



**Third Session — Thirty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**

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**DEBATES**  
and  
**PROCEEDINGS**

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33 Elizabeth II

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Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

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| <b>WALDING, Hon. D. James</b>        | St. Vital          | NDP   |

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 12 June, 1984.

Time — 8:00 p.m.

## CONCURRENT COMMITTEES OF SUPPLY SUPPLY - COMMUNITY SERVICES AND CORRECTIONS

**MR. CHAIRMAN, C. Santos:** Would the committee please come to order. We are now starting Item No. 5.(a)(1) which relates to Corrections, Administration, Salaries; 5.(a)(2) Other Expenditures.

The Member for Rhineland.

**MR. A. BROWN:** I wonder if the Minister could tell me what role this particular group plays?

**MR. CHAIRMAN:** Madam Minister.

**HON. M. SMITH:** This is the group that is responsible for all the adult correctional programs in the community and any institutions throughout the province. We hold people prior to court decision, and afterwards, for sentences that are less than two years.

The supervision of the branch is under an acting assistant deputy minister. That's the change we've made during the year, from an arm's length commissioner style of governance, to incorporating the branch more completely into the department, as a full participant in the team management approach.

The main branches are the Adult Probation Services and the Adult Correctional Institutions. There are also support services provided that include investigations, inspections, audits and general administration, plus specialized functions that would be support services to the institutions.

We have one fewer staff in the salaried group than previously, having contracted the deputy commissioner roles into one assistant deputy minister, otherwise it's the same.

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

**HON. M. SMITH:** Sorry, if I could just continue.

**MR. CHAIRMAN:** All right. The Minister wants to continue.

**HON. M. SMITH:** During the year, we have received a study of the correctional system, the Garson Report, and have been reviewing that report and addressing the problems that were identified therein. We have been moving on all fronts, tightening the organizational structure, putting in a few new people, not new SYs, and in general, developing a clear statement of policy and direction of promoting the community alternative option, which had already received a fair bit of development, but which can do with a lot more.

On the remand side, we have put in a new Director of the Remand Centre and have been undergoing a

review with the Attorney-General's Department and the judiciary to see if the numbers in the Remand Centre can be reduced, because we do have a rather congested, not ideally laid-out centre. We have, in fact, managed to divert the intoxicated persons to another location, the Main Street Project. We have already achieved a fair reduction in numbers. We were down, probably our lowest point for some time, today hitting 70, but we have gone as high as 140 at one point. Some remands are also held at Headingley, and since the pressures on this particular service have been growing and are not being met as well as they might, we have received approval from Cabinet to proceed with the preliminary planning of a replacement centre. We've determined that the location will be opposite the new Law Courts, on the east side of Vaughan.

There is no timetable as yet determined for the actual final drawing, architectural drawings and building, but the preliminary planning is to move ahead this year. Again that's a consultative process, involving the courts and advocacy groups in the community, criminologists, and should result in a well designed and optimum-size Remand Centre proposal.

In the meantime, we have moved to improve the procedures at the Remand Centre. There have been some difficult situations during the year that seemed to - with minor reorganization - permit some improvements. Such minor things as putting in many more telephones. I think we now have up to 16 available, rather than the one that was there, so that prisoners or inmates can get ready access to them and to their families. Such things as enlarging the windows in the cells where the intoxicated people are held overnight, so that regular inspection is facilitated; improvement of the medical service there, so that the apparent condition of people can be investigated to see if they're in medical distress. We've improved that process. There's been some looseness in the operation such as the discovery that there was some meat disappearing from the kitchen area. That has been dealt with during the year.

With our new management - I think we have the first woman Director of a Remand Centre that we know of in Canada, Sally Walker - we feel that the developments at the Remand Centre have been in the appropriate direction. However, it is a congested location, originally designed as a police lockup and not as a remand centre, and we look forward to the time when that service can be provided in a new and more appropriately designed centre.

The Headingley Centre is the other large institution. It, too, has suffered from overcrowding, from inadequate classification of prisoners, not enough activity of an educational or occupational nature during the day and inadequate medical services. All these issues or problems are being dealt with in a systematic way. Headingley has a remodelled medical centre and the services of a full-time doctor. He services the Remand and Headingley, but it's improved service. There are, in addition, full-time nurses available at both Headingley

and the Remand Centre and increased access to psychiatric services. We feel that the combination of developments there will enable us to provide more timely medical service to inmates.

The other issues at Headingley - classification of inmates, the development of day activities, more alternative placements in the community, are all proceeding within the existing budget. There's been a great increase of activity through a more open management system. We're looking to reclassify our staff, in co-operation with the Civil Service Commission, because we have had some tensions among staff between correctional and counselling staff. What we are working towards is a system that is adequately staffed and where the tasks of each group are more clearly understood and where more of a team approach can be achieved.

As I say, a lot of this is through more open communication, more opportunity for input by the people working there. I have been working closely with the unions. We've been getting input from the advocacy groups from the community and look forward to gradual improvement in morale as a result. We're interested in enabling staff to have more access to training, because we feel that's an integral part of building morale and building a modern correctional institution.

The smaller institutions in Brandon, Dauphin and The Pas, have, for some time, been modernizing their program and have made strides in developing moral community alternatives. It may be partly because of their smaller scale that they seem to have found a transition to a more rehabilitative type of program, somewhat easier to achieve.

Portage Correctional Centre for Women is another smaller scale operation. We do have some federal inmates there, but in general the thrusts there have been to provide more community options for the inmates. A lot of initiative has gone into the development of that, both from inside the centre and from active community groups outside. There doesn't seem to be any outstanding problems at the moment in that centre.

The two outpost camps at Bannock Point and Egg Lake have been operating satisfactorily.

**MR. A. BROWN:** I thank the Minister for that introduction. She has addressed many of the problems that are within this particular area. There seemed to be a very very rapid deterioration in Corrections in the past three years. I see that the Minister is recognizing a lot of the difficult areas and is going to proceed to address some of them.

I admit it isn't an easy area in which to work in. I wish the Minister the best of luck with this particular department and the crew that she is working with. I hope that there are going to be able to alleviate some of the concerns that we have.

My question would be under Salaries. There is one less staff, I believe the Minister said. That leaves us with how many?

**HON. M. SMITH:** Ten.

**MR. A. BROWN:** Are any of this staff - again I'll ask this - are they professionals in the sense, is there a psychiatrist involved in this appropriation or a psychologist? Who are these staff people?

**HON. M. SMITH:** This is the administrative portion of the system. People may have some training in the social sciences, but this is not where you would find the psychologists or the psychiatrists. Psychiatric service is available in co-operation with the Health Sciences Centre and we have some visiting services that tied in with the medical doctor, who is in charge of the overall system. The psychological services, to the extent that they are available, will take place within the institutions in counselling staff.

Again, I do not feel that we have achieved, as yet, the appropriate mix between custodial, or sort of custodial care by correctional officers, counselling services and vocational or educational activity. I think some of the concerns that appeared in the Garson Report of inadequate activity and alternatives to idleness, really, I think are justified. What we're working toward is the balance of activities and then staff that can work as a team in supporting those activities.

**MR. A. BROWN:** Is the planning done in this particular appropriation or are planners involved, you know, in some of the other salaries?

**HON. M. SMITH:** Planning will increasingly be integrated with the department planning process but at the moment the main planning activity for corrections has been occurring within. We haven't anyone named specifically as Planner. That role is being shared among all the senior staff with input from, as I mentioned earlier, a lot of the field staff, and indeed community groups.

**MR. CHAIRMAN:** 5.(a)(1)—pass; 5.(a)(2)—pass.

5.(b)(1), Adult Corrections, Salaries; 5.(b)(2), Other Expenditures; 5.(b)(3), External Agencies and Halfway Houses - the Member for Rhineland.

**MR. A. BROWN:** How many SYs do we have in the Salaries?

**HON. M. SMITH:** 10.5, a reduction of one from the previous year.

**MR. A. BROWN:** In (b)(1) - 10.5?

**HON. M. SMITH:** Yes.

**MR. A. BROWN:** Then the Minister is not counting the guards, the complement of workers that we have working at the Remand Centre, at Headingley, because we're talking about an item of \$13 million, and it seems to me that we would have more than 10 staff. If not, then would the Minister explain this?

**HON. M. SMITH:** I'm sorry, I was giving the adult correction office that supervises the overall. Within the institutions we have a total of 453 staff. That's a reduction of five from the previous year - 1 at Brandon; 2 Headingley; 1 at The Pas; and 1 from Administration, which is a result of a general tightening up of structure and accountability and so on, accountability lines.

**MR. A. BROWN:** Could I have a breakdown of the SYs in each one of these areas - Brandon, The Pas, Remand and Headingley?

**HON. M. SMITH:** In the Central Office, 10.5; in Brandon 66.5; Dauphin 27; Headingley 195; Portage 25; The Pas 47; Provincial Remand Centre 61; Bannock Point 11.5; and Egg Lake 9.5. In fact, we haven't eliminated the 5 in the last while, there were some positions that weren't filled toward the end of the last year, and it's now levelling off at 453.

**MR. A. BROWN:** The Minister mentioned that in the Remand Centre now we had a reduction from 140, which seemed to be the norm for the past couple of years, to 70. Could the Minister tell me how this was achieved?

**HON. M. SMITH:** Again I would not like to say that 70 is what we are going to average out at, but we've managed to reduce the population. The biggest reduction has been with the identification of the intoxicated persons and in negotiation with the Main Street Project to take that group.

There has been tighter negotiation with the federal authorities to keep more of their remands at Stony Mountain and do their own escorting services into the courts, instead of lodging them with us. There's been a tightening up of bail procedure in co-operation with the Attorney-General's Department and in discussion with the judiciary. We have been looking at the rules surrounding bail and we found that without changing any of the rules, there is room for some tightening up of procedure.

The new Director at the Remand Centre has also been working with staff to put them into a more active mode, instead of just receiving inmates and assuming that they would stay there until a lawyer or whoever would arrange for their hearing in court and of course the eventual sentence or discharge. They've been taking a more active role in communicating with the people responsible for moving the inmates along and has surprisingly achieved quite a lot of success.

So we're feeling that we're on the right track and that the tighter, more innovative management that is in place at the Remand Centre is already starting to improve the situation significantly.

**MR. A. BROWN:** Has the Minister ever studied what other cities were doing in this regard? I would like to refer specifically to the City of New York who had so many problems with overcrowding and shortage of staff - the same problems which we really had over here except in a much larger way, of course - they were able to reduce their inmates in the Remand Centre very very substantially by allowing more people to go on bail, or if it was not a serious offence, if they could not go bail, they found that the break and enter cases, if it was a negligible case or whatever, that these persons would appear in court. They were afraid of what was going to happen to them if they would not appear because then, of course, there would be a much more serious charge placed against them. Has the Minister ever studied what other cities are doing in this regard?

**HON. M. SMITH:** In all honesty, I haven't personally, but I have encouraged the staff to do comparisons with programs in other areas. There has been a certain amount of travel where they have had a chance to meet with the people who are active in the field.

Some of the actions that have already been taken here, which may not exactly match the New York experience, but which sound to me very compatible with that direction, we're using halfway houses to a maximum. This is perhaps more specific to Headingley, but since some of the overcrowding at Headingley was Remand and some was the traditional inmates, any improvement in population at either place is helpful. Halfway houses are being used to a maximum. That means people will move out into halfway houses as soon as is reasonable.

The capacity of the Bannock Point Camp has been increased from 40 to 50. The processing time of appropriate temporary absences has been reduced. We were using Camp René more extensively. It's undergoing a few problems at the moment, but we're well along to resolving them and then we can increase its use again.

A few inmates have been transferred to Brandon. We've developed a proposal for a Community Release Centre which may be able to come into activity before too long, and we have another proposal for a short-term offender's unit.

The Attorney-General's Department has been requested to increase availability in number of bail hearings so that remanded persons can get the process somewhat more speedily.

We, as I mentioned earlier, have been developing plans for an increased physical capacity for remands in a new Remand Centre.

The introduction of the Fine Option Program has offset the usual incremental increases of sentenced persons. Now we may be encountering some increases of people sentenced to Remand or to Headingley through some of the tougher rules on drunk driving. On wife abuse there are some tighter Federal laws, so we aren't closed to the fact that we will get some fluctuations on the increase side as well as on the decrease side.

We do have about 200 adults that are out under bail supervision in Winnipeg now, so I think we have already been learning from the experience of places like New York and elsewhere, where we are using that process and it does seem to be quite successful.

**MR. A. BROWN:** I'm pleased to hear that the Minister has been in touch with the Attorney-General's Department regarding a speedier process in the entire set of difficulties that we were facing at the Remand. I'm wondering, has the Minister also discussed with the Attorney-General the long-stay people, which certainly must be of concern to us, when we have reports of where inmates have been in there for up to 17 months before their trial finally was completed? Has the Minister discussed that with the Attorney-General?

**HON. M. SMITH:** Yes, Mr. Chairman, we have been working with the Attorney-General to see if there is a shortening of time that Remands are kept, to see whether court rooms can be scheduled a little more efficiently and whether there is some remedy to the frequent delays.

We can't report any dramatic changes but we have found a willingness on the part of the Attorney-General and that department to work with us, and wherever

possible reduce the length of stay of remands in that facility. We have a Crown and Judiciary Committee that is reviewing all aspects of this problem at the present time.

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

**MR. J. DOWNEY:** Mr. Chairman, I have a question to the Minister. What is the current status of the Headingley farm that is owned by the government as far as the property area at this particular point?

**HON. M. SMITH:** I think partly as the result of our very eager Acting Deputy Minister, Mr. John Bock, who has hated to see all that good land going to waste and at the same time seeing people sitting idle in the prison, did look at the reasons why that farm was closed down and is starting to resurrect use of that land, initially for vegetables.

I think, in asking questions, I too was wondering why the activity had been closed down. Apparently, according to some cost-benefit study, there wasn't an identifiable saving to the institution a few years back by having the men grow their own vegetables and have their own chickens and so on. However, I doubt if they took into account the benefits of having people actively engaged in the out-of-doors and learning some skills. I think if we throw the benefits from that kind of activity in, that it does make sense to regenerate that activity.

We've also been looking at many community options for activity, including reforestation. The land is useful for small tree nursery and there seems some possibility of expanding that. But we've been conducting quite an intensive search for the types of activities that could go on, either in the prison or out in the community, and I know from the list of these activities that I've heard about already - and new ones keep popping up every day including a few suggestions that came up today - I feel that the management we have in place now is very alert to the need to find activity for people and wherever possible to have a vocational training component in that activity.

**MR. J. DOWNEY:** Mr. Chairman, I'm pleased to hear that the Minister's Deputy takes interest in that kind of work activity for the inmates. I want to say that I fully support that kind of activity and I don't think, as the Minister has indicated, that you can put dollar and cents value on the kind of activities that would be carried out by the inmates.

I think that it's definitely a type of activity that can have therapy for individuals, as was indicated - and I don't want to be repetitive - it can give people a purpose in life. I think the whole training process can take place within that kind of system.

I often wondered why, in the Schreyer years, that it had been shut down. I know I was a strong advocate of it when I was a member of government, and it seemed that while some of the government assets or properties were being considered for sale, that was one that I would never entertain the sale of and was hopeful that some day the program would be implemented again.

So I ask the Minister, how many people would be involved in the kind of work activity that could be made available there? Are they looking at, other than the

kind of work, say, with the vegetables and the nurseries, are they looking at reintroducing a livestock herd or a dairy herd? At one time they were noted for some of the best dairy cattle in the country, some of the highest producers and really had a reputation for quality. I would think there's a broad range of numbers of farm work related activities that could be enhanced.

What kind of numbers are we looking at for that kind of a project?

**HON. M. SMITH:** I cannot give exact numbers. We're running over 300 people, some for fairly short stays, some for more extended, and the task of generating enough range of activities to meet all those needs is a big task.

What we have is a multipronged approach. There is more inmate activity now in simple renovation paint-up, fix-up tasks within the walls of the prison. There is the use of the vegetable gardening, tree farming activities which are fairly labour intensive; expansion of things like tailoring, work with small machinery, work in the kitchen and so on, plus community placement in the neighbouring communities.

The list of potential activities is certainly longer than what I have listed, but I think excellent progress has been made in the time that I've been responsible. I feel we're beyond the advocacy stage and into the action stage and I am quite surprised at the number of initiatives that seem to be going on coterminously, as it were, in the Corrections System. I can't help but feel by the time next year rolls around that we're going to have a much more positive picture to report.

**MR. CHAIRMAN:** 5.(b)(1) - the Member for Rhineland.

**MR. A. BROWN:** I, too, am very pleased that the Minister is moving in that particular direction. I find it absolutely reprehensible that the taxpayer should be carrying the full burden of responsibility of having these inmates in Headingley where up to now they have been doing very little. The programs that we had for them really did very little to rehabilitate them back into the community.

I would like to see us come to the time where Headingley, especially Headingley, is going to be self-sufficient; and also Brandon and some of the other places. In the Remand Centre we have a little bit of a different situation, but I see no reason why this could not be accomplished.

I think that the taxpayer is being penalized every time that we apprehend a criminal on the streets and the taxpayer is asked to keep his care. I would just like to ask the Minister, what is the average amount of money that we have to pay out to keep one prisoner in Headingley or in any of the other institutions? That I suppose would be fairly well the same.

**HON. M. SMITH:** The average per diem is \$51.00. The range would be from a low at the Remand Centre of just under \$34 to a high at the The Pas Correctional Institute, of \$73.44. Headingley averages out at just over \$52 per day.

**MR. A. BROWN:** Whose got a calculator around here? How much is that per year.

**MR. CHAIRMAN:** Multiply it by 365.

**HON. M. SMITH:** \$18,550.00. It's a lot of money.

**MR. A. BROWN:** That would be approximately the average. That is a lot of money and I hope that the Minister is going to adopt a type of policy where these institutions are going to become self-sufficient.

There is no reason why they should not be responsible for their own keep while they are in one of these prisons. There are so many things that could be done which would benefit them after they got out of prison - and I would not be adverse to paying them a salary while they were working, let's say some type of which would pay towards their upkeep - which would also give them a little bit of fun whenever their term is up.

If the Minister is looking for areas in which this could be done, she has a tremendous fleet of cars that are on the road that need servicing. I don't know of any garage that is not looking for qualified mechanics. Most of them as a rule, are looking for mechanics. There is an opportunity over there for training. As a matter of fact, all the government cars could be serviced over there. Headingley is only a hop, skip and a jump away from the city.

There is no reason why . . .

**A MEMBER:** You just couldn't give them the keys though, Art.

**MR. CHAIRMAN:** That's dangerous for Cabinet Ministers.

The Honourable Minister.

**HON. M. SMITH:** I could only wish that the honourable member had been as generous with his ideas, his self-sufficiency and positive activity for inmates when his colleagues were responsible for operating the institution.

**A MEMBER:** Now, now.

**HON. M. SMITH:** I know I'm getting nasty but we are dealing with a problem, an institution, a system that did not just overnight arrive at the situation it's at. It's taken a long while to achieve and to get to this stage of severe problems. At the same time it's been moderately successful according to basic criteria but not as good as it could be and I think it's very easy to come up with the right ideas about how to improve it. But I for one would have been somewhat more impressed if more of these innovations had occurred when the honourable member and his colleagues were in charge of operating it.

However, that aside, I do appreciate the positive approach and I must say that where the opposition can be particularly helpful is in helping to build community responsiveness to location of increasing numbers of inmates in day work in the community, because for one there may be some security risks of a minimal sort but the gains on the other side of people feeling more positive about what they are doing and learning how to become contributing members of the community are so much more advantageous to all of us, that it does seem to me for all but the most risky cases to be a very positive direction in which to move.

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

**MR. A. BROWN:** Well, I suppose, Mr. Chairman, that one of the reasons why this particular area might not have received all that much attention during the years that we were the administration is that we didn't really have as many problems in that particular area as what have developed in there in the last two years. The Minister may deny this, but this is exactly what happened.

The last two years have been disaster in Corrections. That is where most of these problems manifested. I'm not saying, Mr. Chairman, that there weren't problems there before. There probably were. I was busy looking after Hydro at that time and the Member from Arthur was looking after Agriculture, but there is no doubt about it that there was a very rapid deterioration within the entire system during the past two years.

**HON. M. SMITH:** I really can't let that pass.

The type of organizational structure, the management that was in place, the style of management, were definitely things that did not develop in the previous two years. They've been of long standing and could have been dealt with at a much earlier date, much more readily. What we were dealing with was a system that had major problems in it and it's taken some fairly serious initiatives to overcome. The classification of staff, of prisoners, the development of alternative activities, the development of medical services, these are just a few of the things which had not been done which could very well have been done in the previous five to six years. Again, I think the opposition must accept a great deal of the responsibility for the system being in the condition that it is.

Having said that, I would prefer to focus on the future and what can be done with opposition support in having a better system. I have quite a long list of actions that have been taken supplementary, even to the ones I've already identified, and could go into them in greater detail if the opposition wish. Otherwise, I would be prepared to move on.

**MR. A. BROWN:** I think that this is an area which we certainly must address ourselves to and if the Minister would care to elaborate on some of the areas which she is looking at, I would appreciate that. I, myself, have quite a few areas, I've given this considerable thought. We have our provincial parks and so on in which all kinds of work could be done which would help the province as a tourist attraction. There are so many, many areas in which we could be utilizing the inmates and making their life more meaningful than just sitting in their room and getting their little bit of recreation every day and so on.

So, if the Minister would want to elaborate on this, I would have her do so.

**HON. M. SMITH:** We're talking about a total system and its organization. Before I list some of the initiatives taken, I would like to say that there are over 100 inmates currently working in parks and doing much of the type of work that was suggested.

On the management side, we've added two senior officers and reassigned three within the institution.



We've introduced open management concepts so that the flow of information is facilitated and the possibility of building morale and a team approach or strengthening it is much enhanced. Lines of communication and organizational charts have been opened and clarified. Action priorities have been clarified throughout the system. Position descriptions of senior officials have been rewritten and positions classified.

On the Administration side, a classification review of non-security staff is under way. Clothing issued to staff has been revised and condensed to achieve some small, but still significant economies. A review of production standards and inventory control in the tailor shop has been completed. This has involved the Provincial Auditor and we now have as tightly operated a shop as we feel is appropriate. A mechanism for monthly monitoring of camp lumber production has been introduced. An audit by the Provincial Auditor has occurred with action completed on most recommendations. We met with the Auditor just a week or two ago and went through the items, many of which were identified in the Garson Report and a few others and clarified where there was room for improvement and have taken action on those items.

An interdisciplinary review of overtime costs has been initiated. I've asked, in connection with this, that the staff prepare for me, minimum standards in the institutions so that I will have a better guide to go by in terms of knowing the appropriate levels of staff and support services so that we won't need to rely on sporadic overtime costs more than is necessary. Without some analysis and clear notion of minimum standards, it's very difficult to be sure that we're staffing and supporting the whole service adequately.

Hiring practices have been clarified and implemented. Legal documentation required for admission has been revised by the Department of the Attorney-General. The records section has been revamped with staff now undergoing retraining. We've involved health and fire inspectors as well as the office of the Ombudsman to ensure that we have adequate safety and that prisoners, inmates, have an avenue of appeal for items that they feel deserve attention.

Riot and emergency response procedures have been completely revised. Standing orders have been revised by an administration staff committee. A workplace health and safety committee has been introduced.

Procedures have been modified for monitoring inmates in administrative segregation areas. Various locations of the physical plant have been renovated. The new medical unit I referred to earlier, has been built. Renovations have been completed in the Admissions area. A new water filtration system has been added. A cyclical facilities upgrading plan has been developed.

Matters affecting programs in inmate services have been reviewed and improved. A federal review of the admission classification process has occurred with implementation of various recommendations. A staff committee is now completing its recommendations on the role of the annexes addressing the security program sensitivities.

A private sector Corrections working group has reviewed the entire temporary absence program and is expected to report in a few weeks.

Inmate work programs, particularly those outside of the institution buildings, have been increased. A joint Department of Education Corrections Committee is now reviewing educational programs, staffing and funding.

Policy changes have been made to ensure Native inmates access to Native religious services. I mentioned earlier the proposal for a community release centre has been developed. Outside resources from the University of Manitoba and the John Howard Society have been brought in to assist the resident council to revise its constitution. A working group between Corrections, Legal Aid and the office of the Ombudsman has been struck to review and update inmate discipline and grievance procedures. Counselling services have been strengthened by the redeployment of an experienced annex officer.

A program has been developed for the introduction of a special program for the difficult to manage, acting-out type of offender. The resident handbook, distributed on a mission has been completely revised and an inmate calling program, a system of telephones, is being implemented.

**MR. A. BROWN:** That's quite an impressive list of items that the Minister is addressing herself to. My question would be, how recent is this list of improvements that she is attempting to implement at Headingley? I would like to commend the Minister for getting Mr. Forrester in as a superintendent. I have heard nothing but good reports from the man. I would say that this probably is the most positive thing that has happened over there in the last while.

Certainly all these things that the Minister is mentioning over here could not, and would not, have been happening under the former administration which, of course, was the reason why the morale was extremely low at Headingley, and everybody over there is looking forward to working with the new superintendent and implementing some of these programs which the Minister has indicated. So I'm very pleased that the Minister has found somebody that the rest of the staff do have confidence in and will do their utmost, in order to see that these programs are going to be successful.

**HON. M. SMITH:** I'd just like to clarify that the list I read of improvements have been accomplished within the last year and we do have great confidence in Mr. Reg Forrester, who's been appointed Superintendent at Headingley, to carry on with the initiatives, but they had been started and many of them completed before he arrived. So we have a team of people who are committed to these constructive changes and we're happy to have Mr. Forrester on board and feel that he will carry on and improve on the initiatives.

Just to clarify what we have achieved in terms of work outside the institution, I mentioned the hundred who work in the parks. We have 10 who work at the Manitoba Developmental Centre in Portage; 10 are working on highways at Brandon; and 21 are working with the Department of Government Services in Winnipeg.

**MR. A. BROWN:** We had the number of inmates at the Remand Centre. Can the Minister tell me how many inmates we have at Headingley at the present time and



what is the capacity rate? Are we overcrowded or how are we making out in Headingley?

**HON. M. SMITH:** Headingley was originally built for a capacity of 500 and that was at a time when most inmates spent their days outdoors working. It was then rated down to 320 with more activity taking place within the building.

Now our current population levels have been pressing around 400; 60 to 90 of these being remands at any one time, and once a remand alternative is developed, or we can perhaps use some of the vacated space at the downtown Remand Centre, there can be some improvement there, but we would like to reduce the population steadily. The more out-of-building work that we can generate, of course, it reduces the worst of the negative effects of the overcrowding, but we feel that the Remand Centre is the top priority for replacement and that will ease the situation at Headingley.

**MR. A. BROWN:** How many guards are we employing at Headingley?

**HON. M. SMITH:** 110.

**MR. A. BROWN:** The Minister mentioned that there was a doctor presently working part-time at Headingley and part-time at the Remand. Is there medical staff on hand at all times, qualified medical staff on hand at all times at Headingley?

**HON. M. SMITH:** There are eight nurses at Headingley; four RNs and four LPNs. There are seven nurses that work at the Remand Centre. Now, again, they're on shifts, so if you divide that by three you'll get the shift-by-shift coverage. There's a little more coverage at the hours of peak activity.

**MR. A. BROWN:** How long have these RNs and this medical staff, how long have they been working at Headingley?

**HON. M. SMITH:** 13 years.

**MR. A. BROWN:** Well that's quite some time. The reports that I received was that there were no RNs on staff at all, that there was no qualified medical person around, except every once in a while when a doctor came along to see a specific need. So if there are RNs around, then it might be an idea that they become a little more visible, or whatever, so that people would know that there was medical staff qualified, medical staff on hand.

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

**MR. J. DOWNEY:** Mr. Chairman, on that line of questioning, what is the ratio of male to female inmates at Headingley or in the system?

**HON. M. SMITH:** Do you mean in the staff or in the

...

**MR. J. DOWNEY:** I mean both.

**HON. M. SMITH:** Well, the only place there are women inmates is a small unit at the Remand Centre and at Portage.

**MR. J. DOWNEY:** I see. What is the inmate total of the department that you're responsible for, what is the percentage?

**HON. M. SMITH:** Approximately 4 percent are women. I hesitate to make an editorial comment.

**MR. J. DOWNEY:** And what about staff complement?

**HON. M. SMITH:** Maybe it has to do with the co-operative spirit in which women are raised.

**MR. J. DOWNEY:** I know that the Minister wouldn't be biased at all. The staff complement, what roughly is the breakdown there as far as staff?

**HON. M. SMITH:** Around 5 percent, not higher. Sorry, between 5 and 10 percent. The staff at the Portage institution are almost all women, I guess. No, there are a couple of men there.

**MR. J. DOWNEY:** So, in other words, there is a complement of female detention people, say, at Headingley, that are involved with the male prisoners as well - not in the Security though, I wouldn't think?

**HON. M. SMITH:** Yes, there are few in the Administration and Program area, and the Medical area, but not in the Security.

**MR. J. DOWNEY:** Thank you, Mr. Chairman.

**MR. A. BROWN:** The Garson Report was very critical of Headingley. They were especially drawing attention to the inadequate physical plant at Headingley. Some of the charges that they made is that the building was overcrowded and it lacks space, privacy, toilets, deterioration in the walls; security arrangements are primitive; ventilation is non-existent; cell blocks offer no privacy; Medical Section patients are responsible for clean-up; quality of drinking water is questionable. Is the Minister doing anything with the physical plant in trying to alleviate some of these problems at Headingley?

**HON. M. SMITH:** I've already referred to the facilities upgrading, some with inmate labour. I've referred to the development of a separate medical space. It's much improved the capacity of the staff to give medical service. The water quality item identified in the Garson Report turns out to have been based on inaccurate information because the water filtration system had been put in and is functioning well. The overcrowding is something that will be dealt with over time. The most dramatic improvement will come as fewer remands are retained there. We've put as a first priority the development of an improved remand facility, but the upgrading and maintenance of the Headingley institution will be going on at the same time.

**MR. A. BROWN:** Is anything being done to provide more toilet facilities and privacy at Headingley? This seems to be one of the foremost complaints.

**HON. M. SMITH:** Well, improvement in both those areas is covered really under my previous comments. There's a limit to the degree of privacy in an institution of that design, but as you reduce the general overcrowding you can, of course, improve the privacy. But I take it from the line of questioning that the member believes that just because someone is in prison is no reason for them not to have reasonably healthy, if not attractive, facilities, at least not unsanitary or particularly unappealing quarters in which to live. I appreciate that type of support for, in a way a more humane treatment of inmates, but it's going to be a long time before anyone would look at our correctional institutions as a preferable place to spend time.

**MR. A. BROWN:** Another area of concern that the Garson Report seemed to be very critical of was in policies, and that there was really no articulated policy in any formal way, that policy implementation was weak, the policy was inconsistent. Is the Minister addressing herself to that? And she already has said that in some areas they were, but I would like to know what is the long-term policy of the department?

**HON. M. SMITH:** I think some of the legislation probably says it better than the actual practice in the institutions. Basically the purpose of the correctional system is to provide custodial care for those people required by the justice system to have their freedom curtailed, and then within that time and that framework to introduce them to as rehabilitative a program as is manageable.

As a society I think we often are divided in our attitude to people who've offended against society's rules and, therefore, we get criticism one day of being harsh and inhumane to inmates, and on the next day of being too kind, and too mollycoddling. My belief, and that of my government, is that the correctional process does restrict a person's freedom and that within that the goal should be to help a person develop a more positive social attitude, and base that on a more positive self-concept as a result of their stay in an institution. The way they're treated, and the opportunities they have for action, and for activity and learning new skills and attitudes is crucial. We do not know, as a society, how best to do that but there seems to be a fair bit of evidence to say that isolation and inactivity are not the way to go, therefore, some kind of constructive activity and learning how to work constructively in a group, and accept more responsibility and so on for personal planning, and the group planning, are essential components.

I think we're working on all those elements but it will be some time before the facilities, the staffing and the programs that they're able to deliver, will all come together and we'll have the system in as healthy a state as it could be. It's certainly not a field where there's an excess of resources, but a lot can be done with what we've got and a lot more, I think, than has been done. We're committed to making gains on all those grounds.

**MR. A. BROWN:** Would one of the long-term goals of the Minister be that Headingley, and all the other prisons, that they become either self-sufficient or more self-sufficient so that the taxpayer would not be faced

with the entire burden of caring for these people who have broken the law?

**HON. M. SMITH:** Well our long-term goal of self-sufficiency I think is living a little bit in dreamland. I think the goal of more self-sufficiency is quite manageable. I think it's naive to think that we aren't dealing with some very real need of society to be protected against people who, for whatever reason, are a danger to themselves or to others. I think my long-term goal would be to build a society where you reduce the likelihood of people acting in an antisocial way, and that means all the social services and the economic activity, so that people grow up in a more nurturing and open society where there is, indeed, opportunity to grow with confidence and positive attitudes when people are young, and indeed to find employment and decent housing, and access to decision making and appropriate information, a real participation in the activities of the workplace and the community.

So I think the Corrections System, in a way, is a reflection of the larger society and, as we learn to deal more constructively with the broader issues, we will at the same time vastly improve our correctional system. In the short run though I think there are many, from what we know about human behaviour and why people do act out against society and how some attitudes and behaviours can, in fact, be changed. I think there's a lot of opportunity to use the knowledge we have and to improve the procedures we can control, so that we make progress towards a goal of a more harmonious society.

**MR. A. BROWN:** Another charge that has been laid from time to time is that the program for training guards really is quite inadequate. The Minister said that she was addressing herself to some training towards riots. I understand up till now there has been no training on how to deal with riots, or if there was some, then at least at a very minimal level. Who is doing the training? How long a training course do guards have? These are some of the questions that I would like to have answered.

**HON. M. SMITH:** I shudder at the thought that the training priority for guards who work in a provincial institution where we're dealing, not with the most serious criminals, but people who are in for sentences of less than two years, would be riot control. Riots do occasionally occur and it's important that we have the capacity to manage them and I never said there was no training before, I just said that riot and emergency response procedures have been revised.

It's an on-the-job type of training activity which is part of the training for correctional officers on the job. No doubt it could be improved with some time off, but the kind of real needs that correctional officers have are probably to take part in some, not so much courses in human behaviour and management of prisoners, but many of them have a kind of natural experience in dealing with inmates and some very real fellow feeling for them. But there are some principles of human behaviour, particularly dealing with human beings who are under the kind of stress that inmates are, which can make the job more meaningful and positive. It's that kind of training that I think is desirable.

We've had a bit of a rift, I guess, in the past by separating program and custodial staff too markedly. One group was in there supposedly to keep people in line and the other was there to try to counsel people and help them deal with their problems and grow. There was a different education level and different pay level and so on. What you developed was a sort of two-tier system that didn't seem to produce a team approach. I think we have to recognize that the functions in a correctional institution are a combination of custodial and support or developmental program.

We don't know perhaps the best ways to build that team approach, but we are working with the people in the institution who live with the situation from day-to-day and getting their ideas as to how to build a better team approach. I have confidence that with a combination of new leadership, fresh leadership, that we have at the administrative level and with more input from the staff and with, over time, more money available for training, that we will be able to make some gains.

**MR. A. BROWN:** And that precisely was one of the problems with some of the guards. They were told that some law and order had to be laid down, and somebody else would come along and say, no you don't have to do that and this created a lot of frustration and ill will among staff that was working at Headingley.

But while we're on this riot, can the Minister give me a total figure of cost? What did that riot cost the province?

**HON. M. SMITH:** In the neighbourhood of \$200,000.00. That included alternate placement of some of the inmates in a federal institution while the facility was repaired. The actual physical damage was in the neighbourhood of \$50,000.00.

**MR. A. BROWN:** I'd like to get back to the Remand Centre for a while, we seem to have got off that topic. The Minister is saying that she is planning on building on a new facility in the proximity of the Law Courts Building. How many inmates is she going to be designing this for, approximately how many inmates?

**HON. M. SMITH:** We have a number that's been arrived at by a process over the past few years, and it's over 200. What we are wanting to do now is to review all the assumptions that were made in arriving at that number, check out whether there are, in the passage of time, alternative proposals that might better deal with some of those groupings of people and arrive at a final number and classification so that the design of the building can be built on as good figures as we can come up with.

**MR. A. BROWN:** Two hundred seems to be somewhat smaller than the previous one and the existing one. Is the Minister thinking of placing some people in another facility?

**HON. M. SMITH:** I think the member may have confused the capacity of Headingley with the Remand Centre. The peak in the Remand Centre, as it currently is, is in the 140 range, with another 60 to 90 housed at Headingley. As I said, the Remand Centre today has

only 70, so it varies quite a lot, but we would hope to remove all the remands from Headingley. In addition, there would be some psychiatric beds, that would be the cases that could be accommodated there.

**MR. A. BROWN:** These places, Remand Centres, especially the old one, I suppose they're not too bad when you talk about somebody being in Remand Centre for two weeks, possibly three weeks at the most, but when you have inmates staying in there up to 17 months and so on, then they are wholly inadequate because they certainly are not built for that type of long stay. Is the Minister giving any thought to placing people such as that in a separate unit, or is she going to be making some accommodation for them in the new Remand?

**HON. M. SMITH:** Well, I outlined earlier the steps we've been taking with the Attorney-General's Department to see if we can reduce the number of people who are in Remand and also bring their stay down to a manageable level. I think those are the most fruitful lines to pursue.

Again, a newer centre would have some facility for recreation and so on so that people wouldn't be in quite such a restricted environment as the current centre is. Again, it's too bad that we didn't have action earlier, five years ago or so, when the same situation existed in that centre. I think what's happened since then is it's been painted within an inch of its life and kept as clean and presentable as possible, but the same overcrowding has been there for five or six years and it's too bad that an earlier plan didn't come to fruition so that we wouldn't be dealing with quite such a horrendous problem today.

**MR. J. DOWNEY:** Mr. Chairman, the Minister may have answered this earlier. What kind of income is paid to the inmates now in the correctional institutions?

**HON. M. SMITH:** If they work they receive \$5.00 a day incentive pay and then they receive their board and room free.

**MR. J. DOWNEY:** I'm not clear. The Minister said they get . . .

**MR. CHAIRMAN:** \$5.00 a day.

**MR. J. DOWNEY:** \$5.00 a day plus their room and board. Again I apologize if the Minister has already answered this. What kind of system or program is in place to help integrate the people that come back into society - I guess they refer to it as a halfway-house type of a system? How successful are they? Is there a demand for more? What is the current status of that kind of a program for inmates who are returning into society?

**HON. M. SMITH:** I think a lot can be done with a release centre which is a staging of return to the community prior to actual release. Some people do require a halfway setting whether they're dealing with alcohol or perhaps personal problems of some sort, inability to work through the maze of how to get training

or how to get a job. I think there is need for more activity there. The development of volunteer groups who pay special interest to inmates when they are in prison and when they leave, I think, needs encouragement. I wouldn't hazard a guess, at this point, how much would be enough, but more would certainly be helpful.

**MR. J. DOWNEY:** Mr. Chairman, sometime ago we had the opportunity to visit the Remand Centre and as we were there there was an individual from, I believe it was the Steinbach area, picking up an individual and taking him out to participate in an in-community, on-farm work activity program. To me, it made a lot of sense what was being carried out. Is this being expanded, is it being able to be increased to serve larger numbers of people, or what is the current status of that situation?

**HON. M. SMITH:** There is a certain amount of that goes on in the smaller institutions, such as, the Dauphin institution. We are not aware of any that would go on directly out of the Remand Centre unless it was a case of supervised bail. I did say that there were about 200 adults out at any one time on supervised bail, so it might have been that situation.

**MR. J. DOWNEY:** It could have been, Mr. Chairman. I just thought at the time when we were discussing the concerns, or the particular types of individuals, that it did make a lot of sense that there were people in society who were prepared to help individuals, whether it is supervised bail or in the other setting, that had really taken on the responsibility as citizens of the province to fulfill a need as far as some of the people are concerned.

I'm wondering, again on the concept of the halfway-house type approach, how many are there in the province? Is there sufficient numbers to handle those people to help them integrate back into society, or where are we at with that kind of support for people who are returning into society?

**HON. M. SMITH:** I have six that are named here. They are funded by a per diem. Grosvenor Place, Native Halfway House, United Church Halfway House, X-Kalay, The Salvation Army Rehab Centre, and Camp Ren e, run by Native Clan.

**MR. J. DOWNEY:** Mr. Chairman, one of the major concerns that I have that a lot of the problems, I think, stem from alcohol and possibly the use of drugs. Could the Minister quantify the numbers of people that end up in these situations of getting into trouble because of the influence of either alcohol or drugs and, if so, what would be the percentage of people that she would put into that category?

**HON. M. SMITH:** We guesstimate that at least 30 percent are primarily affected by alcohol, and a smaller number of course, with drugs. It's, as you can appreciate, a rather difficult statistic to be completely accurate on, but again drug abuse and alcohol abuse are often tied to a lot of other problems as well.

**MR. J. DOWNEY:** I would expect that a lot of those people who entered the correctional institutes and had

identified problems, that following their terms and they were to go back into society that some of the organizations of people, self-help organizations, are pretty much involved on an individual basis with those individuals to help them with their problem when they return to society. Is that correct? Is there a close liaison with those groups?

**HON. M. SMITH:** Yes, we do have a series of grants to such external agencies and halfway houses. John Howard Society - \$157,500; Elizabeth Fry Society - \$59,600.00. They provide some counselling and rehabilitative services to inmates and also to releasees from the institutions. Native Clan Organization - they have officers that work in the institutions and provide some aftercare - \$107,700. The Manitoba Society of Criminology is part of a national organization and works provincially to advise in the area of criminology - \$6,300.00. Open Circle, an agency which provides the counselling service through volunteers to residents at institutions and to parolees - \$4,100. The total available for the six halfway houses that I named in the '83-84 period was \$478,000.00.

So, there's a fair bit of money spent on assisting people with their adjustment to society. We do feel we need the Community Release Centre, because that would provide that kind of transitional support to a larger number, but there's a lot of room for community groups to become more involved and they may, in the long run, prove the most effective bridges back into the community.

**MR. J. DOWNEY:** Mr. Chairman, what is the Minister and her department doing to promote these kind of activities. I'm sure there are people who are a little further from probably from some of the major centres who would find interest in becoming involved in these kinds of programs. There isn't an active request from the department, but is there a series of information or contacts that can be made by groups that are interested in assisting in this particular area?

**HON. M. SMITH:** Yes, there is a network of groups that are involved in all the whole range of activities in the community and crime prevention and in helping to deal with people who have got into difficulty with the law, called Project Prevention - that's the sort of omnibus name - but attached to that project there must be dozens of groups - 20 active community committees - that are involved in providing outreach services to inmates and also, No. 1, to prevent crime in the first place; and No. 2, to develop a more positive attitude of the community to people who have had a clash with the law.

**MR. J. DOWNEY:** Mr. Chairman, another program that I was quite interested in and I know that it has been carried out in certain areas, where people who have wronged or have been caught and rather than putting them into some of the institutes, are asked to repay to society through organized work for community projects. I think in Dauphin there maybe was a fairly successful program being carried out.

Is there an expansion of that kind of activity, the repayment to society rather than the time factor being

put into the correctional institutes, but repayment in work activities for the community, to repay their debt in society? What kind of activity is being carried out there at this particular time?

**HON. M. SMITH:** Through the Attorney-General's office, but you know we co-operate through many of the same organizations, there is such a thing as a community service order and a Fine Option Program. Now that means the judge may determine that a person does a community service activity in lieu of spending time in an institution.

Now in the Fine Option Program they may, instead of taking a fine for an offence, they may opt also to provide some kind of a community service. We have committees throughout the rural and the urban areas that help to administer that type of program.

**MR. J. DOWNEY:** Mr. Chairman, if my memory serves me correctly, the Women's Institute of Manitoba, when I was Minister, had felt very strongly in working towards, in a larger way, the numbers of people that were . . .

**MR. CHAIRMAN:** Order please. We are discussing (c) already which I haven't called yet. Can we pass (b)?

**MR. D. ORCHARD:** Oh no, I'm not ready to pass yet. I'll defer to the Member for Rhineland then, Mr. Chairman, on this particular item.

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

**MR. A. BROWN:** Mr. Chairman, we've been all over the ballpark. I suggest that we discuss and we'll pass 1, 2, 3, just like that.

**MR. CHAIRMAN:** Let me call them all.

**A MEMBER:** No, let's debate it.

**MR. A. BROWN:** We're on Salaries and Salaries encompasses it all, really.

**MR. CHAIRMAN:** We'll have to adhere to certain procedure otherwise we'll be scattering all over. Do you want them all or not?

**A MEMBER:** Well, we'd better have them all.

**MR. CHAIRMAN:** Okay, let me call the next one too, so you can put questions on the next one.

5.(c)(1) Probation: Salaries; 5.(c)(2) Other Expenditures; 5.(c)(3) Program Development - the Member for Rhineland.

**MR. A. BROWN:** We have not passed Adult Corrections yet. We're still on 5.(b).

**MR. CHAIRMAN:** No. I called two of them, (b) and (c).

**MR. A. BROWN:** Oh, you mean . . .

**MR. CHAIRMAN:** That's what you want.

**MR. A. BROWN:** Okay, sure. Fine. No problem.

Can the Minister tell me how many communities at the present time are involved in the Fine Option Program? It's something I know that various communities are just starting, but how many are operating and have they been operating long enough that an evaluation could be done on it?

**MR. CHAIRMAN:** Madam Minister.

**HON. M. SMITH:** Presently there are over 100 groups and organizations that are acting as community resource centres to administer the Fine Options Program and 42 Indian Bands are included in that.

Now in terms of evaluation, there is an ongoing evaluation of the program but I guess initially what we're finding is, more people have opted for it than was initially anticipated. There's been some adjustment of the administrative fee required to set up the system.

In a sense, it's a program that has grown rapidly and what we're doing is trying to ensure that it is well consolidated so that it retains its effectiveness. But it's had a tremendous response from the community and I think it's been very reassuring to the people who started off with a belief that, 1, the community should become more involved in the justice and corrections system and; 2, that they would and it has, in fact, proven out.

**MR. A. BROWN:** Are there any grants available to communities who start up a Fine Option Program and if so, could the Minister tell me how much money has been allocated towards the Fine Option Program?

**HON. M. SMITH:** There are five staff tied into the Fine Option Program for a total of \$160,900.00. In terms of direct grants, there is an administrative fee per case that's dealt with.

There is a funding that's a combination of general operating grants and fee for service. A little over half of the funding is in the form of fee for service and the other is in the form of operating and grants.

**MR. A. BROWN:** What figures is the Minister talking of when she's talking about a fee for service?

**HON. M. SMITH:** The total in 1983-84, 91,350 for the Fine Option Program and 2,100 for the community service order. That's a combination of adult and juvenile - we don't have it broken down - adult and juvenile separate.

**MR. A. BROWN:** I was not aware that any adults were involved with the Fine Option Program. I thought it was mainly a juvenile program.

**HON. M. SMITH:** It's 99 percent adult.

**MR. A. BROWN:** It's 99 percent adult, that's something that's new to me. I asked earlier whether any evaluation had been done or could be done at the present time, and I don't know how long some of these have been operating, but they must have been operating for longer than a year now, some of them, the first ones that started. Has the Minister any evidence that it's worthwhile to continue with the Fine Option Program, or should we scrap it?

**HON. M. SMITH:** There's a fail-safe provision. If they don't perform the work, then they are returned to court. So there is a day-to-day monitoring. We have been looking for a system-wide monitoring and the Federal Government has been so interested in the success of this innovative program that it looks like they will be willing to fund formal evaluation or that . . . We have to go and vote . . .

**MR. A. BROWN:** Does this mean that we have to vote?

**HON. M. SMITH:** Can we vote here first? Why don't we vote here first?

**MR. A. BROWN:** No, I think we should return. We're almost there.

(Recess to Chamber for counted vote.)

**MR. A. BROWN:** The Minister mentioned a Community Release Centre before. This was something that I, again, was not familiar with. Can the Minister explain the activities of the Community Release Centre?

**HON. M. SMITH:** This is a type of program that has waxed and waned over the years. At the moment, we don't have a fullfledged program, but would like to have. We have a small program that operates out of a corner of the old Vaughan St. Detention Centre where five or six inmates come and are released during the day to work in the community and then returned to custody at night. This is a transitional type of experience prior to their being released.

**MR. A. BROWN:** Another area of concern - and the charge that has been made a number of times of the lack of security - is that it's so very easy for people just to walk away from whatever they're doing, and we have the responsibility then of locating these people and putting them back in the institution again. I wonder, is the Minister addressing herself to that particular problem of security? It's going to get worse as we're going to work with more programs, let's say, in the parks or wherever; it's going to become more difficult.

**HON. M. SMITH:** The right to a more open situation is an earned right by an inmate. It's carefully monitored, usually phased in, and if an inmate does not prove worthy of a little bit of trust, they don't move on to get the larger amount. There is some risk involved, of course. However, there is also risk involved in keeping a person confined until the end of the sentence and then releasing them suddenly in terms of their behaviour. It's the philosophy of the Corrections System that you're trying to build in responsible attitudes and the Release Centre program is usually the final test before someone leaves. A person may evade being discovered for a short time, but they would live with the understanding that - and usually they are recovered - they then would be subject to a longer penalty, so that the desire to be out and free is usually a pretty strong influence for people in these situations.

**MR. CHAIRMAN:** 5.(b)(1)—pass; 5.(b)(2)—pass; 5.(b)(3)—pass.

5.(c)(1) - the Member for Rhineland.

**MR. A. BROWN:** Could the Minister give us a rundown of what the probation does?

**HON. M. SMITH:** It provides service to the courts, and it prepares reports and provides supervision to persons placed on probation. It's a fundamental component of the adult and juvenile justice system. It's the primary focus of community corrections for offenders. Services are provided by 21 offices and sub-offices throughout the province.

During 1983, the average number of persons under supervision at any one time was approximately 1,800 adult offenders and 1,400 juvenile offenders. The total number under supervision for 1983 was 5,873 adult offenders and 12,692 juvenile offenders.

The major program initiative undertaken during 1983 was the development of the Fine Option Program. The first year of operation, 4,724 individuals opted into the program as a means to pay their fine. This represented 144,681 hours of community service. The community-based work assignments are co-ordinated by community resource centres located throughout the province, and as said earlier, during 1983, approximately 200 community service orders were issued by the courts to adult offenders.

**MR. A. BROWN:** How many SYs do we have under 5.(c)?

**HON. M. SMITH:** We have 162.5.

**MR. CHAIRMAN:** 5.(c)(1)—pass; 5.(c)(2)—pass; 5.(c)(3) - the Member for Rhineland.

**MR. A. BROWN:** Under Program Development, could the Minister tell me what programs are being developed under that item?

**HON. M. SMITH:** There are approximately 150 volunteers who work with probationers in the community. We have volunteer probation officers often located in remote areas of the province, and they give on-site probation services for communities that would otherwise not be served. That organization is funded to the point of \$35,500.00. So, you see, we get a great deal of volunteer input there.

There is a non-judicial screening program which funds some university students and community members to interview and provide basic assessment and referral services to juvenile first offenders. We spent \$12,000 there.

There are other community programs such as the short-term high impact programs - funds to develop specific programs in local communities to assist special need and high risk offender groups overcome identified problem areas - 10,000.

Another 15,000 to community participation agreements. This involves citizens in direct service delivery role with client centre supervision of the court. Emphasis here is on rural and northern areas.

In the Fine Option Program, the operating costs for program staff and fee-for-service expenses provided for through community participation agreements or



contracts - 195,000. That's up from 90,000 last year, so it does mark a great increase in individuals choosing that option.

Then there's adult placements for short-term residential placement in group homes as an alternative to incarceration for a few adult offenders. We have 105,400 in that program, for a total of \$372,900.00.

**MR. A. BROWN:** Does the Minister have any prevention program other than the Crime Prevention Program which is sponsored by the various communities? Is there any other prevention program that the Minister is working on?

**HON. M. SMITH:** An example of a high impact program is an organization developed in The Pas at the Kelsey Housing Estates, an antivandalism program, where local people have organized to prevent vandalism and that is proving to be very successful.

**MR. A. BROWN:** Under some of these development programs, I wonder if the Minister has ever given consideration to another area where these people could be employed to maybe straighten out some of the two-by-fours that they manufacture at Manfor? She didn't hear me.

**HON. M. SMITH:** I'm sure if we put our minds to it, we could think of a lot of straightening activities that could be accomplished.

**MR. CHAIRMAN:** 5.(c)(3)—pass.

Resolution No. 39: Resolved that there be granted to Her Majesty a sum not exceeding \$23,334,900 for Community Services and Corrections, for the fiscal year ending the 31st day of March, 1985—pass.

Back to the Minister's Salary, 1.(a) - the Member for Rhineland.

**MR. A. BROWN:** Mr. Chairman, I appreciate the way that the Minister has co-operated in answering the questions. I must say that I feel quite a bit easier, especially on some of the things that have developed in the last month or so. Up to that particular time I was very concerned and I believe so was everybody else within the system, but there have been some dramatic changes in the last while and we'll be watching these changes and, hopefully, some of the things that the Minister is planning for and is hoping for, are going to be accomplished.

**MR. CHAIRMAN:** 1.(a)—pass.

Resolution No. 35: Resolved that there be granted to Her Majesty a sum not exceeding \$2,496,800 for Community Services and Corrections, Administration and Finance, for the fiscal year ending the 31st day of March 1985—pass.

What is the pleasure of the committee?  
Committee rise.

## SUPPLY - LEGISLATION

**MR. CHAIRMAN, P. EYLER:** Committee come to order. We are considering the Estimates of the Department of Legislation. Does the Minister have an opening statement?

**HON. A. ANSTETT:** Thank you, Mr. Chairman. I just have a few opening remarks. I'm not sure that it qualifies as a statement. I am presenting the Estimates on behalf of the Legislative Assembly Management Commission at Mr. Speaker's request.

I believe that this is a departure from previous practice. In view of the changed legislation, the new Legislative Assembly Management Commission Act, the requirement in that act is that a member of the Commission present the Estimates to the Assembly and provide information to members regarding Legislative Assembly Expenditures and its respective agencies.

As members are aware that change was made last year, and members of both sides of the House participated in the Estimates discussion at Commission meetings during this past winter. The Estimates, as prepared by the Commission, were submitted as required under the act to the Minister of Finance and were included in the Estimates book without change by him.

I think all members who participated in the process, the valuable experience from it in terms of dealing with Assembly business on a first-hand basis rather than allowing that to remain as it was before, rather than something which was under the purview of all members, something which was restricted to two members of Cabinet and the Speaker.

I think that's been a beneficial change, something that, in terms of the all-party participation, something that the Member for Virden urged when he was Speaker, and something that I certainly supported in both of the roles I've had in this Assembly.

So, Mr. Chairman, without any further comment, I am prepared to answer questions members have with regard to the Estimates of the Assembly, the Chief Electoral Officer, the Provincial Auditor and the Ombudsman. Those staff will be here in case there are any detailed questions for which I do not have the information.

**MR. CHAIRMAN:** Does the opposition critic have a response? The Opposition House Leader.

**MR. H. ENNS:** Mr. Chairman, in dealing with these aspects of the Estimates, I should indicate to the honourable member that this is fairly routine and it would not be our intention to spend too much time on a number of the items covering the \$7.4 million of Estimates that are under consideration, but the one item that I want to indicate to the honourable member - and we'll come to it shortly - is the Resolution No. 3 which deals with members' allowances.

That, Mr. Chairman, is something that we have had less than satisfactory experience with. I encourage all members, indeed members opposite, who I'm sure perhaps have not had any greater satisfaction out of the operations of that particular change in the manner and way in which Statutory Allowances are being provided for members to be considered, Mr. Chairman.

Mr. Chairman, allow me though, simply to say - and I say this and put this on the record, it ought to be said from time to time - that despite the fact that members in the media note, of course, whenever we had to do the sometimes unpleasant things of giving



ourselves a raise or passing on an indexed increase, the truth of the matter is that Manitobans are expending something in the order of 1/4 of 1 percent which looks after Members' Indemnities, Speaker's Indemnities, plus additional legislative responsibilities, such as the Provincial Auditor's office, Ombudsman, Electoral office and other Assembly expenditures. I think it ought to be said, and perhaps it's not inappropriate that it be noted, even by a member of the opposition, that in terms of, if you would like to say, our point of view as the elected body, members, Manitoba taxpayers are not being that badly served when something in the order of 1/4 of 1 percent of the expenditures of the province are spent in that area.

I would have no further particular questions, other than that the Minister leading this section of the Estimates through the House may wish to comment on certain aspects of members indemnity which I think are clear. We have just received notices of the regular indexing in force, duly noted by the media.

I have a question with respect to Item No. 2 that refers to a sum of some \$550,000 in refunds. I would ask the Minister if he can give some further explanation of that amount?

**HON. A. ANSTETT:** Thank you, Mr. Chairman. Perhaps I can, through the speaker in the messenger room, advise Mr. Bryans, the Director of Administration, that he can now come into the Chamber since we finished the . . . Oh, they're already here.

The 550, I would point out to the honourable member, is a dramatic increase in the neighbourhood of 78,000 from last year print-over-print, but the actual last year's expenditures were 517,000, not 472. So the increase is actually more in the range of 32,500.00. The full amount that is shown here is actually for retirement pensions for MLAs who are no longer members of the Chamber; but there is provision in the line to provide for refunds which, if a member having contributed determines not to take a pension, or does not have adequate service to be entitled to a pension, that refund is paid, usually in the year after an election, but the line remains the same. These funds would be totally for allowances; none of those funds would be for refunds.

**MR. CHAIRMAN:** Item 1.(a)—pass; 1.(b)—pass.  
The Member for Virden.

**MR. H. GRAHAM:** On the Speaker's, Deputy Speaker's additional Indemnity and Speaker's Intersessional Payment, just to refresh my memory, I notice that there is an increase here from 18,000 last year to 21,500.00. Could the Minister indicate the reasoning on that?

**HON. A. ANSTETT:** Thank you, Mr. Chairman. Yes, the legislative change that was passed last year to The Assembly Act which removed the payment of the \$50 per diem for Mr. Speaker and substituted therefore an intersessional salary payment which is included in the bi-weekly of \$3,500 accounts for that change. So the total for Mr. Speaker, moved last year by legislative change from 12,000 additional remuneration to 15,500; the balance is made up of the additional remuneration provided to the Deputy Speaker, \$3,500, and to the

Chairman of Committees of the Whole, \$2,500 for the total shown of \$21,500.00.

**MR. CHAIRMAN:** 1.(b) - the Member for Virden.

**MR. H. GRAHAM:** So now our Speaker is getting a total of \$15,500.00. How does that compare with a member of the Executive Council? What is the member of the Executive Council presently getting?

**HON. A. ANSTETT:** The Estimates line for the Leader of the Opposition reflects the salary payable in Estimates to the members of the Executive Council, which is \$19,600.00. My understanding however, is that an Order-in-Council confirming the reduction put in place last year, which was a reduction by the amount that members' indemnities increased last year, which was approximately \$1,000, would leave that salary again this year at \$18,600.00. So although the print line for all Ministers' Salary and for the Leader of the Opposition shows as \$19,600, that reduction by Order-in-Council has been maintained, in effect. I believe the figure is \$18,600 again this year.

I stand corrected by my colleague, the Minister of Highways, who suggested it may be \$18,100.00. I can verify the exact figure for the honourable member. There may be a further reduction I'm not aware of.

**MR. CHAIRMAN:** 1.(b)—pass; 1.(c)—pass.  
Item 2.(a)—pass. 3.(a) Constituency Allowance - the Opposition House Leader.

**MR. H. ENNS:** Well, Mr. Chairman, not being fully familiar with all the various categories of resolutions here, (a), (b), ranging down to (k), but let me simply indicate, through you to the Minister, that this is possibly, as I indicated in the outset, the area that we'd want to spend a bit of time with and I'd ask leave, of course, to deal with it with some latitude in this area. Members may wish to ask specific questions as to a particular line, but I'd ask one particular question right now of the Minister if he has available to him, the information.

As you know there was a substantive change with respect to additional allowances paid to members made as a result, I might say of this Government House Leader's initiative, of the passage of a bill under which the manner and way in which additional allowances are paid to members was changed substantially. There has been some difficulty with members receiving these additional allowances and I would ask him whether or not he can indicate how many members of the Legislative Assembly, to this date, have received allowances for the year past? I can indicate to the honourable member that from the opposition side, there have been two members. Of course what I'm asking is, how many government members have received their allowances with respect to this item?

**HON. A. ANSTETT:** Mr. Chairman, I share the concern expressed by the Member for Lakeside and I'm fully appreciative of the concern that was expressed by, not only him but his colleagues who are on the Legislative Assembly Management Commission. That concern was expressed quite forcefully by members on both sides at a meeting early in May, reflecting on the delays which

were due, at least in part, to the requirements of staff and Mr. Speaker for further clarification of some of the constituency allowance rules, which we had adopted as a temporary measure to allow members to make use of the new constituency service allowance, pending approval of more definitive rules.

I understand that - I know - that the reimbursement of members for expenses made for constituency services proceeded very slowly up to approximately one month ago; that things, after further changes were made were dramatically expedited; that by the end of the last fiscal year, approximately one-third of the accounts that had been submitted up to that time had been processed and paid; that within the last three weeks, all outstanding accounts, both for the last fiscal year and the current fiscal year, have been now processed. My understanding from the Director of Administration is that there are no outstanding accounts. I trust that that means that they have gone on to pre-audit for cheque issuing and that those members who are awaiting cheques are awaiting only for the processing through the cheque issuing authority and the delivery of those cheques in the mail.

Mr. Chairman, there may still be, subject to the reservation of the Director of Administration, accounts in which there had been questions raised with regard to minor items. All the accounts have been processed although there may be small specific items held back that will be processed in due course because of questions that have been raised on them. I've just been assured that all the accounts as recently as several days ago, have now been processed by the Administration section of the Legislative Assembly, which is housed in the Department of Consumer and Corporate Affairs and I expect that all members who have not received cheques will be receiving them very shortly. I think the usual period from the clearing by Administration through pre-audit and cheque issuing and mail is ten days to two weeks. I would trust that that period, if anything, would be shorter since the deliveries take place here in the Legislative Building.

The Member for Concordia has just assured me that he received a cheque today and the Member for Dauphin has received a cheque today, so I trust that things are moving and that the message delivered by members on both sides at the second-to-last meeting of the Commission has resulted in the expedition of members' accounts.

**MR. CHAIRMAN:** The Opposition House Leader.

**MR. H. ENNS:** Mr. Chairman, let me make it perfectly clear that I find this whole discussion that we're about to enter, somewhat distasteful, because . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. CHAIRMAN:** Order please.

**MR. H. ENNS:** Secondly, it never is all that pleasant. We have that problem of being, if you like, the highest court in the land and the Legislature, and we do have to look after our own housekeeping from time to time. We do have to look after our own housekeeping. Now we know that the Minister of Transportation has received

his, the Member from Concordia has received his allowance, I've told him that only two opposition members have received their allowance cheques. My specific question to the Minister was, how many members on the government side have received their allowance?

**HON. A. ANSTETT:** Mr. Chairman, I concur with the honourable member. These matters have to be addressed on occasion and I see nothing wrong with discussing the question of members' resources and members' indemnities in Committee of Supply. We have that opportunity every year and although I appreciate the member does find it distasteful, I don't look on it as being in any way distasteful. It's part of our obligation to ensure that the Assembly runs smoothly.

I have not polled members on our side to determine who has, and who has not, received constituency allowance cheques. I rely on the information provided by the Director of Administration as to what has been processed from his end.

I can tell the honourable member that I have had, over the last two weeks, probably as many, or more, complaints from members of my caucus as he has had from his complaining about the fact that the accounts have not been processed and that members are out of pocket anywhere from \$2,000 to \$3,000 in many instances, and that they're anxious to receive those funds because they're paying interest on that money, or otherwise losing interest on that money and, in many cases, those expenditures were made perhaps six or nine months ago. That is unfair to members and, over a month ago, that point was made very forcefully by members of the opposition, and members of the government, at a Commission meeting and I understand everything is now well in hand. But I cannot tell the member, because I haven't asked my colleagues, who has and who has not received cheques.

**MR. H. GRAHAM:** Mr. Chairman, we're talking now about constituency allowance, and the figure that was used for last year, I believe, was \$85,500.00. I believe the Honourable Minister has indicated only about a third of that was paid out at the end of the fiscal year; is that correct?

**HON. A. ANSTETT:** No, Mr. Chairman. The amount voted last year reflected a constituency allowance which was part of salary and was non-accountable of \$1,500 a year, times 57 produces the figure shown. There was Supplementary Supply voted last year to provide the funds required for the increased constituency allowance. Mr. Chairman, it wasn't Supplementary Supply because it was statutory, so there was additional authority granted by the amendment to The Legislative Assembly Act to increase that to \$2,500 per member, which times 57 results in the figure shown. I don't know if we have the actual figure paid out as of March 31, 1984.

**MR. H. GRAHAM:** That was the question that was asked.

**HON. A. ANSTETT:** I understand that approximately one-third of the accounts that had been submitted up to that time were processed by that date. Perhaps we have that figure.

**MR. H. GRAHAM:** Well, Mr. Chairman, I believe the Minister is getting some figures there now.

**HON. A. ANSTETT:** Mr. Chairman, the actual figure paid out last year under Constituency Allowance, new system, which is the \$2,500 accountable, was \$55,137 which is actually slightly more than a third of what is appropriated for the current year, and would have been appropriated by statute for last year.

**MR. H. GRAHAM:** Mr. Chairman, how much was paid out last year under the old system then? The Minister made a distinction and I would like to know how much was paid out under the old system in the same fiscal year.

**HON. A. ANSTETT:** Mr. Chairman, I'm given to understand the figure would be between \$25,000 and \$30,000 paid out under the old system which would represent 4.5 months until the new legislation came into effect on August 18, 1983. The legislation for purposes of the constituency allowance claim was retroactive to April 1, 1983, but those amounts paid to members under the old system on the bi-weekly salary basis were not deducted from the new constituency service allowance to allow for transition. This was discussed during the debate on the bill last year.

**MR. H. GRAHAM:** If I understand the Minister correctly, it's possible that members had some constituency allowance paid to them in the fiscal year ending the 31st day of March, 1984. They had some constituency allowance paid to them from the 1st of March up to approximately July or August, and then they have an additional \$2,500 constituency allowance from then till the first of the year, or is that deduction already taken off that or what has already been paid?

**HON. A. ANSTETT:** I realize this may be confusing, so I'll try and go through it again. The new legislation last year provided a \$2,500 accountable constituency service allowance, came into effect August 18th on Royal Assent in 1983. For the first four and a half months, from April 1st - rather than March 1st as the member suggested - April 1, 1983 to August 18th, members received, as part of their bi-weekly cheque, a portion - 1/26th of the \$1,500. So there was a payment of approximately \$550 of the old form of non-accountable, part of salary, constituency service allowance paid to each member, all 57 members, between April 1st and August 18th of last year.

Because it was a transition year in which we were changing from one form of allowance to the new form members received an allowance on an accountable basis of \$2,500, against which they could claim any expenditures back to April 1, 1983, through to March 31, 1984. Members then, in effect, received in that fiscal year, \$550 non-accountable salary equivalent services allowance, and had the right to claim up to \$2,500 additional.

So a member who made the full claim could technically have received in the non-accountable salary component and the accountable allowance component slightly over \$3,000 last year for constituency allowance

purposes. The amount shown in this year's Estimates is \$2,500 because that's what the legislation requires. The difference was because of the transition so no members would be penalized by the transition.

**MR. H. GRAHAM:** Well, Mr. Chairman, if there has been an overpayment to any member, and any member of this Assembly has received more than \$2,500 in the fiscal year that ended the 31st of March, 1984, he has received more than any legislation authority gives him, is the government going to attempt to collect any overpayment from individual members of this Assembly, because obviously there is no legislative authority to pay any more?

**HON. A. ANSTETT:** I would refer the honourable member - and I'll find the appropriate section in a moment - to the legislation passed last year, Section 63(1) which provides for the constituency allowance of \$2,500.00. Mr. Chairman, if I could ask the Clerk to supply the copy of last year's statutes, if that's available, or the amending bill from last year. The transition section has not been moved from the statute to the consolidation because it was only relevant to the transition. I believe it was Bill No. 55 last year. Mr. Chairman, I do have the section.

It is Section 10 of Bill 55, passed at last year's Session, receiving Royal Assent on August 18th. It reads: "Where prior to the day this Act receives the Royal Assent, a member received payment of part of a constituency allowance allowed and paid under Clause 59(1)(c) The Legislative Assembly Act as it was prior to the coming into force of Section 1 of this Act, the amount so allowed and paid is not to be taken into consideration in the payment of any constituency allowance payable to the member under section 63 of The Legislative Assembly Act as enacted by Section 4 of this Act."

The earlier section I read to the member providing for the \$2,500 Constituency Allowance on an accountable basis is the Section 63 referred to in Section 10 of Bill 55, 1983.

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

**MR. H. GRAHAM:** Mr. Chairman, I don't think there were too many - certainly, I didn't maybe spend enough time looking at that legislation at that time. If I remember debate correctly, there was going to be an increase of \$1,000 in constituency allowance, from \$1,500 to \$2,500. That would be done only if there were receipts submitted. But we find now, sir, that was not the case at all. In fact, there was \$550 plus the 2,500 available to members and maybe the opposition is at fault, or maybe the media is at fault - they didn't pick it up. We now find that the Commission of human greed, as so many often refer to it, was working a little better than most of us thought it was.

**HON. A. ANSTETT:** Mr. Chairman, I believe I understand now the argument the honourable member is making. He is suggesting - and I stand to be corrected, and would ask him to rise and correct me if I misrepresent his argument - that constituency allowance was increased from 1,500 to 2,500, but in

actuality some members are going to be entitled to receive in claim and non-accountable salary something in excess of \$3,000 for last year. The member feels that was not what was described at the time.

Mr. Chairman, that's incorrect. If that's what the member is alleging, that's patently incorrect. There were informal discussions with members of both caucuses, at that time it was pointed out and there was an understanding of Section 10 in Bill 55, that that transition was required to ensure that no member who would actually use those funds for constituency allowance purposes, would be denied the right to have received them and they would not be taken away from members.

As the Honourable Member for St. Norbert would recall, he was one who privately raised that matter specifically with me to ensure that provision would be made for the transition, as did others on the opposition benches, and as did many of my colleagues who said that since this isn't happening effective April 1st of the year, there will be the possibility of some doubling of the payment. Now, that provision amounts to slightly more than \$500 and it was considered by members on both sides with whom discussions were held on this proposal over a period of almost two years. This was discussed for in excess of a year and a half because it was contained in Bill 30 of the first Session of this Legislature and then in Bill 95, I believe, at last year's Session with the actual Assembly amendments in Bill 55.

So, Mr. Chairman, I reject the suggestion that members were not aware. If the Honourable Member for Virden was not aware, I cannot account for that. But certainly there was discussion that the only way to go through a transition was to ensure that members did not suffer any disadvantage. No member received, for constituency allowance expenses on an accountable basis, in excess of \$2,500.00. That was the provision, that's what was announced and that's what has been done. No member can receive, under the law, more than that. The other figure was a non-accountable salary which was wiped out as of August 18th last year.

**MR. H. GRAHAM:** Mr. Chairman, I'd like to refer to what happens in the public arena. What happens in this arena here is recorded. We can read our Hansard and then we know what goes on, but the Minister is referring to private negotiations and people came and saw him privately.

Mr. Chairman, I don't think that we should conduct public business in that manner. I think that if it's public money that is being spent, whether it be for individuals or for departments, there should be full disclosure. So I would like to ask the Minister if this human greed committee, or the members' Commission, or whatever they want to call it, if those meetings are open to the public.

**HON. A. ANSTETT:** Mr. Chairman, there is no provision in the act which describes whether those meetings are open or held in camera. I believe that is a decision to be taken by the Commission. The Commission has on its agenda, and the honourable member was at the last Commission meeting, and I'm sure is aware that item is on the agenda for consideration by the

Commission. The Clerk has provided a background paper which indicates that members services committees, management commissions, boards of internal economy, by whatever name and other jurisdictions vary in the degree to which either their minutes are accessible or their meetings are open. But I believe, generally, minutes are accessible and meetings are closed. That's not an all-inclusive rule, but that tends to be the general position in other jurisdictions. The Commission has not addressed that question. It is on the agenda, the act does not provide an answer to the member's question, but I'm sure the Commission will.

**MR. H. GRAHAM:** Can I then ask the Minister if any member of the media or any person has been turned away from any of those meetings and barred from attending?

**HON. A. ANSTETT:** Mr. Chairman, I personally am not aware of anyone being turned away, but I have been advised by the Clerk that people have been turned away. I assume that the Commission was meeting and for that reason I did not notice the Clerk at the door indicating that the Commission - Mr. Chairman, I would view the staff turning away the members of the press or the public at the door as reflective of the lack of the Commission decision as to whether those meetings were open or in camera, and in view of the fact that Estimates, personnel discussions and other discussions proceed in the Commission until the Commission itself, which consists of members of both sides of the House, has made that decision, I think would be unfair to decide that those meetings would be wide open.

**MR. H. GRAHAM:** Mr. Chairman, I realize that this is a very small committee, but I think if we have an informal vote in this House, you would find that most members of this Assembly would want those meetings to be held in public. I know of no one in this Assembly that would not want those meetings to be held in public. If there is somebody, let them stand up and tell us that they would like those meetings in private.

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

**MR. A. DRIEDGER:** Mr. Chairman, I want to use this occasion, as I had occasion in the committee room at one stage of the game, to express my displeasure towards this whole system and the way we're running this Commission business here. I just want to illustrate what happened to me the other day when I had missed a day and I came into the caucus room and got phoned and was told that the committee was meeting, the Commission was meeting and that there were none of our members attending.

I got phoned and asked whether we could get some members down there and at that time I made a point to contact my colleague, the Member for Virden and put us on the committee and then attended the meeting, not realizing the reason why some of our members possibly who were on the committee, were not there.

Later on I found out that our members are actually not very keen to attend these meetings at all, because they feel it is a waste of time and got chastised to

some degree by some committee members for being replaced, or for replacing them all in there.

I would like to indicate that I, personally at least, do not intend to attend any further meetings and I want to indicate now the reason for my displeasure.

First of all, I think what we're dealing with is Mickey Mouse stuff - and I've illustrated this before - it reminds me of the time when I was reeve . . .

**MR. CHAIRMAN:** Order please.

**MR. A. DRIEDGER:** . . . and where all council members at that time, for expenses, had to put in hours and mileage. Some of the council members that had a bit more time, managed to put in more hours and more mileage. I don't say this in a derogatory manner, but that is the way the system was at that time. I have council members that followed the motor grader for half-a-day to put in mileage and time and I thought it was embarrassing.

Then when finally the Minister of Municipal Affairs at that time changed it and made provision where councils could say we have so and so much, is what your allowance is as a councillor, this thing got resolved because invariably these expenses of the individual councillors had to be approved by council and whole. If there happened to be a conflict between certain councillors, every item was questioned.

I thought it was degrading because council would spend hours to try and get certain expenses approved and - do you know what? - that reminded me of when we walked into the Commission - exactly the same thing, because for months on end and meetings on end, there's been continual fighting as to what should be approved.

If members think that just because certain things have been agreed on that this will not continue to happen, it will continue to happen all the time and for a lousy thousand bucks members on this side were very happy with their 1,500 bucks. Now for an extra thousand bucks, we run around, we try and keep track of our mileage, we try and get receipts for our meals and any expenses incurred. I personally find it degrading to walk into a constituency restaurant of mine and if I want to claim - I don't have to - but if I would want to claim, I have to ask for a receipt. I think it is degrading for members of the Legislature to have to run around their constituency asking for receipts.

I also think it is degrading that we have to run around and keep mileage. I leave home now, I drive to Sprague, I drive to Middlebro, I drive to Vita and I come back home and I have 154 kilometers, more or less this type of thing, I think it's stupid. I think it is stupid and I think it is an embarrassment to all members here.

The biggest embarrassment is the fact that we sit in that crazy committee there in camera - not in camera, privately, nobody else can get in there - and, Mr. Chairman, debate whose expenses can qualify. — (Interjection) — Yes, we have. We have been going through those rules and looking, does this qualify? If the member says the NDP or the P.C. logo is on there, it cannot qualify. Does this qualify? We've changed the rules. Do you know what? We'll be changing it forever. It is, as my colleague for La Verendrye says, a total waste of time. It is Mickey Mouse stuff for a lousy thousand bucks.

If we, as elected members, want to increase our purses or indemnities, let's do it. Let's let the public know we want an extra thousand bucks and cover it in that respect. But to fool around with this Mickey Mouse stuff, the hours that have been spent already on this, Mr. Chairman, the hours that have been spent on this dumb game for a lousy thousand bucks because some members . . . You know we could talk about the expenses that the rural people have or that the urban members have in terms of running offices, depending on what they want to do.

Whatever I have coming in terms of constituency allowance, give me my money, I'll spend it because I happen to run my constituency out of my house and I combine it with my little real estate office there. That is my contact point. That's where people know where to get hold of me.

But to play these kinds of games is foolishness. I have to be very blunt, Mr. Chairman, I think it is the vim of the member there that is handling these Estimates.

**A MEMBER:** That's right.

**MR. A. DRIEDGER:** He's built up a little game here where he plays sort of a major role, for a lousy thousand bucks. What it has done, Mr. Chairman, it opens the door for dishonesty among members, where we are suspect of each other.

I can recall attending a meeting before I was a member on that crazy Commission - and I have to say it that way - where somebody had put in a case of food.

**A MEMBER:** A case of food?

**MR. A. DRIEDGER:** He wanted guidelines as to what could qualify. We've combed through the whole desert of things that could qualify. I think it is stupid.

If we feel we're worth more money, let's pay ourselves more money but not go through the charade of bringing in expenses and little chits and mileage and stuff of that nature. It's dumb as far as I'm concerned and if the members of this House had a chance to vote on it as a whole, I think they would have voted it down except those certain individuals that feel they maybe can abuse the system.

With those comments, Mr. Chairman, I just say that I find this whole thing sickening. I think it is stupid and I would suggest to the Minister to save face for all members in this House, that we should do away with this dumb game that we have here of worrying about little expenses and things that qualify. It's stupid.

I'd rather go back to . . . give me the 1,500 bucks, I'll run my constituency the way I want and I don't have to explain to the Member for Springfield or anybody else on the government side, or to my colleagues how I do it, because if I want to get re-elected, I'll spend the money in the best way I know how. But what we're doing is dumb. The member that has instigated this single-handedly in my mind, manoeuvred it, has now created a big bureaucracy, a big system. It's created an agonizing situation for the Speaker, for the staff that is working with these things. They agonize over what should be approved and what has to come back to the Commission to be approved.

It is a dumb thing and I'll leave it at that, Mr. Chairman.

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

**MR. P. FOX:** Yes, Mr. Chairman. I regret that the Honourable Member for Emerson is so vehement and is using such language in this place. You know, he as a businessman should be the last one to decry being responsible in respect to expenses.

Every firm that operates has some way of verifying what is expended and where it is expended and I'm sure that he runs his business the same way. Now here he wants to use taxpayers money without any accounting. Give me the \$1,000, he says. I think that is silly on his part. He as a businessman should know better than that.

**MR. CHAIRMAN:** Does the Member for Emerson have a point of order?

**MR. A. DRIEDGER:** No, I just wanted to make a comment in reply to the last member's remarks.

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

**MS. M. PHILLIPS:** Thank you, Mr. Chairperson. I guess the first thing I'd like to say is that perhaps it's fortunate that the amount is so small because it matches the minds of the members opposite.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. CHAIRMAN:** Order please. Order please.

**MS. M. PHILLIPS:** Mr. Chairperson, put out some order, please.

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

**MS. M. PHILLIPS:** I'd just like to make it very clear to the member that at the main meeting of the Commission, I was every bit as strong as the members opposite in terms of trying to find out where the delays were and what the problems were in terms of getting the cheques expeditiously.

I think the important factor is being missed by the Member from Emerson. I think that he fails to make the distinction that for the expenses of being an MLA we have, in part of our pay cheques already, the \$10,000 tax-free allowance to take care of the regular expenses of being an MLA. I think he fails to make the distinction between that part of our indemnity and the \$2,500 constituency allowance that is to be used to service our constituency. I don't know how many sessions of the Commission that he has attended, but I think that he must have missed, or maybe is unable to grasp anything that has any principle behind it, which is the fact that when someone got the \$1,500 there was no way of accounting whether that money was being used as it was intended, which was not part of an MLA's pay cheque, but was a separate amount that was to be used for servicing the constituency.

I wonder if he also is too small-minded to be able to grasp the comparison between this particular system and the system in other provinces, where we are dealing

with \$2,500 and other provinces have allowances to operate their constituency offices, to hire staff people - sometimes two and three and four staff people in different provinces - and if, in a very small way in Manitoba, we are saying through this legislation and through this Commission that this allowance is strictly there to provide services to one's constituency, that on that basis he should not be so upset about having to account for that money.

For instance, if in the Minister's offices the staff people, the deputies, etc., the civil servants, when they are claiming expenses, have to put in expense forms in exactly the same way - I don't know whether the Member from Emerson thinks he's in a class unto himself - that civil servants have to be accountable, but he ought not to be. I think that raises some questions as well.

**A MEMBER:** People at home don't vote for the Civil Service.

**MS. M. PHILLIPS:** I think that it's very logical to have that requirement there, to account for the expenses.

I think the other part that's bothering the Member for Emerson and some of the members opposite, is the fact that they don't seem to have the perspective that the work the Commission has done to this point is developing the rules by which those expenses will be claimed. We have not ever discussed the Member from Emerson's expense account, or the Member from Lakeside, or the Member for Kildonan, we've never discussed their expense forms at a personal level. What we've been doing, up to this point, is to jointly develop the guidelines that we will all follow. Once those guidelines have been developed and all the wrinkles ironed out, then I don't think there should be very many holdups with the cheques.

There should be not very many holdups in terms of what's acceptable and what's rejected, and I think that the member, especially having been in government as long as he has, should recognize that those kind of things take time and take effort and energy and experience when you are starting with a new system, to develop what is best for the MLAs in Manitoba and what is acceptable to each side of the House.

I guess I would urge him to develop a little bit of patience and a little bit of co-operation so that those rules will be perceived on both sides of the House as being fair and that the basis for them is extremely legitimate. It's the kind of system that is in many other provinces. Tory provinces in other parts of the country have similar systems, although the dollar amount is extremely high. The Federal House has the same kind of system and the dollar amount per MP is also extremely high, so I think what I'm urging him to do, in consultation with his members, is to look at the principle and help develop the process so that it can work efficiently and effectively. I think the reaction tonight about we should not have to account, we should have this money handed to us to do with as whatever we see fit, I think, to me, is just not acceptable. I totally approve of this system. I have found being on the Commission the last few months extremely frustrating as well, but I think if we work together to develop guidelines that are suitable for rural members and urban



members that, as time goes on, it will become extremely easy for a member to determine whether they make that purchase or they're going to submit that particular expense under their \$2,500 or not.

I would urge, Mr. Chairperson, that unless there are more comments that we pass this particular line.

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

**MR. A. DRIEDGER:** Mr. Chairman, I just want to make a few comments. I'm not here to discuss the economics of being into politics because nobody is ever going to get rich in this game of being a politician.

As far as comparing the Civil Service with ourselves, I'm accountable to my constituency every four years when I face an election. If they feel I'm going to be abusing the system I will not be here again so that, in itself, is good safety valve.

The one thing I want to reply to the Member for Kildonan - that's the only rebuttal I have to the Member for Wolseley - when he suggested that I should be accountable, that I wanted \$1,000 and I didn't want to be accountable for it; not so. I said, I don't want the \$1,000 necessarily, I only want what everybody else wants, but I'd be prepared to accept the \$1,500 and not have to bother with all this Mickey Mouse stuff that we're going through. That's the comments I have.

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

**MR. D. ORCHARD:** Thank you, Mr. Chairman. Mr. Chairman, some of the members opposite, and the Member for Concordia made his first contribution in this Session on the basis of this motion on the members, but he missed the concept of what we were saying. Nobody's arguing about being accountable because my colleague, the MLA for Emerson, just indicated where you're accountable in this game, and that's to the people that elect you. You're accountable every four years.

Mr. Chairman, what we're talking about tonight is the problem that you inherit in the Legislative Assembly when you have an elected individual who got locked out of Cabinet in the first shuffle and had to find something to make himself important. That member took over responsibility and made himself the official government spokesman for The Legislative Assembly Management Act. It was his little ticket to fame in this House, that was before the Premier gave him the nod and brought him into Cabinet to attempt to bail him out of a disastrous situation on the language issue. What happened is we've got a bureaucrat.

**A MEMBER:** Functionary. A third-rate functionary.

**MR. D. ORCHARD:** He's been called a third-rate functionary by some, but I won't give him that honor.

Mr. Chairman, we've got a functionary that was dropped from this Chamber as the Assistance Clerk and then he goes and runs for the New Democrats; he gets elected, and then he gets clobbered by the Premier because he's not in Cabinet, and so he has to develop something to make himself busy and famous. This is what he does, he brings in The Legislative Assembly Act. We told him, and we told anybody that

would listen when we debated this bill, that this was a bureaucratic nightmare. This was a bureaucratic nightmare, the red tape, the jiggery-pokery that was going to go on for members to simply get expenses that theoretically were to be approved under this new system would be horrendous. We saw the kind of twisting and turning and arguing and fighting - all in camera so the press couldn't see it - of how we're going to justify expenses. It seems to me that the way you justify expenses is, if a member of the government has an expense that didn't qualify, you change the rules to make it qualify, and that's happened.

Mr. Chairman, I want to point out my first go with this. I want to make my first go with this. I turned in an expense account which covered two months. There was 21 items on it, and I documented it, and I provided the supporting statements and I got a letter back from the Speaker: 14 of the 21 items were questioned, 14. Now three of the items - I'll admit I was wrong, I'll admit right here I was wrong - three of them were claiming meals. One of them was two tickets to the Chamber of Commerce supper that I was invited to in my constituency. Now, when you're going through the door, you're not going to ask the Secretary of the Chamber of Commerce to give you a receipt for two meal tickets that you've bought so you can turn it into the bureaucrats so they're happy with the fact you've got a receipted dinner ticket. So what I did, I didn't have the receipts, so I dropped the item.

Mr. Chairman, I notice here in May 17, 1984, they changed the rules. Rule No. 5, Constituency Allowance Rules, signed by the Speaker, to add a new section waiving requirement for meal receipts where costs are within limits set by the Civil Service Regulations. So, in other words, I guess I should reclaim for these now because they're legit, but I didn't have the receipts, fine; I'm not playing the game according to the rules so I dropped the claim, no big deal.

But now our friends in the New Democratic Party changed the rules, because they have the majority on the committee. They have the majority, they can change any rule they want. The very interesting part of this, Mr. Chairman, is that we are doing this to replace a \$1,500 allowance which has been there - I don't know, has there been any change in the last 10 years, probably a decade without being changed. Now we've got another \$1,000 that we can play with, but we have to provide the receipts.

Now what did we accomplish by doing all this? Well, No. 1, we give the MLA for Springfield, when he was on the backbench, something to be famous for, something to be responsible for, some nice little commission he could set up and get a bunch of bureaucrats around him so he could look after the welfare of the House, something that was being done quite nicely before under the rules that were in place 10 years with no problem. You know, if we remember back to the earlier discussions of this, \$2,500 is a far cry from what some of the members opposite wanted; they wanted a \$10,000 allowance to get equal with other provinces. If we would have been up to \$10,000, just think of the haggling around the meeting table on that, I mean, we've had problems now with \$2,500.00.

But, Mr. Chairman, I was asked to justify and I provided an ad, and if I can find a copy of the ad I'll read it out to honourable members because this ad



was kind of an interesting one. The ad said, "Public meeting on the French language issue. Donald Orchard, MLA for Pembina, invites your attendance to a meeting to discuss the Provincial Government's amendments on the French language issue. Three meetings, Crystal City, Pilot Mound, Manitou." They give the place, the date and the times. "Everyone welcome, coffee and doughnuts served." Everyone welcome. No mention of my party affiliation, no mention that it was the evil NDP Government that were bringing in the constitutional amendment to the French language issue, nothing like that. A non-partisan ad.

According to this we're supposed to be able to hold meetings, if I can find the rule, ". . . rental of meeting halls for non-partisan public meetings," and I think there's another section down here which deals with advertising of these non-partisan meetings. I got asked by the bureaucrats and the Speaker, as chairman of that, to justify the rule under which I was claiming the ad for a non-partisan public meeting.

Well, I suppose, they had a slow day down there in the Speaker's office, didn't have anything to do, so you know they drag out this and they want me to justify this meeting which, theoretically, was going to overthrow the government, because obviously there's got to be something partisan about this meeting. You know that's what you do when you create a Legislative Assembly Management Act, to do nothing more than we were able to do as individual members before; you create a bunch of bureaucrats that are looking for something to do and a way to justify their jobs, and worse yet, you put a former functionary of the House in charge of it and you've got a real bizarre mess, Mr. Chairman, and that's exactly what we have here.

But you know what I find out from the last meeting that I find extremely interesting? Given the problem I had in justifying my non-partisan ad, because you know you can't have anything in here that's partisan. There's some place in one of the letters and the warnings that says you can't have: "Constituency allowance funds shall be used to enable the member to ensure effective communication links with constituents and serve them better," but, "(b) shall not be used in any way for partisan purposes." Whoa, that's a terrible, frightful thing, these partisan purposes.

Well my ad was not partisan. It was questioned and I find out from my member who attended the last committee meeting, what did some of the NDP members want, what do they now want to do? They want to be able to put NDP, MLA on their business cards and have the taxpayers pay for it through this. They want to have stationary paid for where it says NDP MLA.

Like I said, when the NDP can't claim expenses legitimately in the existing rules, they'll change the rules. They've done it once already because we've got a change where you don't have to provide receipts for your meals, and you'll change it again. What you're going to end up with is your partisan fully paid for political advertising that you wanted in the first place. You're going to fool around and fool around and waste valuable members' time sitting around that committee trying to do something which many on our side of the House don't feel is particularly productive. We'd rather be looking after constituency problems throughout our constituency, but oh no, we're closeted, in camera, discussing the rules of the take for members on this \$2,500 rule now.

There has to be a better use of members' time than sitting around the table deciding whether a case of beans or canned fruit is a legitimate constituency expense. Where will this all end? Where will this all end, when you run into an expense that one of your members have — (Interjection) — My colleague reminds me, in the good old days of Russ Doern as Minister of Government Services, if they come from Morden Fine Foods they would be an allowable expense, but not otherwise.<sup>3</sup>

But you see, Mr. Chairman, the problem in this whole thing - and that's what my colleague, the MLA for Emerson is said - we've created an act where we didn't need one; we've created an allowance where we didn't need one, we had one which was satisfactory; and now we've created additional duties for some functionaries, a former functionary of the House, now an MLA, and a bunch of bureaucrats to chase down expense accounts. Why are we doing it? The system before worked quite well. I didn't hear anybody complaining about it. — (Interjection) — Oh, was somebody complaining about it over there? Oh, the NDP were complaining about it, well that's probably not unusual. But there was nothing the matter with the former system.

Now we've got a bureaucratic maze. We've got forms, we've got justifications, we change the rules - when you can't get an expense item through you change the rules to accept it the next time. It's a bizarre situation and it's created by the functionary from Springfield, who had nothing else to do, wasn't in Cabinet, so he sold his colleagues on this Legislative Assembly Management Act and, naturally, he'd head it up and make it all well for everybody. Well he's got himself his little niche that he had before where he could get the bureaucrats gathered around and get them checking expense accounts and looking for fraudulent expenditures and partisan advertising; he's got all that. Incredible, incredible, and all entirely unnecessary, Mr. Chairman, all an unnecessary workload for the Speaker, all an unnecessary workload for the civil servants, but nevertheless there because the functionary decided he had to do something that appeared to be important, and that's where the whole problem stems from, the functionary from Springfield, trying to get himself credit where he didn't deserve any.

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

**MR. S. ASHTON:** I think, Mr. Chairman, that the extended debate on this should indicate perhaps something, and that perhaps is the importance to individual members of the problems that have developed in the system. I can speak as a government member who has several thousand dollars worth of expense claims presently held up in the system for some of the same sort of reasons that the Member for Pembina outlined earlier. Now we could debate that. I could list the various things that have been held up and go through that quite extensively.

I would just bring one to the member's attention, as I found that rather bizarre, and that was a leaflet I had put out which had no partisan identification whatsoever. In fact some of my NDP supporters in Thompson noted that and said, if you read this leaflet you can't tell what

party you're in. I was told that because it was, "Too political" and "a vote getter," whatever that is, that it was considered partisan and therefore not eligible for funding under this allowance.

Believe you me I . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. S. ASHTON:** We seem to have a bit of a double standard here. Now I didn't particularly appreciate that. Particularly I couldn't figure out . . . I may be new at this compared to some, but I couldn't figure out, how as a politician you could avoid being political and being a vote getter without being a lousy politician. Anyway, I'm pursuing that along with a number of various other things. I am also trying to balance my chequing account to make sure that I don't have too many rubber cheques while I wait for this \$3,000.00. But it does seem to me that there are some ways in which we can solve this problem.

For example, under the previous transportation system there was basically a receiptable system, but also an honour system. I think maybe that's the way we should go.

For example, you claim mileage for automobile travel. You didn't have to show that you'd stopped at three or four gas stations along the way. You just indicated that you travelled on a certain date for X number of miles and that you were doing that on legitimate government business or constituency business. I think that's what we should apply to this principle. We should apply the same principle to some of these allowances.

If we do that, we still have the accountability of having receipts, but we don't have a system right now whereby you have various people being chased down by various accountants - it's getting to the point of harassment. If I get any more notes back from the accounting department, I know I'm going to go through the roof because every note requires three or four different additional receipts, three or four memos and, you know, it is getting somewhat ridiculous. But if we have an honour system, I think that will solve that to a great extent.

Beyond that, it's obvious we have to hammer out some of the rules. Obviously if a leaflet is being rejected because it's too political, I think there's something wrong with that allowance. I think there are ways in which we can solve that. The federal people have had to wrestle with that. They've had to wrestle with it in other provinces. I'm sure we can work that through the system.

The main thing though, is I would hope that we wouldn't get into trying to turn it into either a political thing, because as I said, I've got \$2 or \$3,000 which I'm waiting on right now and it hasn't made much difference whether I'm an NDP member or a Conservative member, they're still chasing after me for receipts. I also stay away from some of the personal stuff, because I think if you talk to members on this side of the House certainly, that we more than supported the proposals which were developed by the Member for Springfield and I think those proposals have significant merit. We are under this system. Once we iron out these bugs, we're going to be able to better service our constituents.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. S. ASHTON:** Well, honourable members opposite can laugh, but I do feel under this present system, we can better serve our constituents. I know it's allowed me to do more things. Unfortunately thus far, I've had to pay out of my own pocket and fight with my bank manager to hold off long enough until I get the money back, but once I get the money to pay off these bills, I think it will be obvious - it certainly is obvious to me - that I can better serve my constituents because of it.

If you look at the kind of things that all members of this House are doing, \$2,500 in comparison to what is happening in other provinces isn't that much, but I'm sure each and every member has been able to do various things they weren't able to do before. I think that's all to the benefit, not of the members, because as I said right now that's costing us, and even if we get the money back it's only a break-even proposition, it doesn't benefit us financially. What it means is we can better service our constituents.

I really give credit to the Member for Springfield rather than run him down. I think the general concept of improving service to our constituents is something that we should all be agreeing to. So I would say, sure there's some frustrations, sure we have to work this out, I've got as much frustration as anybody right now, but to turn this into one of the bigger debates of the Estimates and also to start making personality attacks on various people, I don't think it's going to solve that.

What's going to solve it is just some level-headed thinking and a little less concentration on having to have everything hammered down in the rules. I think we can accept that members of this House can operate on an honour system; that members can be trusted to submit receipts and itemized expenditures without providing a receipt for every time they fill up their car with gas or anything of that nature. I think the key to solving the problem is an honour system. I would suggest that we make suggestions such as that and move on to some of the other areas.

**MR. DEPUTY CHAIRMAN, S. Ashton:** The Member for Morris.

**MR. C. MANNES:** Thank you, Mr. Chairman. Well, that was just the most interesting testimony I heard from the Member for Thompson. If there ever was a litany of contradictions, that was it.

The member on one hand indicates some of his concerns and yet he heaps praise upon the Minister who brought it in. On one hand he's asking for rules and on the other hand he's asking for the honour system, so I don't know quite where the member stands.

He made one interesting comment, that he could do more things with his own money if this was paid out and maybe in another opportunity he might like to clarify exactly what he had on his mind. Of course, I can see why the member in question is reluctant to throw too many knives in the direction of the Minister. He also indicates he hasn't been paid yet, so obviously he has some concerns in that regard.

Mr. Chairman, I find it rather odd that we are spending so much time - and I suppose tonight is a culmination

of the countless hours that have been spent in committee dealing with this and wrestling with this particular subject - and I agree with those who suggest that this has to be the lowest priority for consideration by MLA's, because when one looks at all the problems that we have in all the areas of major legislation that we have dealt with over the first two or three years - and no doubt will continue to deal with over the next two as long as this group is in government - there is obviously no doubt this is of the lowest priority.

The Member for Wolseley says that we're going through some growing pains. It's a difficult time that we have to develop guidelines. Of course, that can be rephrased as developing very specific rules and I however, would argue with that particular member. She seems to indicate that once we're through this period that we won't have to consider new areas of spending.

Well, Mr. Chairman, I find that notion rather a little bit naive, because indeed there will always be clarification required in many many areas of expenditure. Every year there will be decisions that will have to be reached by this committee regarding expenditures that come forward from the members. I won't relate the number of areas that I claimed for, but I will relate one, Mr. Chairman.

It had to do with a Christmas message that I put into the — (Interjection) — you had that one. The Member for Flin Flon says he had that one. I don't know if by that he means he had a similar one or whether he reviewed mine specifically. But, Mr. Chairman, I put in a request for a Christmas message in the one little newspaper that I have within my constituency. I also included with that a thank-you message for the support that I had received from some of my constituents regarding the leadership campaign through the fall of 1983.

Well now, obviously I should have known better but, Mr. Chairman, no reference was made whatsoever to the party - none whatsoever, Mr. Chairman - and of course . . .

**A MEMBER:** It could have been the Liberals.

**MR. C. MANNES:** Well, Mr. Chairman, obviously the members opposite find this very interesting.

Mr. Chairman, there will be a number of combinations of these types of situations that are going to come to the fore, year after year after year, and fine, the committee or the bureaucrats or the civil servants ruled that, in fact, that was not acceptable. I live with it. But the point being for the Member for Wolseley to say that the growing pains that we are going through this year, once we have in fact covered them off, once we have dealt with all the problems as they continue, or they are in existence at this time, there will be no difficulties in years to come. We realize that just isn't the case.

I also remember some of the comments made by the House Leader last year, and if I can recollect he indicated, or at least left the inference, that expenditures would fall. The comment was made that not all MLAs required the basic \$1,500.00. Inference was made that many of us and, of course, we didn't know who specifically they were, but that many MLAs were not using or did not require the total \$1,500 maximum that was granted to them.

I guess I almost could have agreed with the Minister at the time, but the exercise that the new legislation forced us all to go through has been most enlightening, I'm sure, to a great number of us, because for the first time, certainly in the few brief years that I have been here, and I'm sure in the first time ever for some of the veterans, they no doubt went through a detailed account of really what they did spend. I can tell the House that in reviewing in detail my activities that next year, I, for instance, will have no difficulty in finding receipts for \$4,000, absolutely no difficulty at all. So where is this claim? Where is this claim made by the government spokesman of the Day when he was guiding this legislation through the House, that, in fact, expenditures as a total under this appropriation would fall? I'm wondering today if the Minister can tell us what the total claim was from the 57 members. Indeed, did it average out close to \$2,500.00? Did it average out to \$2,400.00? Well, I'm willing to bet a fair nickel that it did, Mr. Chairman.

So, in other words, through all the rules, and through all the arguments used by this particular Minister, indeed, it's costing the province and the people of this province an additional \$57,000.00. That was the claim made by many of our members in Committee and in the House at the time. I think we're being proven correct, Mr. Chairman.

So, I suppose I ask the rhetorical question, what has been accomplished? Absolutely nothing in my view. I think that if we were wise, we would direct our scarce energies and time allocations to other pressing matters, go back to the old system and not deal with it at all.

**MR. DEPUTY CHAIRMAN:** The Member for Turtle Mountain.

**MR. B. RANSOM:** I believe that what we have seen here with The Legislative Management Act and all the bureaucracy that has followed from it is proof of that old solid standby guideline, that unless it is imperative that something be changed, it is imperative that it not be changed.

**MR. DEPUTY CHAIRMAN:** The Member for River East.

**MR. P. EYLER:** Thank you, I'd just like to offer a short observation, Mr. Chairman.

This afternoon, we passed a few hundred million dollars in Estimates for the Department of Finance in an hour and a half, and this evening the opposition is going to spend the whole night talking about constituency allowances and the accountability problems involved. You know, I think if the Member for Charleswood were still sitting in this House and still leading his party, he would have come here tonight and given us a 20-minute tantrum and that would have been the end of it. Instead, we have wanderings in the wilderness from the opposition. I think nothing can more solidly illustrate the total lack of any focus of their opposition than their attendance here tonight to complain about meal chits, gas receipts, ads, Christmas greetings. It really baffles me.

The Member for Morris has just sat down and said we really should redirect our efforts toward something more meaningful, our scarce resources. Well, I think

that nothing can indicate more than tonight the fact that he can't even practice what he preaches.

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

**MS. M. PHILLIPS:** Thank you, Mr. Chairperson. I just wanted to make a couple of short comments.

I think the Member for Morris misinterpreted what I said. In fact, I was quite astounded at being referred to as perhaps a bit naive. I haven't been referred to as naive for several years.

**A MEMBER:** How many years, Myrna?

**MS. M. PHILLIPS:** About 50. In fact, I don't think I was trying to imply that all would always go smoothly.

But I think that members opposite should take into account that this is something new that we're starting and developing these rules from scratch, that there are a wide variety of rules and that, frankly, on the the committee, I have been quite pleased with the way the committee has been working as a whole. Many meetings, there has been common agreement on both sides about adjusting this rule or that one or including another one, or bringing issues from respective caucuses that have shown that a rule needs to be developed further.

I think he has to take into account that we have been developing the whole list of rules and trying to deal in the first year with that whole broad list. I think that's a lot different than as years go by where experience shows that there should be an adjustment here and an addition here. I am not naive enough to think that we will ever get a list that is complete and static, that it will be by the nature of our responsibilities in our constituency and the needs that are brought forward from our constituency in terms of supplying service, that adjustments will have to be made as time goes on. I think that on the whole, the experience on the committee in developing the rules has been valuable and for the most part has been working fairly well.

I think I feel as frustrated as the members opposite about the time frame and the delay and the problem in getting those accounts settled. I think that is something the Commission has been dealing with, with the speaker who is responsible for approving those and for coming back to the Commission with questions for the Commission to make general decisions in terms of the guidelines that he and the accounting branch can then use.

The first form that I filled in I sent in a claim for the printing of my non-partisan business card, and did not send a copy of the card, so that held it up. When those kind of things are not attached and until you learn what you have to supply and what is necessary to get it through the system, we're going to run into that kind of problem.

I think on the whole, the participation from the members of the opposition on the Commission has been very valuable and, I think, they have accurately reflected some of the frustrations and brought to the meetings concerns that members opposite have about the special needs, for instance, in rural areas versus the needs of city areas and the developmental process is coming along. I hope that it continues in that spirit

and that we will get most of the problems ironed out, specifically, the bureaucratic problems about getting the forms processed through the system.

**MR. DEPUTY CHAIRMAN:** The Member for Sturgeon Creek.

**MR. F. JOHNSTON:** Mr. Chairman, just the comments from the Member for River East. I don't know whether he knows the process or not - I guess he should when he's Chairman - but that happens to be what we're discussing tonight, not this afternoon. Also, to get out of the Chair to tell us that we shouldn't be spending this long on it doesn't seem appropriate to me.

Mr. Chairman, the Member for Morris was absolutely right that we increased the costs \$57,000.00. We all would spend more than \$1,500 probably within our constituency during a year. As a city member, I know I spent money on gasoline in my constituency and I regarded the expenses that I received as funds to take care of that. But, Mr. Chairman, what have we done with this?

Then we get one, and I know that the committee talks about these things and comes to agreement, but mileage allowance at rates applicable to Civil Service for travel within the province related to member's constituency. But then it says, "meals and accommodation costs incurred in the course of travel within the province related to the member's constituency at rates applicable." That means, I can travel all over the province and say I'm on constituency business.

The hospitality, consisting of food, may be included in bulk purchases providing claims for such items, and including details, the reasons for such purposes. Aren't we just getting a little bit silly? You know, really there's enough rules here to cover practically going to Nova Scotia and if you can keep it under \$2,500 you could do it practically. That's just about the way it runs.

Now we have a new one that I got on the 17th. It says, where a member claimed an expenditure not exceeding \$100, and is unable to provide a receipt, that member shall provide a statutory declaration to support his or her claims. If he can't provide a receipt, my goodness, that's just really out of the question. "Where a member claims an expenditure exceeding \$100 and is unable to provide a receipt to support his or her claim the Speaker shall refer the claim, etc."

There is nothing we can't do inside this set of rules. We have a Legislative Assembly Act that says that members must not do anything that would be wrong in principle, and we can be held account for that.

So, Mr. Chairman, all we did was increase it by \$1,000, create a lot of unnecessary work for people within the province. There's been a lot of mention here about the bureaucrats tonight. It isn't the bureaucrats that have been making this set of rules, it's this government on this side that, all of a sudden, decided they wanted to have some extra money within this expense account and, in order to do it, they said, well, you got \$1,500 without any accountability, now you can have \$2,500 with. They give you a list of things that says you can do anything.

Really, furniture, bulk food, everything. Now that really does make the decisions of the Committee of the

Legislature look pretty silly. Quite frankly we, as legislators, and I include myself on that, we're not here to make ourselves look silly, or silly to the people out there, by creating a situation such as we've created by doing this the way we have done it.

Mr. Chairman, I heard the member say that we didn't need any help from the government. No, we don't need any help being made look silly, I'll accept the \$1,500 and if it costs me 5,000 to be an MLA, I'll pay it.

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

**MR. H. ENNS:** Mr. Chairman, we're dealing with Resolution 3, Item (a) Constituency Allowances. Mr. Chairman, as my colleague, the Member for Morris pointed out, just by coincidence, the allowance is for \$142,500 which is exactly 57 X \$2,500.00. The Member for Concordia talks about dealing with this manner in a businesslike way with receipts. No, that's not what we're talking about; we have simply increased the amount and have gone through a lot of bureaucratic nonsense.

Mr. Chairman, I, therefore, move that we delete this amount of \$142,500 from these Estimates and charge the government to replace them with the original \$1,500 that was the allowable expense for members, without going through with this nonsense that we've just been through.

**MR. DEPUTY CHAIRMAN:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Chairman, I would point out, by way of a point of order, that the amount appropriated in these Estimates is statutory. We have not yet reached the resolutions that have to be voted. This is provided for in the legislation; the amount required to be appropriated on a statutory basis is 2,500 X 57. That's the amount that is shown in the Estimates book.

If the member wishes to change that, sir, he cannot do so by way of a motion here because this item is not to be voted in committee. He would have to bring in a bill to amend The Legislative Assembly Act. That bill, sir, would not be within his purview because to reduce expenditure in the act which requires that kind of authority, I believe - you could consult with the Clerk - but I would believe, at first glance, that that bill, sir, would require a motion by a member of the Executive Council.

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

**MR. H. ENNS:** I'm quite aware that I need a message from Her Honour if I was going to call for any expenditure of the public purse, but it has been done quite frequently at committee stage, in any set of Estimates - Agriculture, Highways - we move to reduce the Minister's Salary. I'm simply moving now, sir, to reduce by \$142,500 of this set of Estimates under the appropriate line that we are now talking with and I ask the question to put.

**HON. A. ANSTETT:** Mr. Chairman, still to the same point of order. I do not believe the motion is in order. It requires an amendment to The Legislative Assembly

Act. The provision in the Estimates is statutory, there is no discretion. The Assembly has given its voice to an amendment to The Legislative Assembly Act in Bill 55 last year. The item does not even require a vote. We discuss this item each year in Estimates for the information of members, but the only votes and, therefore, the only opportunity for amendment begin at the first resolution. The statutory expenses, sir, are not amendable in committee under our rules. They are amendable only by the provision of a bill to amend the statutory authority.

**MR. H. ENNS:** I regret to indicate to you that I'm at odds with the Government House Leader and I ask you for a ruling, sir.

### CHAIRMAN'S RULING

**MR. DEPUTY CHAIRMAN:** The item we're discussing under Legislation No. 3 Members Allowance is specifically notated as statutory. It would be my ruling that it would not be in order to move an amendment because it would conflict with the statutory nature of that particular resolution.

**MR. H. ENNS:** With respect, Mr. Chairman, I challenge your ruling.

**MR. DEPUTY CHAIRMAN:** Shall the ruling of the Chair be sustained? All those in favour. All those opposed. In my opinion the ayes have it.

**MR. H. ENNS:** Ayes and nays, Mr. Chairman.

**MR. DEPUTY CHAIRMAN:** Call in the members.

The motion before the committee is shall the ruling of the Chair be sustained?

**A COUNTED VOTE** was taken, the result being as follows:

Yeas 25; Nays 17

**MR. DEPUTY CHAIRMAN:** The motion before the House to sustain the Chair has been passed.

Committee can now divide again. The Committee can return to two sessions.

The item before the committee in the House is Item 3.(a) Constituency Allowance - The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Chairman, if honourable members have completed their contributions to discussion on this statutory item I would like to reply to some of the discussion, sir.

The Member for Lakeside started off the discussion with reference to members' salaries and the Legislative Assembly Estimates being only a very small fraction of the Estimates of the Assembly, 1/5 of 1 percent. But, sir, the portion that deals with members' allowances, pensions and indemnities, sir, is probably much closer 1/5 of 1/100 of 1 percent, because the bulk of the Estimates deal very directly in the largest part with the Provincial Auditor and other items.

Sir, I said to the Honourable Member for Lakeside that I didn't find discussion on this type of item in any

way distasteful. I live to withdraw those words, sir, only an hour and a half later, because certainly the level to which the discussion degenerated in the last hour I did find distasteful, including personality attacks and personal smear and allegations against staff of the House and descriptions of the bureaucratic boondoggle in which they are engaged. I find that offensive, and I certainly reject any aspersions cast on House staff or House officers.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**HON. A. ANSTETT:** Attacked personally by you, yeah, by you.

**MR. CHAIRMAN, P. EYLER:** Order please, order please.

**HON. A. ANSTETT:** Mr. Chairman, the comments of the Honourable Member for Sturgeon Creek during debate, I will reply to. Those from his seat, I don't find worthy of comment.

Mr. Chairman, the Member for Virden talked about the requirement for open meetings. As he is aware, that is an item on the agenda before the Commission. The Commission has never agreed, nor did the Assembly in the Statutes setting up the Commission last year, agree that meetings would be in camera.

The member also talked about no discussion of the transition period. Mr. Chairman, there was discussion both public and private of that last year, and that was raised in debate on the bill, just to set the record straight so the member is aware that discussion did occur in this Chamber last August.

Mr. Chairman, the Member for Emerson talked about the Commission approving accounts. I remind the member, who has been at some Commission meetings, that the Commission has not yet and will not directly approve accounts. The Speaker has been asked to bring problems to the Commission, if there are any. He has not yet done so on an individual basis, and at no time has any member's name been attached to any account the Speaker has raised as a question with the Commission in terms of interpretation of the rules. The member is wrong on that.

The member suggested that meal receipts are required, and that he would have to ask for receipts when he has a meal in his constituency. Sir, there is no such requirement. The requirement is that, if the member engages in hospitality, entertaining others, he has to provide a receipt. Those are the same rules provided for civil servants. All of those members opposite who were members of the Executive Council have had some experience in filing those kinds of accounts, and know that without that kind of supporting evidence their accounts would not have been approved when they were members of the Executive Council. I find it amazing that they can't accept those same rules for themselves now that they have changed position.

Mr. Chairman, the Member for Emerson talked about the development of a big bureaucracy. There has not been one additional staffer hired. Perhaps members opposite who have been spending two hours expressing concern about the delay in their getting their cheques should perhaps be recommending, when we get to other Assembly expenditures, that additional

staff be provided so those accounts could be processed more quickly. But for the Member for Emerson to talk about a big bureaucracy, when the existing staff has been handling everything and putting in a lot of extra time to do it, is certainly a misrepresentation of what is actually happening. I believe the member knows that.

Mr. Chairman, the Member for Emerson is a businessman who has to keep track of his mileage for income tax purposes for his own expenses in terms of personal business. Now he finds it offensive that he has to look at a map to determine the mileage from Grunthal to Sprague? Mr. Chairman, I've never heard of anything so preposterous.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. CHAIRMAN:** Order please, order please.

**HON. A. ANSTETT:** Mr. Chairman, the Member for Emerson suggested that keeping track of his mileage was in some way demeaning to him as an MLA. I pointed out to him and I point out to the Member for Sturgeon Creek that the Member for Emerson has been in business and may still be in business, and in a business in which he will be charging his expenses against his income.

**MR. CHAIRMAN:** Order please, order please. Order please.

I would like to remind the Member for Sturgeon Creek that when order is called for, it is not the part of members in this committee to then make disparaging comments to the Chairman — (Interjection) — order.

If the Member for Sturgeon Creek wishes to challenge the Chair, I'm sure he knows the way — (Interjection) — then I would ask you not to interrupt the proceedings of this committee further.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Chairman. Mr. Chairman, the Member for Emerson also complained that the last meeting of the Commission was called on short notice, sir. I would remind him that, according to the Clerk, the notice of that meeting was confirmed with the Opposition House Leader and the attendance of the Member for La Verendrye was confirmed by that member himself on the Thursday prior to the meeting. My understanding is that the Chairman of the Opposition Caucus is advised and his concurrence requested in the scheduling of meetings, as I am advised with regard to the availability of members on this side. So the suggestion, sir, that those meetings have not in any way been properly scheduled is an unfair reflection on the Chairman of that Commission, our Speaker, sir, and I know that he has scheduled meetings to accommodate all members.

Mr. Chairman, the member opposite suggests that there shouldn't be any accountability for expenses, the Member for Emerson. In fact, he said in speaking of his constituents, "If they feel I am abusing the system, I won't be here anymore." So, Mr. Chairman, the member is advocating that over a period of four years the member has \$6,000 of constituency allowance expenses, \$1,500-a-year times four, be totally non-accountable. He expects his constituents to judge him



on the basis of his expenditure or non-expenditure of that \$6,000.00.

By framing it that way, I'm sure the Member for Emerson realizes how preposterous that suggestion is that that kind of accountability works, and that member's constituents actually vote on the basis of that kind of accountability. I am suggesting that the existing, previous system was inadequate, and that's why it was changed.

The Member for Pembina made some comments on the existing rules beyond his personal smears directed at myself which I find beneath contempt, Mr. Chairman, to which I will not respond. He also suggested that if the rules are changed . . .

**A MEMBER:** He's one of the few on this side that likes you, Andy.

**HON. A. ANSTETT:** Mr. Chairman, the Member for Pembina suggested that, if the rules didn't accommodate a government member's account, the rules would then be changed to accommodate that account. He then proceeded to complain that a particular account that he had submitted wasn't approved but now, since the rules were changed, he could now resubmit.

Well, as I said earlier, Mr. Chairman, the Commission was never advised as to whose account created the problem, only that a particular problem had occurred. Mr. Chairman, I can only draw the conclusion, now that the Member for Pembina has revealed himself to the House, that the rules were changed to accommodate his problem. What a preposterous suggestion the member makes when he suggests the rules are changed to accommodate any particular member or any particular side of the House.

Mr. Chairman, another interesting point that should be made in response to the remarks of the Member for Pembina is that all decisions to date in the Legislative Assembly Management Commission have been made on a strictly non-partisan basis without a single vote and that, where we could not arrive at consensus, no decision was taken. That occurred at the very last meeting with regard to certain items. We agreed not to make a change in the rules, because we could not have consensus. If members opposite have a grievance, they should direct it at all members of the Commission who unanimously made all decisions to date without a single vote, including three members opposite who sit on that Commission. I'm sure those three members will be pleased to read of the personal attacks indulged in by their colleagues here tonight.

**A MEMBER:** They don't have to read them, they'll be told.

**HON. A. ANSTETT:** For the Member for Thompson, I can only comment that at no time were gas receipts required to account for personal mileage and the honourable member knows that changes were made in the legislation last year at the same time the constituency allowance changes were made to allow members who travel by other than personal vehicle mileage, to submit accounts for that travel whether it be by air or bus or special charter, which was a particular

accommodation for those whose travel is over a much longer distance than those who live within easy commuting distance of the city. Certainly the Member for Thompson was one of those who benefitted from that change.

The Member for Morris, Mr. Chairman, in his contribution to the debate, implied - and I trust he was not being serious in the implication and I assumed that at the time or I would have risen, sir, on a matter of privilege - that members on this side of the House are restrained in their comments and criticism on the constituency service allowance because they have outstanding cheques yet to be received. Mr. Chairman, if the honourable member honestly believes that, I would appreciate his rising to his feet and making that allegation here in the committee less than facetiously, because that is an allegation against the integrity of all of the staff involved in processing those accounts.

Mr. Chairman, I don't believe that the member meant that. I'll assume he didn't unless he rises to tell me he did but that's a reflection more on his integrity than it is on anyone else's if he's prepared to make those kinds of irresponsible statements.

Well, the honourable member says things in debate in this Chamber and now from his seat says, don't take me seriously. Mr. Chairman, I'm prepared to forget it then, but the member will have to tell me from now on when he wants me to take him seriously and when he's speaking tongue-in-cheek whenever he speaks in this Chamber.

Mr. Chairman, the Honourable Member for Morris complained that he sent out a Christmas card that was non-partisan. Well, it just had this little kicker on the end that thanked people for supporting him.

**MR. C. MANNESS:** Now, I wasn't complaining. Use the right verb.

**HON. A. ANSTETT:** Oh, the member grieved, the member raised with the House during discussion of the constituency allowance Estimates, when he was complaining about the provision, but didn't complain, just offered a bit of corollary evidence that one of his accounts didn't get approved because he thanked his constituents for supporting him in a leadership campaign, which of course, was non-partisan.

Mr. Chairman, without commenting on the member's success or lack of it in that leadership campaign, I have to say that there is no one in this House who would agree with him that his participation in the Progressive Conservative leadership race last fall was non-partisan.

Mr. Chairman, the Member for Morris also suggested that the bureaucrats are making all kinds of rulings. It's not the case. They are interpreting the rules, but were there any questions at all, those who were referred to Mr. Speaker and under the act and under the Commission guidelines, that's where they are appropriately referred.

The Member for Sturgeon Creek reflected on the no-receipt rule which was placed in the rules within the last month, particularly to accommodate a concern that some members may have lost or misplaced receipts and no provision was there for it. We don't know where that request came from. It came from Mr. Speaker, but we don't know whether it was in regard to a member



of the opposition or a member of the government, and we didn't ask. But certainly the rule is designed to ensure that it cannot be abused and was particularly framed that way after discussion with members on both sides.

The Member for Sturgeon Creek and others talked about bulk food. Mr. Chairman, I have no knowledge of a request for a bulk food purchase that was approved by the Commission. If a member did submit such an account and the Speaker turned that down, that would have had to be justified and the Commission would have had to deal with that. I don't recall that being passed by the Commission.

Mr. Chairman, neither the Commission, nor Mr. Speaker, nor the Commission's staff who handle these accounts are responsible for what members submit. That is up to the judgment of the individual member as to what accounts they will submit. The judgment that is up to the Speaker, the Commission and staff is which ones will be approved in the context of the rules that members on both sides of the House establish.

Having said all of that, I would be the first to concede that there have been problems. It's a new system designed to assist members in serving their constituents.

The Member for, I believe it was Morris, suggested that last year we postulated that there would be a reduction in the total expenditures. There was no such postulation, sir. What was suggested was that some members would spend the full 2,500, others would spend less than that, perhaps less than the 1,500 non-accountable allowance and that, sir, we could not therefore project whether there would be an actual increase of \$57,000 or a decrease. But at no time did anyone predict a decrease. We said we could not know whether the full \$57,000 would be fully utilized or whether some members would use less than the original 1,500. Because that could not be projected, no estimate was made in debate by members on this side. I've reviewed the debate and there was no suggestion that there would be a reduction. If it was postulated it could go either way.

Mr. Chairman, I believe members opposite have raised some legitimate concerns regarding the process. Their members as well as members on this side who serve on the Management Commission, have been attempting to address those concerns and staff have been diligent in attempting to process accounts as swiftly as possible. I think it's terribly unfair of honourable members opposite, who now want to see this item passed, having vented their spleens for an hour and a half in abuse at bureaucrats, in abuse at the establishment of the system, now don't want replies to the arguments they've made. Clearly any change requires a period of transition, requires the establishment of rules, requires guidelines that will take time to evolve. I have faith in the system, I have faith in the people who are responsible for implementing it and I'm sure it will be successful in the long run.

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

**MR. J. DOWNEY:** Mr. Chairman, I would have thought that the Minister would want to see this item passed

without any further debate on it, however, he had to motivate to get up and make his comments.

Mr. Chairman, I'll be very brief. It would appear that we had what was, I would consider a reasonable system, until the Government House Leader got involved to try to split hairs and fine tune something that is almost impossible to fine tune to the way in which he feels.

I had the opportunity of sitting in on one of the committee meetings and I know that the Speaker was frustrated and I know that every committee member was frustrated. It came to the point where the government members on the committee almost came to blows at certain times, I'm sure. Mr. Chairman, I really question what we have done with this whole approach. I really don't know what the objective is, because when you put a maximum of \$2,500 up front, then what are the members supposed to do? He says it's to better serve your constituency. Well, given that kind of reasoning, Mr. Chairman, if you didn't use the full \$2,500, you'd be considered as not serving your constituency as well as the next person, so that explanation alone would be an initiative or be a need for each member to try and maximize the expenditure. The very reasoning that he gave us, he said that it now would allow for better representation and better service to your constituents. I'm saying, Mr. Chairman, if you don't use the maximum amount of money, then it's saying that you aren't doing the same job as the person that is using the full \$2,500.00. That's really what he's saying, Mr. Chairman, that's the argument he just made.

He's now got a screwed-up look on his face, Mr. Chairman. That's the argument he just made and I'd ask him to read Hansard. He said, the change was to give the members a better opportunity to better serve their constituents.

Well, that being the case, Mr. Chairman, the person who uses the maximum amount of money, in my estimation, from what he has said, has served the constituency better. So that's the incentive for everyone to use it, Mr. Chairman. We were quite satisfied the way it was, Mr. Chairman.

I have some other comments to make which I'll make a little further on in these Estimates and we'll conclude with that, Mr. Chairman.

**MR. CHAIRMAN:** (Items 3.(a) to 3.(g) were each read and passed)

3.(h) - the Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Chairman, we go through these items to allow members to ask questions and to engage in discussion, but they are not required to be passed by the committee because they are statutory.

Mr. Chairman, if members have no further questions on Item 3 we could, since it does not have to be voted, move to the first resolution that has to be voted on the next page. But if members do have questions, I'm prepared to entertain those questions, but these items do not have to be formally passed by the committee.

**MR. CHAIRMAN:** The Member for Pembina - 3.(h).

**MR. D. ORCHARD:** Thank you, Mr. Chairman. I would like to ask the Minister, has the Deputy Speaker used his expense allowance?

**MR. CHAIRMAN:** Mr. Minister.

**HON. A. ANSTETT:** No, Mr. Chairman. However, I was going to propose, after some consultation with the Opposition House Leader, since I don't believe that item has been used in recent years, subject to correction, I don't believe it has.

The Director of Administration advises he is not sure that it's ever been used. I believe the Member for Logan, Bill Jenkins, as Deputy Chair used in the mid-70s to help fund the Speaker's reception at that time. But the Member for Lakeside made a suggestion that dates from the '60s, in that the Members of the Assembly used to get together at the end of the Session and hold a wake for the Session, rather than holding two separate parties in their caucus rooms which you've been doing for the last dozen or so years.

I was going to suggest to the Opposition House Leader, since he raised this question with me and asked me to consider whether or not it was desirable, I was going to suggest to him that if his caucus was agreeable, and our caucus was agreeable, we might impose on the Deputy Speaker to host that wake out of his expense allowance.

So, although it hasn't been used in the immediate past, with the agreement of the two House Leaders, we might be able to impose on the Deputy Speaker to use it this year. But that's subject to continuing discussions on the suggestion made by the Opposition House Leader just about a week ago I think.

**MR. CHAIRMAN:** The Opposition House Leader.

**MR. H. ENNS:** I want to simply put on the record that, indeed, there was a tradition back in the good old days to hold a wake. I also want to leave on the record that would have never occurred if the slightest suggestion, bearing in mind that this dates back to D.L. Campbell's time, and even that progressive leader of Duff Roblin, that wake would have never been held if there would have been any suggestion of public monies to be used for that wake. We enjoyed our wake and our party. I'm afraid if we held a wake at this time, it would indeed be a wake. It was done at the Empire Hotel, as I recall.

**HON. A. ANSTETT:** Mr. Chairman, in view of the comments of the Member for Lakeside, I withdraw the suggestion. It was made only in the spirit in which I understood him to have made the suggestion last week.

Mr. Chairman, so the bottom line, in answer to the Member for Pembina's question, is that the Deputy Speaker's allowance has not been used since sometime in the mid-70s.

**MR. CHAIRMAN:** 3.(h)—pass; Item 4.(a) Leader of the Official Opposition Party—pass; 4.(c) Salaries—pass; 4.(d)—pass; 4.(e)—pass; 4.(f)—pass.

Resolution 1: Resolved that there be granted to Her Majesty a sum not exceeding \$1,375,100 for Legislation, Other Assembly Expenditures for the fiscal year ending the 31st day of March, 1985—pass.

Item 5.(a) Provincial Auditor's Office, Salaries - the Member for Arthur.

**MR. J. DOWNEY:** Mr. Chairman, I would just like to ask the Minister and, at the same time, say that I would

think that we, as the opposition, are sorry that we're losing the current Provincial Auditor. Bill Ziprick, I understand, is retiring.

The question that I have, Mr. Chairman, is how much extra activity or work did the Provincial Auditor have to perform or carry out with the investigations into McKenzie Seeds and other, what appeared to be, inappropriate actions by government agencies or individuals involved in government? What additional workload did he carry on as far as those particular activities are concerned?

**HON. A. ANSTETT:** In answer to the Member for Arthur's question, there has been perhaps a little more special audit work this year than in normal other years, but there is normally special requests for special audits of particular things in any given year. The Provincial Auditor has been able to accommodate that within his existing staffing and budgetary allocation as proved by the Assembly. He has indicated that, if the little more activity that there has been during the last year were to continue on an ongoing basis, he might need some additional help but he doesn't anticipate that at the present time.

**MR. J. DOWNEY:** Mr. Chairman, the Minister wasn't very definitive. I made reference to - certainly the one about McKenzie Seeds and we know there was knowledge of the one dealing with the provision of computer services I believe it was - how many are there in that category of questionable activities I know have been raised by the opposition. I make reference specifically to McKenzie, are there others? How many extra activities of that nature was the Auditor involved in this past year?

**HON. A. ANSTETT:** Mr. Chairman, I'm advised that the only special audit activities in which the auditor was engaged during the last year that were of any significance was the McKenzie Seed audit. All the others were relatively minor.

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

**MR. C. MANNES:** A question to the Minister. Did one of those relative minor audits involve the Brandon University?

**HON. A. ANSTETT:** No, the University of Brandon work that was done by the Provincial Auditor is part of his ongoing audit responsibilities and is a regular activity, so the auditing that was done there, to which the member refers, would have been done in any course.

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

**MR. J. DOWNEY:** Mr. Chairman, I said it before Mr. Ziprick came in. All I would like to say is that we wish him a happy retirement.

**MR. DEPUTY CHAIRMAN:** 5.(a)—pass; 5.(b)—pass.

Resolution No. 2: Resolved that there be granted to Her Majesty a sum not exceeding \$2,296,800 for Legislation, Provincial Auditor's Office, for the fiscal year ending the 31st day of March, 1985—pass.

Item 6.(a) Ombudsman, Salaries—pass; Item 6.(b)—pass.

Resolution No. 3: Resolved that there be granted to Her Majesty a sum not exceeding \$306,100 for Legislation, Ombudsman, for the fiscal year ending the 31st day of March, 1985—pass.

Item 7.(a) Electoral Office, Salaries - the Member for Arthur.

**MR. J. DOWNEY:** Mr. Chairman, I'm interested to know at what particular point we're at as far as the review of the electoral boundaries are concerned. I know it's by statute, I believe, that it has to be reviewed every 10 years. The last review took place - I may be incorrect in this - prior to 1981, and I guess as well I should know this, who currently are sitting on the Electoral Boundaries Commission to take a look at the boundaries the next time up? And is there any intent by this government to look at changing the whole process of looking at the electoral boundaries' business?

**HON. A. ANSTETT:** Mr. Chairman, the boundary changes are examined decennially by The Electoral Divisions Boundaries Act. That Act came into force prior to 1957. The first redistribution done was in 1957, subsequently 1968, 78. The next one is due in 1988.

It is done by an independent commission consisting of the Chief Electoral Officer who is here with us in the House, the Chief Justice of the Province and the President of the University of Manitoba. That's in accordance with legislation established by the Campbell Government in the mid 50s and that legislation has been retained and followed by successive governments, although changes were made, I believe, by the Weir Government with respect to the formula, the composition of the commission, the hearings, the items to be taken into consideration in establishing boundaries, haven't been changed since 1957. There was a 7-4 formula in place from 1957 to 1967 and that was removed by the Weir Government of that day.

The government has not proposed any changes to the formula or to the Boundaries Commission Act. However, the Commission itself did recommend that the government in its report in 1978, give consideration to two things: 1, an increase in the number of members to 60 because of the input, since there are 60 seats in the Chamber; and since the redistribution both in 1968 and 1978 had decreased rural representation in favour of urban, basically City of Winnipeg representation, it was felt that this continuing decline in rural seats and the continuing enlargement of the territory served by rural members would be detrimental to effective constituency service. The Commission of that day, which involved Dr. Ralph Campbell, Justice Sam Freedman and the late Jack Reeves, made that recommendation.

They in addition, recommended that consideration be given to a lowering of the plus or minus 25 percent tolerance, if the House was expanded - but only if it was expanded - to ensure that there would not be a diminution in the number of rural seats. So those recommendations were made. Neither the Government of the Day, the government in which the Member for Arthur served, nor the present government, has seen

fit to act on either of them and I believe there is sufficient time between now and 1988 to consider whether or not those recommendations should be acted upon. It has not been discussed by our government to date.

**MR. J. DOWNEY:** Well, I raised the issue, Mr. Chairman, because we've seen somewhat of a shift in the population to our urban centres and I am concerned that if this trend were to continue that there would be difficulty for a proper representation. I know that the expansion of the area in which I have to represent and I am certainly happy with the area that I have, but it's an extremely large land area and a lot of miles to cover. I would not want to see the formula base changed, but I do think that there would be need to not see the constituencies get larger, but to maintain the kind of rural representation that we can, I think, effectively handle.

I do not want to see us get into what we see in Eastern Canada, or Central Canada-Western Canada situation, where the City of Winnipeg and the rural get off balance. I think the more even balance it is, the better off the people in the province would be served and the less problems that would be created between the two different segments of society, if I could put it in that way.

So I wanted the Minister's comments on it, and I understand from what he said, there is no active work being carried out in those areas where the recommendations came forward.

**HON. A. ANSTETT:** Mr. Chairman, just to add to that. I appreciate the member's support for the existing formula of one person, one vote, and I would remind him that the changes, if made, would not have to be made until our 1987 or 1988 legislative Session in anticipation of the redistribution. So there would be an opportunity to discuss amongst members on both sides of the House because I would hope that this would be a matter, as it has in the past, on which members can reach agreement in a method for ensuring that the size of rural constituencies and the balance between urban and rural is maintained in a fair and equitable way. I certainly concur in the sentiments he expresses.

**MR. J. DOWNEY:** Mr. Chairman, I'm not quite clear on the Minister's comment about one member, one vote. I see one member, one vote, but as I understand it, there is room for tolerance. Does the commission have the directive that there is - I think it's 4-7 - or something like that?

**HON. A. ANSTETT:** Not any more, but it's 20 or . . .

**MR. J. DOWNEY:** . . . 25 percent. whatever there is, they aren't compelled to the strict line of having the same numbers of people in the rural as in the urban centres. As I say, that is what I am referring to, that they aren't compelled to stick to that if they see the need not to.

Mr. Chairman, something else that I would think might be useful and I think, as a politician, would be worth considering in future times - and no reflection on those people who have served on the commission or who are serving - but I think because of the political nature

and the mobility and the work that has to be done as a politician, I would hope that some day consideration would be given to putting on a former politician, or an individual who has been actively involved whether it be in municipal politics or at some capacity within the political field, to better give an idea how a constituency could be served, the capabilities and the capacities that either help or cause problems for a member who has to represent the constituency that is being established.

**HON. A. ANSTETT:** Mr. Chairman, in reference to the formula, I accept the member's qualification in endorsing the principle of one person, one vote, in that there has always been, as there was in the last redistribution, an inclination to provide a below-average size of population to rural constituencies. I believe in the last redistribution they averaged 7 percent below the mean, whereas urban constituencies averaged about 9 percent above the mean. As I recall the statistics, it was in that range. The full tolerance, plus or minus 25 percent, was used only in very few exceptions in areas such as the North where constituency size reaches very large proportions.

I would remind the member that the 7-4 formula which had a distinct rural bias was abolished by the Weir Government in 1967, but the use of the tolerance by subsequent commissions, both in '68 and '78, has in all cases been used in favour of keeping the population size and, therefore, the territories served by rural MLAs, smaller than the total population in urban seats.

Mr. Chairman, the member made one other point on the makeup of the Commission. Yes, Mr. Chairman, this suggestion has been made before in this Legislature, I believe by members on both sides, that depending on who was in government at the time the matter was raised. In other jurisdictions, as well as Manitoba, the makeup of the Commission for the obvious reason of keeping those involved in the Commission being in positions where their strict neutrality and nonpartisanship was assured to members of all parties, both in the House and outside the House, that people in permanent positions should be appointed to the Commission. That is why the Campbell Government chose the president of the University of Manitoba, the Chief Justice and the Chief Electoral Officer.

The same suggestion has been made in other jurisdictions that people with more practical, political experience could be appointed. I don't believe that's been done anywhere for the simple reason that the introduction of those individuals usually introduces a partisan flavour and then raises some questions about the integrity of the Commission itself.

So although I think most people would agree on the desirability of the member's suggestion, the inability to find someone who would meet those very strict nonpartisan criteria, people in positions of permanent or semi-permanent appointment who are removed then from the political arena, would be difficult. So that's the reason that change hasn't been made.

If the member has a suggestion as to how that can be done without introducing partisanship into the drawing of electoral boundaries, I would be pleased to hear it.

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

**MR. H. ENNS:** Mr. Chairman, just one short question. I appreciate, of course, that the Electoral Office does a lot of advance planning during the interim period between elections and then, of course, goes into kind of a hectic frenzy of activity during the actual election period.

But keeping that in mind and keeping in mind, of course, that this province faces a possible adverse judgment at the Supreme Court, has the Electoral Offices dusted off the 1890 electoral boundaries on the basis that an election may be called out of those rules, excluding the female vote from Manitoba, for instance, among other things, and I suspect at that time being somewhat more favourable to the rural point of view in terms of numbers and lessening the urban influence of that kind of an election. I think it may be of interest to some members if we could look at those 1890 electoral boundaries to see whether or not we should deal more favourably or less favourably any possible outcome at the Supreme Court.

**HON. A. ANSTETT:** Mr. Chairman, I have been assured that the Chief Electoral Officer is keeping himself fully apprised of all developments in this regard. He advises that most members of the Assembly would, of course, not be living in the Province of Manitoba under those boundaries and a good number of the rural electoral divisions were not part of the postage stamp province of that day. Although the Member for Morris and the Member for Lakeside, the Member for Emerson and perhaps part of the Member for Pembina are secure; the Members for Arthur, Turtle Mountain, Thompson, Ste. Rose, Flin Flon and Brandon would all be in some difficulty.

I have not, because I don't consider the suggestion seriously, done the calculations the honourable member wants as to whether a majority of those seats belong to individuals of one political persuasion or another, but I suspect that with the franchise restricted as it was in that day and with the postage stamp size of the province of that day, I can entertain the member's question in the jest with which it was intended and I have answered it accordingly.

**MR. DEPUTY CHAIRMAN:** Item 7.(a)—pass; 7.(b)—pass.

Resolution No. 4: Resolved that there be granted to Her Majesty a sum not exceeding \$363,500 for Legislation, Electoral Office, for the fiscal year ending the 31st day of March, 1985—pass.

That concludes the Estimates for the Department of Legislation.

Committee rise. Call in the Speaker.

## IN SESSION

Mr. Speaker, the Committee of Supply has considered certain resolutions, directed me to report progress and asks leave to sit again.

**MR. DEPUTY SPEAKER, P. EYLER:** Please, the House is in Session now. There is a certain dress code in effect.

The Member for Ste. Rose. Would the Member for Ste. Rose please either put a tie on or leave the Chamber.

The Member for Thompson.

**MR. S. ASHTON:** Thank you, Mr. Speaker. I move, seconded by the Honourable Member for St. Johns, that the report of the committee be received.

**MOTION presented and carried.**

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

**HON. A. ANSTETT:** Mr. Speaker, I move, seconded by the Member for Lakeside, that the House do now adjourn.

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