basis of personal interviews with 11,000 of these visitor parties, the value of our tourism industry is further substantiated. During the 92 days in those three months, non-resident automobile visitors to Manitoba spent over \$40 million in the province. They accounted for approximately half of all use of our hotels, motels and other commercial accommodations contributing in a central source of income to the 14,000 Manitobans employed in the accommodation, food and beverage and recreational industries during those months.

With Canadians facing economic restraints during 1976 and the American travel market improving and expected to improve substantially during their Bi-Centennial year, the new Tourism Marketing and Travel Development Branch has its work cut out. The Branch is responsible for all tourist marketing programs, preparation of the information publications, audio-visual presentations, the tourism advertising program, promotional activities of sports shows and out-of-province shopping mall displays. In addition it administers provincial travel information centres on major travel routes and in the City of Winnipeg.

During 1976-77 major changes will be made in the program of tourism marketing and advertising in order to concentrate attention in only the most productive markets using the most effective media. Funds expended in more distant markets will be reduced or deleted entirely and will be directed to Ontario, Western Canada, Minnesota and North Dakota. In the United States consumer magazine advertising will be deleted and the funds saved will be redirected to close in markets in the bordering states using radio and newspaper advertising to reach specific population centres. Expenditures applied against tourism markets in Quebec, newspaper magazine supplement use in the United States and farm magazine advertising will be reduced and the funds redirected to markets in Ontario, Saskatchewan and Alberta. The promotion of vacationing in Manitoba by Manitobans will be strengthened with funds diverted from U.S. magazine advertising. An in-province television advertising campaign will be developed to inform Manitobans in an attractive manner of the opportunities for holidaying within the province. Increased emphasis is being placed on personal contact with potential visitors to Manitoba to increase activities such as sports and travel shows and in-store promotions.

In addition the branch has opened a new information centre called Manitoba House in Minneapolis, Minnesota, to provide firsthand information to many residents in that city who spend their vacations in Manitoba. Creating an initial interest in visiting Manitoba, finalizing a sale and subsequently maximizing the length of stay is very dependent upon supplying prospective visitors with informative and attractive literature. The Branch now produces four major and 12 secondary booklets and brochures. Cost saving changes are being made in these programs as well.

The Manitoba Vacation Handbook is being redesigned and supplemented by regional vacation guides. By reducing the size of the Handbook and by providing regional supplements, costs have been reduced and fewer volumes of each will be required. The

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(MR. TOUPIN cont'd) major lure booklet will be dropped in 1976 and replaced by the Branch new publication called "Manitoba Moods" which is being sold by subscription in single copies through various retail outlets.

In keeping with these more direct and specific efforts to promote a variety of services and facilities available in Manitoba, the Department undertook the publication of the first Guide Book on Winnipeg Restaurants. The book called "Parsley, Sage and Cynthia Wine" written by Cynthia Wine has been a Manitoba and Canadian best seller with an almost immediate sell-out of the first printing and a strong sales continuing on the second printing. As all of these sales occurred during what is generally the off season for non-resident visitors, we anticipate a second sell-out as we enter the busier tourist season.

To obtain mass exposure the Branch produces films on Manitoba attractions and events. These are distributed through the National Film Board, the Canadian Government Office of Tourism and the Manitoba Film Library. Commercial distributors are used to maximize exposure in prime market areas. During 1975 these films were viewed by an audience in excess of 18,000,000 people. Through these alterations in the organization and the Tourist Branch, the changes and the placement for our advertising program, and the publications and Information Services, I am confident that we will see a growth in non-resident expenditures in Manitoba in 1976 and that the industry will maintain its position as one of the province's most important sources of export dollars.

In order that the development of facilities, services, events and attractions in the province keep pace with the changing demands of the travelling public, the Tourist Extension and Development Branch was established to provide services to the industry in Manitoba. Regional travel industry development offices provided consultative services to existing and prospective accommodation operators, training and education courses to personnel employed in the industry, pertaining to the industry as a whole. During the past year the development consultants responded to requests from 405 persons proposing to establish new accommodation facilities in Manitoba. From an initial outline of legal requirements, financial and operation consideration, assistance to prospective operators has included formulation of feasibility studies, review of site and building plans, organizational planning, marketing programs, operation of review and management, and including employee training. Of these 405 prospective new operators assisted in 1975-76, some 60 have progressed to review by the Accommodation Licensing Authority and 29 new operators have been issued permits to build.

The development consultants annually make personal visits to all tourist licenced facilities advising operators as to physical maintenance and improvements that can be carried out to enhance the establishment's appeal to users and to improve earning potential. Inspections are also held on a regular basis in order to ensure compliance with standards for accommodation facilities under the transient accommodation facilities regulations. The development officers are available to operators on an advisory basis as well and provide some 4,500 contacts per year. During the past year one development consultant has been assigned to activities on prospective native operators of transient accommodation. There are at present five native owned and operated facilities and 20 prospective operators were assisted during the year.

The training and education program offered by the Branch consists of three levels of courses designed to maintain high standards of management and service and to develop awareness of the travel industry's potential among the business community.

Regional involvement workshops which involve all segments of regional business are organized to identify viable regional or local development opportunities and to initiate action on them. In conjunction with the Manitoba Hotel Association and the Tourist and Convention Association, the Branch assists in organizing management seminars and in examining the possibilities of providing the industry with a long range program of management analysis assistance based on an electronic data processing system.

Many training courses begun in the current fiscal year are organized for groups of seven or more employees involved in the industry. These courses which cover house-keeping and front desk personnel, food service personnel and others, are designed to

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(MR. TOUPIN cont'd) assist employees in developing their skills and to motivate a positive attitude towards service to patrons.

The programs of the Extension and Development Branch are increasingly important during periods of economic restraint when particular attention must be paid to increasing the productivity of our tourism plan and ensuring that our present markets are maintained through high quality facilities and services. Increasing numbers of Manitobans, many of whom are finding long distance automobile vacations to areas outside the province increasingly expensive, are seeking more of their recreation and vacation experience in our provincial parklands.

The Provincial Parks Branch, which is the largest single branch in the department, presently administers some 11 major provincial parks, 43 provincial recreational areas, and 90 wayside parks. A total of approximately 2.2 million acres of land and water areas are included within the provincial parks system. As well as preserving a unique and exemplary portion of the Manitoba landscape and habitat these lands over the past year provided recreational opportunities for some 4.1 million visitors, an attendance which is 9.9 percent higher than that experienced in 1974 and 49.5 higher than that at the beginning of the decade.

During the year visitors purchased a record \$202,460 park entrance permits and spent \$303,952 party nights in provincial campgrounds. The program of free seasonal park passes for persons age 65 or over, introduced in 1974, continued to be received in 1975 and they received 6,835 in 1975. This is an increase of 1,011 from 1974 and, Sir, illustrates the interest that the elderly citizens of Manitoba have in the province's heritage of natural resources.

Fee for the use of provincial parklands were adjusted in 1975-76 with increases for the rental of campsites and for leases to summer home lots being made. This was the first time campground fees had been increased since 1970 and the first increase in lease rates for summer homes since 1958. During 1976 additional increases in park fees will and - since I've had these notes typed out - have been increased in order to keep revenue in line with increase in costs of operation and maintenance of parks. The increase will affect all park user fees with the exception of campground fees and will be consistent with the guidelines of price increases being a maximum of 10 percent increase.

The new Hecla Provincial Park was officially opened in July of 1975 and during the first partial season of operation had an attendance of some 60,000 visitors. As the park was not fully operational until late July this number of visitors indicates that it will be a highly popular destination for Manitobans. Gull Harbour Campgrounds already was utilized to 40 percent of its capacity during the season and the new style of accommodation, the low cost rental cabins were utilized at nearly 60 percent of their capacity. Research indicates that the park is drawing visitors away from some of the more heavily utilized parks such as Grand Beach and the Whiteshell and is providing visitors with a new and exciting outdoor recreation experience on Lake Winnipeg. The campground and rental accommodation in the park will be completed during the 1976-77 fiscal year by the construction of a new 60 unit lodge at Gull Harbour. This facility is being constructed under an agreement with the Federal Government's Travel Industry Development program with 50 percent of the cost being supported by the Federal Government's Office of Tourism. It should be noted that Manitoba was the only province to obtain sharing on a capital development project under the Industry Development program before the program was cancelled by the Federal Government. The new lodge will provide required accommodation during the busy summer months and will create opportunities for year-round use of the park and it will also allow residents to enjoy short vacations in the province during the winter months, a trend that has been growing markedly in the last few years.

Another very significant addition to the park system which occurred in 1975 is the area known as Bald Head Hills. This zone of open sand dunes south of Carberry was added to the Spruce Woods Provincial Park and a program of conducted hikes was offered to the park visitors. Over 3,000 people took advantage of these hikes provided by the park's interpretive section.

Traditionally many Manitobans, particularly citizens of Winnipeg, have looked to the Whiteshell region as their primary area in which to enjoy outdoor recreation and

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(MR. TOUPIN cont'd) vacation activities. The rugged scenery, lakes and streams all contribute to make this part of the Canadian Shield attractive and suitable for outdoor recreation. Easily accessible by the Trans-Canada Highway, the Whiteshell has attracted larger and larger numbers of visitors each year. Since 1970 over a million visits per year are made to this park or nearly 30 percent of the total attendance to the entire park system. Such continued high use has placed severe strain on the resources of the area. The accessible lakes have been fully developed with campgrounds, day use facilities and cottage areas. In recent years visitors to the park have begun to seek the more remote, less used areas by canoe, cross-country ski and on foot. Even these less accessible areas are reaching their capacity to accommodate further increases in use.

In order to provide for the demands which Manitobans have for recruiting in this Shield environment the Parks Branch has undertaken an intensive study over the past two years of an area along the Ontario boundary between the Whiteshell Provincial Park in the south and the Manigotagan River to the North. During 1976-77 fiscal year a portion of this region is being officially designated as the new Nopiming Provincial Natural Park, Nopiming being an Indian word translated as meaning "into the wilderness." The new park will be accessible by provincial routes 314 and 304 and to facilitate access to the recreational opportunities in the park a new scenic road is being developed connecting the two routes between Long Lake and Cat Lake. The new road will open up ten major lakes which can support a wide range of recreation opportunities plus many smaller lakes and streams.

An important and central concept for this park, the concept that has guided the planning process, is the need to preserve the integrity of the landscape and environment of this region to ensure that future generations will be able to enjoy the park in its natural state. Much of the region will be set aside for extensive activities such as canoeing and hiking. Low density development will be the rule. As well as providing for these popular extensive recreational activities this area will preserve the habitat for the wildlife of the region including the province's most southerly herd of woodland caribou.

I expect that many of the honourable members are aware that the department has opened its first winter park here in the current season called the Spring Hill Provincial Park located on the Floodway adjacent to Highway 59 opened for use in December, 1975, with skiing facilities, tobogganing areas and zones for snowmobile use. The facilities proved to be very popular, particularly to younger people and to novice skiers who would not otherwise be involved in the activity.

During 1976-77 the Provincial Park Development Program will consist of projects required to up-date existing park facilities, the expansion of facilities where the volume of use being experienced is beyond existing capacity, the completion of selected projects begun under the winter works program and the provision of priority facilities in new park areas. A total of \$3.7 million is being requested; 2.9 from general revenue and 800,000 under the FRED Program which is shared 60 percent by the Federal Government and the Winter Capital Works Program.

A major share of these funds are for the improvement and development of water and sewer utilities in existing parks and for road repairs. Service and staff facilities will be provided or improved at Hecla Provincial Park and at the Selkirk Training Plant. The program of providing marine services and facilities will be continued with development of launching and wharf facilities provided at Balsam Bay, the construction of an on-shore facility for boat launch and wharf on the Red River at the Floodway and engineering studies for marina facilities at Grand Beach. Renovations and improvements will be made to the old log building in Hecla Provincial Park and the ski chalet at Falcon Lake. Funds under the FRED program will be used to improve facilities at Lundar Beach, Watchorn Bay and the Steep Rock recreational area, all in the Interlake region. A total of \$1.2 million in capital is included for development work at Assiniboine Park and Zoo.

Over the last few years increasing numbers of Manitobans have been seeking summer cottage opportunities. Many of these people would be satisfied if they could rent a cottage for a few weeks for their vacation while others want to build or purchase their own. Programs of the department are designed to satisfy the demand of both these

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(MR. TOUPIN cont'd) groups. In 1975-76 the department began a program to develop rental log cabin accommodation in several areas. The program actually serves a dual purpose. It provides rental cottages and assists in developing techniques for log building construction, techniques that should prove extremely useful in the northern part of our province. In 1976-77 the program will be continued with 25 units developed at Camp Morton, Ironwood Point, Eden Lake as well as in other parks and recreational areas.

For families who choose to own their own cottage the Parks Branch opened up for public leasing a new cottage subdivision at Bannock Point on Lake Dauphin consisting of 35 lots and an additional 20 lots on Lake Wanipigow. In 1976-77 work will continue on cottage subdivision on the Shellmouth Reservoir at Long Lake and Wendigo and at more areas in the north. Lots in several of these subdivisions will be available in 1976. An announcement to that effect will be made whenever this is possible.

The program of providing allotment for vegetable gardens for residents of the City of Winnipeg which began last fiscal year will be continued. During 1975 over 200 of these plots were rented to residents primarily apartment dwellers and it is anticipated that this will increase to several times that number in 1976.

The provincial park system provides a major resource for outdoor recreation opportunities for Manitobans seeking vacations in the province, for activities on weekends and preserve important segments of the provincial environment. A more local level of outdoor recreation opportunities required in close proximity to communities throughout the province to provide facilities for recreation activities on weekdays and for short distance travel. Regional parks developed by communities and rural municipalities provide such local opportunities and in order to encourage the future development of regional parks throughout Manitoba the department is looking at pursuing the policy established in 1975 in sharing costs with the municipalities pertaining to regional parks.

The budget for the Parks Branch during 1976-77 for the operation and maintenance of existing facilities and services will be maintained at the existing level of service, with an increase of 8.5 percent to cover cost increases. Increases in the Special Projects Appropriation have been made in order to provide additional funds for the Regional Parks Program and for work to control forest tent caterpillar and Dutch elm disease. Growth in the operations and maintenance program is being kept to an absolute minimum but it is our intention that increasing efficiencies in this area will allow the department to maintain services at the standards which Manitobans have come to expect.

Responsibility for the identification, acquisition, restoration and interpretation of the themes, buildings and sites of significance to the human history of Manitoba rests with the Historical Resources Branch of the Department. The history of man and woman in Manitoba extends over ten thousand years and the goal of the Historic Resource Branch is to identify the major themes which characterize this long history and to interpret them to Manitobans. This is best accomplished through archeological excavations, authentic restorations and reconstructions and public information programs based on sound research. The province, through this program, can provide the leadership and stimulus to entice historic conservation efforts in Manitoba.

The archeological program in the Branch has completed the development of a basic theme program for archeological research and interpretation during the fiscal year. This will serve as the guide to the Branch archeological investigations and give direction to work by the universities. Regulations were developed concerning the conduct of archeological work in the province to ensure that significant sites are properly researched and recorded. During the year the Branch oversaw applications for archeological permits for work at 20 locations and monitored activities at the sites. The most active sites are along the Winnipeg River and the Manigotagan River and the Churchill River and the Southern Indian Lake region and at a number of locations in south western Manitoba. The Historic Branch completed the restoration of Hecla Church during 1975 and the partial restoration of six other buildings of historical and architectural significance, including Maison Turenne and Grund Luthern Church.

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(MR. TOUPIN cont'd)

Evaluations were completed on the architectural soundness and significance of such buildings as St. Mary's Anglican Church in Virden, Mutter's Store in Brandon. That's a word a person from French extraction can say quite well. It's not "mother" it's "Mutter's" - Mutter's Store in Brandon, and the St. Boniface Hotel. Survey projects to identify structures of architectural and historical importance in rural Manitoba communities and in northern communities were continued. Information gathered in these projects is made available to the municipal jurisdictions to assist them in physical planning in their region.

The 1976-77 Budget for the Branch continues to work during this fiscal year and make provisions for an increased grant to the City of Winnipeg for support to the city's historical program and for a grant to the Vintage Locomotive Society for the Prairie Dog Central. The latter grant is a one-time support to allow the society to refurbish its rolling stock to meet the standards of the Canadian Transport Commission. The Prairie Dog Central consists of an 1882 steam locomotive, four passenger cars and a baggage car. Renovations will be made to the facilities to keep this authentic resource in operation during 1976-77. The train provides an attraction unique in Canada and has proven its popularity with both residents and visitors over the past few years.

The Heritage Manitoba Act passed at the last session of the Provincial Legislature was proclaimed in 1975. Announcements of appointment to the board of this organization will be made during 1976 and the program of the Foundation will be prepared.

While receiving programs of historical resources, it should be noted that the Provincial Archives completed the move from the Legislative Building to the new Manitoba Archives Building in 1975. Many members will have had a chance to see the new building for themselves since the research rooms were opened to the public last April, or when the whole building was officially opened last September 23rd. This impressively converted building will be able to provide a home for the printed and visual records of Manitoba's history for many decades to come. Honourable members will recall that in 1974 the Hudson's Bay Company moved its vast and invaluable archives, dating from 1670, to Canada from England and deposited them in the archives of Manitoba. Since the new reading rooms were opened April 17th, not only Manitoba researchers but also scholars from across Canada as well as from such diverse American states as Virginia, California and North Dakota have travelled to work in them.

It has been said frequently that this is the age of visual mass media. Certainly the fruit of these observations is supported by the numbers of requests received by the Provincial Archives from television stations, movie makers, book publishers, school systems and the general public for copies of documents, paintings, photographs, and maps. In 1975 for example 6,413 orders were handled, an average of 26 during each working day. In order to maintain this service during 1976-77, one position is being added to the branch. Beyond this addition the program will remain basically at current levels over the next fiscal year.

The Legislative Library also completed its move from the space occupied in the Legislative Building to the Archives Building during the year. With the assistance of the Department of Public Works the task of moving the massive quantity of material was accomplished in a little over four months in time for the official opening of the new building.

The greatly expanded stack area, the special quarters provided for various services and the improved work areas are already proving valuable in making materials more accessible and allowing the staff to work with greater efficiency. Plans have been made and will be in full operation during the 1976-77 year that will revise library procedures, reorganize the collections and generally make more efficient the performance of the library in its service to the honourable members, personnel of government departments and the public.

In my last Budget address I was pleased to announce new levels of support that are being provided through our public library service branch to the many municipal

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(MR. TOUPIN cont'd) and regional libraries in Manitoba. At that time the new support formula called for a \$2.00 per capita grant to a maximum of 50 percent of operating costs for libraries serving over 10,000 people. Since that time the new support level has been extended also to regional libraries serving three or more municipal jurisdictions regardless of population size. Provisions have been made in the 1976-77 Budget of the Public Library Service Branch which will enable the staff to begin investigating and planning in two important areas. Work will commence on program plans for library services to special groups such as the visually and physically disabled, the elderly, homebound and the institutionalized. These groups to date have been underserved by public libraries generally and special attention must be paid to them on a priority basis.

The second program is designed to provide a set of standards for public libraries in the province which reflect the particular Manitoba situation. Standards will serve as invaluable tools to the individual libraries in the province and will help them guide their growth and development in a logical and realistic manner. These projects will require the involvement of community groups and citizens throughout the province and staff of the Department will be contacting and working with them towards these programs.

Within the Recreation and Cultural Affairs division of the Department the Secretariat of Federal-Provincial Cultural Relations is responsible for the program of support to multi-cultural organizations, the grants to major cultural institutions and organizations in the province and Francophone matters as related to The Official Languages Act as well as minority language and cultural rights. The Secretariat maintains provincial responsibility for programs emanating from international agreements with Canada, with international agreements which Canada has entered into such as the Franco-Canada Agreement, the Soviet-Canada Cultural Agreement, the Conference of Ministers of Education of French-speaking countries and others.

Again during the past year, valuable advice and assistance has been provided by two well functioning advisory committees on multi-cultural and Francophone matters, namely the Minister's Advisory Committee on Multi-Culturalism and Comité Consultatif auprès du Ministre. I am pleased to report that the highly successful linguistic support program providing grant assistance to organizations teaching ancestral languages outside the public school system will become an ongoing program of the Secretariat. In excess of 5,000 students will have benefited from this program in 1975. The Secretariat will also continue to support the culture and language camps at which children can experience their respective ancestral language and culture while enjoying our provincial parklands. Manitobans can take a great deal of pride in the leadership role that citizens and organizations have shown in advancing the multi-cultural nature of our society in Manitoba and the Department's program designed to assist their efforts will continue to receive priority in the Secretariat's function.

Major cultural institutions such as the Museum of Man and Nature, the Winnipeg Art Gallery, the Western Manitoba Centennial Auditorium, the Centre Cultural Franco-Manitobain and the Centennial Centre Corporation all continue to increase in popularity and use by the citizens of Manitoba. Attendance at these facilities has never been larger. The program of grants to assist in the operation and maintenance of these facilities will be continued in 1976-77 to ensure that they can maintain their present valuable service to the Manitoba community. I wish at this point to mention the efforts of the Manitoba Arts Council for their service to the province as the agency responsible for distributing grants to our major performing and visual arts organizations. Through the efforts of their staff, board members and chairmen, our cultural life continues to be enriched.

Le Secretariat des Relations culturelles fédérales-provinciales maintient son rôle de liaison avec divers organismes ainsi qu'avec les gouvernements provinciaux et fédéral concernant la loi des deux langues officielles. C'est pourquoi, le Secretariat continue de représenter la province à des conférences internationales regroupant les pays de langue française, pour se pencher sur des sujets communs dans le domaine du loisir, et de la culture et l'éducation. C'est par sa participation active aux réunions et programmes de l'Agence de Coopération culturelle et technique que le Secrétariat a obtenu en 1975-76, une bourse d'étude de 5 mois en animation culturelle et une bourse d'un an en gestion à l'École internationale de Bordeaux, pour deux jeunes manitobains. Par le truchement de

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(MR. TOUPIN cont'd) cette même Agence, cinq artisans manitobains ont vu de leur oeuvres faire partie d'une exposition artisanale à l'Ile Maurice. En plus, une de nos jeunes artistes participait activement à l'organisation de cette exposition à l'Ile Maurice. Une autre jeune manitobaine a participé à un chantier de reboisement regroupant des jeunes francophones de quelques vingt pays, en Haute Volta, Afrique.

Par l'entremise de l'Accord culturel France/Canada, trente-cinq professeurs de français langue première, ou langue seconde ont eu l'occasion de passer un mois dans une université française, poursuivant leur formation pédagogique tout en bénéficiant d'un bain culturel. Pour la première fois, cette année, une évaluation très systématique et structurée a été faite de ces cours. Les premiers résultats semblent très encourageants.

La France a encore cette année, mis à la disposition de la communauté francophone, un conseiller pédagogique et un journaliste. En retour le Secrétariat offre deux bourses d'étude pour des étudiants français.

Le Cinébibliobus que la France avait opéré jusqu'à cette année, vient d'être acheté par la province et servira de véhicule de diffusion d'information culturelle, et touristique.

L'Accord culturel Belgo-Canadien tenait sa première reunion cette année, accord duquel sortira sans doute des programmes d'échanges très intéressants pour le Manitoba.

In order to provide for communications by Provincial Government Departments and agencies in both of Canada's official languages, the Translation Services Branch was established in the Department in 1974. In 1975-76 fiscal year, the small staff of four served over 75 different agencies and branches of the province, translating some 600,000 words. Departments are now billed for this work and it is expected that the service will be largely self-supporting during 1976-77.

The delivery of community recreation programs to citizens of the province has always been and will continue to be a primary responsibility of the local municipal levels of government. However the programs of the Recreation Branch of my Department will continue to provide technical, financial and organizational support to these local jurisdictions to ensure that each community has an adequate level of recreation and cultural opportunities for its residents. The major programs of this Branch assist in mobilizing the human and physical resources throughout the province that contribute to the expanding and the improving of leisure pursuits.

For the Recreation Branch, 1976-77 will be a year of consolidation and internal strengthening. There will be no significant new programs but the restructuring of some existing services to increase their effectiveness in the delivery of services to all regions and steps to improve program efficiency. During 1975-76 the program of grants to communities hiring full-time recreation directors provided assistance to 22 jurisdictions. In order that such assistance can be made available to the smaller centres a new program for the establishment of recreation districts was started in 1975-76. Four such districts were organized and directors will be hired in each. Since this program allows a number of rural communities to combine efforts in supporting recreation service, hence reducing overall costs, attention will be concentrated in this area in 1976-77.

In the remote northern communities the possibility of such co-operative efforts to provide recreation leadership are lacking since communities are isolated from one another. The need for recreation programs in these areas, however, is equally as important. During 1975 a New Careers program was initiated jointly between my department and the Department of Colleges and Universities to provide 13 recreation director trainees for 9 northern communities. These include Churchill, Moose Lake, Shamattawa, Thompson, Brochet, Wabowden, Easterville, Cross Lake and Berens River. The program serves the dual purpose of providing recreation program leadership in these communities and a New Career training opportunity for the young people participating in it. A second program to provide lower cost recreation programming in the northern centres was developed co-operatively with the Frontier School Division. Seven communities are now receiving the services of teacher recreation directors: Duck Bay, Pelican Rapids, Cormorant, South Indian Lake, Wabowden, Berens River and Norway House are included in this program and have experienced excellent results in combining community and school resources to

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(MR. TOUPIN cont'd) establish new recreational programs. The teacher recreation directors devote their time equally to community recreation services and school programs.

While reviewing the department's activities in northern Manitoba I would like to get the attention of my legislative assistant, the Honourable Member for Flin Flon, and indicate to the members of the House that he has provided me with a firsthand overview of the effectiveness of our programs in the north and has contributed valuable advice in the development of recreational service in northern communities. In order to help ensure effective delivery of programs - that is the programs which people want - regional recreation councils has been formed in each of the seven rural regions of Manitoba. Sub-committees of these councils deal with Creative Arts Programs, Manitoba Games, senior citizen programs, and facilities development. The Regional Recreation specialists employed by the Branch will be working closely with these councils in 1976 to keep them informed of provincial programs that affect the region and to co-ordinate use of both local and provincial resources in program development. The sub-committees on facilities will play an important role in advising the department's program of capital grants for facilities development.

Since the inception of the Capital Grants program a total of \$3,257,314.74 has been paid out on projects in communities throughout Manitoba. Series four of the grants program will be completed during 1976 with funds from the proceeds of Wescan Lottery. Also with funds from this lottery program the Recreation Branch will continue the successful Festival Manitoba program in 1976-77 with increased emphasis being placed on activities in rural Manitoba. Funds from this program will be utilized to strengthen regional programs in the performing and visual arts and to provide residents of rural areas with opportunities to participate more actively in the cultural life of their community. The emphasis being placed by the Recreational Branch on programs which result in the co-ordination and sharing of resources will serve to increase community opportunities for leisure activities in 1976 within budgets that are all feeling the effects of limited growth.

The department's Research and Planning Branch and Manitoba Horse Racing Commission over the past several years have examined critical provincial involvement with the racing industry and studied techniques for stimulating its development. The studies have already led to important program innovations and regulatory changes and the department plans to act upon several of the remaining recommendations.

Three important improvements occurred in 1975. First the department implemented the new purse grant formula. Purse grants now increase with growth in wagering. Second, the Breeders' Incentive program, which was introduced in 1974 was expanded to encompass the rural harness circuit and four-year-old thoroughbreds. Third, the thoroughbred season was extended from 56 to 70 days following passage of enabling legislation.

Along with imaginative new management at Assiniboia Downs, the Provincial Government purse grant formula and extension of the thoroughbred season were key factors in the spectacular 41 percent growth in wagering the industry achieved during 1975. Provincial wagering topped \$24 million which is an all time record. 1976-77 will be an especially crucial year for the province's racing industry. Legislation to reduce the tax burden on the industry has been announced and will be pursued. This year for the first time the province will provide funds to the Manitoba Horse Racing Commission to improve the Commission's administration and regulation of racing and to enable it to hire a full-time executive director. Re-organization was necessitated by increases in the size and complexity of the industry since the Commission was formed and by future development needs of the racing industry.

There are two other noteworthy changes that will benefit the industry in 1976-77. First, a further six day extension of the thoroughbred season has been authorized by amendment to the regulation. Consequently Assiniboia Downs will conduct a 76-day thoroughbred meeting this year. Second, the department will enrich this program of assistance to the rural harness circuit. Although the general economy may not be as conducive to strong growth as in 1975-76, the department foresees another year of exceptional growth for the Manitoba Horse Racing industry if the department's other programs are bolstered by enactment of tax reduction.

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(MR. TOUPIN cont'd)

With the principal challenge for the department in 1976-77 being the maintenance of levels of service required by Manitobans within restrained budget allocation, the focus of work of the department's Research and Planning Branch will be on internal program review and analysis designed to increase program effectiveness and efficiency. The research program for the Provincial Parks Branch will concentrate on the improvement of existing inventory control systems and procedures and the development of information required for parks master planning. Anticipated changes over the next few years in recreation demands caused by increased costs of travel and recreation service must be delineated and new program policy alternatives outlined. Research funds allocated to the tourism programs will be used to gauge the success of the changes made in these areas and increased emphasis will be placed on developing understanding of the . . .

MR. CHAIRMAN: Order please. The time allotted for the Honourable Minister has expired. --(Interjection)-- Does the Minister have leave? (Agreed)

MR. TOUPIN: Thank you, Mr. Chairman. I've only got about five or ten minutes. Thank you.

Increased emphasis, Mr. Chairman, will be placed on developing understanding of the substantially different community cultural and recreational activities in order to anticipate effects of program changes and to develop programs in a most efficient manner. With a Research and Planning program budget which is less than in previous years the work of the Branch will be directed towards strengthening existing services rather than the development of new services. As we enter in the latter half of this decade a period of economic restraints on the part of individuals and governments we can expect to feel some effects on our recreation, vacation and cultural activities. Some higher cost alternatives which people have been enjoying or looking forward to may have to be deferred. This does not mean, however, that Manitobans of any social or economic group would be without healthful and enjoyable activities to engage them during their leisure time or relaxing places to spend a family vacation.

Through program changes and developments which I have discussed, it is the department's goal to increase the recreation opportunities available to all our residents, to assist Manitobans in realizing the quality of life they seek.

I wish to thank the honourable members for their attention and I hope that I'm able to deal with their constructive criticism.

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MR. CHAIRMAN: Resolution 109(b) Policy and Program Development: (1) Salaries \$191,200--pass, - the Honourable Member for Roblin.

MR. McKENZIE: I just wonder where we can deal with the boards and commissions that come under the Minister's jurisdiction. They are not responsible to the Deputy Minister are they? Such as the Centennial Corporation, and Man and Nature, Does it come under this item?

MR. TOUPIN: Mr. Chairman, the boards and commissions, most of which answer directly to me.

MR. CHAIRMAN: I would say in that case to the honourable member that the probable spot would be under the Minister's salary when we return to his salary. (b)(1) - the Honourable Member for Roblin.

MR. McKENZIE: I wonder, Mr. Chairman, would the Minister first of all give us a breakdown of his staff in the whole department and any changes that he's had in the past year.

MR. TOUPIN: Mr. Chairman, I'm unable at this time to give details pertaining to staff persons that have left the department and have been replaced, or to indicate the filling of vacancies caused by an increase of staff man years during 1975-76. I can attempt to obtain this information for the honourable member and supply it to the House at the first opportunity but I don't have the manual here that deals with past people directly. I can only deal with programs, policies and details pertaining to those programs and policies but not necessarily to staff themselves.

I would like to indicate to the honourable member that pertaining to the boards that do answer directly to myself, they would be the Film Classification Appeal Board, the Public Library Advisory Board, the Historical Sites Advisory Board. There's a Policy Committee that I formed that deals directly with me; there's the Board of the Centre Culturel Franco-Manitobain. There's the Museum of Man and Nature Planetarium and Heritage Manitoba. The other boards that answer to myself and to my Deputy Minister is again the Film Classification Board in certain cases, especially pertaining to administrative matters; the Manitoba Arts Council, the Horse Racing Commission, Manitoba Centennial Centre Corporation, the Advisory Committee of Multi-Culturalism and the Advisory Committee on Tourism.

MR. McKENZIE: Mr. Chairman, just a brief question. I think all the annual reports from the Minister's office were tabled. I think were all tabled together in February some time. But these various boards and commissions I recall last year that we had a report for the Legislature from the Film Classification Board. I can't recall having received one this year. Are there any of the other ones that provide reports for the members, such as the Manitoba Games Board. Do they have any annual reports that . . . or do they all just go to the Minister?

MR. TOUPIN: Mr. Chairman, to my knowledge I've tabled all reports that I'm compelled to table. I can recall tabling last year the report of the Film Classification Board and I can so do again this year. There is a report that they made to me quite recently and if honourable members are wanting a copy of that report I'll make it available to them. But all reports that are compulsory to be tabled in the House, to my knowledge, have been tabled.

MR. CHAIRMAN: Resolution 109(b)(1) - the Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I thank the Minister for an exhaustive treatment of the Department but I wonder if he could explain under this heading what particular policy development the department is now contemplating. He described the end result in the development of some new parks and some reorganizing of the Tourism Branch. I wonder if he could indicate if there is any new policy and program initiative that the department is presently working on?

MR. TOUPIN: Mr. Chairman, I indicated in my opening remarks that the funds made available under this section would not allow myself and officials of the Department of Tourism, Recreation and Cultural Affairs to engage in that many new policy reviews but we would certainly concentrate most of our efforts pertaining to staff man years and dollar-wise in maintaining programs at at least the same level that people expect of us

(MR. TOUPIN cont'd) in 1976. We're reviewing our internal policies pertaining to existing programs to see if it would be at all possible to cut down on certain areas and launch ourselves in new directions that would not cost more to the taxpayers but offer a better service to Manitobans wanting to avail themselves of programs initiated directly or indirectly through boards and commissions that are responsible to the Department of Tourism, Recreation and Cultural Affairs in regards to facilities and regards to grants that are being given, again either directly through the department through facility grants programs or through the Arts Council or other boards and commissions that are set up to advise myself or that pay out directly amounts that are given to them at the beginning of the year.

The provision of the development and policy programs is really aimed to ensure effective achievements in relation to government policy and consumer population needs so it's quite vast in context. But I really want the Planning and Research Secretariat of my department to review internally policies that have been implemented many years ago but I feel should be reviewed because of the lack of additional funds sought for in 1976-77.

The provision for long range planning assistance and central computer services for the department as well as for the development measures and analysis of the output efficiency and effectiveness of the department's programs. Here we include approximately, I believe it's 12 permanent staff man years consisting of a director, eight analysis planning assistants and two support staff. There is 2.26 term assistants which is a total increase of 13.7 over last year. The three staff man year increase represents the conversion of three analyst positions from contract to permanent status. There's no net change in current expenditures resulting from the conversion.

There is several areas, Mr. Chairman, that are intended to be reviewed in regards to the development of tourism expenditures and impact models that were reviewed and will continue to be reviewed in 1976-77. There's the collection of the annual tourism statistical data; there is the program of performance output and effectiveness; the development of guideline standards for recreation facilities and programs in communities in the province. There is the program of household leisure alternative study, the tourism development and extension program assistance. There is the horse racing industry study that was started in 1975-76 that will be continued in 1976-77 because the legislation that is forthcoming to the House makes provision for only one year under legislation to be extendable by Order-in-Council. So we want to make sure that what is being recommended as an amendment to The Amusement Act, in reducing the pari-mutuel tax will result in a benefit to all sectors of the industry. So that will be continued through the planning and research capacity within my department and including expertise that now lies within the Horse Racing Commission.

There's a white paper being developed jointly through Parks Canada, the City of Winnipeg and my department pertaining to heritage resources and mainly in the City of Winnipeg. We're attempting not to duplicate what has been done by Parks Canada but using that as a base and launching from there in attempting to do things pertaining to recommendations of historical sites dating back say before 1916. Parks Canada have pretty well completed that study and we're hoping to be able to save dollars provincially in using a fait accompli caused by federal dollars and I don't intend to pour more funds in 1976 in research of more historical sites or historical areas in the City of Winnipeg or elsewhere, without being able to apply some of the funds that we have voted, which is approximately a quarter of a million, in doing certain refurbishing of sites that have been declared and will be declared in 1976 by the Historical Sites Advisory Board.

There will be a continued effort in regards to studies conducted for the public library service that led to the policy that the government announced last year to assist municipalities that were wanting to avail themselves of that service either alone or with the public school system library service. The policy will be kept on that program to see if it is at all possible to integrate even a bit more with the public school library service in more areas of the province. These, Mr. Chairman, are some of the examples that we're involved in pertaining to policy review and possible development in the future.

MR. CHAIRMAN: The Honourable Member for Fort Rouge.

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MR. AXWORTHY: Mr. Chairman, the Minister, when he as giving his list of examples omitted some that I would have thought would have been obvious areas for re-assessment, in particular the troublesome area that he talked about in his opening remarks concerning the support of arts and culture in the province. It has been I suppose certainly one of the most troublesome and difficult areas of ministerial responsibility over the past year. It will probably get worse as the cost squeeze grows and as the demands grow higher. I think there were many of the arts and cultural organizations in the province which are beginning to find that they are falling further into deficit. It would appear that this would have been an area for a necessary review of both of the amounts of money and the way in which it was distributed, and the criteria that are used to give it to people. I'm wondering if the Minister has any basis for giving us perhaps even some thoughts about the kind of direction that the government might be working in to deal with this particular area in his department.

MR. TOUPIN: Yes, Mr. Chairman. I certainly left out quite a few areas that the department's Planning and Research Branch will be involved in either directly or through assessments of other staff within the department itself. The arts and culture is certainly one of them that will be done jointly between the Planning and Research Secretariat of the department and with that expertise that we have on the Arts Council and hopefully with quite a few groups within the arts themselves involved in reviewing what is now happening, what should happen jointly between different levels of government and private individuals or corporations. I don't believe that any level of the Crown, whether it be municipal, provincial or federal, can sustain the financial requirements pertaining to arts and/or culture. I think it has to be a shared responsibility with individuals and the lay input that we've had over the years has to continue in my humble opinion, and be emphasized in the future because of the financial constraints that we're in. So there certainly will be a pursuit of goals that we may jointly have pertaining to arts and culture in the future.

There are a couple of other examples that I'd like to cite while I'm on my feet, Mr. Chairman, one being the Red and Assiniboine River Development Plan will be pursued in 1976 and we're quite hopeful that we'll be able to receive more than co-operation by the Federal Government. The indication that I've received in the last few meetings that I've had with them is that they're quite ready to pursue financial participation, not only in the study that was conducted about five years ago, but in the execution of works to be had along the Red and Assiniboine Rivers. There is a federal-provincial agreement being contemplated pertaining to ARC, the Agreement of Recreation and Conservation Program. The department and Parks Canada are considering the cost-sharing of development along the Red, Assiniboine and related services that could be tied in with the Red and Assiniboine Rivers. So there's quite a bit there to be had in regards to discussions with the federal officials and on the political level between myself and the Federal Ministers involved.

MR. AXWORTHY: Mr. Chairman, I would thank the Minister for talking a little bit about the Red and Assiniboine. I'd like to come back to that. I don't want to get totally deflected though from the questions related to the re-examination he's talking about in relation to support for the arts. I'm wondering if the Minister, in the review that is now being undertaken by the Secretariat plus the Arts Council, has developed any assessment as to what the kind of dollar requirements are going to be for the cultural institutions and arts institutions in the province say over the next three or four years and what the shortfall might be under the present funding. It's my understanding after looking at some of the reports that they've almost reached the saturation level from the point of view of clients. They just can't get any more people in cultural halls than they are able to and the ticket level is reaching a certain point of upward freeze. When the Minister says that he's planning to try and recruit or enlist the support of the private sector, I wonder if he might be able to provide some more details. Does that indicate that the level of provincial support is going to be frozen or is it to remain static? Can he indicate what is anticipated now in terms of the commitment that will have to be made by the Provincial Government to support these institutions or are certain areas going to be cut out and the money directed into very specific targets?

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MR. TOUPIN: Well again, Mr. Chairman, it's not possible for me to indicate the long range financial needs of those cultural institutions and/or groups that we have in society over the next few years. I think that should be part and has been part of the study conducted pertaining to individual groups like the Art Gallery, the Museum of Man and Nature, the Royal Winnipeg Ballet and so on because we've been fighting fires unfortunately pertaining to a lot of these financial needs. We've had to participate on covering deficits on a matching dollar for dollar basis pertaining to past deficits that were not only caused by activities within province but caused by some of the groups touring different parts of the world and causing a deficit to occur. Because of that and because of the sometimes lack of control on the budgeting of those given groups it is sometimes difficult to plan effectively with them in the provision of financial assistance. The type of support that is being had as compared to last year, to the major groups, would be approximately the same amount apart from a short increase. I can cite the exact amounts if the honourable member would like me to do so.

As an example, the Museum of Man and Nature the adjusted grant in 1975-76 was \$1,000,000. The amount contained within the Estimates for the Museum of Man and Nature is \$1,230,000. Now it's easier to plan effectively with the Museum of Man and Nature than it would be with other groups.

The Manitoba Centennial Centre Corporation, as an example, the amount given in 1975-76 is \$509,700; the amount within the Estimates for this fiscal year is \$771,300.

The Manitoba Arts Council, the amount provided for in 1975-76 was \$431,000; the amount within the Estimates is \$535,000. There's not a large increase for the Arts Council here but it is provided that the Arts Council will be able to raise additional funds by means of lottery revenue. This will be over and beyond the amount that is contained within the Estimates here. I'm hoping that they'll have more financial flexibility to enter into other sectors that they haven't been able to help like writers, publishers and so on. That is certainly the desire of the Arts Council, at least pertaining to the discussions that I've had with them.

You have other groups like the Winnipeg Art Gallery, the amount there was \$350,000 in 1975-76, that was the adjusted amount. The amount in the Estimates was \$256,000 but we brought our amount up to \$350,000 and the amount within the Estimates for the Art Gallery is \$385,000. But over and beyond the amount of \$385,000, we have committed the government to share on the deficit to a maximum of \$250,000 meaning that their deficit being I believe close to \$500,000, that we would share to a maximum of \$250,000 on the deficit. They have not raised that amount as yet.

We've had the same arrangement with the Contemporary Dancers to a smaller amount, \$37,500. The last communique I had from them they had raised about \$35,000 of their \$37,000 so they were able to benefit from the commitment of sharing of deficits.

We're hoping, in rectifying past deficits, that staff within the department, the Arts Council certainly, and those given groups will be able to sit down and formulate a budget that would be realistic enough providing for a deficit at the end of each year. I think there needs to be better planning pertaining to ongoing expenditures. That means that they'll have to possibly be more realistic pertaining to out-of-province performances. It's sometimes difficult to have performances in other provinces in Canada, in other countries of the world without knowing of the financial success or let's say no success at all, which contributed to some of the deficits that we've seen in some of these groups.

MR. AXWORTHY: Mr. Chairman, one other line of questioning in relation to the planning and program development that the Minister is carrying out. He indicated that he is presently sitting down with a number of the cultural and arts groups in the province to work out these plans. I wonder if he could indicate what kind of involvement they have at this stage. Is it sort of an individualized thing where they sit down with the Arts Council and work out a budget or is there some attempt to bring the different sectors of arts and culture together through their Associations and to do some joint planning of facilities.

To give one example, I understand that there is some talk about planning new facilities in and around the Theatre Cultural Complex area. I want to know if there is any

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(MR. AXWORTHY cont'd)discussion about multiple use of those facilities amongst all the arts groups as opposed to just one or two using them. I am really asking the question: in the program review that he's undertaking to what degree is the Arts Council really acting as a co-ordinating body in the planning of these programs, or is it really simply a funding agency that doles out dollars as they come supplicating. If so what can be done to bring about a higher degree of joint planning amongst different groups so they can perhaps share facilities, offices, staff and other forms of activities so that each group doesn't have its own P.R. person or its own office, secretaries and so on, that there may be a sharing on the administrative-management side.

MR. TOUPIN: I would like to mention, Mr. Chairman, that more and more the Arts Council is involved not only in giving grants to these different groups but it's involved in the preparation of budgets and the long range planning. The Arts Council is not endowed with a large staff so in a lot of cases they're seconded, they do benefit from seconded staff from the Department of Tourism, Recreation and Cultural Affairs for that purpose.

We don't have a building in Winnipeg, as an example, nor do we have one in Brandon nor Thompson, to try and group these people together pertaining to administrative capabilities. I think there may be an advantage to look at that possibility in the future, to have a pool of resources of hired people to serve more than one purpose. I think the type of planning and funding now is more a firefighting approach than it is sound planning for the future. I think more has to be done in that direction but I don't believe that we have the financial flexibility pertaining to dollars or staff man years within the Estimates now to be able to accomplish that in 1976-77. The only way I believe that we could make a step in that direction, in the fiscal year we're in, would be to try and get them to agree to sit down together and work more closely together as groups. The Arts Council itself has a new dynamic Executive Director that I believe is being able to polarize the forces that much more pertaining to better budgeting, better planning, but there still is a lot to be had directly by our department and equally by the agencies that are supported.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, I would like to ask the Minister, through you, what program development thrusts are being taken in the area purely of tourist development and tourist program expansion and how competitive and how combative is the Manitoba posture in this field, and whether there are any united efforts being made. For example, efforts that would combine the marketing approach of Manitoba with Saskatchewan, Alberta and British Columbia and develop programs that would encourage tourists to come to western Canada which would result hopefully in a Manitoba share in that traffic, or whether everything is being done on an individual single province basis.

By the same token I think possibly the north central mid-west could be looked at as a unit. Programs might be developed involving Manitoba, the Dakotas and Minnesota. Are there efforts being made in this direction or are we out there operating all alone and competing against 48 or 50 states and nine other provinces and a dozen other countries in what is a highly competitive industry right now.

MR. CHAIRMAN: The Honourable Minister of Tourism, Recreation and Cultural Affairs.

MR. TOUPIN: Mr. Chairman, in regards to co-operation between different levels of government, different groups in society, we're attempting to co-operate to the best of our ability with agencies that have been set up to help the tourist industry. Groups have formed themselves to attempt to answer needs of members, that are there to accommodate tourists and work very closely with the department. To be able to save taxpayers' dollars we're co-operating with Ontario quite well pertaining to tourist reception centres. I believe we have one of the best tourist reception centres at the crossing of the Ontario/Manitoba border. We've attempted to have the same arrangement with our Saskatchewan counterpart and we haven't been able to. So this summer we will have a trailer - it's funny but I can't indicate a lie to the House - we'll have a trailer but on the Manitoba side; it will not be on the border. We're having pretty good co-operation in the State of Minnesota. Manitoba House in Minneapolis is jointly operated and funded between Industry and Commerce and the Department of Tourism and Recreation and Cultural Affairs and we're

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(MR. TOUPIN cont'd) receiving good co-operation from businesses and from the Government of Minnesota pertaining to measures that have to be taken to advertise Manitoba and promote Manitoba better.

We're not having the same result, I must say, in England, France and other countries of the world. I think that can be perfected in the future but will only be perfected with better co-operation by the Federal Government. I don't believe that it would be financially feasible for every province in Canada to have a house say in England and France and other countries of the world. I think it has to be done more effectively by the Canadian Office of Tourism. There's a tendency in the Canadian Office of Tourism to promote British Columbia, Quebec but forgetting about the prairie provinces. I believe that we have to attempt to rectify that. Discussions are taking place either directly through the Ministers responsible in Ottawa and certainly through the Canada Travel Council where we hope to be able to ameliorate the situation at that level.

MR. SHERMAN: Well, Mr. Chairman, are there for example, programs being worked out and developed between the four western provinces to bring tourists into the four western provinces and ensure that Manitoba gets their share of the package rather than just in trying to encourage tourism into Manitoba in an isolated way. Can we capitalize at all on some of the attractions of the far west and can the far west capitalize at all on some of our attractions and share in the trade-offs by putting packages together that would bring people to western Canada as such and ensure that Manitoba gets a fair chunk of that package.

MR. TOUPIN: Yes, Mr. Chairman, there has been discussions in the past attempting to enable us to do that. Unfortunately it's only been at the discussion level and nothing to my knowledge has really materialized for me to be able to say to the House that, yes, we've agreed between Manitoba and Saskatchewan to have a joint reception centre, that we've agreed to have promoting officers that would serve the western provinces, that we've agreed to have package tours say from the States, from different parts of the world, jointly on behalf of the three or four western provinces. No, we haven't been able to do that.

I think there certainly would be a benefit, the same as the benefits that had not originally been seen through the possibility of setting up a Western Canadian lottery. Eventually, I think it will be realized as an alternative that was viable but initially it didn't seem as though it would be beneficial to the Province of Manitoba. I think pertaining to the potential of tourists that to our respective provinces in the west there would be a benefit to get together and work more closely together.

MR. CHAIRMAN: 109(b)(1)--pass; (b)(2) Other Expenditures--pass; (c) Research and Planning, Salaries, \$202,200. The Honourable Member for Roblin.

MR. McKENZIE: Mr. Chairman, under (c) I wonder if the Minister can give us some indication of the utilization of the various parks in the province, the patterns of the total of them all.

The other thing I'm wondering, in Research and Planning, the one that comes to my mind that is the vandalism that's appearing on the scene in the last year, especially in our parks. I'm wondering if the Minister maybe has done some research and planning and maybe there are some ways and means that this evil habit can be combated and maybe not. It's a very difficult one. Most of them seem to operate late and in conditions where you can't seem to do much about it.

The other one, I'm wondering now, the fee structure that the Minister mentioned there, will the fees now pretty well carry the full load? I was going through some figures and fees the other day and I believe last year it looks like, with the increase now, the revenue from the Parks System will be quite a substantial increase from a year ago. I wonder can the Minister give us some information on that?

And the other, has the Minister had any experience of conflict in campgrounds between trailers being too close or have had some complaints of that nature?

The other was the problem now of the Member for Rock Lake, the Spruce Woods Park, where it's under a flood. Maybe the Minister could give us some ideas of what intent he has to deal with that problem. I also believe there are some studies that are

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(MR. McKENZIE cont'd)being done with the future development of the Winnipeg Beach area and I believe St. Malo and I also believe the Duck Mountain Provincial Park. Maybe the Minister could give us some of the insight into what he has found in those points.

MR. TOUPIN: Mr. Chairman, I'm really in your hands but a lot of the questions posed by the Honourable Member for Roblin would be dealt with more effectively, I believe, under Parks. I can deal with them if you so authorize me.

MR. McKENZIE: The reason I raise it, Mr. Chairman, is because most of these come up under the research section of the Annual Report.

MR. TOUPIN: Mr. Chairman, possibly I could be less specific and talk about some of the problems that we now have in parks without being specific pertaining to usage and development plans that we could deal with later when we get to Parks.

Vandalism is certainly a growing concern in the sense that we've had more vandalism last year and this year than ever before and I don't really know for what reason. It seems to occur certainly before our Provincial Parks open where we have very few people on hand to protect the infrastructure that we may have within the given parks and we have this occurring equally a lot in our wayside parks. It's a problem that I believe society will have to deal with through the laws that we've enacted in this province. I don't believe that it can be said that I would like to increase my staff to the extent that I'd have people year round in our Provincial Parks and wayside parks to attempt to protect the assets that we have there. I think that people will have to just become more responsible and if they are not they'll have to be prosecuted. That's one way to deal with it. I think that possibly an educational program could be put on to put the onus more on individuals. The honourable member's question pertaining to the percentage of fees that goes to pay the operating costs of parks, last year I believe was approximately 18 percent. The amount that we charge in fees covered about 18 percent of the costs of operating parks. This year, even with the increase of approximately 10 percent on fees, that will not take an additional amount pertaining to the operating costs of parks so the taxpayers are subsidizing the maintenance of parks, leaving aside the capital expenditures of parks, which is quite great. The capital expenditure is not included in the fees charged, only, like I said, last year approximately 18 percent of the fees covered cost of parks.

Pertaining to conflicts between cottagers being too close to one another, that is often a problem that we can't avoid especially in places like Falcon Lake where it was seen advisable to have that many campgrounds in a very small acreage. People seem to want to go there whether they're close or not. It's a question of demand more than anything else. I personally don't like to be that close to someone if I want to rest for a weekend but others don't seem to mind as long as they're close to the lake and can walk over. But it's causing a lot of problems, especially in the overflow areas. Last year we had to close some overflow areas, at least if not completely we've reduced the number of individuals in the overflow areas and that rectified part of the problem.

Spruce Woods Provincial Park, I've asked a report from my officials. The last report I got I believe was the day before yesterday and the only reason I didn't report to the member in the area is that they're not at the stage yet where they can indicate to me what can be done pertaining to relocation of the buildings affected, those that were burned, flooded and so on, the time frame for reconstruction and where exactly in Spruce Woods Park. We may have to move from the area we were in because of recurring floods every second year or so. As soon as I do get that information I'll make it available to members.

We can deal with further expenditures in areas like Winnipeg Beach, St. Malo and Duck Mountain and so on when we get to the Parks section.

MR. CHAIRMAN: Resolution 109(c)(1)--pass; (c)(2) Other Expenditures --pass; (c)(3) - the Honourable Member for Rock Lake.

MR. EINARSON: Mr. Chairman, there's \$100,000 allocated in the Canada-Manitoba Northlands Agreement. This year there's no funds at all. I wonder if the Minister would explain the reason for that.

MR. TOUPIN: Mr. Chairman, I don't have the details before me. 1975-76 to my

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(MR. TOUPIN cont'd) knowledge was the last year that we participated under that program and I'm informed here by Mr. Pozemick that the Federal Government have cut off the research funds under this heading so that's another reason why we haven't included anything in 1976-77.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSON: Mr. Chairman, that leads to the next question. If there's no appropriation required for this year, one wonders why the item was there in the first place unless it was just designed to provoke the very question that was asked and to elicit the response that the Minister has just given. It seems to me that when there is no appropriation asked for there is no necessity to have that particular item in there. I wonder if the Minister could explain just the reason why it's there.

MR. TOUPIN: Mr. Chairman, the only logical reason that I can see that it's there is because we're giving a comparison here of 1975-76 or at least I wanted to relate that to the House. The amount that was contained within the Estimates last year because of a non-agreement in 1976-77 is no longer contained. It was certainly a desire of the government to continue provisions under this agreement but it was not accepted. The agreement itself was mainly a long term plan by our department, our Tourism and Recreation Branch under Northlands Agreement to design a development plan for future years which was cut back by the Federal Government. But the section itself has to be dealt with because we're talking about general administration. Even though we're not seeking funds for the Canada-Manitoba Northlands Agreement we do have other programs that we have to go ahead with and make provisions for.

MR. CHAIRMAN: (c)(3)--pass; (d)(1) Administrative Services--pass; (2) Other Expenditures - the Honourable Member for Roblin.

MR. McKENZIE: I wonder, Mr. Chairman, if the Minister could give me a breakdown of that item, (d)(1) Salaries. This is the staff that administers the total department is it?

MR. TOUPIN: Yes, Mr. Speaker, this is the total general administration staff of the Department of Tourism, Recreation and Cultural Affairs. It's a provision to administer central accounting, budgetary and legal services for the department in accordance with Cabinet's approved guidelines for these given areas. It includes salaries for 17 permanent staff man years, director and financial co-ordinator and 15 accounting and support staff and 3.26 term assistant staff man years. There's a total increase in this Appropriation of \$28,000 and that's mainly due to the addition of an internal auditor, one permanent staff man year, to review the internal control procedures and the carry-out audits on a regular basis. That's at a cost of \$12,200. The addition of support staff, 1.26 term assistant staff, to optimize the turn-around time for supplying invoices, particularly during the summer season, and that's \$9,500. There's a general salary increase, and annual increments \$6,300 for a total of \$28,000. There is equally included in here a general office cost for administrative functions: printing, stationary, 29.5. A total increase of 8.8 is due to price increase; 2.9 workload increase for supplies and telephone relating particularly to additional support staff. There's 3,100 and an additional cost for automobiles and travel relating to internal auditor position, 2,800. So the comparison here, if we take invoices processed, actually in 1974-75 there was 34,029; projected for 1976-77 would be well over 40,000. So it includes field operation, audits, gate, campground, concessions and so on pertaining to invoice process.

MR. CHAIRMAN: (d)(1)--pass; (d)(2) Other Expenditures--pass; (e) Personnel Management Services: (1) Salaries - the Honourable Member for Roblin.

MR. McKENZIE: Mr. Chairman, under this item I wonder if the Minister could explain the responsibilities. Does this give us some idea of the staff turnover? Is this the part of the department that looks after the employment, the changes in the personnel?

MR. TOUPIN: First of all, Mr. Chairman, the objective of this branch would be a provision to maintain an efficient and effective personnel and payroll service to the department. It includes salaries for five permanent staff man years: a director, administrative officer and three support staff and three term assistant staff man years. There's a total increase of \$1,000 which is due to general salary increase and annual increments.

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(MR. TOUPIN cont'd) It includes general office costs for the Personnel Management function; it includes as a major item printing and stationary supplies, \$28,000. There's a total increase of \$15,100 which is due to price increases for computer processing, \$7,700; and printing \$1,000 and an additional cost related to the first full year of operation of Personnel Management Services, \$6,400. The staff complement, if we take the total amount for the department itself and if we look at 1975-76 for the department 964.46, and for 1976-77, 988.10. Now there's a breakdown of that if the honourable member wants it, but it's provided in each section.

MR. CHAIRMAN: (e)(1)--pass; (e)(2) Other Expenditures--pass; (f) Translation Services, Salaries (1) - the Honourable Member for Rock Lake.

MR. EINARSON: Yes, I'd like to ask the Minister, in Translation Services, this is translation I presume, other languages than English, I wonder if the Minister could give some explanation of that.

MR. TOUPIN: Mr. Chairman, I did make reference during my opening remarks pertaining to, I believe, it was 600,000 words that were translated in 1975-76. It's mainly translation from English to French, French to English, depending on where documents come from or where they're destined to. As an example, if the Department of Labour receives a document say from Quebec that is uniquely in French and would like to understand it, they may have at least a summary translated so that the Minister may understand what the recommendation of the report would be.

There's equally translation say from other languages than French and English. But I'd say the bulk of the translation would be in French and/or English. The volume in 1976-77 would be in excess of what we saw in 1975-76. But we're hoping that section to break about even in the fiscal year we're now in because departments will be charged for the service, so much a word. The staff here is not large. We've got four full-time staff man years and they're having to contract out a lot of the work. We find it advisable to contract out instead of hiring more translators. That was a policy in 1975-76 and for this fiscal year there's no increase of staff. There's only a slight increase in funds that will be recoverable.

MR. EINARSON: Just to pursue this a little further. The Minister says that it's contracted out. Then are the contract costs included in these figures here? I'm wondering, Mr. Chairman, has the Minister received any requests to use other languages than just French. I'm just wondering what languages, if any, that he has been requested to use.

MR. TOUPIN: Well, as an example, I can only cite experiences that I've personally had. I could have the Director of the Translation Bureau here possibly when we're next on the floor. I've had experiences to have say Russian translated, Polish, Ukrainian, Icelandic, personally, letters that I've received that I did not understand. There is at least one person there that speaks and writes fluently, I believe, five or six languages, a very capable woman and doing a very fine job.

MR. EINARSON: Then to pursue this one step further, Mr. Chairman, does the Minister anticipate a greater increase in costs insofar as the French language is concerned, to have to translate? I pose this question, Mr. Chairman, because it's sort of national in scope. We've had a lot of comments in the press over the past year as to how much money we're spending on a language that's supposed to be official but really it's not official in Manitoba or any other province other than the Province of Quebec. That's why I pose this question, Mr. Chairman.

MR. TOUPIN: Mr. Chairman, I don't want to get into an argument pertaining to languages. French and English are the official languages of Canada; it's not the two official languages of Manitoba. What I'm saying is that yes, we do provide whenever possible, the translation of other languages. Pertaining to Additional Costs, you'll notice that the Additional Cost sought here for this fiscal year is very slight. It's not earmarked to provide for a great increase pertaining to translation and certainly not an increase in staff. It's only a slight increase because of additional costs pertaining to materials and increments pertaining to those staff that we had in the last fiscal year. I don't foresee an additional cost pertaining to either languages whether it be French and/or English, or

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(MR. TOUPIN cont'd) other languages in 1976-77. But I do see it as a worthwhile service for departments of government and for agencies of government pertaining to a better understanding of what's happening in other provinces and other countries of the world.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSON: Mr. Chairman, do I understand the Minister correctly to say that he does the translation for all the other departments of government? I'm not sure whether I clearly understood him when he said that this work is contracted out and then a little later he mentioned that there was one person in the staff that spoke several languages. Now how much of a staff do they have in this translation department, and what part of the work is contracted out?

MR. TOUPIN: Again, Mr. Chairman, having only four full-time staff man years there and not all translators, I believe there is only two qualified translators, so they do all they can pertaining to translation of documents. Then they have it typed by a typist that they have there. Then they have a clerical person. Whatever they can't do because of lack of time they contract out and charge the respective departments.

MR. JORGENSON: . . . there is a considerable volume of work that has to be done in translation, if two people can't keep up with it. It would appear to me that a great deal of correspondence comes into the department in other languages, other than English.

MR. TOUPIN: Mr. Chairman, I indicated a while ago that last year approximately 600,000 words were translated, so that's a lot of translation. And the work of a translator - I speak French and English, and I write French and English, but I'm far from being a translator - it's very difficult to be able to understand what you're reading and translate it into another language, it's a specialty, and it's hard to find good translators. As an example here, we can talk about the output for 1975-76. General translation words output, 396,000, which was 60 percent of the work of the office. Technical, which was documents dealing with specific programs, say of other provinces or other countries of the world 264,000 words, which represented 40 percent of the work of the translation office. Planned for 1976 or forecasted for 1976, would be a split of about 60-40; 60 General and about 40 Technical.

MR. JORGENSON: . . . question then. Is it possible then, since the Minister has acknowledged that he does translation for all departments of governments, could for example members of the House get translation work done through this department. I am thinking particularly, for example, of getting some of the Minister of Education's speeches translated so we could understand them.

MR. TOUPIN: I wish the honourable member would be nice. Yes, by all means, it's available to members of the House, I would presume, as it is available to me at a cost, if I get words translated for my own political purpose it costs me 7 cents a word for general material, and 11 cents a word for technical material. We arrived at that price based on other offices that translate. Great West Life is a good example where they hire many more translators than we have in our section here that serves any department of government that is desirous of getting documents translated. And that's about the going rate pertaining to translation.

MR. CHAIRMAN: The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Chairman, did I hear the Minister say correctly that he has instituted a charge-back system to the various departments already? What about these records, are they put in the library or stored away in the language that they're received after they're translated, or both ways.

MR. TOUPIN: Well again, Mr. Chairman, I'm not totally aware of all documents that are translated, but as an example, if I get a document translated for the purpose of the Department of Tourism, Recreation and Cultural Affairs, Liquor Control Commission, Co-operative Development, and if it's intended to be a document to be circulated, yes, by all means, they'd received a copy in the library whether it be in French and/or English. But I can't speak for other departments. Once the document is translated it's for them to decide.

SUPPLY - TOURISM

MR. CHAIRMAN: (f)(1)--pass; (f)(2) Other expenditures--pass; (g)(1) Manitoba Film Classification Board, 1. Salaries. The Honourable Member for Roblin.

MR. McKENZIE: Mr. Chairman, the Minister said a few moments ago that he will try and get us the Annual Report of the Film Classification Board. It certainly is something that annoys a lot of people today, the quality of the movies and the ratings, there's confusion almost daily, especially with adults that take children to theatres. --(Interjection) -- Well, and you also see it on the television screen.

I can refer to a recent article which appeared in the Brandon Sun, if the committee wishes, by the Executive Director of the Film Classification Board. If one were to read that you could recognize how serious, at least it is in the eyes of the Executive Director, where he goes on and says here: "In the five years I've been on this board, I've developed the utmost contempt for some of the depraved and despicable characters engaged in current moviemaking." And he goes on to say, "It seems there's no limit to the depths of depravity they will sink to. I'm highly sick of the constant stream of crude, vulgar and foul language in so many films, but this is all part of the sick, over-permissive society which has given the moviemakers complete control, complete power to inflict upon the public anything their depraved minds can dream up." That's pretty vicious language coming from the Executive Director of the Film Board. He goes on in this article and mentions at the last, says, "For those who are opposed to the present trend, they're powerless to do anything about it, for in most of the western world the film industry is virtually a law unto itself."

I'm wondering if the Minister could maybe give me some idea, there has been some problems with schools being turned aside from some of the theatres. Is it the Film Classification Board that makes those decisions or . . . I believe it was the film, One Flew Over the Cuckoo's Nest, where one of the schools was turned aside from one of the theatres in town, and I'm wondering does that come through the Film Classification Board? The other thing, I understand in talking with some of the Board, that they basically don't have enough pre-advanced time to really get . . . they see the film some days two or three days before, sometimes only a day before it's being shown and it's hardly time to properly categorize it.

MR. TOUPIN: Mr. Chairman, I'd like to briefly go over the general purpose or reason for being of the Film Classification Board. The primary function of the Board is to classify films that are to be exhibited and to inform the public as to their content. The Board does, however, advise film exhibitors when they feel that films are objectionable or may contravene the legislation, and when they do view a film that they consider to be of that category they advise, in writing, the Attorney-General, myself and the film exhibitor, so the onus is on that sector of the industry to either show or not show that film. Once he takes that decision the onus is on them and then on the public to lay information before the Attorney-General or the police force to lay a charge and charge the company in question. We do have a theatre inspector in the province, that was instituted a couple of years ago, the individual has been replaced, there's a new person there that's combining his efforts as a theatre inspector and equally a liquor control inspector part-time, so he's able to be hired full-time in those two capacities.

I'd like to talk briefly on the point that was raised by the honourable member pertaining to students viewing a certain classification of film. That is within the power of the Film Classification Board to determine what has to be done for a student below the age of 18 to view a certain film that has been classified. The classifications are rated as they were in the past. There's Restricted Adult, and the number of films that were actually viewed by the Film Classification in that rating was in 1973 - 133; 1974 - 173; 1975 - 131. Mature, there was 176 in '73; 175 in '74, and 146 in '75. Adult Parental Guidance, which was the file the Cuckoo's Nest was classified as, in that category the Film Classification Board viewed 90 films in '73; 94 in '74 and a drop in '75 to 64. In General, there was 60 only in 1973; in 1974 there was 50, and in 1975, 42, for a total of 459 in '73, 492 in '74 and 383 in 1975. Unfortunately we don't see enough good general films, intended for the general public including children, good general films, and I think the main reason for this is because I guess the industry haven't seen the financially

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(MR. TOUPIN cont'd) lucrative field in general films. I hope that they do, because any good general films that we have on weekends, as an example, intended for children, are usually always packed, and I can't really understand why they wouldn't produce more good general films.

MR. McKENZIE: Mr. Chairman, the strange thing about the film, One Flew Over the Cuckoo's Nest, I understand the book itself is included in the Winnipeg School curriculum and yet the Film Classification Board saw fit to notify the schools that were attending the theatre, in fact they were barred from attending, and yet for some strange reason that book, as I understand, was part of the curriculum of the Winnipeg School curriculum.

The other problem, of course, as the Minister points out, it's very difficult, even when you read the ads in the paper or the classifications which the Film Board put in, to look at and decide, even when you're reading it, if in fact it wouldn't be damaging to some, specially younger people; and of course, there is other people that feel that young people today, that they can see all this trash and it's not going to do them any harm. I don't happen to be one of those. I think that there's a spin-off effect on our young people today of the morals and principles of good character and if it's seen as everybody's doing it in movies and films, it's certainly going to leave its mark on our society. But I was just wondering, if the Film Classification Board had the right to say, no, and the Minister has explained that, Mr. Chairman. (inaudible question)

MR. TOUPIN: I believe there has been one or two changes. I'm contemplating more changes and I've so indicated to existing members of the Board. We've had members sitting on that Board going now three, four, five years and it's becoming a bit much in the sense, I think some of them wouldn't mind being taken off. I've indicated that I will start rotating members, getting new members on the Board to be able to get the views of different people. I would like to still continue to receive the benefit of the knowledge acquired by those members that have sat on the Board for a few years, probably in a different function, in a different responsibility; I'd like to seek their opinion pertaining to the film industry in general, because I've been asked by Cabinet to chair a committee that would look at the film industry generally, and I think that they may have opinions that I certainly could use in helping recommend policies.

MR. CHAIRMAN: Resolution 109(g)(1), the Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, just one point on classification. It was something we looked at last year and I just wanted to ask the Minister whether any thought or attention had been given it. As many of us pointed out last year, we don't have any objection to the classification formula, as a matter of fact it's probably a contemporary one and functional one, but some of the objections that were raised last year, as the Minister will recall, were that the classifications seemed to be questionable in some cases, that many adults, many parents are under the impression that when they're going to a movie that is classified as General or Mature and taking young people and children with them, they are going to a movie that is not in the adult parental guidance or restricted adult category because it's classified in a more general category, and oftentimes find to their dismay that it is difficult for them to attend that particular movie with children, they'd prefer to be there simply as adults, and they feel they've been misled by the classification in some cases. I would just wonder whether the Minister had had a chance, or the Board has had a chance to give any attention to that aspect which we raised last year, because I think it was valid. It may now no longer be as valid as it was, but I think it was valid at one time, people were being given impressions that misled them to a certain extent and what many of us wanted to see on both sides of the House, and both sides of the Committee, was a stricter application of the meaning of the classifications for the various types of films.

MR. TOUPIN: Well again, Mr. Chairman, I think we can say quite safely that in the Province of Manitoba we have a system that is practically unique in Canada, as we know in other provinces in Canada the courts are challenging the Censor Board concept, as they have it.

The composition of the Film Classification Board itself attempts to represent

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(MR. TOUPIN cont'd)people from different sectors and those that are conservative in mind, small "c", those that are possibly a bit more liberal, but more so of people that are knowledgeable about the industry and hopefully about the implication of the films packed with violence and obscene sex in the film and how this would affect especially younger minds and so on, and I have to rely on their judgment in a sense pertaining to the way they classify films. The only reason I say that is because they take all pains possible to check with people that do have complaints pertaining to the way they classify films, and because of that fact I believe that they can adjust their way of thinking and classifying. They're looking at different methods of classifying now that may result in possibly an additional classification of films that we see in other provinces, which would be the real filthy and real violent films that we may get in this province; that would be classified triple X or whatever they may want to call it. There may be cause to look at that. Although we're not getting that many in Winnipeg now, there's some coming to Winnipeg but much less than there was say last year or previous years. I believe the marketplace has decided they want no part of that, or if they do it is not really causing those members of the industry that are wanting to make money out of violence and sex.

MR. CHAIRMAN: Resolution 109(g)(1)--pass; (g)(2) Other Expenditures --pass; (h) Grant Assistance. The Honourable Member for Roblin.

MR. McKENZIE: I wonder would the Minister give us a breakdown of this item.

MR. TOUPIN: Again, Mr. Chairman, we're talking about the Horse Racing Commission and talking of a new formula that will be before the House shortly within the Omnibus Bill that will change the tax on wagering from ten to seven, and contained within the seven there is to be a maximum of two percent to be allocated for the administration of the Horse Racing Commission itself and the paying out of grants to different sectors of the industry.

The Horse Racing Commission itself is responsible for the regulation of the industry, not only at Assiniboia Downs but in rural circuits and they attempt to do that. The amount indicated in the budget here will be amended, we will not utilize the \$709,000 that is earmarked here, unless the wagering goes well beyond the forecasted amount. The forecasted amount would be 40 percent in excess of last year's wagering and if it's 40 or 42 percent over and above last year's wagering, the amount that will be utilized by the Horse Racing Commission for its administration and the paying out of grants to different sectors of the industry will be approximately \$531,000 not 709, so the remaining amount will be allowed to lapse. That was part of the agreement pertaining to the new tax formula, that the grant that was made payable last year to Assiniboia Downs of \$185,000 will not be made payable this year, he will not receive a grant out of the appropriation of this section for the track, the \$185,000 will not be paid to Assiniboia Downs because he's getting an increased revenue through the lowering of the pari mutuel tax, so it should compensate at least as much if not more depending on the wagering for 1976.

We're quite confident, Mr. Chairman, that the wagering in 1976 will be as much as 1975, that is it will cause a revenue to the Crown. The net revenues of the Crown for 1975-76 was approximately 1.7 million. We're hoping that that amount will be about the same for 1976-77, if not more, because the first three days of racing indicated an increase in the pari mutuel betting of 40 percent over last year. If you consider the increase in wagering for the first three days and consider the deletion of the grant made to the track, that is actually an increase in revenue to the Crown for 1976 based on that and based on the fact that we will not be racing 70 thoroughbred days this year, but 76, so there will be six additional racing days. So the revised amount, like I indicated, will probably be around \$531,000 within the Estimates here. And if the honourable member is wanting me to break down the grants I could do that on a separate submission.

MR. CHAIRMAN: (h)--pass.

MR. BARROW: Committee rise, Mr. Chairman.

MR. CHAIRMAN: Committee rise.

SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN (Mr. Walding): Order please. We have a quorum. I would refer honourable members to Page 10 in their Estimates Book, Department of the Attorney-General, Resolution 21 Legal Services (a) Civil Litigation (1) Salaries. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, the other day when we were meeting and I understand we were interrupted for a very good reason, I understand the Attorney-General was looking after the affairs of the province as far as our Constitution is concerned. I commend him for that action, now we're getting back to the affairs of the Province of Manitoba and there were some problems and some questions that I posed to the Minister the other day when we were meeting and I would hope that he would have some answers that he may give us at this time.

MR. CHAIRMAN: The Honourable Minister.

HON. HOWARD PAWLEY (Attorney-General)(Selkirk): Mr. Chairman, I just wonder if you could just relate the questions, if the Honourable Member for Birtle-Russell could relate the questions he felt had gone unanswered the other day, and we would attempt to deal with them the best we can.

MR. GRAHAM: Mr. Chairman, I asked the Attorney-General if he could give us an up-to-date accounting of the public money that has been spent so far in attempts to extradite Dr. Kasser to Canadian soil so that he could proceed with criminal and/or civil litigation in that respect.

MR. PAWLEY: Mr. Chairman, the total that has been spent in connection with payment of fees to those involved in the criminal work, re CFI, is \$338,000. That includes work right back to 1970, work in which the prosecutors had been involved in right from the beginning even during the period of the CFI inquiry in matters relating thereto, so that that figure should not be attributed to only the attempts to extradite Dr. Kasser, but on the criminal side that is the total of the expenditures to date, for all matters pertaining to criminal . . .

MR. GRAHAM: Mr. Chairman, then I would ask the Attorney-General if the extradition of Dr. Kasser to Canadian soil is a criminal or a civil matter, and if there are additional charges which are of a civil nature rather than criminal?

MR. PAWLEY: Mr. Chairman, we would be unable to obtain the return of Dr. Kasser by way of extradition proceedings if it involved anything but criminal charges. There is no basis for extradition if we're dealing with civil matters. The Austrian authorities would not for a moment consider extradition if it was anything else but criminal matters, criminal charges.

MR. GRAHAM: Then I would also ask the Attorney-General, of the \$338,000 that is spent, has that all been spent in legal counsel within the Province of Manitoba, or has there been legal counsel obtained outside of Manitoba, and indeed outside of Canada?

MR. PAWLEY: Well, it involves expenditures on legal counsel as I say dating back to 1970-71 for a period of some five years. Some of that sum of money would be attributable to legal costs to Dr. Steidl who is the representative of the Province of Manitoba in Austria.

MR. GRAHAM: Then we only have one legal counsel outside of Canada in the person of Dr. Steidl acting on behalf of the Province of Manitoba, is that correct?

MR. PAWLEY: Mr. Chairman, we hesitate to say that is the only, the major expenditure outside of Canada is Dr. Steidl. Now whether or not there has at some point been some expenditure of a small, a very small portion of that money for legal counsel in Switzerland, is something which we would have to check out. Mr. Goodman who handles this particular file is not with us this evening. But if there is money being expended pertaining to our efforts in Switzerland, it would be a small sum to date in any event.

MR. CHAIRMAN: Before the honourable member continues I would just remind him that the matter of extradition is a criminal matter that comes under 21(b). We are still under (a) Civil Litigation. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Well, Mr. Chairman, I understand that extradition is a civil matter, not a criminal one.

MR. PAWLEY: No, it's a criminal matter.

MR. GRAHAM: Well then, Mr. Chairman, I apologize, I am in error in that respect.

SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN: Resolution 21(a)(1)--pass; (a)(2)--pass. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Over the past year or so there have been matters of civil litigation that have been raised in the Legislature from time to time and there have been occasions when the Attorney-General has not felt it proper to deal with it. But I want to appeal to you, Sir, that when we are dealing with the Estimates I think this is the fair and proper time to have a good dialogue and a good discussion on matters referring to the various aspects of the Attorney-General's Department. I know I have raised the matter with the Attorney-General on previous occasions. Now it may have been in the debate on various bills, dealing with the matter of a civil litigation, and I would like to know what the Attorney-General's viewpoint is in a matter that has relatively little significance to date in the legal circles of this country but has been used to considerable extent in other jurisdictions, and I refer, Sir, to the matter of civil juries.

MR. PAWLEY: I think the honourable member raises a matter that ought to be discussed at some length. I'm just wondering should we be dealing with that under this item or under Law Courts. I have no hesitancy in dealing with it now if it's the proper place.

The Manitoba Bar Association has in fact passed a resolution advocating the use of civil juries in matters, expanding the use of civil juries, and it's an item which we had requested comment from the Law Reform Commission in connection therewith. I know that Mr. Muldoon, Chairman of the Law Reform Commission, is favourably inclined to the use of the civil jury. There are some real problems that we would have to face in using civil juries, particularly in a year in which we are attempting to minimize increases in expenditure, and that of course is the sizeable expenditure that would be required in order to pay for the jury members. It's very difficult, of course, to definitively estimate how much would be involved, but if we take the cost of paying a jury member in a criminal case \$18.00 per day, then assign that figure to jury members in a civil case, then in fact we would see that it could be a very very high expenditure. In addition to that we would have the - in fact, staff has just indicated to me in a quick estimate that for two cases, an estimate of \$2,600 could be the cost, two cases earlier this year on two civil cases in which a jury was selected. So that the extension of the civil jury could be a very costly exercise. The choice would be one as to whether the Crown should pick up that bill, and as I say that would be a difficult proposition in a year in which we're trying to restrain increases in expenditure; or two, the litigants pick up that cost, and of course the difficulty there is that it could create quite a burden insofar as low income and lower middle income litigants if they had to foot the bill for payment of jury members, and we could in fact end up with a situation which we would have a tendency for juries to be used in civil matters involving those that could afford juries and not so for those that couldn't. So there is a real cost problem.

As well, I have been informed by some members of the judiciary that we ought to take a closer look at the experience in Ontario, and there has been some suggestion that the experience in Ontario is that the use of civil juries has delayed or slowed the process of the hearings involving civil matters. I don't want to comment affirmatively or negatively to that statement, it's one I think we have to recognize and to examine. But in any event, in view of the costs, the very sizeable costs I think that I couldn't see us proceeding on this in the immediate future.

MR. GRAHAM: Well, Mr. Chairman, so far the Attorney-General has tried to place the ball as far as civil jury is concerned purely in the form of dollars and cents. I don't think that justice to the people in Manitoba can be measured in dollars and cents, nor do I necessarily subscribe to one or two of the points which he may not necessarily have advocated but which he implied that it is conceivable that the plaintiffs and the defendants may have to pay for the price of justice in this province. It has been my contention, Sir, that it is the responsibility of the Crown in the Province of Manitoba to provide adequate means of dispensing justice, and maybe I misinterpreted the Attorney-General but I don't think that the costs of the administration of justice, other than the claims that have been normally attributable in the settlement, should be those that should be applied either to the plaintiff or the defender.

SUPPLY - ATTORNEY-GENERAL

MR. PAWLEY: Well, Mr. Chairman, I would say to the honourable member that if he's referring to criminal matters, yes the Crown must pick up all the costs there, we're dealing with crimes against the state, matters so serious that the state must take an interest and take responsibility for. But dealing with civil matters, disputes, contractual disputes, matters pertaining to negligence, etc., I think that the responsibility rests with the private parties, the plaintiff or the defendant to assume those costs. They are expected to assume the costs now, rather than the Crown, the taxpayer to pick up that cost. I would like to say to the honourable member, I wonder if in all the very complex and lengthy proceedings which were incurred in connection with the CFI matters, mechanics lien actions, the trust actions, if there had been juries sitting in all those cases, I suspect that the costs could be a half million dollars that would have to be picked up, and I think that we would be adding a very substantial bill onto the taxpayers who really have no interest as a whole in 99.5 percent of the private matters. So many of these private matters involve complex contractual disputes arising from the intricate commercial area that I think the parties themselves should pick up that cost. Some could easily pick up the cost of jury members, others would be unable to do so.

MR. GRAHAM: Well, Mr. Chairman, we are dealing with something that is 95 percent hypothetical because I would suggest that in 95 percent of the cases here, it hasn't even been considered. But I would ask the Attorney-General: If we did go to a civil jury, would the Attorney-General consider that it would have to be a unanimous decision by both parties to agree to a civil jury before it would ever be implemented?

MR. PAWLEY: I would think that it would indeed be unanimous, and it is at the present time unanimous in those few matters that use civil juries, so I think it would continue to be so.

In making these comments I don't want to appear that I'm opposed to the very principle of civil juries and I appreciate the thinking of those that have recommended that would be a useful reform. My caveat is principally the costs, and secondly, some indicator which we've received from the judiciary that where it has been attempted it has added to the delays in the courts dealing with civil matters. I would not want to do either, simply for the principle, unless those two areas were properly come to grips with.

MR. CHAIRMAN: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Chairman, through you to the Attorney-General, in support of my colleague's appeal to the Attorney-General. I wonder why they were so willing to step into the sphere of free legal aid in the province and yet he's being so cagey about what my colleague is suggesting for the public good. People can use free legal aid infinitum and I think they're imposing on the thinking of the government when they brought this in, and as each year goes by I think that people are using this sometimes to the disadvantage of the taxpayer, and yet what my colleague is suggesting may do something to cut back on what this service that the government so willingly gave, and I don't fault them for it but I think the thing is getting out of hand.

MR. PAWLEY: Mr. Chairman, I would like to just comment on some aspects that when the honourable member refers to legal aid that probably there's another side to the ledger when we deal with legal aid that there are savings that are introduced to society as a whole as a result of the introduction of legal aid. For instance, and if I could just relate the various points:

(1) for instance legal aid is very much involved in the area of preventative law and any matter, any area that crime incident can be prevented, which is a responsibility of Legal Aid Services, prevented from arriving at the courts is certainly a savings to the entire system of the administration of justice,

(2) an individual not represented by legal counsel, not properly defended and ending up in jail on a matter in which in effect he may not have been at all guilty, costs the taxpayer - and Mr. Boyce has left, but I believe it's in the neighborhood of \$14,000, \$16,000 a day and I don't think for a moment that any of us want to . . . a year, I'm sorry, \$16,000 a year, not \$16,000 a day.

(3) I think that if a person is not represented often by legal counsel, and I've noticed this from personal experience too, that in fact that can go a long way to slowing down the court process so that there is an offsetting factor there.

SUPPLY - ATTORNEY-GENERAL

(MR. PAWLEY cont'd)

So leaving aside the principle of legal aid, which I believe all political parties endorsed - I'm surprised to hear the comments by the honourable member - but I believe that all parties endorsed the inception of legal aid under the system that was proposed and is in fact the system today, a marriage of the Government of Manitoba and the Law Society. In fact the Osler Commission report in Ontario suggested that the administration of legal aid in Manitoba was superior to any other system in the Dominion of Canada.

MR. CHAIRMAN: Order please. Before I recognize the Honourable Member for Swan River again, I should remind honourable members that Legal Aid is a separate item in the Estimates, Resolution 28. We're on Civil Litigation, Other Expenditures. The Honourable Member for Swan River.

MR. PAWLEY: No, I apologize because I added to it by commenting, I should have realized.

MR. BILTON: Thank you, Mr. Chairman, and it wouldn't be my purpose to discuss it in detail at this moment. But in view of the fact of what the Attorney-General said a moment ago, I hope you will give me the privilege of just rebutting, in my humble opinion, as to what he says about free legal aid doing a great deal towards preventing bigger problems. And I come from a small area in this legal setup and I want to assure you, Mr. Attorney-General, that I'm very very disappointed with the service that I'm getting in my area, and I'll talk to you again about it later.

MR. CHAIRMAN: Can we leave that matter until we get to Resolution 28?

MR. PAWLEY: Can I respond now, Mr. Chairman, to that?

MR. CHAIRMAN: Well, that is the problem that the Chair has in allowing one member to mention it and another member to rebut it.

MR. BILTON: I can wait.

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

MR. GRAHAM: Mr. Chairman, I would love to get into a debate at this time on the question of legal aid but I realize we do have laws in this committee and we should deal with matters as they are placed before us by the Attorney-General when he provides the Estimates for the expenditures of his department. So I will refrain from any mention of that at this time and try and attempt to stay within the ambits of the Civil Litigation that appears in his Estimates here.

Having discussed to some length, rather cursory as it may be, the pros and cons of a civil jury, I'm not satisfied that the Attorney-General has given us the full benefit of his knowledge or even the benefit of his projections in that respect. I'll desist from further argument in that respect. I would now like to ask the Attorney-General a question that has certainly concerned me, has concerned members of the Legislature, and I think probably members of the judiciary as well, and I raise now a matter that has been brought to the attention of the Legislature by a bill at this session which has extended the parameters of cases of civil litigation that have been brought before certain courts, and I refer, Sir, to the extension from \$2,000 to \$10,000 that we have extended in the field of the county court. And while it hasn't been approved by the House, I think that it has had the basic approval of all parties in the Legislature so far, at least to my knowledge I have heard no dissenting views expressed. But this raises, in my mind anyway, a question that has certainly concerned the Attorney-General, has concerned the Legal Society, and I suspect that there are some members of the Legislature as well who are concerned about the efficient use that is being placed, or that has occurred on the courts in our province. And I know that privately the Attorney-General and I have discussed the possibility of the amalgamation of Queen's Bench Court and County Court. I think that it is only fair to have the rest of the Legislature benefit from the wisdom of the Attorney-General on this question of the most efficient use that can be made of the court facilities that are presently before us.

MR. CHAIRMAN: Again I think the honourable member might better direct his remarks to Resolution 24 which deals with all of the law courts.

MR. GRAHAM: Well, Mr. Chairman, I have to say that there is a great deal of difficulty in differentiating between civil litigation and criminal litigation and I know we have various items in the Estimates here, and if you so desire, or the Attorney-General

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(MR. GRAHAM cont'd) so desires, that we leave this until a further item in the Estimates, then I'm quite prepared to abide by your decision.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Mr. Chairman, in times like this sometimes I think we'd be better to be dealing with the Minister's Salary at the beginning so that we can deal with general items because we certainly are restricted by the rules which we've established for the committee. But certainly I think you're right, Mr. Chairman, under Legal Services are civil and criminal matters in which the Crown is a party, not civil litigation in general but only where the Crown is a party, so that we should certainly deal with the very valid matters raised by the member under Law Courts --(Interjection)-- Yes.

MR. CHAIRMAN: For the assistance of the honourable member, when we get to Resolution 24 he can discuss any of those items individually, or when they're all passed down to (1) and the Resolution itself is called and then he can discuss all of those items together if he so wishes.

MR. GRAHAM: Very well, Mr. Chairman, I'm quite prepared to abide by that decision as long as we have the opportunity in dealing with the Attorney-General's Estimates to make sure that many of the questions that are in the minds of many people today, are discussed at this committee, because I think it is only fitting and proper that we find some avenue during the examination of the expenditures of this government to explore all possible means of saving taxpayers' dollars, expediting the process of legal justice, and ensuring that every person in this province gets his fair day in court.

MR. CHAIRMAN: Resolution 21(a)(2)--pass; (a)(3)--pass. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I notice there is a rather remarkable change here occurring. In the past I think that the Attorney-General's Department has quite properly represented the various departments of government in civil matters throughout the courts of this province, but we now find that there is going to be no attempt made by his department to recover the costs of same from the various departments. And I would like to ask the Attorney-General why this is being done?

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Mr. Chairman, we have been recovering the costs by billing other departments of government up until now. It's true, as the Member for Birtle-Russell says, we are not billing other departments of government and instead we are now reflecting that in our own Estimates. I was of the view, Mr. Chairman, that the submission of billings to departments only added to the paper work, the additional accounting work, SMY involved therein, for, I felt, no valid reason. This does not mean that we're withdrawing from representing departments - solicitors and lawyers are still available to represent departments of government - but it seemed rather asinine to me that one department of government would bill another department of government and only add to the administrative workload that flows therefrom, so that we have eliminated that this year. I think it was an unnecessary introduction into the system that did not prove useful.

MR. GRAHAM: Well, Mr. Chairman, dealing with that subject matter, I would like to ask the Attorney-General then if there is not a real danger that other departments no longer concerned about the total cost of their Estimates, might in fact be sloughing off on the Attorney-General's department many items which they feel, well we can get rid of this by dumping it in the Attorney-General's department for civil proceedings and it won't reflect in the costs of the operation of this department, and in fact it may be adding to the case load that will be handled by the Attorney-General's department without appearing as a cost to any particular department of government.

MR. PAWLEY: Mr. Chairman, first, of course it's a matter that must be controlled by the lawyers within the department themselves. They ought to, and certainly they're expected, and I'm satisfied that they do avoid actions that do not have merit.

Secondly, the \$300,000 which was the moneys that were recovered previously from other departments, that sum of money has been identified as to each department of government. Each department of government was instructed to reduce their Estimates accordingly, to represent that reduction in that sum of money. So they don't have that money to work with. They're instructed to reduce the money accordingly.

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(MR. PAWLEY cont'd)

I think that certainly the Honourable Member for Birtle-Russell raises some valid concerns and I think it's important that we monitor this closely in our department, as well as to continue to expect legal counsel, the Civil Litigation Section of our department, to ensure that they do not become involved in matters which do not enjoy merit. Departments of government of course still do have the right, as before, where there are momentous cases that require senior legal counsel to obtain special legal counsel, as before, there's been no change in that respect. But I think we have eliminated a lot of red tape and paper work and unnecessary messing around.

MR. GRAHAM: Mr. Chairman, I suspect that probably the reverse is the case. I think that what you're going to find will happen is that other departments of government will go their own merry way and hire their own legal counsel. In many instances we know this is already the case . . .

MR. PAWLEY: Mr. Chairman, if the Honourable Member for Birtle-Russell doesn't mind. We insist that before legal counsel is appointed outside of government, outside of the Department of the Attorney-General, that it ought to receive the consent of the Attorney-General, so that they can't really go their merry way without getting approval through the department vis-a-vis the Minister.

MR. GRAHAM: At the same time I think it's only fair to point out, and I think the Attorney-General would agree with me, that if the Attorney-General has a full case load before all existing Crown Prosecutors in his department, he has no alternative but to consent to the various departments acting on their own.

MR. PAWLEY: That certainly would be the case. To date those matters which have been referred, have in every case involved some specialized matter, some very major area that required staff of particular talents. Also it's pointed out I should mention to the Member for Birtle-Russell that we've only been billing other departments for the past four years. Prior to that the department did as it is doing here this year, it handled it on their own.

MR. GRAHAM: Well, Mr. Chairman, the facts that the Attorney-General has given us then, further substantiates the suspicion of some that probably the prosecutions that have occurred in this province have not been adequately handled by his department.

MR. PAWLEY: Mr. Chairman, I regret very much if I gave any such impression to the honourable member. Certainly this doesn't reflect any lack of capacity to handle civil litigation from our own department. Outside of the CFI matters I think in general we've handled all the civil litigation. There are other very major areas that involve a great deal of time and expertise and speciality that probably has been referred to private counsel that would not pay for us to do internally through the department. But in general we've not had a problem in dealing with the general run of business referred to us from departments from handling within the department itself, and haven't been faced with the need except where it's obviously and patently necessary to refer it to outside legal counsel.

MR. CHAIRMAN: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON (Wolseley): My concern was along a similar line except that I wanted to go one further. If the Minister was going to incur a great deal saving through this lack of paperwork, and his earlier comments, I had asked if it was possible if he refer back to the last time we met. I had asked an indication if he felt that it was possible since the province was mainly in a plaintiff position that the expenses could be written off by recoveries. Then I asked a couple of examples of how the province might end up as a defendant. Then I arrived at the conclusion that possibly I wondered if this government does what the press had reported in both the Ottawa level and of course the Quebec level, does this government keep a list of outside law firms that they use, that are either expertise in a certain area or friendly towards this current government.

MR. CHAIRMAN: Order please.

MR. PAWLEY: Mr. Chairman, I would be glad to deal with that question . . .

MR. CHAIRMAN: Is the honourable member aware that we're on Resolution 21(a)(3) recoverable from other appropriations. It is a nil appropriation. I understand it

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(MR. CHAIRMAN cont'd) appears there only because there was an amount expended on that last year. The Honourable Member for Swan River.

MR. BILTON: Mr. Chairman. I appreciate the Attorney-General's interest in eliminating red tape, and I know it's quite extensive, but I must say that the appropriation of this department is up over a million and a half dollars. And I also must say that, as the Attorney-General has admitted a few moments ago, that he and his department and the officials in his department are responsible for all the legal aspects of the government on behalf of the people, and by showing a nil return here I just wonder what the cost factor might be over the years, over the year that should be in there. And I would remind you, Mr. Chairman, that in dealing with the Estimates of the various departments, it has been told to us over and over again that this is charged back to that department or this department, or that sort of thing, and particularly our air division. It comes to my mind very vividly that department after department, there's an item there that takes care of the flying around of the province which is paid back to justify the air division being there. And I feel that there should be an item in here justifying what the Attorney-General is doing in a legal way on behalf of the various departments of the government in order that we as representatives of the people can question why this expense has come about and why this figure is in there. I believe that looking at the Estimates that we're getting a snow job on this item. If there's been a change in policy as far as the department is concerned in this particular regard, let the Minister tell us and not talk about red tape and cutting out a lot of official material, and so on, because obviously with his responsibility and the responsibility of his officials he must represent every department when the need is there and there is an expense, that expense is not here.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Mr. Chairman. I don't know whether the Honourable Member for Swan River is reading this correctly because we're doing exactly I think what he is suggesting we should be doing. We are no longer recovering from different departments but the department itself is fully accountable for all the expenditure in respect to civil litigation. In other words, rather than each department going off on its own way, all the costs now can be pin-pointed of civil litigation within the province, and they all now come within the appropriations for the Department of the Attorney-General. Before all those appropriations would be defused throughout many departments of government and it would be very difficult previously to trace just what each department of government was spending for legal services. Now it's very clear and very precise, all listed under the one item, that pertaining to legal services, Department of the Attorney-General.

MR. BILTON: I thank the Minister for that comment. Is he telling us then that throughout his Estimates there is an anticipation as to what he's going to spend in legal aid to the various departments of government as and when the situation develops. If he is, point them out to us. --(Interjection)-- Legal responsibility, don't misunderstand me.

MR. PAWLEY: Yes. Mr. Chairman, that's why we project the need for an additional \$300,000 in the Department of the Attorney-General because we have gone through the expenditures by other departments of governments in previous years and summed them up and from that we have projected, yes. And it has been chopped too. And from that we feel that we require \$300,000 in order to handle the cost of civil litigation this year within our department because we will not be billing back other departments of government.

MR. BILTON: Just one final question. Is the Attorney-General telling me that it cost \$300,000 last year to take care of the legal problems of the various departments? Why isn't that

MR. PAWLEY: Is it billing? I think it was a little more than \$300,000.

MR. BILTON: Very well. That \$300,000 on top of your \$22 million, your million and a half more this year, that would make it almost \$3 million.

MR. PAWLEY: No, no. Mr. Chairman, if I could refer the honourable member to the Civil Litigation Section. Last year it reads \$235,500, this year \$542,900, so that there's an increase of just a little over \$300,000 under that item. The other \$1 million relates to all the various sections of the department from Land Titles, Law Courts, Human Rights, etc., all the way down.

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MR. BILTON: I accept the explanation, thank you very much, Mr. Chairman.

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

MR. GRAHAM: Mr. Chairman, now that the Attorney-General has told us that we can pin-point civil litigation through his department, I would like to ask the Attorney-General - he has roughly a \$300,000 increase in the anticipation in the next year - can he tell us how much it cost his department in the past year for civil litigation with respect to Hydro.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Manitoba Hydro has their own solicitors.

MR. GRAHAM: Manitoba Hydro has its own solicitors?

MR. PAWLEY: Right.

MR. GRAHAM: Can he tell us how much it cost us for Manitoba Telephone?

MR. PAWLEY: They have their own solicitors as well.

MR. GRAHAM: They have their own solicitors.

MR. PAWLEY: As does the Manitoba Public Insurance Corporation.

MR. GRAHAM: The Manitoba Public Insurance also has their own solicitors.

How about the Manitoba Agricultural Credit Corporation?

MR. PAWLEY: We provide the service to . . .

MR. GRAHAM: Can you tell us how much it costs us for the Agricultural Credit Corporation in the past year?

MR. PAWLEY: I wonder if Mr. Arnason has that information. \$25,000.

MR. GRAHAM: And that \$25,000 mainly dealt with the appropriation of various parcels of land throughout the Province of Manitoba, did it, or were there civil actions other than the appropriation of land?

MR. PAWLEY: I would think, now I am not familiar with the workings of the Manitoba Agricultural Credit Corporation, but I would think that, that pertaining to most mortgage work would be charged back as against the individual borrower. The expenditure of some \$25,000 would involve work done on behalf of the Manitoba Agricultural Credit Corporation, and with a full-time staff person apparently.

MR. GRAHAM: \$25,000 then for Agricultural Credit Corporation. How much did it cost us for the crop insurance in the past year?

MR. PAWLEY: You know, Mr. Chairman, if you want the individual figures by departments and agencies, I think my staff could certainly get that. They don't have it here this evening. I think it could be obtained without too much difficulty.

MR. GRAHAM: Mr. Chairman, it is not my intention to embarrass the Attorney-General at this time so I'm quite willing to wait for those figures.

MR. CHAIRMAN: Is the committee prepared to pass this nil appropriation? Agreed.

MR. GRAHAM: With the assurance that those figures will be forthcoming.

MR. CHAIRMAN: The Honourable Member for Assiniboia. Resolution 21(a)--pass.

MR. PAWLEY: Yes, just a moment before we leave I want to be sure from the staff that they are able to obtain those figures without massive work. Yes, they can be obtained for tomorrow.

MR. CHAIRMAN: Resolution 21(a)--pass. Resolution 21(b) (1) Salaries. The Honourable Minister.

MR. PAWLEY: I'd like to just mention one point here. One of the most frequent criticisms of the administration of justice in Manitoba has been a valid one, over many many years, is that witnesses required to appear in court, usually people with modest salaries, and collect a sum total of \$4.00 for all their efforts per diem witness fee. Now we have provided for a modest increase of \$50,000 in the appropriation in order to handle increase in witness fees. It's not something that I want to boast about from the rooftops but there has been a doubling included in this figure for witness fees. So rather than \$4.00 henceforth it will be \$8.00 per diem. Again it's inadequate, but at least it proceeds a little way in I think attempting to provide some improvement. One of the greatest injuries I think suffered by the administration of justice has been the fact that the man from the streets so often has been expected to wait around and appear in

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(MR. PAWLEY cont'd) court and collect his \$4.00 sometimes after waiting for it for some period of time, and at least this year, despite the fact that we've attempted to cut back in so many areas, this is one area where we have provided for an increase.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Thank you, Mr. Chairman. I agree with the statement that the Minister just made, and I think that he has taken the right course of action because just about a month ago I tried to get out of being a witness and certainly the \$4.00 didn't affect me, because we were sitting here in the Legislature, but I could see where somebody's making \$25.00 a day and taking a day off work and losing their pay and receiving \$4.00, certainly would be a problem. I feel that even \$8.00, it may not affect all people the same but for some people it may create hardships. So, certainly the \$50,000 appropriation more for witnesses is the right course of action, and I think that's the proper thing to do.

The point that I want to raise on this item, Mr. Chairman, under criminal prosecutions - we had a little bit of discussion on it the other day, - the Minister, can he indicate to the House how many criminal charges have been laid in connection with the CFI case, either in Manitoba, United States, or out of the country. Mr. Chairman, if I may continue, perhaps if I can continue for a minute I want to know how many criminal charges were laid. Yes, how many people were served with criminal charges in connection with that.

My second point is, who pays for the extradition costs? I know that for instance if there's somebody in Winnipeg that somebody, the prosecutors from New York, the courts from up there, say want to bring somebody back to the United States, they'll hire the local lawyers in Winnipeg and it appears they'll pay, and say, another case you may have the authorities in California request the Government of Manitoba to extradite somebody and they may use the local attorneys or the department. Now there's costs involved. Are those costs recovered from say the State of California, or whatever state we're involved with?

So I'm posing two questions here. Number one, about the extradition costs, who pays for the costs, do we recover the cost in every one? What I'm talking about, if some other country requests somebody be extradited from Manitoba, do we recover the cost in every case? That's one question. The other question was, how many criminal charges were laid in connection with the CFI?

MR. PAWLEY: In respect to extradition costs, legal costs pertaining thereto, the requesting party must bear the brunt of the costs. So in the particular case which we're dealing with, Manitoba would pay those costs, all extradition costs.

Insofar as the number charged, I believe it is seven, the number of charges, I would like if the Honourable Member from Assiniboia wouldn't mind, Mr. Goodman is not here tonight, but I think it's in the neighborhood of 30 charges, there or about, and I could get more precise information when we complete the Estimates. But I believe it's in the neighbourhood of 30 with seven individuals charged.

MR. PATRICK: I appreciate the Minister's answers but I'm somewhat concerned in this area, because the other day it was reported in the newspapers that the Minister, or it appears that all charges will be dropped and the case will be sort of forgotten . . .

MR. PAWLEY: No, no.

MR. PATRICK: That's number one; and No. 2, what has happened since December, because in December it looked from the Attorney-General's own information and from news releases it was indicated that we had Kasser already underway, coming to Manitoba and everything was under control and he's still not back in Manitoba. Now it appears that we're going to dump the whole thing. That's the kind of . . .

MR. PAWLEY: Mr. Chairman, I must say to the Honourable Member for Assiniboia that I prefer his line of questioning to the questioning posed by the Honourable Member for Wolseley, because I think it is a real concern to Manitoba that if we're going to suggest we have an equal application of the law, that that must pertain to the international criminal who commits the most monstrous of crimes in Manitoba as compared

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(MR. PAWLEY cont'd) to the minor criminal offences that are committed by others in Manitoba that we proceed against because they're just easy to get. So I appreciate the line of questioning.

I would hope that the article referred to by the honourable member would not have left him with the impression that as the Attorney-General I was about to give up the ship, because that is the very last thing that I wish to do in this regard. I think that all reasonable efforts must be undertaken in order to bring this matter to a head and I indicated on the note that we were hopeful that we can . . . at least we feel still that we have a reasonably good chance of success. When and if we face further setbacks, serious setbacks, then we would certainly have to reconsider but we are hopeful that we can bring this matter to a conclusion, successfully bring about the extradition of Kasser and others to Canada, to Manitoba, and I would not want to leave the impression that we're about ready to throw in the towel, except to say that at some point of course we must constantly measure the progress which we have made. Now since December, the events are this: that revocation of citizenship order was in fact given by a junior official within the State Government of Tyrol; the revocation order was served upon a lawyer who appeared to be acting for Dr. Kasser but under Austrian law, the power-of-attorney permitting a lawyer to act on behalf of a client must be filed in the state offices of the state government, which was not the case here, and when this was discovered then of course the service was considered to be defective. A request was made that the service be served directly upon Kasser; the officials that were then handling the matter reconsidered and indicated that they were not prepared to re-serve the documents. So, in fact, although we had a rescinding order, it was not serviceable, so in fact it was useless to us.

Now the matter has been taken from the area of responsibility for the junior officials in the state government and is now being handled by officials which are equivalent to our Attorney-General and Deputy Attorney-General in the State Government of Tyrol. They are reviewing this matter; there is constant discussion back and forth between the Federal Government of Austria and the State Government of Tyrol, and I want to say also that the External Affairs Department has been helpful and has been playing a role here too in attempting to assist in bringing about Kasser's extradition to Manitoba. So at the moment we are awaiting the results of a review of actions to date.

MR. PATRICK: I'm glad to hear from the Minister that he hasn't given up as yet but I still have a further question on that subject as well, and one other one. What happened in December when you had your legal people in Austria, I believe, and apparently from one of the news releases of the Attorney-General it appeared that everything was in order and Kasser was on the way, and somewhere along the line something happened, it broke down - I'd like to know what happened? That's number one question. The second question, the Attorney-General already answered, that the extradition cost has to be paid by Canada.

MR. PAWLEY: Manitoba.

MR. PATRICK: Manitoba, yes. My question - this is a separate case completely that I'm referring to now. I believe we had the United States people, from California, somebody just wanted Manitoba to extradite somebody out of Manitoba, I think a case involving . . . this person was wanted on a charge, on a drug charge, and a manslaughter charge or something in the States and he was living in Winnipeg, they wanted him extradited. Now my question to the Attorney-General is: now who pays the cost for getting this man out of the country, for seeing that he goes there? If we have to do it, do we recover from the state that we send . . . as I say, usually at times the Crown will hire lawyers here and will get the job done. In this case I think it was directly with the government. Do we recover from that state by getting somebody out of the country, where he's wanted? Not a Canadian citizen but an American citizen.

MR. PAWLEY: In the case just given it would be the State of California that would pay. They would hire their own legal counsel in Manitoba to represent them in obtaining the extradition of the individual.

MR. PATRICK: Do you recover the costs?

MR. PAWLEY: So there ought to be no payment of costs by Manitoba in that case.

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MR. PATRICK: I see.

MR. PAWLEY: And all the costs would be paid by the State of California through their hiring of a private legal firm in Manitoba to act on their behalf.

MR. PATRICK: If the Crown is involved itself, say, if the government is involved and it incurs some costs, do we recover the costs in all cases? That's my question.

MR. PAWLEY: No. Well, we wouldn't be involved in this case because being a drug matter, if any other jurisdiction of government was involved, it would be the federal level of government.

MR. PATRICK: Okay.

MR. PAWLEY: I could just also deal with question number one. The difficulty was relating to that, all that silly, what appears to be kind of a silly difficulty, pertaining to the service of the order of revocation. We did have the rescinding order, the problem was to have it served. By the time we went to have it properly served, then the junior official refused to serve it in the proper way.

MR. PATRICK: I see.

MR. PAWLEY: He'd reconsidered, was the words that he used, his earlier decision.

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

MR. GRAHAM: Thank you, Mr. Chairman. To carry on with the line of questioning that was prompted by the Member for Assiniboia. I would like to ask the Attorney-General if charges of gun running are one of the charges that the Province of Manitoba are bringing against Mr. Kasser.

MR. PAWLEY: No.

MR. GRAHAM: Then the newspaper article dealing with that was erroneous, is that correct?

MR. PAWLEY: I don't know. There was never any newspaper article indicating gun running in Manitoba by Kasser, or in Canada I should add.

MR. GRAHAM: Well, Mr. Chairman, was it not the Attorney-General that raised the issue in the first place in a news release?

MR. PAWLEY: No. The Attorney-General didn't issue any release. There was a story in a Turkish newspaper.

MR. GRAHAM: A second question, Mr. Chairman. If the legal counsel that has been retained to act on behalf of the Province of Manitoba, acts in error, does the Province of Manitoba pay for those errors?

MR. PAWLEY: Well, we would, it depends I suppose on all the circumstances but on a few occasions clients do have the misfortune of hiring a lawyer that commits an error - of course that very rarely happens in the legal profession, so it's very rare that anybody has to bear any costs. But I suppose if it happened in our case we'd have to pay the costs. --(Interjection)--

MR. GRAHAM: I appreciate the remarks of the Member for St. James, but at the same time, Mr. Chairman, is it possible for the Attorney-General to give us the legal costs or the costs for legal counsel that have been accrued in the past year, and I realize that the case is still not finished, but the costs that have been accruing to legal counsel from the Province of Manitoba that have acted outside the jurisdiction of Canada on behalf of the Province of Manitoba?

MR. PAWLEY: \$20,000.00.

MR. GRAHAM: At the same time, could the Attorney-General itemize the expenses incurred by that legal counsel on a daily basis for the days that they were outside the Province of Manitoba, acting on behalf of the Province of Manitoba?

MR. PAWLEY: Mr. Chairman, I don't claim to be an expert on committee rules, but I wonder is that not the type of question, asking such detail, that would be better asked by way of an address for an Order for Return? You're getting into tremendous detail, asking such a question, I'm sure staff wouldn't be able to get that type of information together within a matter of 24 hours.

MR. GRAHAM: Well, Mr. Chairman, we have always run into this whenever we

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(MR. GRAHAM cont'd) ask certain questions - and I respect the right of the Minister in any department to refuse to answer or to request an Order for Return - but, Sir, I also say this that I think it is the responsibility of any department of government to provide as much information as is requested by members of the Legislature from time to time. And if the Attorney-General feels that he would rather have this dealt with by an Order for Return, which will not be answered until next year, then I have no recourse but to accept his wishes. I would hope that the Attorney-General would attempt, make every attempt to be as open as possible and provide us with as much information as is humanly possible, and I don't expect an answer tonight, but I know we won't finish with his department Estimates tonight either.

MR. PAWLEY: Insofar as Dr. Steidle, I've indicated that the sum is \$20,000. I don't know just what sort of job it would be to break down a daily analysis of the costs. It's something that I think would be better, certainly better done by way of an Address for Order for Return, because reasonable notice would be required to bring together all that information for the members of the House. But I can certainly give the member the total, which is the important aspect of it, I would think, \$20,000.

MR. GRAHAM: Mr. Chairman, I wasn't referring entirely to Dr. Steidl. I think I made it clear that I was asking for legal counsel from the Province of Manitoba acting on behalf of the Province of Manitoba outside the jurisdiction of Canada. I'm referring to legal counsel who is licenced within the Province of Manitoba.

MR. PAWLEY: Mr. Chairman, we would then have to go through each item and identify how much the item was the result of services and expenditures outside the province and how much inside the province. Again I think that is a very long detailed job and I would, certainly I would like to provide the honourable member with that information, I just wish I had received sufficient notice that we could have gotten together that sort of material.

MR. GRAHAM: Mr. Chairman, can I get the assurance from the Attorney-General that that information will be provided at some later date, without the necessity of filing an Order for Return?

MR. PAWLEY: Well, certainly not during our Estimate review. I don't think there's any way that that can be put together within a matter of days. I would also want to see just how large an undertaking that is. Usually the information that is provided in this respect is the totals with some breakdown as to what the fees are and the disbursements.

MR. GRAHAM: Mr. Chairman, I have the highest regard for the integrity of the Attorney-General and if he could give me that assurance I will not have to go through the other avenue of filing an Order for Return. If he'll give me that assurance, I will abide by his decision.

MR. PAWLEY: The only thing that's concerning me, is the honourable member wishing us to provide that information during our present Estimate review?

MR. GRAHAM: No.

MR. PAWLEY: Mr. Chairman, I'd like to provide the information to the member as to the total fee and disbursements and some approximate figures, but I do say this that overhearing what has been said staff-wise, it seems to be a massive undertaking and I certainly don't want to tie up my staff. If the honourable member could agree to approximate figures, fees and disbursements in total, because if we have to get down to all, apparently the massive accounts, and there have been many many accounts, and start figuring out how much is Austria, how much is Manitoba, disbursement and fee wise, it's really, I think with all due respect, asking more than we ought to impose upon a busy staff.

MR. GRAHAM: Well, Mr. Chairman, I'll accept the Attorney-General's word on this. Our number one concern - and I think it's a legitimate one - my number one concern is to attempt to ascertain the extent of the activities of the Attorney-General's Department, the number of days that we have had legal counsel representing the province from the Province of Manitoba, who have been acting outside the Province of Manitoba, or indeed outside the jurisdiction of Canada. I think it would be in the interests of the people in Manitoba to know how many trips. Example: How many trips legal counsel

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(MR. GRAHAM cont'd) has made outside the Province of Manitoba? And in only by finding out this information will we be able to truly ascertain whether or not the Attorney-General is mounting a concerted effort to extradite Dr. Kasser; to assure the people of Manitoba that the affairs of the province are being handled in a proper manner and that every effort is being made to ensure that justice is accruing to the people of Manitoba by the actions of the Attorney-General's Department.

MR. PAWLEY: We could obtain: (1) the number of trips, yes; (2) the days engaged in respect to those trips; (3) the fees; and (4) the disbursements. I think we could get that information together. It might take a little time but we could obtain that information and that assurance could be provided.

MR. GRAHAM: Well, Mr. Chairman, I thank the Attorney-General for the efforts of his department in that respect.

And now, Mr. Chairman, I'd like to come back to another issue that was raised by the Attorney-General when we commenced examination of (2)(b) here, which is the Criminal Prosecutions, and I refer to the statement made by the Attorney-General where the fees for witnesses have been increased in the Province of Manitoba.

MR. PAWLEY: Excuse me, they haven't as yet, I'm announcing that they will be increased.

MR. GRAHAM: Well the Attorney-General now tells us that they will be increased, they haven't as yet. And I want to say, Mr. Chairman, that I speak as one who has been involved. It was only in the past 12 months that I was asked to appear in a particular case for the Crown as a witness in a criminal prosecution.

MR. PAWLEY: You were on the right side anyway.

MR. GRAHAM: And, Mr. Chairman - I thank the Attorney-General for those remarks, but I also want to point out to the Attorney-General that there is certainly some concern on my part, after having made a considerable sacrifice of my own time, and driving some 400 miles to appear on behalf of the Crown, I have to say this, Sir, that on the basis of that one case that I was an active participant in, I have to register some dismay in the actions that were taken by the Crown in the prosecutions. It seemed somewhat disconcerting to me, Sir, as a witness, to find that the prosecution in that particular case was extremely lax, that the evidence that appeared was fairly significant but because of errors made by the prosecution in bringing forward the charges in an improper manner, that the accused had no difficulty in proving that the charges were improper. In fact the judge had no difficulty in dismissing the case entirely.

So, I only point out to the Attorney-General at this time, that I'm speaking only from one case but it was a case which I as a witness had firsthand information, and I would hope that there'll be every effort made in the future to ensure that when charges are laid that there are adequate grounds, and that the prosecution and the carrying forward of the case in the courts is done in a proper manner to - I'm not saying in an effort to find a conviction, but to ensure that justice is served in the Province of Manitoba.

MR. PAWLEY: Well, Mr. Chairman, I just want to say that certainly the example that he's giving is not a common occurrence, and I'm sure of that. If the honourable member would oblige us with the name of the case, date, and offence, I would ask my staff to review it, because certainly the allegations made are of a serious nature, and certainly no case should be launched within the criminal courts unless there are suitable grounds for the launching of that case and the laying of charges. The inconvenience that results to not only the accused that, apparently in this case referred to, was improperly charged, but to other witnesses. So if the honourable member would provide us with that information I think that we would certainly have an obligation on our part to explore the background of the case to just ascertain what went wrong.

MR. GRAHAM: Well, Mr. Chairman, I would be more than pleased to provide the Attorney-General with that information but I must caution that I feel that it is only fair to the person that is involved, that the case having been heard in court, that the information I give him should be given in private.

MR. PAWLEY: Yes. Well I would certainly accept that caveat, Mr. Chairman.

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MR. CHAIRMAN: The Honourable Member for Wolseley.

MR. WILSON: I'll come back to that in a moment. I did want to ask the Minister what he thought of the - we were talking about witness fees earlier, and again I apologize for my manner in which I fire these questions off sometimes, but it's done from a point of view of wanting to examine and wanting information to be put on the record so that I can be satisfied that I'm getting the information into a public section.

I was concerned about the cost of the constables to the city taxpayer because so many witnesses that appear are our city constables, policemen, and we as taxpayers have to pay them . . .

MR. CHAIRMAN: I believe this is not a responsibility of the Attorney-General for policing costs in the City of Winnipeg.

MR. WILSON: It does because it comes under witness fees. What I'm getting at, Mr. Chairman . . .

MR. CHAIRMAN: Oh.

MR. WILSON: . . . is that the witness fee costs to the taxpayers because of all these policemen appearing, because most of the fines accrue to the Provincial Government, and in the case of narcotics to the Federal Government, and it would seem to me that there should be a grant to the city to cover this type of expense because he's giving, I believe, an \$8.00 witness fee now to the public, and I don't know what he pays the city constables, but it would seem to me that faced with time and a half and extra benefits if policemen appear on their day off - and I think it's an area which the media and I agree and it seems to me that a lot of this increase of witnesses, police witnesses, seems to be caused by this new fad called fee-generating, I guess legal aid system, in the criminal thing which has got a great deal of increase in cases. So I wonder if the Minister could indicate, if he's sympathetic to my concern of the costs to the city taxpayers of all these police witnesses that have to appear time and time again when cases are remanded continually.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Mr. Chairman, I'm glad the honourable member has raised this issue because it certainly is a, the cost of policing in Manitoba is one of major concern to the province, and it is for this reason that in our Budget release of three or four weeks ago, we provided for the first time for policing assistance to all municipalities in Manitoba not now receiving policing assistance from the province. So that, for instance, in the case of the City of Winnipeg - though I must say very little has been said, if anything, by the municipal councillors at the City of Winnipeg level. I haven't heard any favourable comments - the fact is that the Budget announcement by the Premier provided police assistance to the City of Winnipeg not before received by the City of Winnipeg, to the sum of some \$1.1 million - not received last year but will be received this coming year, as well as other municipalities in Manitoba as I say that did not prior to this receive provincial policing assistance.

Secondly, the adjustment which I mentioned earlier in connection with the witness fees, will mean that the policemen, like all other regular witnesses, will receive \$8.00 per diem rather than \$4.00 per diem.

And thirdly, I think really insofar as recovery of other personal lost wages, etc., by a policeman, that's a matter that would have to be subject to review by the city and the union that negotiates on behalf of policemen for the city.

MR. WILSON: Well in my address to the Throne Speech and again on the Budget thing, I had thanked the First Minister because my concern was that I felt that there should be a per capita grant for police protection, and that was the whole thrust of it because of the fact if you were to give this \$1.1 million to the city councils, chances are it would not end up in a large part to police protection, if you gave it to them under any other circumstances, so by giving it to them under a per capita grant, I think this is a positive move on the government part because somehow or other police protection seems to have a low priority, and as I say, I had mentioned it in my charge to the Throne Speech. My experience led me to believe that the priorities of city councillors, and of which I was one, would seem to be recreation because we leave the policing up to the Police Chief and his administration and there always seemed to be . . . in the last figure

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(MR. WILSON cont'd) he gave us it was 266 men short, so I thank him for that.

But may I get on to the subject which was, I guess, not properly spelled out by myself, which I felt . . . under this thing the reason I had asked that the Minister give some thought to abandoning the chase for Dr. Kasser was because of the costs. And I realize that a principle may or may not be involved here, but I felt that that principle had been well worn and I looked at cases where I was a witness in my own personal case of investment in what they call a similar initials, CF & I Funds, which was a mortgage vehicle of the Bank of Western Canada, in which we were unable to stop a group of very capable businessmen from taking \$3 million to the Bahamas. And here we have the lawyer who was one of the lawyers - and I have all this information in front of me - appearing on television and saying how shrewd and how many corporations that Dr. Kasser had. So in light of this gentleman who is recognized as one of the leaders in the prosecution of Dr. Kasser, I just felt that it was time that I found out from the Minister what is the cost to date of tracking down Dr. Kasser alone, never mind the entire umbrella, the group, and the Member for Birtle-Russell has asked for trips out of the country, but I'm more concerned with getting a cost, going back to this breakdown in 1971 in which Richardson and Company received \$120,221.86, to the present day in which we have appearing under the Estimates, under the official enquiry of Churchill Forest Products, a great deal of costs all spelled out for us which are very informative.

But I would like to see that, if nothing else - they're willing to appear on T.V. and talk about it - why don't the top criminal law firms in this town get together as a public duty, as a civic duty, the same as we serve in office, get together with the Minister and spell out what they feel are their odds on this thing. The Minister speaks in the Free Press article of the other day of a 50-50 chance. I would be more inclined to support in principle, but one goes broke on principle if it's carried on too long. I would just as soon see that all of these particular firms get together and stop remaining silent, and have the civic duty to come out and say, I don't agree with the Attorney-General that it's a 50-50 chance, I think it's only a 10 percent chance, and give the taxpayers a chance to voice their opinion. If they're willing to proceed for principle, then I've guessed wrong. But my street feeling is that they've been told through rumours, and what-have-you, that the cost of the Churchill Forest enquiry to date exceeds \$1 million. If that figure is exaggerated, I think the Minister should put it on the table for the people to get the true costs and then evaluate it to see if - 1971 to 1976 - isn't it just about time we called a day to this Kasser situation in light of the fact that he is a gentleman of international intrigue who has all these corporations, and I'm quite sure that there's been so many roadblocks thrown up that it must have frustrated the Attorney-General time and time again, as only court proceedings can do in other countries as well as our own. It wasn't meant as a criticism to the Attorney-General, I'm sorry it appeared that way, it was just a case of that I felt as a member of the public that we felt that we should call an end and not spend another dollar chasing Dr. Alexander Kasser because of the fact it's rumoured that the cost of the Churchill Forest enquiry has exceeded \$1 million. Now am I wrong?

MR. PAWLEY: Mr. Chairman, I really want to restrain myself, and I don't want to appear to be sarcastic to the honourable member, that true enough the system of the administration of justice is not a one which does not bear with its costs. But there is no way, Mr. Chairman, in which I'm going to develop some mechanism, mechanism of surveying all the criminal lawyers in the City of Winnipeg to ascertain from them by way of a poll, whether or not we have a five percent chance of recovery, a ten percent chance of recovery, a 30 percent chance, a 50 percent, 75 percent chance of recovery. We have hired specialized criminal counsel, which I think everyone in the province would agree are, Messrs. Gallagher and McGregor, are among the best in the field of criminal law, to act as our special prosecutors and to them we look to for our advice as to what our chances are - and I'm certainly not on the verge of renting a hall and inviting all the criminal lawyers of the City of Winnipeg to converge and to attend a meeting in the hall so I can poll the individual lawyers as to whether they feel we should proceed or not.

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(MR. PAWLEY cont'd)

Secondly, I want to simply say to the honourable member that the happiest information, or impression, and I would hope that I would avoid giving this impression as every other member, is that those that are the subject of criminal charges would develop some hope from what is being said in Manitoba, that they have a chance of discontinuing this battle and the matter won't be brought to a head. I think that it would be wrong for us to give any such impression.

And thirdly, I think that the principle is very important because we are dealing in a world which is rapidly changing, a world of the growth of the multi-national corporation, fantastic tentacles can stretch out from country to country insofar as the international criminal community is concerned.

I'm very impressed by many of the sentiments uttered by the Honourable Member for Wolseley about the need for stronger action pertaining to criminal law, what better place to demonstrate this concern but when it comes to the field of the international criminal, when we're dealing with those that are the whales of the criminal world rather than the sardines, that's an area where I think that compromise or a weakening would be a very unfortunate development on our part.

MR. WILSON: Well, I guess I'll close by saying simply that I can see nothing wrong with that when we want to debate a traffic problem, we want to talk about the construction of a new bridge and matters which pertain to only amounts of 200,000 to three or four million dollars, and here we're talking about allegedly \$35 million, I think they're part of the community and I think they have a civic duty to stop remaining silent and come forward if they have knowledge of international affairs, and certainly the firm mentioned is one, I see there's other firms mentioned, McCaffrey and Associates and others that have also been involved in this case, I think if they can appear on T.V. and express their opinion. I see nothing wrong with a public forum in which they turn around and spell it out and say . . .

MR. PAWLEY: Mr. Chairman, in this case there is a misunderstanding. Mr. Caffrey has had no involvement in this case. His involvement has been as legal counsel for the Commission of Enquiry.

MR. WILSON: Yes, I agree, but it was a television program that I watched. However, I'll close by saying, unfortunately I cannot change my mind, I feel that 1971 until today is a long time of which to make a point and I think there's greater priorities and I would hope that at some point in time that this thing would end.

MR. PAWLEY: Mr. Chairman, I just want to make one more statement because I don't want any of my remarks to be misunderstood. When I refer to international criminal community, refer to a criminal, I'm not prejudging in any way, shape or form the Kasser case, I'm referring to the overall principle and I'm not prejudging any of those that have been charged in the CFI case. I'm dealing with the entire question of criminal charges laid against those which are within the international community and I'm not specifically trying to suggest that someone is already a criminal prior to a hearing in Manitoba pertaining to the charges brought against him or her.

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MR. CHAIRMAN: The Member for Birtle-Russell.

MR. GRAHAM: Thank you, Mr. Chairman. I would like to get on to the actual matter beforehand here at this time. I notice in the salaries that we have here there is a fair increase which would indicate that either the present personnel are going to be receiving a stipend which will probably exceed the Anti-inflation Board or else there may be a possibility that there is an increase in staff in this particular field. It is not my intention, Sir, to really be concerned about the number of staff that the Minister has, but can he indicate whether he has planned for an increase in staff in this particular field.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: An increase of two lawyers over last year by two SMY, to 26 from 24. Certainly there's no increase that's higher than the guidelines spelled out in the Anti-inflation Board Program. In fact that, Mr. Chairman, could be another subject matter of a great deal of discussion as to its ramifications insofar as the public lawyer is concerned, some of which are, I think, adverse.

MR. GRAHAM: A second question to the Attorney-General. Is it the practice of the A G's department or is there any plans to use law students in criminal prosecutions, or is it only in a training program or advisory capacity?

MR. PAWLEY: The law student is only involved in the traffic court and the juvenile court. --(Interjection)-- It's pointed out to me that the figures I gave were incorrect. There's 34 SMY, an increase from 32 SMY.

MR. GRAHAM: So we have law students only involved in traffic court which again is a criminal matter . . .

MR. PAWLEY: No, no. Traffic would be considered . . . certainly not of a quasi criminal nature. It's a regulatory matter.

MR. GRAHAM: And the juvenile court as well . . . That is where the students are training.

MR. PAWLEY: Yes, the students are training.

MR. GRAHAM: A supplementary question then to the Minister. Does the Minister then feel that juvenile matters in the province are not as important as other matters, if he is assigning law students to that field?

MR. PAWLEY: No, certainly very much the reverse. And just to demonstrate that it's not phraseology on my part, that we do consider the juvenile and family court to be among the most important courts, because certainly that's the entrance of an individual into the process through life as to whether that individual will end up being a good citizen or will end up being a criminal. The juvenile court is very important. Now we have provided in the juvenile court for duty counsel, legal aid counsel and graduate staff to an extent which was not available four or five years ago.

MR. GRAHAM: That will come under another appropriation, will it, or does it all appear here in this?

MR. PAWLEY: Yes, the honourable member is quite correct dealing with it under this item.

MR. GRAHAM: Well, Mr. Chairman, it is not my intention to criticize the use of undergraduates at all, in fact I think it's very desirable that we encourage young students in the legal profession to achieve a mature status as quickly as possible, and I commend the Minister for the use of undergraduates in this respect, but I hesitate whether or not this use should be confined just to juvenile court and the other jurisdiction that he mentioned.

MR. PAWLEY: I suppose the only problem would be, Mr. Chairman, that one has to look at the implications of any matter. It certainly goes without saying that when we're dealing with a criminal matter in which there is a significant matter involved, that it would certainly be a practice that we would not want to see occur. In addition, there is a restriction imposed by the Law Society insofar as the use of students are concerned, and even if we wished to, we could not have students appear in our criminal courts.

MR. GRAHAM: Well, Mr. Chairman, wouldn't it be beneficial to those students to have active participation, even if it's in a minor role, in some of the more

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(MR. GRAHAM cont'd) important criminal prosecutions that occur in this province, even if it's only in a research capacity.

MR. PAWLEY: Oh, you're quite right and I wouldn't have wanted to leave the impression that they're not exposed to criminal courts. They do not plead but they do assist research-wise and sit at counsel table, certainly play a very supporting role.

MR. GRAHAM: Well I thank the Minister for his explanation because I then feel reassured that we are properly training young lawyers to act both on behalf of the Crown and also to widen their experience in the entire legal matters. I commend the Minister then for the use of law students in this respect.

MR. CHAIRMAN: Resolution 21(b)(1)--pass; (b)(2)--pass; (b)--pass. Resolution 21, resolved that there be granted to Her Majesty a sum not exceeding \$1,899,200 for the Attorney-General--pass.

Resolution 22, Boards and Commissions, (a) Manitoba Law Reform Commission - the Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I notice here that there is a significant increase in the salaries under the Manitoba Law Reform Commission. Can the Minister indicate if there is support staff given to the Chairman of the Law Reform Commission in this respect or is the increase here more for other members of the Law Reform Commission other than the Commissioner?

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: It's the addition of a senior research officer, a position which did not exist in the previous year. And I'm advised other researchers too.

MR. CHAIRMAN: Resolution 22(a)(1)--pass; (a)(2) - the Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I notice that there is a decrease in the appropriation given to the Law Reform Commission in this respect. Now the Minister has just indicated that we have had an addition to staff which I would expect would be for the purpose of expanding the activities of the Law Reform Commission, but here we find that, in essence, the expenditures that are going to be allowed that Commission are in fact going to be curtailed. It seems to me that this seems a rather awkward situation. You have added more staff but you have more or less tied their hands in the manner in which they can operate. Are we going to be assured that we're going to get the maximum efficiency out of the operation of the Law Reform Commission if this is allowed to happen?

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Mr. Chairman, there certainly have been some cuts made here. The prime area in which we have requested an improving in is a reduction in the costs of printing of reports from that in prior years. We feel that there can be some reduction in the costs of reports and in other areas besides reports, we felt that there was a reasonable basis to expect a reduction in costs.

MR. GRAHAM: Well then is that the reason why the members of the opposition have only had one report for the entire caucus on the latest reports from the Law Reform Commission or can we expect each member to receive a copy of the latest report on family law?

MR. PAWLEY: Each member will receive a copy of the Law Reform Commission dealing with family law, yes.

MR. GRAHAM: Mr. Chairman, then can the Minister indicate, seeing as how the report has already been tabled for sometime, when other members of caucus and other members of the Legislature can expect to receive their copies of that report?

MR. PAWLEY: Well, Mr. Chairman, all that we can do is do our best to hurry that up, because I had hoped that it would be distributed by this time but it is being printed at the Queen's Printer. We thought it would be available by now and I would like to certainly have that distributed as soon as possible because we do want to deal with family law reform in some manner prior to the conclusion of this sitting of the Legislature.

MR. GRAHAM: Well, Mr. Chairman, I'd like to ask the Attorney-General, does it not indeed add to the cost of printing rather than detract from it, to have four or

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(MR. GRAHAM cont'd) five copies of a report printed and then have a second run later on?

MR. PAWLEY: I don't know whether I could provide any useful information there because I don't know too much about the printing business. All that has been requested is that they do reduce the costs insofar as printing of reports and other . . . I think the one that I received was not a printed copy but was a draft copy as well. I don't believe that is the final printed one that's already been distributed.

MR. GRAHAM: Mr. Chairman, I can assure you that the copy that was received by the Conservative caucus was not one that was written in longhand.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, may I ask the Attorney-General. We've had quite a few reports from the Manitoba Law Reform Commission. In fact there's you know, not full completed reports, we have quite a few reports over the years and does the government act on any of these reports or how many have they acted on and . . .

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: There is a schedule I believe in the Annual Report of the Law Reform Commission indicating just how many of their reports we have acted upon. Their batting average is very high in Manitoba. One could proceed to list the areas, and I think it would be helpful just to mention that we have acted on many reports, Jury Service for Registered Indians; Summary Disposition Builders and Workmen's Lien Act; Disposition of Maintenance Judgments Land Titles Office; Act respecting Billiards, Pool Rooms; Right of Mortgagors to Obtain Annual Statements; Enactment of Mineral Declaratory Act; Powers of Entry, Search, Seizure in The City of Winnipeg Act. I could go on and on, in fact there's listed here . . . well I could go on and on. I think their batting average must be - this is only a wild guess - must be about 75, 80 percent of their recommendations have been enacted into law.

MR. PATRICK: How many recommendations would you get in a year say from . . . approximately.

MR. PAWLEY: I think that the Annual Report does have an index indicating the recommendations that have been presented, but here I can - in 1975 there were seven I see seven recommendations here.

MR. CHAIRMAN: Resolution 22(a)(2) - the Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, while we're dealing with the Manitoba Law Reform Commission I think it's only fair that we should maybe go back. This is a relatively short-lived commission, it's only been in existence for four or five years, and I want to bring to the Minister's attention again the principle that was enunciated in the establishment of the Law Reform Commission. This was a body that was set up supposedly fairly remote from government, an independent body to study and assess the various laws of this jurisdiction and others with respect to their application, their currency, their outdatedness, etc., and it was my impression anyway, that the Law Reform Commission was a semi-autonomous body.

If you study the latest report and the previous report of the Law Reform Commission I think you'll find that many of the studies that have been carried out by the Law Reform Commission in the last 24 months or so have been studies that have been initiated at the request of the Attorney-General of the Province of Manitoba. There have been some studies that have been self-initiated by the Law Reform Commission but, Sir, I submit to you that if you study the various reports of the Law Reform Commission you find that there is a steady increase in the number of reports that have been churned out by the commission, that have been instituted at the request of the Attorney-General, and I'm beginning to wonder, Sir, whether the Law Reform Commission is in fact a semi-autonomous body and whether or not it is not a body that is acting purely on the dictates of the Attorney-General. Now I know that this will revoke a spirited defence from the Attorney-General and I welcome his comments in that respect.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Mr. Chairman, I don't know whether it would evoke such a

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(MR. PAWLEY cont'd) spirited response from the Attorney-General as it would evoke a very strong response from the Chairman of the Law Reform Commission if he was present, because he is most determined that the Law Reform Commission is and remains a non-political autonomous body which is developing its recommendations pertaining to law reform and I think that has been the case.

I make no apology, Mr. Chairman, for referring matters to the Law Reform Commission because, if anything, there are times when probably I should refer more items to the Law Reform Commission. I can think of one or two items right now where members of the Law Reform Commission have said to me, why in the devil didn't you send that over to us, it involved legal principles, for our comments before proceeding with legislation. I won't mention those items to the Honourable Member for Birtle-Russell because he'll make some reference to that, have a debate on those items. But I think probably there is an obligation on the part of the Attorney-General to seek out the very best legal assistance that he can in ascertainment of the ramifications resulting from any legislation before it's introduced, and it's for that reason that I have, yes, referred many items to the Law Reform Commission. There's a provision in the Act allowing me to do that as well as for them, of course, to initiate their own studies and to receive proposals for study from members of the public.

MR. CHAIRMAN: Resolution 22(a)(2) - the Honourable Member for Birtle-Russell.

MR. GRAHAM: Well, Mr. Chairman, I think that the dialogue that has gone on is one that can only occur between people that have had the opportunity to converse with one another, both within and outside the bounds of the Legislative Assembly, and I say to the Attorney-General at this particular time, that while he may have a tendency to seek the advice of the Law Reform Commission on many matters, I now ask him if he is in the process of determining the validity of proposed legislation, if he has sought other legal advice, other than that provided by the Law Reform Commission.

MR. PAWLEY: Certainly I have received a great deal of advice from within the department on many different areas, so certainly receiving advice there, as well as on a regular basis, the Manitoba Bar Association presents to the Attorney-General resolutions passed at their annual conferences and meetings in which they indicate their suggestions for legal action, as well, of course, the reports which I receive from the Canadian Law Reform Commission and, of course, no end of other submissions that are received on a frequent basis.

MR. GRAHAM: Well, Mr. Chairman, we all know that the Law Reform Commission can act on matters of their own volition. We also know that on many cases they do act on matters that have been referred to them by the Attorney-General. I now pose the question to the Attorney-General, is it permissible, or indeed desirable, that matters that are of a concern to other members of the Legislature, other than the Attorney-General, could and should be referred to the Law Reform Commission?

MR. PAWLEY: Oh, yes. Anyone is entitled to refer matters to Law Reform Commission.

MR. GRAHAM: I only raise this matter, Mr. Chairman, for the edification of other members of the Legislature.

MR. CHAIRMAN: Resolution 22(a)(2)--pass; (a)--pass; Resolution 22(b) The Manitoba Human Rights Commission - (1) Salaries. --(Interjection)--

MR. PAWLEY: Could I just ask this favour. Mr. Moats I know would like, and I would like to because he is expected to travel outside the province tomorrow, the Human Rights, the very next item.

MR. CHAIRMAN: Resolution 22(b) Manitoba Human Rights Commission. (1) Salaries. The Honourable Member for Wolseley.

MR. WILSON: Mr. Chairman, I wondered if we might get an explanation pertaining to the costs under this item here. I wondered why, if this Commission has spent a great deal of money, I refer to, in a time of restraint, approximately \$13,000 for printing, travelling is \$26,000 approximately, and grants \$1,500, I wonder if the gentleman could explain what the grants might be, and why is it necessary for this.

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(MR. WILSON cont'd) Could you give me some idea, I realize it's a year old, but surely there may be something similar to it in the Public Accounts this year, why is it so necessary, and is the travel budget this year as large as the \$25,550.36 of the year previous? I wondered why it would be necessary to travel that extensively if we are dealing with Manitoba. Is it to train local Manitobans to be aware of the Human Rights legislation pertaining to the province or are we hiring experts from out of the province who are merely travelling back home and forth, or consultants, or what have you?

I have a couple of other questions, but I'll just stop there, if I could.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Mr. Chairman, in connection with the travelling expenses. There is an increase from \$26.3 to \$35.7 travel expenses, and this involves the travel by staff members principally, within the Province of Manitoba. Much of the work is, as one would expect, in northern communities, northern areas, where we had many instances of complained discrimination. So much of it involves internal travelling by staff members. That bulk of it is explained thus.

There was one other point I wanted to catch that I made note of that you had asked. Oh, the grant. The grant is one that is provided to an organization called CASHRA - Canadian Association of Human Rights Officers, which is a once a year contribution to that Association. In this case it was for the conference in the City of Winnipeg which was held drawing members from right across Canada to it. CASHRA is responsible for attempting to develop sharing of information as to Federal and Provincial Human Rights Commissions to avoid duplication of research by various human rights commissions and providing other backup assistance in research.

The Estimates also include an increase of staff of three officers, plus one-half administrative support increase this year over last.

MR. CHAIRMAN: The Honourable Member for Wolseley.

MR. WILSON: The one item that was passed over, I wondered if the Minister in this time of restraint is going to continue the television advertising pertaining to the Human Rights Department. And then another thought that came to mind, I wondered, does the Human Rights Commission deal with things such as how many women must be hired in a particular law enforcement department and whether a law enforcement department can reject somebody on the basis of height and weight and educational situation. I notice that you have a program you referred to earlier, the 3B Program in which you are going to lessen the height and lessen the concept of law enforcement and I'm wondering if giving these exclusive rights to a certain ethnic segment of our population, that you are not in fact discriminating against the other portion, or is this a unique situation where all enforcement things can develop their own programs without falling under the human rights?

I refer particularly to a case where, I believe the gentleman's name was Mr. Orlikow who we rejected at, I believe, City Council level because he was half an inch short. I believe he was related to the Federal Minister, and I wondered if that type of thing comes under the Human Rights legislation. Can law enforcement agencies reject women and reject men on the basis of height? That's what I'm getting at.

MR. PAWLEY: Of course, in the Human Rights Act, weight and height do not enter into the provisions of the Act. Dealing specifically with the 3B program raised by the honourable member, it is not an area of discrimination procedures of the 3B program, it's a special program which there is a provision of the Act which permits for such special programs such as this one is. So that certainly is no breach of the Human Rights Act to provide for that type of program.

Insofar as insisting that there be a quota or a percentage of women in any particular field of endeavour, no, that is not provided for within that legislation, but the Human Rights Commission is very interested in affirmative action programs in which it promotes the employment by employers of minority groups plus women and other groups that have traditionally found it more difficult to obtain employment. But, unlike Nova Scotia, we have not been able to progress in Manitoba with as aggressive a program as some other provinces, but we are attempting to do more promotion of the employment of these various groups.

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MR. CHAIRMAN: The Honourable Member for Wolseley.

MR. WILSON: Yes, that would fall then back to my first question. Does that mean more promotion, that we will not be looking at an end to the television ads, but possibly an increase in them?

MR. PAWLEY: No, there are no TV ads intended for this year.

MR. WILSON: Thank you.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, to the Minister, I see the Budget has increased substantially from 300,000 to 413. My question is, has there been increase in staff or has there been more activity in advertising publicity, and may I ask the Minister at this time, the Attorney-General, where has the major activity in the Human Rights Commission taken place. The Human Rights Commission in my opinion, has its purpose and place; perhaps five years ago it had much more work than it has maybe today because of the media and everything else sort of giving the people what their rights are, I think that people are getting much more educated to what their rights are, what the legislation is all about. Now, where has the activity of the Commission been? Is it discrimination in housing, discrimination in employment? What is the Commission doing besides sending out pamphlets and so on? Can the Minister indicate to me.

MR. PAWLEY: First, insofar as the increase of Budget; increase of 3 officers, increase of 1/2 SMY for administrative support, so that's 3-1/2 SMY increase there. Insofar as the breakdown of activities, and I've just been handed the report which I would intend to distribute tomorrow, but it shows - tomorrow we would have the copies? --(Interjection)-- Next week, apparently, for all members - but it shows that the activity would be as follows: Employment 63.9 percent, Housing 20.9 percent, Purchase of Property 1.7 percent, Public Places and Services 8.5 percent, Notices and Signs 3.9 percent, Contracts 1.1 percent, Employment Agencies 1.1 percent, Employment Advertising 9.6 percent, pre-employment enquiries falling within - I'm sorry the 63.9 percent that related to employment was 11.9. So the main direction is aimed at employment and housing.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, through you to the Attorney-General. You know it certainly concerns me when you say 63 percent of the time is spent as far as employment discrimination. Can the Human Rights Commission not get together with the Department of Labour and cannot the Department of Labour get some of this information to the public through Manpower, in conjunction with the Manpower Department at Ottawa and so on, because certainly if we're going to continue . . . I'm not saying that the Manitoba Human Rights Commission is not doing its job, but to continue to have 63 percent of the time spent as far as discrimination in employment, Mr. Chairman, it would concern anyone, and I'd say that somewhere along the line we're falling down, and I'd say that it's time that the two departments, the Human Rights Commission should get together with the Department of Labour and see if the Department of Labour can get that kind of information to the employers and to the employees on what their rights are and so on, so that we wouldn't have this kind of disproportionate percentage of finding discrimination in employment to that extent.

MR. PAWLEY: Certainly the Department of Labour has a role. Mind you their principal responsibilities relate to employment standards with the Human Rights Commission relating to discrimination in employment and other programs relating to education insofar as employment is concerned, it's not just dealing with complaints, but speaking to groups of employers. For instance, I know that a very active educational dialogue took place during the past year between the Manitoba Hotel Association and the Manitoba Human Rights Commission which would fall within that area and that was purely of an educational nature. And of course, also the Women's Bureau in the Department of Labour performs a function. I would hope, certainly, that over the passage of time as more and more educational information is released to the public, and I would hope our news media would do more in this respect, as I must say that so much of the response re Human Rights from the news media has not been of a positive nature but has been in some respects a

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(MR. PAWLEY cont'd) negative nature. I would hope that the slant would be somewhat more positive, that there would be a decrease insofar as the proportion relating to employment.

MR. CHAIRMAN: Resolution 22(b)(1) - the Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I believe we have a 3-1/2 SMY increase here which amounts to around almost \$80,000. I would like to ask the Minister if the increase here for salaries is anticipatory or if the salaries that are there are in fact the salaries that are presently in use.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: Forty-five thousand covers the 3-1/2 SMY. The other salary increase would be --(Interjection)-- granted last year, yes, the negotiated salary increases.

MR. GRAHAM: So then there is about 35,000 that is what you might consider to be retroactive?

MR. PAWLEY: No, the normal salary increases.

MR. GRAHAM: Well, Mr. Chairman, then what the Minister is telling us is there's roughly a 20 percent increase in salaries. Is that . . .

MR. PAWLEY: No, this would be last year's salary increases because we don't vote the current year's salary increase. So that the increase last year . . .

MR. GRAHAM: Would be 20 percent.

MR. PAWLEY: . . . would be included in this figure. Now, I don't know what the salary increase last year would come to - 15.9 percent as per the collective agreement, and then increments means a net, 16.6 percent, because there's increment increases. So it's 16.6 in total.

MR. GRAHAM: Mr. Chairman, what are the increments that are involved in the salaries here?

MR. PAWLEY: That would be for additional annual merit increases. That's common throughout the Civil Service.

MR. GRAHAM: Then we now have a merit rating system prevalent here?

MR. PAWLEY: Well, we have that throughout the Civil Service, throughout all departments we have the merit increases and still exists I gather. Merit increases can be given or they can be withheld by the employing officer or agency, generally they're given, there has to be good reason why they're not granted.

MR. GRAHAM: Another question, Mr. Chairman, and perhaps it should come under Item 2, I'm not too sure, but I'll raise it at this time anyway. We now have changes in the Human Rights Act which are presently before the Legislature which I believe, and I may be wrong in this, but I believe would place the decision-making of the Human Rights Commission above any courts of this province. Is that correct?

MR. PAWLEY: No. Any decision by the Board of Adjudication established by the Human Rights Commission, would be subject to appeal to a Judge of the Court of Queen's Bench.

MR. GRAHAM: Then the decisions that will be handed down by the Board of Adjudication shall not be handled as judgments of the Queen's Bench as purported in the legislation?

MR. PAWLEY: No, they will be considered as judgments, subject to appeal. They'll have the same force and effect as a judgment obtained through the courts, but like a judgment in the courts it will be subject to appeal. In this case to the Queen's Bench.

MR. GRAHAM: Well, Mr. Chairman, perhaps it is not proper to deal with bills when we're dealing with the Estimates. I just want to make one other comment. We've just finished dealing with the Law Reform Commission and, Mr. Chairman, I want to commend the government for the wise decisions that were made when they appointed the Law Reform Commission; they seem to have covered every aspect of society, it is not entirely a legal body, it does cover a broad spectrum of society and I would like to ask the Attorney-General why that same criteria was not used in the establishment of the Human Rights Commission.

MR. PAWLEY: I think if the honourable member would - I don't want to proceed to discuss individual members of the board, but I think we have a good cross-section.

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(MR. PAWLEY cont'd) We have the legal community represented, labour community, educational community, Metis community, native community, I think there is a pretty sound representation in the business community as per a recent appointment. So I think there is a good cross-section of representation.

MR. GRAHAM: Well, Mr. Chairman, I welcome the Attorney-General's views on that respect. Naturally I reserved the right to have my own views on that.

MR. CHAIRMAN: Resolution 22(b)(1)--pass; (b)(2). The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I don't have the report of the Human Rights Commission before me unfortunately at this time, but can the Minister give us some rough indication of the number of cases that have been brought before the Human Rights Commission and the number of decisions that have been made by the Human Rights Commission that have been favourable to the plaintiff and those that have been either no decision or have been, say, discarded.

MR. PAWLEY: Yes. 177 complaints received; settled, 78 complaints - this is case load; dismissed 52 cases; and undisposed 128.

MR. GRAHAM: Another question to the Attorney-General. Can he give any indication to the members of the Legislature when members of the Legislature will receive copies of the Human Rights Commission annual report?

MR. PAWLEY: I'm informed by the Executive Director that we should have it next week.

MR. CHAIRMAN: Resolution 22(b)(2). The Honourable Member for St. James.

MR. MINAKER: Mr. Chairman, through you to the Honourable Attorney-General. I wonder if the Attorney-General could advise how many officers would be handling those 177 cases.

MR. PAWLEY: Five officers.

MR. MINAKER: Five officers. So they handle an average of about 32 cases for the year each.

MR. PAWLEY: There is also a (b) category. The cases I read out were (a) 177. There's also (b) cases which are non-jurisdictional cases, but I gather again involve the Human Rights Commission because it comes under the general spirit of Human Rights Commission, 24, for a total of 201; then there has been also enquiries 1,602; referrals 814; possible complaints 297, for a total of 2,713 items altogether.

MR. CHAIRMAN: Resolution 22(b)(2) The Honourable Member from St. James.

MR. MINAKER: Yes, Mr. Chairman. Then would the officers handle all of these enquiries or would they only deal with the cases?

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: There's 1,602 enquiries. There's an intake officer that handles most of the enquiries, but some of them would be handled by the officers. Referrals would be handled mainly by the intake officer. Complaints, by the officers.

MR. MINAKER: I wonder, through you, Mr. Chairman, how many intake officers does the Human Rights Commission have?

MR. PAWLEY: One.

MR. MINAKER: Thank you.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. DONALD CRAIK: (Leader of the Official Opposition)(Riel): Mr. Chairman, I was just wondering, is there any transfer of cases takes place between the Ombudsman and the Human Rights Commission?

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: I gather it does happen from time to time and there has been an attempt to proceed with as much consultation as possible between the Ombudsman and the Human Rights Commission.

MR. CRAIK: Would those cases dealt with by the Human Rights Commission or the Ombudsman be determined whether or not it involved the government or government department or an individual associated with the government?

MR. PAWLEY: Yes, if it involves a case involving the government which

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(MR. PAWLEY cont'd) relates to discrimination then the Commission would be involved.

MR. CRAIK: What sort of numbers of cases are there?

MR. PAWLEY: There are very few. There's one particular area where there have been some complaints received in, that's pertaining to the differential in insurance premiums, male and female, and the drivers' licences.

MR. CHAIRMAN: Resolution 22(b)(2)--pass; (b)--pass; Resolution 22(c) Criminal Injuries Compensation Boards. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I believe under the Criminal Injuries Compensation Board, through private conversations I have had with the Attorney-General, I believe that he is prepared to make an amendment to an Act that is presently before the Legislature dealing with the annual reporting of the Criminal Injuries Compensation Board. I would like the Minister at this time to confirm that decision.

MR. PAWLEY: Yes, certainly it's the intent to - and I don't know why it's not included in the legislation - to amend the legislation to include the providing for a financial report. This is a financial report here which I'd make available to members of the committee, I'll make it available to the Honourable Member for Birtle-Russell, which indicates the financial --(Interjection)-- I gather it's also in public accounts, eh?

MR. GRAHAM: Well, Mr. Chairman, I raised the issue at this time because I had already initiated legislation to deal with that but on the assurance of the Attorney-General that that amendment will be made to legislation that is presently before the Legislature, I will now signify my intention to drop the legislation that I had proposed.

MR. PAWLEY: No. I would trust that when we would deal with it section by section that we could get together to make sure there's appropriate amendment to the Act.

MR. GRAHAM: Mr. Chairman, if there's some indecision on this, I think perhaps this is a good time for us to --(Interjection)-- I don't think there's any problem in it at all. The Attorney-General has assured me that the amendments will be made to the present Act that is before the Legislature so I only choose this opportunity to signify to the Attorney-General that I do not intend to proceed with a bill that I had already brought in for first reading in the Legislature.

MR. CHAIRMAN: Resolution 22(c)--pass. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, we find that there is almost a doubling here, almost, of the appropriation under the Criminal Injuries Compensation Fund. And I would like the Attorney-General to indicate, although we know that the legislation that he has proposed intends to broaden the field of compensation that is available under this Act, I would like to ask him if the appropriation that is put forward here is in fact a realistic figure? What is the basis for the establishment of the figure of \$465,000?

MR. PAWLEY: We feel that it's a realistic estimate, 61 percent increase to 465,000. The need is due to two items: First, we've had a number of very very substantial cases in sum total last year that will have to be paid out of this year's current. And secondly, the longer the Fund continues the more the pressures will increase upon the Fund for larger sums due to the fact that many of the awards pertain to lifetime or long-term disability payments so that we'll be, for instance, each year that passes by we'll be adding to the list of those that are receiving permanent or long-term benefits, and so each year there will be a considerably increased sum to provide for the continuing permanent and long-term payments, disability payments.

MR. GRAHAM: Mr. Chairman, he indicated that there were at least two cases in the past year that either have to be deferred to the present year's Estimates for payment. I believe that's what he said. Now I would like a clarification on that.

MR. PAWLEY: Yes, the cases referred to did not have to be deferred, they just were not finalized, hadn't been processed to their finality at the year end. But certainly upon appraisal of those two or three cases it was very obvious that very substantial sums of money were required to pay them out, this current year.

MR. GRAHAM: Mr. Chairman, that raises another question then. Has there

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(MR. GRAHAM cont'd) been any deferment of settlement because there was a shortage of funds in the Fund. Or perhaps another way of approaching this, the problem, is there any mechanism whereby further funds can be transferred within the current fiscal year?

MR. PAWLEY: No. There was no deferral, and I understand that we were \$30,000 underspent last year. If it was to be reversed and \$30,000 overspent, then we could arrange by way of special warrant to obtain the additional moneys. But we were \$30,000 underspent last year.

MR. GRAHAM: Mr. Chairman, I thank the Minister for that assurance because I would not want to see the operation of any fund in this province where deliberate deferment of settlement took place because, especially in the case of compensation just because we didn't have adequate financial appropriations granted in our legislation.

MR. PAWLEY: Right. I agree wholeheartedly with the honourable member.

MR. CHAIRMAN: Resolution 22(c)--pass; Resolution 22(d) Manitoba Police Commission (1). The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, I'd like to deal with this item and I believe we have a - I'm sure the Attorney-General's aware - we had just last week a case before the Manitoba Police Commission and my question is: Is the Attorney-General certain that when there is a police investigation when an accused complains about - if evidence is given voluntarily, is he certain that there's no pressure put on, is there no muscle put on by the police on the accused. And I know that when the accused complains to the Chief Constable, then there is an investigation and again the police officer or the police unit investigate the case and it's reported to the Chief Constable, should not the AG have somebody there when this is investigated, when the accused complains. At the present time he doesn't, I know there's nobody from the AG's Department. However I know that it could be appealed to the Municipal Police Commission. But it is not true again that the information's only coming from the Chief Constable? Could there not be an improvement in the interviewing room where you have the accused interviewed to make sure that there is no evidence or his information is voluntary not pressure? I know there's an appeal procedure but then again the appeal is from the Chief Constable, the information goes to the Appeal Commission. Would the Minister consider having, say, a video tape in the interview room where every time that a person, after even he's given evidence in a car in the police cruiser, he still has to give evidence after he comes into the police station, if they had a video machine that would record for every accused, and that information would be there available you know, to the prosecutor and to courts. This would ensure that all the statements of the accused were given voluntary. That's No. 1, because the record would be there.

There's a second problem too, Mr. Chairman, to the Attorney-General. The Crown always has to prove then that the statements were given voluntarily and this takes a lot of time and it takes a lot of money to prove that the statement was definitely given voluntarily by the accused, so I believe this would sort of bring the whole police operation into the 20th Century and update it completely. So what I'm saying, would the Attorney-General consider, I think it would improve the operation.

There's another point too, Mr. Chairman, perhaps that the Attorney-General can answer that. Is it not time that we had separation of the police and courts and the judges from the Police Station and the courts and the judges? I think that there must be separation of the Safety Building from the judges. I think we've been promised that for many many years and still nothing has happened. Why could we not move the judges from the Safety Building say to the Woodsworth Building - we must have space there now, half of it's still empty.

So I've raised a few questions here. No. 1, police investigation - my concern about the accused when he complains to the Chief Constable that his information is voluntary. Can that system be improved? And when I say that, you know, in the interview room you may have equipment to make sure that the evidence is there, that Crown would have the evidence there because they still have to prove the statements. I wonder if the Attorney-General can indicate if he would consider something like that, and my other concerns as well.

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MR. PAWLEY: Well, Mr. Chairman, I want to say that I think it's a constructive suggestion, one that I should not dismiss out of hand, and certainly it would be one which I would like to enquire further into, video tape.

Point No. 2, in connection with the facilities and separation of the prisoner and the police, judges, is a principle that we are trying to work towards as quickly as possible, and we are proceeding now to the construction of a new Public Safety Building which will in fact effect that separation of function that that honourable member referred to, a new court house. Now we're still some distance from that because the plans, the architectural work is presently being done but at least we've started down the road towards that separation. And I wish to join with the Honourable Member for Assiniboia in indicating that it's long overdue and governments, regardless of their stripe, should have really proceeded faster than they have towards the separation of the police and the judges and the prisoner, much faster than what we have. But at least I think we've now started that journey along the road toward that destination.

MR. PATRICK: Could I just interrupt for one second, the Attorney-General? You know, the planning that's taking place, I don't know when the new courts thing will get off the ground, it may be two or three years. Why can't some of the space be used in the new Woodsworth Building and you'd have a separation of court from the Safety Building?

MR. PAWLEY: No, you see the problem that we have with the Woodsworth Building is that it wasn't constructed for court purposes, constructed as an office building, and I want to say just as a gratis comment because I feel with some intensity here that sometimes we have enough problems as it is explaining to Public Works what is required in a legal building. And that's another side issue, a side problem which we have to bear the cross for in this department. But I don't want to get off into a tangent there, but simply to say that the Woodsworth Building is built as an office building and would not be suitable for any of those purposes. I think all that we must do on our part is to try to expedite and to press the work towards the new court house.

The member referred to something else I wanted to deal with at length.

MR. PATRICK: The video type tape machine in the interviewing room to make sure. You've heard an accused complain about brutality, and they change their statements when they come in, or they made their statements under pressure, what would be wrong in an interview room to have, No. 1, where there's a complaint to the Chief Constable, when there's an investigation unit by the police investigating, if there was any abuse or something to the accused, there's another report to the police to another policeman, that's what it is. What would be wrong when there's a complaint that somebody from the AG's Department would be there? That's No. 1.

No. 2, about having some video type equipment in the interview room where there would be a daily record for the accused to make sure that the statements of the accused are given voluntarily, given voluntarily not, say, pressured or - because the big point is the Crown has always to prove anyhow that the statements have been - and the lawyers take a long time and they fight and they battle and they say, well the statement wasn't given voluntary and the court, you know, this proceeds a long time, it prolongs the courts and there's a delay, and so on. I feel that this would really improve the operation of the whole system . . .

MR. PAWLEY: I think the honourable member's suggestion is one that we should look into. I just want to throw out this caution, that as he was speaking I couldn't help but think of the difficulties which Richard Nixon seemed to have with his tapes. If you will recall that when they ended up in the court room, it was found that mysteriously, portions had been erased, there was an 18 second gap I believe at one point which nobody was able to explain how it occurred. So even with the video taping I suppose it depends a great deal on mechanical or other deliberate actions that could take place. Now the courtroom is supposed to test, the courts are supposed to test in each instance as to whether or not a statement given was made under threat, under force, or under a promise or reward, promise of reward, and the courts are supposed to be the testing field for that to ascertain. But the honourable member is certainly correct in expressing

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(MR. PAWLEY cont'd) concern as to the available mechanism that presently exists for ascertaining or to deal with . . . I think he's referring to public complaints as against police misconduct. And we now have the . . .

MR. PATRICK: Well the legal people, you know, all kinds of statements that were given under pressure, and then they take a long time to prove that it was under pressure and they get the accused to change the statement. What's wrong if the accused asks to make a statement, if he walks in the door in the interview room, when the door opens, there's automatically the machine goes in, the technical machines you have now, and the sophisticated machines you have now.

MR. PAWLEY: I must warn the honourable member that a defense counsel never never agrees that a statement was given voluntarily. They always accuse the police of having - but the video tape idea is one that I think we should look into. But also the Marin Commission Report, Ottawa proposed that there should be a better mechanism than the present mechanism for investigation of public complaints vis-a-vis the police, and they propose the establishment of an Ombudsman that would be reportable to the Federal Parliament that would investigate public complaints pertaining to the RCMP. So probably it's necessary that, and presently we are reviewing that report, and of course we would have to, because it doesn't relate to the jurisdiction of municipal police forces, examine the present technique for internal investigation. Certainly the Manitoba Police Commission cannot be involved in the investigation as such because they may eventually have to hear the complaint at a hearing. But until such time, there is a legitimate concern which the honourable member has related of the present methods for internal investigation. The Marin Report I think is one that's worthy of us all reading; a pretty balanced, pretty fair report in which they're proposing the establishment of an Ombudsman outside or external to the police to undertake the investigations and reportable to Federal Parliament, just as our Ombudsman is reportable to the Provincial Legislature.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Can I just have one further question? When the accused complains to the Chief Constable and there is an investigation and the investigation is done by another policeman, another senior two policemen or whatever it is - so while this investigation is taking place what would be wrong to have an official from the AG's department to make sure that the investigation was carried out properly?

MR. PAWLEY: We review the investigation, any complaints that we receive we request the investigation then we review within this department the results of that investigation. So there is a complete review by the department. But I think there is some weaknesses within this system and I don't want to be defensive of the system, that we should be attempting to bring about some improvements

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

MR. GRAHAM: Mr. Chairman, when we're dealing with the Manitoba Police Commission I don't want to talk just about a Commission, but I think that we are fast approaching a time in our province where we have to be considering a Manitoba police force. We know at the present time that negotiations are not progressing favourably between the Province of Manitoba and the Federal Government, and I want to ask the Attorney-General if there has been any consideration given by his department and, in fact, by the government to a partial takeover of the activities of the RCMP in the Province of Manitoba, and here I suggest perhaps only in the field of highway traffic matters, if the province has considered or even given any cursory examination to the possibility of a Manitoba Provincial Police Force which would deal only with highway traffic matters and thereby relieving from the RCMP a considerable burden that has required, I suggest, considerable manpower . . .

MR. CHAIRMAN: Order please. I would remind the honourable member that we are on Resolution 22, the Manitoba Police Commission. The remarks he's making might be better made under Resolution 26, Law Enforcement which deals with policing in Manitoba.

MR. GRAHAM: Very good, Mr. Chairman. I will cease and desist at this time.

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MR. CHAIRMAN: Resolution 22(d)(1)-pass; (d)(2) Other Expenditures-pass; (d)--pass. Resolution 22(e) Board of Review. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, this is a very small item and I suggest that there's a very small input in the activities of this board. Could the Attorney-General just give us a brief explanation of what the Board of Review actually does?

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: The Board of Review deals with those cases which involve the confinement of those that have been found not guilty by way of insanity and have ended up within our mental institutions. So from time to time the Review Board sits in on dealing with individuals that come up for release from those institutions. The Review Board is constituted by the Code and involves psychiatric and other people that have a particular expertise insofar as ascertaining . . . the chairman, who's a lawyer, two social workers, two psychiatrists, so it's a five-member board, and they'll make recommendations to the Lieutenant-Governor-in-Council for release.

MR. GRAHAM: Can the Minister indicate the number of days that that board met in the past year, the number of cases that were reviewed and if possible the disposition of those cases - not on an individual basis but in totality.

MR. PAWLEY: When they were established they were dealing with 26 cases. They're now down to 16. As to the number of days, Mr. Arnason is just checking to see - do you have the number of days? Just as an estimate, about three days a month.

MR. GRAHAM: They sit about three days a month?

MR. PAWLEY: Yes.

MR. GRAHAM: Thank you.

MR. CHAIRMAN: Resolution 22(e)--pass; Resolution 22(f), Manitoba Lotteries Licensing Board. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, when we're dealing with lotteries we find that we have the Government of Canada, we have the Olympics, we have so many different lotteries occurring in the Province of Manitoba and under so many different jurisdictions. Is it not possible to have the whole works all wrapped up in one ball of wax and under one Minister?

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: I would be the first, with some enthusiasm, to hand this over to the Minister of Health and Social Development to handle. However, we are really dealing with two different areas: one is the responsibility which the Minister of Health and Social Development has for WesCan, and this deals with the voluntary community groups which come forward for licencing. First there are those groups 25,000 and under prizewise; secondly, there is the group which now come within corporation "B", a number of community organizations that are grouping together to provide this new lottery. All these lotteries are licensed by the licensing board within this provision and the authority for this, of course, comes within Section 190 of the Code dealing with charitable or religious organizations.

MR. GRAHAM: Is there any fee attached to the licencing or the licences that are granted?

MR. PAWLEY: Yes, there is a fee charged in each licence given and it's one percent of the prizes, so actually this item, and I ask the staff to correct me if I'm wrong, that much more is collected by way of fees than what is paid out probably - do you have that figure handy? What is the total? \$92,000 in revenue.

MR. GRAHAM: Then, Mr. Chairman, I notice in many other cases in the Estimates that there are items indicating the amounts recoverable and I would ask the Minister if he would consider putting in his Estimates the amount that he anticipates recovering under the activities of this board.

MR. PAWLEY: Yes. That item comes in under the revenue items. What we're dealing with here is only expenditure items, but it does come in under revenue items.

MR. GRAHAM: Well, Mr. Chairman, I just ask the question, we have on many other occasions found it expedient to publish the amount recoverable from other sources,

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(MR. GRAHAM cont'd)and I just ask the Attorney-General if he would consider putting the amount recoverable in the Estimates under this particular item. That's not at the present time but in the future.

MR. PAWLEY: Yes. I gather that in one aspect we're dealing with recoverables, but from other government departments, that in this case we would be dealing with revenue which is a different set of Estimates.

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

MR. MINAKER: Mr. Chairman, through you to the Attorney-General. I would like to ask of the Attorney-General if it is legal for lottery booklets of tickets to be mailed through the mail to people without them being requested? I understand it's against the law to solicit credit cards to people through the mail without request and I wonder if it's legal for associations to send out lottery tickets to people who have not requested them.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: It's legal if they are sent within the province unsolicited, but if they are sent outside the province unsolicited then it would be illegal.

MR. MINAKER: Well I would suggest that possibly the Minister consider making it illegal within the province other than if the person it's being mailed to is a member of a club or association that's taking out these lotteries, because I know I personally receive them through the mail many times during the year, I'm sure the Attorney-General maybe does himself.

MR. PAWLEY: I received one this last week.

MR. MINAKER: Well, I've received more than one. But the concern that I have is, whether or not I buy them is another question, but I think at times it can happen, I think in one instance to one of our colleagues it was indicated there were two booklets included and there was only one, so automatically you feel that you're rightfully or wrongly going to be accused of, not formally, but in thought that you may have disposed of those tickets or you should have returned them by mail. The other problem is you have the annoyance of having to return them by mail to verify the very fact that you didn't sell them.

I would hope that consideration might be given to outlawing this type of approach on such an action other than I can't see anything wrong - like I belong to the Legion - if they want to send out lottery tickets to me as a Legion member, fine, I'm usually notified by the monthly newspaper that's put out by the Legion that they are forthcoming. But when they come out of nowhere I think that that possibly should be reviewed and considered, that it be outlawed.

MR. PAWLEY: Well, certainly, Mr. Chairman, I think it's a suggestion that should be looked at and we could make it a condition of the issuing of the licence and could revoke the licence in the event of the breach of that condition, in the event that such a practice occurred, and that will be something that will be reviewed.

MR. CHAIRMAN: Resolution 22(f)--pass. Resolution 22 - Resolved that there be granted to Her Majesty a sum not exceeding \$1,165,400 for Attorney-General--pass.

Resolution 23. Land Titles Office (a) Salaries. The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, can the Chairman indicate when we're going to adjourn or are we going to stay here till we've finished the whole department or what is . . .

MR. CHAIRMAN: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Chairman, I believe there is a consensus to try to complete the department, although I am not personally hung up on doing so. But there was a discussion and there was a desire to do so. Really if the committee doesn't wish to it doesn't matter to me.

MR. PAWLEY: Is the other committee still . . .

MR. USKIW: No, they have risen.

MR. PAWLEY: I'm in the hands of the committee, I . . .

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MR. CHAIRMAN: The Chair is also in the hands of the committee.

MR. USKIW: All right. Would we agree that until we reach a point where the Opposition feels there's going to be some lengthy debate that we cut it off at that point in time?

MR. CHAIRMAN: Resolution 23. Land Titles Office (a) Salaries. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I realize that there may be some members who might want to speak on this item, although I also point out that if they're not here they can still speak on the Minister's salary as long as that is understood. I would be perfectly willing to try and carry on as far as we can anyway.

Under the Land Titles Office, Mr. Chairman, I think I've had private conversations with the Minister before. In fact, I brought cases to his attention which indicates that the present operation of the Land Titles Office is not one which you could consider to be 100 percent, that there has been much dissatisfaction in the operation. We realize that there are changes taking place in the operation of the Land Titles Office and I would hope that the Minister can give us some indication of when those changes will be completed so that we can sort of get some idea of when we can hope to see a better performance from this particular office.

MR. CHAIRMAN: The Honourable Minister.

MR. PAWLEY: The type of complaint that the honourable member I'm sure is referring to is one that was prevalent, I believe it was in the summer of 1973 when the Winnipeg Land Titles Office was facing a problem pertaining to delays, and if I recall correctly, there was registration delays sometimes of six weeks, seven weeks, and then if the document was rejected then, of course, it would have to be reprocessed, so there would be much more time again lost.

It's my understanding now that delay factor at the Winnipeg Land Titles Office, the major Land Titles Office, is probably down to twelve . . . apparently they're down to eight days. There's some improvement because the Land Titles Office has been moved out of the old building and into the Woodsworth Building, and if honourable members have an opportunity to visit the new Land Titles Office they should do so. I think it is quite an improvement and there I do applaud Public Works.

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

MR. GRAHAM: Mr. Chairman, quite often we find that within the operation of government there seems to be a time lag and confusion and maybe even difference of opinion that exists between one department of government and another. But here we find we have a rather unique situation where the planning and the survey plans fall under the Department of the Municipal Board, and the Land Titles Office falls under the Department of the Attorney-General, but they both happen to fall under the same Minister. I brought this to the Minister's attention some two or three months ago, a case that involved my own constituency where we had been trying to track down the orderly procession of plans for development that we couldn't seem to get any answers from the Department of Municipal Affairs, we couldn't seem to get any answers from the Land Titles Office, but after investigations were made, suddenly within a matter of two or three days a whole rash of land titles seemed to be appearing in the mail that people had waited months and months for. Maybe it was just a unique case, but until a little tail twisting took place we didn't seem to be getting anywhere, and I hope that was a unique case and not a normal case, but I can only speak from the experience of that one particular case that I brought to the attention of the Minister. He investigated in his department and had difficulty trying to find the survey that I referred to, but just out of the blue titles seemed to be coming out in the mail within a matter of two or three days.

MR. CHAIRMAN: Resolution 23(a)--pass. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, we have had, or we have before us in the Legislature at the present time, changes in the Real Property Act and the Registry Act which I think will significantly affect the operation of the Land Titles Office and I would hope that the Minister could give us the assurance at this time that the changes that he is proposing will in fact expedite the operations of the Land Titles Office, or if not, can he tell us why not?

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MR. PAWLEY: Yes the amendments to the Registry Act and the Real Property Act are ones which, in fact, come by way of recommendation from the Registrar General of Land Titles offices in Manitoba for the purpose of expediting Land Titles office work, so rather than create a greater burden to the Land Titles Office the intention is, certainly as per the officials at the Land Titles Office, to expedite the processing.

MR. GRAHAM: Mr. Chairman, I also brought to the attention of the Minister the other day something that was brought to my attention that was that at the present time I believe we have a fund established which will more or less guarantee or secure that errant actions taken on the part of the Land Titles officers will adequately compensate those that are aggrieved. I understand that fund has been substantially reduced, and I would ask the Minister the reason for that reduction.

MR. PAWLEY: The reduction was due to the fact that there was much more in the fund than what was required to handle the claims, the reduction in claims, and as a result of that there was moneys available for a transfer to the Consolidated Fund. In fact, that's something that we could attribute to the abilities of the staff to minimize claims arising from errors or negligence on the part of Land Titles Office staff.

MR. CHAIRMAN: Resolution 23(b)--pass; Resolution 23, Resolved that there be granted to Her Majesty a sum not exceeding \$1,892,300 for Attorney-General--pass. Resolution 24 Law Courts (a) Courts Administration (1) Salaries--pass. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I know it's difficult to deal with this purely on the salaries, but I think it is appropriate to deal with it in the general administration of the courts, and I refer, Sir, to a matter that was brought to the Attorney-General's attention over a year ago by the judges. In their concern for the proper and efficient utilization of the courts of our province, and there was a suggestion made I believe at that time which would encourage a clear-cut decision by both plaintiff and prosecution, I think it was in the neighbourhood of some 30 days before the case came to court, in whether or not in fact the case was going to proceed or whether it was going to be settled out of court. Can the Minister indicate if there has been any significant action taken in that direction?

MR. PAWLEY: I think that the honourable member must be referring to a hope that was expressed. Chief Provincial Judge Gyles, in that the practicing bar would provide a certain period of time's notice if it was their intention to change plea, because there has certainly been a problem where a plea would be entered of not guilty, courtrooms would be reserved for the court hearing, then on the day of the court hearing the plea is changed from not guilty to guilty without adequate notice, and if adequate notice had been given then the courtroom could be used for the hearing of another case, and witnesses are called in the meantime as well, and all sorts of expenses incurred. So I think this relates to the attempts on the part of the Chief Provincial Judge to minimize that from occurring, and I think steps had been taken by some of the judges now, with probably minimal success though, because it is a very very difficult thing to enforce because what happens if a lawyer disobeys or proceeds to change plea at the last minute regardless, the accused, a client can't very well be punished for it, so that I think the courts have found it a difficult principle to enforce. I believe there's been some improvement, but it's been a very very difficult thing for them to enforce.

MR. GRAHAM: Mr. Chairman, again I can only speak from personal experience, and this afternoon to satisfy my own curiosity I visited the Law Courts, and I can tell the Attorney-General that in the County Courts, I believe there are three courtrooms there, none of them were in operation this afternoon. In one of them it was expected that the case would go the full day, but just before the noon hour break I believe the case was pleaded guilty, so I suggest to the Attorney-General that even though the intentions that were proposed by the judges may have been very good, and I certainly don't want to deny anyone the right of appearing in court at any time, I still question whether our present courtroom facilities are being utilized to their fullest extent. We had the Attorney-General in his opening statements saying that he is expecting to build, or the proposals are on the drafting board to provide another 18 courtrooms in Provincial Judges Court, but somehow I have to say that if the present

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(MR. GRAHAM cont'd) courtrooms are not being utilized to their fullest extent, will the building of additional courtrooms do any more? If we're going to have another 18 courtrooms, are we going to have an increasing number of legal counsels? Is there going to be a corresponding number of legal counsels available to ensure that those courtrooms are utilized even to the extent that the present courtrooms are utilized? I think that we have to sit down very carefully and consider the utilization that is presently occurring in the courtrooms that we presently have before we start making plans for additional courtrooms, and I would invite the comments of the Attorney-General in this respect.

MR. PAWLEY: Well there is no question it is a problem to ensure that all the facilities are used to their maximum. We now have an Administrator of Court Services. Much of this work which was formerly the responsibility of the judges has been undertaken by the Administrator of Court Services, and this has to some extent provided for some improvement, but we're still up against of course the constant problem of lawyers or their clients changing their minds, sometimes for valid reasons, other times not so valid, at the last moment without notice to the court officials, to the judges of the court, so that I'm saddened to hear that the honourable member found that there were three empty courts this afternoon, but probably it's not too surprising that this does happen because of the constant change in plans by legal counsel. Cases are sometimes wound up much more quickly than was anticipated too. You can plan on a two or three day hearing and you end up completing it in one day, or plan on the courtroom being used for entire day, and it's used only for a half the day; and yet if you only set it aside for half the day and find out it takes much longer than was anticipated, then you have the witnesses lined up waiting for the commencement of the second hearing well before the first hearing is completed, so it's a very intricate and a very difficult situation.

We still will have need for additional courtrooms because the number of cases of all types are increasing, and with the passage of time there's no question additional courts will be needed. At the same time there's no question that we have to maximize the use of those courts, and the honourable member is quite correct there certainly can be an improvement made over the present usage of our courtrooms in the province.

MR. GRAHAM: Mr. Chairman, I don't want to leave the impression that I am trying to push justice through the province on a mechanical basis at all. I would sincerely hope that the judge in any case had adequate time to hear all of the witnesses and all of the evidence, and adequate time to review the case before he passes judgment, but at the same time, and furthermore I wouldn't want the fact that I visited a courtroom one afternoon to be any indication of the utilization that occurs. I just mention it as a fact that this is what I found on this particular afternoon. I'm sure that the cases of the courts are used to a far greater extent than that.

MR. PAWLEY: Mr. Chairman. I've indicated that I was saddened to hear the information that the honourable member had, but a note has been passed to me very quickly by a member of my staff which reads, "The annual of the Manitoba Bar is on today," so I gather the lawyers are all . . . I gather they are down in Fargo, North Dakota, too at this convention, so probably that explains much of it.

MR. GRAHAM: Mr. Chairman, may I add to that that the Chief of the County Court is there, and I believe one other judge of the County Court, but the rest of the County Court judges are in the Province of Manitoba and are attending to the legal matters of the Province of Manitoba.

MR. PAWLEY: They're not taking off for . . .

MR. GRAHAM: Let me assure the Attorney-General that all the judges in this province have not taken off for the United States.

MR. CHAIRMAN: Resolution 24(a)(1). The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I don't think we can just leave the issue this far, I think we have just really started to investigate, and this is not meant in any derogatory terms at all, I think that we have to very seriously look at the mechanics that exist in the implementation of justice in the Province of Manitoba. And I want to

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(MR. GRAHAM cont'd)ask the Attorney-General another question. I know it's very difficult for him to answer this, but I would like to know if the advent of Legal Aid in this province has significantly increased the number of cases that have come to the courts in the Province of Manitoba?

MR. PAWLEY: I think the answer to that is, yes.

MR. GRAHAM: I would also like to ask the Attorney-General another question. That in the fees that are ascribed in any particular case that is handled by Legal Aid, is there additional remuneration given to the legal counsel if he takes a case to court, rather than settling it out of court?

MR. PAWLEY: Mr. Chairman, this has been a worry of those involved in the department and in Legal Aid, that the fee structure not be such to encourage legal counsel to repeatedly remand cases in order to charge a fee so that Legal Aid over the past year has been changing its schedule of fees in order to minimize specific fees for specific appearances but to provide block fee allocation based upon what could be reasonably expected to be the number of appearances in court prior to the actual hearing. And this was done in order to prevent that very item that the honourable member is referring to where members were, not many but certainly a few, probably had been inclined to make unnecessary appearances.

MR. CHAIRMAN: Order please. The Chair realizes there may be a very fine line involved here but in order that the debate would not get into the matter of legal aid, I would remind members that Legal Aid itself comes up at Resolution 28. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I mentioned legal aid only as it pertains to the administration of justice in the Province of Manitoba, and that is what we are all concerned about.

Far be it for me to ever want a person not to be represented by counsel if his case indeed has to go to court, but I think it is only fair for us to consider that when the people of Manitoba through the Legal Aid system are providing counsel for those that in the opinion of a board cannot afford that legal counsel, we have to then assure that the money that is being spent by the province, or by the people in the name of the people, is spent wisely. And we'll deal with that matter later on.

My No. 1 concern right now is to ensure that there are facilities available for justice to be carried out in an efficient and a fairly quick manner. I don't think a case where a person is apprehended today should appear in court tomorrow and be convicted the next day. I think you have to allow a certain amount of time for collection of evidence and preparation of cases. But at the same time we find that other facilities which do not fall under the jurisdiction of the Attorney-General may be taxed extremely because of the inefficient operation of the courts. And here I refer to cases where individuals have been held in remand for, not days but weeks and months, at considerable cost to the people of Manitoba even though we have no facilities to adequately handle them. We do make every effort to use existing facilities to handle remands and I'm sure has to be a concern, and it should be a prime concern of the Attorney-General in that particular matter even though the handling of and the care of the remands does not fall within his jurisdiction.

MR. CHAIRMAN: Resolution 24(a)(1)--pass; (a)(2) Other Expenditures - the Honourable Member for Birtle-Russell.

MR. GRAHAM: No, Mr. Chairman, I have . . .

MR. CHAIRMAN: (a)(2)--pass; (a)--pass; Resolution 24(b) Court of Appeal: (1) Salaries.

MR. GRAHAM: Mr. Chairman, I would like to ask the Attorney-General if the percentage of cases that are heard by the courts if the number of appeals is a relatively static factor or if it is a declining factor.

MR. PAWLEY: There has been an increase in the number of cases held in the Court of Appeal, a steady increase.

MR. GRAHAM: Then it is not a declining factor, it's an increasing factor?

MR. PAWLEY: That is right.

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MR. CHAIRMAN: Resolution 24(b)(1)--pass; (b)(2) Other Expenditures--pass; (b)--pass; Resolution 24(c) Court of Queen's Bench: (1) Salaries. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I know this has been raised on previous occasions in the Legislature and I would like to ask the Attorney-General if there has been any consideration given or any studies done in his department towards the amalgamation of the Court of Queen's Bench and the County Court?

MR. PAWLEY: Outside of the Law Reform Commission I would think there has been very little study done in this connection. There is presently a study being done in connection with the entire question of administration of courts, etc. by the Law Reform Commission so we'll be receiving further comment in connection therewith.

We have reports, for instance, the Kirby Commission Report from Saskatchewan and the Alberta Report which dealt with the question of the County Court and Court of Queen's Bench. Some of that presentation suggests very strongly that there be a merging of the County Court and the Court of Queen's Bench, and I think for one it's an area that we should wish to continue to examine insofar as its relevant to Manitoba.

MR. GRAHAM: Well, Mr. Chairman, in those investigations, have the judges of the two courts been asked for their opinions and has the Minister prepared to give any indication of what the views of the judges of the two courts are concerned.

MR. PAWLEY: I have certainly queried them as to their opinion, I must say to the Honourable Member for Birtle-Russell that I received some varied opinions.

MR. GRAHAM: Mr. Chairman, not being a member of the legal profession, maybe I am privileged that I don't get that same opinions handed to me that the Attorney-General might, but I would appreciate if the Attorney-General has had any viewpoints on that if he would make them known to us at this time.

MR. PAWLEY: Well there is a variational opinion. There certainly has been some. I don't want to bring in particular judges, names of these judges, but certainly I have received some opinion that the continuation of two separate courts, the County Court and the Court of Queen's Bench does not really serve a useful purpose in the continued duality of the two courts, that we would be better to merge those courts. Against that, I've certainly received advice that this would not be a forward step, that it could very well centralize the courts. For instance, if we had one court, you eliminated the County court system, that would mean that we would have fewer courts throughout our rural areas hearing cases, there would be more centralization which would be something which I would think we want to avoid and that we would take the courts away from the people, make the people go to the courts instead. So that would be a problem.

That probably is a major one but there certainly is a variation in the opinions that one receives. Also the County Court is traditionally intended of course to sometimes act as a court to deal with the problems of the little man, and sometimes a little less expensive, less formality than the Court of Queen's Bench, so that to that extent it can be argued that it serves a useful purpose to keep it separate apart from the Court of Queen's Bench. It would require a very thorough analysis. I believe the Kirby Commission Report in Saskatchewan recommended that the two courts be merged. The Law Reform Commission is examining this but the matter raised by the Member for Birtle-Russell certainly draws differing points of view from the legal community, whether it's part of the Bar or part of the Bench.

MR. GRAHAM: Well, Mr. Chairman, to get away from that particular point, may I suggest to the committee that this might be a good time for us to adjourn.

MR. CHAIRMAN: Committee rise.

MR. PAWLEY: Excuse me. Where do we cut off with here, at Court of Appeal, Mr. Chairman?

MR. GRAHAM: We're at Queen's Bench.

MR. CHAIRMAN: We passed 24(b), we started 24(c). Committee rise.

Mr. Speaker, your Committee of Supply has considered certain resolutions, requests me to report progress and beg leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: Mr. Speaker, I move, seconded by the Honourable Member for Flin Flon, that the Report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: The hour of adjournment having arrived, the House is adjourned, will stand adjourned until 10 a.m. tomorrow.