

TIME: 10:00 a.m.

**OPENING PRAYER by Mr. Speaker**

**MR. SPEAKER, Honourable Peter Fox (Kildonan):** Before we proceed I should like to direct the attention of the honourable members to the gallery where we have twelve students, Grade 12 standing, of the Centennial College of Scarborough, Ontario. These students are under the direction of Miss Lynn Suo. On behalf of the honourable members, we welcome you here this morning.

Presenting Petitions; Reading and Receiving Petitions.

**PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES**

**MR. SPEAKER:** The Honourable Member for Gimli.

**MR. JOHN C. GOTTFRIED:** Mr. Speaker, on behalf of the Member for St. Vital, I beg to present the first report of the Committee on Economic Development.

**MR. CLERK:** Your Committee met on Monday, May 16, 1977, to consider the Resume of Operations and the Financial Statements of A.E. McKenzie Co. Ltd., for the year ended 31st October, 1976.

Having received all information from Mr. R.A. Clement, Q.C., Chairman of the Board of Directors, and Mr. W. Moore, General Manager, the Resume of Operations and the Financial Statements of A.E. McKenzie Co. Ltd. were adopted, by resolution of the Committee.

**MR. SPEAKER:** The Honourable Member for Gimli.

**MR. GOTTFRIED:** Mr. Speaker, I move, seconded by the Honourable Member for Ste. Rose, that the Report of the Committee be received.

**MOTION presented and carried.**

**MINISTERIAL STATEMENTS AND TABLING OF REPORTS**

**MR. SPEAKER:** The Honourable Minister of Mines.

**HONOURABLE SIDNEY GREEN (Inkster):** Mr. Speaker, I would like to indicate that this evening we had scheduled Channel Area and Moose Lake Loggers; Minago Contractors will also be available if there is time to get to it. The report has already been distributed.

Also, on Thursday evening, I am asking the Manitoba Mineral Resources Limited to be present after the CEDF in the hope that we could reach that report as well.

**MR. SPEAKER:** Any other Ministerial Statements or Tabling of Reports? Notices of Motion.

**INTRODUCTION OF BILLS**

**HONOURABLE RUSSELL PAULLEY, Minister of Labour (Transcona)** introduced **Bill (No. 81) — An Act to amend The Employment Standards Act(3).**

**HONOURABLE SAUL A. MILLER, Minister of Finance (Seven Oaks)** introduced **Bill (No. 78) — The Statute Law Amendment (Taxation) Act (1977).** (Recommended by the Lieutenant-Governor.)

**MR. GREEN,** on behalf of the Attorney-General, introduced **Bill (No. 82) — The Statute Law Amendment Act (1977).** (Recommended by the Lieutenant-Governor.)

**ORAL QUESTIONS**

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. STERLING LYON (Souris-Killarney):** Mr. Speaker, a question to the First Minister. Yesterday I addressed a question to him concerning the Hall Report and whether the government would be making a statement on it. Could the First Minister confirm the statements he has apparently made to the media, that the government in general supports the thrust of the Hall Report, or has the government any caveats or reservations with respect to the report?

**MR. SPEAKER:** The Honourable First Minister.

**HONOURABLE EDWARD SCHREYER, Premier (Rossmere):** Yes, Mr. Speaker, those are almost precisely the words. I indicated that there was much in the report that could and should be supported from the western Canadian point of view. I did indicate as well that we would be expressing more precise position and more precise caveat with respect to such matters as the amount of branch line to be recommended for abandonment. We have had not had an opportunity to see precisely which of the lines are to be abandoned. We have some indication but that was verbalized.

**MR. LYON:** I was wondering, Mr. Speaker, — a further supplementary to the First Minister. — if he or his staff have had an opportunity to attach a dollar value to the recommendation of the report which would see federal assistance to the province for the upgrading and maintenance of the road system, which would be used in substitution for those rail lines that are being abandoned.

**MR. SCHREYER:** Mr. Speaker, the principle has been enunciated by Mr. Justice Hall; the Department of Highways has not yet been put in a position where it can quantify, in dollar terms, how

much that transfer would have to be. But I should think, within a relatively short time after the receipt of the report by the Ministry of Highways, that that should be possible.

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SIDNEY SPIVAK:** Mr. Speaker, my question is to the Minister of Finance. Yesterday the head of McKenzie Seeds acknowledged in the committee that McKenzie Seeds pays capital tax to the province. I wonder if the Minister can indicate whether his department collects the capital tax from Crown corporations in business in Manitoba.

**MR. SPEAKER:** The Honourable Minister of Finance.

**MR. MILLER:** Yes, capital tax is collected unless there is some particular reason why it shouldn't be — the nature of the business perhaps.

**MR. SPIVAK:** I wonder then if the Minister of Finance can indicate whether Manitoba Hydro pays capital tax.

**MR. MILLER:** No, Manitoba Hydro is not in that category.

**MR. SPIVAK:** I wonder if the Minister can indicate whether Manitoba Telephone System pays capital tax.

**MR. MILLER:** No, those are not competitive firms. They are non-profit firms and non-competitive. There isn't anyone in the private sector in that field.

**MR. SPIVAK:** Well, is the Minister then suggesting that the criteria is not being business in competition with the private sector as the basis for paying of capital tax?

**MR. MILLER:** Mr. Speaker, I indicated that they are non-profit, they cannot make a profit except to use it for the furtherance of the system itself.

**MR. SPEAKER:** The Honourable Member for Lakeside.

**MR. HARRY J. ENNS:** Thank you, Mr. Speaker. Back to the Hall Report for a moment. Has either the First Minister, or perhaps the Minister of Agriculture, had an opportunity to see whether or not the report contains any suggestions about the upgrading of the Churchill line — The Pas to Churchill, which in recent times has created a bit of controversy between the two federal agencies, the Harbour's Commission and the CNR?

**MR. SPEAKER:** The Honourable First Minister.

**MR. SCHREYER:** Mr. Speaker, I do not know if Mr. Justice Hall has expressed himself in the report itself with respect to the problem of the upgrading of the Hudson Bay railway line particularly from Gillam to Churchill where I think the problem is in fact existing. I can say, however, that this matter has been discussed at the Western Premier's Conference and also the opinion of Mr. Justice Hall has been received in that regard. And in brief words, Mr. Speaker, there is a consensus that in fact the CNR's action is in contradiction to an undertaking earlier given, so that we have no intention of allowing them to forget it.

### ORDERS OF THE DAY

**MR. SPEAKER:** The Honourable House Leader.

### ADJOURNED DEBATES — SECOND READING

**MR. GREEN:** Yes, Mr. Speaker. Would you proceed now to the Adjourned Debates on Second Reading as they appear on the Order Paper.

**MR. SPEAKER:** Thank you. Proposed motion for second reading Bill No. 5. The Honourable Minister for Public Works.

**HONOURABLE RUSSELL DOERN (Elmwood):** Stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 39. The Honourable Minister for Municipal Affairs.

**HONOURABLE BILLIE URUSKI (St. George):** Stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 51. The Honourable Member for Assiniboia.

**MR. STEVE PATRICK:** Stand, Mr. Speaker.

### BILL (NO. 56) - THE FARM LANDS PROTECTION ACT

**MR. SPEAKER:** Bill No. 56. The Honourable Member for Portage la Prairie.

**MR. GORDON E. JOHNSTON:** Mr. Speaker, I might say at the offset that since the Liberal Party two years ago introduced a resolution saying, in effect, that this House should consider the problem of foreign ownership of farm and recreational land, it follows of course that we would be supporting in principle Bill 56 because we have recognized for some years now that it is a growing problem that is facing the farm people of not only Manitoba, but of Canada. And I say the farm people. In past times, centuries, years, in times of inflation or in times of uncertainty people were inclined to invest, not only in the normal manner to make a standard rate of interest or to invest in their work, but they were inclined to put surplus moneys into diamonds, gold, paintings and items of long-term value. It's only in recent times that land has become part of the safest way to guard against inflation and to hedge for the future and also land is an item that could be used until recently as a place for moneys from other parts of the world to come here and be invested in land.

I would suggest to you, Mr. Speaker, that Bill 56 is one of the most important pieces of legislation to ever come before a provincial Legislature. It has been dealt with in Prince Edward Island in a slightly different way, but it had to be dealt with there because of the pressure of people from Boston and Maine area coming into P.E.I. to buy at what they considered bargain prices, ocean front land and small farms as vacation homes. New Brunswick had the problem where American people with surplus funds were buying their farm land and their river front and beach front land at bargain rates to them, but at rates that the local people in New Brunswick couldn't compete with, so it followed that New Brunswick had to deal with the problem. In Ontario there were two attempts to deal with it and in my opinion neither one is working all that well. The land speculation tax in Ontario has generated some income, about \$1 million last year to the province, but it still hasn't really got at the problem. The land transfer tax is also used in Ontario, but in speaking with people in Ontario they feel that it's only a short-term and a part-term solution. In Saskatchewan there have been no changes since their legislation in 1974 but there has been a feeling amongst some of the people in Saskatchewan that that legislation even has to be strengthened to be more meaningful.

We note that this year the Alberta government has moved to restrict the ownership of large tracts of agricultural and recreational land to Canadian and landed immigrants. The Agricultural and Recreational Land Ownership Act was introduced a week ago Thursday. One feature about the Alberta Act is that it does not restrict foreign investment when the land is bought for manufacturing or processing. In other words, factory sites I guess would be adjacent to agricultural areas so naturally some of the agricultural land would have to be used in a manner from what it was in the original state. Another late-comer to the field of controlling the use of farm land for farmers and farm people is across the border in Minnesota. This year aliens would be barred from purchasing farm land in Minnesota under a bill approved by the State House. The measure passed on a 128 to 2 vote and was sent to the State Senate for approval. The bill sponsored by representative Buzz Anderson does not apply to land currently held by aliens but they must register their holdings with the State Agricultural Commissioner. The ban would not apply if the buyer is a permanent resident alien, or if the land is acquired by inheritance or collection of debts.

Mr. Speaker, this is rather interesting — in the State of Minnesota the authorities don't know how much land is owned by aliens or by foreigners; sponsors were uncertain that much farm land has been purchased by aliens and there have been reports of several thousands of acres being bought but there again they do not know exactly what amount of land is controlled by people who are not Americans. Now, there is the distinction, anyone in the State of Minnesota can own farm land. Our bill treats or puts the stress on non-resident and I'm inclined to agree. I have changed my opinion in the two years that we have been considering this matter but I feel that at some time, whether it's today or five years from now, laws have to be passed to hold farm land for farm people and not for investments, not for people to buy and sell as a method of making a fast dollar, not to turn many of our people into tenant farmers. And, Mr. Speaker, we support the Bill in principle. As I've stated, we will have some amendments to make to the Bill.

For example, it's going to be very difficult for any tribunal or any board to make judgments. I have a neighbour in Winnipeg here who has a farm. He's not farming it because he chose to rent it out but he's still a farmer at heart and he is over the square mile of land. I know it doesn't affect him, but in the future when decisions are made by farmers to leave their land and they may want to wait ten years to see if their son will be interested or a neighbor's son will be interested. A few years ago farmer's sons were leaving because they could make a better living working at a trade or a job. Now there is a movement of these people to come back because farming is much more attractive than the urban living with some of the problems that are being found in the cities.

So I hope that when the bill is in its final form it will take into account all of these future problems that farm people are faced with. The farmer who wishes to move to Victoria and wants to rent his land for some years before he sells it, he should not be restricted in any way from being able to do that. I agree that this applies only to new purchases, but I still think that there has to be a place to look after the people who want to hang on to their land for a few more years before they sell, but not be restricted to living on it or near it if they wish to go away for a year or retire elsewhere for some years.

So, Mr. Speaker, with those few words we support the bill through second reading.

**MR. SPEAKER:** The Member for Morris.

**MR. WARNER H. JORGENSEN:** Mr. Speaker, when the Minister of Agriculture introduced the bill and in the press release that he issued with the introduction of this legislation, he expressed the opinion that the bill was aimed at achieving certain objectives. I might also say, Sir, that in his introduction he said that the government would welcome any suggestions with respect to this particular piece of legislation, but we found that when suggestions were made from this side of the House they were vociferously objected to by honourable gentlemen opposite. So, I cannot help but come to the conclusion that what the honourable gentlemen really want is praise. — (Interjection) — Well, you know they said constructive suggestions. Anybody that is asking for constructive criticism is asking for nothing more than unqualified praise, and that is the impression I get in listening to the

honourable gentlemen opposite.

But the Minister, in introducing this bill, made a statement that the bill is aimed at reserving the ownership of land for Manitoba farmers. I don't have any particular quarrel with that kind of objective, but I wonder just to what extent this bill is going to achieve that particular purpose. It would only take 100,000 foreigners to buy up all the farmland in the Province of Manitoba, so where is the protection for those farmers in reserving farmland for them. And it would only take about 25,000 other Canadians to buy all of the 17 to 20 million acres that are available as farmland in this province. So to make the suggestion that it is going to preserve farmland for Manitoba farmers is hardly borne out by the provisions of the bill.

He also went on to point out that The Farm Lands Protection Act will do its share to stabilize the rural economy and to protect the agricultural community from being disrupted by the activities of speculators in land. Well, Sir, I doubt very much if this bill is going to do that either. In fact, as was pointed out by the Leader of the Opposition, it could have the opposite effect. It could deny to a good many farmers the opportunity of getting the kind of financing that is necessary in order to successfully operate a modern farm operation.

I cannot help but get the impression, listening to the honourable gentlemen opposite — and that includes the Member for St. Johns, who I know does not profess to be an authority on this subject, but nonetheless some of his comments were quite revealing — it seemed to me, in listening to those who have spoken in this debate from the other side of the House, they would like, although they profess to be the harbingers of the future, that they profess that they are progressives and looking forward, they in one respect don't do that, in one respect they want to return agriculture to — and they keep talking about the Thirties — they want to return agriculture to a highly labour-intensive industry, which it will never be again in this country.

Agriculture has shifted now and has become a very highly capital intensive industry — (Interjection) — Well, my honourable friend says that that is too bad. That may be true from his point of view and it may be true from the point of view of honourable gentlemen opposite, but, if agriculture today was a highly intensive labour industry, I can tell my honourable friend he would not be able to afford the food that is on his table today. It is only because of the mechanization and it is only because of the capital that is invested in agriculture that it is possible to produce food at the cost that it is being produced today.

Now, the Minister also suggested that it is hoped that the Act will help to keep land prices in line with their value in agricultural use. I doubt very much if that will happen because the very nature of the restrictions that are being imposed on land will, in my opinion, have the effect of increasing the price of land beyond any value that it may have for agricultural use. You know, the restrictions imposed on land, there is, I presume, some kind of a law that applies to it, they are as immutable as Parkinson's Law — there is no question that the more restrictions you place on the sale of land, the higher the price is going to be and certainly British Columbia found that out. Because, when that Land Commission was set up, I recall that there were a great number of demonstrations in British Columbia against the provisions of the Act and the application of the Act; and they were demonstrating and criticizing the government because many of those people who owned the farms around the City of Vancouver felt that they were now being denied the opportunity to sell that land to developers at very high prices. Well, even they couldn't have envisioned the effects of the restrictions that were imposed by that Land Commission because I am told that it isn't possible to buy an acre of land within 50 miles of Vancouver for less than \$10,000 an acre. And there is just no way that that land, at that price, can be termed as being in keeping with its productivity.

And my honourable friend said — I keep hearing the Member for Churchill — he said it is because foreigners bought it. That's not true. It was not true that the foreigners came in and bought that land, it was people in the province of British Columbia themselves that bought that land.

**MR. SPEAKER:** Order please. The Honourable Member for Churchill state his point of order.

**MR. LES OSLAND:** On a point of privilege, Mr. Speaker. I made no mention about foreigners buying the land. I was merely referring to the fact that the price in B.C., of land, has been outrageous for years.

**MR. SPEAKER:** The Honourable Member for Morris.

**MR. JORGENSON:** Sometimes it is very difficult to understand the Member for Churchill, but I wish that he would either speak a little clearly or a little more loudly so that I can hear what he says, or ask for leave to make his comments into the microphone. It would be a lot more helpful in the conduct of the debate.

Mr. Speaker, although, as was pointed out by previous members, there have been attempts, not only in various parts of Canada, to control what is, admittedly, becoming a problem, there is mounting evidence that the restrictions and the legislation that has been placed on the statute books in order to achieve that purpose is not working out the way it was originally intended, and in some cases it is creating more of a problem than it was intended to solve.

The Minister also went on to point out that high land prices have a depressing effect on farm income. They make it difficult for a young person to become established as a farmer and they make it difficult to transfer a farm from one generation to the next. Well, perhaps there is some justification for the statement, that it is difficult to transfer a farm from one generation to the next, but I can tell my honourable friend, the Minister, that it is other legislation that is being held on to by this government, legislation such as The Succession Duty Act and other Acts, taxation acts of this government, that is doing more to prevent a transfer of a farm from one generation to the next, than the high price of land. It would be reasonably easy to transfer a farm from one generation to the next if there were no encumbrances, no difficulties and no obstacles placed in the way of that transfer by the governments of this country. And I find it difficult to reconcile the expressed opinions, on part of honourable gentlemen opposite, that they want to retain farming in the hands of the rural population, or farms in the hands of those who are going to farm the land, and then, on the other hand, place every conceivable object in the way of that happening. Now, if honourable gentlemen opposite are going to be sincere in the objectives that they state for agriculture, then I ask them to look at some of the legislation that is preventing that very thing from happening.

One other point that has been made, and one that I think should be reiterated, is the fact that most of the money that has come into this province by way of purchases of farmland has not stayed in this province. And I think that is, again, a reflection on the policies of this government. I know people who have sold farms, the money never stayed here, the cheques never even were deposited here; they moved straight into Alberta and there are literally hundreds of the proceeds of the sale of that land that has gone to other provinces where the climate for investment is a heck of a lot better than it is in this province. And honourable gentlemen opposite can talk all they like about how they are encouraging the people of this province to invest in this province and what they are doing to help them, the fact is that the most recent figures that I could get a hold of, that close to \$100 million has moved out of this province in that fashion.

I know that recently in four municipalities partly in my constituency some figures were taken which show that the sales of farmland in those four municipalities amounted to about \$13 million; \$6,540 million were sales of land to local residents, to farmers living in the area; and there are \$7,357,000 of sales that were made to aliens coming into this province. Some have come in since to farm the land, others have bought the land as an investment. The total amount in local sales was about 25,000 acres and in foreign sales about 22,000 acres. The average acreage bought by local residents was about 232 acres and the average acreage bought by foreigners was 490 acres. It is a far cry, Sir, from the literally thousands of acres that have been reported to being bought by single individuals. There were 108 local sales and 46 foreign sales and the price that was paid by local residents amounted to, on the average, \$251 an acre; whereas the price paid by foreigners was \$306 an acre. It does not bear out the contention, at least in that area that was surveyed, that there are vast amounts of land going to single individuals. It seems to me that the pattern is more of people who are investing in land of this country because eventually they hope to be able to come into Manitoba and to farm.

The attitude of the government, I suspect, is — and we have stated that, in looking over the bill, there seems to be an undercurrent of opinion amongst the members of the government that land should be made a public utility. As a matter of fact, the Minister of Agriculture, in some of the statements that he has made . . . Here is one that was made July 16, 1974, in the Winnipeg Tribune. It said, "Land, the placing of speculators should be controlled as a public utility, Agriculture Minister Sam Uskiw said Monday. It is a very revolutionary step, said the Minister, but damn it all, when a few people make such profits it's just not right."

You know I recall the Reeve of Dauphin Municipality appearing at the hearings in Swan River when he was complaining that a person shouldn't be able to come into this country and buy land at \$200 an acre and sell it for \$400.00. He objected to that and when we were questioning him I asked him if he would have any objections to that same person coming here and buying land at \$400 and then having to sell it for \$200.00. Well, that posed a different situation as far as he was concerned. And really that could conceivably happen.

**A MEMBER:** It has happened.

**MR. JORGENSON:** It has happened many many times in the past and I suspect it could happen in the future. And I tell you, Mr. Speaker, land prices are not determined by foreign purchases alone. Land prices are determined by more than one factor and the price of grain is certainly a most important one.

The present situation in the grain industry could see a considerable change in that whole picture, if — and we hope that does happen — the weather is good in this province and we get a good crop, that could conceivably, and one hates to even think of it, pose a greater problem than a crop failure for this year. With 800 million bushels, almost 800 million bushels as a carry-over from last year, it would be difficult to expect that prices for grain can be maintained at even the present levels. Even the effects of the recent rain had its effect on the market almost immediately. So it could conceivably

happen that those who have turned to Canada and to Manitoba to purchase land as an investment may find that that investment will go sour a lot sooner than they think.

But the Minister of Agriculture rails away at the speculators. He said a few people who make such profit is just not right. He said, "If I had my way I'd give a lotto an individual at \$5.00 and let him pay the servicing cost and that would be that." Well, I wonder why he doesn't do that. I wonder why he doesn't do that. You know the Minister stands in this House and rails away at speculators. He is one of those speculators himself. —(Interjection)— Well, now my honourable friend laughs at that, but honourable members opposite love talking about my leases and the Member for Lakeside's leases and the fact that I sold some land to foreign investments. The Minister of Agriculture is not entirely as pure as my honourable friends opposite may want to think. He wants to rail away at speculators. He is a pretty good speculator himself and he won't deny that. The difference between the members on this side of the House and the Minister is that we don't complain about it. We don't pretend to be so Simon-pure as he does. We don't pretend that speculation is such an evil thing and then go ahead and do it ourselves. We have no objections to other people doing it and I don't object to the Minister doing it.

**A MEMBER:** I hope he makes a good buck.

**MR. JORGENSON:** And he has. He's made a good buck on his investment, an investment that was made not too many years ago. And if that isn't speculation, I don't know what is. So, the Minister shouldn't stand up in this House and accuse other people of ripping off the public when he is doing the same thing himself. I shouldn't say that because I don't think it is a rip-off. He was following a market and I think he made a good investment and I think that he sold it at a pretty handsome profit. —(Interjection)— If somebody could pay for it at the price that you sold it for then I don't have any objections. There is only one sticker in this deal and that is the proximity of that particular piece of land to property that the government bought for a satellite city. I wonder if there is any coincidence between the purchase of that land and the proximity of the Minister's farm, or the lots that he sold, to the price that was realized when he finally sold it. Well, having disposed of that, the Minister, I hope, will not try to convince people in this province and in this Chamber that other people are ripping off, other people are speculating when they should and other people are doing bad and evil things when he does them himself. Well, everybody does. So, all right, if the Minister does it himself then why does he complain about others doing it? —(Interjection) Well, the Minister of Mines says he's never complained about it. I have several statements on the record by the Minister in which he does complain about it. —(Interjection)— Well, that's a very fine distinction that the Minister of Mines makes.

One of the features of this bill, Mr. Speaker, that I find most interesting is that the government exempts itself. One would almost get the impression that the tendency and even the objective of this bill is to attempt to drive sales of farmland right into the hands of the government. It does appear as though that is the objective, by exempting themselves from the provisions of this bill. Have we now reached the stage where the government can simply do as it pleases, violate its own laws, violate the provisions of its own bills, do everything it pleases and yet constantly attempt to subjugate and to bring other people under the provisions of their laws?

Sir, I draw to your attention two particular statutes that are now on the Statute Book only to illustrate that particular point. The Law of Property Act which is still on the Statute Book, Section 2 of that Act says this, "On and from the twenty-eighth day of February, 1874, every alien shall be deemed to have had and shall thereafter have the same capacity to take by gift, conveyance, descent devise or otherwise and to hold, possess, enjoy, claim, recover, convey, devise, impart, transmit real property in Manitoba as a natural born or naturalized subject of Her Majesty." If that isn't a violation of our own statute, I don't know what is. —(Interjection)— Well, if it has been changed it has not been placed on the statutes.

The other violation that I see, and it may be a little more difficult to find a precise determination of the meaning of this section of the Act, but I'm talking about The Human Rights Act. Section 5(b) says, "No person shall deny to any person the opportunity to purchase or otherwise acquire land or an interest in land that is advertised or in any way represents it being available for sale." Then they go on to outline the conditions under which that prohibition shall exist and they go on to say, "because of the race, nationality, religion, colour, sex, age marital status, ethnic or national origin of that person." Now, they don't say that there should be a distinction made between those who live in the country and those who live in the city. But, I ask my honourable friends, if the intent of the Act is to remove discrimination then why is there a discrimination between what a person can do if he lives in the city, insofar as land is concerned, as opposed to what a person can do if he happens to live in the country. Are we to have discrimination on the basis of where you live and what part of the province that you live? —(Interjection)— Well, my honourable friend says that it's not a discrimination, but I tell my honourable friend that it is a discrimination. If you live in the city you can only buy 640 acres of land; if you live in the country you can buy all the land you like. And if you are a farmer it works the other way as well. If you live in the country, you can buy all the beach property, you can buy all the recreational

land you want. It has nothing to do with farming at all. But if you live in the city you can't; you can buy only 640 acres.

Now the Minister will rationalize that by saying that that's a great deal of land for a person in the city to own. It still is discrimination. There is still a discrimination that exists and the Minister, and the government in this bill . . .

**MR. SPEAKER:** Order please.

**MR. JORGENSEN:** . . . have done nothing to reconcile that discrimination.

**MR. SPEAKER:** Order please.

**MR. JORGENSEN:** I'm just waiting for the debate to conclude so that I can . . .

**MR. SPEAKER:** Order please.

**MR. JORGENSEN:** . . . carry on my remarks.

Well, the Minister of Mines stands up in this House and he creates the impression that his logic is impeccable. And you know if one is to forward an argument and you start and base that argument on a false premise then it's pretty easy to follow that logic through. But the Minister's arguments are based on false premises and for that reason, although they sound logical in this House, when you come to analyse them they are not quite as logical.

I want to draw to your attention, Sir, his argument that the government is the better landlord and that there is no possibility that the government would ever become involved in something that was underhanded, nefarious, partisan or biased, that the government is the better landlord. And throughout his remarks he said that the government could be trusted where the private landlord could not.

Now, Sir, for the benefit of my honourable friends opposite, I'm going to table this letter because I think it's something that should be on the record. But it is a letter that was written on May 7th of this year and the letter is addressed to the Member for Gladstone. And I want to read it for the record. He said, "I have been attempting to lease or purchase 35 acres of land from MACC. This land is a portion of north-west 17-15-16. I presently own the major portion of this quarter section — 111 acres. The small field that I am attempting to lease or purchase is one-third of a mile from my home and I, at present, operate the land on three sides of it. This small field literally cuts my farm in half. My application has been turned down and the land leased to Gordon brothers who, to the best of my knowledge, now work 22 quarter sections and are said to have obtained numerous government hand-outs in the form of being paid for taking up different courses, pensions, etc."

Upon examination, the Member for Gladstone also tells me that they do carry the right membership card.

"It is my understanding that the MACC was intended to help the small farmer. If I were able to purchase this 35 acres I would then own three quarters and I have been renting my father's half-section."

Instead they give it to a farmer who has 22 quarters. They have changed their definition of a small farmer. And they've done that without informing the House and they've done that without changing the regulations, I guess. But now the definition is changed. The small farmer is one with the right card.

"After receiving word that my application had been rejected I approached Mr. Dennis Johnson

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**MR. SPEAKER:** Order please. The Honourable Minister state his Matter of Privilege.

**HONOURABLE SAMUEL USKIW, Minister of Agriculture (Lac du Bonnet):** Mr. Speaker, the Member for Morris is trying to suggest and in fact has suggested that party membership has something to do with the allocation of Crown leases under the MACC program. And the member comes to that position from the fact that there are 22 sections involved in this given transaction but he is disregarding completely the fact that the criteria is based on value and not on . . .

**MR. SPEAKER:** Order please. The Honourable Minister didn't have a Matter of Privilege. The Honourable Member for Morris.

**MR. JORGENSEN:** He didn't have a question of privilege and secondly he should have waited until I read the entire letter into the record. If he wants to raise any objections then he can do it.

"But after receiving word that my application had been rejected, I approached Mr. Dennis Johnson in the MACC office in Neepawa inquiring the reasons for this rejection. His reason was that my net worth was over \$90,000.00."

I wonder what the net worth of those farmers that had 22 quarter sections of land was.

"Another thing we discussed was that the only access previous operators had through a 26 acre field and grainery on north-east 17-15-6 was across the corner of S.E. 7-15-16 which I presently own. My idea was to offer the right-of-way to whoever wanted to lease this field for the lease to that 35 acres. Later next day I learned that if I were to stop trespassing on my property the MACC would simply build a bridge across the creek."

My opinion of this whole deal is that the MACC are very unreasonable.

"He also informed me that if my neighbours and myself wished to lease portions of this property,

we would have to vote differently."

**MR. SPEAKER:** Order please.

**MR. JORGENSON:** "We would have to vote differently and maybe someday we could get the land of our choice. There are several young farmers who live adjacent to the five quarters and 35 acres leased to the Gordon brothers. It is my feeling and my neighbour's feeling that we should have had first chance to lease this property.

"I had the opportunity to discuss with Craig Stewart recently and his suggestion was that I inform you of the situation and I'm very glad he did."

And it's signed Mr. Gerald Orr. I'll be very happy to table that letter along with the letter from the MACC telling him that he was not going to be able to lease that land and a map that he has drawn indicating the location of that property.

The Minister tries to tell us that there is no bias, there is no partisanship, and that the government is the proper landlord. There is no individual landowner that could wield that kind of a club over any individual, none. And my honourable friends opposite have the audacity to stand up in this House and say that the government is the best landlord.

The Minister of Mines also likes to refer — and he has done that several times — to the story of Tolstoi. I wasn't sure when he related that story that I had heard him correctly so when the Hansard came out I read it very carefully. What the Minister pointed out in that story was that the land that this hapless Russian was to get from the officials of the town, providing that he would walk around it from sunup to sundown, was going to be free. And he is so right. Because when anything is offered free, like the largess that is being passed out by honourable gentlemen opposite at the expense of the taxpayers, we know that human nature is such that it will abuse anything that is free. And those abuses you can find in every so-called "free" government program that is currently in existence.

But, Mr. Speaker, there is a great difference between that kind of an acquisition of land, as opposed to the acquisition of land that comes from somebody who has to pay out, out of his own pocket, money for that land — a great difference. He is assuming or suggesting . . . — (Interjection) — Well, I didn't miss the point of the story.

**MR. SPEAKER:** Order please. Order please.

**MR. JORGENSON:** The point of the story is simply that the Minister, inadvertently or not, and I don't know the original story, but when the word "free" is placed in there that changes it entirely. And what the Minister was attempting to do was to create the impression that the foreigners who come in here to buy land will buy all the land they can lay their hands on and I tell you, Mr. Speaker, that is a false presumption. Because if people have money to invest in land they are going to want to invest it in such a manner as there is going to be some kind of a return on that investment. That does not mean that they are going to pay a price for that land that is all out of proportion to what their hopes of a return is.

And the same with farmers. You know, to suggest that farmers are going to buy more and more land than they actually require to farm is just nonsense. There is no businessman in the world today, that has to be more careful about the kind of capital investment he makes than the farmer, because he has got to keep his capital investment in terms of machinery — the bigger the machines he's got, the more land he's got to have in order to get the full value out of that machine; he's got to relate that to his availability of labour; he's got to relate that to the amount of land that he has and his own managerial capability. There are some people that are capable of managing larger tracts of land than others.

And so to suggest that there have been great evils perpetrated on the people of this province by purchases of land is to deny the fact, because the cold fact is that in over 100 years 91 percent of the agricultural land in this province still remains in the hands of farmers who actually farm that land. That's not a bad record for the free market that is supposed to have so many inherent evils in it. That's not a bad record.

Mr. Speaker, there is no one who denies that because of situations that exist in other countries of the world — and I am thinking of the investments that are coming into this country because of fear of communism in Italy — that some regulation, some control, some effort must be made to at least catalog those sales and to ensure that there are not abuses that are created, because there is a possibility of that. And it is for that reason, in recognition of the somewhat different criteria that are being applied to the purchase of land today, and because of the differences in the value of the money, because of the difference of the interest rates, that perhaps creates a situation that is not as normal as it has been in the past, where investments in land in this country were largely based on straight economic grounds. If they were going to be continued to be based on straight economic grounds, I don't think that this bill would be necessary. However, because of situations that exist in the world, I think it is necessary to have some kind of legislation, but I don't think that it is necessary for the government to assume as much control, as much domination over the agricultural industry as they purport to do in this particular bill.

**MR. SPEAKER:** The Honourable Minister for Agriculture shall be closing debate. Does the Honourable Member for Birtle-Russell wish to debate?



**MR. HARRY E. GRAHAM:** Mr. Chairman, I beg to move, seconded by the Member for Minnedosa, that debate be adjourned.

**MOTION presented and carried.**

**BILL (NO. 59) — AN ACT TO AMEND THE HUMAN RIGHTS ACT**

**MR. SPEAKER:** The Honourable Member for Swan River.

**MR. JAMES H. BILTON:** Mr. Speaker, I adjourned the debate in favour of my colleague, the Member for Birtle-Russell.

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

**MR. GRAHAM:** Thank you, Mr. Speaker.

Mr. Speaker, when the Attorney-General introduced this bill, in the words that he used in the introduction I thought at first that he was referring mainly to the employment practices with regard to physically handicapped people. However, he does make mention that that is not the only concern that the government has in this particular field, because he specifically includes housing, and I would like to use his words. He says, "These various areas of discrimination have become more and more apparent with the passage of time, and certainly I, as Minister, have received a number of submissions from the handicapped, including representation from their association representing the handicapped in Manitoba as to various problems which they have encountered in the field of employment and housing because of their physical handicap. Insofar as the bill is concerned, it relates to all fields: housing, signs, notices, and includes that of employment as well."

Well, I think, Mr. Speaker, that that is fairly significant and fairly evident that the intention in this bill is to include all aspects of human rights' legislation with respect to the case for inclusion of the physically handicapped as a specific group in society that cannot be discriminated against.

Mr. Speaker, this again raises the point that I have tried to put forward on other occasions, that because of the complexity of the legislation and the attempt that we are making to try and spell out every single category, if we inadvertently miss one in that type of legislation, then it can only be presumed that the intent of the legislation is not to include that group. That is a problem that we face when we attempt to cross the "t's" and dot the "i's" in our legislation.

I have suggested before that legislation should deal mainly with principle and be rather all-embracing, rather than being very distinctive and very specific in legislative inclusions. Now when we bring in this definition of physical handicap into human rights' legislation, and you include it in the field of housing, in the field of signs, in the field of all the other aspects of human rights' legislation, Mr. Speaker, I think that there is a grave danger that government has failed to recognize the full implications of what they are doing.

I have had private talks with the Attorney-General and from those talks I have assumed that his Number One concern was employment, and if he was mainly concerned with employment, then I would suggest that perhaps this bill is unnecessary and changes should be made to The Employment Standards Act. However, he has brought it in in this respect, and I would think that perhaps he may want to make some changes. If he wants to go further than the field of employment, he wants to enter into the housing aspect of it, he has the human rights' legislation. It is fairly vague in one respect. It says that you can have no discrimination without reasonable cause, and that reasonable cause section is a fairly vague and fairly broad thing.

I can't help but remember a case that was brought to our attention in this House here not too long ago, Mr. Speaker, by a community that is represented by the Member for Fliin Flon when the — I believe it was a building inspector — looking into the building that is the curling rink, I believe, in the community of Cranberry Portage found various things in that building that didn't seem to meet with his approval, and in fact I believe he ordered the building closed. I will ask the Member for Fliin Flon if that is correct — I see he is nodding his head that is so. And some of the reasons that were given were such that there was no ramp for the physically handicapped to enter the building, and another one, I believe, was the fact that the doors on the washroom weren't wide enough to accommodate a wheelchair. And I think the Member for Fliin Flon pointed out that there were no members in that community that used a wheelchair.

So I just wanted to point out to the Minister and to you, Mr. Speaker, that if we insist in bringing in amendments to the human rights legislation with regard to physically handicapped in this respect, will that then not become, because it's enshrined in this legislation, will it not force changes in other forms of legislation that we have. Will that not then mean that the Building Code of Manitoba will have to be changed so that every building that is built will have to have accommodation for physically handicapped, for deaf people, mutes, is that what the intention of the legislation is? Because if it is, if you're building an auditorium and you're accommodating deaf people then you will have to have plug-ins for people to plug in their hearing aids. Is that what you intend to do? I don't think that is the intention. You're getting into a field that is so broad that you had better think very carefully about

enshrining this in this type of legislation.

If you want to change the building code and the building standards to accommodate physically handicapped, fine, but when you get into the field of housing you are getting outside the field of the public enterprise and into the field of private enterprise. Because you insist on putting ramps for wheelchair patients into public buildings, are you going to insist that the private individual who is building accommodation also put ramps in? Even if he has only got a two or a three suite or a four suite apartment, is he going to have to put ramps in for wheelchair patients?

I suggest the government has not carefully thought out the implications of what this type of legislation will do. Because, if you enshrine this because it was passed on say the 25th of June, 1977, does that then take precedence over some other Act that was passed in 1972 and what is the implication that it will have on an Act that was passed at a previous date? If this is considered to be primary legislation then I would suggest it could possibly and probably would supercede other Acts in the Statutes.

I would hope that when the Minister talks in closing debate that he does give us a greater explanation than he gave us when he introduced the bill and he does tell us what the real intent of this legislation is.

When it comes to the question of showing reasonable cause for exemption, that is a very broad term and I don't know just where you would apply the reasonable clause aspect. On private talks with the Attorney-General he has indicated to me that he didn't intend to force anyone to change existing structures in order to accommodate a physically handicapped person. The example I used with him was, if I had a suite that certainly was ground level and had easy access for a wheelchair, but because the bathroom door was only 28 inches wide and it requires a 32 inch bathroom door to accommodate a wheelchair patient, would I be in violation of the human rights legislation if I pointed this out to the person that was attempting to rent the suite and in fact suggested that perhaps I should not rent it to him at all. Would I be in violation of the human rights legislation if I did that? I would think that in all probability I would because I have attempted to discriminate. I would think that I could expect to get a visit from the Human Rights Commission very shortly but then, Mr. Speaker, I want to know, would the Human Rights Commission have the power to force me to change the structure to accommodate a wheelchair? If they did that would I then be able, as a landlord because I have had increased costs, would I be able to legitimately pass those costs on to the person that has rented? If those costs were very significant it would effectively prevent any physically handicapped person from renting those premises and they might very well suggest that those costs are costs that should be absorbed by the landlord. The landlord would then apply that increased cost to the rental of all his suites and it would mean that if I had a four suite block the other three people that were renting from me would then be paying the cost of widening the bathroom door to accommodate the one person with a wheelchair.

So there is a rather large field here that I think needs further examination and I hope that the Minister, when he closes debate on this, will give us his views on what his intentions are because at the present time this legislation is rather vague and has some pretty serious implications that I don't think were intended by the Minister. I don't think they were intended by the government. But I went to Legislative Counsel for an interpretation and that was the interpretation that was given to me by the Legislative Counsel for this Chamber.

Mr. Speaker, with those few remarks I will wait for comments from other members of the Chamber and hopefully have the Minister give us a better explanation when he closes debate on second reading.

**MR. SPEAKER:** The Honourable Member for Assiniboia.

**MR. PATRICK:** Mr. Speaker, I do wish to make just a few remarks in respect to Bill 59, An Act to Amend the Human Rights Act. I rise to support the legislation because I believe it's timely; it's overdue. The legislation would prohibit discriminatory practices to prevent an handicapped person from being employed, doing a task that he can perform, doing a task that he can do. In my opinion I think this is overdue.

I also would like to indicate to the House that it has been my interest for many years in this area. I have on many occasions requested that we do something about architectural barriers. I introduced a resolution into this House in respect to accepting the National Building Code which has a supplement dealing with the handicapped people which was accepted and today is on the Statute Books. I would have only hoped that the Member for Fort Garry was here in the House to listen to some of the remarks from my friend from Birtle-Russell, because my colleague from Fort Garry has a particular interest in this. I've heard him speak on several occasions and I'm sure that his remarks would have been different.

I am concerned, Mr. Speaker, that we are way behind time in respect to legislation dealing with the handicapped people as compared to the other provinces and particularly the United States, many cities in the States. It has been for too long now that our physically handicapped people have been shut-ins, in the back rooms. It's only when we began to gain some respect and said look, these people can perform jobs if we only provided the opportunity, if we only provided transportation facilities, if

we only provided housing accommodation. That's what we're trying to do at the present time. This bill, in my opinion, is only a small measure, Mr. Speaker, that will move in that area.

When we talk about architectural barriers, it's true, Mr. Speaker, there are many apartments today or highrises that are built with doors that probably will not accommodate a wheelchair. They should not be built. That highrise should have at least several suites — six suites or eight suites — that will accommodate a wheelchair because even in that highrise there is a car accident, somebody has a stroke, gets a heart attack, ends up in a wheelchair and will have to move out of that apartment but if there are provisions, say several apartments that are with wider doors, wider bathroom doors that could accommodate these people, I think that's only proper. It's for too long that we had our handicapped people shut in with say, senior citizens where the average age — and I'm talking from experience because I have been involved — have been shut in with people that the average age was eighty, where 18, 19 and 20 year olds have to live in that accommodation because there was no other accommodation because the ordinary apartment blocks did not have the doors to accommodate the wheelchairs, did not have the washroom doors to accommodate. So again, I think it's time that the building code requires the large apartment complex to accommodate these people, that we don't have to institutionalize them in just completely, totally apartments or handicap buildings for themselves, except for those that are quadraplegic that have to be helped and have to have assistance in every respect.

Now talking about architectural barriers, even today in some public buildings we haven't got the facilities to accommodate the people, the handicapped people. The Planitarium building on Main Street hasn't got elevator facilities and today . . . I don't know how many members are aware that one out of seven people has a handicap or has some disability. That's the Canadian statistics. So surely we can't institutionalize all these people, we have to make them part of the society, we have to help them. And when we talk about architectural barriers, when we talk about transportation problems and facilities, I think that we have to make those provisions and help those people so that they can be part of society and they can work.

In the City of Minneapolis they have removed every single curb of all their sidewalks which is thousands and thousands of miles. That's the kind of work that goes on in some of the other cities.

So, again, I think, if anything, the building code is not restrictive enough to providing facilities for the handicapped people. Even today you can go to several hotels in this city that are new — When I say new, they've been built within the last five, six years — and, Mr. Speaker, they are three or four storeys high and they haven't got an elevator. That hotel should have not been built because how can you accommodate people in a wheelchair or somebody that's handicapped that cannot walk upstairs even if he's not in a wheelchair. That's a public building. The provision should have been there that there should have been an elevator. So, to say that it shouldn't apply, that there's some concern, I do not accept that. I think that public buildings should all have these facilities and should all make these provisions for the handicapped people. As well, I believe all government buildings should have these provisions and since the National Building Code with the supplement dealing with the handicapped has been accepted in this House, I believe that we've started in that direction. So, if anything, I believe that we're perhaps late in this area.

The other point, Mr. Speaker, some of our schools . . . I know the school that I'm familiar with in St. James, the Sturgeon Creek Elementary School was a two-storey school when it was started and that school has trade courses for many people and some of these people can be handicapped. It had no provision for an elevator. I know that we had discussions in this House, we had debates here and went to the Minister. I've got to give the Minister credit when he said, "Yes there will be." He overruled the . . . In my opinion, I believe the school trustees asked for it but the Finance Committee overruled and said you cannot have an elevator. Well, how can you teach courses on the second floor to some people that cannot get up there? That's the kind of provision, Mr. Speaker, that we have to be concerned and have to provide to make these people part of society.

Now as far as apartment blocks, I feel there is nothing wrong when there is a structure going at 40 suites or 25 suites, with perhaps making two or three suites with wider doors, wider bathroom doors that would facilitate somebody that has to be put in a wheelchair for several months or because of a sickness. The same thing with the elevators. We still go into a basement or downstairs and find we're on an elevator with a six inch cement curb and you ask the architect, what's that curb for, and he says, for no reason at all. It is pretty difficult for wheelchair to get over a curb like that.

So, Mr. Speaker, I know there may be some difficulty because again some of these people that are handicapped they may not be able to perform all the jobs but certainly the ones that can perform the jobs, have capabilities and ability to do a job, that for the sole reason because they are handicapped, I don't believe they should be discriminated and in that respect I welcome the legislation and I think it's overdue.

Mr. Speaker, I wanted to put those points on the record, that I'm supporting the legislation.

**MR. SPEAKER:** The Honourable Member for Flin Flon.

**MR. THOMAS BARROW:** If no one else wants to speak, Mr. Speaker, I beg to move, seconded by

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the Member for St. Johns, that debate be adjourned.

**MOTION presented and carried.**

**MR. SPEAKER:** Bill No. 60. The Honourable Member for Birtle-Russell. (Stand)

Bill No. 61. The Honourable Member for Gladstone. (Stand)

Bill No. 62. The Honourable Member for St. James. (Stand)

Bill No. 68. The Honourable Member for Fort Rouge. (Stand)

The Honourable Minister for Agriculture.

**MR. USKIW:** Mr. Speaker, I move, seconded by the Member for St. Johns, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

**MOTION presented and carried,** and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in in the Chair.

ESTIMATES — ATTORNEY-GENERAL

**MR. CHAIRMAN, Mr. William Jenkins (Logan):** Order please. I refer honourable members to Page 12 of their Estimates Book, Resolution 26, Law Enforcement \$10,878,500.00. The Honourable Member for Birtle-Russell.

**MR. GRAHAM:** Well, Mr. Chairman, I think the other day we gave this a pretty good runaround but there is one aspect of law enforcement that so far we haven't covered as yet and that is in the field of criminal investigation and the use of electronic devices. In that method, I notice there appears to be an increase this year over last year and in the report of the Attorney-General that was released in the Manitoba Gazette of last Friday or last Saturday, I noticed that there were only two authorizations that were carried out for a period of more than 30 days. Perhaps the Minister can give us some further clarification of the figures that he has used. I notice there was a total of 48 authorizations that were listed and perhaps he can give us a further rundown on the activities that occurred. For instance, it's rather interesting to note that some of the offences that were found exceeded the area for which the wiretap was authorized and while I haven't had a chance to fully investigate the report yet, it does seem that there has been an increasing activity in this particular field. Perhaps the Attorney-General can give us some further particulars.

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

**MR. PAWLEY:** Mr. Chairman, I would like to get fuller information. If we could just carry on I could get back to the honourable member on his questions.

**MR. GRAHAM:** The Minister is saying he will have the information here very shortly. Well, Mr. Chairman, perhaps we can hold this item in abeyance, can we?

**MR. PAWLEY:** Yes we could do that. Carry on, Mr. Chairman.

**MR. CHAIRMAN resolution :** We'll proceed to the next if it's the will of the Committee. We then proceed to Resolution 27, Public Trustee (a) Salaries, \$544,400.00. The Honourable Member for Birtle-Russell.

**MR. GRAHAM:** Well, Mr. Chairman, in the field of the Public Trustee, I believe the Attorney-General has indicated, through discussions that we have had in this Chamber previous to this, that the Office of the Public Trustee will show an increased activity in the field of being a children's advocate. I believe that was the wording that was used or the intention indicated by the Attorney-General, that the Office of the Public Trustee will become more active in the field of protecting children's rights. And if that was the case, then, Mr. Chairman, I have to ask the question, why was the Public Trustee not present? In fact, why was the Public Trustee not making any presentation to the Special Committee of the Legislature that was dealing with Family Law where the rights of children came under review and in fact, where the rights of children will be substantially altered by the proposed new legislation? I would think that if the Public Trustee is going to become the protector of children's rights in the Province of Manitoba that he would have been present at those hearings and in fact making presentations to the Special Committee of the Legislature with respect to the rights of children that are going to be changed by the legislation.

Perhaps the Attorney-General can tell us why or was the Public Trustee advised and in fact — a further question — was the Public Trustee given any encouragement or any instruction in the field that he was to proceed with in that respect?

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

**MR. PAWLEY:** Mr. Chairman, the reason of course the Public Trustee would not have engaged in the making of representations is the fact that he does fall within the department and I must speak for the department. Certainly it would not be fair to the Public Trustee to place him in a position of making those type of representations to a political body, the Legislative Committee of the Legislature.

The Public Trustee's involvement will relate only to the St. Boniface Family Court project. There he will act as a child advocate where necessary, where the interests of children can be affected in such a way that it requires his intervention. He will be involved in that court as a pilot basis. Now whether or not the role of the Public Trustee as a child advocate in St. Boniface will warrant extending that to the balance of the province will depend upon the evaluation over the three-year period for which the pilot project will continue.

Dealing with electronic devices, and I want to just ensure that I have the questions clear that the Honourable Member for Birtle-Russell has posed. In respect to only two authorizations, I believe, his first question, for a period greater than thirty days. The basis for that, of course, is that in the other cases obviously it was felt that authorization was not required or otherwise there would have been application to the court for a further extension beyond the thirty days. So I think we can rest assured that in only two cases, as indicated in the report, was there need for an extension based upon the investigation.

The honourable member also referred to the 48 going beyond the area for which the wiretap was

authorized; going beyond the authority of the wiretap. I wonder if the honourable member could refer to the report as to where . . .

**MR. CHAIRMAN:** Order please. We can't discuss two resolutions at one time. We are now on Resolution 27. Either we should clear 27 and go back to 26, but one thing or the other. We are now dealing with two resolutions, dealing with the Public Trustee and wiretapping which comes under Law Enforcement. For the clarification of the Chair, I would like you to be on one resolution or the other.

**MR. PAWLEY:** Mr. Chairman, maybe we could finish the Public Trustee and then revert back because I did undertake to provide the information.

**MR. CHAIRMAN:** Resolution 27(a) Salaries \$544,400—pass; (b) Other Expenditures \$64,600—pass. Resolution 27, resolved that there be granted to Her Majesty a sum not exceeding \$609,000 for Attorney-General—pass.

We now go back to Resolution 26. The Honourable Attorney-General.

**MR. PAWLEY:** Maybe the Member for Birtle-Russell could further offer clarification.

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

**MR. GRAHAM:** Under the Report of the Attorney-General, which appears in the Gazette of May 14th, under Section (d), the number of persons identified in an authorization against whom proceedings were commenced at the instance of the Attorney-General in respect of (i) an offence specified in the authorization — and there were ten in that particular case. Then (ii) an offence other than that offence specified and there was one there. I would like to ask the Attorney-General if that other offence related to the same individual or if another individual was involved in that particular case.

**MR. PAWLEY:** Mr. Chairman, we would have to find out and we will have to return to that I guess when we get to the general debate at the conclusion, that we can have the information by that time.

**MR. GRAHAM:** Mr. Chairman, there is a concern here because I believe that in the general field of law enforcement and wiretap authorizations, I think the intent has to be very specific and I would hope that when electronic surveillance is used that it be used only for the purpose for that which it was , other authorized. Here we find that an offence than that that was authorized, there has been a conviction — not a conviction but proceedings have developed in this particular case for something that was other than that authorized under the wiretap. Now if those proceedings are a secondary offence against the same person then it has a different connotation to it, than if the proceedings are against another party. That is why I would like to know whether or not that one case is against another party where there was not an authorization made.

Out of the 48 authorizations I think it's rather significant to review the whole area and find . . . I think the report is rather brief and I would hope that next year this report will have a little more detail than the present one. We know that in the field of interception that there were 42 that I would say were telephone or telecommunications and it appears as though six were by microphones that were concealed someplace or another. I am assuming that. The number of people that were arrested as a result of an interception was 22. I think that's a pretty fair recovery rate. It's almost 50 percent so we can see that there is, in all probability, a very valid reason for wiretap authorizations.

However, Mr. Chairman, I would say that if we in the future find that we are authorizing say a 100 wire taps in a year and we find that there are maybe 22 convictions then, I think we have to become very concerned about the purpose of wiretap use. If we find that we have been involved in extensive wiretap use and much of it does not lend to providing sufficient information for a conviction of an offence, then you have to begin to wonder whether it is witch-hunting or whether the use is very valid.

One of the things that does concern me in the application of the wire peace officer tap law is that we know that a judge has to go to a to get an authorization. Apparently there 48 that were issued last year. Now, how many of those are rescinded? Once the evidence is collected and the wiretap is no longer in place, is that an automatic rescinding of that authorization? I don't think it is. And I would like to know how many of those authorizations have been rescinded once the evidence has been collected? Perhaps the Minister can give us that information.

**MR. PAWLEY:** Mr. Chairman, first I'd like to point out that any authorization is only for a specified period and then the authorization must be renewed by the court.

The honourable member made a great deal of reference to (d), under Section 178(2)(2), Page 2(d) Offences, and his words were, "for offences that were not authorized." I think if the honourable member will refer to the report, that the word is not "authorized," but "specified." To our knowledge, there certainly is no indication anywhere that there were any situations in which there was wire-tapping used in an unauthorized fashion. The word, again, is "specified," rather than "authorized," which I think is quite a different thing from unauthorized.

The honourable member made reference to the brevity of the report. The report is precisely and strictly what is required, yes, of the Solicitor -General and of the Attorney-General to file, nothing beyond. In fact, I think if we went to greater lengths the existing report, then it is very possible that we would be in breach of the provisions of the Criminal Code in which there are very strict obligations

thrust upon the Solicitor-General and the Attorney-General in each province as to the extent of the report and the information that is to be supplied and what information shall not be supplied by way of the gazetting.

I would like also to emphasize, because words were used which inferred witch-hunting — I heard this from time to time — and I would like to just point out that the courts approve all applications for the installation of wire-tapping. First the authorization must be given by the approval. The application must be made by a senior person within the Department of the Attorney-General, the Deputy Attorney-General, the Director of Prosecutions, I believe the Deputy Director of Prosecutions and/or myself as Attorney-General, so that the numbers are quite restricted.

The number of peace officers that can make the application in that instance are also restricted to senior personnel. Then the application is made by our department to the court. The actual authorization is given by a judge of the Court of Queen's Bench, so that I am sure that the honourable member would not for a moment imply that a judge in the Court of Queen's Bench would lend himself to improper use of this legislation, would engage in a witch-hunting exercise. I don't think the honourable member would want to leave that impression, even indirectly. A judge of the Court of Queen's Bench must approve.

And then if I can just say that insofar as our department is concerned, we must be using the provisions of the code in a pretty responsible and justifiable nature, because the report indicates that there were no applications to a judge of the Court of Queen's Bench in which that application was rejected, so that we haven't been running to the Court of Queen's Bench unless there is pretty solid grounds, as provided for within the legislative machinery given to us by Statute of Canada to make such application. There have been no rejections, so that we have used this tool sparingly, and of course the use of the tool is very responsibly watched by the courts. There may be from time to time, yes, instances in which an error has been made, but that is very, very rare indeed and I think our record has been quite good in this respect, in a very delicate area in the efforts to fight crime of a serious nature.

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

**MR. GRAHAM:** Mr. Chairman, I think the Attorney-General completely misunderstood what I did say. Yes, I used the term witch-hunt, but I said at the present time the evidence that we get in this report is quite favourable, but if at some future time we find that there have been, say, 100 wire taps and only 22 offences uncovered, at that time then we can ask ourselves: Is the use of wire-tap, at that stage in time when we are getting less than 25 percent, at that time maybe you can consider a review of the practices, because at that time it does become a little bit suspect. But at the present time, and I said it quite clearly, we are almost a 50 percent uncovering of an offence, and I think that is a pretty good indication that the whole aspect of electronic surveillance is being used very wisely. I just hope the Minister didn't misunderstand or attempt to misconstrue what it was I did say.

**MR. CHAIRMAN:** Resolution 26: Resolved that there be granted to Her Majesty a sum not exceeding \$10,878,500 for Attorney-General—pass.

Resolution 28, Legal Aid (a) Salaries \$1,212,300.00. The Honourable Member for Birtle-Russell.

**MR. GRAHAM:** Mr. Chairman, we are coming to one aspect of the Attorney-General's Estimates that is probably going to create more debate, and this is the one area in the Attorney-General's Estimates where there could be a very serious — or not serious, but a wide difference of views — in the operation of this particular Department of the Attorney-General's Estimates.

I think we have to look at what is happening in the field of Legal Aid in the Province of Manitoba, and we have to not only look at what is happening, we then have to ask ourselves: Is this what we intended to happen in the field of Legal Aid? I think that at the present time in Manitoba there is more concern being expressed today by members of the legal profession about this subject than there ever was at any other time in our history. Legal Aid in Manitoba today has become a little empire, built up, I would suggest, by one or two people who have been very concerned about putting forward what they consider to be the concept of Legal Aid, and this has caused concern to many people.

I don't know whether it is in direct response to the program of Legal Aid but we have seen formed in the Province of Manitoba a Trial Lawyers' Association who have expressed in no uncertain terms their views on the problem. The policy that seems to be coming out now with Legal Aid is one that, if implemented, would deny to people one of the fundamental bases that has existed for a long time, and that is if you are going to seek legal advice then you should have the right to the lawyer of your choice.

In the field of medical assistance in the Province of Manitoba, we have a program where government does assist people. We have abolished the Medicare premium, but we have always maintained the right for people to seek the doctor of their choice. But here we find in Legal Aid that there appears to be a movement to restrict the choice of the lawyer that a person makes use of.

I sincerely hope that the legal fraternity and the Legal Aid Board and the Attorney-General can solve these problems quickly so that the concern that is present in the legal fraternity will dissipate. If I understand it correctly, I believe there is an attempt, or there was a proposal, to try and limit the

number of certificates that would be issued to any one firm. Now if that policy is changed, I will sit down right now and let the Attorney-General advise me differently.

**MR. PAWLEY:** Mr. Chairman, the proposal from the Legal Aid Society Board to myself as Attorney-General — and by the way, it was a report I gather that was concurred in by all members of that board including the nominees of the Law Society on that board, not just a few — was to the effect that there ought to be, at some point, the Legal Aid Society's Board should be able to impose a limit on the number of certificates to be issued. In so making that recommendation, they examined the policy of the government, not to the west of us, but to the true-blue government of the Province of Ontario, which insisted that there be a limit in that case of 75 certificates issued to any one lawyer in any one year. The reason for that was that first, of course, public moneys were being expended. It wasn't as though the individual was expending his or her own moneys, but public moneys were being expended.

Second is that it was felt from the experience in Ontario that to do any other would be to increase the cost to the entire criminal justice system, as well as to provide additional costs that would have to be borne by the Legal Aid Society of Ontario which is carried by the public in one form or another, and of course furthermore to encourage the broadening of freedom of choice so that there would be more lawyers who would be engaged in this particular field of law, rather than a few, a small select number of lawyers ending up with a monopoly of the criminal law work in the province, defending those charged with criminal offences, that there would be a widening or a broadening rather than a limitation. I would think fourthly that the Ontario Government would be quite concerned over the fact that some individuals, some lawyers, would be receiving triple, quadruple, the amount of public moneys to defend those charged with criminal justice, in contrast to the very limited salaries that are paid for by those that are engaged in the prosecution of criminal offences. It is a little inconsistent. Society can afford to pay huge sums of money, way in excess of what society allows through the public tax dollar in the major instance to defend someone, as compared to what is paid to prosecute one. I think there should be some approximation. It shouldn't be a wide extreme.

So those are the various areas which I believe led the Legal Aid Society's Board to recommend, and they have recommended, and yes, I have had meetings with The Law Society and the Trial Lawyers pursuant to the recommendations from the Legal Aid Board that there should be some technique developed by which there would be some limitation imposed as to the number of certificates issued in the Legal Aid Society's Act to any one lawyer in the province.

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

**MR. GREEN:** Mr. Chairman, the Member for Birtle-Russell may feel that I shouldn't be discussing these Estimates, but I am a lawyer, Mr. Chairman, and they do interest me and I am concerned with freedom of choice, and I wonder whether there isn't still another reason for these suggestions that are coming forward.

First of all let us put it in its perspective. A person whom it is suggested will not have this freedom of choice will have his choice amongst roughly 1,000 lawyers in the Province of Manitoba. So that when one says that the choice is limited, I am thinking that there are over 1,000 practising lawyers in the Province of Manitoba and that the amount that would be already handling 75 criminal cases in the previous twelve months would be a very small number — it could be five or six. Mr. Chairman, the additional consideration which I have in mind, and I was a practising lawyer, is that a lawyer who is handling three criminal cases every two weeks of the year is a very well-occupied person, and it seems to me that the Legal Aid organization should be considering whether there is a person who has more time to deal with the matter so that the 75 cases will be dealt with properly. Three criminal cases every two weeks, every week of the year, not including any holidays. Mr. Chairman, that is quite a list of cases in addition to what may be coming, and if this man is getting 75 Legal Aid cases, then probably he is very proficient in the field and there might be some criminals with money' who aren't entitled to Legal Aid, who are hiring this person. So we are not talking about a freedom of choice which is preventing people from earning a living, nor are we talking about a freedom of choice that doesn't take into account that when the Legal Aid Society is paying a lawyer they have reason to expect that there will not be such a heavy load of work, that this person will not be able to handle the additional work. Now when we're talking about 75 certificates in a year, we are probably talking about more than three cases every two weeks. Because it is only after 75 certificates are issued, and if it doesn't use up 75 certificates in the 12 months then it will be three cases every two weeks; but, if 75 certificates are reached at the sixth month period, then we're talking about six criminal cases every two weeks, which is three criminal cases a week which one person has handled prior to the Legal Aid Society saying: This man is very occupied. We would like you to get another lawyer because it's our responsibility to see to it that you are represented and this man is very busy.

So I think that that is another consideration, Mr. Chairman. I think that there can be some leeway, which I'm sure the Honourable the Attorney-General is considering, to make sure that a specific relationship is not a problem. But we are talking about a freedom of choice which will permit a person



receiving legal aid to choose from amongst over a thousand lawyers in the Province of Manitoba. I think that that is a significant freedom of choice, that when you start saying that there is an interference with freedom of choice at that level, and because a person is already well occupied, that it is no wonder that a Conservative administration in the Province of Ontario came to the conclusion that their Legal Aid Society would, at a certain point . . . **A MEMBER:** In Alberta.

**MR. GREEN:** The Conservatives in Alberta did the same thing. Now I hate to be using Conservatives as my endorsement, Mr. Chairman. It just goes against my grain. It's not such a terrible thing; it goes against my grain. But nevertheless, it goes against the grain but I will have to concede to the honourable member that despite the difficulty in making this admission, that Conservatives are sometimes right — rarely, but sometimes.

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

**MR. GRAHAM:** Well, Mr. Chairman, whether we're going against the grain or whether we're going with the grain, one of the things that I would like maybe a little clarification on, and perhaps I have no right to ask the Honourable Minister of Mines how he conducts his law practice, but maybe he runs a one-man office and he does all aspects of the work. But then there may be other lawyers who have a battery working with them.

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

**MR. GREEN:** The honourable member; I don't want him to go afield. The legal aid certificate is to a lawyer, not to a firm. In other words, they can get another person in that firm . . . . A firm of five lawyers can have, believe it or not, 375 certificates. But we are talking about one lawyer and I think that the legal aid provisions are very strict, that when they give a certificate to that lawyer, they are also interested in freedom of choice. When a person asks for that lawyer, he is not denied his freedom of choice by having that lawyer send him to somebody else in the firm. These are certificates to a particular person. I believe that that is correct.

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

**MR. GRAHAM:** Well, Mr. Chairman, I'm not a lawyer and I have to tell you I'm not that well-versed with the operation of various legal firms. But I have been told by some that where there are maybe half-a-dozen lawyers practising together, that maybe only one of those is the courtroom lawyer. They may have just one member of that firm that does all the courtroom work and I can see that man, if he has four support lawyers who are doing all the investigation and presenting and formulating the case, that he might very well be able to handle half-a-dozen criminal cases in one week, if he has four or five others working with him that are doing the necessary preparation and all the rest of it.

So the argument that the Minister of Mines puts forward that three in one week, or six in one week, would seem like a very heavy load, in my estimation anyway, it depends on the type of operation that the legal firm is engaged in. And I also have to say that a criminal case depends on the nature of the crime and the extent of the . . . . No two cases are exactly the same. Some of them may be able to be handled in ten minutes; others might take two or three days; some might even take weeks. It depends on the nature of the case involved.

So when you start playing the numbers game, I would say the lawyer that is handling . . . . And I hope we never have the case where we have 75 murders in one year in the Province of Manitoba. We may do; we may not. I have no knowledge of the numbers but I would suspect that a murder case is a fairly lengthy case and it would be physically impossible for a person to handle, say, 75 murder cases in one year. I would assume that, not knowing too much about the law.

But when you start playing the numbers game, you're taking no consideration at all into what is involved in the particular claim. A person may want a legal aid certificate for a job that may only require an hour's work. And yet, in your numbers game that you're playing, that will become a statistic. What you are going to find happening, if you start playing this game, is that the lawyer is going to look at the case and he's going to say, "Well, last year I handled 150. I'm going to be limited to 75. I'm going to take the cases that are going to reward me, either through status — and many lawyers take cases just to improve their status — or, secondarily, financial reward.

There is nothing that we will ever do that will insist that a lawyer take anybody's case because that is quite properly the responsibility of that lawyer. But when you start playing this numbers game, then what you're saying is that a person who may want a particular lawyer and that lawyer may like . . . . If there was no limit he would say, "Yes, I will handle your case for you." But because you have put a limitation on it, he may say, "I'm sorry, I can't take your case."

So you've got an argument both ways in the thing and I think if you are working out anything in this field, you had better do it with the co-operation and the consultation of the legal fraternity. And I would hope that that dialogue is very complete, open and where all sides can have their views known and it is done in a manner that does preserve for the individual something that he has always thought he . . . . I can't say that he always thought that because there are many people that don't even realize they have a legal right in this province. But I raise the issue, Sir, because legal aid in the Province of Manitoba is growing and growing. This year we're up again to \$3 million and I think it could conceivably go beyond that.

But, Sir, I want to get into another aspect of the field of legal aid and that is how far do we go in spending public money to win a point in law? I have a case that was brought to my attention not too long ago where we had a . . .

**MR. CHAIRMAN:** Order please. Is the honourable member discussing a case that is currently before the court?

**MR. GRAHAM:** No, no Sir, it is completed. It's file number 132-76 where a case was heard and we had a Legal Aid lawyer representing the appellant. We had a Legal Aid lawyer representing the respondent, in this case the Director of Welfare, and we had a third lawyer involved who was, I believe, from the Attorney-General's department. I'm not too sure on that. But this case was heard, went to the Court of Appeal and, I believe, from there they sought leave for an application, or they applied for leave to appeal to the Supreme Court.

Now you've got taxpayers' money involved in every aspect of this. I would like to know just how much it costs, what the total cost would be. Because I don't imagine you can send three lawyers from Manitoba to the Supreme Court with their application for peanuts. I think it would be a fair cost involved. —(Interjection)— Well, the whole thing involved a question of whether or not they had the right to deduct from a person's social assistance an amount of, I think it was \$8.11 per month. This is the case of James Findlay and the Director of Welfare of the Winnipeg south-west area. And it was a legitimate overpayment that had occurred and the Welfare Department had deducted five percent of his total budget which amounted to \$8.11. And through Legal Aid they have fought this thing right to the Supreme Court, or they went to an application to the Supreme Court. And I would like to know what the total cost would be in a case of this nature.

It seems that, yes, we in society, through our Legal Aid, have offered to assist people if they feel that they have a case that they need assistance on. I have no quarrel with that. But once that decision is arrived at in court, then I say we have to ask ourselves, because a decision has been made does our right to legal aid, should it end there, or should we say, "No, we'll give you further assistance if you're unsatisfied. We will give you further assistance to go to a Court of Appeal." And apparently we're doing those things. And if again through the Court of Appeal that same decision that was made in a lower court is held up, do we say, "No, we don't stop there; we'll continue to give you more public money and you can take the thing right to Supreme Court if you want to."

Mr. Chairman, in the field of private life, I would suspect that a person that was paying his own costs for a lawyer, once he went to court and lost it and that \$8.11 was deducted, that he would just say, "I forget about it because the cost to go further is not worth it." So an individual who was paying his own legal costs in all probability would not go any further. He would accept the decision of the court that says this \$8.11 shall be deducted until that debt is paid. But not when you get Legal Aid involved. Legal Aid said, no, we can make some more money out of this yet. We are the defenders of the public and all the rest of it. We'll go further.

I say that this someplace has to stop. I would say, yes, give the person a chance for legal aid, to go to court, but once that decision is handed down by court, if he wants to go further, if he wants to appeal that decision then I think that he has the responsibility, personally, to pay his own costs after that. We find that that's not happening in Legal Aid, that Legal Aid is continuing to pay the costs after the original decision of the court has been handed down.

If we are concerned at all about providing people with assistance, giving those that are underprivileged . . . We want to give them the same right of those that are able to pay their own way. I would like to ask the Attorney-General, or anyone else for that matter, probably if you had \$5 million in your bank account and you wanted to arrive at a . . . For a question of principle more than anything else, you might be willing to spend half-a-million dollars, or a quarter-of-a-million dollars to fight a case all the way to the Supreme Court. But if it only involved a matter of \$8.11 would you, as an individual, when you were paying all of the legal costs yourself, would you take it all the way to the Supreme Court? I don't think there would be too many people who would be prepared to do that.

So what we are in essence doing, Mr. Chairman, is through Legal Aid, we are giving people actually more than what they themselves would be willing to provide. We're actually giving them more. It causes me some concern and I'm sure it'll cause concern to many others. I said a year ago, or maybe two years ago that Legal Aid was becoming a "topsy". It was just growing and growing and growing. We now find evidence to substantiate that now. In the field of legal assistance to people, yes, nobody has argued against providing people with initial assistance to solve their legal matters if they are underprivileged. We're giving them the same rights or the same opportunity — I shouldn't use the word "rights" — the same opportunity that exists for other people. Once that case has been heard in court, should our responsibility then end. We said, "Yes, we'll help you. We helped you get your case to court and you won it or you lost it." After that, do we as the public have an obligation to continue to offer further assistance to an individual if he is unsatisfied with the judgment that is handed down by that court because the decision that is handed down, or the decision that is made by that individual is his own decision, whether he is satisfied or not with what the court has told him? Unless he is being advised by his lawyer who is paid for by the public purse; unless he is being

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advised that: "You didn't get a good deal there. I can protect your interests further if you just give me the say-so, I'll take this case on to appeal." If that occurs, then I have to ask the question, is the lawyer doing it in the interests of the client or is he doing it in order to protect his own reputation? Maybe the lawyer doesn't want to have the stigma of losing a case on his records and he says, "Well, I'm going to go to appeal." If he does that, then I think the lawyer has the responsibility to pay the costs and not the public purse.

So I would suggest to the Attorney-General that if he is going to revamp the terms and conditions of Legal Aid in the Province of Manitoba — and he has suggested that they have a Committee that is looking into it — if they're going to do it, that they consider this other field, the suggestions I have put forward, that if we're going to offer legal assistance to people, that we offer it to them; that the field of getting their case into the Court and any decisions that are taken further than that initial should be the responsibility of the individual or his lawyer but not at the expense of the public. I think that in that way everyone would feel that we are doing something to prevent abuse of the Legal Aid system. I'm not arguing the validity of any particular case and whether or not it should be appealed. That is something that we don't know. I

But just use one case as an example I think that we have to some place say that we, the public, who are providing the dollars and we're offering you legal assistance, but it only goes up to a point. I would suggest that that point be when we have got the case to court, and if there is appeal that goes beyond that, and even if that appeal goes to the Supreme Court, then I would suggest that there has to be other avenues except — and I say there are some cases for exception — it could possibly be that if additional assistance would be needed it might be possible that that could only be provided if approval of the Minister was granted. I know in the case — I understand anyway — in the case of murders there are very few cases of murder that are not appealed in some form or another, either the degree of sentence or something of that nature, but as a general rule, I think that we as a public should only be providing the initial legal assistance and after that it should become the responsibility of the individual if he wants to appeal further.

**MR. CHAIRMAN:** Order please. The hour of adjournment having arrived, Committee rise and report. Call in the Speaker.

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

#### IN SESSION

**MR. SPEAKER:** The Honourable Member for Logan.

**MR. JENKINS:** Mr. Speaker, I beg to move, seconded by the Honourable Member for Gimli that the report of the Committee be received.

**MOTION presented and carried,** and the House adjourned until 2:30 this afternoon.

CONCURRENT COMMITTEES OF SUPPLY  
ESTIMATES — CIVIL SERVICE

**MR. CHAIRMAN, Mr. A. R. (Pete) Adam (Ste. Rose):** We have a quorum, gentlemen. I would ask members to turn to Page 13 of the Estimate Book, Civil Service, Item 1, Resolution 29(a) Salaries. The Honourable Minister.

**MR. URUSKI:** Mr. Chairman, first of all I would like to pay tribute to all the persons who are employed in the Civil Service of Manitoba. In my experience I have found the Civil Service to be dedicated to duty, professional in outlook, and conscientious and hard-working in the main. I think this combination of attributes did not come about by accident; they were developed over the years. In the opinion of this government the role of the civil servant is very important in bringing to fruition the programs and policies necessary to improve the state of the human condition in Manitoba. This government believes in government as an instrument of the people to improve the human condition. I believe this is the fundamental reason why I have found the Civil Service to be efficient, dedicated, conscientious, and professional.

Now to give you some of the highlights over the last year, the previous year, 1976, the number of competitions totalled 1,120, down approximately 312 over the previous year; 16,943 applications were received for those applications that were bulletined, with an average application per competition of 15. Of those 1,120, 56 were managerial competitions and 5,303 applications were received for 330 professional competitions. There were a large number of display advertisements placed in local, provincial, and national publications which were down over the previous year.

Regional offices are now fully operational in both Brandon and Thompson. The establishment of these offices is in keeping with the government's policy of decentralization of government services. Decentralization of the administration and delivery of government services from the provincial capital toward other regions and communities throughout the province can help to broaden the economic base of these communities and thus increase their chances of viability. Equally important, decentralization can bring government programs closer to the people and in this way make these programs more responsive to the community needs.

The Civil Service Commission, as a central personnel agency, can support all government departments by an extended base of operations in recruitment and selection, job analysis, training and development, and staff relations, all of which will be of benefit to the people working in the respective areas. The main activities carried out at each of the two locations of Brandon and Thompson outside the City of Winnipeg, Brandon had 95 selection boards with 88 positions filled; Thompson had 87 selection boards with 90 positions filled. In addition to the above, both offices perform other personnel functions such as career counselling, answering job enquiries, and attending interdepartmental meetings.

I would like to take some time to briefly outline, in short, the history of our Equal Employment Opportunity Program in the Civil Service. In 1973 a Committee of Cabinet produced a study entitled "Women in the Manitoba Civil Service." The major recommendation of that report was the formation of a task force of equal employment opportunities.

In 1974 the Equal Employment Opportunity Task Force was formed and completed its report. Its major recommendation was the establishment of an affirmative action program to ensure equal opportunity within government service for all Manitobans. It is recommended that the seriousness of this commitment be demonstrated at the outset by a public directive from the Premier outlining the philosophy and goals of such a program. It is also recommended that the Manitoba Government, through the co-operation of the Civil Service Commission and the operating departments, should design, implement and evaluate more innovative recruitment, selection and training programs to ensure that minority groups, the target groups — the women, disadvantaged, native — were adequately represented in the Civil Service.

In 1975 the Civil Service Commission established a Career Planning Branch whose staff began developing the policy and planning of the Equal Employment Opportunities Task Force recommendations.

In 1976, following a public statement of commitment to equal opportunity employment issued by the Premier, guidelines for affirmative action planning were sent to all departments and first-year programs were instituted or begun to be developed.

In 1977 department affirmative action programs are beginning and plans are being filed and are being channeled through the Career Planning Office and are being liaised with the Human Rights Commission of the Province of Manitoba.

Most departments had scheduled seminars throughout January to March of 1977 in order to introduce their affirmative action programs to their staff. The Career Planning Branch has assisted the departments, has provided them with printed materials, audio-visual presentations, and staff

complement in bringing forth and digesting and dialoguing on the intended policy program.

Mr. Chairman, I think I will leave it at that. There are probably some further questions about the affirmative action programs or other segments of the department. I think when members raise them, I could go deeply into and define more deeply the actual workings of each section as they come up. Thank you.

**MR. CHAIRMAN:** Thank you, Mr. Minister. We do not have a Minister's Salary on this department, so we will leave the first item and move to Resolution 29(1)(b) and return to (a) at the end of the questions on this department. The Member for Fort Garry.

**MR. L. R. (Bud) SHERMAN:** Thank you, Mr. Chairman, through you to the Minister. On this item dealing with Other Expenditures, could the Minister indicate what portion of the Civil Service Commission budget in the past year has gone for advertising purposes, advertising in the public news media?

**MR. URUSKI:** In 1976-77. I am informed that the departments are responsible for their own advertising of the jobs, so that the portion of the Civil Service budget for specific advertising is very small and it's in the neighbourhood of about \$4,000, dealing with specific career advertising.

**MR. SHERMAN:** The specific job advertisements are handled by the individual departments themselves.

**MR. URUSKI:** That is correct; and paid for — not handled, but paid for — by the other departments. If you want an explanation of the \$48,600, Other Expenditures, I could give you a breakdown as to what it comes out at.

**MR. SHERMAN:** I'd appreciate that.

**MR. URUSKI:** Okay. The bulk of that \$48,600 is \$31,000 for the large printing and stationery supplies for the Commission. That's the bulk of the \$31,000 — \$31,500. And then it varies from postage, \$3,000; automobile expenses at \$3,000; there are some exhibits and advertising of \$8,000; and I think the next largest one of \$5,400 for traveling; and the others of miscellaneous, educational assistance, freight, furniture, professional fees and the like are included in the remainder of the \$48,000 in varying degrees.

**MR. SHERMAN:** That represents a reduction of some \$8,000 over the appropriation voted by the Committee in the previous year, Mr. Chairman. I wonder if the Minister could just elaborate on that. Have all these activities in the printing and stationery field, etc., been curtailed, or was there one specific function that was cut out?

**MR. URUSKI:** The Career Planning Branch previously had part of their expenditures with the Commission. Now they are broken out into a separate item previously and, as well, there has been a decrease in activity with the reduction in the hiring in last fall's restraint program. As a result there has been a reduction in activities of the Civil Service and the Civil Service Commission in itself has attempted to hold the line on its expenditures. But there has been no one any specific function cut out *per se*. It has been a general tightening and a shift because of the career planning office having their own budgetary line.

**MR. CHAIRMAN:** Resolution 29(b). The Honourable Member for Crescentwood.

**MR. STEEN:** Mr. Chairman to the Minister. If there is a board hearing for a job vacancy in, say, the Municipal Affairs Department, who pays for the board hearing — the Municipal Affairs Department or the Civil Service Commission?

**MR. URUSKI:** The Commission does — Board itself.

**MR. STEEN:** All right. Can the Minister tell me what is the approximate cost of a board hearing for an individual job placement?

**MR. URUSKI:** It really depends on the type of job and salary involved, and the type of staff that is involved in the selection process. If it's a managerial position, of course you would have managerial people from line departments sitting in on the selection board. So that if you counted the advertising and the staff time of the people who sit on the board from the relevant departments, you could go as high for the selection board as probably \$300 to \$500.00.

**MR. STEEN:** Mr. Chairman, the Minister mentioned in his opening remarks the numbers of board hearings at Winnipeg, Brandon and Thompson. I notice that he mentioned in Thompson, for example, there were three more placements placed than there were board hearings. Can he explain the reason behind that?

**MR. URUSKI:** Mr. Chairman, the board would have qualified more than one person for a particular position. That's why there would be a differing amount, a varying amount, between these. There may also have been two or three vacancies covered by one competition. In other words, the same job but more than one vacancy.

**MR. STEEN:** Mr. Chairman, one other question to the Minister. Say, for example, there was a vacancy and only one person applies for that. Does that still go through a board hearing? Is that considered a board hearing?

**MR. URUSKI:** This as a matter of fact hasn't been the case that I have any knowledge of, but in the event that there would only be one applicant for a job, the likely action that would be recommended

taken would be a re-advertising, re-bulletining and alternate courses instituted in the recruitment process. Because I would think that the likely event is there would be more than one candidate applying for a job. And of course experience has shown that there has been in most jobs, almost inevitably, many more than one candidate applying, or one applicant for a job. The average number of applicants per job has been 15; some have less but most of them have more.

**MR. STEEN:** Mr. Chairman, I can't think of an example that would apply to the Provincial Government but I can think of one that would apply to the City of Winnipeg, at the time that they would be looking for a person to be zoo manager of the Winnipeg Zoo. Those persons are very rare in North America and in all likelihood you might never get an applicant, you may have to go and search for one. But in the case that the government had a similar vacancy of a very rare type of position and only one person would apply, would the Commission likely still re-advertise, or if that person who did apply was qualified would they accept that one person?

**MR. URUSKI:** It really would depend on the application and the qualifications and the job market and the availability of staff. You pretty well have to handle each situation on its own merits. You know, you've given the specific example. I would think that prior to even advertising for that kind of a job that we would probably undertake — if we were going to advertise — a massive advertising campaign or at least contact with various jurisdictions who would have the type of people that you were talking about in their employ to at least notify them, saying that there is a job opening and that applications would be invited. You would pretty well have to judge each on its own merits.

**MR. STEEN:** Mr. Chairman to the Minister. What is the criteria that this government uses when they advertise publicly for a job vacancy — when we see the block ads in the weekly newspapers? I know that you would firstly advertise throughout the Civil Service Commission, but when do you make the decision on a specific job vacancy to go outside the Civil Service Commission and advertise to the public at large?

**MR. URUSKI:** Prior to the advertising of any job there is a source analysis done within the Civil Service itself, and course that analysis goes on to find out whether there is talent within the Civil Service or expertise in the specific area. If there is, then it is advertised internally. If it is felt that it may be as advantageous to advertise locally, then it will be done. But of course each time a job comes up, that kind of a decision is made, even to the point of whether we would have to even go nationally or internationally to advertise this specific job position.

**MR. STEEN:** I'd like to cite one example. A vocation that I often see advertised for is public health nurses and yet public health nurses are a fairly common employment bracket. Would the reason for public health nurses being constantly advertised through the public be because there is such a high turnover in that particular vocation?

**MR. URUSKI:** Most of the positions that we are really talking about there is the problem that you are faced with that many people with those qualifications would like to work in centres that are more populated, like the urban areas; and as a result the jobs that do come up are for rural and more remote communities and there are changes that take place there. People are somewhat more reluctant to move out of comfortable positions in more inhabited areas than to go out to the rural areas, or other areas, to take on those jobs. So that there is that kind of a problem.

**MR. CHAIRMAN:** Resolution 29(b). The Honourable Member for Brandon West.

**MR. EDWARD MCGILL:** Mr. Chairman, in the explanation given in the Estimates here of the Civil Service Commission and its various activities one item suggests that there is an occupational health program being provided. Could the Minister explain?

**MR. URUSKI:** Mr. Chairman, I didn't dwell on that in my remarks. That deals with our employee health and counselling program within the Civil Service and I would like to indicate it this way what is done through the employee health and counselling program. The service provided to the departments is to orient senior management supervisors and staff to employee health problems and their management, to try to provide supervisors with knowledge and skills to deal with employee health problems. The branch deals with government supervisors regarding case consultation and follow-up with problems that are detected and are brought forward, to refer employees to doctors, therapists, for whatever type of counselling or treatment that may be necessary as a follow-up. They also produce educational materials on employee health and management of problems. They deal with numerous external agencies concerned with health matters, arrange contact with them, and to counsel employees with health problems on a strictly confidential basis.

Now why are these things done? Our intent is to help supervisors manage better, to make problem employees more productive on the job, and it is felt that in the last year this counselling service has been able to assist managers in pinpointing employees with health problems. It has been guesstimated that the pinpointing and detection and the follow-up that has been undertaken has at least saved, or at least helped save the public service in rehabilitation of employees in the neighbourhood of \$100,000.00.

Those are some of the reasons that the program is in effect. Now, in 1976 there were 27 seminars held with 510 supervisors from 17 departments; 38 employees went back to work after undergoing

successful treatment and of course we have attempted to increase the self-referrals to agencies of employees that may have some problems but are not at the stage that they are prepared to admit the seriousness of the problems that they do have.

That's predominantly the scope of the program that is involved.

**MR. MCGILL:** Mr. Chairman, could the Minister tell me how many cases were dealt with by this program during the past year and what is the staffing of the unit within the Civil Service that gives this assistance?

**MR. URUSKI:** Mr. Chairman, in terms of staff, there is one person involved who is the co-ordinator of this program, who tries to work with existing departments to bring them up-to-date. He has handled anywhere — in varying degrees, because these matters vary in length of time from fairly and very intensive discussions and follow-up to some general matters of investigation — but they have dealt with at least from 150 to 200 cases in the last year.

**MR. MCGILL:** What is the major medical problem? Is it alcoholism?

**MR. URUSKI:** Mr. Chairman, I would say that alcohol is likely one of the most major problems and home marital relations are probably second; personal problems are in that category next.

**MR. MCGILL:** Mr. Chairman, I gather that this is a service which is being used to assist after the fact. There is no preventive program here being supplied by the Civil Service Commission. You are dealing with problems after they have developed and attempting to rehabilitate people with these difficulties. Is there any projection of a plan in which to prevent these matters?

**MR. URUSKI:** I indicated that we held seminars with the supervisors and these seminars are designed to assist the supervisors in being able to detect and pinpoint problem areas which may be just beginning and before they get serious. So that the ongoing knowledge and bringing forth of information to the day-to-day supervisors of these employees will assist them in detecting problems before they become very serious. That's the kind of knowledge that is going on between the branch and the various departments.

**MR. MCGILL:** Perhaps the Minister can tell us for how many years this seminar approach has been in effect and whether there is any indication that they are being effective in reducing the numbers involved in these problems.

**MR. URUSKI:** Mr. Chairman, this has been in effect for a little more than a year. Now it is difficult to give you actual statistics in numbers, but the feed-back from staff from the various departments has been very encouraging to be able to assist them in diagnosing and being able to pinpoint problem areas before they become very serious — in the detection and analysis of employees and staff under their supervision. In terms of statistics, I can't give you any hard numbers, but the mere knowledge and the relation of bringing forth of information and sharing of information between the supervisor, or the co-ordinator, and department heads, to assist them, has brought forth much feed-back of a positive nature. This helped them diagnose the problem areas.

**MR. CHAIRMAN:** Resolution 29(1)(b) Other Expenditures \$48,600—pass; Resolution 29(1)(c) Career Planning \$80,300. The Honourable Member for Fort Garry.

**MR. SHERMAN:** Thank you, Mr. Chairman. The Career Planning phase or branch of the Commission is one that seems to have been surrounded in recent years, at any rate, with some question and some controversy. There are two or three questions that I would put to the Minister in that respect, although he had mentioned earlier, Mr. Chairman, that he might want to make a statement dealing with the Career Planning branch and he might prefer to do it that way — make his statement first. Let me say, just by way of setting it up for him, if he wants to respond in that manner, that my impression is that the Career Planning operation has not been entirely satisfactory or successful, that it has run into a number of difficulties and a number of conflicts with other statutes. I make specific reference to the affirmative action program and the human rights' legislation in this province. So there are half a dozen questions that I would specifically ask the Minister and I'm prepared to do that but he might want to lead off with a statement in that area, Sir.

**MR. URUSKI:** Mr. Chairman, I thank the honourable member for his comments. I think the whole area of affirmative action is an area that I think it was felt it would be a long-term attitudinal changing process within the Civil Service, of managers and line departments, to make them more aware of the stereotyping and the sort of classical methods that have been going on for years. This process wasn't envisaged that we would all of a sudden go from a traditional system of job evaluation to an affirmative action program that everyone would respond positively and it would change overnight. So it is designed for a long-term process.

I want to say that my initial response to this was to sort of try to — maybe it isn't the right word but — push the departments into being more self-conscious of the policy statement made by this government. I think that the approach that has to be taken has to be an approach by Career Planning Office and by the Civil Service Commission to encourage and bring forth the information that departments will see the benefits in the areas that they have missed over the years in dealing with target groups who have been adequately represented within the Civil Service. So that this process, while it may be some have envisaged that the affirmative action program would bring instant

statistics that the population of certain target groups would raise overnight within the Civil Service, that just will not occur. I think what has to occur has to be a general program of information dissemination of knowledge and attitudinal change in department managers to make the program over the years successful.

There have been departments who have, in effect, had their own affirmative action programs that were dealing with affirmative action in their own way prior to even the government's statement. For example, the Department of Northern Affairs, on its own violation had an internal policy in Northern Manitoba to try and employ more native people in regular Civil Service jobs as a matter of course, and to be able to develop the criteria for putting those jobs on the marketplace, they had to do their own research and development, prior to even an announcement of government policy.

The program under the Department of Education of New Careers is an example of affirmative action that has been undertaken prior to even the establishment of the Career Planning Office, where people who normally would not have been able to enter the Civil Service, or a regular Civil Service job, were being able to be given the opportunity to upgrade and enter those fields.

But to say that there would have been a panacea or a change overnight, I don't think can happen. I think it is a gradual approach that has to be undertaken and it really involves a historic attitudinal change that has to take place within the Civil Service.

**MR. SHERMAN:** I appreciate the Minister's comments, Mr. Chairman, and I don't think anybody was expecting a panacea or a solution overnight. But is it not a fact that the affirmative action program is inhibited to a certain extent, in fact to a substantial degree, by reason of the fact that it is in conflict with the human rights legislation in this province? I know that affirmative action, which I guess was American in concept, has been fairly viable in various states of the United States but they don't have the same kind of human rights legislation that we have here; and in our environment, in efforts to avoid the practise of discrimination, you wind up practising reverse discrimination. Is that not a fact?

**MR. URUSKI:** I'm sure that probably accusations of that nature could be made but the Career Planning Office and the government have been working hand-in-hand with the Human Rights Commission to deal with that specific area that you are now getting at. Under the Human Rights Act, Section 9, which indicates that the Commission can grant approval to special plans dealing with employment procedures and the Career Planning Office, has received approval to handle, in consultation with the Human Rights Commission, specific plans that may be put forward by the department.

The Act, if you'd like the section, "The Commission may" — that's the Human Rights Commission, Section 9 of the Human Rights — "may upon such conditions or limitations and subject to revocation or suspension approve in writing any special plan or program by the Crown, any agency thereof, or any person, to increase the employment of members of a group or class of persons on the basis of race, nationality, religion, colour, sex, age, marital status, ethnic or national origin of the members of the group or class of persons."

The Human Rights Commission has approved the broad guidelines for the Career Planning Office and has given clearance to the Career Planning Office to deal with the respective departments in developing specific plans as they relate to each department. Now some departments have filed plans and plans have been approved in relationship to the guidelines given by the Human Rights Commission and the Career Planning Office, and some departments are in the process of having plans submitted. So some are ahead of others, but the process of redeveloping of plans and the developing of plans are under way.

I can give the member some statistics on that. The total number of plans from various departments to be submitted is 17, by the numbers of departments. Plans that have been approved are eight. So slightly over half of the departments are already in and comply with the guidelines of the Human Rights Commission and the Career Planning Office, so they have been completed. Seven are in the process of being submitted and there are three that are being re-negotiated primarily with a change of budget and changes in the original budgets of the departments. So that the clearance has been given to the Career Planning Branch of the Civil Service Commission by the Human Rights Commission to proceed with affirmative action and there is specific legislation covered in that.

Now if the honourable member would like some background on the affirmative action, I think what I could do is to sort of outline what the background is and the question about reverse discrimination.

Affirmative action is a set of result oriented procedures designed to increase the utilization of minorities and women in all levels of the work force. Now will it result in reverse discrimination? No, discrimination based on race, colour, religious creed, national origin, sex, ancestry and age is legal. A majority representative has the right to file a complaint if he or she believes an opportunity has been denied because of discrimination. Unfortunately, as long as there are more applicants than there are jobs to be filled, those not selected tend to feel that they have been discriminated against. Any form of discrimination is an abuse of affirmative action and conflicts with the intent of the



program. However, there are instances of individuals trying to undermine an affirmative action plan by falsely telling unsuccessful candidates that they were not chosen because they needed a minority representative. That's the common excuse given. That of course turns prospective applicants into alleging, or at least crying reverse discrimination.

Now, is the affirmative action a form of preferential treatment? All selection is a form of preferential treatment. In every employment decision, preference is exercised when more than one candidate is being considered. It is acceptable to undertake special efforts to bring into the work force those that have been previously excluded on a class basis. Affirmative action is designed to correct under-utilization. It is not designed to prefer minorities and women to the exclusion of other groups. So that matters and outreach programs should be undertaken, and have been undertaken. For example, in the Municipal Affairs Branch we had an approval — here is a classic example — an approval through the estimates process to increase the number of assessors. It was a large component of fourteen staff persons, so they were bulletined all at once, the entire fourteen jobs were bulletined at one time; the process by the undertaken Career Planning office, by the personnel people in Municipal Affairs and the Civil Service Commission in joint concert, they went out and in effect sought groups in the labour force who in effect used employment techniques to bring forth people who may not have had an opportunity previously to be able to apply, because in the component of that job there was a training component, so that people that may have had at least some basic skills would not have even attempted to apply under normal circumstances, so that an Outreach Program was carried on to make people aware of the job. And that in itself is a form of affirmative action to seeking out people who might apply for the job.

Our employer is expected to hire the less-qualified over the more-qualified to meet affirmative action goals. Employers are not expected to establish any hiring practices that conflict with the principles of sound personnel management. No one should be hired unless there is a basis for believing the individual will perform successfully. However, looking at any work force it is obvious that the state of the art is not yet developed to the point where it is possible to predict who among candidates is certain to give the best performance once hired.

The best or most qualified applicant is not necessarily the one with the most advanced degree or the most prior experience. The best or most qualified applicant may be the one who is highly motivated and has the ability to learn and who meets the need to bring diversity into the system. The assumption that hiring minorities automatically means sacrificing quality I don't think would be accurate. Is there really any difference between goals and quotas as being able to set a specific number in the department? There is a tendency among those who feel personally threatened by affirmative action to insist on introducing a statement that there has to be a quota, and it really is not relevant to the matter. Quotas are rigid and exclusionary. They infer that this is what you must achieve no matter what. Goals are flexible and inclusionary. They infer this is what we think you can achieve if you try your best. Goals are simply program objectives translated into numbers. They provide a target toward which to strive and are a useful vehicle for measuring progress. So that while there are goals attempted to be set so that there can be some monitoring measure as to the performance of departments, I think basically more than anything it has to be an acceptance and an attitudinal change of department managers within the Civil Service; that they are prepared to accept and recognize that historically there have been large numbers of peoples who have been traditionally excluded from Civil Service jobs, and that there are ways and means in which people can be attracted and at least be given the opportunity to apply and be considered for jobs which may come up. So there are vehicles and tools which can be utilized in an affirmative action way which, in some cases, may not even produce the results that are intended, but at least they are being implemented and tried, so that people are given the opportunity even though they may not, in the final analysis, be hired, but at least the work is going on.

I hope that sort of outlines and gives some background to the honourable members of the process that is going on through the Career Planning Branch in trying to implement an affirmative action program within the Civil Service of Manitoba.

**MR. SHERMAN:** Well, it does, and I appreciate the Minister's providing us with that background, but I would welcome a few more details in connection with it. I think that the ideal is very, very commendable, very laudible. The problem with ideals is that they tend to be idealistic, and I wonder if the Minister has any yardstick or any measurement by which he can determine that this message, this moral persuasion that he is relying on, is having any effect.

I recognize the shortcomings of quotas and a quota system to which he has already made reference, but at least quotas are direct. At least people get a direction from quotas. If you just preach a sermon to them and leave it in that kind of hazy, idealistic area, do you get any results at all?

**MR. URUSKI:** I recognize . . . as a matter of fact I attended a Federal Government-sponsored seminar, as an example, on women's rights and affirmative action programs in the United States. I had the opportunity and was asked by the Federal Government if I would attend a — I think it is called the interparliamentary group — it is a private organization funded by, I think, the Ford Foundation,

plus the Government of Canada and the Government of the U. S., it's a joint parliamentary group that sponsors conferences on both sides of the border. The quota system in job hiring was instituted in the U. S. many years ago dealing with minority groups, and they have had nothing but problems when the quota system was introduced in the U. S. As a matter of fact it is an offence for employers not to deal with the quota system. But the fact of the matter is, I believe the numbers — now I am taking it off the top of my head — that they had something like 40,000 complaints that they were behind, that may be a small amount, in the United States of employers that did not meet the quota compliance of the legislation, and they were unable to deal with it, they were behind several years. So that while initially it may be a good sort of clout on public and private service, it in the long run just doesn't work, because they could not follow up the very legislation they were saying, "Yes, this is a good thing; these are the quotas that you should have of Mexicans and Indians, Chicanos, and whatever minority group exists in the United States." They could not then follow up investigating the complaints and the problems that employers had. So in effect, in a great degree they have fallen on their face and they are admitting it. The people who are administering the department have said they don't know how they will deal with it, if they will ever, ever catch up.

Now the intent of the goal system that has been set up was set up in this way and was set up, not as a goal for the entire Civil Service, but as a goal within each department individually, so that each department could be measured on its own merits, so that the Civil Service blanketly should not be looked at as a group. Because we know that in some departments it may not be possible to achieve great results in affirmative action as compared to other departments, so that each department is dealt with on its own basis, on the type of service and jobs that are within that department.

I could go in and sort of define the criteria for you if you would like as to how a plan for action could be administrated or brought forward as it affects any particular departments and how the departments then take forward and try and develop it into their own specific areas.

**MR. SHERMAN:** I am sure the Chairman is about to adjourn the meeting for the noon break, Mr. Chairman, but before we do that, I just ask the Minister one brief question. In his reference to the United States, is he talking about a program that was instituted in private industry or in the public service?

**MR. URUSKI:** Both.

**MR. SHERMAN:** Both?

**MR. URUSKI:** It's called Equal Employment Opportunities. They had a quota compliance for every contract that the Federal Government let, the national government, that there had to be a quota of minorities employed on it. This was federally-let contracts. I may be low on the 40,000, because in my mind there are figures between 40,000 and 200,000, those two figures are in my mind. They were so far behind, in fact, I had a half a day with the staff of that department. They don't know how they are going to catch up or be able to really handle the problems that they have got in with the quota system.

**MR. CHAIRMAN:** Order please. The hour of adjournment having arrived, Committee rise.