



Third Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

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Speaker*



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LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 11, 1979

Time: 2:30 p.m.

MR. CHAIRMAN: The Honourable Government House Leader.

MR. JORGENSEN: It is my intention to interrupt proceedings at this stage for His Honour, the Lieutenant-Governor.

MR. CHAIRMAN: Call in the Speaker.

IN SESSION

ROYAL ASSENT

DEPUTY-SERGEANT-AT-ARMS (Mr. Myron Mason): His Honour, the Lieutenant-Governor. *His Honour, F.L. Jobin, Esquire, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Lieutenant-Governor in the following words:*

MR. SPEAKER: May it please Your Honour,
The Legislative Assembly, at its present session, passed several Bills, which in the name of the Assembly, I present to Your Honour and to which Bills I respectfully request Your Honour's Assent.

MR. DEPUTY CLERK: No. 4 — An Act to amend The Testators Family Maintenance Act.
No. 5 — An Act to amend The Criminal Injuries Compensation Act.
No. 8 — An Act to amend The Mental Health Act.
No. 9 — An Act to amend The Crown Lands Act and The Real Property Act.
No. 11 — An Act to amend The Provincial Judges Act.
No. 12 — An Act to amend The Corporations Act.
No. 15 — An Act to amend The Garnishment Act.
No. 21 — An Act to amend The Real Property Act (2).

MR. CLERK: In Her Majesty's name His Honour the Lieutenant-Governor doth assent to these Bills.

MR. SPEAKER: We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg for Your Honour the acceptance of this Bill:

Bill No. 52 — An Act for Granting to Her Majesty Certain Further Sums of Money for the Public Service of the Province for the Fiscal Year Ending the 31st Day of March, 1980.

MR. CLERK: His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence and assents to this Bill in Her Majesty's name.

MR. SPEAKER: Before we proceed, I should like to draw the honourable members' attention to the gallery, where we have as our guests some 20-odd members of the Canada Wheat Committee, under the Chairmanship of Mr. Chad Bark and Mr. Claude Furette. These gentlemen come from all across Canada; from the Maritimes, Eastern Canada, the Prairies, the Pacific, and the Territories.

On behalf of all the honourable members, we welcome you here this afternoon.

We also have 28 students of the Garry High School from Minnesota, under the direction of Merlon Meyers, as well as 75 students of Grade 5 and 6 standing from the Grosvenor High School, under the direction of Miss Chodirker. This school is in the constituency of the Honourable Member for

Crescentwood.

On behalf of all the honourable members, we welcome you here this afternoon.
The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, for your convenience, I wonder if it would be agreeable to my honourable friends if we could adjourn now and the House would then continue in the Committee of Supply, until 4:30 p.m., on the understanding that there will be no Private Members' Hour, and I believe that that is the agreement.

Mr. Speaker, I move, seconded by the Minister responsible for Telephones, that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2:30 p.m. on Monday, but resumes immediately in Committee of Supply with the Honourable Member for Radisson in the Chair for Labour and Manpower and the Honourable Member for Emerson in the Chair for the Attorney-General.

SUPPLY — ATTORNEY-GENERAL

MR. CHAIRMAN: Committee come to order. Page 13, Resolution 14, 1.(a) Minister's Salary — the Honourable Minister.

MR. MERCIER: Mr. Chairman, with respect to the discussion we were having earlier this morning about Inspectors, etc., I have now found the information I requested from the Chairman of the Liquor Control Commission, with respect to suspensions, etc., inspectors. I wish to tell you he's advised me that although there was a considerable turnover in the personnel of the Chief Inspector's Department during 1976 and 1977, there was no real reduction in the number of personnel during the first nine months of the fiscal period. The reduction from 25 members to 21 was for a period of approximately three months only. So with the few exceptions, we believe licencees in general have applied better supervision and control over their operations. The improvement could be attributed to the fact that over the past few years members of the Chief Inspector's Department have been involved with conducting lectures on The Liquor Control Act, regulations and Commission policies with licencees and their staff on the licenced premises. This, together with more aggressive action and policing by the police, as well as the inspectors of various licenced premises, has, in our opinion, led to an improvement in the liquor situation.

Mr. Chairman, I believe the report fact of the inspectors for 1977 and for 1978, does refer to the ongoing seminars, etc., and instructions with licencees.

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

MR. WALDING: Thank you, Mr. Chairman. Just before I go on, I'd like to ask the Minister why he hasn't taken the opportunity to have the Chairman or someone else from the Board present to be able to advise him of these facts and assist him with information from the Committee, since he knew last night that we would be on his Salary today; he knew at 12:30, when we adjourned, that we would be coming back to this subject.

MR. MERCIER: Well, Mr. Chairman, the advice I've received, frankly, was at this stage that general practices on Salary is that no administrators attend when that discussion takes place; it's more of a general discussion, and that's been the practice now. Certainly if the member had indicated to me any preference for my having Mr. Teillet here, I would have been happy to do so.

MR. WALDING: Thank you, Mr. Chairman. To the extent that I was in error in not requesting of the Minister that he did have the Chairman with him, then I will take the blame for that. The Minister says quite rightly that usually when a Minister's salary is being discussed that no members of the staff are present, and that is perfectly true. There is one distinct difference though in this particular case, and that is that this is the only opportunity that members of the Committee get to debate with the Minister and seek answers to questions on the Liquor Control Commission. This is one area that does not come to a standing committee of the House. Since there is no appropriation to the Commission, there is no entry in the Minister's department for it, and it has been the practice over previous years, I understand, that when we get to the Minister's salary that a number of questions are asked on this matter.

If the Minister felt some reticence about having a member of his staff present, I'm sure that all members of this side would have been most happy to give our consent and approval, although

I'm sure it wouldn't be necessary. In any case, the Chairman or anyone else would not need the permission of this side of the House to sit in one of the chairs that are made available for the public and hence would be very close and readily available for any questions that the Minister might have.

I did ask the Minister this morning if he could tell me what the full complement of the Chief Inspector's Department is, and he said he would attempt to get that information for me.

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, the complement has varied. As of March 31, 1976, there were 17 inspectors, plus 6 office personnel being maintained consistently; as of March 31st, '77, 20 inspectors; then I'm advised by the Chairman that the former Chairman started a hold on the employment of inspectors in order to assess the Chief Inspector's Department because he was concerned with possible overstaffing, and that was continued by Mr. Tiellet for about one year, and the number of inspectors as of March 31st, '78 dropped to 14 as of March 31st this year. They're now back up to their full complement as of March 31st, '79 of 19. The decline that took place I'm advised was a gradual decline through resignations and retirements.

MR. WALDING: Is the Minister telling the Committee that the full complement of inspection staff in the Inspector's office is 19?

MR. MERCIER: Yes, as of March 31st, '79.

MR. WALDING: Thank you, Mr. Chairman. Is the Minister able to tell us with regard to the level of inspections for the year, for the year, or the calendar 1978, or 1977-78, whether there has been more emphasis on occasional permits as far as the Inspectors are concerned and less on hotels and other establishments, or has the reverse been true, or has it remained the same?

MR. MERCIER: From 1977 to 1978, there was a significant increase in inspections from 1,771 on hotels to 2,379; with respect to occasional permits, there was an increase of investigations from 809 to 994. It was, during the calendar year 1978, that I indicated, in view of comments from the RCMP, my concern and their concern about abuses of alcohol regulations and occasional permits, and it would appear that in addition to the City of Winnipeg core area, an investigation of occasional permits should become a priority of the Commission.

MR. WALDING: Thank you, Mr. Chairman. And I assume that the minister's policy decision was carried out and that the Inspectors did concentrate more on the occasional permits and less on to other establishments. Can the minister confirm that?

MR. MERCIER: That should be what's happening, yes.

MR. WALDING: Thank you, Mr. Chairman. The minister told me this morning that, despite a drop in the number of Inspectors, that the number of inspections had remained the same, or approximately thereabouts.

I did a little bit of research over the lunch hour, and I'd like to give the minister some figures, again taken from the Chief Inspector's Report. In 1977, there were 24,000 inspections in 1978, there were 20,000 inspections.

MR. MERCIER: Mr. Chairman, I apologize to the member if I misled him; I was going from memory what I thought was advice from the Commission, and I, too, compared those reports over the lunch hour, and agree that the figures that the member has just indicated, are the correct ones.

MR. WALDING: Thank you, Mr. Chairman. And just for my information, I wonder if the minister could explain to me what the difference is between inspections, inspection-assists and various investigations by the staff of the Inspector's Department?

MR. MERCIER: Mr. Chairman, I'd have to accept that as notice and enquire into the specifics of that question for the member. I don't know whether Inspection Assists refers to assisting the police. It should be noted that their use from 1977 to 1978 — there was a significant reduction in that area comparing the figures of inspection assists. Pardon me, between 1977 and 1978 —(Interjection)— Yes.

MR. WALDING: And similarly for the topic, Various Investigations, it went down from 1,400 to 700.

MR. MERCIER: Those would appear to be a miscellaneous type of investigations but I will obtain more detailed information for the member, Mr. Chairman.

MR. WALDING: Mr. Chairman to refer back for a moment to the Minister's comments about his increased importance on the policing of occasional permits. I'd like to quote from the Chief Inspector's Report from the 1977 year where the Assistant Commissioner of "D" Division, Royal Canadian Mounted Police, states in his report, in the summary thereof: "The main continuing problem is adequate policing of social events held under authority of an Occasional Permit and the transportation of large quantities of liquor into isolated areas. A noted increase of enforcement by LCC Inspectors has been observed and hopefully will help control the social functions." Now there is no similar reference in the Commissioner's Report for this year. Would that indicate to the Minister and to the Commission that it is now no longer a problem now that the Inspectors have concentrated more on those Occasional Permits and less on the hotels and other establishments?

MR. MERCIER: I don't think so, Mr. Chairman, I think it's been a continuing problem for a number of years. I think in 1978 the RCMP took the opportunity to note the decrease in related offences during the strike that summer and I suppose from year-to-year they try to highlight one particular subject but I don't take that to mean that there is any less concern by the RCMP over social functions under Occasional Permits.

MR. WALDING: Thank you, Mr. Chairman. Is the matter of social functions under Occasional Permits still a priority with the Minister and with the Commission?

MR. MERCIER: Yes, Mr. Chairman.

MR. WALDING: Mr. Chairman, I refer the honourable minister again to the Chief Inspector's Report, and the Assistant Commissioner of 'D' Division, who says in his report this year something that doesn't appear for the previous two years, where they are expressing concern about occasional permits. This comes under the heading of the Thompson Subdivision, where the Commissioner says, that "violations of the regulations appear quite frequent with little concern shown by management." And he goes on, "when violations are pointed out to the hotel management, a strong resentment and general lack of co-operation is sensed." He goes on further, "on several occasions deceit has even been practised by the hotel management." That's on Page 8 of the Chief Inspector's Report.

Given that particular reference this year, were it not appearing in previous years, and I ask the minister first of all whether that is an isolated incidence in the province, and that it's only around Thompson that the hotel management resent the police inspections and show a general lack of co-operation and are practising deceit, or is that a widespread occurrence within the province?

MR. MERCIER: Mr. Chairman, as the Report indicates in the next sentence, the two hotels involved are the La Salle Hotel at Grand Rapids, and the new Silver Leaf Hotel in Wabowden. Upon receipt of this Report I requested further details from the RCMP with respect to this matter, and have received their response which indicates the problem was confined to these hotels, and not to the general Thompson area. These two hotels are within the Thompson Subdivision.

MR. WALDING: Mr. Chairman, I noted that the two hotels were named and I really saw no point in doing so at this meeting, that my question to the minister was not whether these sorts of violations were common in the Thompson area, but as to whether they were common throughout Manitoba. I mean, are these typical of the sorts of problems that inspectors, both civilian and police, are meeting in their inspections of these establishments?

MR. MERCIER: Mr. Chairman, as I recollect the response from the RCMP, that the problem related to hotel management, and a turnover of inexperienced management at these two sites — that the hotels had difficulty getting people in apparently to manage the hotels. They were not experienced. I can, Mr. Chairman, undertake to get out the response from the RCMP that I received relative to this matter, and discuss it with the Member for St. Vital, the response from the RCMP indicates it was a peculiar problem related to these hotels and inexperienced management.

MR. WALDING: No further questions.

MR. MERCIER: Mr. Chairman, further to the comments from the Member for St. Johns earlier today, and his comments relative to further controls for the public, relative to gambling within the Province of Manitoba. As I went over that area of Hansard over the lunch hour, that discussion we had related more to one just related to investigative staff available to the Lotteries Licensing Board.

Perhaps I could take a few moments and refer the Member for St. Johns, firstly to the Summary of Recommendations from the Haig Report from approximately Page 251 right through to the end 256, and I raise this not because they're just recommendations from the Haig Report, but because they are recommendations which are being considered by the Lotteries Licensing Board, and with which the Lotteries Licensing Board in general concur and are proceeding to attempt to implement. And in doing so I point out that Mr. Haig did travel to Alberta, B.C., Saskatchewan and Ontario to review their controls over this kind of gambling, and on the basis of that experience as set out in the Report, steps to be taken, I think basically to control the operation of bingo licences, and the kind of equipment that can be used, the kind of cards: it goes on with respect to gambling casinos — to point out the necessity for control and management of moneys for casino equipment ideally to be owned by one organization within the province; licensees to appoint specific persons responsible, they would have to be approved by the Lotteries Licensing Board; qualified persons to operate the banks and the money, the cashiers, all of these people have to be approved by the Lotteries Licensing Board; independent games managers, who must conduct training sessions for people to work in the casino, all game managers, pit supervisors, pit bosses and dealers must be persons who've made application to and been approved in general by the Board, approved by police authorities; and it goes on to set out a number of other detailed considerations.

The Lotteries Licensing Board has considered this Report and discussed this with me and they generally concur with the recommendation that all equipment to be used in a blackjack casino should be obtained from a company within the Province of Manitoba; are working on a procedure whereby the equipment would be owned by perhaps the Red River Exhibition, the same equipment utilized by everyone. They recommend that only residents of Manitoba be eligible to work in a casino. The people must be licensed and belong to the organization. Experienced and qualified people must be involved. The system of training and of qualification and licensing of dealers, pit bosses, supervisors and cashiers should be put into effect.

What I can do, Mr. Chairman, is provide the Member for St. Johns with a letter, which is being sent out to all of the applicants — I think I mentioned some 32 to 40 people whose applications had been received by the Board and had been held pending approval of a policy — and the Lotteries Licensing Board has sent out this letter to all of the applicants and describes the kind of information they want from the applicants before they consider their application for approval. It goes on to set out guidelines indicating the general duties and requirements in the conduct and management of a blackjack casino. I think the Member for St. Johns might wish to review this very detailed information at his leisure might prove to be of some assistance.

MR. CHAIRMAN: The Member for Elmwood had indicated before the Member for St. Johns. The Member for Elmwood.

MR. DOERN: Well, I'll defer to my colleague.

MR. CHAIRMAN: The Member for St. Johns.

MR. CHERNIACK: I appreciate that, Mr. Chairman. The danger is you get off on various tangents and I'd like to fit back in.

I want to tell the Attorney-General that he has somewhat redeemed himself by doing some homework over the lunch hour and I do appreciate the fact that he made the effort and is responding I think in a substantial way. I too read Hansard and I saw it only dealt with half a staff man year for half an inspector and I'm not sure just how that happened — an inspector can move around — but that's just a wisecrack.

Mr. Chairman, I will read this letter. I think that it will probably answer quite a bit of my questions. I'd like therefore to just confirm some impressions I've just received.

Firstly, I am assuming from what the Minister said, that what our recommendations in the Haig Report referred to — is it pages 251 and onward? — are now policy?

MR. MERCIER: Yes, in perhaps not every detail, Mr. Chairman, but in yes. general

MR. CHERNIACK: And that means then, to me, that every person who physically handles a gambling device is licensed . . . who is control of gambling devices — I assume, in blackjack as I recall it, there's a dealer and a number of bettors. The bettors of course, are not licensed because they're the ones who lose their money. But it's the dealer who helps them lose their money and I would assume then that he must be licensed, having passed some kind of test.

MR. MERCIER: Well, Mr. Chairman, this is exactly what will be implemented; agreement that a system of training and qualification and licensing be put into effect, have to apply to re-qualify each year, so that's what is attempted to be implemented.

MR. CHERNIACK: That's important to me. The next question is: since I believe that all gamblers are losers in the long run, are they informed in some intelligent way what the odds are, what is the likelihood of their losses? And I mean it specifically; do they know that the odds might be 6 to 5 or whatever they are, in their gambling? Is there some information, just like in the handling of liquor, in every cigarette package now, that people are informed of the risk they are taking? You're free to do as you like, but at least you should know what you're doing to yourself. And I'd like to know, as I think is done in some of the places where gambling is legal, that there are actually notices, either pamphlets handed out to gamblers or notices on the walls saying: The odds on this contraption are something like, well, are within a certain degree of percentage loss, so the people know. To me, that's the kind of information governments should be sure people have available, otherwise what are we controlling if we're giving the impression that we're controlling the honesty and integrity and legality of gambling?

MR. MERCIER: Mr. Chairman, the Haig Report does talk in a general discussion about odds. There's been no suggestion that odds be posted or warnings. I think the fact of the matter is, I'm not aware of any casino and blackjack operation that is being held where the sponsor, the operating organization, has lost money. If the member wishes, I can run over the profits. In '77, the profits from the Red River Exhibition were \$113,000; Festival du Voyageur \$50,700; Provincial Exhibition at Brandon \$5,429. In 1978, the Festival du Voyageur's net profit was \$87,435; Red River Exhibition \$119,955; Rusalka Dancers \$127,538; Joseph Wolinsky Collegiate \$81,835; the Manitoba Theatre Centre \$18,049.00. Outside the city, the Biandon Provincial Exhibition netted \$3,779; and their major casino held in June netted \$7,337; the Portage Industrial Exhibition netted \$510; and the Dauphin Agricultural Society at Carman had a loss of \$657.02. That's the only one I'm aware of that suffered a loss, so I would say, Mr. Chairman, that obviously any bettor in a casino blackjack operation, certainly the odds are that the operators are going to make money.

MR. CHERNIACK: I think the Minister for asking a question that I was going to ask, and hadn't gotten around to yet, and that is to indicate the substantial moneys that are being lost by gamblers in this province under the legal betting system. And what the Minister has done, is confirmed my statement that gamblers are losers, and that those who operate the gambling establishments are the winners. They help the losers lose money, and the figures given by the Minister support that the important thing is, that at least those losings, which become great benefits are being directed not into the pockets of private enterprisers, but are directed to assist in cultural or charitable organizations. I think that word "charitable" doesn't belong; I think that the charitable are not of that type. included as much as cultural, educational and others. And that, of course, is the only justification I know of, that puts government into the — I was going to say sponsorship, it's not really sponsoring but permitting the carrying on of what otherwise would be considered illegal, and which to my own personal feelings is highly immoral.

Nevertheless, I would like to suggest to the Minister, that having had an opportunity to glance through this letter, which he has handed to me, that I'd like him to think about the warning that I don't think is very effective. I have to admit that, as I'm watching the Minister smoking his cigarette, and knowing that the package he took the cigarette from, tells him that he is flirting with very serious consequences, that maybe it wouldn't help an awful lot to tell a gambler that he is taking a chance and will probably lose. You know, I have to say that I think that gambling is not as bad a threat to the future as this smoking of the cigarette, from which the Province makes much more money. Of course, the Province is not making money out of gambling, except through lotteries.

MR. MERCIER: Oh, the member did acknowledge that the government is making money.

MR. CHERNIACK: I said through lotteries, I assumed the government is not making money through these games of chance. It of course has always traditionally made money out of horse racing and

for some peculiar reason the sport of kings, as it is called, which I think is another wrong situation in our society, nevertheless takes off from the gambling pots certain moneys which become revenue for the province.

I would like to think that the Minister will take into consideration for the future a policy which is designed to dissuade people who gamble, from gambling excessively. I mean by that beyond their means and that one of those means would be to keep them well informed of the long range cost to them of the gambling they do. I have too many friends who come back from Las Vegas and say, while I was a winner again, and you really have to force them to give a complete accounting to admit that they only report their winnings and not their losings and that if they reported losses, I mean, and if they reported both they would be losers.

So I think I'm through asking questions in relation to gambling other than to ask what income is received from this particular gambling institution of the Lotteries Commission, which is being authorized to spend some \$58,000.00? What off-setting income is there to make sure that Manitobans are not subsidizing this operation?

MR. MERCIER: The Estimate of Revenue from the Lotteries Licensing Board is \$215,000 which I would suggest is perhaps a low estimate.

MR. CHERNIACK: Mr. Chairman, I said that I would conclude with asking a question and now the Minister is giving me information I didn't have and now I am shocked. Are we really operating this Board for revenue purposes, and I would call it revenue if we're making \$200,000 plus dollars and spending \$58,000? Is my arithmetic wrong? I'd like to be corrected quickly.

MR. MERCIER: Mr. Chairman, that is the amount shown for the Lotteries Licensing Board is \$58,100.00. The estimate of revenue is \$215,000. Now I would think, and this hasn't been done, you would have to consider as part really the additional costs of operating the Lotteries Licensing Board, the necessary police functions and assistance that is rendered to the Lotteries Licensing Board. The costs of other administrative staff who are involved in part of their time in the review of the Lotteries Licensing Board. What I am saying is I don't think \$58,100 is the total cost of operating the Manitoba Lotteries Licensing Board, that within administration and within law enforcement there are probably areas that could be assigned to the cost of operating the Lotteries Licensing Board.

MR. CHERNIACK: Mr. Chairman, since I believe that a government program should not be financed out of gambling, and I admitted already openly that government programs are being financed by tobacco users, which by the same token not to be something I'm opposed to and yet I've said on another occasion that I was directly involved in increasing taxation revenue from tobacco users, I think that it would be helpful if the Minister were able, not now but by next year, to have a proper breakdown to justify the revenue from the Lotteries Commission or Lotteries Board, being in excess of the cost to government and justify that as a policy matter and saying yes we do want to use gambling revenues of this kind as general income. Because if it is designed that the fees — I assume they are fees — are set to offset the expenditure then there's no problem in my mind. If they are designed to bring in revenue then we can debate the revenue. We may want to suggest that we make more money out of that kind of a thing. I personally would like to think we would make less, bearing in mind that we make money out of horse racing, and that we don't make money out of the Lotteries but indeed we are gradually starting to change the original approach to the fun money from Lotteries being directed to recreational, cultural, charitable, is now becoming more and more part of the program of government to the extent that government takes credit now for programs which are being financed out of Lottery revenue, and I say more and more, it started under the previous government, but the new government has gleefully, I think, accepted the concept of taking credit for directing moneys that come from Lottery proceeds into various programs.

So I'd like to have from the Minister, not necessarily now, I'm not pushing for that although I think the Minister should have Boards available, especially in the case of the Liquor Commission to advise him, but I'd like to know the fee structure or the revenue structure as to how the \$215,000 is arrived at. And I think that for the future this revenue and expenditure should be set up in such a way that it is clearly known what are the costs and what are the income in connection with this. And now, Mr. Chairman, since I expect the Minister will agree, and if he doesn't I can't force him to, I want to move back to liquor unless the Minister has a comment to make on, or anyone else wants to make on lotteries.

MR. MERCIER: Mr. Chairman, I can indicate to the Member for St. Johns that the Licensing Board is reviewing their present fee structure, at the present time, and I think it would be a useful exercise

for them to attempt to determine the full cost of their operation. Not just the cost within their Department but other services that they call upon, and that will be occurring in the next few months.

MR. CHERNIACK: Two points then, Mr. Chairman. Will a report of that nature be made public at least to the extent of assuming we won't be in session, and I don't think we will be, that we could get a report sent to MLAs. That's one question.

The other one is, has the Minister agreed to take into consideration my proposal of studying ways and means to inform the unaware gambler of the risk he takes in terms of the losses that he should expect to suffer.

MR. MERCIER: As I was saying, Mr. Chairman, there is a reference to odds in the Haig report, there's no recommendation. I could ask the Lotteries Licensing Board to review that aspect. With respect to fees, any changes in the operation of the Board or their fee structure has to be approved by way of Order-in-Council. So that would most certainly be a public document.

MR. CHERNIACK: What I was getting at is the estimated income and the estimated expenditures, to sort of see how they balance out or if they don't; that's what I mean, which would not appear in the Order-in-Council.

MR. MERCIER: I can make that information available, Mr. Chairman.

MR. CHERNIACK: I thank the Minister for that, Mr. Chairman. Now I'd like to go back to the question of the Liquor Commission and tell the Minister that I was quite disturbed this morning when I heard the figures . . .

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: If I might, there were some questions that gave some information prior to the Member for St. Johns, I think, returning to the Committee, that I might repeat that might be of some assistance. This morning I recollected a letter and I have found the letter from Mr. Teillet that he sent to me as a result of the articles that appeared in the newspaper with respect to the Commission's Annual Report, and in his letter he indicated to me, although there was a considerable turnover in the personnel of the Chief Inspector's Department during 1976 and 1977 there was no real reduction in the number of personnel during the first nine months of the fiscal period. The reduction of 25 members to 21 was for a period of approximately three months only, and with a few exceptions we believe licensees, in general, have applied better supervision and control over their operations. The improvement could be attributed to the fact that over the past few years members of the Chief Inspector's Department have been involved with conducting lectures on The Liquor Control Act regulations and Commission policies with licensees and their staff on the licensed premises. This, together with more aggressive action in policing by the police, as well as the Inspectors at various licensed premises has, in our opinion, led to an improvement in the liquor situation.

Both the report for 1977 and the report for 1978 do refer to this continuing program of lectures and seminars with licensees and their staff, which Mr. Teillet attributes, in part, to a reduction in violations.

MR. CHERNIACK: Mr. Chairman, I am glad the Attorney-General interrupted me and gave me that information before I launched into my remarks, and I hope that that report is accurate and will be supported in future years.

I must say, Mr. Chairman, that I think once in the last eight or ten years I attended one of those gala functions of hotel owners invitation to MLAs, and once was enough for me, and partly because I felt that I was being attacked on all sides because of the fact that Frank Syms was too tough and the hotelkeepers, with whom I had the doubtful pleasure of dining on that occasion made me feel that they were very hard done by because of Frank Syms' tough policies.

And may I say in passing, Mr. Chairman, that I believe that Frank Syms was one of the few political appointments of the previous government and that he turned out, I think, to be an excellent person as Chairman of the Liquor Commission and I was supportive of him in various ways. One of them was in the pricing policy, which ensured lower profits and therefore lower markups and lower prices on beer and on table wines, as compared with hard liquor. I think there is a trend to reverse that, which I regret. And also I think that he was pretty tough on the requirements of hotelkeepers, and I think that that was justified, too.

For example, every time I see a person who appears to be inebriated carrying a case of beer under his or her arm I feel that there is probably a charge which should be laid against the person that put that case of beer under the arm of the inebriated person who is stumbling along. And you see it very often, and I do think that one of the incidents that occurs frequently is the continuing of serving of alcoholic spirits to people who have already had too much. And that, of course, applies in private residences, as well, but at least there they can be put to bed quietly in a corner of the room.

So I was concerned to think that in the change of administration and in the change of the Board that there might be a lessening of the tough role that had been played with the providers of liquor, and it may well be that Mr. Teillet's statement will be proven to be correct; I certainly hope so because the bare statistics of the reduction in charges and the reduction in inspectors would tend to indicate the opposite.

Having made those comments, I want to go on to a different aspect, and if the Minister wants to respond to it, by all means . . . No, he doesn't want to respond so I will move on to the next item, which is a small item, but interesting, that here this Minister was part of a Cabinet which spent, I believe, a lot of time considering the increase in minimum wage. And to me it was peculiar that they should zero in on one type of employment where they kept the minimum wage at the previous level, and that is the people who serve liquor at retail. I really couldn't understand it. And we're not in receipt of all briefs presented to the government, I'm sure. I happen to have a recent brief, very recent, from the Restaurant and Food Service to a government, requesting an elimination of sales tax on meals consumed in restaurants, but I am not aware that they made any special plea for keeping minimum wage at a lower level than that of other employed people.

I'm wondering if the Minister could indicate the justification for that.

MR. MERCIER: Mr. Chairman, I really think that is a question that would be more appropriately addressed in the Minister of Labour's Estimates. That is his recommendation and comes under the jurisdiction of his department.

MR. CHERNIACK: The Minister says more appropriately asked to the Minister of Labour. I think the Minister of Labour has re to account and justify along those lines, but as the Minister must know, there are two concurrent meetings going on and the Minister of Labour is in the other room and I really can't ask him those questions unless I leave the Minister, and I hope he is not inviting me to leave this Committee in order to ascertain that question.

MR. MERCIER: Mr. Chairman, I certainly wouldn't want to see the Member for St. Johns leave the Committee. The rationale, I think, obviously stated by the Minister of Labour is that persons working in that area, serving liquor, also in that service receive tips and gratuities of significant amounts, and on that basis is the rationale used for, I guess, not increasing the minimum wage in that area.

MR. CHERNIACK: I'm glad the Attorney-General gave us that rationale, which I never did understand. I think the difference is 10 cents an hour, and I would think tips, if received, must be substantially in excess of 10 cents an hour, so either the minimum wage doesn't apply at all or the reason is peculiar if not fallacious. As a matter of fact, I would even go further to say that there are other people who earn tips like people who serve food and beverages that are not alcoholic and why are they favoured in that way to that extent? It's not a sensible thing. People at gas pumps get tips; people — luggage carrying — people at airports, people at trains get tips. There are so many that get tips that to single these out would make it appear as if there is a special lobby to which the government succumbed.

Therefore, I would ask the Minister more directly whether he is aware of any briefs or arguments presented to government by the hotelkeepers, restaurant keepers, liquor servers' employers, asking for that lesser minimum wage?

MR. MERCIER: Mr. Chairman, I don't want to say that I have never seen anything on that subject related to the industry, but I would say that I certainly did not receive any special brief with respect to that matter.

MR. CHERNIACK: Mr. Chairman, I won't press that any further, having expressed my opinion. I want to know about the private sale of liquor. The government is considering it, and I quote from a March 26th Tribune report which states that a major review of the possibility of allowing private stores to sell liquor has been promised by Premier Sterling Lyon. He is quoted here as being a supporter of the idea, feeling that free competition might bring liquor prices down and that

are probably ready for a loosening of government controls on liquor.

Now I disagree with that strongly. I would like to know whether such a review has been commenced.

MR. MERCIER: No, it has not, Mr. Chairman.

MR. CHERNIACK: I would like to know if such a review is being planned or contemplated.

MR. MERCIER: Yes, it is still being contemplated, Mr. Chairman. I think the procedure would probably be the appointment of two or three individuals in the community to undertake the study, as was indicated in the Speech from the Throne.

MR. CHERNIACK: Mr. Chairman, the suggestion that liquor prices could come down, without revenue being lost, which I think is the concept unless the government is prepared to lose revenue, would seem to me to make clear that either the Liquor Commission operation is so uneconomic or so sloppy or so inadequately supervised as to have excessive costs attached to it, or that the retail providers or the retail sellers of liquor that would have the benefit of being enabled to sell it, would gain so much from the sale of liquor that they could cut their profits and still justify a profit margin over and above that that the liquor now makes, then I marvel that it is being considered at all.

I would like to know whether the government is planning to review the entire sale of liquor at all levels or whether it plans to confine it to just, say, hard liquor or certain localities.

MR. DEPUTY CHAIRMAN, Mr. Morris McGregor (Virden): The Honourable Minister.

MR. MERCIER: Mr. Chairman, the terms of reference for such a study have not yet been approved. I would say, with respect to revenue from the Commission, the Minister of Finance has certainly not indicated to me that he is prepared to accept any less revenue from the Liquor Control Commission than he is now receiving or estimating and I think that has to be a primary concern of any such study.

MR. CHERNIACK: Mr. Chairman, since I'm not too familiar with The Liquor Control Act, could the Minister give us an assurance that there cannot or there would not be any change from present liquor retailing policies without reference back to the Legislature.

MR. MERCIER: Mr. Chairman, in order to establish what we might call private vendors within the City of Winnipeg, the authority of the present Act only allows the establishment or appointment of vendors outside of the City of Winnipeg in rural areas and there are 165, approximately, of those, but there would be a change in the legislation required to establish private vendors within the City of Winnipeg boundaries.

MR. CHERNIACK: Mr. Chairman, I believe also that the retail selling price at all the private vendors currently selling liquor for the Commission is fixed and the same throughout the province. That's correct, is it not?

MR. MERCIER: Yes, Mr. Chairman, it's the same price as at the Liquor Control Commission stores,

MR. CHERNIACK: May I just ascertain from the Minister the manner of payment to the private vendors. Is it based on turnover or is it a flat fee or is it a percentage of the retail price then?

MR. MERCIER: Mr. Chairman, it's a percentage of the turnover. I can obtain the specific percentage for the member.

MR. CHERNIACK: The specific percentage is not too important at this stage, but it therefore means that there is no competition in the sale of liquor in the Province of Manitoba and I would like an assurance then from the Minister, whose knowledge of the Act must be superior, well, couldn't help but be superior to mine, that opening up the pricing for competition could not be done without reference back to the Legislature.

MR. MERCIER: I don't believe so, Mr. Chairman. In fact I would be willing to say that it can't

be.

MR. CHERNIACK: Just to clarify it, in other words, if I might sum it up, that whatever policy this government to decides to carry out that would be a variation from the existing, would require legislative approval and that's the assurance that would satisfy me. I would then say let the government do as it pleases with all the investigation it likes, as long as we have the chance to debate it before a change is made. The Minister's impression, I believe, is that that will not be done without reference back to the Legislature.

MR. MERCIER: Yes, Mr. Chairman, my understanding is that legislative amendments would be required.

MR. CHAIRMAN: The Member for Wolseley.

MR. WILSON: Mr. Chairman, I can't help but think of something that was said by Mr. Harrison the other night about the politician being the shepherd and the civil servant being the sheepdog and I think of the Liquor Control Commission and since I have arrived here, the lack of modern change that has taken place and has taken place in such a slow manner, I can't help but think that under this section alone, we could spend a great deal of time and I would like to see, for one thing, that we now have an NHL hockey team here and I would like to see that Manitoba businessmen and Manitoba industry, advertising industry, be given an equal break with the American counterparts who beam in different things for cablevision and things into our province. I can't help but think of how the former czar, Mr. Syms, killed all the liquor salesmen — I think about 28 of them were laid off — the breweries are not going to make any less profits. I think that these 28 jobs should be restored under our government. We had families that were supported by the money that these salesmen made from the breweries and I would like to see these jobs recreated and I see nothing wrong with the salesmen going around, calling on hotel managers for public relations purposes, for getting involved in golf tournaments and for getting involved in political campaigns and for getting involved in community activities. I see nothing wrong with that and I can't understand why the former government did away with all these public relations salesmen that the liquor industry had in Manitoba.

I would like to see, and I don't agree with my Premier when he says that to expand the liquor advertising is not a good thing, I think it is. You have got to get with the modern times and I think it is absolutely ridiculous to have an Act that says you cannot start advertising until ten o'clock in the evening when other cablevision situations and with Telestar and closed circuit and different movies you go to, these are all part and parcel of the way of life and I think it's a blow to our local industry and it's certainly not going to help.

I would like to see our hockey team be given the equal chance that Edmonton has of being able to get that \$3 million contract with Molson's to help finance that new hockey team to our particular community. I would think that that would be a real blow. We are all suffering the start-up costs and I would like to see them be allowed to compete in the marketplace and not have government dictate. Certainly I ran on a freedom of choice platform and I would like to see our government get out of that area.

I can't see why we can't have continuity throughout the province. It galls me that in Rapid City and in Gladstone and Erickson and all these other places, you can go and get peanuts, ice, mix, all the things for your entertainment. When you come to Winnipeg, what do you have to do? You have to go searching around for a Mac's Milk Store. I think that our liquor stores are drab and outdated. There was a move to have them self-serve. I think certainly I can't see anything wrong with looking to the view of being unified throughout the province. In other words, we in the City of Winnipeg shouldn't be second-class citizens.

I would like to see, as I pointed out in this particular magazine in which I was interviewed and said that I wanted to see Manitoba become a fun place in the '80s. I think that our liquor laws that were held back by Frank Syms are due for a big shakeup and I would like to see this Minister take credit for some of the things that have happened to date. We are still months behind our sister provinces. It is absolutely ridiculous, some of the regulations you read. I see nothing wrong with allowing patrons to move around, the stand-up bars, because it will result in less intoxication and better communication between the citizens of Winnipeg if we are to have a truly friendly Manitoba.

I see nothing so ridiculous as a new disco opening up where people have to sit down with all that loud music and have a steak as part of the regulations. I think people should be allowed to have reduced food service such as appetizers or a cheese plate and that type of thing. In fact, the time may be coming, with the opening — and look at the capital investment that's involved

when you do have these changes take place — the Town and Country to Studio 44 is only the tip of the iceberg of the capital investment and the boom to the economy that would take place by outside fresh new dollars coming to the province to invest in entertainment establishments.

I know for a fact that hotels like the Marlborough and the Fort Garry and others would compete and renovate their premises to avoid consumer resistance. So I would like to see changes there. I would like to see more recorded music as well as live bands and I think the 13 square foot regulation that Mr. Syms brought in is absolutely ridiculous because how on one hand can you approve a stand-up bar licence and still have the 13 foot square regulation? And apparently the only stand-up licence in Winnipeg, other than the Convention Centre, G. Willaker's, has been a failure because of that type of regulation.

I can't see where liquor cannot be carried from — and it has been, of course, under this Minister, from one province to the other, and I'm glad that that change took place.

I can't see how we can have cheese stores operating in a beautiful complex like the Winnipeg Square Development without allowing them at some time in the future the ability to sell wine. In France and other European countries wine is considered like milk is to us and I cannot see anything wrong with allowing that portion to go to the private sector.

I would like to see more bars and pubs not connected with the Manitoba Hotel Association, there seems to be an extremely heavy lobby on the government and I think that has to be broken down. And these capital constructions, something like the Member for Elmwood had when he was in the business, it was not really connected to hotels but I am sure that if he had been away from that hotel he would have been more successful. And I would have liked to have seen more of that and I think an indication of the popularity of Bogards which is in an old bank is the desire of people to want to get away from the locked in situation to hotels.

So this was just brought up spur of the moment because of the Member for St. Johns talking about suggested changes in the Liquor Control Section of which I am very very interested and I encourage the Minister to become the shephard and to tell the civil servants that the parliamentarians and the public seem to want changes. And I would think that the Minister of Health and the Attorney-General, who the Liquor Control Commission comes under, should be looking to leading the way and not saying, well someday we're going to have a uniform liquor policy for the entire Dominion of Canada.

I think there is a need to support our NHL hockey team, I think there is a ridiculous double standard here where you have these ads coming in and even these Marxist Leninist and other groups can put, "Don't buy South African Wines", and yet the particular people themselves such as Molsons and Labatts are not allowed to advertise their products. I see nothing wrong with their participation in sports and I don't know Mr. Syms felt that this was a detriment to sport to have this type of support. Because anyone know that there's very few AA alcoholics that are in the top 50 athletes of any particular category and so there is no danger of an athlete becoming an alcoholic because the liquor industry is supporting his particular sporting industry through increased advertising.

In other words there is a lost industry here. We are looking for ways to create new jobs. We're looking for a new stimulus for investment. We're looking for this place to become alive and offset the floods and the record days of winter and I can't help but think that we've got to do something to offset, whatever the reason, the types like Terry Balkan and that leave. I would suggest that if you got with it and modernized your particular city; you can still listen to the temperance people. There is no way where we have to have billboards on every corner. But I do feel that there is room for the return of the once proud industry that was demolished by the former government.

And before I close, Mr. Chairman, give others an opportunity to speak on the Liquor Commission under the Minister's Salary I have one thing to talk about under the Legal Aid which is No. 9.

MR. CHAIRMAN: The Member for Elmwood.

MR. DOERN: Mr. Chairman, I enjoyed that attack on the Attorney-General and that criticism of the present Acting Chairman and the suggestions made . . . Well it surely wasn't an attack on our administration because we haven't been in office for the past 18 months. —(Interjection)— Well you fellows are in power and you are free to change it as you see fit. You can do anything you want. You can replace the Chairman if you don't like what he's doing; you can replace the Attorney-General if you don't like his policies. But the Member for Wolseley is still bringing up old issues, he's always back in 1975, 1976, and 1977.

I don't know whether his attack is on Frank Syms the federal New Democratic candidate or whether he is attacking the man when he was the Chairman of the Liquor Control Commission. But I have to say that I think that just in passing I think Mr. Syms brought in a lot of excellent innovations and improvements. I don't want to start debating his record but I would only make this point or two. He of course, brought in some more contemporary liquor stores in line with what

the Member for Wolseley was talking about and he also, I think, encouraged the better use of the drinking of wine. He attempted to educate the public to the use of wine with food which I think is a long overdue step. But if the Member for Wolseley can persuade his colleagues to introduce legislation eliminating restrictions on advertising on television for liquor, I would like to see that happen to this extent, that I would oppose it head on and I think that most of my colleagues would oppose that. So if the government's interested in eliminating any restrictions on liquor in terms of time of day advertising or encouraging and allowing more widespread use of advertising to promote the sale and consumption of liquor, I can tell him that I will oppose that and so will many other people in our society and in Manitoba. I think that was a good proposal. I recall when it was introduced. I think the Member for Rock Lake and I were in the House somewhere in 1966, 1967, 1968, and I believe Mr. Campbell was the one who brought that restriction in and received support on all sides and I think it still has some considerable merit.

Mr. Chairman, just a remark or two on the Liquor Commission and then I want to move to some other areas. Again the Attorney-General, we discussed this matter the other day, I am assume that he is on the verge of recommending three people for a Commission to get into a study of this whole liquor question. I believe that he has probably formulated terms of reference and probably has people in mind and that that is about to ensue. I hope that one of the reasons for this action isn't what was pointed out by some writers in the Winnipeg press. For example, Alice Kruger suggested in her column last November, that the main reason that the AG has proposed this type of legislation was that he was going to threaten the Manitoba liquor workers with the breakup of the MLCC. I hope that is not the motivating factor behind the review of the Liquor Act, because that has been suggested in some quarters that it's a big stick that the AG is waving at the employees to keep them in line. Union busting is the general category.

But I say this to the government and to the Attorney-General in particular that your revenues are \$66 million and you just said a few minutes that the Minister of Finance seemed in no way in any rush to give up that kind of revenue. It's a government monopoly. My impression is that it is fairly well run and has been. It is certainly fairly tough and I think there is a need for the review of certain proposals. I, too, cannot understand why there can't be some different types of retail establishments than we not have. I know that the basic principle is food tied to liquor and that does make sense, but it does also seem to make sense that modern discotheques and nightclubs and so on can just be for a place to go where somebody wants to dance and drink and not necessarily have to eat. And the experience I think most of us have is that when you go out to eat, you go to a restaurant. When you go out to dance or drink, you go somewhere else. And most nightclubs that serve food, the food is not up to the standard of most restaurants. They're just not in the same league. So most people tend to go out to eat and then they tend to go out to drink or dance.

—(Interjection)—

Down east — well, you see, I'm not familiar with the Morden situation. My friend from down south, I don't know about their discos or whether they drink outside and then go in and

—(Interjection)— boogie till 4 in the morning.

MR. CHAIRMAN: Order.

MR. DOERN: And I don't know whether the band is a rock band or a couple of fiddles and a —(Interjection)— country and western, well that I expected.

So Mr. Chairman, I'm saying to you that there probably is a need for a review of some of the establishments we have in the sense of categories of licence, and I know that in the United States and eastern Canada and so on there seems to be some very attractive places where people can go and just have a few drinks. And Manitoba seems to be somewhat out of tune with that. We've made tremendous strides since the 50s. All of us I think are old enough to recall the 50s when the practice was to take a bottle into a nightclub and then buy the mix, and everybody simply flouted the law in that particular way.

And then finally there was a liquor change, there was the Bracken Commission and there has been improvements ever since. And I expect the Attorney-General to make more improvements, but Mr. Chairman, having gained the support of my friends, I am worried about the breakup of the MLCC because I do not favour, in any way, shape or form, the breakup of the government monopoly. I don't favour the sale of beer in grocery stores, which I gather is not being contemplated, and I don't favour the use of private liquor stores, or the allowance of private liquor stores.

It would be very nice, it would be very handy, but I think that whoever decides to do that is going to have to answer to the taxpayers because of the fact that there is \$66 million in revenue, and if you're going to do that and give up \$10 million or \$20 million in revenue, then I say that that is something very serious indeed, that would have to be answered.

My other point here, Mr. Chairman, is again, on this waiters and waitresses business. I went

through university as a waiter on the CPR, three years on the trains, one year at Lake Louise, and I can't see the merit of singling these people out in regard to the minimum wage. It also makes no sense whatsoever to talk about liquor waiters and waitresses. Again, if you're going to talk about waiters and waitresses, that would apparently apply to everyone in the food industry and the liquor industry. But to single out only one particular category, people who serve liquor, and to separate them out, is just not consistent, and I think somewhat suspect.

Mr. Chairman, I wanted to go on to a couple of other points that we have discussed before. I wanted to ask the Attorney-General if he could comment on this particular point. We have seen quite a few revelations in the last few months about various homosexual rings in Manitoba, and in Winnipeg in particular, and I understand that there are another half-dozen names in the department; that the department has been looking at these names for the past month or so, and I just wondered if the Attorney-General had any comment about more charges arising out of this type of activity.

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, all I can indicate is that there are continuing investigations; they're ongoing.

MR. DOERN: The other area I would ask the Attorney-General to comment on is that there's been a considerable number of offences committed in the past few months with people on parole or on bail or on temporary release. For example, this morning, there was something on the radio about some inmate who was out on a release who raped a woman in Winnipeg. We learned a few days ago about Mr. Malone committing an offence up in Flin Flon during the flood, an alleged offence. During the flood there were instances where some prisoners were being used to help fight the flood and a number of them ran away. We have a continual series of stories of people who are out on temporary releases, people who are out on bail, so on and so on, and they are committing crimes, which must be very frustrating to the police and somewhat alarming to the populace.

So I was just wondering again, we had a discussion of this with the Attorney-General a few months ago. We are now on his Salary, and we've had complaints made by members of the judiciary — Justice Garson comes to mind in particular — complaining about sentencing people to jail for 6 months and 6 days later an application to be released; people being put away for a few months, going into Headingley on one bus and catching the next bus out.

So I'm just asking the Attorney-General again, he made some comments on this, I don't know where he stands on this, I don't know what his influence is. I assume that he can set the tone. Maybe I'm wrong in that regard, but I assume that if he wanted a tightening up on questions of early releases and maybe even bail, I don't know what, but I assume he could set the tone. If he wanted to come down hard on law and order, he could do so. He seems to have expressed a view that he was in favour of stiffer sentences. Unfortunately, that was related as a counter to the fact there were too many early releases. There seemed to be a contradiction between his policies in his department and the Corrections Minister. So holding that aside, I simply ask the Attorney-General again whether he does in fact feel that sentencing is too lenient, if he wants to comment on whether he thinks there are too many temporary releases, and just where he stands in this, or whether he thinks he can stand outside of the whole justice system as an observer, or whether he intends to come down on one side of the issue?

MR. MERCIER: Mr. Chairman, as a result of the criticisms of the temporary absence program, first of all I want to differentiate and clarify, for persons sentenced to two years or over, their release is the responsibility of the National Parole Board. The Corrections Department deals with persons sentenced to provincial institutions. We in the department have requested the corrections officials to review their guidelines and procedures governing the issuance of temporary absences and we have had a preliminary report on that, which is from the corrections officials. We wish shortly to meet with judges and senior Crown Attorneys to review the revised — the new guidelines from the corrections officials. Certainly our concern within our department and one that's been expressed publicly is that releases made very early after court sentence certainly have the tendency to create disrespect and undermine the authority of the criminal justice system in the eyes of the public. So we feel there should be some firmer guidelines. A review has been undertaken and we have a preliminary report for consideration now, and we expect shortly to meet with provincial judges for discussion of this report.

MR. DOERN: Does the Attorney-General have any observation on the remarks of Justice Garson that he felt that because of the overcrowding at Headingley, etc. that this was causing judges to

not sentence people to jail or not incarcerate people, that there was a problem at the other end in terms of physical space to contain offenders. The only solution to that, obviously, would be the expansion of space. I just wonder if the Attorney-General has any remarks about that.

MR. MERCIER: Mr. Chairman, I do not wish to enter into a public debate about policy with a provincial judge. My view would be that it is improper for a provincial judge to publicly enter into debate over policy issues. There are other methods of discussing those issues, and I don't wish to enter into — if they wish to make public comments I suppose that's their choice. But I don't wish to enter into a public debate with him. We are reviewing new guidelines for the temporary absence program and will meet with them and discuss that program with them.

MR. DOERN: I'd simply say that Justice Garson apparently felt compelled to write to the Corrections Department to complain, and I was just wondering whether there isn't — I don't know if this is

MR. MERCIER: I think that's perfectly appropriate, Mr. Chairman, if a provincial judge has a concern about a procedure that he write privately to the appropriate authorities.

MR. DOERN: Mr. Chairman, the other question I wanted to raise was the one that has been talked about a great deal but one that we're still waiting for some action on, and that is the accusations made some months ago by the Ombudsman in regard to The Pas Correctional. And these were some pretty scathing comments. I forget all the exact allegations. I have the report here, but they were — well, I guess the big expression used by Mr. Maltby was that the whole situation was scandalous. That was his main comment. He talked about a deplorable disregard of The Juvenile Delinquents Act and that the government appeared to be in violation of The Corrections Act and Child Welfare Act and that it was impossible to segregate people and so on and so on, and all we've heard in the past few months from the government, from the two Ministers, namely the Minister of Corrections and the Attorney-General was that they were reviewing the report. I pressed the Attorney-General a number of times about that, and he's talked about meetings and this and that, but that does not answer the question about the Ombudsman's report as to whether the Attorney-General has evaluated the charges made by the Ombudsman and how he would reply to them. So I wonder if he'd care to comment on that.

MR. MERCIER: Mr. Chairman, we have now had an opportunity to evaluate that report and, as existed under the previous government, the practice with respect to the placement of juveniles and adults in The Pas Correctional Institution is clearly contrary to Section 13 of The Juvenile Delinquents Act, which forbids the detention of juveniles with adults while in pre-trial custody.

This is a problem that the Corrections Department is aware of and I understand they are developing appropriate facilities in The Pas.

MR. DOERN: Mr. Chairman, on a point of order, I find it hard to hear the Attorney-General.

MR. CHAIRMAN: Order please. Could we have one speaker at a time. The Member for Elmwood.

MR. DOERN: Could I also ask him if he is reading? I'm not sure what he is reading from. He is now reading me a legal opinion, I believe. Could I ask is that his own opinion or is he reading from a report or something?

MR. MERCIER: Mr. Chairman, I indicated that we had now had an opportunity to evaluate the concerns expressed by Mr. Maltby in his Annual Report, and our conclusion is that, as existed under the previous government, that the practice of placing juveniles and adults in The Pas Correctional Institution is clearly contrary to Section 13 of The Juvenile Delinquents Act, which forbid the detention of juveniles with adults while in pre-trial custody. I understand the Correction Officials are aware of this, as they have been under our government and the previous government, and that they are developing appropriate facilities in The Pas as soon as possible.

Another question was asked with respect to the new facility planned in Brandon. It is our opinion that, on the understanding that the plans for the construction of the building will completely separate adults and juveniles so that there will be no actual connection between them, we see no reason by a juvenile institution and an adult institution cannot be in the same building.

MR. DOERN: So then it's clear that the Attorney-General has indicated that the province and his

government have been in violation of the law, which was the statement made by the Ombudsman, and then the question is, of course, how soon will this be rectified. Because we have been playing a game with the Town of The Pas, in terms of the problem of permits for trailers, etc. This has been going on, and it's going to take, still, a considerable amount of time to tender that contract and build that new facility. And, given the fact that the government is in violation of, I guess, provincial and/or federal statutes in regard to the separation of juveniles, can the Attorney-General indicate when The Pas Correctional Jail and Courthouse will be constructed, as to what time frame we're now thing about? Because, you know, this has been talked about for 15 or 20 years, and our government was within hours of commencing construction a year and a half ago.

Mr. Sherman made many statements over the past year about proceeding. He made statements in The Pas to the newspaper in March of 1978. In February he said it was a top priority, to the paper, and so on and so on, but we're still nowhere near it. All we hear is that the government is going to redesign. We know that, because of delays, that you're in a lawsuit, that you're being sued for \$700,000 by the contractor. We know that construction prices have gone up. We know that you're not going to build the jail, which is, I think, long overdue, but you're going to separate that out.

And we had the hilarious statement made by the former Member for River Heights. He said, "You're saving all kinds of money on redesign." Then he explained how that was being down by not building one-third or one-half of the facility. That's not saving money; that's just delaying the expenditure, that's all.

And we saw already how money was being saved on Brandon. Brandon costs \$2 million more today than it did when we planned it. It's now talked about as \$7 or \$8 million, coared to \$5 or \$6 million. It's up \$2 million. I say The Pas prison is going to be up a great amount, as well.

So maybe the Attorney-General doesn't know what I'm asking him; I'm asking him when he can indicate . . . —(Interjection)— Well, to spend money. —(Interjection)— Yes, I am asking him to spend money, because there is no way out. You are in violation of provincial and federal statutes. If you are prepared . . . —(Interjection)— Well, comment comes "Shoot the buggers."

MR. CHAIRMAN: Order please, could we have one speaker at a time, please. The Member for Elmwood.

MR. DOERN: Well, shoot the bundle, if you prefer that synonym. I see, all right, shoot the bundle.

My point is this, Mr. Chairman, that when you are in violation of the law and when you . . . You know, the way to save money in the whole field that the Attorney-General is responsible for is, of course, to, on one extreme, let people run loose in the streets; you save a lot of money that way. That's your government's policy. The other way is to crack down and I suppose execute people for minor offences up; that's the other way to save money. There is no way around saving money; there isn't. If you want proper facilities to hold people who have violated the law, it's going to cost money. There is no way out.

So that is what I am trying to talk to the Attorney-General about. He agrees that there is going to be an expenditure of money, and that there's a need for the expenditure of money; maybe the back bench doesn't.

So, I'm saying, Mr. Chairman, to what extent, or can the Attorney-General indicate when he thinks this prison is going to be redesigned? It was designed 18 months ago; it's now being "redesigned". When will the redesign finish and when will the project be tendered?

MR. MERCIER: Mr. Chairman, I believe the Minister of Government Services and the Minister of Corrections or Health and Community Services are looking at a very specific proposal right now, and I expect will be making an announcement very very soon.

MR. DOERN: There was also talk about temporarily, I think taking the juveniles out of the trailers, et cetera. There was talk in The Pas about removing juveniles into some home, or some new building and undertaking some renovations. Can the Attorney-General indicate whether that is now in the works?

MR. MERCIER: No, I cannot, Mr. Chairman. That would have to be addressed to the Minister of Corrections or Government Services.

MR. DOERN: Can the Minister indicate when the court house will be built?

MR. MERCIER: No, I cannot, Mr. Chairman, that's part of the very specific project that is now

being considered by the two Ministers I mentioned. We could move on with these Estimates, and perhaps you could start with the Minister of Government Services Monday.

MR. DOERN: The Minister of Government Services is usually in full-flight at all times, inspecting the dikes. Mr. Chairman, my question — the central question growing out of this discussion is this, you admit that you are in violation of statutes, in terms of The Pas Jail. Yet, it is going to take a year to two years to design and to construct a new facility. In the meantime, you are violating the law; in the meantime, you will have to get more extensions from the town of The Pas. Are you just going to simply turn your back on that fact, or are you going to do something temporary, in terms of relocating those juveniles; or are you simply going to ignore the fact that you are violating those statutes until — are you just going to say that in view of the proposed construction of The Pas Correctional, we will simply stand in violation of these laws?

MR. MERCIER: Mr. Chairman, I believe that question would be more appropriately put to the Minister responsible for Corrections.

MR. DOERN: I'm asking you, as a member of the government and I'm asking you, as a man responsible for law and order in this province. You're a Minister; you've obviously had discussions with your colleagues from Government Services and from Corrections. I'm saying to you, your responsibility in all of this, is that you're the one who's supposed to crack the whip here, and are you going to allow your colleagues and your government to simply to continue to violate the law for another year to two years?

MR. MERCIER: Mr. Chairman, notwithstanding that the previous government was also in violation of the law, I have indicated fairly specifically that a project is receiving immediate and present consideration, and I have indicated that I expect a decision to be made very very soon.

MR. DOERN: On the construction . . . talking about the new construction or a measure which will be taken concurrent with the new construction.

MR. MERCIER: Well, Mr. Chairman, when that decision is made, the Minister of Government Services and the Minister of Corrections will announce it.

MR. DOERN: We will hear an announcement about the fact that some variation or version or water-downed version of a correctional institute will be built, but in the meantime, those juveniles are still in those trailers and you're still in violation of the law. And I'm saying, what are you going to do to get your government off the hook in the meantime?

MR. MERCIER: Mr. Chairman, I've answered that question. The Member for Elmwood will find out when an announcement is made by the Minister of Health and Community Services or the Minister of Government Services, and I say again, for the fifth or sixth time that they have an immediate project under consideration, and I'm expecting a decision will be made very very soon.

MR. DOERN: Mr. Chairman, I would conclude my remarks by saying that although the government intends or talks about building a new correctional institute, they are now in violation and they will continue to be in violation of the law for a year to two, when the doors open of that facility and the situation is rectified. So, they have been in violation — admitted for the past 18 months, and they're going to continue to be in violation. I find that a very peculiar and indefensible position for the Attorney-General to calmly sit there, and say he doesn't mind the fact that the law is being broken.

MR. CHAIRMAN: 1.(a)—pass — the Honourable Minister.

MR. MERCIER: Mr. Chairman, I don't accept the presumption that the violation of the law will continue as it did under the previous government for another year or two. That decision will be announced shortly.

MR. CHERNIACK: Mr. Chairman, from my standpoint, if you ignore the clock for a couple of minutes, it would satisfy my needs — and then I don't know about others. Two things: one is, will the Minister undertake in due course — I mean within the next few days, to inform us the estimated costs of the purchase and renovation of the building which is now being considered for the expansion of the courtroom facilities — the Provincial Judges Court, and indicate where the

money will be sought, whence the money will come for that? Secondly then, may I ask the Minister that if he has not already had the opportunity, will he avail himself of an opportunity to see the report which I gave to the Minister of Health last year, September, I think it was, dealing with recommendations on professional associations? I raised it with this Minister, because I think that he has a fairly direct responsibility for the Law Society Act, and possibly for some of the other special acts. I filed the report specifically with the Minister of Health, not knowing who else should receive it. I'd like to know if the Minister has had an opportunity to see it, and if he hasn't, will he undertake to see it and be prepared to make some comments which I might ask during the Question Period or some other opportunity, giving him enough time to do that? I'm sorry, if he undertakes that, I have nothing further that I need to deal with.

MR. MERCIER: Mr. Chairman, I don't know the size of this report on professionalism; I think it's a very important area, almost an urgent area and to be dealt with in the legislative process within certainly the next year. I would like to have an opportunity to review that report; I don't know whether we'll have the opportunity to get through it in the next few days or so, but I would like to have an opportunity to see it. With respect to the first question, I can make those figures available when we have them. Certainly, they probably also will be available through the Minister of Government Services during his Estimates.

MR. CHERNIACK: I'm really trying to be very quick about it. If the Minister says the money will be found in Government Services, then we can deal with it there. As to the other report, I was disappointed that having given the Health Minister my extensive report on professional associations, I've not seen any outside activity in regard to it, and therefore, I would appeal to this Minister to see the report. There is only one copy available, because the Minister of Health apparently was not prepared to make any more copies of it. And not within the next few days, but before the session is over, I'd like to get the Attorney-General to respond to the extent he can, as to the matters raised there. If he undertakes to do it in due course, before the session has ended, then I would be quite happy to accept that undertaking.

MR. MERCIER: Well, you know, undertake to do it. I don't know whether I can do it within this session because I haven't the size of the report.

MR. CHERNIACK: There's an incentive.

MR. CHAIRMAN: 1.(a)—pass; Resolution 14: Resolved that there be granted to Her Majesty a sum not exceeding \$736,600 for Attorney-General—pass. That concludes the Estimates of the Attorney-General. The hour being 4:30, committee rise. Agreed? (Agreed) Committee rise.

SUPPLY — LABOUR AND MANPOWER

MR. CHAIRMAN: This Committee will come to order. I would direct the honourable members' attention to Page 59 of the Main Estimates, Department of Labour and Manpower, Resolution No. 77, 1. General Administration, Item (c) Women's Bureau:(1)Salaries—pass; (2)—pass — the Honourable Member for Logan.

MR. JENKINS: Yes, Mr. Chairman. Could the minister give us a breakdown of what Other Expenditures are, and is it just the normal inflationary increase, or is there money in there for any evaluation or studies of the various programs that the Bureau carries out in its normal course of duty?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: The breakdown is: Professional fees \$2,000; Furniture and furnishings \$1,000; Printing and stationery supplies \$14,000; Postage and telephone \$2,000; Automobiles \$1,000; Advertising and exhibits \$5,000; Publications \$1,000; Travelling \$2,900; and Educational assistance \$1,000.00.

MR. JENKINS: Could the minister inform the committee — Professional fees — are these fees paid for outside consultants or what are the Professional fees of \$2,000; just what do they entail?

MR. MacMASTER: It's assistance that may be required occasionally on an ongoing basis which

could include a survey which possibly could be taken, or a study, or a seminar if a specific professional was required.

MR. JENKINS: Is the minister contemplating, then, making an evaluation of the item that I raised earlier with him today which was the study of the average incomes for jobs of equal value or equivalent jobs, is the Minister contemplating a study this year or is he not at the present time?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Mr. Chairman, I understand that the Council for Women have a tremendous amount of material that they want me to review on that specific topic, of which I'll be doing as quickly as I can get at it, in conjunction with the Women's Bureau, and we'll see if there's any additional information that might be required.

MR. JENKINS: Then the Minister is not anticipating anything other than reviewing the information that the Council of Women have. The Minister's not anticipating doing a review, say, of female employees within the Government Services, and how they are being upgraded and how their salaries compare for their male counterparts. Is the Minister not considering anything along that line in this year's activities in the Women's Bureau?

MR. MacMASTER: That type of review is ongoing and will be — more emphasis put on it this particular year in relationship to what the Women's Bureau have, the Women's Council have, the information they have, how it applies, the corrective measures that may be suggested right for within our Government Services.

MR. JENKINS: The Minister says that this is an ongoing study. Would the Minister consider tabling in the House a report on the progress that they have made up to this time since the Minister says it's an ongoing thing? I mean, do they anything, say, for 1978 — a job evaluation and how women compare in that field with their, like I say, with their male counterpart? If they have anything, would he consider tabling it?

MR. MacMASTER: I don't have anything that I could specifically table, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: Yes, thank you, Mr. Chairperson. The Minister indicated that as we went through the Estimates he would inform us of any committees that would come under review under that particular section, and I just ask him for information pertaining to — if we should be just directing our remarks to any committees operating under, or within the jurisdiction of the Women's Bureau, any committees reporting to him?

MR. CHAIRMAN: (2)—pass; — the Honourable Member for Churchill.

MR. COWAN: Yes, thank you, Mr. Chairperson. Well, seeing no questions, and not wanting to belabour the discussion on this one Section of the Estimates, I think it's just appropriate that we close up with a few remarks as to what we feel is happening in the Women's Bureau, what the Opposition perceives as having happened over the past year, and some of our suggestions in the hopes that it can aid the Minister in his responsibilities as Minister responsible for this department.

It's obvious from the statistics that have come out over the last evening and this morning that the activities of the Women's Bureau during 1978 display a substantial decrease over the previous years. And this is occurring at a time when there are more and more women entering the labour force and more and more women who could surely use the support of services that the Women's Bureau would be able to offer them and the counselling programs that the Women's Bureau should be offering, and yet we see a downswing in the level of activities and I'm not resting the blame for that on the shoulders of the Minister because I understand full well that he was not entirely responsible for that, that there were some problems within the department with the change of directors and that there was another Minister who was responsible for the most part for the lack of activities. But it is our opinion that the Bureau has lacked, over the previous year, a strong Ministerial direction or support and that the employees in that Bureau have been struggling hard just to tread water and just to maintain — or even attempt to maintain, which they haven't succeeded

in doing, the level of services that had existed previously and we feel that is a situation that needs to be corrected.

And if I am interpreting the comments made by the Minister during the review of this department, I would suggest that he is trying to make those necessary corrections. I wish him every success in that because it is indeed a very important department within his Department of Labour and Manpower.

It's also hoped that he will take our suggestion seriously, as it was given in all seriousness, that they change the name from the Department of Labour and Manpower to something that is more supportive of women entering the labour force and working in the labour force, something that would be more appropriate, and I think the Member for Kildonan's suggestion for the Department of Labour and Human Resources Division would be most appropriate. And I say that in all seriousness and I think it is quite important, because as the Minister himself had indicated, there is certain wording in postings which tend to scare people away, certain wording in bulletins which tend to make people who would normally apply not apply, and that wording has a very profound impact on the actions of people, and I think that this is just another instance where he can make this department more accessible or appear to be more accessible to women by changing the title, and so we made that, although briefly — last night we made that suggestion. We did make it in all seriousness.

I would just like to comment that the number of special studies, seminars, group counselling sessions and individual counselling sessions have all showed significant declines over previous years, and that we find unsatisfactory and we wish the Minister all due speed and luck in his efforts to correct that situation and get this department back on track, because it obviously has not been on track for the previous year. And with that, if there are no other questions from my colleagues, I think we can probably proceed on to the next item.

Before doing so, I would just ask for some help from the Chairperson. I note that last year under this section of the Estimates under this administration in the first part we dealt with a department called Research, and I don't see that department listed here this year and I'm wondering if — the research department that was dealt with under this item last year, is that now the Research Department that we find in the Manpower section of the Estimates? Then perhaps for further clarification — the Minister has indicated "yes" — it was my understanding that Research Department was performing the function of investigating the Labour Acts, reviewing them and preparing necessary changes. If that research department has been switched over to Manpower Division is it still performing that same function, or should we be talking about legislative changes under this particular section?

MR. CHAIRMAN: I would think that the Honourable Minister has suggested that it be discussed under Item 3.(a), Research.

MR. COWAN: I just want, for clarification, because it's now in to the Manpower Division. Is that the Research Department that is reviewing the legislation for the purpose of making necessary or unnecessary, as the case may be, amendments and changes?

MR. MacMASTER: Mr. Chairman, I'll get into what the Research Department is doing when we get to (3)(a). I don't think we should be debating its content two or three times.

MR. CHAIRMAN: I would think that if there is anything that doesn't appear in that, the Minister's Salary would certainly cover it.

MR. COWAN: I would be perfectly willing to discuss anything, Mr. Chairperson, that we happen to miss in our going through the Estimates, but that does mean that the Minister will not have staff available to him at that time, which makes the procedure that much harder. But if that's how we want to proceed, then I'm perfectly willing to do it in that manner.

MR. CHAIRMAN: (2)—pass; (c)—pass. 2. Labour Division (a) Workplace Safety and Health (a) Salaries—pass; (b)—pass — the Honourable Minister.

MR. MacMASTER: The administration section of the division had four positions last year, two funded, this year has four and they are all funded. Just to clarify that, there were four last year; two unfunded, and of course two vacant and this year four funded, with the intentions of having them all filled. And under the Workplace Safety and Health Division is the Advisory Committee. That's the only committee that's existing in this area.

MR. CHAIRMAN: The Honourable Member for Logan.

MR. JENKINS: Yes, Mr. Chairman. I see that Mr. Reimer is now the new director of the Workplace Safety and Health Division. Can the Minister inform us how many meetings took place last year of the Workplace Safety and Health Committee, what recommendations that they have made to the Minister, and is the Minister satisfied with the amount of meetings that the committee held last year, for starters?

MR. MacMASTER: In 1978 they had four meetings and so far this year they have had two meetings and there is another one proposed within the next couple of weeks.

MR. JENKINS: What recommendations, through you, Mr. Chairman, to the Minister, has the committee made to the Minister so far with the meetings that have been held this year? He may not know what recommendations were made last year, or does this committee when it meets, does it review the legislation that we have in place, the Workplace Safety and Health Act, and how its implementation is being put forward in the workplace to insure that safety and health are being brought forward in the spirit of which the Act is set up? How many Workplace Safety Committees have we in place in places of employment, not only in the public sector but also in the private sector?

Could the Minister give us some of the details on some of these items? The Minister says that the committee has met twice this year and a further meeting is scheduled shortly. Does the Minister feel that four meetings last year were sufficient? Or as he had said when we were discussing administration that he was not in favour of Committees just on paper but he wants Committees active and working — and is he satisfied that the Workplace Safety and Health Committee has been active and working to its capacity in making recommendations and ensuring that the Safety and Health Committees are being set up as was envisioned when the legislation was passed?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: The first meeting this year was simply a review and an informational meeting. The second meeting, there were three specific points given to the Advisory Committee to review and report back and that particular meeting will take place June 1st, I believe.

MR. JENKINS: Is the Minister at liberty to tell us at this time the three items of review that were referred to the Committee so that we may share in the knowledge of the actual work of the Committee in what it is considering at the present time?

MR. MacMASTER: They're reviewing the criteria for establishing safety committees and they are reviewing a draft of a first aid regulation and they are reviewing electrical situations where there is high voltage wiring that may create accidents for possible consideration of legislation.

MR. CHAIRMAN: The Honourable Member for Kildonan.

MR. FOX: Yes, Mr. Chairman. I wonder if the Minister could give us a breakdown of how many safety committees have been set up in the various industries or conversely how many are still to be set up, also the amount of training and delivery of information that was carried out by the Workplace Safety Health Division to the various public sectors and industrial private sectors, the kind of material that was given and the number of calls that were made?

MR. MacMASTER: I'll have to get some of that material. There were 313 areas that were allocated for safety committees. There are approximately 290 that are in place and there are some that are questionable and the need for it and the criteria of it and that's why we have given that particular point to the Advisory Committee. There is a whole host of variables that we want them to consider in expansion. Some may not be applicable and there are a whole variety of reasons why we have given them that particular subject to sink their teeth into and get some recommendations back to us.

MR. FOX: Can the Minister also indicate, when he's compiling the information, as to how many public enquiries were made in respect to Workplace Safety and Health and also as I asked, the kind of material that is being disseminated and also what the Workplace Safety and Health Division is doing in respect to monitoring and looking at the field altogether.

MR. MacMASTER: Mr. Chairman, I understand that there is material being prepared that will be given out. I'd have to ask the member what he meant by — did you say public enquires? I'm just not sure what he's meaning, Mr. Chairman.

MR. FOX: Well I'll try and explain. Mr. Chairman, the point is that many people work in various places. They do not know to what extent they are covered by various laws and, of course, naturally they would phone the Department of Labour and try to find out whether they are covered under Worker's Compensation or the Workplace Safety and Health Division or to what extent they are covered, whether they're in an industry that is covered, whether they're in a small shop which isn't — this is what I am trying to determine.

Let me also ask whether there has been any discussion during the meetings that were held by the Workplace Safety and Health Committee in respect to legislation or amendments to The Workplace Safety and Health Act and, of course, as to whether there have been any seminars for the staff besides the meetings in order to train them how to approach their various duties in the field?

MR. MacMASTER: As we get into the other sections, the member will be interested to know that there are additional people that will be looking forward to — one of the specific positions is training, internal training, and we're looking for another position for external training. I think that there are two types of things that have to take place. Training is an area, if I could be so blunt as to say, that I think we've been lacking in. At least it's my perception of it. We have some excellent people that I think do need some upgrading and training on a variety of things and we're going to be looking to build some positions in those particular areas.

The branch does plan to promote to a high degree the awareness on the Workplace Safety and Health matters through introducing a system of bulletin publication on topics of significant concern. This is part of the publications that we're going to be preparing, Mr. Chairman.

MR. FOX: I understand there's also some medical surveillance in the different industries. Can the Minister indicate whether there is any medical personnel on his staff in the Workplace Safety and Health Division?

MR. MacMASTER: If the member would excuse me, I have a document which I'm trying to just familiarize myself with. It has a lot of the numbers that the member has asked for but I want to get it correct before I . . .

Inspections, in industry there was 2,909 and in construction there 211. was 3,851. Re-inspections in industry 1,133 and in construction 1. Complaints investigated in industry 178; in construction 62. Accidents investigated in industry 108; in construction 68. Meetings with industry 1,317 and with construction 286; training and education 186 with industry and 70 with construction.

MR. CHAIRMAN: The Honourable Member for Kildonan.

MR. FOX: Yes, Mr. Chairman. I wonder if the Minister could explain to what extent there is a liaison between Workers' Compensation and the Workplace Safety Health Division. I would surmise that some of the requests came in through the fact that there were accidents which were related to Workers' Compensation and others that would be just normal complaints. Can he give us a brief description of what takes place between the two departments?

MR. MacMASTER: Well, by and large, the majority of the accidents and investigations that we carry out are direct, not through the Compensation Board, but we do have a good ongoing relationship and certainly communicate back and forth with the Compensation Board.

MR. FOX: The ones that take place directly; would the information then be passed on to Workers' Compensation, because after all they are in the business of having a safe workplace, as well, in order to keep the coensation claims down?

MR. MacMASTER: I understand information flows reasonably freely back and forth between the two bodies.

MR. FOX: I have a particular interest in the noise pollution area. Can the Minister give us a brief description of what is taking place in respect to that?

MR. MacMASTER: Mr. Chairman, if the member would look at 3.(a), that's Industrial Hygiene; that's

where that will be discussed. Right now it's just strictly the four people in the Administration group.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: Yes, Mr. Chairperson. It is my understanding that the four positions in the Administration group that we were talking about would be the Director; the Secretary, which would also be known as an Administrative Secretary; the Administrative Officer and one Education and Research Officer. Can the Minister indicate if those are the positions that we're talking about, in specific?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER The two Training Officers come in there, Mr. Chairman, internal and external.

MR. COWAN: Thank you, Mr. Chairperson. We're talking about four positions. The Minister has indicated that there are two Training Officers, internal and external. What would be the other two, then?

MR. MacMASTER: The member said them in the first place: the Director and the Secretary.

MR. COWAN: The Director and the Secretary and two Training Officers. So the Administrative Officer, which was included last year as part of this department — now I don't know whether it was a funded position or not, but it was on the books — and the Education and Research Officer; those did not exist last year and do not exist this year. Does this indicate that we have a different prioritization here, that we have the emphasis being taken off education and research and put on training? And would the Minister please outline, seeing as how we have a difference this year, could the Minister please outline the responsibilities of each of the people that come under this heading, the Administrator, the Secretary and the two Training Officers, and would he please also take opportunity to outline responsibilities as perceived — because we didn't have people in the positions — as perceived for the Administrative Officer last year and the Education and Research Officer last year.

MR. MacMASTER: The one position, the Internal Training Officer — I don't know if that will be the final title. One title I have here is a Technical Development Officer, who will be internally training our people and, if we wish for a term, the External Officer will be the person that's going in the fields, working with Safety Committees.

MR. COWAN: Yes, well, perhaps because of the changes that have been made and perhaps because we were cut short on these Estimates last year and it's incumbent upon us to familiarize ourselves as fully as possible, right at the beginning, with what these persons are doing, can the Minister then go over what the responsibilities of the Director, and the Secretary is also an Administrative Assistant, so we'd like those full responsibilities. And can he explain to us what were the perceived responsibilities of the Administrative Officer and the Education and Research Officer, because I am concerned. The reason I ask this, Mr. Chairperson, is I am concerned that we are seeing a shift and we are seeing a shift away from research, which is a very integral part and a very important part of Safety and Health. And there is not enough research done by industry. I can make that categorical statement and no fear of being contradicted; there is not enough technical research done to protect the workers in the workplace from the hazards, the toxins, the modes of operation which have proven to be unsafe over the years. And that is a very important field because that prevents accidents, and that's what I interpret the whole purpose of this Workplace Safety and Health Division to be, to create working conditions or to change existing working conditions that act to their utmost to prevent the occurrence of accidents, and also ill health.

So it concerns me that we may have had a shift away from that, and, for that reason, I would like a fuller explanation of what is happening in this particular part of the Estimates. And it concerns me also because last year — and I don't have the Estimates before me for last year so I'm going to have to recite from memory — I believe this department was called Workplace Safety and Health, Education and Research. And I can look it up, but it had that dual title and this year it's just called Workplace Safety and Health. Oh, excuse me, last year it was Workplace Safety and Health, Research and Education and this year we leave out the Research and Education. So I'm concerned that we're seeing different prioritizations occurring and I would like the Minister to clarify that.

MR. MacMASTER: Well, I can only surmise and guess at what the duties of the two that were not filled were, but the Administration Services Officer, those functions will be carried out and the Research and Education Office's position was never filled. But the positions that we're going to be filling as we go through our Estimates are certainly going to fill that void. The Technical Development Officer, the internal person, will be keeping himself abreast of new developments and he will be developing and expanding the capabilities of divisional staff through internal training, preparing abstracts and summaries of technical information for circulation to divisional staff and monitoring existing regulations and codes of practice to ensure their technical accuracy and competency is maintained; preparation of new regulations and codes of practice under general policy; development of investigative reports on current and topical technical workplace problems; assisting and training education section. He will act as a liaison with the Research Branch to co-ordinate projects which we may undertake. He will be assisting in putting together the newsletter that goes out. He will certainly be checking on the efficiency and procedure evaluations of the division's systems. That is generally the technical officer's duties, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: This is the first I have heard of a newsletter. Perhaps the Minister can be more specific as to which newsletter he is talking about.

MR. MacMASTER: I mentioned before, Mr. Chairman, that we are going to be developing bulletins that are going to be going out.

MR. COWAN: Yes, a newsletter implies that it is on a regular basis, monthly or bi-monthly or whatever, but on a systematic and organized basis. Is the Minister implying that it will be such or will it be individual, isolated bulletins that go out from time to time as the need arises?

MR. MacMASTER: At the beginning it will be an isolated system and we hope to work into a regular, at the very least monthly, bulletin.

MR. COWAN: Could the Minister also supply us with the names of those persons presently on the Workplace Safety and Health Advisory Council and when their term expires.

MR. MacMASTER: Mr. Fox-Decent is the Chairman; Mr. Poterny is one of the employer reps; Mr. Moore is another employer rep; Norma Dawn Thompson is an employer rep; Bob Biggar is an employee's rep; Eugene Kostyra is an employee rep; Mr. Thibeault is an employee rep; J. Fraser is a representative of technical and professional bodies; Mr. Ward is the same; Mr. Decter is the same. Two have expired as far as appointment goes but the appointments were made at pleasure so there is no true expiry date; they can continue and have so been advised.

MR. COWAN: Thank you, Mr. Chairperson. They are continuing in their previous appointments. Are they continuing for a set period of time? Do they know how long they will be on that board for? Have there been any arrangements made for their replacement or indeed, is the Minister expecting to replace those persons on the Council?

MR. MacMASTER: They have been informed that they are continuing at pleasure, which means it is on-going.

MR. COWAN: I would ask the Minister if that also implies that while it is on-going, it can be withdrawn at any time by the Minister, if he can so indicate?

MR. MacMASTER: Yes, that is the case.

MR. COWAN: Mr. Chairperson, if there has been one major failing in my mind of this government, it has been its failure to utilize the Workplace Safety and Health Advisory Council to the best of its ability and to the best of the ability of the members of that Council. That Council was formulated, was intended, and I believe did play a very useful role in the beginning. But then for some reason unbeknownst to us, they stopped functioning; they just totally stopped meeting; they stopped talking; they stopped advising the previous Minister and this Minister was in the portfolio for I don't know how long, but for some period of time, before they met again. As a matter of fact, Mr. Chairperson, it wasn't until we brought this subject up in this House, the good and loyal opposition that we are,

and said the law is about to be broken — this Council is to meet every year and it has not met in a year because, according to their minutes, Mr. Chairperson, they met on February 3, 1978 — that was their eleventh meeting, their eleventh meeting since their first meeting which was in September of 1977. So it was a fairly active committee. Excuse me, February 24 of 1978 was their twelfth meeting and their thirteenth meeting is March 16, 1979 and in between, nothing, absolutely nothing. And was it because they did not want to meet? No. Was it because they had nothing to say? No. Why did they not meet, Mr. Chairperson? They did not meet because for some reason the previous Minister and this Minister were — and it's unfathomable to me why they would do it — were discouraging that meeting because they have — I'll just read briefly from the minutes of the thirteenth meeting which the Minister, I'm certain, has available to him. Without quoting directly, they wanted to know, what were they there to talk about after over a year? Why had that meeting been called after over a year; was it because of pressure in the House? Sure it was because of pressure in the House. It was a precipitating factor; there can be no other cause. We brought it up in the House and all of a sudden we see them scrambling to have a meeting.

So the members of that Council wanted to know, are we meeting because the government is going to be embarrassed, the Minister is going to be embarrassed if we don't meet, or are we meeting to perform a function? And I believe the Minister when he tells me he doesn't want paper committees and paper councils; I honestly and sincerely believe him. I recognize the Minister to be a man of some action and yet here we have a total and complete diametrically opposed policy where we have a council that wants to meet and it's not. They asked, why was the meeting not called before then? They didn't know. They had made representation time and time again to the Minister of Labour, the preceding Minister of Labour, and this Minister of Labour, saying we want to meet; we have input; we have value. We want to do something to make this Act work better. And, Mr. Chairperson, the Act was not working well while all of this was going on. The Act was not working well; the Division was not working well and the safety and health of our workers were suffering because of that.

They wanted to know, what was the status of the committee? You know, when you stop a committee for a full year, when you just totally cut a committee off and the committee says we want to meet and the Minister says no, then they want to know why do they exist, what is their status, why are they being around? They had written time and time again to the Minister asking for meetings. What was this committee doing? Why did they want those meetings? Why did they feel functional? Let's run through their Minutes to begin with.

The first and the second meetings they talked about considering and developing the standards by which this program can be judged a success or a failure, because it is a new program. And new programs fail, and new programs succeed. It happens both ways. And they wanted to know, what criteria are we going to use to judge the performance of the Workplace Safety and Health Act and the performance of the Workplace Safety and Health Division. And they didn't get an answer. They were told that it would be discussed in further meetings.

Perhaps the Minister can give us an answer during the course of these Estimates, upon which criteria is the program being judged, and how does he feel it's performing.

They wanted to know how it could be insured that industries under federal jurisdiction would be coming under the Manitoba Workplace Safety and Health Act. And I think that's a problem that the Member for Flin Flon brings up consistently in regard to a federal industry in his own constituency, the HBM and S mine, and it still hasn't been resolved. These Minutes are dated September 30, 1977. And it still hasn't been resolved. So the committee was trying, the committee was trying in that respect, and still hasn't received its answer.

I think it's interesting that on the first meeting of the Workplace Safety and Health Advisory Council, September 19, 1977, it was agreed that they would be having meetings on a bi-weekly basis, they'd be scheduled for Friday mornings, and then they said if the workload necessitated, they would meet on a weekly basis, and possibly for a full day. What happened to break down that process which was functioning for a year, right up until February 24, 1978, when suddenly the whole thing came apart at the seams? Why did that happen? What changed in the government to make them not want to have this council meet?

On their third meeting they discussed the problem posed by lack of information regarding the toxic nature of various substances and the potential hazards of various machines and processes, and if there has been a subject which has taken up the time of this House this Session, it has been indeed that very subject itself. What about these toxic substances. You know, we've talked about a couple. We've talked about PCBs very briefly, Polychlorinated Biphenyls; we will talk about them more because the problem hasn't gone away. The problem hasn't gone away. But we have occupied most of our time talking about lead, because that was a very major problem. And the government did, at every step of the way, too little, too late in regard to that one item, lead.

And I can assure you, Mr. Chairperson, that there are numerous other toxic substances existing

in our workplaces that aren't being addressed by this council or by this government, or by the Workplace Safety and Health Division. The figures vary, let's say 15,000 toxic chemicals in the workplaces; we have human data on 100 of them, we know the effect that they have in 100 out of 15,000 cases, and they're coming into the workplace at an incredible rate of three to 15,000 a year, depending on who you believe. New chemicals, many of which, 5 years from now, 2 years from now, 1 year from now, 20 and 30 and 40 years from now, will show up as very harmful, harmful chemicals that we have been subjecting ourselves to, as workers and as a population, because what goes in the workplace comes out into the environment, that we've been subjecting ourselves to for far too long, and we won't know the answers. We won't know the answers and we will have to suffer the consequences. And it's not a gamble I'm willing to take and it shouldn't be a gamble that the Minister is going to take.

And this council wanted to direct its attention to that problem and it was begged off. It was told, do not meet, you can't meet, as a matter of fact. And that's not a charge that can't be substantiated. They did not meet, even though they had many requests emanating from members on that council for meetings.

On October 28, 1977, very close to a historic date in this province — I notice the Chairperson is shaking his head, yes indeed — and indeed it was a historic date for many reasons. But just a few days after that historic date, the council said that they wanted to aim at a thorough study of the issues affecting safety and health so that they could help guide the decisions of the Minister and the departmental staff responsible for the administration of the legislation and the program. And yet we see that sort of assistance, freely offered assistance, turned down by the previous Minister and by this Minister, because he is not free from guilt on this. He was in office for quite some time before they met, or he was in that particular office as Minister.

We find that Mr. Thibault, one of the members of the Advisory Council and the President of the Manitoba Federation of Labour a very significant group within the province, and one that this Minister should take heed, to listen to, and I'm certain he does — at that time indicated that the "MFL expresses deep concern that the facilities necessary for the full and effective function of the Workplace Safety and Health Act are being delayed by the investigative action of the government task force."

That's a fairly damning statement, that the health and safety of the workers of this province was being put at greater risk due to the task force, due to the task force of this government. And yet, for as damaging as that statement is, it is not as damaging as the fact that they stopped their meetings shortly thereafter, four or five months thereafter, and didn't continue for over a year.

And again, they wanted to go through the Safety and Health Act, and it was noted that at present there is little done in the way of legal control of toxic substances in the province of Manitoba, an item which has taken and will take much of our time and much of our attention.

There was some question as to the committees — and we will discuss that — in the eighth meeting, or the tenth meeting, excuse me. And then we start to see problems starting to crop up. We get an inkling of discontent and unrest. The council itself was talking to the Deputy Minister of Labour and at that time it was suggested that the number of meetings of the Advisory Council be reduced to one a month, from bi-weekly, possibly weekly, to one a month. And one reason that it was suggested for that by the Deputy Minister at that time, was the fact that there was a need to cut, this reduction was necessitated by a need to cut departmental expenditures.

Now, how expensive can the meeting of an Advisory Council be? I'll ask the Minister to answer that question when I'm finished, if he would. What is the cost of having this council meet? How expensive is it?

I know there is certain lost time paid. What does it amount to? What does it amount to to rent a room for the one morning every two weeks? And they wanted to know, there was a very lengthy discussion among the Advisory Council at that time, and they had some very legitimate questions. They wanted to know, did the council members themselves have a responsibility to decide on the frequency of the meetings? They got their answer a few months later, "No you don't." "We don't value your input and you don't have the opportunity to decide on that. They wanted to know what their role was. They saw their whole role being changed under this government from what it had originally been intended and that it happened. So they wanted to know what was their new role, what terms of reference the new Minister was going to assign to the council. They never got those answers, Mr. Chairman, until just recently. Now, in all fairness to this Minister, after a year and a half or after — this is February 3rd, so after a year and a quarter they finally got their answer as to what terms of reference the Minister wanted. The previous Minister never answered them on that.

They wanted definite reasons given for the reduction of the number of meetings. They didn't get that. And they made a subcommittee at that time which was to meet with the previous Minister

and to discuss the problems which were beginning to rear their ugly head in regard to the meeting of the Workplace Safety and Health Division. So how does the Minister answer that? How does the Minister answer those very serious concerns and questions? The Minister says, and this is from the Chairperson of the committee, Mr. Wally Fox -Decent. The general conclusion which Mr. Fox-Decent believes seemed to arise from the Minister's remark on the role of the advisory council was to emphasize the advisory nature of the council and then only at the request of the Minister. You know, one thing this government has tried to do is to gather power upon itself. In other words, we had meetings that were being scheduled regularly, the council met and it was functioning. It was not a paper council, it was functioning, it was doing its job and it was doing it to the best of its abilities, and there was nothing to interrupt that process. It was an on-going process. It was a healthy, productive process and the Minister suddenly says, "no". The Minister says, "Only when I tell you, and then you're just going to give me a little bit of advice and only the advice I want to hear. Only the advice I want to hear," and that in itself is telling. So we have the whole purpose of the council downgraded and degraded. Right then and there.

You know, I would have had trouble sitting on that council, as I'm sure the Minister would have had trouble sitting on that council at that time, when they found out all of a sudden that they had been stripped of any sort of productive and real input into the whole process. And the council said, and they agreed, the managerial representatives and the employee representatives and I'm certain everyone, although I don't know, but I'd be surprised if everyone didn't agree that if the council did not meet continuously they would lose their effective continuity and they would lose contact with the division. They would become inefficient and ineffective and they would not be able to function to the best of their abilities.

February 24th, 1978 Mr. Wally Fox-Decent tells them "It's your last meeting" until he heard further from the Minister of Labour. A tentative date of March 23rd was set, but they never met. That was the twelfth meeting. They never met on March 23rd, 1978. As a matter of fact they didn't meet until March 16th, 1979. And you know if all was well within the Workplace Safety and Health Division and if all was well within the workplace then one could understand. One could say, "Why meet if all is well?" But all was not well. Very little was well.

Right at that time a report from the director, and a fine and able gentleman, I must add, Mr. Victor Rabinovitch at that time stated that out of 298 designated committees only 207 had sent Minutes and 53 had indicated they were in the final stages of organization but they had not yet become organized, and 38 firms were showing unsatisfactory progress in regard to setting up Health and Safety committees, and that Safety and Health officers would have to make special visits. And that several large firms had not yet set up Health and Safety committees. And this was one of the very items that the Minister — or that the committee wanted to direct their attention to in the beginning. They said, "We see this as one of our functions, helping you." And I would suggest to you, Mr. Chairperson, that we will not have found much progress in the setting up of Safety and Health committees since that time, that we will not have found a whole lot of progress. Some will have sent in minutes, but I'm certain there will be others that have not yet.

And then, after a year of letters to the Minister, after a year of writing to the previous Minister of Labour in this regard they finally get their meeting. After we bring it up in the House and embarrass the government publicly and that's the only way and that's the wrong way.

You know, nothing would have been done in lead. Hadn't been. We told the Minister about it, the previous Minister, and I'm not — please — the Minister who is sitting there now, has tried. I think he's done the wrong things. I think he's done the wrong things. I don't think he's done enough but he has directed his attention to the problem and he has tried. And for that credit is due and credit is freely given. Now I will argue with him that what he's doing will in the long run make the situation worse rather than better. But we will have those disagreements. We will have those disagreements. But he tried. But nothing was done previously. Nothing at all.

And the people on this advisory council saw these problems occurring all about them and wanted to do something and wanted to help and they weren't allowed. So perhaps the Minister can now straighten the record on this matter. Because it's appalling and that's not too harsh a word. It's totally unsatisfactory that that committee did not meet. Why is a labour — past labour person, and I mean that in no disrespect — why is a person who is intricately involved in the labour movement and in a very dangerous, hazardous job. I don't know — I believe the Minister worked in the rating department, which is a fairly hazardous job. I may stand corrected on that, at INCO. And I've worked in the mines myself and I know the dangers there. And you become very aware of Workplace Safety and Health when you've worked in the mines. You have to become very aware or you don't work too long in the mines. It's that simple.

But the Minister had that awareness. Why was he not encouraging the previous Minister of Labour to get this council meeting? Why was he not using his influence within the Cabinet to ensure that the Workplace Safety and Health of workers was being looked after in this province? Because we

see a general downswing in all the activities of the department over the previous year. We see problems cropping up which weren't being dealt with, such as lead and others that have shown up, and we see nothing being done. So I would just ask the Minister if he could comment briefly on that very sorry record of the previous Minister of Labour and of himself in the beginning and explain, because explanations are due to the workers of this province, why they had to sit and wait for so long.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Mr. Chairman, I think what has taken place with this particular department is the fact that it was brand new and in my opinion was never really put together and put to work. When I became Minister that was my — one of my first reactions was that there were a lot of good people there that quite possibly hadn't been given the kind of direction, at least, that I felt was deserving.

And I think that's starting to take place, and I think the department as we go through it, we will find where some of the gaps are being filled up in required positions to be filled for this particular year. I don't know them offhand but will certainly go through them. I think there is maybe four or five in this particular department; there might be more. I think it's six particular key people that we think are required to have this department better serve the need it was established for.

In my opinion, on the Advisory Council, I really don't know of any specific recommendations that they made and I again suspect that quite possibly specific requests weren't being made of them. Maybe it's half of one and half of the other, but I like to believe that the department is now starting to jell well, that there is going to be some very productive results out of the department in the forthcoming year. There is certainly going to be some key additions to the department to help make it better function. And I'm pleased with the reports that I hear from the Advisory Committee now that we have got to maybe where we might have been or should have been a while ago, where specifics are being asked of them and they've got something now that they know that the department and myself will be requesting of them to bring in some very specific recommendations in regard to particular items of concern, and we can keep that going. We can keep that going as we roll along, as the recommendations and the topics are finalized, with the recommendations attached to them, other items can be brought forward to this particular Advisory group. And I have a lot of faith that they're going to turn out some good work in the next year, too.

MR. COWAN: Thank you, Mr. Chairperson. It doesn't wash; it just does not wash. The Council was active; the Council wanted to be more active and yet it was the Ministe who consistently — not this Minister; I am going to have to be careful in this regard. I am not certain what this Minister said when the Council approached him and asked him for a meeting, but when it approached the previous Minister and asked her for meetings what did she have to say? She says she sees a very useful role for the Council in the future. This is May 2nd, 1978, and it's still not meeting for another year. "And in the future, and I intend to seek the Council's opinion on matters where it is felt that this level of advice is important . . ." And she never did it; she never did it. She turned them off.

The Minister says that they weren't making specific requests for information or recommendations. I believe that's how he phrased it. And yet if you go through their Minutes you see time and time again they talk about a detailed clause-by-clause discussion of the Workplace Safety and Health Act. "All members participated actively in this discussion", talking about the definition of health. They talked about the Committees, the success and failure, legislation; I mean they talked about . . . One request for information; they wanted a detailed section-by-section review of the Workplace Safety and Health Act for Advisory Council members; they wanted a written summary of all legislation and programs which coincide or overlap with the Workplace Safety and Health Act; they wanted a detailed staffing and organizational chart — this is our first meeting. They wanted copies of text summarizing policy and administrative developments for all Council members.

They were a very active Committee. We should have Committees in Council so active. We would have far less problems. Clause-by-clause discussion of the Sections 4 through 12 of the Act. They wanted some discussion on the enforcement and use of personal protective equipment. They were doing . . . There was a brief discussion on the need to develop coherent statistical information to assist in the Division's allocation of resources and help evaluate program effectiveness. Stress was laid on the need to avoid duplication and to identify all existing sources. That was shortly after the government changed hands, three days after the government changed hands.

So that they did want to perform a useful function and they had made the request. We cannot lay the blame for the lack of meetings on the shoulders of the Workplace Safety and Health Advisory Council members, because that is not where it belongs; it belongs on the government; it belongs

on the Minister.

And to say that things are functioning smoothly now is not the answer. It's not the answer, because I'm not so certain that you can uproot and you can create that sort of dissatisfaction and create that sort of frustration over a period of a year and then turn around and say, "Okay, let's be buddy-buddy again. Let's shake hands and make up after we have been . . ." well, I won't use the vernacular, but after we have been "harshly turning you down time and time again for the past year, and now you go out and do your function in a productive and well-meaning manner." It just will not happen, as much as they will try to make it happen. The damage has been done.

When they finally did have that meeting on March 16th, 1979, after a year, they wanted to know where was an agenda because they weren't given the courtesy of an agenda before that meeting. They wanted to know why that meeting wasn't called before now. They wanted wanted wanted some explanations; we want some explanations. They didn't get it; I suppose we won't. But the fact is we want it and they want it. They wanted to know what was the status of the Committee, and I'm not so certain that they're satisfied with their status now, as the Minister has outlined it to them. They wanted to know what was the reason for calling this meeting. They had the same suspicions we did; it's interesting. They wanted to know what was the status of the members whose terms had expired, and they wanted to know why the press was present at today's meeting and not at any of the other meetings. It turned into a media event. Perhaps the Minister was taking a cue from the election campaign that was soon to follow. The members walked in and there were the press, TV cameras, reporters. I'm not saying that's such a bad circumstance to have happen. I think we should have open meetings, but it was the first time. It was the first time that that had happened in 13 meetings.

Dr. Decker brought up the fact that the Advisory Council members had received no direct or written reply from the Minister on the status of the Committee, and they had made those representations to the Minister time and time again. The Minister stated that he saw the role of the Advisory Council as advising him on a number of matters, such as changes to the legislation, overhauling existing regulations and assisting him in identifying and solution of problems.

Now, if that all takes place then that will be a functioning Committee again, but I have my doubts. Well, here they tell us about the committees. 313 companies were originally designated as requiring Safety and Health Committees. 105 companies presently have Safety Committees functioning in a satisfactory method. A additional 149 have Safety Committee functioning but the Division feels additional development work is required to ensure the effective functioning of the Committee. 30 committees are under the jurisdiction of the Department of Mines, Natural Resources and Environment and will not be reported on. Nine firms claim they have functioning committees, but no Minutes have been received by the department, and a further nine firms do not have Safety Committees and appear to be making no effort to establish Safety Committees. And the feasibility of the Safety Committees in the remaining 11 firms is questionable for one reason or another.

So, yes, indeed, over that year they weren't meeting. We saw that there was not any progress made in regard to Safety Committees. As a matter of fact, exactly the opposite had occurred — that there were only 105 out of 313 that had safety committees functioning in a satisfactory manner.

And the Minister says that the department had just been set up and wasn't functioning as much as it should have been perhaps, and now they were pulling it all altogether. Well, in 1977, and let's go through what that Workplace Safety and Health Division did, and for the record, because I think it belongs in the record: In 1977, the Industrial Hygiene Branch received 135 requests for technical information; in 1978, it received 240, so, an increase of 77.8 percent. But the number of field surveys for lead, nickel, zinc, toluene, styrene, hydrogen sulphide, asbestos and silica went down from 171 to 74 — a percentage decrease of 56.7 percent. The field inspections went down, requests for technical information increasing, because people are becoming more and more aware of the problems, want the information, want the answers; yet, the number of inspections going down in 1978. And they had to go down, because there was no commitment by this government to this Act in 1978. There may be now, I'm not certain there is or there isn't, but there wasn't in '78.

Number of lead-in-blood analysis carried out — we have a major problem before us, and we brought it up in '78, in early '78. Yet, the number of lead-in-blood analyses carried out decreased in '78 from a total of 1,761 in '77 to 1,501 in '78, a decrease of 14.8 percent. Technical requests going up; surveys being done, decreasing; number of tests being done, decreasing; number of analysis, same decrease, 57 percent.

We do have a number of analyses carried out on air, serum, urine, blood and other media showing a substantial increase, from 88 to 513 and I will question the Minister later on that because I have a feeling that we may be mixing apples and oranges there. The number of analysis that were found

to exceed the acceptable level was up from 31 to 100 for a 222.6 percent increase. We see an increase in the number of inspections carried out, from 7,165 to 9,104, a 27.1 percent increase, but we see a decrease in the number of improvement orders issued, dropping from 7,360 to 6,034, 18 percent increase. So, in the number of inspections carried out in '77, we see 103 percent of them resulting in improvement orders. Now, that 3 percent, I'm certain comes from more than one improvement order being given for one inspection.

And in '78, we see the improvement orders being issued only representing 66 percent of the number of inspections. The number of stop-work orders was up slightly from 73 to 79, and the number of stop-work orders warnings issued was up from 8 to 125, and I understand or I would assume that that would be mostly in the construction area. But it shows us that warnings were being issued instead of orders; that people were being warned and given a second chance, instead of being told "clean it up now or shut down." That's what that would indicate to us, that there was a laxing, a relaxing of the number of orders issued over warnings issued.

The number of Safety and Health Committee sessions decreased from 2,400 to 1,600. So, the Minister was trying to tell us before that the department wasn't functioning well in '77, and that's why it didn't function well in '78. But it was out-functioning itself in '77 than it was in '78, so it must not have been because the department was new and was going through growing pains and just getting started. It must have been because there wasn't a commitment. Either there wasn't the money there or there wasn't the direction — one or the other.

The number of in-plant training seminars went down from 155 to 92. There's a long list of statistics, Mr. Chairperson, I won't go through all of them, but I think we have the point. The point is that the division was functioning in '77 and was functioning to a lesser extent in '78; that the Advisory Council was functioning in '77 and was functioning to a lesser extent in many cases for over a year to no extent in '78; that there was just a general freeze, everything skidded to a halt in the Workplace Safety and Health Division. And they can do what they will this year, and they can make their amends and make their apologies, although I haven't heard them yet, I think they're due. But the fact is that for a full year now, for a full year we have gone without a department functioning to the level to which it should be, and that has had to result in worsening conditions or conditions not improving as fast as they should have. And that has had to result to the detriment of the working people of this province, who want and seek healthy workplaces.

I'd ask the Minister, he indicated before and I'll just have to find my notes here for one second, one of the problems, Mr. Chairperson, of having been over-prepared and having too many pieces of paper on one's desk. I should learn how to more efficiently sort them out, I guess.

The Minister indicated that there were a number of inspections, complaints and accidents investigated and he gave us the figures for '78, I believe. Could he also give us the figures in those same categories, and he broke them down by industry and construction, can he also give us the figures for '77, so that we can make some comparison as to the level of activity in the department in '78 over '77?

MR. MacMASTER: There's really no comparison available. The division only came into effect in '77.

MR. COWAN: But excuse me, Mr. Chairperson, I don't have it before me, I'd have to look through it, but I understand that in the Annual Report, we have a list of activities for the year '77, from which we have garnered much of our information. So, I would assume if that is in the Annual Report, talking about the number of seminars, the number of x-rays administered, the number of cases of dermatitis reported, the number of cases of lead poisoning, the number of field surveys — if we have all that information there, then I would hope that the Minister would also have it for '77. I don't quite understand why that breakdown isn't available for '77. **MR. MacMASTER:** It was scattered throughout various departments, Mr. Chairman, as the member well knows.

MR. COWAN: Can the Minister indicate if the administrative officer, a position which — Administration Services Officer, I guess is the title that he used, a position that he indicated was not filled last year, if that position has ever been filled, under the department? Perhaps my information is wrong. Can the Minister indicate if there was a secondment from another department for at least four months in 1977 to fill that position?

MR. MacMASTER: No, I can't.

MR. COWAN: Surely someone should know whether that position was filled for a period of four months from the secondment by another department. Is there no one that can get that information; can the Minister undertake to get that information for us?

MR. MacMASTER: I understand there is possibly somebody in that area, but as I said before, and think it bears repeating, that I'm prepared to deal with 1978 and 1979. I am not going to keep going back into the '77s and the '76s. **MR. COWAN:** One has to keep going back, Mr. Chairperson, because that's upon which we build some sort of a picture of whether the department is flourishing or languishing. We can only look at the past, and compare the future and compare it today with the past, in order to get some sort of a complete picture. We can take a snapshot in time, we can do that, but all that tells us is how things are today. It doesn't tell us how things were in the past, and it doesn't give us any basis upon which to make judgments. We can say that Manitoba has the least number of safety inspectors in the workplace area, in the mining area, per capita of any province. I'm not certain whether that figure is exactly correct, so we could say that and we could make that to be a comparison. I know we rank very low among the per capita figures and make that a comparison. But that really isn't a valid comparison because the provinces differ for reasons — they may need more or less. One may have a more efficient — we may have a very effective and efficient inspection force and therefore that comparison would not be valid. It would lead us to the wrong conclusion, but we will make comparisons to the past.

The Minister can talk about '78; we'll talk about '77 and '76, but we would certainly hope that he would be able to fill us in so that we can see if the department is making any progress. We would expect him to want to have that information. How is he judging the improvement that's being made, if there is any, and it might be exactly the opposite. He has to delve into the past, he has to do it or he will be an ineffective minister. So, we're just trying to help him with that process.

Two training officers we're talking about — the positions did not exist last year in this particular section. Can the Minister indicate if the positions existed last year in another section within the Workplace Safety and Health Division?

MR. MacMASTER: No, Mr. Chairman, they didn't.

MR. CHAIRMAN: The Honourable Member for Logan.

MR. JENKINS: Yes, Mr. Chairman. The Minister is referring to the training officers — one is an internal and one is external training officer. He briefly mentioned that this internal training officer was setting up training programs within the system. Is this for training inspection staff within the department for monitoring whether the Workplace Safety and Health Act is being complied with — is that the type of training that this person would be doing? And what would be the difference between an internal and external training officer — would he be out working in the field? What would his duties be?

The Minister also said that the Review Committee was also meeting to consider, or one of the meetings that they had, was to consider first aid regulations. I wonder if the Minister could give us a bit of an expansion . . . are they consulting with the St. Johns Ambulance Corp? Is this the type of first aid program or what not that they are setting up within the Workplace Safety and Health Committee Review or is it just basic first aid regulations that the Minister is talking about? Because some plants do have quite extensive St. Johns Ambulance training plans which the workers do, participate and qualify for certificates in first aid. But what type of draft of first aid regulations is the Review Committee looking at? Are they, like I say, are they in consultation with the St. Johns Ambulance Corp and if the Minister could give us some answers to those questions?

MR. MacMASTER: They will be studying the, in their opinion, requirements of first aid equipment throughout plants and on job sites.

MR. JENKINS: They would not then be considering and making recommendations that personnel be trained in first aid in workplaces. I know this happens in some places and in some plants it doesn't happen. I guess it depends on how safety conscious the plant may be.

The Minister also said that there was approximately, I believe, 290 Safety Health Committees now set up in the workplaces in the province or somewhere in that figure? Somewhere in that figure. Are these active committees? Are they actively making, I don't know how often they report to the, whether they report to the Minister or they report to the Director, but I mean how active are these committees? Are they actively looking at hazards in the workplace, industrial hygiene in the place and things like this? What sort of co-operation is the Minister and his Director receiving from not only industry but from the workers that are involved in the Workplace Health and Safety Act as coverage, that this Act covers?

He also said that the Committee was studying the criteria of setting up of the safety committees

— if they are studying this, as I said before, is the Minister and the Director in particular, is he satisfied that the committees are just not, as the Minister said before not paper committees and I realize that these committees are not actively or precisely under him but they are in plants. I mean are they actually making recommendations and are these recommendations being looked at by the management in place and recommendations that are made, are they being carried out?

And if the Minister could give us a bit of the highlights of what these committees that are actually in place in the workplace itself, in the plants — we would want more assurance from the Minister then because the Minister said he has not been happy with some of the committees that he has had under his direct control in the past, that he wants an active committee, not a paper committee. And so I would like to know, have the assurance from the Minister that the committees that set up in place in the workplace are active and doing the job that the Act intended them to do.

MR. MacMASTER: In relationship to the first question first. What they are specifically doing in regards to safety equipment is precisely that; looking at the amount of safety equipment, the types that are established throughout the workplaces. The criteria that you were talking about that we referred to the Advisory Committee is criteria that should be established for enlarging on the number of 313 Some of the committees are working extremely well. Some, I think like everything else, mediocre and some that I'm certainly not satisfied with and those that we are not satisfied with our staff are working with them and after them trying to get them working better.

One of the roles of the external trainer will be get in and help some of these unions and companies to have meaningful meetings and carry out the proper type of what we consider the proper role of safety and health committees.

MR. JENKINS: In this department or in this directorship I realize we are dealing with the administration, the promotion of working safely on the job which at one time I think the Workers Compensation used to do a bit of that. They published booklets and what not but is the committee, the Workplace Safety and Health Committee, are they working in conjunction with the Workers Compensation or have they taken over that function from the Workers Compensation? —(Interjection)— The Workplace Safety and Health Committee have now taken it over — well then again, I would say to the Minister as I said this morning, that there was at one time short little inserts on television, I think paid for by the Workers Compensation on promoting safety at work and also safety in the home as well as the work place.

I would wonder just how much of the Other Expenditures here would be set out for promotional work of making not only the working public but the general public aware of safety. I mean think it's a pound . . . pardon me — an ounce of prevention is worth a pound of cure. I think everybody will agree with that. And the promotion of working safely in the past while has seemed to have disappeared. I don't even see the little booklet they used to put out, what you should do if you are injured at work. I don't know if these pamphlets still go out into the workplace and I have my own opinion if they are that effective or not. If these are not even being put out then I would wonder just what type of promotional advertising, the Workplace Safety and Health Committee is now promoting for, to make not only the workers, their employers but the general public aware of safety and make it forceful so that it comes across to the people. I liked the little adverts that we had a few years ago. I don't know, they stopped even when we were in government and that was a point I always used to get after the Minister about. I wonder if the Minister would again be considering and what recommendations the committee itself, the Advisory Council has made to the Minister on the promotion of safety advertising.

MR. MacMASTER: Are we — I just have to ask you a question, Mr. Chairman, are we into the Other Expenses? Are we by the (a)?

MR. CHAIRMAN: Administration (1)(a) Salaries.

MR. MacMASTER: Okay.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: Yes, where would the Minister prefer to discuss the regulations arising out of the Workplace Safety and Health Act — under which item in the Estimates?

MR. MacMASTER: I would think, maybe right now, Mr. Chairman, is as good as any.

MR. COWAN: Okay thank you, Mr. Chairperson. Before proceeding on to that I just want to revert

back to the Committees for a minute. We do have a problem with the committees. I think the Minister will admit that there is a problem. That the number of committees that are supposed to be functioning, that were designated in the beginning have not, we have not seen a full complement to those committees being established yet. And I would ask the Minister what he intends to do about this problem — what action is being taken in two regards:

(1) To put committees in where committees don't exist presently, and

(2) To get those committees functioning on a satisfactory level where it is known that they are not functioning on satisfactory level, and

(3) I added as I spoke. I would ask the Minister to indicate what sort of safeguards are in place to ensure that a committee that is now functioning satisfactorily, continues to function satisfactorily upon which criteria are we judging are we the successful functioning of a Workplace, Safety and Health Committee. So those three questions, if he could answer them, please.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: I said when the member was absent that there is several varieties of stages that the committees are at. Some are very satisfactory and some are somewhat mediocre and some are not functioning well. And our people are, I repeat, going out, meeting with those that aren't working well and chasing those who aren't operating at all. It's an ongoing process, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: Well that's all very well and fine that people are going out and talking about it. But talk, far too often, is cheap and nothing gets done and the Minister knows as well as I do that if a company does not want to set up a Workplace, Safety and Health Committee, unless there is some sort of pressure and enforcement procedures that can be evoked against that company, they are not going to set up a Workplace, Safety and Health Committee. And we only need to look at the fact that many don't have committees today. What enforcement procedures is the Minister willing to invoke against companies that are refusing to protect their workers in this manner by living up to the conditions and requirements under the Workplace, Safety and Health Act and setting up functioning Workplace, Safety and Health Division Committees?

MR. MacMASTER: We're proceeding now. We have, in the last short period of time, notified the companies of which we're not satisfied with the operation of their committees or those that are not operational at all and our inspectors are following up on that at this particular moment. I think it's hypothetical for me attempt to comment on what I'm going to do if they don't co-operate.

MR. COWAN: It's not hypothetical, Mr. Chairperson. It has been years. It has been years and they have not set up the committees and they have not set up the committees because the government has not forced them. And the government is going to have to force them; otherwise why have the law? Why have the law if you are not going to enforce the law? They have had ample opportunity to pressure, to invoke penalties and perhaps I'll ask the Minister what penalties can they invoke under the Act for a company that does not set up a functioning Workplace, Safety and Health Committee and how many times have those penalties been invoked? And perhaps having that information, we can proceed further.

MR. MacMASTER: We could take companies to court, Mr. Chairman, if we chose to. We haven't chosen to as of this date.

MR. COWAN: Then does the Minister consider the more advisable course to not take the companies to court to ensure the Workplace, Safety and Health of their workers rather than at least start that process whereby those companies that are reluctant to impose committees or to put committees in place would do so. Does he consider that's the advisable course, just to let them get away with it?

MR. MacMASTER: If the member would refer back to the Minutes of some of the meetings of the previous directorate in this division said that co-operation and persuasion was by far the best approach to establishing these safety and health committees as concidental as it may be. As far away and as far divorced as the two of us may be, we both certainly have similar ideas on that particular approach.

MR. COWAN: Sometimes co-operation just does not fit the bill. The Minister will find that out in his Lead Control Program. He will find that out because there's been ample opportunity for co-operation in the past and it has not worked. And it has not worked for some very specific reasons which we will go into in some great detail, I'm certain. And it is not working in those cases of those companies that do not have committees in place now. Because if they wanted to co-operate then the committees would be there. There is no reason for years later for the committees not to be there. There is no reason and that makes it unreasonable and it is unreasonable that they have allowed that condition to exist. And they have done nothing. And I do refer to the Minutes of the Advisory Council. And the members of the Advisory Council themselves point out that they want to know what is being done in this regard. That there is a problem.

Now is the Minister prepared to serve notice upon those companies that are refusing to protect their workers by not putting in place a Workplace, Safety and Health Committee. Those designated companies that have been designated by regulation, Order-in-Council No. whatever. And I can get that if necessary and we can go through the whole list and find out and make public which ones haven't. We can do that. Is the Minister prepared to tell those companies that it is now time to put up or shut up? That they have to have those committees because those committees — they were designated for some very specific reasons. You know, in that Order-in-Council and I don't have a copy here but I will get a copy and along the one side it says, dangers or hazards, I believe, and I may stand to be corrected but that seems to be the general heading. And it lists what the dangers and hazards at some these workplaces are. Some of them are scary and I am certain that, well you are certain because you have heard the Minister say himself, some of those designated work places don't have committees. And he is relying upon their good wishes, he is relying upon their co-operative spirit to put those committees in now after having not done so. And it's not going to work. When he finds out that it's not going to work and I would ask him how long we have to wait?

MR. MacMASTER: Mr. Chairman, we are going through a fantastic amount of repetition here. I outlined to the member what are our actions are and what we are proceeding to do and I don't intend to keep repeating it.

MR. COWAN: I await the Chairperson's ruling on whether we are, indeed, going through a great deal of repetition because at times I am prone to repetitiveness. It's a tendency to try and make a point through stubborn insistence sometimes rather than through good argument and it's a fault that many of us have. But I don't think that I'm being repetitive in this instance. I don't believe that I'm being repetitive. I am asking the Minister when they are going to take action and to enforce the Act and to get those Workplace, Safety and Health Committees functioning as provided for in the legislation of this province and he has not answered me. If there is a slight amount of repetition, it is because we have not gotten any answers.

And of course, he doesn't have to answer. I know that. But you would think that he would want to answer. You would think that it would be — he would consider it part of his responsibility that committees are not functioning and that they are not going to function just by going out and saying, "Pretty please, co-operate with us", it's not going to happen and it hasn't happened in the past. When is the Minister going to do something about that situation, and when he is going to start being forceful and enforcing the Act? That is the question to the Minister and I would dearly like an answer to it, as I'm sure the workers who are forced to work in those workplaces would like an answer to it.

MR. MacMASTER: For the last time, Mr. Chairman, I said that we had sent letters out. Our inspectors are following it up; they're going into those particular plants, period.

MR. COWAN: Just one quick question and then the Member for Kildonan wants to go, is the Minister prepared to table a sample of one of those letters that have gone out to the company? It doesn't have to have the company's name on it.

MR. CHAIRMAN: The Honourable Member for Kildonan.

MR. FOX: Yes, just briefly, to clarify this, Mr. Chairman. I noticed the Minister nodded his head. What I was going to ask was whether there was a time limit in respect to compliance in the request for those companies to co-operate? If there is, that would satisfy the Member for Churchill, I'm sure. If not, I'll try and satisfy him.

MR. MacMASTER: The time limit I believe, is a physical one — just how soon our inspectors can

around and get the thing going, Mr. Chairman.

MR. FOX: Well, I realize that he can't do all of them immediately, but I would like to know that those that have already been approached, whether they have been informed that they have a time limit. It's indefinite, well then it's of not much value because then his staff will be going back and forth and not accomplishing anything.

MR. CHAIRMAN: (a)—pass — the Honourable Member for Logan.

MR. JENKINS: Yes, Mr. Chairman, the Minister in his opening statement on Page 4,005 of Hansard stated and I quote: "In the area relating to Workplace Safety and Health standards, the Board — and I would imagine that he's referring to the Labour Board here — is empowered to entertain appeals, file the results of orders issued by the Workplace Safety and Health Branch, and the Board also deals with applications relating to allegations of discriminatory action.

I expect the Labour Board and its support staff will continue to function much in the same manner as effectively as it has in the past."

Now, this is the second time that we've heard this reference — the first time from this Minister, but the Minister made allegations that there was discriminatory actions by the inspectoral staff of the Department of Labour. And I want to know from the Minister, this present Minister, that if he has or if the Labour Board has received complaints from employers that certain inspectors are harassing or acting in a discriminatory manner towards certain employers. Because that allegation and that charge was made by the previous Minister, when she was Minister of Labour last year. And the Minister has mentioned here that the Labour Board will deal with these applications of discrimination, discriminatory actions.

I would like to know from the Minister, if he can assure this House that our inspectoral staff are out there and that the warning orders and the stop orders that they do issue are not issued in a discriminatory fashion but that they're based on fact, and health and safety as it applies in the workplace. And I wish that the Minister would ease my mind and I think members on this side of the House. Because that is not the first time that we've heard that allegation, but it is the second time and I don't know if the Minister is alleging it but the fact that it is mentioned certainly brings to mind what we heard last year. I would like the Minister to make a comment on this.

MR. MacMASTER: Mr. Chairman, I'm going to have to get a copy of — what page is it?

MR. JENKINS: 4,005, that's yesterday afternoon, when he had made your introductory remarks. Page 4,005 at the top, right at the top of the page.

MR. MacMASTER: The Board also deals with applications relating to allegations of discriminatory action, period. I do not say employers or employees or anything. This statement has no relevance whatsoever to what the issue was last year under the previous Minister.

MR. JENKINS: Then the statement that the Minister has made is dealing with both employers and employees, is that correct — the hearings before the Board? Then, to the Minister's knowledge, and his present inspectoral staff, he has had no charges from employers, personally, himself or his Deputy Minister?

MR. MacMASTER: None that I know of.

MR. JENKINS: Fine, I thank you.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: Yes, Mr. Chairperson, is the Minister prepared to provide us with a list, perhaps for Monday, of those workplaces that do not have functioning Workplace Safety and Health Committees, and those workplaces that do have Safety and Health Committees but where they are not functioning to the satisfaction of the department? Is he prepared to provide that information to the opposition? **MR. MacMASTER:** I'll take that under advisement, and the reason I say so is because we are in the process of doing some of the things in our way. What the members opposite are suggesting, and that's getting some of these companies in line, and I would suspect some of the employees and the employers both, getting them together and trying to impress upon them the importance of having a Safety Committee. I don't know whether the 10 or 20 or 30, whatever the number is, and I don't think it's important what the number is, the fact is that there are some

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companies who have committees working that aren't working well, and that can be for a large variety of reasons. I can remember many many instances where, for a large variety of reasons, Safety Committees did not work well. And I intend in the next period of two to three weeks that I expect that that list would be substantially better, and I think in fairness to all parties involved I would prefer to, at this moment, withhold that particular information.

MR. COWAN: I think, Mr. Chairperson, in fairness to the employees involved, that we should have that list so that they know that they are working in a designated company and that they aren't being afforded the protection of the legislation which is due them. And I think it's incumbent upon the Minister to protect those employees, and I think this is one way in which he can do it.

MR. CHAIRMAN: The hour is now 4:30, Private Members' Hour. This committee is adjourned. Committee rise.