

THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Monday, June 26, 1972

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills; Oral Questions; Orders of the Day. The Honourable the First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker. I notice that the Member for Swan River is in his place. For purposes of the business of the House that's all that matters. Mr. Speaker. I would ask that you call Bill 71, then proceed thereafter in sequence.

MR. SPEAKER: The proposed motion of the Honourable Attorney-General. The Honourable Member for Assiniboia.

ORAL QUESTION PERIOD

MR. STEVE PATRICK (Assiniboia): I have a question before the orders of the day. Mr. Speaker. I see the Minister of Labour is not in his seat. Perhaps the First Minister or the Acting Minister of Labour can answer. Are the Statistics Canada correct that 37,000 people left Manitoba during the last year, that were released by Statistics Canada?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker. I would have to check those figures to see if they are even in the slightest way a deviation from the past pattern of this province's population movement over the last 20 years.

MR. PATRICK: The First Minister agreed to take the question as notice, perhaps he can also take a supplementary. Can he check how many were wage earners or of working age or employees.

MR. SCHREYER: Certainly, Mr. Speaker. that can be taken as notice and checked, although I can tell my honourable friend that in terms of the increase in the labour force of the Province of Manitoba in the last twelve month period it has been one of the highest in the past two decades.

MR. SPEAKER: Orders of the Day. Proposed Motion of the Honourable Attorney-General. The Honourable Member for Swan River. Bill No. 71.

GOVERNMENT BILLS - SECOND READING

MR. JAMES H. BILTON (Swan River): In calling me, Mr. Speaker. the First Minister compels me to admit that I adjourned this debate for the Honourable Member for Fort Garry and he was all prepared to speak this afternoon and I wondered if the Honourable First Minister would postpone calling it for a little later in the evening when the honourable gentleman is here.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: The understanding then, Mr. Speaker, is that if the Honourable Member from Fort Garry returns, fine. Then would you call Bill 73.

MR. SPEAKER: The proposed motion of the Honourable Minister of Municipal Affairs. The Honourable Member for Rhineland.

MR. SCHREYER: Well, Mr. Speaker, there should be no problem if we call Bill 82.

MR. SPEAKER: Proposed motion of the Honourable Attorney-General. The Honourable Member for Portage la Prairie.

MR. GORDON JOHNSTON (Portage la Prairie): Mr. Speaker. could I have this matter stand?

MR. SCHREYER: Bill 85.

MR. SPEAKER: Proposed motion of the Honourable Attorney-General. The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I believe this bill was just tabled on Friday, late Friday. I do understand it's a very short bill there's not much to it, but I do wish to say a few words on it and on the Act to amend the Provincial Police Act. There's one clause that does concern me -- one of the principles in the Bill concerns me quite greatly and in my opinion the principle is too inclusive and I feel it has too much power. I do not intend to oppose the bill, I'm prepared to let it go in to Law Amendments to see if we can have any representations and perhaps

(MR. PATRICK cont'd) we'll have a better understanding or I will have a better understanding of the bill. But in my opinion, one of the principles involved is very inclusive, in fact I feel it has too much power. I'm referring of course to the clause where it states that the public or any member may be excluded from the hearing of an appeal under a certain section of the legislation, from any part of the hearing if in the opinion of the commission the interest of public morals or the maintenance of order or proper administration or justice so requires.

Mr. Speaker, my opinion is the only time, the only time that we should have this type of a completely inclusive principle involved in a bill when it requires certain restrictions because the work of the police may be hampered, and I feel it's the only time that this should apply to any type of that type of restriction. In my opinion one may say also that if it may tend to harm the police to give information which may help the criminal then there may be reasons for this. On the other hand, I think that any hearing that concerns the matters of a policeman or police, the behaviour of that policeman I think should be made public. In my opinion according to the principle that's involved in one of the clauses it doesn't appear that to me. In fact I've had some reservations expressed by a few members of the general public that had reservations about one of the principles involved. I believe if there was espionage involved or concern about the apprehension of the criminal then this is fine, I agree with the principle that's involved in there. On the other hand, it doesn't state so, it appears that it's so inclusive and to me it gives extremely tremendous amount of power to the Commission. In my opinion this is not right, I think we should be concerned about openness and fairness, this is the most important thing and in my opinion -- and I'm sure the Minister knows that I'm referring to one of the principles and that's 26(5)(1), that's involved in this bill.

So, Mr. Speaker, I do not object to the bill going into Law Amendments Committee. Perhaps I don't understand it as clearly as I should but there has been some concern on the part of the general public who are more familiar with this part than I am, and to that extent I say to the Minister I think that we should be as open as possible, we should be reasonable and if only, only when it involves circumstances that may hamper the work of the police itself then I could see the reason for that clause in there. If this is not the case I think that there may be serious repercussions in this principle embodied. I would like to hear the Minister explain it and perhaps we can hear more in Law Amendments Committee. I again say that, in fact what may happen in here, it may harm the police you know, what's embodied in here. I say the only time that we should have a principle involved like this, when it may harm the police in carrying out their proper work in apprehending the criminals or in their work, but as far as I'm concerned I think the Commission should be completely open and as fair as possible so the public knows what's going on.

MR. SPEAKER: The Honourable Attorney-General shall be closing debate.

HON. A. H. MACKLING Q.C. (Attorney-General) (St. James): Mr. Speaker, the bill before the House is a very straightforward and simple one and in my introductory remarks I made it quite clear that all that was being requested in amendment to this act was what the parliament of Canada considered reasonable in respect to hearings before the courts. Provisions of the Criminal Code provide like provisions where the courts may, despite the fact that the rule is the court shall be public courts, the courts may exclude the public where there are circumstances that indicate that the interest of the public demands that there be exclusion. It may involve jeopardy to the administration of the effect of working of the police as the honourable member indicates. In some circumstances it may disclose techniques of operation that the police would employ, which if made public would then weaken the ability of the police to respond to questions of security, questions of technique in the apprehension of criminals, and as the bill itself indicates, where the nature of the enquiry involves the question of public morals where it may be very embarrassing to a witness, could well be embarrassing to a juvenile or to some witness who had to give testimony, then in these circumstances it would make not only good sense but would mean that there would be greater equity in permitting the person to give their evidence in the privacy of the Commission alone. And it is for these reasons that this amendment is suggested.

There may well be -- and in fact I'm aware already of the situation where a situation exists where the authorities indicate -- and when I say the authorities, the police indicate that they are concerned that they be enabled to have an in camera hearing for a particular witness because of security reasons. They feel that he could not testify publicly. And under those circumstances

(MR. MACKLING cont'd) the Commission ought to be able to accord the witness that kind of in camera hearing because of the particular circumstances of that witness or the particular circumstances of the case. The other amendment as is indicated in the bill, is straightforward to give the commissioners the power to subpoena witnesses and to take evidence under oath. It's reasonably straightforward and I think that all members should support it.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: I have one question. Wouldn't the juveniles be already protected under the Juvenile Act in this respect?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Yes, a juvenile would be protected if the juvenile were being charged with an offence, but it is anticipated that there may well be occasions when a juvenile will be asked to appear before the Commission to give evidence, because there may well be circumstances where a juvenile would be able to give evidence dealing with the particulars of a matter in dispute between either the police and a citizen or otherwise as the case may be. Under those circumstances it would be customary in ordinary court for a juvenile to get the protection of the court in the privacy of the court. Under those circumstances we would expect that we would want to have the same provisions for the Police Commission where they're hearing evidence from a juvenile or other person where the particular circumstances indicate that it would be in the public interest for there to be privacy.

MR. SPEAKER put the question and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, would you call Bill 71 again, now that the Member for Fort Garry is perhaps in a position to speak.

MR. SPEAKER: Proposed motion of the Honourable Attorney-General. The Honourable Member for Swan River.

MR. BILTON: Sir, I adjourned this debate in favour of the Honourable Member for Fort Garry.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (BUD) SHERMAN (Fort Garry): Mr. Speaker, on the surface there is certainly very little in this legislation that we on this side would feel disposed to argue with or to dispute. The bill, in the words of the Attorney-General or at least in the words in which he was reported in the Press, is aimed primarily at stopping questionable selling practices before too many persons are victimized. It would be the desire of all of us on this side of the House as well as those on the government side I'm sure to make certain that consumers are protected as fully as possible and as is consistent with freedom from excesses in the sales field. So on the surface one finds oneself inclined to support the bill and to accept the basic thesis contained in it.

At the same time, Mr. Speaker, I think that this kind of legislation places a very heavy onus on the shoulders of the Consumer's Bureau of the Province of Manitoba, and in fact on the shoulders of the Attorney-General himself in his role as Minister of Consumer and Corporate Affairs, because it does demand a fine discriminating judgment in the area of sales in the consumer field that is liable to abuse and is liable to misapplication.

The bill aims at stopping suspicious selling operations but one is faced with the urgent necessity in terms of protecting the freedom of Manitobans on both sides of the transaction of being sure that he is satisfied that the definition of suspicious selling operations is made in a very objective and a very beneficial manner where the people of Manitoba are concerned.

The question naturally arises as to who is to say that these suspicious selling operations are really so suspicious. The Consumer's Bureau will be able under this legislation to apply to the Court of Queen's Bench for a restraining order to move in and stop those selling operations, but the action has to be initiated from some point in society, from some sector in society, and one can only hope that both the Consumer's Bureau and the Department of Consumer and Corporate Affairs, and that means the Minister himself will apply great flexibility and great liberalism in the best sense of the word and great consideration to any such complaints that are raised. The question as to who provides the authority for the definition of a selling operation as being a suspicious selling operation and who provides the evidence on which the Consumer's Bureau will act and apply for its restraining order is a question that some of us find worrisome, some of us find of concern. In other words, we're in the area whereon we touched the other day in discussing the functions of the Management Committee of Cabinet where

(MR. SHERMAN cont'd) one asks, who will watch the watchers? Of course the restraining order can only be issued by a court; it's only obtainable from a judge, and therefore in the final analysis with the faith in and the respect for the judicial system of our province and our country that I have, and I'm sure all of us have, one should be able to sleep easy at night and safe in the knowledge that justice will be done and that there won't be an abuse of this authority, or this power. But I say in passing judgment on this legislation, Mr. Speaker, that it is one aspect of life in our province that is of concern to some of us and we just want to remind the Minister in his role as Minister of Consumer and Corporate Affairs, and through him the members of the Consumer's Bureau of their heavy heavy responsibility in insuring that the kind of authority being vested in them through legislation of this kind is administered conscientiously by them and is not abused in any way.

I'm always a little suspicious when an area of responsibility for a particular Minister is broadened, particularly when that Minister happens to be the Attorney-General of a province, and I do not say this with any reflection on the present Attorney-General or the present government. I think when the powers of an Attorney-General in any administration are broadened it's a cause for serious study and concern on the part of legislators and the part of the general public. Now you may say to me that this is not broadening the powers of the Attorney-General, and that's true up to a point but it's not entirely true because in this case we have an Attorney-General who doubles in brass as the Minister of Consumer and Corporate Affairs, and for my own part, although I may be splitting legislative hairs, I would feel a great deal more comfortable about this legislation if the present Attorney-General were not also the Minister of Consumer and Corporate Affairs. If another Minister in the administration, or another member of the administration, were Minister of Consumer and Corporate Affairs I'd feel a great deal happier about this legislation, but what it does, it places a broader onus of responsibility and a broader sweep of authority in the hands of a Minister of Consumer and Corporate Affairs who's also the Attorney-General and the chief judicial officer of this province. So that I think, Mr. Speaker, creates a situation that demands careful attention by legislators and by the public in general.

One thing of course that we are going to have become increasingly used to as Manitobans with legislation of this kind is that whole thrust in terms of our economy, and in terms of the economic aspects of our society, is now clearly and definitively away from the ancient Roman, British principle of caveat emptor - let the buyer beware - to the position of let the seller take care. This subtle and far-reaching shift in emphasis has been under way for some time and certainly in the consumer legislation that was passed by this Legislature earlier, it became clearly a part of our society, but the present legislation which we're now considering underscores and underlines that shift in direction even more fully, Sir, and although I do not decry that change, and I'm not deploring that change, I suggest that we have to adjust ourselves to it, and we have to face up to the fact that we have undergone, and are undergoing through legislation of this kind, a revolutionary kind of social change, whether for good or ill is not the point at the moment, but it's a revolutionary kind of social change, and change in the area of economic jurisprudence that moves us in a sharply different direction from the one to which our society was used in the past. As I say I'm not suggesting that it's necessarily wrong but it's certainly different, and it's certainly revolutionary, and one can only hope that this government has taken into account all the consequences of that shift in emphasis. One can only hope that a shift in emphasis of this kind doesn't make the day to day conduct of business so complicated and so enmeshed in administrative red tape that it renders the practice of business almost too difficult and too bothersome for the average small entrepreneur to bother with.

Having said that though, Mr. Speaker, I return to my point that, provided the proper balance can be maintained it's of course essential, and of course admirable, that protection for our consumers in Manitoba be enshrined in the law so that they know that they have rights, and they know what those rights are, and that there is a deterrent factor operating against unscrupulous salesmen and businessmen.

But moving on to one other aspect of the field, Mr. Speaker, I want to say that the legislation itself rather begs the broader question in economic terms that I think this government and this Legislature should be concerned with, and that is the broad basic, extremely vital, question of the nourishment and survival of the small businessmen, the small entrepreneur. We believe, or at least I believe, Mr. Speaker, that the emphasis has got to be placed soon before it's too late on the restoration of the free marketplace. It's got to be directed in such a way as

(MR. SHERMAN cont'd) to free up the marketplace for venturesome citizens who want to generate activity that both produces goods and services for the society in which we live, and produces jobs and means of livelihood. And that means the government has got to be looking at all kinds of strictures that now impose themselves on the marketplace and make it very difficult for small and medium sized businessmen and energetic young entrepreneurs to get started and to operate successfully. And I include in those strictures the kinds of corporations of gigantic size and nature that have so commandeered and commanded the marketplace and the availability of capital, particularly venture capital, that it is extremely difficult today, if not impossible in many circumstances, for young entrepreneurs to launch themselves and to create the kinds of economic activities that keep the production of jobs and keep the production of livelihood in a healthy state.

This government has really done nothing about that problem, Mr. Speaker, while it has acted as I've suggested to protect the consumer against unscrupulous salesmen and business practices of other sorts. But I think that the problem of the marketplace, and the survival of those who want to contribute something to the marketplace, and earn something from it, is a bigger problem. Fundamentally it comes down to the question of making venture capital available. And I know that's an enormous challenge, but it's something that's going to have to be met by this Legislature, and any succeeding Legislature in Manitoba, if the economy of our province is to be enriched, and is to be expanded, and is to create the opportunities for our people here, about which we spend a good deal of time in discussion in this Chamber.

There's nothing wrong with this particular piece of legislation except that it's really a further reflection of a hangup that is old hat, Mr. Speaker, and it's a reflection of this government's preoccupation really with a business bogey that I suggest exists in an area different from that in which they often have been looking for. It exists in that particular area to which I just referred where young energies and talents and initiatives in the entrepreneurial sense are attempting to launch themselves on enterprises that by definition create prosperity, create jobs, create means of livelihood, create opportunities, and create reasons for our young people, and others of our people, to stay here and work and give their time and talents and their services to the Province of Manitoba. And that's what this government should be doing, I think, Mr. Speaker, rather than concentrating so much of its time and energy on the bogey of the unscrupulous salesman who is trying to put something over on the unwary consumer. That's what governments all across Canada, I think, are going to have to be doing in the next five years, moving to restore competition in the marketplace because we really have reached a point in our marketplaces where competition is a hollow and an empty phrase. Competition and freedom of choice, those two ingredients are the best guarantees of protection and safety for the consumer in any society in any economy in my view. In the final analysis, if you have competition and you have freedom of choice the consumer's interest in the main is protected. The maximum protection is available and the minimum disadvantage accrues.

And so I say, Mr. Speaker, that the energies of this government, and this Legislature, in total should be directing to breaking down some of those difficult walls of restraint that are making it almost impossible in many instances for small businesses to get started in the marketplace, and for those who are started to obtain and retain the necessary flow of capital to survive. By obtaining venture capital, I mean obtaining venture capital in the full sense of the word, capital as finance and also capital as freedom of opportunity, obtaining the money that's necessary while retaining the right to go into the locale and the market where the business would be viable. Nowadays, venture capital of a kind is hard - venture capital in general, the venture capital of which I speak, is hard to come by although capital of a kind is available through governments, if you want to take it that way. But the problem with taking it that way is that you also have to do what the government tells you to do; you have to go in most cases into the market area which the government has deemed desirable, and if you were left to your own devices as a businessman you probably would never go into that area because it would not reflect itself as a viable market to you to begin with.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, I rise on a point of order. I regret very much that I should intrude on the honourable member's speaking time. But I would like him to reflect on the relevancy of the need for venture capital in small enterprise with consumer legislation. There is no direct relevance as I understand it in the measures in the bill. I understand his concern but the concern in this legislation has nothing to do with the facilitation of the capitalization of enterprise.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Well I recognize that. I recognize the point that the Attorney-General raises, Mr. Speaker, but I submit that it's a fine one because we're dealing here with a piece of legislation that is designed to fulfill a specific role in the economy. And as I suggested, although on one level one certainly is inclined to agree with it, on another level I believe it's valid to criticize it. And one of my criticisms is, and I'm coming to the conclusion of my remarks, one of my criticisms is that it reflects a continuing emphasis on one aspect of the situation where the consumer is concerned without regard for what I submit is equally important, if not more important, in terms of the consumer's future. What I'm suggesting is that with all the admirability of protecting the consumer as this bill and previous consumer legislation is designed to do against unscrupulous selling, the best protection for the consumer in taking in the maximum is a healthy marketplace where free choice and where maximum competition are permitted to operate, and as a consequence of the kinds of economic consolidation that have taken place in our society in the last 30, 40, and 50 years, many of them before this government ever came to office, that kind of marketplace no longer exists. And I am appealing to the Minister of Consumer and Corporate Affairs when he's drafting and designing legislation with his department to aid the consumer and protect the consumer, to look at the other side of the spectrum too.

My point, Sir, and I'm concluding my remarks, is simply that the government's preoccupation seems to me to be with the need for restraining or constraining the classic carpetbagging door to door salesman in his practice of what must be the world's second oldest profession. But it's unlikely that that profession will vanish ever, or if it does it's unlikely that it'll vanish before the world's oldest profession does, they'll probably always be with us, and it would be much more valuable it seems to me from the consumer's point of view if the emphasis were placed on charging the economy in such a way that competition and free choice operated in the consumer's interest and thus protected them against those whose talents, and whose ethics, made it impossible for them to compete and survive.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I haven't got too much to add to the remarks of the honourable member opposite, and I support his views very much, but during the course of the weekend certain questions were asked of me regarding this legislation and I think the honourable member that just spoke raised a valid one with the same Minister occupying the portfolios of Consumer Affairs and Attorney-General. I come from a border constituency - I wonder what about the people from Saskatchewan that break the laws of coming in and selling in this province, or Ontario, or the U.S.A. How can you, you know, provide this type of consumer protection, and we're all for the protection of the consumer. I happened to have a husband and wife here on the weekend that bought a bunch of rabbits in Saskatchewan and, you know, they bought them in good faith and with a contract to deliver rabbits forever but the man that supplied the rabbits disappeared and we phoned all over this province and Saskatchewan on Friday and he ended up over in the Consumer Affairs office and the Minister, if he pursues it, will find out he ended over there. You can't find that party and yet those were advertisements that came out of the Province of Saskatchewan, as I understand it, via television and radio advertising into this province, or the problem of advertising coming in from the United States, or Ontario. And I wonder in dealing with the restraining orders that, you know, where can they be initiated from, or where, you know, I think in a lot of legislation we have to coincide or try and deal with our neighbours as closely as we possibly can.

But it's interesting, Mr. Speaker, this afternoon we were dealing with, I think it was Bill No. 70 where the Attorney-General is going to hang up with the Feds on Bill 70, and I wonder in this consumer protection, and I support the philosophy completely, but I wonder where do you attack a seller from Saskatchewan or Ontario coming into this province, or from the U.S.A., or from a seller from this province going into those other jurisdictions, and try and serve a restraining order or control that type of selling, and coming from a border constituency that deals primarily with Saskatchewan, and I think as the Attorney-General knows we are exposed to Saskatchewan television, we don't have the benefit of Manitoba television in our jurisdiction, we're served entirely by Saskatchewan television, so there's selling orders coming across the border every day via radio and television, and so these questions were given to me over the weekend. No doubt the Honourable Minister can give us the benefit of his wisdom regarding this legislation.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I certainly don't intend to hold up proceedings, or delay the bill, and this is why I'm going to make the few comments that I have to make on Bill 71. In my opinion at one time legislation to protect the consumer was very essential but I think we've got to the point where the pendulum has swung the other way and is I think going farther and farther to the other side and it's swung over, as the Member for La Verendrye remarks behind my back.

I've had a number of smaller business people contact me and tell me of their problems that they have in abiding by all the legislation and the red tape that is put on them. And I feel too that we should if something needs to be done in this province, I think that we should do something for the small businessman. While I don't take exception to certain of the amendments that are in here, I think some of them are valuable, the matter of bonding the collection agents, and so on, and the prohibition of using a certificate by more than one person, and so on, I certainly don't take exception to that at all. But there are other amendments and one thing, I've appealed to this government before, and I would like to do it once more, that is, you bring in amending bills why not have a statement on the other side of the sheet explaining just what the amendment does so that not all 28 members of us have to go over the same Act to find out just what is meant and what is being done. This would certainly save a lot of time for members of this side of the House, and I think it would speed up matters to a great extent and we've had it in past years, not in the immediate past, but in past years we've had this and I think it was a very good thing to have in the legislation, the bills before us. So I would recommend to the Minister that this be done in the future, and I certainly will not hold up the bill any longer and certainly will allow it to go forward.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: I would like to move, seconded by the Honourable Member for Portage la Prairie, that debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, would you call Bill 73 standing in the name of the Member for Rhineland.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, this is an Act to amend The School Tax Reduction Act. It too deals, I think, more or less with amendments to bring about the necessary provisions for those people who rent apartments and also who are to benefit under the Act, and as such the greater part of the bill is concerned with this particular matter, it deals with the rentalsman, and so on. The reason I took it, adjourned the bill at the time, was it also referred to The Revenue Tax Act and I wanted to be very sure just what was intended here, and the way I read it I don't think there is anything bad in the proposition and also in the deletion of the section that is being proposed so -- and then there is the matter of amalgamation mating parcels so that people can take the fullest advantage of the tax reduction. So I certainly will go along with the bill on second reading.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, in the absence of the Minister, I would like to take the adjournment.

I move, seconded by the Honourable Attorney-General, that debate be adjourned.

MR. SPEAKER presented the motion.

MR. SPEAKER: Order, please.

MR. G. JOHNSTON: On a point of order. I ask the question of you, Sir, is the Minister of Agriculture taking the position that when the Minister speaks, debate will have been closed?

MR. SPEAKER: No. Order.

MR. G. JOHNSTON: It's very unusual, very unusual.

MR. SPEAKER: Order, please. The procedural point the honourable member raises is not valid. Any member can take the adjournment whether he's the Minister or not, and he can't adjourn it for anyone else. The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, it was intended to make it clear that the Minister was adjourning debate on behalf of his colleague, the Minister of Municipal Affairs, in whose name this bill stands. And as the Honourable Member from Portage la Prairie knows if the Minister had adjourned debate it would be understood that he was closing the debate when he next spoke.

(MR. SCHREYER cont'd) So therefore if any honourable member wishes to either speak now, or to adjourn debate to speak the next day, it's perfectly open to him to adjourn debate instead.

MR. G. JOHNSTON: Well, Mr. Speaker, I rise again on a point of order. If I understand the First Minister, there is a condition attached to anyone adjourning debate, and while it may not mean that much on this particular bill, and I'm not suggesting anything underhanded, but it could be a device that the government could use to take adjournment for the purpose of closing debate.

While I'm speaking on the point of order, Mr. Speaker, I might say to you and indirectly to the government, that it's a very unusual situation we have had in this House in the last day where Ministers have been absent while their bills are being discussed.

MR. SPEAKER: Order, please. Order, please. Order, please. The point of order has no validity. Order please. I should explain again the latter part of the Honourable Member for Portage la Prairie's speech was not a point of order. The first part is valid and I'm indicating again that the Honourable Minister, or any other member, can adjourn who has not spoken. He cannot adjourn it on behalf of anyone else except himself, and that's all there is.

MR. SPEAKER put the question and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I'm wondering now if you could call Bill No. 79. I notice the Member for Sturgeon Creek -- Bill 79, Sir.

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General. The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker. Sir, I have never really been involved in a bill, Sir, that has created more mixed feelings to myself, and many other people, as Bill 79. Sir, the basic principle of the bill, and one of the most important parts of the bill, is the interest on attorneys' accounts in the Province of Manitoba, and the attorneys as you know, Sir, have monies deposited with them and many of them have two types of accounts. Many of them have what I would call a general account and is not interest-bearing and some of them have what I would call an interest-bearing account, and when money is deposited by a client of that attorney, Sir, you could really expect that the monies, whether it's in a general account, or an interest-bearing account, to be paid to the client. Now, Sir, there has been very much investigation on my part, and others, regarding this situation. If a person who has a house, or the lawyer is handling the sale of a house, and he has to place a down payment with the lawyer, and the lawyer has what as I said was a general account, the money is placed in the lawyer's account because it is necessary, Sir, for that man to make a deposit and the lawyer must hold the money until the deal is finished with and then he asks for the rest of the money, and that person, Sir, could basically ask the lawyer for the interest on that account. There's the other situation where the lawyer has an interest-bearing account, and again you have the situation where the bank is paying interest on that account, and to date it has been going to the legal lawyer. But we cannot criticize him, Sir, because if you were to take a thousand dollars out of a \$5,000 personal account for one month and place it in another bank, the bank wouldn't pay you interest, because it isn't there long enough, and if you were to take that same thousand dollars and place it in the lawyer's account because of the size of the lawyer's account, if it's an interest-bearing account, there would be interest paid on that account. So what do we have, Sir? We have a situation where the bank won't calculate it, and if you ask them to it would cost you \$6.00 an hour to have them calculate it. So those people would be looking at a situation of, you know, when they calculated their personal account at 5,000 and you took a thousand out you got 4,000, so you're looking at the interest on a thousand dollars for a month, which the bank would never pay if you put it in another account, but now we're asking the lawyer or the bank to figure the interest on that thousand dollars. And I'm sure, Sir, that I've confused you and everybody else in the House in what I've said. --(interjection)-- Yah. But when I hear the statements you always do from the Member from St. Vital I assure you that I couldn't clear him up anyway.

But what I am saying, Sir, that it's almost an impossibility for the interest of people's money placed in a legal attorney's hands to be calculated. If you were to ask your attorney to calculate that money to your benefit, the costs of calculation would be such, would be such, Sir, that it would probably cost you more than the interest. So for many years lawyers who have had what we would call a general account have not gained interest on it, and the banks

(MR. F. JOHNSTON cont'd) have had the use of that money. No question about it, the banks have had the use of that money. And for lawyers who have had it in an interest-bearing account the money has been paid to the lawyer, but again you have problems trying to break it up.

So, Sir, what we are really discussing at the present time is whether the person who the money belongs to should receive interest on that money. And quite frankly I don't think there's anybody in this House at the present time that doesn't sincerely believe that if you place money from your bank account into a trust account of somebody else that you should receive the interest. But it's almost impossible a situation, it is almost an impossible situation, Sir, to calculate that. The banks calculate interest twice a month, they won't do it any other time - that's an interest-bearing account. If you had it in a general account the banks do not calculate it for you, then it becomes upon the lawyer to calculate it and that becomes an impossible situation because the costs of doing that are very high.

What the government, Sir, is presenting is that because we have gone for several years with either the bank having the use of the money in a general account and not paying any interest, would now be forced to -- or the lawyer would now be forced to place it in an interest-bearing account, and all the monies of these accounts would then be going to the government to support legal aid. Now, Sir, I can't think of any better way to use that money. If the people who own this money, or who have placed it in trust with the lawyer, cannot possibly receive it back, I cannot think of a better way for it to be used than for legal aid.

But, Sir, there's a principle here, and the principle that we are talking about at the present time is when you as a citizen place your money with an attorney, or any other person, you should basically have the right to that interest. I assure you, Sir, that that is a basic concept; I don't think that anybody would disagree with me on that particular statement. But there is an impossible situation of trying to calculate this interest. So where are we at? Where are we at in this Legislature, and I'm going on both sides of the House at the present time. We're at a situation where we say the money or the interest belongs to the guy but how do you pay it to him? And if you can't possibly figure that out, why should the bank have it, or why should the lawyer? And if they don't have it, it should go to legal aid.

But, Sir, let's get back to the one basic question and I've got the Member from St. George smiling at me. He must have some money in a lawyer's hands at the present time. But the one basic question is that money, whether it be small or what it may be, the interest belongs to the man who owns the money. The only other way that it can be done at the present time is that some system should be derived where when you place your money with an Attorney that you receive the interest on that money. But I can assure you, Sir, I am not Einstein and I don't think there's many in this House that know how to figure that out. And I must bow to many of the people in the legal fraternity, and I must say to the Attorney-General that when he explained this particular situation, I think he realizes himself that that interest is basically accruing because somebody else put the money in the account. But how to pay it to them is a problem. It becomes something that the banks won't calculate for you, unless you pay them \$6 an hour. And if it's not an interest-bearing account, the Attorney would have to then calculate at a very high charge, and it's almost impossible and my colleague from Minnedosa fully realizes as a banker, it is almost impossible to calculate.

But, Sir, we still boil down to the situation in this Legislature. So we're saying that those monies have now not been paid back, what we are saying to the people, what we are saying is those monies because they're not being paid back to people be used for legal aid. There are a lot of people in the world, Sir, who really would stand up and say, I don't really care about legal aid, I don't care about this and they haven't really been too concerned until now, but now we've brought the particular situation to focus I'm sure a lot of people will say, "look, I gave you my money I want the interest." -- (Interjection) -- Yes. But it belongs to them. So really -- (Interjection)-- when? And that's about what it is - gesundheit, how you figure it out. We certainly, we certainly have a situation in this bill, is, the interest should basically belong to the man who places money with the Attorney. It is a very highly technical problem, Sir, and it is a very complicated problem to try and pay that money back to the person. And I said in many cases after you have calculated or gone to the cost of calculating it, his cost would be higher than the interest earned.

The government can be - and I shouldn't use the word complimented because I don't like complimenting them - can really be complimented in figuring out that if those monies cannot go back to the people they'll be used for legal aid. But, Sir, there's a principle **involved here**.

(MR. F. JOHNSTON cont'd) I'm going to sit down, Sir, not giving my party's position, because it has to be discussed even further and should go to Law Amendments to see who we have come before us. -- (Interjection) -- Is a little bit confused. For this reason it's hard to pay back and almost impossible, but the money should belong to the people. And we have a basic principle here, Sir. If government now starts to take the interest on Attorney's accounts and we agree to that in this Legislature as a whole, both sides of the House, then we must say, when would we be talking interest on anything else? There is a very definite principle involved. I haven't got a hangup from the point of view that the money would be used right. I don't question you on that. But the thing still remains, the interest still belongs to the people and maybe we should find a way to pay it. Maybe we should look into it. I'm saying that the legal profession has looked at this many times and I am sure that this has to be admitted - there are many lawyers who do not have their money on interest-bearing accounts. -- (Interjection)-- Oh, I would say the biggest percentage of them don't.

Now really, I think that the members on the government side should talk to the Attorney-General being a lawyer, and the Member from Inkster, because it's not an easy problem, it's a very complex sort of a little principle and I assure you that if anyone of you over there can tell me an easy way for an attorney to calculate what interest you were to receive or the bank to take a general account and calculate what interest you were to receive I'd be willing to listen to you. It hasn't been able to be done till now, but the principle is this, the money or the interest belongs to the people invested, and once we make this change, once we make the change to say that the government can now take interest which can't go back to the people, or for technical reasons can't go back to the people, we're in a very dangerous situation. The Member for St. George would have to buy less turkeys next year.

So, Sir, I assure you that we recognize the problem, we recognize the complexities of this bill, but we also recognize that the money basically belongs to the people, or I do, I'm an old Scotsman that thinks it should be mine. But how do you pay it. And we also recognize that once you pass some legislation which says we can take the interest of a bank account in somebody else's name, you are passing legislation that could go even further.

I appreciate that the Attorney-General has talked to the Law Society about this, I appreciate that he's an attorney himself and I'm looking at many attorneys. But, and I say, Sir, that there's nobody recognizes more than I the complexities of this situation. You're talking about two different types of bank accounts, you're talking about people receiving interest on their money, you're saying how do you pay it to them and there we are.

So, Sir, I would say that I would be very interested, I personally, and I'm not speaking for our party because I can assure you the same impression is in our side the same as your side, if the money is yours, you should get the interest. Somebody should figure it out, Sir, and I think that we would be - well I personally, would be willing to listen to anybody that has some comments to make on this in the committee, and listen to them with interest. Presently, I say the money belongs to the guy that owns it and the interest; find a way to do it. Let's not say that it would go to the government.

There's just one other point, Mr. Speaker, and I can say this for the party, for our side. If this bill goes through, I would like to say, Sir, that the government still has an obligation for legal aid. If they believe that it will be replaced by the interest on these accounts or that they're going to depend on this money to create all the legal aid or pay for legal aid, we won't buy it. We still say the government has a commitment for legal aid regardless of this bill. And that, Sir, must be paramount. So, Sir, Mr. Speaker, I say it's a complex thing. I don't think anybody is any the wiser right now, but I do say this, there's a very grave principle involved and unless the Attorney-General can give us very great reasons for changing a principle of the interest on your money belonging to you, we would have to see. Thank you.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Speaker, I spoke briefly on this matter during the Attorney-General's Estimates and I haven't changed my position since that time. I thought because we're addressing ourselves directly to the bill this evening that I would make the same points again and perhaps a few others.

When we examine what the government is doing by way of Bill 79, it has been brought to their attention by the Law Society and also by their own studies, that over the years past, either lawyers holding monies in trust at no interest or banks holding the accounts in which they were deposited at no interest, someone has noticed that there's about half a million dollars of interest every year going either nowhere or going somewhere. But certainly not going to the

(MR. G. JOHNSTON cont'd) people who in total, many hundreds in a year in this province with their modest estates contribute this vast amount of interest every year. So if we take the proposition as I have spelled it out then there's something going on. Either the banks are stealing the money or the lawyers are stealing the money. It's very surprising in this House today, to date on this bill, with the exception of the Attorney-General, a lawyer hasn't spoken to this. A lawyer hasn't spoken to this and I hope that one of them will.

MR. SPEAKER: The Honourable Member for Inkster on a matter of privilege.

MR. GREEN: . . . member to know that when I was a lawyer we kept our funds in a trust-bearing account, our firm kept the interest . . .

MR. SPEAKER: Order please. This is not a matter of privilege. Order, please. The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Well, Mr. Speaker, when I was in business if some money was missing and something happened to it and it was taken by someone, I would call that stealing. Now in the context that the Member for Inkster is speaking, I believe him when he says that his firm treated trust monies in this way. But we have heard enough statements in this House and we have by the nature of our calling have talked to people in business, in law to know full well that estates with large amounts of money do not place their funds in this sort of situation where they do not receive the interest back to the estate.

MR. SPEAKER: The Honourable Member for Inkster, state his point of privilege.

MR. GREEN: Well, I don't want to be misunderstood. The honourable member is saying that our money was not kept in an interest-bearing account, it was. And the firm kept the interest. Didn't apply to estate . . .

MR. SPEAKER: Order, please. The honourable member is debating. The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Well then, Mr. Speaker, we have an admission which bears out what I'm saying. I'm sure that many of the people whose modest estates were placed in a certain lawyers hands didn't understand fully that they were entitled to interest. Now if a lawyer says, and I give the Member for Inkster credit for his honesty and he says, well we placed the money in accounts that bore interest but we kept the interest. Did I understand him correctly, I believe that's what was said. Now, if lawyers who do this, place this in their bill of particulars when they bill the estate that we made X number of dollars out of the handling of your estate, and we credit your account with that amount or somehow this is shown, well then this is fine. But it's my understanding that some legal firms did not do this in the past. Some banks in the past who had accounts under the Bank Act of Canada, did not remit interest to the accounts which meant indirectly that the modest estates that we are talking about now, didn't ever have any interest accrue to the estates through being held in trust in a bank or in a Trust Account.

Now, Mr. Speaker, I know from my debate the other day and it was pointed out to me that well, we're not doing anything really that bad; I believe it was the First Minister who pointed out to me, well this comes under the auspices of the Federal Government. The Bank Act is a Federal matter and we have to live with this. Well if this was so, in the amounts of money I'm talking about, surely the provinces should point out to the Federal Government there should be a change made in the Federal Bank Act. I'm sure, and members here I know, some of them are not all that well off, many members in this House from time to time are required to owe money to a bank. I am sure that they will find that for every extra day they owe the money, it doesn't take the bank two weeks as was suggested by the Member for Sturgeon Creek to figure out how much extra interest was owed. I'm sure that the banks make full use of their computers and in a few split seconds, if it takes that long, they can tell exactly to the cent how much anyone owes if their loan goes over a specified period. And to hear the suggestion, well it's very difficult for the banks to compute the interest or to keep track of monies in this way, it may have been in the old days of the ledger and the quill pen but it certainly is not at this day with the computers and the teleprinters and the instant communications from one end of the country to the other. I'm sure that if it were so, well then the banks would be allowing their clients to go one day or two days or two weeks overdue and not bother them for the interest. But to my knowledge this doesn't happen. The bank knows day by day how much is owed on an overdraft, how much is owed on a bank loan that is overdue; they also know when the interest rates change, which many of their customers do not, but it's part of the agreement that the extra interest must be paid to the bank and the extra rate of interest can be changed by the original agreement whereby the loan was made. And a quiet voice from the large Member for

(MR. G. JOHNSTON cont'd) Churchill said "and so do the income tax people." And I guess some of us know that too.

Mr. Speaker, it's the people who do not know that are paying, it isn't members like the Member for Inkster or the Member for Assiniboia who are dealing daily with banks and insurance companies and large clients. They know, they know, but the widow who has a very modest estate of three or four or five thousand dollars that she is inheriting, I would suggest to you that she doesn't know, because if she did know I'm sure she would tell her lawyer not to deposit that money till the last hour of the last day and then she would want the proceeds back as quickly as possible. So we have a situation here where those with the modest income, those who have not that much to do with the law and the courts and the lawyers and the process, find out the hard way when the estate is processed.

So I'm suggesting to you while the government may be acting with good faith, I find it difficult to believe really when the Law Society would say, well here we want to do something good for the people of the province but really we don't want to pay for it, we want those small estates to pay for it through their interest. And where does that money go? That money goes to pay lawyers' fees to defend people who haven't the means to defend themselves. So while I'm saying the bill may have been worthy of some consideration at the beginning, I'm sure that if the province is going to give legal aid to any citizen who needs the aid then that aid should come from the public purse at large and not from a special select group of people who through no fault of their own have to contribute something that had they had prior knowledge they could have perhaps found a way to save that interest for themselves.

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MR. SPEAKER: The Honourable Member for Inkster,

MR. GREEN: Mr. Speaker, the honourable member has thrown some words around which naturally have to be dealt with because he makes it much more simple than it actually is. And when he uses words like "stealing", I think he is going into an area which merely reflects his lack of knowledge on the subject.

If a person has an estate in a lawyer's office, monies of an estate, not only is that not kept, or is it generally not kept as part of the general funds of the solicitor, not only is it not put into a trust-bearing account but it's generally put into a trust company, and that particular estate will be held separate and apart and the money from that estate will accrue to the estate and to nobody else. And if monies are being held for any period of time then I assure the Honourable Member for Portage la Prairie that not only my law firm, but I'm sure every other law firm, would set up that estate as an account that would have that estate bearing interest in the highest amount possible, and that that estate would get the interest.

That is not where the problem arises. The problem arises, Mr. Speaker, because monies are brought into lawyer's offices for short periods of time. For instance the purchase of a house, and nobody's money stays there for more than 15 to 20 days, but in the aggregate the amount of money stays there over a period of years, so that on every date, although you don't have a client's money for a period of six months, you have - let us take a figure \$50,000 for six months, and that \$50,000 sitting in your trust account for six months would not have borne any one of those clients any interest, but \$50,000 remaining in a bank account for six months will bear interest at the rates of whatever the banks paid. I imagine at that time it was three percent a year, or a figure of that kind, I can't even remember it. And, Mr. Speaker, it seems ridiculous to have a flowing account which will have \$50,000 in it at all times, and let the banks get the benefit of that account rather than the clients getting the benefit of that account. Now the honourable member says well how does the client get the benefit of that account if the firm keeps the interest? Well the client gets the benefit of that account because the firm is making that much money on all of that money over a period of years, it reflects itself in what is charged to the clients in aggregate in terms of --(Interjection)-- Mr. Speaker, I'm not trying to be a hero; I'm not trying to be a hero, nor do I wish to be called a thief, because I think that I would be a bigger thief if I let the banks take interest on \$50,000 without paying it out. It's just a stupid thing to do. It's got nothing to do with stealing, and it's got nothing to do with taking clients' money, it's letting the banks earn over a year, if you happen to have \$100,000 running steady, it's letting the banks earn \$5,000 which they are not entitled to. So what is done, the money was put into an interest-bearing account and to the extent that the firm had that kind of money income from interest, it could reflect itself in its fees. I think, Mr. Speaker, that in some cases it did, in some cases it didn't, while our firm for that kind of an account, and not the kind that my honourable friend is talking about, had monies from time to time in interest-bearing accounts, I assure you anybody who got our bill would testify to the fact that our fees were lower. Now I'm not trying to be a hero, I'm merely indicating that it is not stealing as the Honourable Member for Portage la Prairie said that it is.

Now the honourable member, the Attorney-General introduces legislation which says that that interest doesn't belong to the client because it wouldn't have -- it could not have borne interest for the small period that it would have been there; it doesn't belong to the lawyer - I assume that if a lawyer loses that income in interest he will possible, or probably, make up that income by charging clients fees, so I think it's as broad as it's long. But he --(Interjection) -- Well, Mr. Speaker, who is paying it? The fact is that \$5,000 is not going to be earned by the bank for nothing, that that \$5,000, the Honourable the Attorney-General thinks that this will result in a fund for legal aid from interest-bearing accounts of lawyers. I'm not saying that I agree 100 percent with him; I'm not saying that I disagree 100 percent with him, but what I'm telling the Honourable Member for Portage la Prairie is that there is an interpretation to this other than that it's stealing; that there is a client who's buying a house on the first of November, they bring in money on the 15th of October, that money stays in a trust account for 15 days. There would have been no interest paid to that client in the 15 days by any insurance company, by any bank. The only reason interest is paid is that on the next month another client brings in 15, and by the time you're paying out for the purchase of one house you've got money for the purchase of another. So you've got a running account of \$15,000, let us say that that's all that you are dealing with. Nobody would have earned interest on it except the bank. It's something like the insurance -- I tried to explain this with automobile insurance -- the fact is that over a

(MR. GREEN cont'd) period of --(Interjection)-- Would the Member for Minnedosa disagree with me? He's a banker. The fact is, Mr. Speaker, that is the kind of interest that has been earned. That's the kind of interest that I'm quite willing as a lawyer to say that if that's to be spent on legal aid, that's okay with me. But if my honourable friend says that it was stealing because I didn't let the bank have it, then I disagree with him. I think that the bank should be upset but why should the Honourable Member from Portage la Prairie be upset? --(Interjection)-- Is it better that the bank had it than that the lawyers have it? And if the lawyers had it, is there a better chance that it would be passed on to the client? Sure.

MR. G. JOHNSTON: Would the Member for Inkster permit a question?

MR. GREEN: Sure.

MR. G. JOHNSTON: Could the Member for Inkster inform us as to where the \$500,000, the estimate of the amount that's going to be used for this purpose is going to come from if it doesn't come from (a) the bank, (b) the lawyer, or (c) the client, or any combination.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I assume that what the Attorney-General is hoping - you said the lawyers will behave in exactly the same way and that the interest which has previously accrued to them will accrue to the Consolidated Fund, and I assume that the lawyers who thereby lose that much revenue will, or will not, try to charge that and obtain the money another way. It depends on whether they have felt that their fees have been satisfactory in the first place; it depends on whether they feel they can get more and people won't go to another lawyer; it depends on many things. But it is not as simple as either the Attorney-General makes it or the Member for Portage la Prairie makes it. It is not a simple matter, and it is not stealing. It is not stealing, which is the term that he used. If there was an estate, if there was an estate, Mr. Speaker, where a woman had an estate and the monies for some reason were going to be held in a law firm for a period of time whereby it would be normally interest-bearing, then the law firm should not only, should not only give the interest that accrues to that estate on any interest-bearing account, but likely, and what we did in many cases is that we bought a Crown Trust investment certificate and put the money from that estate into that certificate and the estate got the full proceeds of it.

So I don't think that the honourable member is properly describing that activity which the Honourable the Attorney-General is talking about. If he's talking about an estimated \$500,000 in trust funds, in interest - and I don't know how much it is - then he's talking about it as being what he has somehow calculated, accrues to those trust accounts of all the lawyers in the Province of Manitoba who have a balance which doesn't diminish beyond a certain point as a result of monies being paid in and monies being paid out, and generally, and I'm not saying -- you know I can't talk about every single case, but generally, interest would not have accrued to the client if that money were deposited for that period of time. And if interest would have accrued then I assume that whatever income would have been received -- and I assure you that I feel that way about my own firm however, you know, you can call it whatever names you want -- I feel that my firm's fees were reflected partly in the fact that some revenue was earned through the interest that stayed on a diminishing account. That interest wants to be taken by the Attorney-General -- I don't have at this moment a trust account but I could have one a week from now or two weeks from now -- I'm quite willing to let him have it. I'm not sure that it will do. I'm not sure, Mr. --(Interjection)-- I've explained to the Honourable Member for Portage la Prairie I'm not a hero.

If I don't earn money in one way, I will try to earn it in another way, and I don't think that it will be stealing either way. You know I'm prepared, I'm prepared to on that basis, on that basis of what my honourable friend says is stealing, I'm prepared to stop a lot of stealing in Manitoba. But every time we try and do it he says, freedom of choice, or something else, some other stupid slogan of that kind. I'm prepared, I've come into this House and said now let's do this, let's do this, let's do the other thing. Let's see to it that people who are in an economic powerful position today and who have thereby the opportunity to get more and more, let's put them in a less powerful position and some honourable member says, well you're confiscating them, or you're denying freedom of choice, or you're destroying our free enterprise system which permits people to steal. I've made a lot of proposals of that kind. I want the honourable member to start agreeing. Don't get up and say that this particular, this particular practice is . . . It is something that really means that if it wasn't done that the monies were not in an interest-bearing account, that the bank would have received those monies, and for many years --

(MR. GREEN cont'd) I want the honourable member to know that for many years our trust funds were not in an interest-bearing account and at that point the bank got the money. Does that make the Honourable Member from Portage la Prairie feel happier? That the bank got the money? No. So the fact is that the lawyer now need not -- I don't know, I haven't read the bill very closely because I tell you it doesn't concern me. If that's the way it's to go, it's to go. The lawyer need not put it into an interest-bearing account; he could let the bank take the money and feel that he is donating money to the Royal Bank of Canada. If he feels that that is a good charity; let him do it.

He can take individual trust monies that are deposited with him and if he knows that they will be with him for some time he can put that into a separate fund for that particular client; he can buy an interest-bearing certificate for that client wherefore that client will be entitled to the interest; or if it's a 15-day period, as I've said, which is mostly what we are talking about, he can put that into a trust-bearing account, an interest-bearing account, and if the interest comes through, the Attorney-General will say that it goes to consolidated revenue, and if that means that in order to make what he thinks is a satisfactory living, he will have to -- he can or cannot charge his clients, and if he charges too much his clients will go someplace else, which is what they will do now. Now that is the fact. Now you can make good of it; you can make bad of it; you can make fish of it; you can make fowl of it, but it's not stealing. It is not stealing.

A MEMBER: Where's the 500,000 coming from?

MR. GREEN: I told you where it's coming from.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID R. BLAKE (Minnedosa): Thank you, Mr. Speaker. I hadn't intended to speak on this bill but some of the remarks that I've listened to in the past little while have led me to the point that I should make a few comments. It would appear that the banks have become the villains in the piece here and I assure you that this is not the case. You go to any bank, or any trust company, or any credit union, today and say I've got "X" number of dollars and I'll leave it with you for 30 days or 60 days, and there's no question that they will pay you interest on it. But if you put it in there and say, I might need it in three days' time, there's no way that they can possibly say we'll guarantee you interest on it, and that should be perfectly clear.

There's another point -- not that I'm blaming the lawyers for this, if I were in their position I might have used the same thing -- there are many lawyers over the years and there are lawyers on the sides opposite as there are here, and I'm sure that they won't refute this statement they will agree with me, that the lawyer has said, Mr. Banker I have a trust account in your bank that is maybe carrying \$250,000, and for leaving that account with you I don't want to pay any exchange on cheques - when we did have exchange - I don't want to pay any service charges; I want a statement cut-off on that account at any given time when I ask you for it; and I want to borrow money if I want to buy an apartment block at prime plus a quarter, and for carrying that account there were certain conveniences . . .

MR. SPEAKER: Order, please.

MR. BLAKE: I just want to straighten out the blame that it's not all with the banks, it's shared with the lawyers. And the fellow that is suffering is the poor customer that has put his \$20,000 down for his house and is not too sure when he's going to get title. But there is no -- I agree with the Honourable Member for Inkster when he said that there is a floating balance that most lawyers carry, and I know that there are many lawyers that carry it in an interest-bearing account and there are many that don't, and how you differentiate I don't know, that's probably up to the lawyers and not up to us to decide here. But there is no way that you can calculate interest for broken periods for the client, or vice versa. There's no question about this at all.

But it should be made clear that the banks have never quibbled about paying interest on a lawyer's trust account and if he has funds that he can deposit with them and say that I'm going to leave these funds here for "X" number of days, there has never been any question that he would receive interest for it. What he did with that interest, I'm not prepared to say. I haven't been aware of any of it going to clients. I wouldn't maybe go so far as to call it a --(Interjection)-- slush fund, or whatever. There are some lawyers that maybe have provided this to their clients where there have been sizable amounts involved. But there is no question in my mind that this is going to be very difficult to resolve because through the discussions that have come up on this bill you have alerted the public and if John Q. Public comes to a lawyer now with a \$50,000 deal he's going to say, "Mr. Lawyer if this is not settled within 30 days or 60 days, I would like the interest on my money because I'm cashing my bonds to deposit this \$50,000 with you". And I

(MR. BLAKE cont'd) don't know what the answer is going to be. The lawyer is probably going to have to say, well I'm sorry Mr. John Q. Public, the \$295.00 that you're going to get in interest is going to go to the Law Society, or whatever body might be administering the funds. And I'm not just too sure how he's going to accept this. But it's going to create problems, there is no question in my mind about it.

But I just felt that I had to rise at this moment. There has been several pot shots at the banks or credit unions or trust companies, because they're all guilty, don't blame the banks. I'm sure you didn't get interest from a credit union or a trust company either. So I am saying that there are -- I know, and two lawyers have said to me, that at the bank that I deal with we had an arrangement. They didn't charge me any charges on my account and they didn't have to pay me interest on my trust account. Now he said if they're going to charge me service charges now and charge me for all my statements, I'm going to deduct that from the amount of interest that I'm going to turn over to the Manitoba Government. And I said, you maybe think you are but you may have a little problem there. But this is the consensus with the lawyers that I have spoken to that they felt that they were getting some advantage for the favour, or the benefits of leaving a fairly large trust account with the banks, and if this is taken away from them they may be paying more interest on their private loans, they may be paying service charges on their accounts, or for some other services that the bank might provide. But there is no question in my mind if the lawyers want to hire an extra clerk to look after their trust account and juggle those funds in and out for thirty days, sixty days, ninety days, there is no question in my mind that the banks will go along with this, there has never been any doubt in my mind that they have been reluctant to pay interest on a lawyer's trust account when it has been requested, and I'm sure any other financial institution where the lawyers might deal would feel likewise. But I just wanted to straighten the record out that there have been advantages provided to lawyers for carrying a fairly large trust account with the bank, so don't blame the bank or the financial institution anymore than you blame the lawyer.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I'm certainly very interested in the discussion that has gone here for the last hour or so and the bill itself is very interesting as a result of the discussions that took place. I had some reservations on the bill myself. My reservations were more along the line of using the monies for legal aid because at one time I was an advocate myself of legal aid for those people that required it. But, Mr. Speaker, I've changed my mind, we now have in the estimates, what is it? - three-quarters of a million dollars, we increased by a quarter of a million this year. Here we've got a bill now that will increase it - what is it? - another half million. Where are we getting, we're creating a slush fund for the lawyers. Not only that, but my biggest grief that I have is that we're providing this money for repeaters, for those guys that get drunk and impairment driving, they go to court, the next day over again, every time they're allowed to get free legal aid. And not only those people, there's other people who get into trouble continually. These are the guys that we are now helping through our free legal aid program and I sure don't subscribe to that. From now on I'm going to oppose this very item in the Estimates. I'm agreed to helping those that require help and who have legitimate need but when we come to abusing the way it is presently done and I'm informed by people who have been over to the Law Courts in Courtroom B where this is happening time and again, that I no longer subscribe to this thought that we're really helping the needy. We're not. We're just helping a lot of good for nothings through this program, and not only that, we're now going to provide actually I think a slush fund for a certain number of lawyers.

I would like to know just how many lawyers are benefiting from this fund, who are dipping their fingers into this fund. I rather suspect that it's not such a large number after all, that there are probably certain members of the law society catering to this type of service. I certainly would like to hear from the Attorney-General on this very matter. Because, Mr. Speaker, I have often wondered on certain matters where it took so long, where accounts to be paid out were prolonged. Well here is one reason, the interest that would accrue. But there is another provision in this bill and I feel that this part of this provision here certainly works in reverse to the Consumer Protection Act. It's actually gross deception when we took a look at subsection 32 (4) a member shall not be required to account to any client for interest remitted to the Minister of Finance under subsection (2). He has no right even to find out how much money was given to the Minister, this is going to be denied him, for it's right in the Act. Certainly this information should be available to any person in this country and I take very strong exception to such a provision.

(MR. FROESE cont'd)

The Member for Minnedosa mentioned something that just floored me, when he said that for having some floating accounts that a number of privileges were given to these people in return and as concessions. Well I don't think this happens in Credit Unions, at least not to my knowledge, because we do not have as many preferred rates in credit unions as you have in banks today and as a result you won't have that happen so much in credit unions, at least not during the time that I was involved directly in it. We're departing in the credit union movement more and more from the single rate applying to all members. There is a greater differentiation taking place as time goes on. You have preferred rates now and this lends itself to such practices and I feel that even there that we should watch ourself very closely in the credit union movement to not have this happen.

I would like to refer to some other sections of the bill but maybe I should do that at a later occasion because some of the other sections are very interesting when you take a very close look at it. On the other hand, Mr. Speaker, having this bill coming forward at this late date in the session I don't feel it is proper, I think -- well I feel that really we should be through here in a week or 10 days, I thought we should finish this week but maybe it will take another 10 days -- and I certainly feel that a bill of this type and of the importance of this should receive more study. Therefore, Mr. Speaker, I will move, seconded by the Honourable Member for Churchill, that Bill No. 79 be not now read a second time but read six months hence.

MR. SPEAKER: Moved by Honourable Member for Rhineland, seconded by the Honourable Member for Churchill, that Bill No. 79 be not now read a second time but read six months hence. Is it the pleasure of the House to adopt the motion?

MR. G. JOHNSTON: Mr. Speaker, I move, seconded by the Honourable Member for Assiniboia, debate be adjourned.

MR. SPEAKER: Order, please. The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour and Railway Commissioner) (Transcona): The motion, I believe, for a six months hoist supersedes any other motion at this stage.

MR. SPEAKER: Accept adjournment.

MR. G. JOHNSTON: Mr. Speaker, on the point of order, I believe that the motion is debatable and unless the government wishes to exert its majority to vote down my motion, my motion is completely in order.

MR. PAULLEY: I believe that the superseding motion is the six month hoist notwithstanding the desire of my honourable friend from Portage la Prairie. It may be, Sir, that you would wish to take this under advisement. That is my understanding, that the six month hoist is in effect the postponement of consideration of the bill itself and that is a separate proposition.

MR. SPEAKER: Order, please. The motion for adjournment is properly in order, at any time supersedes all other motions. Moved by the Honourable Member for Portage la Prairie seconded by who? - Member for Assiniboia debate be adjourned.

MR. SPEAKER put the question and after a voice vote declared the motion carried.

CONCURRENCE

MR. SPEAKER: The Honourable Minister of Labour

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that the resolution reported from the Committee of Supply be now read a second time and concurred in.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, with respect to the Department of the Attorney-General I would like to say that we recognize that this is a very difficult department to deal with from a budgetary point of view because a number of the costs are more or less outside of the discretion of the government and the costs of the courts are a case in point, while the functions are purely administrative the administration of justice is of course a first and paramount requirement of any government, and so those costs administrative as they are, still must be met. So of all the departments that we have to deal with, Mr. Speaker, this one is perhaps the most difficult in which to find areas where we can make valid suggestions for costs cutting. It's probably the most difficult but it's not impossible and it's not beyond scrutiny and criticism. The fact is, Mr. Speaker, that as we pointed out when consideration of these departmental estimates first came up much earlier in this session, the costs of this department are rising at a very rapid rate

(MR. SHERMAN cont'd) and at a rate that is unacceptable in the view of the Opposition, certainly in the view of the Official Opposition. The Estimates for two years ago for the Department of the Attorney-General total \$8-1/2 million. This figure increased to \$9-1/2 million last year, and it increases to \$11.7 million this year. That makes a total increase in two years, Mr. Speaker, of more than \$3 million, or 36 percent, and it's an increase of approximately 22 or 23 percent for this past year, that is for one year alone. Regardless of the fact that, as I noted, many of the costs in this department are outside the discretion of the government, and that the cost of the administration of justice has to be met as a paramount responsibility of government, an increase of that size, increases of those sizes, 36 percent over two years, 22, 23 percent over one year, are unacceptable from the point of view of the Official Opposition, and taxpayers of Manitoba in our view, and they can by themselves be debated and they can certainly be opposed.

The increases, Mr. Speaker, derive largely from four areas. They derive from the proposals to increase legal aid; they derive from the proposals to expand assistance in the financing of police protection, or to absorb the increased costs of the financing of police protection; they derive from general increases in administrative costs; and they derive from a sharply expanded budget for the Manitoba Human Rights Commission. Increased assistance for legal aid is by and large, Sir, acceptable. Increase administrative costs are excessive in our view, and unacceptable. The 200 percent increase in the budget for the Manitoba Human Rights Commission is in our view excessive and unacceptable.

Police protection of course is a vital function and cannot be jeopardized but a new method of financing such protection in our view must be found, at least must be looked for, if such costs are not to become prohibitive in the years ahead. Doubtless we'll need more police protection in years ahead, not less, and we must find some way to pay for it. Police protection of course is a function that should be legitimately loaded against the real property tax base at the municipal level. The problem is that the real property tax, the real property tax base has been overloaded up to this point with education taxes and it has been difficult, if not impossible, for that tax base to support the kind of protection of life and land and home and property for which the police are responsible and which properly, in a properly structured tax environment should be loaded against that area.

We believe, Mr. Speaker, that the suggestions we made earlier in the consideration of the Estimates, not only for this department, but generally speaking the spending program of this government contains a solution to the problem of escalating costs, both in the area of police protection as such, and in the general area of the Attorney-General's departmental responsibilities. We believe that that solution lies in the refinancing proposals that we discussed and that we have placed before this Legislature and before this Committee repeatedly since the current session got under way. We believe that the alternate budget we proposed which called for sharply reduced government spending, government expenditures, in the overall area of some \$50 million, and which contained our proposals for shifting ultimately the entire responsibility for education costs off the real property owner contain in themselves the solution to this problem. We believe that they would provide the relief necessary to the real property taxpayer in Manitoba to allow him in his municipal environment the kind of fiscal elbow room and fiscal maneuverability necessary to enable him in his municipal environment to pay for more of his policing cost.

Now I recall that when we earlier considered the Estimates of this department as such, the Attorney-General took me to task for suggestions made in the area of refinements and reductions in the cost of police protection, but I reiterate the basic position that our party took at that time which is, Sir, that as long as the real property tax base is loaded as heavily as it is with the responsibility for paying education costs, even to the reduced extent, even to the reduced extent that has been made available under measures introduced by this government, it will be impossible to bring police costs under control and into line. The Attorney-General pointed out to me that the reason for the increase in costs in this area in this year's appropriations for his department lies with an increased budget by the Royal Canadian Mounted Police, and a consequent higher bill for the Province of Manitoba in that area. But one can only wonder, Mr. Speaker, whether in fact the increase in the RCMP budget is responsible for the entire extent of the increase in law enforcement appropriations being sought by the Attorney-General this year. It is an increase of \$1.18 million up from 3,364,000 to 4,544,000, and I would be interested in advice from the Attorney-General as to whether the bill, the invoice being submitted to the Province of Manitoba by the RCMP under our contract with the RCMP for

(MR. SHERMAN cont'd) policing services, is responsible for that entire increase, or whether there are other components and ingredients that go to make that sum up.

The question still remains, and I leave it with the Attorney-General notwithstanding the kinds of factors involved in policing of small communities and municipalities in Manitoba under 500 population, as to what he's thinking of, what his department is contemplating, what avenues he and his colleagues are pursuing with a view to containing the upwards spiral of policing costs at the present time in the light of the almost sure knowledge that police protection requirements are going to increase in the future, and that something sensible and rational has to be done to make sure that those costs do not get entirely out of hand.

And I resubmit to him, Mr. Speaker, the suggestion that if, with his colleagues, and this cannot be done by the Attorney-General independently but with his colleagues in the government, if the education tax load were taken off the real property tax base to a sufficient extent, and in our view the ultimate sufficiency is total, to a sufficient extent there would be leverage and room left in the municipal tax base to enable municipalities to reimburse the province in part for the policing costs that the province now undertakes. Now whether the contract with the RCMP permits that kind of thing to be done would be answerable by the Attorney-General, but on the surface one cannot conceive of any particular objection that the RCMP would have as long as they get paid for the contract that Manitoba makes with them. As long as they get the 47 percent of the cost of training and outfitting and supplying one man that Manitoba makes with them, surely the provision of that cost, the accumulation of that cost lies 100 percent in Manitoba's hands and constitutes a 100 percent Manitoba responsibility. And I shouldn't think that the RCMP as such would be concerned. Now if the Province of Manitoba can only raise that 47 percent by the provision of sufficient appropriations in the Attorney-General's Department, then that leaves us wondering what the Attorney-General and his colleagues are doing about facing the threat of continued escalation of cost in this area in the future. Why, Mr. Speaker, would it not be possible for the municipalities, the areas who are supplied their RCMP services on the basis of total cost payment by the province, to reimburse the province for part of that cost. In other words, to provide an input of a financial nature that would enable the Attorney-General to hold these costs down to some rational and reasonable level. That opportunity would be available it seems to us if those municipalities were allowed to use the real property tax base to provide that kind of taxation revenue for the province for this particular department. And that in turn would be possible if the education tax burden were taken off their real property tax base. And this is the essence of the suggestion that we made to the Attorney-General some weeks ago and that we resubmit to him for consideration at this point in this session, Mr. Speaker.

The basic conclusion that our party came to when first confronted with the Estimates of the Attorney-General for 1972/73 is that the kinds of increases in spending being sought here simply are insupportable from the taxpayers' point of view. And the two areas in particular as I suggest that require, demand, intensive examination by the Attorney-General and his colleagues, are this area of vital police protection cost to which some sense of reason and rationale has got to be brought and the budget for the Human Rights Commission.

In the other areas, in the costs to the courts and legal aid services, one would have to go along with the increases that develop as a consequence to the inflationary age that we live in and accept them up to this point at any rate. We may not like them but we accept them as being inevitable but certainly where increases in budgets for such government agencies as the Manitoba Human Rights Commission are concerned, and some other administrative areas, there is wide room for sensible cost-cutting by the Minister and in the area of police protection I think there is a great onus on him and on his colleagues to examine what can be done in the way of shifting the tax burden of municipalities to enable some of that cost of police protection to be picked up by municipalities and thus to be offset and removed from the budget that the Attorney-General has to cope with this year and in the next fiscal year.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I do have a few comments to make on the Attorney-General's Department. I have two specific areas that I wish to raise. The first thing I want to point out that very seldom, or I don't believe I would have ever questioned the expenditure in Attorney-General's Department, particularly for one reason. I think the administration of justice is the most important item, because if you haven't got law and order I don't think what else, if there's anything else that really matters. So to me in that respect I wouldn't question it.

(MR. PATRICK cont'd)

I do however have some specific items that I wish to question as far as the expenditures are concerned, and one is human rights, Manitoba Human Rights Commission. I want to tell the Attorney-General that quite a few years ago, my first years in the House, I was one that requested and recommended that we have such a commission. I talked about it in the Labour Estimates, in fact I may have presented a resolution to the House, which I was really concerned going back some eight years ago, I was really concerned about discrimination in housing, discrimination in employment practices, discrimination in accommodation, and to me, I thought at that time it was a very important area that the government could have moved in.

But having said that I am really concerned about administration of justice, getting back to the item that I am talking on now, this is what concerns me. Because if we look under the Estimates and you have an increase that you have from something like - is it 78,000 to 248,000, this is a very substantial and a very high increase, and the points that were made by the Member for Fort Garry perhaps on this one item are well taken because it's a tremendous increase. I just wonder what really has happened in the area that the Commission is doing or carrying out some form of work and investigation. I am told by many people, it has come to my attention quite recently that a commission has purchased a very expensive car, perhaps more expensive than the Minister is driving himself, and really I would like to know what was the purpose. Are all the members of the commission using this car, or is it the chairman, or one investigator, or in what way is this car used? Maybe I'm wrong, maybe there are more cars involved as far as the specific commission, the Human Rights Commission is involved. So as far as this one particular item, I am concerned, really concerned, about the expenditures because surely you could see the gradual increase in expenditures from year to year but you don't see the expenditure that you have under that particular item. So on that point, I'm not totally satisfied what the Attorney-General has explained to us during his Estimates. And I wish he would give us some understanding just exactly what the Commission is doing, what has happened that warranted such a tremendous increase in the expenditures.

The other point that concerns me, and it concerns me much more today than it has some time ago, and I believe that it's only of recently, and I think it's really very serious and I regret that the government, really the government's breach of the Purchases Act which resulted in the loss of in my opinion, of thousands of dollars of taxpayers' money. And to me this is a very serious thing because surely even if the Minister who is responsible for enforcing the Purchases Act, the school division would have carried out and went through with the tenders procedure even if the tender of Flyer Coach Industry was not perhaps as good, they could have still exercised the right probably to choose the tender that they wished to and take the bid. Now what's happened as a result of not having an open tender, and this is the result why the people were laid off at Flyer Coach Industry, I think it's a very serious situation because we don't know when some 200 employees will be back at work; we don't know how long we will have to wait for the parts, for the transmissions, and surely I think the Minister has a responsibility in this area. The question is that the people are asking, Mr. Speaker, what will it cost in the end for the Minister not to enforce the Purchases Act? This is the question. I am sure that it will be - if we get the transmissions shortly, well it's understood that it's not the reason, but if we don't and we have to wait for months, then the cost may be in millions, and the reason I'm pointing it out to the Attorney-General because he's the Minister responsible for enforcing the Purchases, Provincial Purchases Act, and this is why I am bringing it to his attention, and I would like to know. So these are the two areas that I wanted to bring to his attention and I hope that he'll be able to explain.

MR. SPEAKER: Concur on the motion? The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): Mr. Speaker, I don't wish to speak at length on this particular issue but I do wish to bring to the attention again to the Honourable Attorney-General, a matter which for some areas of the province is a real serious concern. I'm speaking now about towns, of Morden 500 population and yet less that let's say 2,000 population, they are asked upon to supply their own police forces and pay for them and they do not really have the tax base to do so. What will happen if there is no assistance that is going to be coming their way in the future, will be a decrease in the policing services of those towns because they simply will not be able to afford it. I realize that on one hand we often talk about economizing but this is one area where I think that we should consider --(Interjection)-- Well, the Member for Fort Garry I suppose is speaking from maybe a different point of view. I don't realize, or I wasn't

(MR. GIRARD cont'd) really here for his particular talk, but I'm suggesting to you, Sir, that unless some assistance of some description is given to the towns of 500 plus you will find in Manitoba a decreasing number of enforcement officers and you will compound the problems that exist in those localities because of lack of support. May I suggest if we're that concerned about where the money is coming from, that we could easily find some department from which we could get a few thousand dollars to assist them in that project.

MR. SPEAKER: . . . motion be concurred in? The Honourable Attorney-General.

MR. MACKLING: I wasn't aware of the difficulty in connection with concurrences. I was on my feet, I did take my feet on Friday after the Member from Thompson spoke. I didn't realize that in so doing I would be pre-empting my right to answer and I did want to answer the submission, particularly from the Honourable Member from Swan River and others who have spoken. I am prohibited I understand by the rules now from answering, I would like to answer. If I don't have leave, I won't answer.

MR. SPEAKER: The Honourable Member for Assiniboia on the same point of order.

MR. PATRICK: We'd be prepared to give leave because I have some very pertinent questions that I posed to the Minister.

MR. SPEAKER: It would have to be unanimous by the whole House. Is it agreed? Any dissenters? The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Speaker, the Honourable Member from Swan River was concerned during the discussion of my Estimates about several matters and I assume that either I didn't answer them fully enough to his satisfaction then or he had some continuing concern in those fields. He indicated again his concern in respect to the employment of special constables of native ancestry, Indian or Metis persons, and I indicated during the discussion of my Estimates that there was a very effective program that was under the auspices of the Federal Government under the Indian Affairs Branch, and we welcomed that development but we were not in a position to participate directly. We would rather that those Indian constables be trained under the auspices of the Federal Government through RCMP training and assist the RCMP in the policing of the reserves. Now there is an area outside of the Indian Reserves themselves where no doubt constables of Metis origin would maybe have a rapport with the people in the communities that otherwise wouldn't be available to someone who is a white person. However it's my view that those persons who are Metis or Indian who are employed should be merged with other police forces and not be hived off as a separate type of police force, and I've made my views known on a number of occasions to those who are interested in this particular development.

I noted also his concern in respect to the enforcement in remote areas and one of the concerns that he had is diametrically opposed to the submission of the Honourable Member for Fort Garry because year in and year out we have been increasing the costs, or at least the funds that we have voted for administration of justice in policy forces to provide more effective security to our remote areas, to our highways, to our places of recreation, parks, and so on. And we can't have greater police enforcement, more effective security for our communities unless the costs increase. So I trust that the Honourable Member from Fort Garry could discuss that matter with the Attorney-General critique on his side, the Honourable Member from Swan River, and have a realization that you can't have it both ways. You're going to have an increase of costs if you want those additional services.

Now I noted his concern -- the Honourable Member for Swan River -- in respect to matters arising at Headingley and some thefts but those matters really concern the Department of Health and Social Development. I won't touch on them and I won't take the time of the House with them.

The Honourable Member from Portage la Prairie was concerned about a matter which already has been discussed tonight, so I won't take the time of the House on that.

The Honourable Member from Thompson had spoken, and I think I replied, and the subject matter has been abundantly dealt with.

The Honourable Member from Fort Garry, I would like to reiterate to him that the proposals that they had submitted, that he had submitted during his criticism of the Estimates of the Attorney-General's Department would not be a salutary remedy to the increasing costs so far as municipalities and small villages and communities are concerned. Under the arrangements with the Federal Government we do at least share to the extent of many millions of dollars that the Federal Crown contributes to the cost of police forces, and this is a positive benefit which we don't want to lose. To suggest that the individual communities should assume this responsibility alone would negate one of our concerns and that is to provide police services

(MR. MACKLING cont'd) at the most reasonable cost to all of the communities in Manitoba.

His concern in respect to the Human Rights Commission is also reflected in the concerns of the Honourable Member from Assiniboia. And I would like to point out to the honourable members, and perhaps I didn't indicate it during the passing of the Estimates generally but we had a lot of time on it, I think we spent almost nine hours of my Estimates, and there were innumerable speeches, and I was accused of answering perhaps at too great a length, but there was a lot of talk on my Estimates, but the Human Rights Commission in the 1971 Estimates was for a part year only. That figure of 78,000 wasn't for a full year's operations. So that when you reflect on that the consideration in the budget this year becomes much more reasonable and much more sensible. In addition to which, as I pointed out in the discussion of my Estimates, the program for the Human Rights Commission in this budget does provide for a reasonably comprehensive program to provide an outreach in respect to the educational aspects of human rights, to provide for some pamphlet material, to provide for some organization of discussion groups, topics, and so on, because it surely has to be a preventative aspect as well as a complaint aspect to the operations of the human rights operation.

Now I think with those few words, Mr. Chairman, I will take my seat. I think that the honourable members would appreciate my brevity. I thank them for the indulgence of being able at least to answer their specific queries.

MR. CLERK: Resolved that it be granted to Her Majesty a sum . . .

MR. SPEAKER: Order please. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, . . .

MR. SPEAKER: Order. Does the Honourable Member for Rhineland still wish to go on the Attorney-General?

MR. FROESE: Yes, I wanted to make a few comments on that before that . . .

MR. SPEAKER: Order please. Let me also suggest one other thing to all members. The Clerk does not have the audio assist so therefore if members want to be recognized they'll have to move fast so I can stop the Clerk. Otherwise we'll be passed two or three items in concurrences. I do not wish to deny any member the opportunity to get with it but I cannot anticipate until a member rises and the Clerk may read two or three items while the member is making up his mind. So I would ask the co-operation of all members to be ready when we get to their department. The Honourable Member for Rhineland.

MR. FROESE: I can assure you, Mr. Speaker, that my remarks will be very brief. But earlier this evening we discussed legal aid and we find that in the Attorney-General's Department that we are increasing the legal aid allocation by a quarter of a million dollars, from 500,000 to 750,000, and I take strong exception to this. After learning some of the things that are going on, I certainly no longer take the attitude that I had a year or two ago when I was strongly for it and I still feel that in certain areas there is a need, and a very valid one, and I certainly wouldn't want to deny these people the right to get legal help, and I think it's essential, but we're increasing it by a quarter of a million dollars and we don't know what the increase is for. I understand there are innumerable repeaters and people who get into trouble continuously, and I for one certainly don't want to assist those people that get into trouble every now and then and then we as taxpayers provide the funds for them to be represented. I'm sure that the public at large would not go for this, that they would take strong exception to this and when I see the increase by 50 percent, I think this is what is happening here, that we are providing this increase for the very people that are continually getting in trouble and which are offenders and repeaters of offending the law, and therefore I take very strong exception to passing this particular item in the Estimates.

MR. SPEAKER: Is the Attorney-General's Department concurred in?

MR. CLERK: Resolved that it be granted to Her Majesty a sum not exceeding \$12,030,000 for Civil Service.

Resolved that it be granted to Her Majesty a sum not exceeding \$67,566,700 for Colleges and University Affairs.

MR. SPEAKER: The Honourable Member for Assiniboia. Colleges and University Affairs.

MR. PATRICK: Thank you, Mr. Speaker. I just have a few points on this department which I did not have an opportunity to discuss during the Estimates of the Minister. My concern is about the department's research and planning. I'm concerned about where does the planning and research fit in in respect to curricular development? And who is responsible for it? Now

(MR. PATRICK cont'd) there must be someone that's responsible for the responsibilities of this branch, I would like to know what Minister, and does it relate to any other branches such as curriculum and teacher training? I know that we were supposed to have a four-year teacher training course which was recommended by the Committee. I understand that the Minister was the one that -- I don't know if I'm using the correct word -- that vetoed this proposal. I understand it was supposed to have started a year ago and at the present time we do have sufficient number of teachers, in fact there are some that are having a difficult time of getting placed. If that is the case then I cannot see why the Minister did not proceed with this four-year teacher training course that he was supposed to have started this past -- a year ago...

MR. PAULLEY: Mr. Speaker, I wonder if my honourable friend is speaking to ...

MR. DEPUTY SPEAKER: The Honourable House Leader.

MR. PAULLEY: I wonder if my honourable friend is speaking to the resolution under consideration, namely Colleges and University Affairs. It seems to me he is speaking on the general program of education and teacher training, and the likes of that, which is not, as I understand it, part and parcel of this particular resolution.

MR. PATRICK: The Minister is correct. I do want to speak on the Education which I never had an opportunity to say anything during the Estimates but I do wish to just raise one point and under the Estimates of the Minister of Colleges and Universities, and that is in respect to our funds that are allocated for our community colleges which is \$15 million as compared to \$42 million for the universities. And in my opinion I think that the Minister is not putting enough emphasis on our community colleges because surely, Mr. Speaker, that the people that are coming out of our community colleges is what you may call semi-professionals who can be fitted in to jobs immediately and are very capable individuals and I believe there is a demand for these people. In fact the ones that complete the courses at our Red River Community Colleges in secretarial science, it doesn't matter you can put an application for one of their graduates six months in advance and you will not be able to get any of them because that's the kind of demand there is for these ones that complete the secretarial science course, which I believe is -- I'm not sure now - a two or three year course. So in my opinion the Minister has to put more emphasis on our community colleges because this is the area which I feel when the students coming out of these colleges will be able to fit into our economic picture immediately and when you look at the Estimates it doesn't compare too favourably as far as our community colleges are concerned when we're spending \$15 million for our community colleges, which probably takes in maybe 80 percent of our students that avail themselves to a higher education, which it's a very small percentage that go on to university from the total enrolment of all the students concerned. So surely the Minister has to agree with what I'm saying that he has to be spending more money as far as our community colleges are concerned and perhaps sort of put more emphasis instead of the grants that we're now making strictly to the universities, because I do feel that the people that are coming out from these colleges is what I would call semi-professionals who fit into our economic picture very easily, who are employable, and I do not believe that the Minister has done a good enough job as far as our community colleges are concerned.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. To carry on with some of the comments and some of the train of thought put forward by the Member for Assiniboia, I would also like to talk a little bit about the community colleges and what I consider, Mr. Speaker, to be sometimes questionable in the direction they're taking; maybe some short term planning has turned out to be detrimental, or possibly a lack of a fully co-ordinated properly researched type of program to begin with. And I would like to bring to the Minister's attention a specific example and here, Mr. Speaker, I want to first qualify that what I have to say on this particular subject - I have not got the definite facts in front of me, it's just been through telephone conversations and what not. So I want to bring it to the Minister's attention and he can either verify it or refute it.

It's dealing with a course which was instituted at the college a couple of years ago in the training of surveyors, or instrument men, or people that are employed in the survey of land in one form or another. And at the time the course was instituted I understand that there was a survey done of the various departments of government which indicated there was a great need for these students, and now after a couple of years we find the first students are graduating and the so-called need that existed in the various departments of government apparently no

(MR. GRAHAM cont'd) longer seems to exist with the result that we have quite a few students graduating this year who were anticipating, in fact the course was founded on the strength of projected need and suddenly that need apparently doesn't exist. I would ask the Minister if he would check into this and it may be that this course is no longer required. I just raise it at this time because when the Estimates were in the House I was not present at that time.

And the second point I want to raise is a question that I have raised before in this House, and it's dealing with the University Grants Commission and a concern which I feel the people of Manitoba have with the operation of the University Grants Commission, and the fact that there seems to be no legislative body other than the Minister that has the opportunity to call before it members of the University Grants Commission, the senates of the various universities and colleges or the boards of governors. And when we're spending money that is a significant portion of the total budget of the province, Mr. Speaker, I feel that there should be an opportunity, and I would suggest that there should be a legislative committee which has the power to call before it these various bodies and to have the opportunity to scrutinize the plans and the accounts of the University Grants Commission and the various colleges. I feel that this is not a request that is frivolous, I think it is one that is thoroughly justified in this day and age when there is so much money being spent in the post-secondary field of education. And I would like to see the establishment of a legislative committee with that power. I have made this request in this House before, I make it again now, and I would urge the Minister to discuss this matter with his Cabinet colleagues - and I would sincerely hope that when this Legislature meets again that the members of the treasury bench will see fit to establish such a committee because the interests of Manitoba I think would be best served in that manner. Mr. Speaker, these are just a couple of comments that I want to raise with the Minister at this time and I regret that I wasn't in the House when his estimates were before the committee.

MR. DEPUTY SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: Mr. Speaker, I don't wish to dwell at length on this particular department. However, I'm a little surprised that at this late stage in the session we have not yet had any bills introduced from that particular department and I expected that there would be --(Interjection)-- Pardon me? Maybe it's a mark of efficiency; I hope it's not absence of mind. I thought that we would have by now a bill to change the representation on the Board of Directors at the University of Manitoba, but apparently this has not been done. My suggestions though would be addressed to -maybe not necessarily at this time but in the near future, between now and next session when the commission that the Minister has appointed reports on post-secondary education - that with all expediency possible, that the members of this House be permitted to receive copies of this kind of a report, because I think that by next year it should be high time that we look at the expenditures of money in the Department of Public Education - the Department of Education now - and that of Universities and Colleges. I'm under the impression at the moment that maybe we are expending more than we should be at the university levels; maybe we are not spending enough at the vocational level, and maybe much too little at the public school level - I would hope that the commission report will give us some light in that particular area. In the meanwhile, I would like to see the government consider in the Department of Education a possible increase of the Foundation Program to bring it up to where it should be.

MR. DEPUTY SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, being home over the weekend I had the opportunity to discuss matters with certain people - not that I did go to them, they came to me. And one of the parties had sons and daughters living in Winnipeg, and one of his sons was attending courses at one of the colleges and he was working during the day and taking his course. But what is happening at these colleges is that they come in; they're being paid to attend school; they'll specialize in one area; after they've completed that they'll go into another and a different area, specialize in that - never apply what they've learned. They go to a third one, fourth, fifth and sixth. They've gone as high as that, and this is all being done at public expense - and this is the way these people are making a living. The next guy, he's working his head off trying to carry on, to pay the taxes as well, and earning a living and trying to upgrade himself. The abuses that are being taking place again on this one, I would like the Minister to check in on it and give us a report, because I know of certain instances where this is fact.

This person told me too of cases that he knew personally about, and that he'd been discussing this. Not only that, but then a number of these people would attend certain days, but

(MR. FROESE cont'd) they'd be sure to be there on Fridays. On Fridays they were picking up their cheques - then everyone was present. Otherwise you'd have a lot of absenteeism but on Fridays they were there to pick up their cheques. And this is not nonsense. This is what actually takes place out there, and I'd like the government to check in on this, on some of the things that are going on for which the taxpayer of this province has to pay money. I feel that we're abusing -- the abuses that have taken place - and we are spending money needlessly where we could effect large savings. This department certainly is one of them where we could effect savings no doubt.

I would like to hear from the Minister as to what is the projected enrolment for next year. Can he tell us anything as far as the universities are concerned? Will there be increased enrolment? Are we able to accommodate our own people? Are we taking in foreign students, and how many? And will this in any way deny some of our own people taking university in Manitoba if they desire so? And to what extent is assistance provided? I feel some of the explanations are needed. The statements I made earlier I can vouch for them - I know the people that reported this to me are trustworthy; they work in the city and I can vouch for it.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Well, Mr. Speaker, I note the Minister is eager to reply to some of the questions that have been put to him so I would like to add a few comments with some questions. I might say without betraying a confidence, that earlier in the day the Minister and I had a discussion about how the student employment program should operate taking into account parents' income and I found -- and he's expressed publicly his opinion on this -- and by and large I tend to agree with him that any government jobs for students should be opened up so that everybody has an equal chance to try for the job, and also that the account should be taken of the ability of the parents to finance their sons or daughters into further higher education. However desirable and noteworthy that this program may be, I consider it to be a bandaid approach to the problem.

Let us take a look at what is going on in the universities in Manitoba at the present time. And I'm going to now talk for a moment or two about the training of some of the professionals in our province - the doctors, the dentists, the lawyers, the architects and others. I think it has been brought out in recent years that, for example, a doctor taking his training - a medical student - either through his family or through loans he finances about 20 percent of the total cost of his education, while the taxpayer at large pays the other 80 percent through taxes which may be federal grants or may be provincial, but in any case the person concerned is receiving a subsidized education. Now I have no quarrel with this - and I agree with the fact that the state-supported universities have a place in our society, and especially in the sparsely populated provinces such as Manitoba.

But where I disagree with the status quo is where a graduating class of 30 - and for example I will talk about the doctors; it could be dentists -- it's well known amongst the graduating class that seven or eight of them are leaving the province immediately that they get their degree. They're going either for further training or else they are going to practise somewhere else. I could cite you an example of one person in this province who is taking professional training, and he's presently a resident of a penitentiary. Now I say there's nothing wrong with this - excepting there is something wrong when a boy or a girl who has worked hard, who has the qualifications, is kept out of that class. Now let's examine the end result when a class of 30 graduates from a school where they've had probably 200 applications to attend. Does the Selection Committee, besides taking the qualifications as to standard, do they examine and ask the person: Are you going to stay and practice in Manitoba for a certain length of time? Are you going to return to the province part of the investment that we have given you? We have given you - and I repeat that word "given". Mr. Speaker, in my opinion that has not happened yet. This government prides themselves, and I compliment them on some of their humanistic measures, but they still haven't attacked this problem. Every graduating class we have of profession people where our facilities are limited, a goodly number of them leave, a goodly number take advantage of another program and then leave. Without mentioning names, I could mention two in particular where this goes on, where this has happened.

The Minister really didn't have a chance under our new rules of discussing the estimates to expound the philosophy of the government that he represents, and to tell us what the plans are for the future. We read in the paper today from the Legal Professions Annual Meeting at Clear Lake, where one of the members says that we have only places for 25 percent of those

(MR. G. JOHNSTON cont'd) who apply for legal training in the Province of Manitoba. The dental profession have in past made the same statements, that they can only take a certain percentage. Myself and other members from other parties in this House were on the Professional Services Committee, had before us the various deans of the faculties of the universities - and when we put the question to the deans they said, well we choose only on merit. I would like to meet with that committee that makes the choice. How many of them are men in the profession? How many are from the university and how many represent the laymen of the province? So that if this hard choice has to be made, well then let it be made surely with some representation from the people of the province. It seems to me to be an unbelievable situation where people who are taking professional training receive 80 percent of their education from the taxpayers; this is the man that works in the factory at \$100.00 a week; this is the waitress that works for \$40.00 or \$50.00 or \$60.00 a week. And we are looking to train in our state or our provincially supported institutions, supported by taxpayers' money - surely we are looking to have people who will come out of the process and go back and practice and use their talents with the people who gave them this chance to be there in the first place. So I would ask the Minister if he could explain and tell us what is in the future in this regard.

One other question I would like to ask at this time - and then again I say this relates back to the people who pay the bill, the taxpayers - and the question is: How is the dead wood weeded out of the universities? I'm talking about the instructional staff. A school board even with the limited powers under this and the previous government had some say in this regard. Yearly we vote huge sums for the support of our universities - and who is to stand in judgment on the people who are teaching our young people? Who says that there should be a sabbatical every five years, where you can leave and go at full salary and do your own thing? Who says this? Well, the First Minister says that's changed, but if it has we haven't heard about it. --(Interjection)-- Well he's qualified that now. He says it is changing, and I'm glad to hear that.

Do you know, Mr. Speaker, if the toughest union in North America wanted to take a lesson in tactics to get for their group the special interest that they require for their members, that toughest union - whoever it is - should look at the university professors. What do we see? First of all we see a young man or a young woman is taken in as a lecturer at eight or nine or ten thousand a year, part time -- part time. An aside said to me, well then he becomes Premier. Well that's a side effect. But anyway back to my subject, to which I hope I'm warming. Then this young person if he shows sufficient talent, takes another step and becomes an assistant professor at a substantial increase; then he becomes a full professor at another substantial increase. --(Interjection)-- Oh, he has little sidelines like being consultant to various governments in various parts of the world. Then if he survives the internal political system of the university, he becomes a dean or an administrator and his salary progresses - and I would like to know on behalf of the taxpayer, who asks for the qualifications? Who decides how the selection process is made - outside of the university, outside of the university?

Boy, I'll tell you, and I repeat again, any tough union that wants to take a lesson on how to unionize had better look at the university professors here in Manitoba. How many workers for the steelworkers get a sabbatical every five years at full salary? Not that many I would suggest. How many self-controlled organizations such as we have at the University of Manitoba are so self-contained and self-controlled - and they have the money - that they don't answer to the people of the Province? I can recall a year ago when a president was asked very courteously to appear on a by-line and he said, no I don't answer that way to the people of this province. I would ask this government to tell us how do we get the answers out of those people? We supply the money, they're doing their own thing. I'm asking for accountability and let the accountability be changed if it's found wanting. The money that they've had for research there - who do they explain to, who do they make the accounting to? We have 57 members in this House and every two or three or four years they account to twelve or 15,000 constituents. But we have the gentlemen in the ivory tower who account to one another - and they appoint a spokesman who - I guess he talks to the - whoever the present Minister is, and talks to him. For sure he has a Board of Governors that he has to deal with, but this is an internal matter. Now I'm asking this government who when they were elected - when they were elected, they said we're going to be an open government. Well gentlemen I say to you, here is one chance to prove yourself as an open government. Get some accountability out of the ivory towers to the people who pay the bills.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I haven't had the opportunity to speak during this session on colleges and universities, and I think that a few words have to be said. I would restrain most of my remarks to the development of post-secondary education in the form of vocational education in the Province of Manitoba because, Mr. Speaker, this has been the development that has offered to the people of Manitoba the greatest break-through in education that has occurred in several decades in the province. During the early 1960s the Provincial Government assisted by an enlightened federal policy and a good deal of money, Mr. Speaker, moved into a field of vocational education development. And as a result of it, we saw first of all the Manitoba Institute of Technology developed here in the urban area of Greater Winnipeg; and then we saw The Pas Vocational School developed in that northern centre, and the Brandon Vocational Centre in the western part of the province. And the three of these in their position opened up a new type of education for a segment of the school population that heretofore had been deprived from training or education, due to the emphasis on a curriculum being concentrated on the academic type topics. And since that time we've had the programs at these schools, these three schools, expand to number thousands. We've had job retraining programs - which you, Mr. Speaker, I think have been a part one earlier stage in your illustrious career - and we've had regular educational academic programs, we've had the entire spectrum inbetween. And we find now, Mr. Speaker, there are great number of people who graduate from the university with a degree in arts or science, who can't find a job from their academic training, turn around and go to the vocational institution in order to get the type of job education that is important to them. In fact, I understand in some other parts of Canada that the enrolments in these same schools is reaching the point where up to 20 percent of the registrants in these post-secondary institutes have a former university degree.

Well, Mr. Speaker, going along parallel to this, we had a body of opinion that developed that wanted to see community colleges developed in the Province of Manitoba. Community colleges were very much directed towards adult education, and they were a type of development that was unique in the United States - and it provided a gathering point for those interested in doing something at the local level to see this type of education being developed in their community. Well, Mr. Speaker, the present government has found in its wisdom that they could take the previous schools and rename them as community colleges. And so we find that at the MIT and the MIAA that existed in the urban area of Winnipeg, that we had a renaming to call it the Red River Community College. And at The Pas we've had a renaming of that institution to call it the Kelsey College, if I'm not mistaken, and at Brandon we've had it renamed to the Assiniboine Vocational College or Vocational Centre.

Well, Mr. Speaker, I want to come down and emphasize a point - that apart from the renaming of those schools, I have seen this government in three years of tenure do almost nothing in comparison to what was done during the previous government tenure in the field of education - and in this very important field of post-secondary education which was the biggest break-through, the biggest single breakthrough in education in the Province of Manitoba since the initial beginnings in the early 1960s - about all I've seen this government do is change the names on the colleges. Not only that, Mr. Speaker, they've taken the colleges and they made sure when they changed the names on the colleges, that they made sure that they had their own names put into immortality by inscribing them on a significantly sized plaque on the front of those colleges. And I say that apart from that, Mr. Speaker, I have seen very little contribution to the education system of Manitoba, even into the comprehensive schools that have been developing in the province - the policy was set by the former government, and there has been very little, very little happen in that field since the change of government in 1969.

So with those few remarks, Mr. Speaker, - I have refrained from saying very little because I don't usually like to speak and speak in negative terms alone, but I must say that in this particular field in colleges and universities I could not help but wonder why they had to have two departments to handle this when really nothing new had happened. And I never felt before that there was an essential need for a Department of Education and for a Department of Higher Education, because there has not been any banner-waving development that I could see in this field of education. So ending with that rather critical note, I must say that I trust when the Cabinet gets reshuffled - if it does happen some time this year - that we may get away from this additional extra expense that's required for the previous Minister of Education to sit over both Education and Health, and maybe we could revert back to one department until the government decides that it's going to do something positive about post-secondary education.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: The other problem that needs mentioning on these departmental Estimates, Mr. Speaker, is the one having to do with overcrowding and long lines of waiting applicants - particularly at Red River Community College, and particularly insofar as certain courses are concerned - and I would ask the Minister to consider what can be done in this area to improve the admissibility for students who are attempting to get into various courses at Red River, who really respond to the kind of promotion program that has been given many of Red River College's courses. It's a good promotion program, and I don't criticize it in any way, but I think that the Minister has to give some responsibility to what happens at the other end. I know of specific cases of people who have waited some considerable time to get into courses in the colleges, despite the fact that they have the qualifications necessary.

Now the community colleges come to play a very important part, a very important role in the educational spectrum in our province - and its popularity has increased enormously since it first appeared on the scene a few years ago - and I think the Minister is as aware as anyone is of the capacity to which the Red River Community College, anyway, is stretched now in terms of accommodation of many courses. The situation is sharply different from what it is in some other institutions, learning institutions in the province - in fact there probably are classroom spaces coming open in universities and in some of the elementary and junior high schools in Manitoba, but there is no likelihood that there'll be classroom space opening up by any leaps or bounds in the community college area because this is the one area of demand and appeal to the adult population and the growing adult population in Manitoba that is not in any danger of diminishing. The youthful population coming up into our elementary schools is probably or well, is certainly diminishing statistically in comparison with what it was in the 1950s and 1960s. The university population is statistically on the verge of diminishing or levelling off because of that change in population growth patterns. But conversely, the number of persons in society who are becoming more and more attracted to the kinds of things available through the community college - and the appeal and the outreach of the community college are expanding and increasing, and the situation is not likely to rectify itself just through the process of nature. And among the other priority problems facing the Minister; I submit, Mr. Speaker, is this one - a look at the capacity of the community college and what it can do to accommodate the long and building and growing list of waiting applicants now on hand to get into many of the courses.

MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I just want to say a word on this. One thing that always concerned me was the number of buildings that universities, and also the huge expenditure, capital expenditures - and here we are teaching seven months of the year, no more than seven months of the year and - I would like to ask the Minister if a study is going on regarding a semester system, which is all over the United States. There the professors teach twelve months of the year, getting their annual holiday like a month's holiday or whatever - two months in the summer and two months in the winter - and I think this would be one way of cutting down on our capital expenditures. And also, it does serve another purpose. Many of the students down there take the six-month course, one semester, and then they go out working for six months to earn some money - and in that way it benefits them too. So that's about all I have to say, I realize that expenditures seem to go up and up, but I think in that way we could at least control our capital expenditures for some time to come.

MR. SPEAKER: The Honourable Minister.

HON. SAUL A. MILLER (Minister of Colleges and Universities)(Seven Oaks): Mr. Speaker, I will not be long in replying to some of the comments. I can tell the Member for Souris-Killarney that as far as capital expenditures are concerned, we are simply completing buildings that were permitted and approved a number of years ago. There are no new starts contemplated for the future, for the immediate future; they'll have to prove that they need them first. The semester system always comes up and it sounds appealing - and it isn't all over the United States - in some areas where they've tried it, they have now discontinued because costs oddly enough go up, they don't go down; because no one is going to work for twelve months, so you need two staffs in order to operate.

However, the Post-Secondary Task Force is looking at this matter, and will look at other matters that were raised by other honourable gentlemen. The Member for Fort Garry asked about the Community colleges and the fact that they are crowded - and I frankly have to tell him that I am very chary about adding new space. There is some construction going on in

(MR. MILLER cont'd) industrial training shops but they're going to have to prove very very successful to me before I allow any further construction. We've answered the problem by meeting the kind of criticism that the Member for Souris-Killarney asked. We've gone on an extended day, we're there from 8:00 in the morning till 10:00 o'clock at night, and as far as I'm concerned it can stay open seven days a week, and we can operate that way. In that way we get the full utilization, the most capital and manpower.

Mr. Speaker, in other matters, items have been asked of me - some information I don't have. As I get the information, for instance the question about survey technicians. I'll certainly look into it. The Member for Rhineland says that he knows that some students come back time after time and are getting paid. If they're that kind of students, the only explanation I can conceive of is they are Canada-Manpower placements placed by the Federal Government. They are Federal Government students whom we simply train on their behalf; the arrangements are made through Federal Manpower; they are placed through Federal Manpower; they are trained for Federal Manpower - that's the only connection we have with them.

MR. CLERK: Resolved that there be granted to Her Majesty a sum not exceeding \$2,411,000 for Commissioner of Northern Affairs.

MR. BILTON: I had a 40-minute speech, but I think with the hour I'd cut it down a little. But before this item is passed, Mr. Speaker, I'd like to say that I didn't get too good an impression of the Minister's explanation as to his intentions during the coming year. I took it from his remarks that there was going to be community planning, and that planning was definitely in the offing. I feel those people in northern Manitoba are being planned to death. I noticed this item of shared community projects in excess of a million dollars, which is almost three times as much as it was a year ago - and I would hope that every penny of it is spent in those communities, as it ought to be. I want to say that it's appreciated that such work is costly, and some of it is a waste of time.

I would remind the Minister again that the people in northern Manitoba want action from this department. The necessity of it I have always agreed with, and now we have it I'd like to see some action. I'm sure the Minister has no intention of having bureaucrats travelling around the north, coming up with fancy ideas and committing it to paper, and nothing more is done. I want to assure him that we will be watching his activities very closely - and for a wage bill of some \$448,000, it suggests to me that we shouldn't look in vain. With those few remarks, Mr. Speaker, I would wish the Minister well again, but remind him that we will be watching his activities very closely - and we'll look for a concentrated and active - and the report showing next year that something has happened in the north for the good of the people.

MR. G. JOHNSTON: Well, Mr. Speaker, I have a slight knowledge of the Department of Northern Affairs through my association with the Minister and other members of the Northern Task Force. I don't really feel qualified to talk as an expert on this matter, but I do wish to raise one subject which rather mystifies me and makes me wonder just what direction the department is going if they agree with the agenda that I have before me. I have in my hands - and I must apologize to the House, it's not signed - but I have in my hands what purports to be an agenda for a Communication's Workshop at the Northern Manpower Corps, Post Office Box 178, Churchill, Manitoba. I won't mention everything on the agenda; it mentions Commencement, Friday June 23rd, 12 p.m. Churchill, Manitoba, and then it lists certain people, and lunch time and so on. Then it talks, and I quote directly out of the article, Mr. Speaker, it says: "10:30 p.m. Back at the Legion Hall for a party (bingo should be completed by then)," and that's in parenthesis. Then this is the part that I really and if it's true, I certainly don't like it, Mr. Speaker. "Beer from the Churchill Hotel, 24 cases each day; liquor license paid for, charged to Indian Affairs." --(Interjection)-- Mr. Speaker, perhaps it's because of the hour, it's seven minutes after 11, and if I may suggest to you, I've made no allegation, I'm reading from a program or a meeting under the auspices of the Northern Manpower Corps, and I understand it was widely distributed in Churchill for the purpose of the meeting, and I'm willing to table or get copies of the document. --(Interjection)--

Well, the House Leader says it's just garbage. --(Interjection)-- Well, I accept the thought that has been expressed to me by the House Leader, where he says it's typical of me. What he may mean by saying it's typical of me, I consider a compliment. I'm not afraid to bring up anything in this House, and I stand by what I bring up and if the Minister wants to accuse me of anything, let him get up and make the accusation. Well, let him make his speech on his feet instead of on his seat. So, Mr. Speaker, now that the House Leader has subsided momentarily, I would give the floor to anyone who wishes to speak but in particular I would like

(MR. G. JOHNSTON cont'd) to hear from the Minister of Northern Affairs; and I would call one of the Pages and pass him this document, and if I have either misquoted or if I have used something that is a forgery or is a plant. then I would apologize. Other than that I would expect him to explain this document.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. RON McBRYDE (Minister of Northern Affairs)(The Pas): Mr. Speaker, in reference of the remarks of the Member for Swan River, the type of planning that is going on is related directly to the planning for housing development and not the kind of planning that the member was referring to. I think I've explained the shared community projects part quite clearly, so I won't go into that again. I would just like to add, Mr. Speaker, that the work of Northern Affairs is done in close consultation with the communities involved and I thank the honourable member, and I hope that we'll produce the kind of action that he would like to see.

In reference to the remarks of the Member for Portage la Prairie, I would say at this point the Northern Manpower Corps is not directly in my responsibility as Commissioner of Northern Affairs, but I am involved and aware of their operation. This document that he refers to me is the first time I have seen it. I guess the member should be concerned, it seems that they want to charge things to Indian Affairs here. Maybe he should contact his colleagues in Ottawa and see if Indian Affairs did pay for this party that they had at 10:30 one evening. Other than that, Mr. Speaker, I think that the other appears to be a normal workshop of some type for the members of various agencies involved in that operation. So I'll leave it to the Member for Portage if he wants to check with his friends in Ottawa to examine that one item.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I don't want to go into any details. I've discussed the interim report of the Northern Task Force before this, but it seems to me that whenever something is referred to the Commissioner of Northern Affairs, it's not within his jurisdiction. Apparently the scope that the Minister has is very very small and I just wonder if it's worth even to have a department of this type if he can't answer for the north, and if he doesn't have jurisdiction. I certainly feel that if we have someone in charge for northern Manitoba then give him more scope so that things can be done. The Member for Swan River says that nothing is being done. Well if we're supplying the money, then let's see that something is done and give the Minister more jurisdiction so that he can do something.

MR. CLERK: Resolved there be granted to Her Majesty a sum not exceeding 1 million, 700 . . .

MR. PAULLEY: Mr. Speaker, the resolution I understand was the passing of Resolutions, 40 and 41. Those having been passed, I move, seconded by the Honourable Minister of Health and Social Development that the House do now adjourn until 2:30 tomorrow afternoon.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.