

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Wednesday, February 23, 1966.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions

Reading and Receiving Petitions

Presenting Reports by Standing and Special Committees.

HON. STEWART McLEAN (Attorney-General) (Dauphin): Madam Speaker, I wish to present the first report of the Special Committee appointed to prepare a list of members to compose the Standing Committees ordered by the House. Madam Speaker, perhaps in accordance with the custom that we follow, you might wish to dispense with the reading since the names will appear in Votes and Proceedings.

I move, Madam Speaker, seconded by the Honourable Minister of Education, that the report be received.

MADAM SPEAKER presented the motion.

MR. J. M. FROESE (Rhineland): Madam Speaker, I beg to move, seconded by the Honourable Member for St. John's, that the debate be adjourned.

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

REPORT OF SPECIAL COMMITTEE

Your Special Committee appointed to prepare a list of members to compose the Standing Committees ordered by the House beg to leave to present the following as their first report.

Your Committee met and prepared the following list of Members to compose the Standing Committees ordered by the House:

PRIVILEGES AND ELECTIONS: Hon. Messrs. Lyon, McLean, Smellie, Weir, Messrs. Campbell, Cowan, Froese, Groves, McKellar, Molgat, Paulley, Peters, Strickland, Stanes and Tanchak.

PUBLIC ACCOUNTS: Hon. Messrs. Roblin, Hutton, Lyon, McLean, Smellie, Weir, Messrs. Beard, Bjornson, Campbell, Froese, Hamilton, Harris, Hryhorczuk, Johnston, Klym, McDonald, McGregor, Mills, Moeller, Molgat, Patrick, Paulley, Peters, Shewman, Smerchanski, Strickland, Watt and Wright.

PUBLIC UTILITIES AND NATURAL RESOURCES: Hon. Messrs. Roblin, Carroll, Lyon, McLean, Steinkopf, Witney, Messrs. Beard, Bilton, Campbell, Desjardins, Guttormson, Hryhorczuk, Jeannotte, McDonald, McKellar, Mills, Moeller, Molgat, Paulley, Peters, Seaborn, Smerchanski, Stanes, Watt and Wright.

AGRICULTURE AND CONSERVATION: Hon. Messrs. Roblin, Harrison, Hutton, Witney, Messrs. Bilton, Campbell, Froese, Guttormson, Hamilton, Harris, Klym, McDonald, McGregor, McKellar, Moeller, Mrs. Morrison, Messrs. Peters, Shewman, Shoemaker, Strickland, Tanchak, Vielfaure, Watt and Wright.

PRIVATE BILLS, STANDING ORDERS, PRINTING AND LIBRARY: Hon. Messrs. Carroll, Hutton, Johnson, Messrs. Barkman, Beard, Bilton, Bjornson, Campbell, Cherniack, Cowan, Groves, Harris, Jeannotte, Lissaman, McGregor, Mills, Mrs. Morrison, Messrs. Patrick, Peters, Shoemaker and Vielfaure.

INDUSTRIAL RELATIONS: Hon. Messrs. Baizley, Carroll, Evans, Harrison, Hutton, Johnson, Witney, Messrs. Beard, Bjornson, Cherniack, Desjardins, Harris, Hillhouse, Johnston, Lissaman, Martin, Patrick, Paulley, Seaborn, Smerchanski and Stanes.

MUNICIPAL AFFAIRS: Hon. Messrs. Johnson, McLean, Smellie, Weir, Messrs. Barkman, Cowan, Froese, Hamilton, Hillhouse, Johnston, Klym, Lissaman, McDonald, McGregor, Mills, Mrs. Morrison, Messrs. Paulley, Peters, Seaborn, Shewman, Shoemaker, Tanchak, Watt and Wright.

LAW AMENDMENTS: Hon. Messrs. Roblin, Baizley, Carroll, Evans, Harrison, Hutton, Johnson, Lyon, McLean, Smellie, Steinkopf, Weir, Messrs. Barkman, Bilton, Bjornson, Campbell, Cherniack, Cowan, Desjardins, Froese, Groves, Harris, Hillhouse, Hryhorczuk, Jeannotte, Johnston, Klym, Lissaman, McGregor, McKellar, Martin, Mills, Moeller, Molgat, Mrs. Morrison, Messrs. Patrick, Paulley, Peters, Seaborn, Shewman, Shoemaker, Smerchanski, Stanes, Tanchak, Vielfaure and Wright.

STATUTORY REGULATIONS AND ORDERS: Hon. Messrs. Lyon, McLean, Smellie, Steinkopf, Messrs. Campbell, Cherniack, Cowan, Froese, Groves, Hamilton, Johnston, Mills, Molgat, Shewman and Wright.

MR. McLEAN: Madam Speaker, I wish to present the report of the Standing Committee of the House on Statutory Regulations and Orders. Madam Speaker, this is a lengthy report and perhaps in accordance with the custom we would dispense with the reading and it will appear in

(MR. McLEAN, cont'd) Votes and Proceedings.

I move, seconded by the Honourable the Minister of Education that the report be received.
MADAM SPEAKER presented the motion.

MR. LAURENT DESJARDINS (St. Boniface): Will this appear in Hansard also?

MR. McLEAN: Copies are being distributed to the members now and it will appear in the Votes and Proceedings and Hansard.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Madam Speaker, did the Minister indicate when he will be moving concurrence?

MR. McLEAN: Not at this time, Madam Speaker, but I will be moving concurrence.

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

REPORT OF STANDING COMMITTEE ON STATUTORY
REGULATIONS AND ORDERS

Your Standing Committee on Statutory Regulations and Orders was appointed at the Fourth Session of the 27th Legislature on Wednesday, March 10th, 1965. At its first meeting on Thursday, April 8th, 1965, Honourable Mr. McLean was appointed Chairman, and the quorum was set at six members.

By order of the House on Monday, May 3rd, 1965, the name of Mr. Molgat was substituted for that of Mr. Hillhouse.

Your Committee on Saturday, the 8th day of May, 1965 was authorized to sit during the Fourth Session of the 27th Legislature and during recess after prorogation to hear representations and to report to the House on the following matters at the next session of the Legislature.

1. Bill (No. 29) - An Act to amend The Garnishment Act.
2. Bill (No. 74) - An Act to amend The Judgment Act.
3. Section 24 of Bill (No. 119) - An Act to amend The Mortgage Act.
4. (a) as to the extent and adequacy of the provision now made by The Law Society and the Government for the furnishing of free legal aid and advice to needy persons;
- (b) as to the extent to which needy persons in Manitoba may still be handicapped in maintaining, enforcing, or defending their legal rights by reason of being unable, through lack of funds, to obtain legal advice and assistance; and
- (c) as to the measures, if any, that should be put in force, by way of legislation or otherwise, to ensure that no citizen is handicapped in respect of the matters hereinbefore mentioned.
5. (1) On the guarantees and safeguards which are available to a citizen when administrative authorities make decisions, not subject to judicial review or to other like appeals, that affect the rights and interests of the citizens;
- (2) as to what measures, if any, it deems necessary to ensure that the rights and interests of the citizens will be secure when dealing with administrative authorities; and
- (3) on whether an official should be appointed who would:
 - (a) inquire into cases where it is alleged to him that a board, commission, or other agency of the government, or an employee in the public service of the government, or of any such board, commission or agency or any other administrative authority has made arbitrary or unreasonable decisions, or made mistakes, or committed acts of negligence not subject to judicial review or other like appeal in the discharge of its or his duties and functions; and
 - (b) report to the House at each session respecting any such cases with his observations thereon and recommendations with respect thereto; and

With particular reference to the immediately preceding section, the Committee was specifically authorized to report upon

- (a) whether the appointment of such an official is compatible with our system of parliamentary democracy, including the principle of ministerial responsibility; and
- (b) whether the attempted integration of the office and duties of such an official with the political institutions and customs that are now imbedded in and form a part of, our constitution, would be wise.

Your Committee met on Thursday and Friday, October 7th and 8th, 1965, on Thursday and Friday, November 18th and 19th, 1965, on Thursday, December 7, 1965, on Monday, January 24, 1966, and on Tuesday, February 1, 1966.

Public notices appeared in the newspapers with respect to public hearings held November 18th, 1965 for the purpose of inviting and hearing public representations with respect to matters

relating to Bill 29 - An Act to amend The Garnishment Act
 Bill 74 - An Act to amend The Judgment Act
 Section 24 of Bill 119 - An Act to amend the Mortgage Act
 Legal aid to needy persons; and
 Advisability of the appointment of an "Ombudsman".

At several Committee hearings briefs were presented and representations made by representatives of The Law Society of Manitoba, the Manitoba Bar Association and various other persons concerning the matters before your Committee.

YOUR COMMITTEE REPORTS:

- A. As to Section 24 of Bill (No. 119) An Act to amend The Mortgage Act, this matter was referred to the Special Committee on Consumer Credit, that Committee, having considered the matter, agreed with the principle of section 24 and has recommended that full disclosure, which includes a list of the costs, excepting legal fees, be shown as a clause of the mortgage. Your Committee agrees with the recommendation.
- B. A Committee composed of representatives of The Law Society of Manitoba, the Manitoba Bar Association and Canadian Bar Association (Manitoba Section) under the chairmanship of G. T. Haig, Q. C., was asked to make recommendations with respect to Bill (No. 29), An Act to amend The Garnishment Act and Bill (No. 74), An Act to amend The Judgment Act.

After considering their recommendations, your Committee recommends:

1. That Section 5 of the present Garnishment Act be amended to provide in effect that "all wages, salaries or commissions earned or owing or coming due or payable or accruing due within seven days after the service of process" be attached and bound by a garnishing process.
2. Exemptions under The Garnishment Act as follows:
 - (a) A basic exemption shall be provided amounting to 70 per cent of any debt due or accruing due by an employer to any mechanic, workman, labourer, servant, clerk, or employee, whether for or in respect of his wages, commissions, salaries. This exemption would apply to both single persons and persons who are married or who otherwise have dependents. Where in any circumstances an exemption of 70 per cent of such debtor's wages, salaries or commissions may appear unreasonable to a creditor, application may be made to the Clerk of the Court supported by affidavit, or other satisfactory evidence for a variation of such exemption. The Clerk after hearing the matter and receiving the evidence in support may make an Order reducing or increasing such percentage of exemption in accordance with the circumstances. No increase of exemption shall be granted by the Clerk of Court which shall have the effect of exempting more than 90 per cent of the wages, salaries, commissions, etc., of the debtor. Additionally, neither the 70 per cent basic exemption nor any reduced or increased exemption granted after application to the Court shall have the effect of reducing wages, earnings or commissions of a single man below the amount of \$100.00 per month or proportionately for shorter periods, or of a man having one or more dependents below the amount of \$165.00 per month or proportionately for a lesser period of time.
 - (b) The Debtor may in like manner make application to the Clerk of Court for variation of his exemption and after submission of evidence and hearing of the matter, the Clerk of Court may, if he shall deem it proper so to do increase or decrease the exemption allowed by this section to such amount as he may consider just and reasonable under all the circumstances subject to the restrictions contained in sub paragraph (a).
 - (c) No Order of the Court made by any Clerk of Court shall be final until after notice has been given and three clear days have elapsed from the giving of such notice and no objection shall have been made by any other person affected by such Order.
 - (d) Where any objection is raised to an Order made by the Clerk of Court in accordance with an application by either a creditor or a debtor for an increase or a reduction in the exemptions provided for, the matter shall be referred to a Judge of the County Court In Chambers who shall hear the matter and either confirm or vary the Order pertaining to the exemptions and the increase or reduction thereof.
 - (e) Where a claim shall be made for board and room had and received, no exemption shall run.

- (f) Where a claim is made pursuant to an Order for alimony or founded on a Separation Agreement or given or made under The Wives' and Childrens' Maintenance Act, then the debtor shall have the minimum exemption of \$100.00.
 - (g) After enactment of this Section, no contract hereafter made that provides for the assignment by the debtor to the creditor of a greater proportion of the debtor's wages than is liable to seizure or attachment under this Act is valid.
 - (h) Where any garnishment Order has been made against the debtor, he may apply to the Clerk of Court ex parte for an Order for the release of the Garnishment and for the payment of the Judgment by instalments and if the Clerk deems it proper in all the circumstances of the case, he may make such Order fixing the amounts and times of payment and so long as the debtor is not in default under the Order, no further garnishment of the debtor's wages shall be had in respect of the Judgment Debt. Such Order may be varied at any time by the Clerk or a Judge in Chambers upon application of the debtor or creditor with at least three clear days notice in writing to the other party and where such Order is made, a copy shall be sent by the Clerk of Court to the Judgment Creditor or his representative, and to the Judgment Debtor.
 - (i) Where any Order is made by the Clerk of Court permitting the payment of Judgment by instalments, such Order shall be terminated -
 - (i) by the default of the debtor in paying any instalments for more than five days;
 - (ii) by the issue of a Judgment or Garnishing Order in another cause than the one with respect to which the Order respecting instalment payments has been made.
3. That a second portion to The Garnishment Act be provided and enacted separately as Part II thereof under which a procedure for the consolidation of judgments would be instituted as follows -
- (a) A Judgment Debtor against whom more than one judgment remains unsatisfied in whole or in part may apply to the Clerk of the County Court in the District in which he resides for a consolidation order;
 - (b) On such application, the Debtor shall file an affidavit setting out all of the judgments, including date, amount and particulars of each and the amount remaining owing to each judgment creditor, the amount of his income from all sources, naming them, the amount of the income of his spouse and dependents, if any, from all sources, naming them, the nature of his business or occupation and the address of his employer and detail of his family or like obligations and other relevant facts;
 - (c) Upon such application, the Clerk may make a consolidation order ex parte and give notice thereof to all creditors;
 - (d) Before making a consolidation order, the Clerk shall determine the average weekly income of the Judgment Debtor for the three-month period prior to the making of the application with all proper allowances where the occupation is of a seasonal nature, and shall order the following amounts to be paid into Court under the consolidation order subject always to any variations, up or down, that the Clerk may deem proper because of extenuating circumstances.
 - (i) 15 per cent of the average weekly income where the same does not exceed - in the case of a married man \$52.50 per week - in the case of a single man without dependents the sum of \$30.00 per week;
 - (ii) 20 per cent of the average weekly income where the average weekly income of a married man exceeds \$52.50 but does not exceed \$62.50 and in the case of a single man without dependents exceeds \$30.00 but does not exceed \$40.00;
 - (iii) 25 per cent of the average weekly income where the average weekly income exceeds \$62.50 but does not exceed in the case of a married man \$72.50;
 - (iv) 30 per cent of the average weekly income where the average weekly income exceeds in the case of a married man \$72.50 and in the case of a single man without dependents \$40.00;
 - (v) A married man in this section shall be defined as any person having one or more dependents.
 - (e) The consolidation order made by The Clerk of the Court shall set out a list of all judgments in the County Court and from any other Court which may have been transferred to to the County Court indicating in each case the date, Court, amount of such judgment and the amount still outstanding, the amount to be paid into Court by the Judgment Debtor under the consolidation order and the times of such payments, and whether any such

- (e) judgment or order are for alimony or maintenance.
- (f) The consolidation order is to be filed by the Clerk of Court in the Court where it is made and a copy should be filed by the Judgment Debtor in any other County Court District;
- (g) On the filing of the consolidation order, the Clerk shall open a consolidation account in the name of the Judgment Debtor and credit thereto all payments made under the Order;
- (h) Where a judgment creditor objects to the amounts to be paid or to any other judgment creditor being included in the consolidation order or objects for reason that facts upon which such Order is founded are incorrect, he may apply to the Clerk of Court for an appointment to determine the matter. The Clerk of Court shall make such appointment and notify all persons affected of this appointment by mail and may thereafter deal with the matter himself or may refer it to a Judge of the County Court in Chambers for determination;
- (i) The Judgment Debtor or creditor making application for a consolidation order in any County Court may prior to such application apply to any other Court in the Province of Manitoba with respect to any judgment in such other Court to have the same transferred to the County Court where the application for consolidation is to be made and on the payment of a fee of \$1.00, the Clerk, Registrar or Prothonotary of such other Court shall transfer the judgment of that Court to the County Court where the application for consolidation is to be made and upon such transfer, the judgment shall become a judgment of the County Court to which it has been transferred and may be enforced by such County Court notwithstanding that the amount of such judgment is in excess of the jurisdiction of that Court with respect to matters to be heard and deliberated therein;
- (j) Where judgment is obtained against the Judgment Debtor after the date of the consolidation order for a debt incurred before the date of the consolidation order, the Judgment creditor may deliver to the Clerk of Court in charge of the consolidation order a notice of his judgment and his name shall forthwith be added to the consolidation order and he shall thereafter share in the distribution under the consolidation order;
- (k) Where a judgment is obtained against the Judgment Debtor after the date of the consolidation order for a debt incurred after the date of the consolidation order, the consolidation order shall be terminated forthwith;
- (l) Where the Judgment Debtor applies for a further consolidation order, the matter shall be heard only by a County Court Judge in Chambers who shall examine the nature of such further debt or debts incurred and make such Order as he deems fit;
- (m) Wherever in this Act a Judgment Debtor has conferred upon him the right to make application for a consolidation order, the same right shall rest in a Judgment Creditor, and in the event that an application for a consolidation order is made by a Judgment Creditor or Creditors, the conduct of such proceedings shall be placed in the hands of a solicitor for the first creditor so applying or such other solicitor as the Clerk of Court or a Judge of the Court may direct;
- (n) A Judgment Debtor in respect of whom a consolidation order has been made either before default has occurred or in any event not later than 10 days after a default has occurred, may apply to the Clerk for a stay of proceedings upon notice of the hearing being sent by registered mail to all judgment creditors or such of them as the Clerk may direct and the Clerk shall hear the application and may by Order grant such stay of proceedings as he deems fit or he may dismiss the application;
- (o) Except as hereinafter provided, no garnishment summons and no proceedings subsequent to judgment shall be taken or continued against the Judgment Debtor named therein in a County Court in which a consolidation order or a certified copy thereof is filed;
- (p) Where a Judgment Debtor is in default for a period of 20 days under a consolidation order, the consolidation order is terminated unless a stay of proceedings had been ordered and any Judgment Creditor named in the consolidation order may obtain from the Clerk of Court in which the consolidation order was made, a Certificate of the termination for the purpose of filing it in any Court in which the consolidation order is filed;
- (q) Where a consolidation order has terminated by reason of default, no further consolidation order shall be made in respect of such Judgment Debtor for a period of one year from the date of such termination;
- (r) All moneys paid into a consolidation account belong to the judgment creditors named in the consolidation order who shall share pro rata in the distribution of moneys, provided however that the monthly payments under any judgment or order for the payment of

maintenance or alimony shall be paid in priority to all other judgments. Such moneys shall be subject to a levy on distribution, which shall occur not oftener than once in every three months, of 10 per cent of the amount paid in. This levy shall be paid to the Court to cover the cost of administering the consolidation order. Of such 10 per cent, 5 per cent shall be charged to the judgment creditors and 5 per cent to the Judgment Debtor.

- (s) Distribution shall occur not oftener than once in each month in the case of a Judgment or order for maintenance and alimony, and once in every three months in all other cases, and shall be on a pro rata basis according to the amount of each of the judgments filed with the Clerk;
- (t) The Committee recommends that consideration be given to reducing fees with respect to garnishment procedure if found to be advisable.
4. That the Judgment Act be amended as follows:
- (1) Section 13 (1) (a) should be amended to read -
 "The farm land on which the Judgment Debtor or his family actually reside."
 (2) Section 13 (1) (a) be amended to provide an exemption of \$2,500.00 except in the case where property is held in joint tenancy in which case the exemption should continue to be \$1,500.00.
 (3) That sub-section 3 of Section 13 be amended to provide in the last four lines that the sum of \$2,500.00 or \$1,500.00 as the case may be, which is exempt shall upon being paid over to the Debtor continue to be exempt from seizure or execution, garnishment, attachment for debt or any other legal process arising under the same cause of action.

5. THE EXECUTIONS ACT

- (1) That wherever words which designate delivery of process to the Sheriff occur in the Act after Section 11, the words "or to the Bailiff" should be added so that these proceedings may be completed in the County Court.
- (2) that in Section 13, sub-section 1, mortgages of real property are deemed to be personal property and subject to seizure and execution.
- (3) that the following section be added to the Act as section 14 (b): "If a Sheriff seized the shares of an execution debtor in a private company, he shall first offer them for sale to the other shareholders or any one of them in such private company (subject to the Act of Incorporation or Letters Patent or By-laws of that Company) and if none of them will purchase the shares for a reasonable price the Sheriff may then offer them for sale to the public generally and sell and convey to the highest bidder."

6. THE WIVES' AND CHILDRENS' MAINTENANCE ACT

That section 29 of the Wives' and Childrens' Maintenance Act be amended by adding thereto the following as sub-section (3). The minimum exemptions provided under The Garnishment Act shall remain in effect notwithstanding any order of a Judge or Magistrate made under this Act and filed in the County Court under the provisions of Section 28.

- C. On the matter of Free Legal Aid and Advice to Needy Persons your Committee reports: That while recognizing the great value of the contributions heretofore made, and still being made, by The Law Society and individual members thereof, and by the Government, in providing and paying for legal assistance to indigent persons, in both criminal and civil matters, it is of the opinion that further measures are necessary to ensure, in so far as possible, that no citizen of the province is handicapped in maintaining, enforcing, or defending his legal rights by reason of being unable, through lack of funds, to obtain legal advice and assistance. In particular, the Committee is of the opinion that the measures required should be put in force by way of legislation, and recommends that the legislation should embody provisions to the following effect:

1. The legal aid to be provided in two categories:
- (a) for
- (i) the defence of persons charged with indictable offences;
- (ii) the defence of persons charged under section 33 of The Juvenile Delinquents Act;
- (iii) the defence of juveniles charged under The Juvenile Delinquents Act with a delinquency that is an indictable offence.
- (iv) the defence of persons charged with summary conviction offences, including an offence under a provincial or federal statute, the conviction of which might involve imprisonment without the option of a fine.
- (v) habeas corpus, certiorari, and prohibition applications arising out of charges mentioned in sub-clauses (i) to (iv) above;

- (vi) appeals with respect to summary conviction offences and appeals to The Court of Appeal and the Supreme Court of Canada, when approved by the legal aid committee to be established by The Law Society as hereinafter recommended, as proper cases for appeal;
 - (vii) persons seeking advice in connection with the criminal law.
- (b) for the assistance of persons
- (i) in connection with civil litigation whether as plaintiff or defendant; and
 - (ii) by way of legal advice in civil law matters where litigation is not required or undertaken.
2. If the Law Society or the Legal Aid Committee is of the opinion that legal aid should not be given in any particular type or types of civil law cases, it may, with the concurrence of the Attorney-General designate them. Legal aid should be refused only in cases of the type or types so designated.
 3. The legal aid plan, both in respect of criminal and civil matters, should be administered by The Law Society of Manitoba, under the general supervision and control of the Attorney-General and subject to approval by the Government, as hereinafter mentioned, of the fees payable to counsel in criminal cases.
 4. The Law Society should report annually to the Attorney-General on the administration of the plan.
 5. Subject to what is said in the next following paragraph, the cost of the legal aid plan should be defrayed from the Legal Aid Fund, hereinafter mentioned.
 6. The Government should consider and discuss with The Law Society the matter of an annual contribution by the society or its members towards the cost of operating the plan.
 7. For the purposes of the Legal Aid Plan, a tariff of fees payable to counsel in criminal law matters should be prepared by The Law Society and thereafter approved by the Lieutenant-Governor-in-Council. Counsel giving services under the legal aid plan in criminal law matters should be remunerated on the basis of a percentage of the tariff so approved.
 8. Counsel giving services in civil law matters should, as heretofore, give those services without charge; but the legal aid fund should provide for payment of necessary and reasonable out-of-pocket disbursements subject to the present applicable rules *informa pauperis*.
 9. The legal aid fund should be established from which would be paid all amounts payable in criminal or civil cases. Into this fund the government contributions should be paid, together with any amounts recovered for costs on behalf of a person aided, and any amounts that a person aided is later able or required to pay, whether from moneys or property recovered for him or otherwise, and also any amount contributed by The Law Society or its members.
 10. The Law Society should establish a Legal Aid committee to administer the plan through two sub-committees, one for criminal law matters and one for civil law matters. If and when approved by the Attorney-General a Director may be appointed to handle the day to day administration, his salary to be fixed by the Lieutenant-Governor-in-Council, and paid from the Legal Aid Fund. Subject to like approval by the Attorney-General, Assistant Directors may be appointed in Judicial Districts other than the Eastern, with salaries fixed and paid as in the case of the Director.
 11. Legal aid should be provided for persons who are unable to pay the whole cost thereof. Persons who are able to pay part of the cost should be required to do so, the amount paid to be deposited in the Legal Aid Fund.
 12. The Legal Aid Committee of The Law Society should establish some method of determining, or criteria on the basis of which it can be determined, whether an applicant for legal aid is unable to pay the whole cost thereof. The method or criteria should be reasonably flexible and should be subject to approval by the Attorney-General.
 13. An attempt should be made, in so far as possible and particularly in criminal law matters, to give persons to whom legal aid is given some reasonable choice as to counsel to be appointed. In this connection The Law Society should establish rosters of barristers in each Judicial District who are subject to be called upon for legal aid services in criminal law matters and civil law matters respectively.
 14. The appointment of a full time Public Defender is not recommended.
 15. The Law Society should consider, and report to the Attorney-General at an early date, as to whether the services of students in the Law School could be used in connection with the operation of the plan with benefit to persons receiving legal aid.
 16. It is further recommended that the necessary legislation should authorize the making of an

agreement between the Government and The Law Society respecting the operation of the legal aid plan.

- D. The Committee has had under consideration the ways and means of safeguarding the rights of individual citizens vis-a-vis the State. The Committee considers this reference as important, but in the light of discussions going on in the different jurisdictions your Committee would like to have the opportunity of hearing Sir Guy Powles, who has been the Ombudsman in New Zealand for the past few years. Sir Guy Powles will visit Winnipeg on February 28 and March 1. The Committee would appreciate hearing the comments of this distinguished gentleman on this matter when he visits our Province, before making its final recommendation to the Legislature. In addition, the Committee would like to have additional opportunity to study and examine into this matter.

All of which is respectfully submitted.

Chairman of the Standing Committee
on Statutory Regulations and Orders.

MADAM SPEAKER: Notices of Motion
Introduction of Bills

MR. JAMES COWAN, Q. C. (Winnipeg Centre) introduced Bill No. 60, an Act respecting Transfer of present and prospective Assets and Liabilities of The University of Manitoba Foundation to The Winnipeg Foundation.

MADAM SPEAKER: Before the Orders of the Day, I would like to attract your attention to the Gallery where there are some 44 Grade 8 students from Beausejour Elementary School under the direction of Mr. Gussie. This school is situated in the constituency of the Honourable the Member for Springfield.

We also have with us today in the Loge on my right, two distinguished visitors, His Excellency the Ambassador Extraordinary and Plenipotentiary of Iceland accompanied by Mr. Johansson the Consul of Iceland. On behalf of all members of this Legislative Assembly, I welcome you.

In reply to a question directed to me by the Honourable the Leader of the Opposition yesterday with respect to returns to Orders of the House which had not been complied with before prorogation, I've considered this matter with respect to the federal rules and the interpretation of that rule. Both are clear. I considered the matter also in respect to the established practice in this Assembly, and may I suggest that if members wish to change the established practice of this Assembly, they should proceed by way of a substantive motion.

MR. S. PETERS (Elmwood): Madam Speaker, before the Orders of the Day, I'd like to bring to the attention of the House a story appearing in last night's Free Press and headed up "Pensioners' School Tax Exemption Bid Placed before Provincial Government." It says: "J. T. Mills, Progressive Conservative Member for the Manitoba Legislature for Kildonan, informed East Kildonan City Council Monday night that he had approached the Provincial Government about granting 100 percent rebate of school taxes paid by old age pensioners in Manitoba." As a result of this newspaper story, Madam Speaker, I received phone calls this morning asking me if it had been brought before the House. I said to my knowledge it had not been brought before the House. I phoned reliable sources in East Kildonan and they told me that the letter that Mr. Mills had sent to the Council of East Kildonan just stated that he had forwarded on to the Minister of Welfare, and I believe the First Minister, a copy of a resolution that was passed by the City of East Kildonan, and I just want to get that story clear.

MR. LEONARD A. BARKMAN (Carillon): Madam Speaker, before the Orders of the Day, I would also like to ask a question of the Minister of Education. I also seen this in the Free Press last night and I want to be a little bit more optimistic. I wonder if the Minister is ready to answer this request.

MR. MOLGAT: Madam Speaker, before the Orders of the Day, I'd like to address a question to the Minister of Education. Yesterday he announced the increased grants. A report by a Winnipeg School Trustee in the paper this morning said that this increase only means \$37,800 more to the City of Winnipeg than last year's grants, that their total grants this year increased only \$37,800. The trustee goes on to say that on the surface the grants announced this afternoon look great but it's not really a very handsome increase and puts the School Board in the position where the teachers will now look to the School Board for an increase in salary, but that in fact the grant isn't enough to provide it. Is this correct? Is the \$37,000 figure correct?

HON. GEORGE JOHNSON (Minister of Education) (Gimli): I haven't seen that article, Madam Speaker. I'll look into it.

MR. MOLGAT: Is the amount correct though, that the increased grants to the City of Winnipeg really are going to be only \$37,800 as a result of the new grant structure this year?

MR. JOHNSON: I would like to look into that, Madam Speaker.

MR. DESJARDINS: Madam Speaker, before the Orders of the Day, I'd like to ask a question of either the Minister of Education or the Minister of Municipal Affairs. If the tax rebate deals with a particular tax of the one year, can a municipality refuse to give a proper receipt that would allow a taxpayer to apply for his rebate?

And a second question which might explain the first: in the case where there is a dispute between a municipality and a taxpayer - well, in this particular case that I'm thinking of it's a 1961 claim by the municipality for local improvements - the taxpayer claims this has been paid in full; the municipality says that it isn't. It's a dispute with the municipality. Has the municipality the right to keep that receipt -- or refuse to give him a receipt that would then prevent him from getting a rebate for the year in question.

HON. ROBERT G. SMELLIE, Q. C. (Minister of Municipal Affairs) (Birtle-Russell): If the amount in dispute, Madam Speaker, is shown on the tax roll as taxes due from a previous year, then the first amounts collected by the municipality must be applied in reduction of that amount. Under The Municipal Act the receipt would have to show the payment for the amount previously outstanding on the tax roll as arrears. They couldn't give a receipt for payment in full of the current year's taxes while there is still arrears outstanding from a previous year.

MR. DESJARDINS: Madam Speaker, I'd like to ask another question then. If this is just a case of dispute between the municipality and the taxpayer, doesn't he feel that the taxpayer should be allowed to get the rebate? In this instance the taxpayer claims that he has a receipt to show that he has paid. It seems to me that -- well I know this is supposed to be a question -- does the Honourable Minister feel that it is right to prevent this taxpayer from getting his rebate when it is a dispute between the municipality and the man that should be -- that will have to be settled by court.

MR. SMELLIE: Madam Speaker, I can't settle the matter in dispute between the ratepayer and the municipality. I think this is a matter that the ratepayer will have to take up with his solicitor in order to get the dispute between himself and the municipality settled. The law is clear, however, as to the responsibility of the municipality for the issuing of receipts. They cannot issue a receipt for payment in full of the current year's taxes while there is still an amount outstanding for arrears.

MR. DESJARDINS: Madam Speaker, well I ask the Minister of Education if this was the intent of this rebate then to help the homeowners - this was the intent of having the municipality -- placing the municipality in a position where it could prevent a man from getting a rebate?

Madam Speaker, I wonder if the Minister of Education has heard the question? I know he's entitled to refuse to answer but at least he should have the courtesy of telling us that he doesn't want to answer it.

MADAM SPEAKER: The adjourned debate ...

MR. DESJARDINS: Madam Speaker, I'd like to thank the Minister of Education for his courtesy.

MR. FROESE: Madam Speaker, I notice the Minister of Agriculture is not in his seat but maybe the First Minister could give us some more information. Has the International Joint Commission made any decision and has the Provincial Government been consulted, and have you taken any action as far as the Pembilier Dam, whether there is going to be one dam constructed or more?

HON. DUFF ROBLIN (Premier) (Wolseley): The province has made very substantial representations to the International Joint Commission on this matter, but as far as we know it is still under consideration by that body and their final report has not yet been received here.

MR. MOLGAT: Madam Speaker, before the Orders of the Day, I'd like to address a question to the Minister of Welfare. On April 21, 1965, there was a press release by the Federal Government regarding low income housing in northern Saskatchewan. The press release announced that this was a joint program between the Province of Saskatchewan and the Federal Government. The province will co-sponsor co-operatives to build and own houses and will make a capital grant of \$500 per home. The co-operative will be required to provide a matching \$500 in labour or cash and the remaining capital will be loaned by the two governments, 75 percent by Central Mortgage and Housing and 25 percent by the Government of

(MR. MOLGAT cont'd)...Saskatchewan. It goes on to say that the payments for rent or for purchase will depend on the income of the individual, and that this is a program geared to help the people of Indian ancestry, Metis and enfranchised Indians. Has the Government of Manitoba given consideration to entering in such a co-operative program with the Government of Canada?

HON. J. B. CARROLL (Minister of Welfare)(The Pas): Madam Speaker, we've been pressing the Federal Government to consider a program of housing for our Indian Metis people in Manitoba. Unfortunately, they seem unwilling to extend themselves beyond the present experimental program going on in Saskatchewan, and have indicated that once that program has been completed some two years hence, they will be in a position at that time to consider whether they want to extend this program further into other parts of Canada. I think it is safe to say that we are not at all satisfied with this response from Ottawa. We have had further correspondence with them and we hope that one day we'll be able to get their assistance to further projects of this kind.

MR. MOLGAT: A subsequent question: Some few years ago the province had launched forth a program of its own of housing in the MacGregor area in particular. It was my understanding then that the province intended to expand this program to other portions of Manitoba. Has that been done?

MR. CARROLL: No, Madam Speaker, I think it's pretty obvious that when you get into the field of housing it requires very substantial sums of money, particularly when we look at all of the under-developed areas in Manitoba and recognize that they all need substantial assistance with their housing program. We have this under consideration at the present time and we do hope to be able to come forward with a program that will be able to get some support from Ottawa who obviously have the financial resources to support programs of this kind.

MR. DESJARDINS: I'd like to ask a question of the Honourable the First Minister. Could he tell us if it is the intention of the government to introduce legislation at this Session to exempt old age pensions from school taxes?

MR. ROBLIN: Madam Speaker, my honourable friend, I'm sure, realizes that if there is an announcement to be made on that subject it will be made.

MR. DESJARDINS: The only reason why I asked this is because this has been in the newspaper, and we might have a chance to debate this in some of the resolutions or bills we have in front of us.

ORDERS OF THE DAY

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Leader of the New Democratic Party. The Honourable the Minister of Industry and Commerce.

MR. EVANS: Madam Speaker, this Order can be accepted subject to the usual reservations.

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

MADAM SPEAKER: Address for Papers standing in the name of the Honourable the Leader of the New Democratic Party.

MR. PETERS: Madam Speaker, in the absence of my leader, I beg to move, seconded by the Honourable Member for Seven Oaks, that an humble address be voted His Honour the Lieutenant-Governor praying for copies of: (1) Any agreements reached between the Government of Canada and the Government of the Province of Manitoba on the financing of the development of the power potential of the Nelson River. (2) All agreements currently in effect between the Government of the Province of Manitoba and any other government corporation or other body dealing with the export of Manitoba Power. (3) All agreements between the Government of the Province of Manitoba and any other governments, corporations or other bodies dealing with the future export of Manitoba power.

MADAM SPEAKER presented the motion.

MR. ROBLIN: Madam Speaker, we'll accept this question subject to the usual stipulations about matters under negotiation, matters of the public domain, and the consent of other parties involved.

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

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Leader of the New Democratic Party.

MR. PETERS: Madam Speaker, in the absence of my leader, I beg to move, seconded by the Honourable Member for Logan, that an Order of the House do issue for a Return showing: The full cost in dollars to the Province of Manitoba of the Federal Government's loan for the

(MR. PETERS cont'd)... financing of the Nelson River project, showing: (1) Capital; (2) Interest; (3) Term of Loan.

MADAM SPEAKER presented the motion.

MR. ROBLIN: Madam Speaker, we'll be glad to accept this Order subject to the usual reservations.

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

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Leader of the New Democratic Party.

MR. ARTHUR E. WRIGHT (Seven Oaks): Madam Speaker, in the absence of my leader, I move, seconded by the Honourable Member for Elmwood, that an Order of the House do issue for a Return showing: (1) What study has the Government or any of its agencies conducted to determine the feasibility of constructing nuclear power plants to supply Manitoba's future needs? If such studies were conducted, by whom? (2) Copies of any reports of such studies that are available. (3) How soon do the reports of such studies indicate that nuclear generated power will be competitive in price to hydro-generated power? (4) Has the Government or any of its agencies conducted studies with regard to alternative means of power generation such as thermo-nuclear hydronamics, the fuel cell, therionic tube and thermal electric generators? How soon do the studies, if conducted, indicate such methods will become competitive with hydro-generated power? (5) Should nuclear-generated electrical power become competitive with hydro-generated electrical power prior to the completion of the Nelson River project, does the Government have any guarantee that its anticipated markets for surplus power will not be lost? (6) What is the estimated cost in mills at which power from the Nelson River can be supplied to the Mid-Continent Area Power Planners? (7) Should markets for Nelson River power outside Manitoba be unavailable at the time of completion of the project, what guarantee is there that Manitoba would not then become a high-energy cost Province? (8) Should the Government be unsuccessful in obtaining markets outside Manitoba for the surplus power generated by the Nelson River development, how will the power rates for users in Manitoba be affected? Express in mills. (9) What is the average cost in mills at which it is anticipated power from the Nelson River could be supplied to Manitoba users? (10) By what year is it anticipated that Manitoba's market demand will fully utilize the full power potential of the Nelson River developments? (11) Have the transmission lines from the Grand Rapids site to Winnipeg been so constructed as to accommodate the transmission of the anticipated power supply from Kettle Rapids? If not, why not? (12) Will power from Kettle Rapids be transmitted in AC or DC form? (13) If DC, will it be necessary to construct special installations to convert the DC power to AC power for use? What would be the cost of such installations?

MADAM SPEAKER presented the motion.

MR. ROBLIN: Madam Speaker, subject to the usual stipulations, and recognizing that there is some information required in here which is confidential because they are matters under negotiation, we'll accept the Order.

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

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Madam Speaker, I beg to move, seconded by the Honourable Member for Carillon, that an Order of the House do issue for a Return showing: (1) Copies of all correspondence between the Government of Manitoba and Shell Oil Company with respect to traffic counts on Provincial Highways for the years 1962, 1963, 1964 and 1965. (2) Copies of all correspondence between the Government of Manitoba and Imperial Oil Company with respect to traffic counts on Provincial Highways for the years 1962, 1963, 1964 and 1965. (3) Copies of all correspondence between the Government of Manitoba and the Texaco Oil Company with respect to traffic counts on Provincial Highways for the years 1962, 1963, 1964 and 1965. (4) Copies of all correspondence between the Government of Manitoba and the British American Oil Company with respect to traffic counts on Provincial Highways for the years 1962, 1963, 1964 and 1965.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 7. The Honourable the Member for Emerson.

MR. JOHN P. TANCHAK (Emerson): Madam Speaker, quite a bit has been said on this Bill. There is very little that could be said about the Bill itself at the present time because it has been fully discussed, but it seems to me that in presenting this Bill to us, the government is placing the cart before the horse. It seems to me also that it really appears to be child's play. I think it is ill-timed to be discussing the Bill at the present time.

I had hoped that we would have first been dealing with some important changes in the new Highway Traffic Act as is being recommended or will be recommended by our special committee. I really think that this matter should await the new Traffic Act changes and not be placed at this time. This amendment, even if it was passed now - which it may be - may not even be carried through into the new Traffic Act, so I cannot see why we could not wait until the full Bill or the new Traffic Act is placed before us and we have a chance to study it. As it is even now, there are so many people, especially the people learned in law, who do not think that it is acceptable to most of the people in the Province of Manitoba, and I would say that I for one am not prepared to accept the Bill at this time.

MADAM SPEAKER: Are you ready for the question?

MR. DESJARDINS: Madam Speaker, I would like to - - does the Attorney-General wish to speak now? I was going to adjourn the debate unless - - (Interjection) - - oh, he's closing the debate. I'd like to move, seconded by the Honourable Member from Gladstone, that the debate be adjourned.

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

MR. SMELLIE presented Bill No. 4, an Act to amend The Winter Employment Act, for second reading.

MADAM SPEAKER presented the motion.

MR. SMELLIE: Madam Speaker, I thought that perhaps the explanation which had been given in committee previously would have been sufficient for this Bill. Really the Bill provides mainly that where there has been a change in the amount contributed by the Government of Canada to winter employment projects, that the province will make contributions only for the balance of that project - - the balance of the cost of labour on that project, I should say.

There is one other matter involved here, the repeal of a section for which provision has now been made in The Fair Wage Act and it is no longer needed in this Act.

MR. M. N. HRYHORCZUK, Q. C. (Ethelbert Plains): I do believe that the retroactive provision here indicates that monies were spent in a manner which was not provided either by legislation or agreement with the Government of Canada. The retroactive feature makes the provision of the Act retroactive to the 1st of November, 1965. Now it couldn't have been any legislation or anything that the Government of Canada did since that time to make this change necessary. At least I can't see how it could have.

But there is one thing about this Bill, Madam Speaker, that I am not in agreement with, and that is the retroactive feature of the Bill. So far we have received about nine Bills with retroactive features in them and I think it's poor policy and poor principle to depend on retroactive legislation to correct any errors or mistakes that are made by the administration, because that only tends to make the administration lax in the performance of its duties. When you know that you can always go back to the Legislature and have any mistakes corrected by way of legislation, you're more prone to make these mistakes, and I would very strongly suggest, Madam Speaker, that we stay away from the retroactive feature as much as we possibly can. There are times when you have to use it, but I'd like to point out again that in the small number of bills we've received so far, I believe there are nine that contain this retroactive provision in them.

MR. SAUL CHERNIACK, Q. C. (St. John's): Madam Speaker, I'd like only to direct a question, if I may, to the Honourable Minister. I would like clarification that if the wages required under The Fair Wage Act are - - if the stipulation that The Fair Wage Act must apply is now repealed, what takes its place in ensuring a fair wage return to the workers. I did not get that understood. I'd like to hear from him. Can he reply without closing debate, Madam Speaker? I was up as soon as he finished because I did want to ask the question.

MADAM SPEAKER: The Honourable Minister may reply to the question.

MR. SMELLIE: The matter is now covered under The Fair Wage Act so this section of the act in The Winter Employment Act is not necessary. - - (Interjection) - - Pardon me,

(MR. SMELLIE cont'd) . . . Madam Speaker, it's The Construction Industry Act which covers it now. It used to be The Fair Wage Act but this section is not necessary any more.

MADAM SPEAKER: Are you ready for the question?

MR. SMELLIE: Madam Speaker, if no one else wishes to speak, I think we should say a word about the retroactive feature of this Bill. There has been no money spent that would be affected by this legislation. The agreements which were made with the municipalities for winter employment projects have all been made contemplating such a revision and no municipality has really requested, so far as I am aware, any payment beyond what is contemplated here. But if the honourable members will remember, a year ago the Federal Government designated certain areas of the province which would be eligible for a Federal Government contribution of up to 60 percent of the cost of labour on these projects. Now our Act previously said that we would pay 50 percent, and theoretically it would have been possible for the municipality to collect 110 percent from the two senior governments for the amount of labour involved and actually paid for by the municipality. This section here really only corrects that provision and provides that, because there are different provisions in different parts of the province regarding the Federal Government, that the province will contribute on that portion of the labour in the project which is approved for winter employment purposes which is not covered by the Federal Government contribution. It's made retroactive to cover all of the projects which are in the 1965-66 winter employment season.

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

MR. McLEAN presented Bill No. 12, an Act to amend The Jury Act, for second reading.

MADAM SPEAKER presented the motion.

MR. McLEAN: Madam Speaker, in December, 1965, when His Honour Judge Keith, the senior County Court judge, was preparing the jury roll for the Northern Judicial District, he found that the number of names submitted to him in accordance with the provisions of The Jury Act from the municipalities in the Northern Judicial District did not give him a sufficient number of names in order to make up the list of 400 as required by the Act. That is a situation which, because of the sparse settlement and the fact that there are not many municipal corporations within that judicial district, that was the reason for it. He very kindly brought the matter to our attention and suggested that The Jury Act ought to be amended in order to take care of a situation such as that, and hence the legislation which is before the House at this time.

Briefly, the principle is that where there are not sufficient number of names, then they may make up the roll by simply going to the list of electors and make up the required number of names for the jury roll. Members will note that this is made retroactive to the 1st of December, 1965, because under the circumstances, and that being a judicial district, and in order to be ready for the assize courts that would be held in the year 1966, in order to have the necessary jury roll prepared we suggested to His Honour that he proceed on the basis that is indicated in the principle of this Bill, and it is our hope that this will be approved by the members of the House.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): I take it, Madam, from the remarks of the Honourable the Attorney-General that this does not depart from the present principle of the present Section 21 of The Jury Act, and that the judge in that section is the judge - that is the senior County Court judge who is on the advisory board. That is correct, is it? Because I felt that if it were the Assize Court judge that had that right, well I would oppose it in principle. But by reason of the fact that it is not an extension of the present principle of the Act and simply gives to the senior County Court judge that right, I wouldn't oppose the second reading of it.

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

MR. SMELLIE presented Bill No. 14, an Act to amend The Public Housing and Urban Renewal Act, for second reading.

MADAM SPEAKER presented the motion.

MR. SMELLIE: Madam Speaker, this bill has two basic principles involved. First of all, the question of the agreements entered into between the province and the municipalities formerly required the consent of the Lieutenant-Governor-in-Council. Because these matters are all scrutinized very carefully by the Manitoba Housing Commission, it's felt desirable that the Minister should be permitted to complete the agreements without the necessity of going through the approval of the Lieutenant-Governor-in-Council. These are agreements for the study of urban conditions, to identify areas that might possibly be recommended for urban

(MR. SMELLIE (cont'd) renewal action, and also agreements with municipalities to provide a plan for action in that area. They don't really involve any action as far as urban renewal is concerned. These are merely the agreements to prepare studies or to prepare schemes.

The second principle is that the Bill has to be brought in line with the federal legislation to allow us to acquire existing buildings for the purposes of public housing, and I think we are all agreed that this is desirable. Where in the past the Act required the demolition and clearing of land before you could proceed with rebuilding, now the buildings which still have some useful life may be retained and may be purchased and used for public housing.

There is also the fact that in the past the Act did not contemplate the cost of certain preliminary work and investigations being included in costs shareable by the senior governments, and these costs will now be included as costs which are eligible for cost sharing under the agreements.

MR. CHERNIA CK: Madam Speaker, I listened with interest to what the Honourable Minister had to say about the principles behind this bill, and after he said them I found reasons, but hardly principles, which would indicate the province's attitude to this problem of public housing and urban renewal.

It seems to me, Madam Speaker, that the government is not really addressing itself to this problem at all and the proposed amendments to the Act, to me, are only an indication of a gradual slow look at what is going on, a gradual attempt to appreciate the problem we're talking about and making it possible to study, to continue to study, to plan - and we're already arguing about the costs of planning and the costs of studying. I think, Madam Speaker, that neither the Bill nor the introduction by the Minister indicates an appreciation of the problem nor of the urgency of this matter, and I think that this is a proper occasion to recall to the government what the situation is and what I think the government is not aware of.

I have before me a progress report that was made four years ago, on February 13, 1962, dealing with the Metropolitan Urban Renewal Study of the Metropolitan Corporation of Winnipeg. It's a lengthy report which I will not read - I will only recite one statement. "Approximately - this is four years ago - "Approximately 20,000 households in the metropolitan area share a bath tub or shower and 18,000 households are without the exclusive use of a flush toilet. There are about 5,000 households without a bath or a shower and 6,500 have no running water." I hope that when the Honourable Minister replies or closes the debate, he will bring these statistics up-to-date and tell us what the difference is between four years ago and today.

I have also a comprehensive report with which no doubt the Minister is fully familiar, the Metropolitan Urban Renewal Study Interim Report on January 30, 1963 - just over three years ago. I'd like again, without reading the report which would prove an interesting document to anyone who had the time and who cared to read it, but I would indicate that the report deals with the fact that there is a need for redevelopment in areas in the City of Winnipeg, in the City of St. Boniface and in Brooklands, and then states that the need for rehabilitation is set out in an extensive area adjacent to the redevelopment areas.

Statistically, the report mentions that there are - this was three years ago - 8,187 dwelling units in poor condition and 1,170 in very poor condition. It indicates further that of the houses that are in poor condition, 8,187 of them may not then have been in substandard condition as to warrant condemnation proceedings, but with only the minimum of maintenance they could deteriorate rapidly within the next five to ten years to the stage where they should be condemned. Three years have passed since this statement was made. The statement was made that from five to ten years from then, which means from two to seven years from now, a total of some 9,300 and some dwelling units will be in condemnation condition, and I'm hoping that the Minister will indicate what all these studies that he's doing or proposes to do, is going to do in actually replacing these dwelling units.

The report points out that a survey of the needs of all families, including single person households, indicates a deficiency of between 12,588 and 15,524 dwelling units in the metropolitan area. It indicates of course that there are many single person householders who do not wish to live alone, and therefore comes to the conclusion that if everybody is to be rehoused, that is living in shared accommodation or substandard conditions, then there would have to be between 3,145 and 9,357 housing units retired in the metropolitan area in the next ten years. I bring this report up-to-date by saying in the next seven years. I hope we will learn what the government is doing under this Act to bring about what is recommended in this report.

(MR. CHERNIACK cont'd)...

There's an indication here that there are about 4,000 low rental housing units that must be provided immediately in order to solve the housing problem. I don't expect this government to solve the housing problem. I don't expect this government to do a great deal in getting close to solving it, but I'm hoping to hear from the Minister what has been done and what will be done, not what is hoped to be done but what this government is planning to do to start solving the housing problem.

The report indicates that there must be a proper integration in this plan with the social requirements of the people, with their educational requirements, and three years ago refers to the proposal of this government for an integrated multi-service welfare agency and related development service in the Jarvis-Dufferin area. I think it is fair to compliment the Minister of Welfare to the extent that he participated in the creation of this agency, which is now in the Lord Selkirk area, and reports of which indicate that substantial contributions are being made by the agency to the integration of the people involved. But I would like to think that this is an over-all policy which does not apply to one area and that plans are now being made elsewhere.

I'll close only on this report by mentioning that there is reference also that non-residential buildings must also be included in urban renewal, and to that extent apparently this Bill does make it possible to take over non-residential buildings which do not require replacement but do require refurbishing and bringing them in line.

I would like to bring to the attention of the Minister excerpts from an address given September 13, 1963, by Dr. Albert Rose, who is a professor in Toronto and recognized as an authority on housing, an address that he gave to the Ontario Association of Housing Authorities. There's a few statements he makes which I think are worth repeating, and I read now: "The artificial separation between housing and welfare has been maintained far too long in Canadian public housing. We've been told for nearly 15 years that the business of public housing was to provide shelter for low income families and that so-called welfare families were not the problem of the housing agency. Whose problem then are they? They are alleged to be the responsibility of the welfare agencies yet, clearly, these public and private organizations have no legal right or resources or capacity to construct decent, safe and sanitary shelter for those least able to acquire housing in the open market. The fact is that housing is social capital, not merely an investment in physical resources but in human resources as well."

And towards the conclusion of his address he states: "Since it is now entirely clear that the provision of decent shelter for many of these families, if indeed they can be accommodated, is not sufficient to enable their social rehabilitation and self-support, we have a responsibility to ensure that every available resource in the community is brought to bear in assisting the families." I say this again in support of what the program has been relating to the one welfare organization which had been established in the Lord Selkirk area, and again I think it was a good project and worthy of commendation.

Dr. Rose completes his address by stating as follows: "Public housing was not created because our political representatives thought this was an essential program in Canadian and American life. In general, they despised it. Public housing did not arrive because the city clerks and their staffs thought it was a fine program for community betterment. In general, they disliked it. Public housing did not come because the housebuilders and the real estate interests felt that there was a group of citizens that they could not serve but who must be served by a public authority. In general, they were frightened by it and saw it as a socialistic program which threatened their interests. The fact is that the lay and professional members in our network of community services witnessed for many years the debilitating and ruinous effects of insanitary and deteriorated housing conditions upon family life; upon the raising of children; upon ill and handicapped people; upon elderly people. They reasoned that the removal of these conditions and the provision of adequate shelter would go far towards making life tolerable for all these groups in society. Our experience demonstrates that in large measure they were correct in their assumptions. In some respects they were wrong. Perhaps they expected too much. In any event, their thinking and their contribution have been largely forgotten. It is my task" - and I'm quoting Dr. Rose - "to remind you of these facts and to deplore, even to demand that you work together with the community services in achieving our common objective." And with that he closed his address.

Now, Madam Speaker, I believe that the present situation in this Province of Manitoba

(MR. CHERNIACK cont'd) . . is that this government is sitting back and waiting in the hope that things may be done in such a way that will not too badly affect the administration or the finances of the people involved in supplying these services. I repeat what Dr. Rose said: "Public housing was not created because our political representatives thought this was an essential program. In general, they despised it."

I don't say that this government despises this program. I think this government has learned to bend and sway to public demand. I think this government has learned to live with the idea of public housing and urban renewal, but I say it is only living with the problem and is not tackling the problem. I say that there are continued inadequacies in the Act and in the government's program. They are still in the planning stage; they are still worried about just how do we deal with setting up studies; how do we deal with preparing a plan; who pays for it? This is very important. This is part of this amendment. Let's make sure we have a proper sharing.

Well, I suggest, let's get going on the work. Let's do some projects. Let us hear from this government what has been done to now. I am under the impression that only the No. 2 redevelopment area of Winnipeg has been approved. Part of the Lord Selkirk plan involves the Burrows-Keewatin development. That has been completed in its first stage. The Lord Selkirk area itself is demolished to a large extent. There are plans announced about the construction of a technical vocational school in that area. Last night there was some discussion about whether a fish processing plant should start to become neighbourly to and very closely adjacent to the school that we spoke of - I haven't heard of any protests by the government or the Department of Education about that - but other than that there has not yet been the sod turned for any sort of construction that I am aware of in the Lord Selkirk area. I hope I'm wrong and that the Honourable Minister will correct that. Other than this one project it is the only - - I know of no projects which have already been undertaken. I'm sure there are other studies going on.

I attempted to obtain figures on this government's record compared with the records of other provinces in this country. I am under the impression that it is dismal. Unfortunately, the figures have not come to me and I cannot produce them, but if I get them quickly enough I'm sure that another member of our caucus will be happy to acquaint the Minister with these figures. On the other hand, maybe he has them; and if he has, I invite him to give us those figures.

One of the interesting parts of this Bill is the provision that the municipality must - it shall share equally with the province in the cost of these studies. I remind the Honourable Minister that a year ago we discussed this Act - Urban Renewal and Public Housing - and I pointed out then how inadequate the provisions were and how short-sighted this province was in this program if it really meant it, in making each municipality responsible for the public housing and urban renewal requirements in its area. I pointed out then how ridiculous it was of this province to recognize the need - - this government I mean - - to recognize the need of the Metropolitan Corporation, and I say that there is a need and was a need and it was tackled to some extent.

The area of planning is the most important justification for the Metropolitan Corporation of Greater Winnipeg, and if planning does not involve urban renewal work and public housing work - and I'm talking about execution of the plan - then I don't understand how the Minister can feel that the Metropolitan Corporation should not be involved in doing this work but leave it to the municipalities. How ridiculous it is for this government to maintain the fiction of artificial boundaries of municipalities whose people live in one municipality and work in another, whose people benefit from the existence of the adjacent municipality.

The Minister last year said that Winnipeg has already started and he secretively said that there is another municipality which is considering it, and in case it didn't come out last year - I'm not aware it has come out since then - but I'm sure that it must have been St. Boniface, because I know that the only other municipality which is in dire need is Brooklands. And I pointed out to the Minister last year how could he possibly expect Brooklands Municipality to participate in the work of rebuilding, urban renewal, sprawl, blight, that exists in that municipality, a municipality that is so poor. How could they possibly do anything. He said, "Yes, I think you're right when it comes to Brooklands. Possibly some special attention or special case should be made of it." I invite him to inform us what has happened in the last 12 months in terms of Brooklands' problem, which I think he recognized last year as being a grievous one.

(MR. CHERNIACK cont'd)...

But look at it from the situation of the City of Winnipeg which is a well-financed municipality and which is doing something about this question of urban renewal. In order to carry through a scheme of urban renewal, you must provide substitute housing for the people that you are displacing; you must provide additional housing outside of the urban renewal area both during the period of time when you are rebuilding and also because there is more land and housing required.

This city in its first project built the Burrows-Keewatin subsidized housing or low cost housing development. Where will the city now look for land, low cost land, cheap land on which to build this kind of development? What part of the City of Winnipeg has low cost land? Will the City of Winnipeg have to go out to the adjacent municipalities and buy land from them in order to make an effective urban renewal plan? Is it going to be necessary for that municipality to approach another municipality and say, "Please give us land for public housing that is low cost - subsidized." The other municipality firstly may have a price attached to it; secondly, it may not have the land. Maybe it would be necessary if the municipality were doing it to expropriate, but the city can't expropriate land outside of the city boundaries. Or maybe the other municipality would say, "Are you moving your slums into our municipality?"

The whole problem of inter-municipal rivalry and inter-municipal lack of co-operation would arise, would be exaggerated and aggravated by a situation that I described which might come to be. How can we say that improving the slums in the centre of Winnipeg does not profit the municipalities around central Winnipeg. How can we justifiably say that the people in the outer municipalities do not derive benefit from urban renewal within the city and ought to pay a proper share of the cost. The Minister will say, "oh yes, but they are, because the Federal Government is putting up 75 percent and the province is putting up 12½ percent." Well that's fine, but why should the municipality itself put up 12½ percent when what is involved is a problem of the greater area. I say that it's harmful to planning to leave it to municipalities; it's wrong to force each municipality involved to worry about its own without it being part of the larger picture.

I think that one of the most short-sighted things this government did was to remove from the metropolitan area, the Metropolitan Council of Greater Winnipeg, its participation in the work of urban renewal. I think it was wrong. It should have been remedied, but I would guess that as long as this government goes along studying the manner in which it will study the problem of creating a plan by which it may then go about to prepare to do something on urban renewal, whilst it is doing that, it should study seriously what will happen once these plans come about and one realizes that the burden and the responsibility should be placed on the greater planning authority which is the Metropolitan Corporation.

I would feel that this province, that this government, has to take the initiative. We have heard with enthusiasm the way the Minister of Welfare has spoken about the plans of the government in regard to the Indian Metis problem. There is an enthusiasm there which indicates that he wants to do something, that he's trying to do something for people in need. I have yet to hear any spokesman on the government side speak with any sort of enthusiasm about the program that it has in relation to urban renewal and public housing.

I started my - - when I spoke I quoted from the need as expressed by Dr. Albert Rose and by these studies of the Metropolitan Corporation. I have not seen any enthusiasm. I have not seen any undertaking. I have not seen anything from this government in this problem except the statement which was repeated more than once by the Honourable Minister a year ago, and I have a note that it appears on Page 997 of Hansard of last year where the Minister said, "Well the initiative is left to the municipalities. It is up to them to recognize their need and do something about it".

I say, Madam Speaker, it is up to this government to take the initiative and do something about it; and I say that as of a year ago this government was not prepared to take the initiative, indeed it stated through its Minister that it was not the government that would take the initiative but it would be up to each municipality. I say therefore, since I've heard nothing between last year and this year, that the government is still not prepared to undertake the initiative in this problem, and I hope that I am wrong in saying its present plans, because I hope that the Minister will clarify the initiative, the enthusiasm and the desire to do something real and to do something now about constructing and demolishing and rebuilding and refurbishing and rehabilitating not only buildings but the lives of the people of this province.

HON. MAITLAND B. STEINKOPF, Q. C., (Provincial Secretary) (River Heights):
Madam Speaker, I had no intention of speaking in this debate - I think that's becoming the standard phrase and may I join the club - but I've just heard such an eloquent appeal and criticism and desire and a request on the part of the last speaker to show that this government has shown some initiative, some desire, some enthusiasm - I think those were the adjectives that he used - in the promoting of urban renewal and in housing, and it behooves me to have to tell him that not only is there a similarity between the desires in this field on not only one member of the government but a number of them in much the same fashion as he refers to the enthusiasm, the desire and the initiative on the part of the Minister of Welfare insofar as the problems of welfare in connection with Indians and Metis.

One does not have to go very far from this building to see that initiative and that enthusiasm at work. On Main Street right now there are a number of buildings that are being demolished. That area will be refurbished in a manner that I think will please the Honourable Member for St. John's, and area where the initiative came from the government. The east side of Main Street is probably the one area in the Province of Manitoba that is in dire need of urban renewal.

The province as we all know is not of an age in its development that requires the vast amount of urban renewal or new housing as in many older and decayed communities. This area was a target for renewal and re-urbanization by this government as far back as 1959, and it took quite a long time for that enthusiasm for urban renewal in that area to drift to the proper municipal and federal authorities. We have, as the members so well know, a method of proceeding in these matters in which the Federal Government plays a very major role. They in most cases put up 75 percent of the funds, and in some cases even lesser amounts. Their legislation, their ideas on urban renewal and housing have changed from time to time. Their legislation has changed from time to time, and it's been up to us to change with it.

As a matter of fact, many of the changes that appeared in the legislation, the new changes in the 1964 amendments and subsequently in the 1965 amendments to the Act, were the result of stimulation by this government. It has only been recently that the CMHC could participate in an urban renewal scheme as is now being undertaken on the east side of Main Street. The plan that is now being prepared in conjunction with the City of Winnipeg and CMHC and this government has been a long time coming, but one cannot fault this government for that. If there has ever been a project that has been stimulated by the government it has been this one, and the delays and the time that it has taken to get the project underway and the plans handed over to the planner have not been on the part of the government. The member feels that we should get on with the job and cut short maybe some of these reports and plans, and in this he has my sympathy and complete agreement. Unfortunately, there are others - other partners - there are those that are interested in the urbanization improvement that require that these plans be made.

I happened this morning to see a headline in this morning's Globe and Mail which said, "Winnipeg headed for Ugliness - Chaos Few able to Match. Architects warn, unless firm and immediate steps are taken, Greater Winnipeg is destined to a future of physical ugliness and chaos that few communities of its size in North America will be able to match." This is the verdict of the Manitoba Association of Architects which is seeking public support for its manifesto demanding a master plan from Metropolitan Winnipeg. The master plan that they are demanding has been on the drawing board of the Metropolitan Corporation for at least, to the best of my knowledge - - I was going to say three or four years but my colleague suggests that it may be as much as six years. This plan we must have, just as the Manitoba Association of Architects suggest, and we must get on with it in a hurry.

The responsibility of Metro is to plan the land use and the land use control as well as all traffic matters, and these seem to be the major problems in arriving at a suitable urbanization plan for the Metro Winnipeg area. The urban renewal as you know is divided into two parts, one for the urban renewal of a core of a city such as the size of Metropolitan Winnipeg wherein there is very little slum housing or slum clearance in the way of homes to be demolished or the relocation of substandard living; and the other is 100 percent for the slum clearance areas where there are a number of people that have to be relocated.

The problem of relocation is in a sense much more important I suppose than the renewal of a run-down area in the core of the city, although I wouldn't want to minimize that importance because it has a great bearing on the assessment of the city and the city's ability tax-wise to look after the other obligations that slum clearance at the housing level dictate. But the work

(MR. STEINKOPF cont'd).....of slum clearance goes on at all times because there are more buildings being built of a type that can be rented by those who are living in substandard conditions. The situation in the Metro Winnipeg area is certainly not anywhere near as bad as my honourable friend thinks it might be if he had the statistics available. I do not have any official statistics, but some of the figures that I have seen, I think that the situation here is at best, or let me say at worst, only on a level with such cities as Toronto and Vancouver but certainly much better than in many other cities that I can mention if I am asked to privately, but I don't think we should start making comparisons on this level in a debate that may have a bad effect on another locality.

However, the situation here is being improved but it has to be improved by having a plan, by having Metro making a plan for land use and for the traffic arteries. The rest of it would be relatively easy. The initiative on slum clearance and urban renewal should, I believe, in the first instance come from the municipality affected because they are the ones who best know what the local problem is, and if that request comes from them, not only is a study immediately made but the partnership can be arranged. I feel that if the funds are required for the slum clearance, the area of the substandard accommodation can be arrived at at some other way than the wrecking of all of those homes and putting in their place a more modern standard of living.

The CMHC have been slow to recognize the need in Manitoba. They have on their priority list - had other areas. This in a sense may be complimentary to Manitoba, because if the need were here I think that the aggressive nature of their work would have brought them here a little bit earlier and they too would have got the various projects that were required off the ground that much faster. The municipalities are prone to action when the need is there. There have been, to the best of my knowledge, no demands made by any municipality to the province or to the CMHC that haven't received serious consideration and wherever there was action required, immediate action taken.

The matter of public housing is something that concerns all kinds of areas. The war on poverty that we're talking about, the doom that many of us like to indulge in as the thinking on that basis, is coming out in the open. The public are becoming very conscious of it and I think fortunately it's about time that they did. It's a pity that it takes that long for people to organize into action the kind of thinking that would generate a massive attack on slum housing in Manitoba and particularly in the Metro Winnipeg area and in urban renewal.

The accusation that this government isn't interested, hasn't got the initiative, hasn't got the enthusiasm or the desire, is something that is pretty hard for me to stomach because it has been one of the major concerns, and it's almost a daily one, of not only myself but of other members of this government and particularly in the Department of Municipal Affairs. And we have created many almost enemies because of the aggressive nature of our approach to this problem, and I think that in the next short while the results will be there for everyone to see and even the honourable member, who has got his grounding in the Metro Corporation and has still a loyalty and a devotion to it, will see and respect the kind of work that this government is doing in the field of public housing and urban renewal.

MR. CHERNIACK: I wonder if the Honourable Member would permit a question? How many new residential units have been undertaken in the urban renewal plan east of Main?

MR. STEINKOPF: How many have been undertaken on the east side?

MR. CHERNIACK: On this urban renewal plan, east of Main Street.

MR. STEINKOPF: I presume the question is to do with housing and housing alone?

MR. CHERNIACK: Yes. Housing, residential units.

MR. STEINKOPF: There have been residential units or substandard housings that will be demolished without the replacement in the area. However, there is a plan now, approved just in the last week, or a group of architects have been employed to lay out a plan for the area to include the public housing, anything that is required in the area. There are very few homes on the east side of Main Street.

MR. FROESE: Madam Speaker, I have listened with great interest to both the Honourable Minister and the Honourable Member for St. John's speak on the bill that is before us, and I do hope that, if and whenever the government accedes to the request of the Honourable Member for St. John's, that the government also sees to it that rural Manitoba is not left out in the cold, because when the Member for St. John's mentioned the number of homes in the city that were without running water, that did not have flush toilets, I am sure that if he went out into rural Manitoba that these numbers would be magnified and that we would have many,

(MR. FROESE cont'd). . . . many more of these in the rural parts. So that we do not have a situation of this only in the metro area of Winnipeg; this applies as well to the rural parts. And whereas you have NHA or CHMC that provides monies to put up homes and to make improvements, the people in rural Manitoba do not have access to national housing - at least not the farm people. Those in the larger centres, they do, but not so for the farm people.

The farmers, the farm workers, probably if they can get help from the banks it would be under the Farm Improvement Loan or some might get it from the Agricultural Credit, but certainly there is a large group that cannot get and do not have access to funds to improve their living quarters. This applies very much to farm help. Where do these people go? Where can they go for assistance? Where can they go for credit? In most cases these people have no place to go and the banks certainly won't lend them the money, so they are left out in the cold, and if the government is going to proceed and give grants, they definitely should not forget the rural areas.

MADAM SPEAKER: Are you ready for the question?

MR. RICHARD SEABORN (Wellington): Madam Speaker, I beg to move, seconded by the Honourable Member for Turtle Mountain, that the debate be adjourned.

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

HON. GEORGE HUTTON (Minister of Agriculture and Conservation) (Rockwood-Iberville) presented Bill No. 24, an Act to amend The Crop Insurance Test Areas Act, for second reading.

MADAM SPEAKER presented the motion.

MR. HUTTON: Madam Speaker, a very uncomplicated amendment which changes the determination of the price of grain in respect of which indemnities are being paid from a sum certain per bushel at a local delivery point, and substitutes instead a sum calculated to the closest cent to the 16 cent freight rate. The reason for this is that with crop insurance now available across 90 percent of the agricultural area in Manitoba, we have seven different freight rate zones, and therefore in making settlements, and indeed in calculating premiums and coverage, the Corporation has to calculate seven different settlements for each class and type of grain that is covered. One, I think, can readily see the amount of administrative work and the cost involved of approaching it this way. What it will mean is that in the future, instead of some of the farmers having settlement on the basis, say, of 14 cents freight rate, they'll get a little less because the 16 cent freight rate will, of course, cost them a couple of cents. The farmers in the areas with, say, an 18 cent freight rate would gain a little bit.

There is another problem that's involved and that is it isn't always easy to determine into which zone, for instance, grain will be delivered; that is that it may be produced in one zone but delivered under our delivery system, with respect to the Canadian Wheat Board, it may be delivered in another freight rate zone. So this is calculated, I think, at no real cost to the producer who is buying insurance and is calculated to cut down on administrative detail and administrative cost in the administration of the crop insurance program.

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

MR. SMELLIE presented Bill No. 28, an Act to establish the Wards in The Rural Municipality of North Kildonan and to decrease the number of Members of the Council of the Municipality, for second reading.

MADAM SPEAKER presented the motion.

MR. SMELLIE: Madam Speaker, honourable members will remember that last year the Mayor of North Kildonan had introduced through the Member for Emerson a bill to abolish the wards in the Municipality of North Kildonan and to increase the size of the council. When this matter came before the Law Amendments Committee, there were several delegations appeared arguing both in favour and against this bill. It was obvious that there was very high feeling in the municipality and it was also obvious that the proposed solution to their problems was not going to be one that would be satisfactory to the large number of people in that municipality.

At that time, the Law Amendments Committee agreed not to proceed with the bill, and the suggestion was made that the municipality should attempt to sort this matter out themselves with the assistance of the Department. A member of the Department was sent out to North Kildonan to assist in this matter and he spent considerable time with the Council and the staff of the municipality in trying to find some solution that might be satisfactory. The Council then presented a resolution requesting the government to reorganize their ward system.

(MR. SMELLIE cont'd). . . . The resolution, however, was passed by a majority of three to two. Because of the provisions of The Municipal Act it's not possible for a municipality to pass a resolution rescinding another resolution, or reversing their decision, within a year, unless it is passed by a majority of the full Council. The full Council in North Kildonan, including the Mayor, would be six and this was not a majority of the full Council. As a result it was not possible to act upon this resolution by Order-in-Council. If it had been possible, probably the Order-in-Council would have been passed last summer and this matter would not now be before us. In view of the situation, the Municipal Board was asked to conduct a public inquiry in the Municipality of North Kildonan into this problem. They did conduct this inquiry. They held public hearings; they visited the municipality, talked to people in the municipality in an informal manner, and presented a report late in 1965, copies of which have been distributed to all members of this House. This report has been considered by government and the bill which is before you represents the recommendation of the Municipal Board.

When you come to the point of making a decision as between the abolition of wards and the reorganization of wards in a municipality such as North Kildonan, we are all of different view points. Many of us believe that municipalities are better off without a ward system where the councillors in general represent the whole municipality. This has been my personal view-point. I was, however, impressed by the report of the Municipal Board and I would like to read part of it, Madam Speaker, for the benefit of members of the House, beginning on Page 11:

"On the matter of ward abolition and election-at-large there is much to be said in support of it. In any democratic society it is no doubt most desirable to achieve, where possible, the perfection of absolute representation by population. Leaving aside all other considerations, election-at-large assures a council that it is at all times truly representative of the majority, without the need for continuing and repetitive redefinitions of ward boundaries.

"Election-at-large should be readily acceptable in any relatively small municipality that as a whole enjoys a substantially common and uniform degree of economic development, and wherein the population is reasonably distributed. A reference to Table 1, which is in this report, shows that while North Kildonan is small in size, neither its population nor its municipal wealth can be said to enjoy any measure of distribution. Ward 1, which in area comprises less than 10 percent of the municipality, contains slightly over 70 percent of both the population and the assessment. Rather than having any general uniformity of economic development, North Kildonan is made up of three quite distinct economic sectors, each with its own special needs and often conflicting interests. Ward 1 is completely and intensively developed as a modern urban community. Wards 3 and 4, on the other hand, are relatively undeveloped, and except for some isolated industrial properties the lands are either unimproved or devoted to agriculture. Ward 2, although not intensively developed, has had some population growth. Generally the inhabitants of this ward are found on residential properties distributed along the river, Henderson Highway, and certain of the east-west roads. Their homes are not serviced by public water and sewer facilities and are mostly located on small holdings with each owner having provided individually for his own water supply and waste disposal. Plans are presently under way for initiating public services including storm sewer drainage, and Ward 2 might properly be described at this time as on the threshold of intensive urban development.

"Having regard for the population and municipal wealth distribution in North Kildonan, we consider that it would not be in the best interests of the people in the municipality to concentrate exclusive control over these three economic sectors in the hands of the extremely small but intensely populated urban sector. We believe that it is essential at this stage of North Kildonan's development as a municipality, for each of the three sectors to have a direct participation in council deliberations. Accordingly, election-at-large is, at this time, rejected in favour of retention of wards."

The report goes on to explain the reasons given for some reduction in the size of the council. The council would be the same size as the council of the City of Transcona if this bill is passed.

Madam Speaker, as this bill represents the recommendation of the Municipal Board who have made an intensive study of this problem, I would seriously recommend it to the House. I believe that the bill should go to second reading. I understand that in committee we will receive representations from some of the citizens of North Kildonan who still believe that the best interests of the municipality would be served by abolition of wards. This was my own inclination at first, but in view of the report of the Municipal Board I am now entirely convinced

(MR. SMELLIE cont'd) that at this stage of North Kildonan's history, this would be the wrong step for us to take at this time.

MR. TANCHAK: Madam Speaker, I move, seconded by the Honourable Member for Carillon, that the debate be adjourned.

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

MR. McLEAN presented Bill No. 30, An Act to amend The Manitoba Evidence Act, for second reading

MADAM SPEAKER presented the motion.

MR. McLEAN: Madam Speaker, during last year it was brought to the attention of the Law Reform Committee that some difficulty was being experienced by solicitors and counsel who had occasion to have documents completed in other countries, countries outside of Canada, with respect to the execution of the documents in order to comply with the requirements of our law insofar as registrations were concerned, and this particularly applied in the field of documents to be registered in the Land Titles Office. It was suggested that this was a serious problem and ought to be looked into. It was, and the legislation which is in Bill 30 is the result of the consideration given to that problem by the Law Reform Committee. The key aspect of this is that it is a provision in The Evidence Act to take care of the execution of documents outside of Canada. I am advised that the proposed plan is satisfactory, or ought to be satisfactory, and it is one that meets with the concurrence of the counsel who brought the problem to the attention of the committee and who had experienced some difficulties, and he feel that this will meet the situation satisfactorily.

MR. HRYHORCZUK: I have only one question, Madam Speaker. This form of execution, is it followed in the United States? Does the Attorney-General know whether that is the method used in the United States to prove signatures on documents? The reason I ask the question, Madam Speaker, is, if we introduce something strange to them we'll be running into a lot of difficulty in having them properly executed.

MR. HILLHOUSE: same question, Madam Speaker. How many states does the Attorney-General know that use the acknowledgement system, that is, which is embodied in this bill. I know that the State of California does, and I know that the State of Massachusetts does, and I know that the State of New York does, and I know that when we send our documents down there you often find a Notary Public who also signs as a witness, then takes his own affidavit, and you've got to, in order to explain it to him, you've got to make up a list of instructions and number the various parts of your document with a corresponding instruction on a sheet of paper. But I was just wondering whether it might not bring about confusion here. Are our documents going to be changed - that is, the printed form of our transfers and deeds and other documents, going to be changed? Or is this simply - I presume from the Act itself it is simply permissive; it allows you to do that. So it would mean that a lawyer sending a document down to a certain state in the United States would almost have to determine in advance, in order to avoid any confusion, what system is followed down there. I know that some of the provinces in Canada even follow that system. I think the Province of New Brunswick has an acknowledgement system; the Province of Nova Scotia has; but I believe the western provinces, and I believe too, Ontario, follows the same practice as we do in Manitoba, but I'm just wondering whether it might not result in more confusion than we have now.

MR. McLEAN: Madam Speaker, this is voluntary. That is to say this makes no change, or doesn't propose to make any change in the form of any of our documents but would be presumably used as a form by a solicitor wishing to do so. The discussions before the committee - and my knowledge is really imperfect on this matter in any detail - was that the problems arose more often in connection with documents being executed in European countries rather than in the United States, but I also recall that the discussion was to the effect that this method, or this system, did tie in with the practice that is followed in many of the American states and also in a number of the Central European countries. And my recollection is that one member of the committee was able to advise us that the proposed procedure here is a procedure which is in use in Great Britain for documents sent outside of Great Britain for execution in European countries. Now I recognize that that's a pretty general answer but this was my recollection of the discussions which took place among a number of lawyers who had had experience in this matter.

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

MR. HUTTON presented Bill No. 46, an Act to amend The Veterinary Services Act, for second reading.

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

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Minister of Mines and Natural Resources, and the proposed amendment thereto by the Honourable the Member for Rhineland. The Honourable the Member for St. John's.

MR. CHERNIACK: Madam Speaker, I adjourned this debate in order to study the amendment. I see that the point I want to discuss is not covered by the amendment, so I don't have anything to say at this stage and I will speak on the main motion.

MADAM SPEAKER: Are you ready for the question?

MR. EVANS: Madam Speaker, I move, seconded by the Attorney-General, that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Provincial Secretary. The Honourable the Member for Elmwood.

MR. PETERS: Madam Speaker, there is one part that really interests me in this Consumer Credit Committee Report, item No. 2, Consumer Protection. As you know, Madam Speaker, I have on the Order Paper a resolution asking the government to consider setting up a separate department for consumer affairs and I have not introduced that resolution because I thought that it might be ruled out of order and I thought I would make my contribution now and then probably withdraw my resolution. I'll think about it anyway.

The Committee makes recommendations here and I don't think they are strong enough, Madam Speaker. They don't give the Committee enough power. They don't put any teeth into their recommendations. I think an agency or board that is set up should be responsible to the Attorney-General and he should have the power to take action in the Courts. The Tallin Commission is a very good indication of why we should have a separate department, and I would urge this committee when it is re-convened again to give very serious consideration to setting up a separate department under the supervision of the Attorney-General. The Tallin Commission, we have about 20 pages of cases that Dean Tallin studies, and none of these people as far as I know have received any remuneration or satisfaction, and according to my understanding of what the Attorney-General said, he couldn't intervene. Well Madam Speaker, we passed The Unconscionable Transactions Act and if it's not working then this Act should have been changed, and the Attorney-General should have the power to initiate court action against these people.

Now Madam Speaker, the committee had the report of the Ontario Special Committee that was set up to study consumer credit, and I would just like to read into the records, Madam Speaker, what their recommendation was to the Ontario House; and it says, "A Consumer Fraud Bureau. Numerous suggestions about consumer fraud were received by the Committee. Most contended that consumer credit affairs in Ontario needed the same continuous attention as other affairs of public concern, and underlined the need for a government-sponsored department to deal with consumer fraud.

"Section 92 Testimony. During extensive testimony it was suggested that a Federal-Provincial Council would be appropriate because the proper regulation of consumer credit and allied matters was a joint responsibility of the two levels of government.

"Firsthand knowledge of how other administrations dealt with this major problem was acquired by the committee during its fact-finding studies in the United States. New York State has a Consumer Fraud and Protection Bureau with a staff of 14 including eight. Assistant Attorneys-General and a Chief. The Bureau also employs student volunteers from law schools. Investigations in all areas of consumer fraud are carried out in a Bureau with a private central complaint office where the public can tell the bureau staff their troubles. The business community endorses this type of organization because it helps to maintain goodwill."

And their recommendation was, Madam Speaker: "The committee recommends that a branch be established in the Attorney-General's Department to carry out functions similar to those of a Consumer Protection Fraud Bureau of the State of New York which deals with all kinds of consumer complaints and is not restricted to credits."

Madam Speaker, I was in the State of Ohio over the New Year, and there I found that they do send out bulletins to all the people that live in the State of Ohio. They have newscasts over television, ads in newspapers, and they have a Department of Consumer Affairs Protection.

Madam Speaker, in the State of Illinois - - when I mentioned that this committee doesn't

(MR. PETERS cont'd)... give this agency or board that they want to set up any teeth, I want to point out what is being done in Illinois and it says what the defrauded consumer can now do under the Consumer Fraud Act. "Under this Act, in addition to the above remedies, the Attorney-General, acting as a representative of the people, can petition the court and through court action, not only enjoin the violators of the law and prevent future violations by citation for contempt of court, but also marshal the assets to see that the defrauded consumers are repaid for damages suffered by them."

Now Madam Speaker, this is the kind of committee I believe should be set up here and it's been proven by all the statements that were made in this House last night, and they are all quoted from the Tallin Commission, the findings that he had found, to just set up a committee that could study things and send out pamphlets is not quite good enough, Madam Speaker, because to make this agency or board effective they should be given the power to go to the Attorney-General or they themselves to initiate court action and let the Attorney-General's department take over from there, but just to leave it that they are going to self-police - - the industry is going to self-police itself - - this is in the lending industry, is just not good enough, Madam Speaker. There is much more required that that, and I'm very happy that the committee is asked to sit again and that they will sit, and I ask them and I plead with them to give very serious consideration to setting up a department under the Attorney-General's supervision, and that money should be voted on in this Assembly for that department and they should be responsible to the Legislature.

MR. HILLHOUSE: Madam Speaker, I wonder if the Member would permit a question? In those states that you have mentioned where they have departments of consumer credit, has there been any noticeable decline in the number of unconscionable transactions that have taken place in these states since these departments were set up?

MR. PETERS: Well Madam Speaker, in answering the Honourable Member, all I can say is this, that the people that I talked to in Ohio seemed to think that it has done a lot of good.

MR. VIELFAURE (La Verendrye): Madam Speaker, I beg to move, seconded by the Honourable Member from Burrows, that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Provincial Secretary. The Honourable the Leader of the Opposition.

MR. E. GUTTORMSON (St. George): Madam Speaker, can we have this matter stand please.

..... continued on next page

MR. EVANS: Madam Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

MADAM SPEAKER presented the motion.

MR. CHERNIACK: Madam Speaker, I understand that this is the opportunity that a member has to present a grievance to the House and I wish to do so.

I want to deal, Madam Speaker, with the increase in the price of bread. This increase which was just announced by some of the major bakeries is, I contend, a crushing blow to consumers in the Province of Manitoba. It has been calculated that an average family now has an increased price of bread equivalent to about \$1.50 per month in reduction actually of his wages. Now I believe that we should be concerned with this increase and with its effect on the people who today are living on marginal subsistence levels, and that this can take place without public participation or control I believe is wrong, since the general community is helpless.

The bread manufacturers have coupled their announcement of the increase with the suggestion that the increase has been brought about by labour costs and other price increases. We maintain that where, as in this case, the price of this basic necessity of life is concerned, it is not sufficient to accept the unilateral statement of the bread manufacturers as to the reason for the increase. This procedure would too conveniently provide an excuse for all price increases by putting the blame on labour costs.

In view of the fact that the reasons for this increase have become a public issue, we request the government to see to it that an immediate public enquiry is held as to the reasons for the increase of the price of bread. Such an enquiry should determine all of the economic problems involved concerning the price, including a full investigation into profits, administration expenses, sinking funds, effects of competition or otherwise, and all other matters associated with bakery expenses. I need not repeat what is known to all of us about the use of the commodity of bread which is known as the staff of life. I compare it only with milk, and in doing so I point out that there is a Milk Control Board and that prices of milk are controlled and established by the board.

We maintain that until such an enquiry takes place, and until the results of the enquiry are known, there should be an effort made by this government by persuasion or by legislation to freeze the price of bread at the level it was before this recent increase, then to review the results of the enquiry, and if it is found that an increase is justified, then to approve the increase and, if advisable, to provide that there should be some compensation for the freeze providing it is determined that the increase in price was necessary and unavoidable.

I therefore appeal to the Government to consider my suggestion and see to it what can be done to keep down to a level which can be managed in the price of this basic commodity. I point out that we are all subject to the increase. I don't know whether the Social Welfare Department has decided to increase the grants to take care of this increased cost, but I think also of the many people on marginal income to whom any cost of this type is an added burden.

MR. EVANS: Madam Speaker, if I may do so without exhausting my right to speak on this motion, I will say we will take notice of the Honourable Member's remarks and consider the matter.

MADAM SPEAKER put the question and after a voice vote declared the motion carried, and the House resolved itself into a Committee of Supply with the Honourable Member from Winnipeg Centre in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Resolution No. 21-passed.

MR. NELSON SHOEMAKER (Gladstone): Mr. Chairman, last evening at about 10:59 I got up to make a couple of comments on the Minister's salary, and frankly, what prompted me to get up was because my honourable friend the Attorney-General simply refused to answer to my satisfaction a question or two that was put by my honourable friend the Member for Lakeside in respect to the Commission that was set up by this government to look into the Totogan Farms Limited and their holdings and so on and so forth.

Now you will recall, Mr. Chairman, the difficulty that I had with my honourable friend the Attorney-General yesterday in trying to get him to admit that it might be simpler in respect to the tax rebate to pay it at the municipal office, but he couldn't understand that, and we are having a terrible time on this side of the House at this session, trying to get my honourable

(MR. SHOEMAKER cont'd).....friends to comprehend the important things that we say. And I don't know why it is, whether we're not talking in plain English or what, but they seem to dodge the issue and talk all around it, but fail to talk to the point at hand. In fact, my honourable friend -- I suggested a while ago that he should take legal action against the Free Press. I understand that yesterday he denied certain statements that he made in Hansard. When my honourable friend - who has now left his seat - from St. Boniface, made certain comments about what he said in respect to the Mafia and organized crimes he got up and said that he never said that. I wonder if my honourable friend did say - and I'm speaking on his Estimates, Mr. Chairman - did he say what is reported in today's Tribune, when he was asked certain questions about the Commission that his government appointed.

I am reading from the Tribune, today's Tribune: "Mr. Campbell noted that the terms of reference instructed the Commission to make the investigation ' in order to ensure that the said land was acquired without hope or expectation of benefit or gain from the construction of the Portage la Prairie Diversion channel. Surely the intention was to inquire whether the land was or was not acquired with this hope, ' the Opposition spokesman said. 'Now if anyone wanted to pre-judge the case, this is the best starting point, the word ensure, ' he added. And Attorney-General McLean said that Mr. Campbell appeared to be more of a student of English than he was. "

And then he said -- it goes on to say a little later on that Mr. McLean said that he could add nothing more, the terms of reference spoke for themselves, and Mr. McLean said, "I don't think there's really any necessity of my agreeing or not agreeing."

Well, I think there is. Now Mr. Chairman, everyone in this House is fully aware, I think, that I am in the insurance business, and real estate to some degree, and surely the House is not concerned whether or not I make a profit on real estate transactions. In fact, they'd be delighted if I starved to death, I think, a lot of them. But I'll tell you what they would be concerned about; not only the government but certainly everybody in the Gladstone area would be concerned, if, because of my position in this House, I got to know of certain works that were going to be done in the Gladstone area - a bypass around Neepawa, for instance, a diversion at Gladstone - and then went out and acquired a lot of land expecting that I would make a profit on it. Now if I did that they would be concerned, and rightly so. Now if I happened to be a Cabinet Minister, the concern would be multiplied many times over. And this is what my honourable friend from Lakeside has said. This is the purpose, surely, of establishing the commission. And if it isn't, if this isn't the purpose of establishing it, then why doesn't somebody get up and say that it isn't. Now why doesn't somebody get up and say, "Yes, you're right. You're right."

Now I know, Mr. Chairman, that there are certain regulations in The Election Act that us from making bets at election time and many, many other things, but my guess is that our honourable friend John Aaron Christianson intends to run at the next election. This is my bet, and that the government have established this Commission to clear his name so that he could run. That's my guess. It's not right. They're shaking their heads in the negative, over there, so we have it on record, I suppose, that he's not going to run. Well, maybe they don't want him to run but my guess is that he'll seek the nomination and this is one way of clearing the deck so that he can do it. "Now what's wrong with that?" my honourable friend says. Nothing wrong with it, if you will get up in the House and say, "This is the whole purpose of the Commission. " If someone opposite will get up and say, "This is the express purpose of appointing the Commission, " we'll be happy. But when my honourable friend, when my honourable friend the Member for Lakeside asked pointedly this question - the one that I'm asking now - the Attorney-General said, in his last desperate attempt to stall off the question, do you know what he did? Like a lot of politicians do, he asked him a question. He completely evaded the question that was put and said, well - I think this is reported in the Tribune; he may deny that he said it because he is most regularly misquoted, as you know, by all papers and in Hansard included, but he did say -- you know, it's an interesting story but I don't want to stop the sale of the Tribune to other areas of the province and there's not much point in me reading it all through.

Now, Mr. McLean said, "I don't think there's any real necessity of my agreeing or not agreeing. Put the question the other way around," he said. "Had the commission not been appointed what would your questions be in the House?" And what did my honourable friend say? "There wouldn't have been any." This is what my honourable friend said. Now if we are not right, then why don't they get up and say so? I maintain we are.

(MR. SHOEMAKER cont'd).....

Now there was another statement made, Mr. Chairman, that I think is equally as important as this one, because they're both taxpayers' dollars that are involved, and a lot of them, and I would like to know what this Commission is going to cost and I suppose at the next Session of the Legislature we'll be able to find out. But I was simply amazed, to quote my honourable friend the Minister of Agriculture, I was simply amazed when my honourable friend the Member for Lakeside said that this government has paid more money to the firm of Arpin Rich and Houston - I think he just said Arpin - than the Attorney-General had received in salary, or the Premier, since they took office in 1958. Well I didn't check the Public Accounts to see what my honourable friend has received in the way of salary since 1958, but eight years times about \$18,000 a year is how much money? Well it's around what? - \$150,000, \$160,000 or \$170,000 or something like that, in nice round figures, and the Premier would get no less than my honourable friend.

Now is it true or is it not true that this government has paid to the firm of Arpin more money than that in the same period of time? I think that this demands an answer of some kind. If my honourable friend the Member for Lakeside is not correct in his assumption, if he's not correct, then someone should get up and answer it. That's what I maintain.

To get back to this Commission that has been set up, I notice that the ad is already in both of the daily papers: Public Notice, the Totogan Farms Limited Commission, dated at Winnipeg this 18th day of February, and all the particulars there exactly as my honourable friend reported to us, word for word I think. But why is it that this one particular individual deserves special consideration, if we are not right in our assumption and accusations, because I happen to have before me a recent propaganda sheet dated November 19, 1965 - that's not very long ago - and it is headed: "Land Acquisition Branch Appraisal Commission at Work. The Manitoba Government's Land Acquisition Branch has completed 667 agreements since it was established on July 1st, according to Public Works Minister Walter Weir. There have been 540 agreements for highways," - and so on, and so forth. The whole story on it.

Now apparently this Commission has more or less successfully handled 667 agreements and maybe a lot more since this publication. Why were they not, with all that experience, why were they not capable of handling this one? What's so different about this? I can't understand it. And unless my honourable friend the Attorney-General gets up and gives us a greater explanation than we have received to date, then I'm certain that a lot of people in the province will wonder what's going on, particularly when the newspapers are giving it such wide publicity. The picture of the two handsome gentlemen in tonight's paper, the Honourable John Aaron Christianson, former Minister, and the former Premier, side by side. I would like to know, and I suppose this Commission will eventually get to tell us, have there been any other purchases made since John Aaron Christianson resigned? This report in the paper, terms of reference and so on, tells us that he resigned on January 31, 1963, I think it says here. Has he bought any since that time? Has he bought any land in and around the Portage By-pass? I think the Commission are just instructed to look into the Portage Diversion. What about the Portage By-pass? Maybe we'd better extend it to include that as well. I don't know.

I see one of the signs, one of the 21 or 22 signs advertising the highway program between here and the junction of PTH 1 and 4, one or two or three of them tells us that the cost of the Portage By-pass alone will be in the neighborhood of - how many million is it? A million and a half or two million for the Portage By-pass? It's more than that? We get carried away with all of these millions that they talk about; \$300 million of them this year.

And so, Mr. Chairman, surely to goodness my honourable friend the Attorney-General is going to accommodate us. I don't think that we owe any apology to my honourable friend the Minister of Agriculture for scaring him out of his hide last year. I was just checking on the Hansard that we were all talking about, and I went and found it, March 2, 1965, Page 194, to just see exactly what my honourable friend the Minister of Agriculture did say, and I don't -- while everybody talks about an agonizing embarrassing situation, he never did say quite that, but he says, "I want to tell you how frightened we are - and if you think we're not frightened, as Ministers, if you think the staff isn't frightened," he says, "I'm not kidding." And we pretty nearly scared them to death last year but I don't think that we owe him any apology and I'm not going to read any more from that.

But Mr. Chairman, I think that the Attorney-General owes this House a much better explanation that we have heard to date as to why this Commission has been appointed, and I will be looking forward with a great deal of interest to hear what he has to say now.

MR. CHAIRMAN: Resolution No. 21 passed. Resolution No. 22-----

MR. MOLGAT: Mr. Chairman, before we leave the Minister's salary, I was under the impression that the Minister would make some reply to the specific questions that were asked of him in this regard. My colleague, the Member for Lakeside, last night asked two specific questions, as I recall them - I haven't checked with Hansard - certainly the one about whether the Order-in-Council is correct as it stands, and there's been no reply that I know of from the Minister in that regard. The Order-in-Council at the moment merely instructs the commissioner to ensure that a certain thing has happened, and it doesn't request an inquiry into the real basis of the whole thing which, as my colleague from Lakeside pointed out, is whether or not information has been improperly used. Now the Minister has not made any comment in that regard whatever. Surely this is the crux of the situation. Other than that, what is the purpose of the inquiry?

MR. CHERNIACK: Mr. Chairman, I'd like to ask two questions, unrelated to the previous speaker's. I reviewed the replies that the Minister gave to the questions that I posed and in the main he dealt with all of them. I want firstly to mention the question of bail, and as I recall it the Honourable Minister said that -- I think in this case he said that there was a weekly review where the amount of bail established and the results were studied to make sure that no person was kept in jail whom one would expect to return to the trial of the action regardless of what bail was set. The important thing, of course, is to make sure that a person is released in order to be able better to prepared his defence, in order to maintain his job and security, and in order to maintain his family life. I would like to know if there are any reports, statistics or comments based on experience which could be given to us to put our minds at rest, because it is not a problem that is mine alone. It's a problem that is being considered everywhere.

Certainly last year I had occasion to deal with the studies that were made in New York and in Philadelphia which indicated a very very dangerous situation that had come to exist because the question of bail was not properly studied, and the fact that many times the real purpose of bail was overlooked, and the real purpose of bail is only to make sure, or reasonably sure, that the person released will come back. Now the Honourable Minister mentioned that many people (I think he said the vast majority) are released on their own recognizance. I would ask him to make us familiar with these statistics so that the people of Manitoba who are concerned with this matter would feel reassured, not only on the basis of the reassurance given by the Honourable Minister, but also on the statistics or information which he has acquired which justified him in his own mind to make the statement that he did.

Secondly, in reviewing the answers which he gave to the questions I posed, I do not think that he dealt really with the questions I asked regarding the priority of construction of the Magistrates Court for Greater Winnipeg, the Vaughan Street jail, the Juvenile and Family Court. I cited to him his remarks last year as to the priorities. I also indicated that last year he gave the impression that work was in progress, and I stated that I was not aware that the sod had been turned on any of these projects as of this time. I am not even aware that there has been a public announcement as to the exact location of one or other of these buildings, and I would request, and if necessary challenge the Minister to tell us just what are the plans? Is there going to be more talk or are there definite plans involving location, size and date? Is there a target date for these buildings or are we just going to talk about them for a long time?

MR. McLEAN: Mr. Chairman, I regret I cannot give the Honourable Member for St. John's any statistics because I don't believe that we have any statistics regarding bail. We are not really set up to provide that type of thing. I mentioned that there was a weekly review of persons who were in custody awaiting trial, in custody because they could not arrange bail, and that the numbers had been kept very low, but, as I say, I cannot give any statistics but I am assured that there are relatively few cases where people are in custody awaiting trial. The procedure is, as I have already indicated, that bail is granted in the majority of cases, in many of those cases on the person's own recognizance, and in those instances where, because bail cannot be arranged, then this is the purpose of the exercise and it is on -- the instruction that we've given is that immediate arrangements are to be made for the trial, so that the question of guilt or innocence will be determined and the length of time spent in custody will be the minimum possible time. Now those are the standing instructions. Those are the matters which are reviewed each week because that's our check as to who is in custody awaiting trial.

The purpose of bail is of course only to assure, as the honourable member has said, the appearance of the accused. The only instances where bail is either difficult or not able to be

(MR. McLEAN cont'd). arranged are in cases where people are itinerant, non-residents of the province, people who have no home or association, that is family association, here; in other words that they would be the sort of people who have no ties within the Province of Manitoba, but I have to acknowledge quite frankly that we do not have, I do not have any statistics. I have been well-satisfied with the way the system has been working and can only say that we intend to carry on on that basis.

With respect to the priority of construction, members will remember last year that I indicated that our order of construction was Magistrates Court Building, Juvenile Detention Centre, Juvenile and Family Court. I pointed out that when saying that, that did not imply that there was any great difference in the timing; that is, they would be following along pretty closely one after the other. That is still the general order in which we propose to proceed. Moneys were provided in the capital estimates last year which would be applicable to these projects and there are moneys asked for in our Estimates this year that is now before this committee, which will also be applicable to those projects, and we have what we estimate to be ample funds for the construction that we will be able to carry out in the upcoming fiscal year.

We have decided on the location of the Magistrates Court Building which is in the area of the Centennial Centre. I'm unable to describe it properly but we're awaiting the clearing and the matter of title and that sort of thing which is being arranged. Some of the property was being acquired from the City of Winnipeg in the negotiations that had taken place in the general area of the Centennial Centre, and I believe that we are perhaps not too far removed from the time when we would be able to lay down our firm arrangements with regard to construction.

One matter has arisen as to whether we might consider enlarging the area of land there, and if we think that that's advisable there may be a slight delay occasioned by that, but a delay which we think would be worthwhile in the sense that it would give us perhaps a better layout for the building. Now this is a matter which is under current consideration and my colleague the Honourable Minister of Public Works is very actively considering this matter.

The site of the Juvenile Detention Centre and Juvenile and Family Court is giving us rather more problems. It would appear that the amount of space required is going to be rather considerable, more than I had anticipated at the beginning, and the question to which we are presently directing our attention is whether we should have a large site with a one storey building or a smaller site with a number of storeys. Then of course that also turns on the question do you put it in the central part of the metropolitan area or do you take it to a place on the outskirts, and there are many conflicting opinions as to which is the best from the standpoint of the people who will have occasion to deal with the Detention Centre and particularly to deal with the Juvenile and Family Court. So I would have to acknowledge that we are not settled at this moment on the site of these buildings, but here again we are going to have to come to an early conclusion on the matter because we wish to proceed.

We have not however delayed our plans with respect to the buildings, and I think I did report to the committee that the architects are engaged in both instances and that we have held a number of meetings with the architects respecting the Magistrates Court building. Members of the staff and the architects have visited all of the newest and most modern court buildings - I shouldn't say all, that would be wrong - but a number of the newest and most modern court buildings in Canada and in one instance in the United States so that they would be fully informed of the latest developments, and I believe that we have developed, or that the architects have developed a very fine plan for our Magistrates Court, and we are I think really, as I say, in the final matters concerning the site, that much just removed from actual planning.

The planning is also proceeding with the design of the Juvenile Detention Centre and the Juvenile Family Court. Architects have been engaged. I convened a meeting of all of the people who are engaged with people in that particular court, that is to say the Probation Officers, the Juvenile Family Court Judges, and a number of others and I said, now the sky's the limit, tell us what you'd like, and the architects have planned accordingly. I rather suspect that is the reason that the requirements are as extensive as they are. We have made good progress in that direction although we are not as far advanced as we are in the case of the Magistrates Court building; but I visualize these projects going along, not parallel entirely, but not very far one from the other. We have the funds and we can proceed.

MR. CHERNIACK: I just ask a corollary to this point if I'm permitted? The old courthouse building is practically demolished, behind the present courthouse. There must be plans for that and plans for the use of the land where the present Juvenile and Family Court and Detention Home is. Is there a plan involved with that? Is it going to be converted to

(MR. CHERNIACK cont'd).....parking? - because the parking situation in that area for the Norquay Building and the Courthouse is abominable.

MR. McLEAN: Mr. Chairman, I cannot answer that question. The question of parking at the Law Courts building which is a separate problem from the one that I have just been mentioning is one that is in the hands of the Minister of Public Works. There have been many discussions I am aware of concerning parking but I know of no firm plans.

With respect to the present Vaughan Street detention facilities however, just to clear up that point, my expectation is that that particular building will still be required after the Juvenile Detention Centre has been removed and after the Juvenile and Family Court has been removed - that building will still be required or part of it will still be required for the Adult Detention Centre facilities, because at the moment we have no alternative proposals in mind; and also that it is our intention, our present intention to operate the Work Release Program from that building certainly in the initial stages. So that on that basis, one could say that as far as I can say at this moment, the Vaughan Street building will remain there for the purposes which I have mentioned. The matter of the parking is a separate one.

But I did want to say also one other thing that will be of interest and that is that in the planning of the Magistrates Court building, we have added considerably to the proposed space by making provision for the Municipal Board, so that it may be removed from the Law Courts building, and we are making provision for their accommodation; and also provision for the accommodation of the Manitoba Hospital Services Plan people. These will be on the top, as it were, of the Magistrates Court building. We felt that we could usefully make use of our space for that purpose and I mention it only to indicate that it is a building which will incorporate provision for the three functions in the one building.

MR. DOUGLAS L. CAMPBELL (Lakeside): Mr. Chairman, on that same point I would like to ask the Honourable the Attorney-General, is it not a fact that in the City of Winnipeg Public Safety building, I believe that's the correct name, that provision has been made for new courtrooms and magistrates quarters and all of the attendant facilities; and is it not a fact that those plans so far as those courtrooms and the facilities in connection with them will be completed fairly soon, and are they not sufficient for the purposes of the Attorney-General in that area, actually for years to come? And under those circumstances, is it wise to proceed with another costly building. And if my honourable friend should proceed with another expensive building, would it not be a fact that it would leave the City of Winnipeg in an unfortunate position with regard to the facilities that they have established -- I believe after consultation with the government departments.

MR. McLEAN: Mr. Chairman, before the plans of the Winnipeg Safety building were completed the city had been informed of our intentions with respect to the Magistrates Court building as a separate facility. They do have - they had in their plans, put in their plans, and they have, a floor which they have made available for the purpose of Magistrates Courts, pending the time when we have our own Magistrates Court building. That floor is being fitted up for Magistrates Courts to take the place of the court facilities that are in the present Winnipeg Police building and that will be where the corresponding courts to those that are in the Winnipeg Police building will be operated until we have our separate Magistrates Court building. It is my understanding that the Winnipeg City Council expects that eventually that the floor which is now going to be made into court rooms, or is made into court rooms and which I haven't seen, but which is going to be made into court rooms, will be required for their own purposes of their Winnipeg Police Force. That is my general understanding of that.

But, Mr. Chairman, the Honourable the Member for Lakeside has touched on an important point on which there may be a good deal difference of opinion, but it was a policy which I stated some time ago that I am not in favor of having our court facilities in the same building as the policing function and that the sooner we get them separated I think the better for all concerned. Now it is perfectly true that that is not done in all other places but I think that as a matter of principle that that is the principle on which we should proceed and it is for that reason that we did propose as we have done and have made our plans accordingly. Now as I say I recognize that there are honest differences of opinion about that sort of thing and the question of the relative expenditures or expense is a factor but I believe myself that the importance of putting the court function by itself is important.

In addition of course, in the facilities which we plan, we will move from, that is we are talking in terms of what is now carried on in the Winnipeg Police building, but we will move the magistrates facilities which are carried on in the Law Courts building down to this and this

(MR. McLEAN cont'd).....will become a centre for the trial of all cases from the metropolitan area of Winnipeg with the exception of the City of St. Boniface. So that it will give us more space in the Law Courts building because we will remove - the people who are with what is known as the Provincial Magistrates Court will go down to this Court Centre. And in addition of course we are making provision in our plans for having the Crown Attorneys, the majority of the Crown Attorneys will then have their office quarters in the Magistrates building, thus relieving our office problem here in this building and providing facilities for them at that Centre. The important matter of principle, we are proceeding on the basis that it is better to have the Court function separated and the arrangements that are presently made with the City of Winnipeg are for the temporary period until we have our own building.

MR. CAMPBELL: Mr. Chairman, I do not feel myself qualified to debate with my honourable friend, or with members of his profession generally, the important question of principle that is involved as between these two points of view on where the facilities should be provided, but I do consider myself, as one who is somewhat interested in the wise expenditure of public money, and while the question is one that primarily concerns the City of Winnipeg, I would think that when the City of Winnipeg has apparently in good faith -- and quite frankly, they have not asked me to bring this up. It would be almost correct to say that I stumbled on the situation by accident - but when I had occasion to go into that building and look it over a short time ago, I was quite frankly impressed with the facilities that are provided on that floor of the Public Safety building, and for my honourable friend to say that the city plans on taking that over for use for the police services or other connected with them, I just find it difficult to believe how, to credit how such a duplication of effort is being carried on and I find it difficult to contemplate the position in which the city will be placed when they try to accommodate those facilities, to some other purpose. Here we have a huge floor, a huge floor, a whole floor of that big building, and no less than four court rooms, four large court rooms, two of them particularly large, with all sorts of other facilities adjoining - offices for staff and all this sort of thing. But the four huge court rooms.

I have not checked this with the city people, but I think I saw something in the press about some discussion on this and I didn't even read it carefully, but surely there must have been some feeling by the city officials that they had an engagement with the government that those facilities would be used for some length of time. And I believe there is an arrangement under which they'll be paid for some time. But I come back to the question again - and if my honourable friend stands on the question of principle as to the separation of these facilities from police buildings, then I am not going to argue that question with him; although I would think it very difficult to keep them separated in as much as, after all, they are court cases and there are prisoners there and the prisoners must be attended to. But on the matter of pure economics, surely, surely my honourable friend can get along for quite a long time with those facilities that are now being provided and thereby be able to hold down the expenditure on the new building that he is planning. Perhaps these other buildings that my honourable friend from St. John's has been asking about, perhaps they could be expedited and brought along faster on account of an arrangement being made with the city to use these facilities for a longer period of time.

Would my honourable friend the Attorney-General invite the members of the House to go down and have a look at these facilities that are already provided? I tell you quite frankly, I was there only by accident. I was in the area collecting some information that I may be using later on in the discussion of these Estimates, and I saw the workmen at this place. I went over and found the door open and went in and had a look around and inquired as to these facilities - my memory is that they are on the third floor. I could be a floor out either way because I walked around several of the floors. They are just getting close to being finished and really this is, in my opinion, an outstanding building and I would think a most functional one. I was struck by the fact of the four large court rooms on one floor, plus many offices for attorneys, I suppose, and for magistrates quarters themselves, plus a "whole lot" - and when I say "a lot", I mean a lot - of accommodation for the prisoners at the end, with the arrangements made for bringing them in to the various courts and all this sort of thing. Now I ask the Attorney-General, Mr. Chairman, what will the city do with that whole floor later on? Surely they can't make offices out of these court rooms.

MR. McLEAN: Mr. Chairman, I can't answer what the city will do with the floor; I couldn't hazard a guess. I presume they'll be able to look after that aspect of it themselves. They are fully aware of our plans. I don't know that I can issue any invitation to the members to visit the building because it is a building that doesn't belong to the province.

MR. CAMPBELL: Well, Mr. Chairman, did my honourable friend the Attorney-General, or his predecessor, have an understanding, a definite understanding, with the city as to the space that was going to be provided, the way it was going to be equipped and the tenure of that space by the Attorney-General's Department and for a certain period of time?

MR. McLEAN: Yes, we did.

MR. CAMPBELL: Would the honourable the Attorney-General tell us, Mr. Chairman, what the arrangement was?

MR. McLEAN: Well, the arrangement, Mr. Chairman, was that we informed the city, at their request - and this, I can't recall the date; it goes back some time - that it was the policy of the government to provide a separate Magistrate's Court. Some negotiations and discussions ensued at which they said that they would be glad to have us use the floor, one floor, on a temporary basis, because they didn't feel that they would need it from the beginning of the time of their use and it was agreed that we would rent the space for the temporary period. And that is the basis on which the court rooms have been established there. The agreement is that we provide, I think - yes, we have provided the furnishings of those court rooms that you have seen and it's on the basis that we will remove the furniture or the fixtures to our own building when we are moving out. We have up to a period of five years under our arrangements, although I have always made it quite clear - been very anxious that this should be quite clear - that I did not expect that we would require them for that length of time.

MR. HRYHORCZUK: Mr. Chairman, since we're talking about construction of buildings at the moment I haven't noticed any reference anywhere to the women's jail at Portage. I wonder whether the Minister has had the occasion to visit the institution. Has the Minister had the occasion to visit the institution? What impressions did he get of it and has he any plans in regard to it?

MR. McLEAN: Mr. Chairman, I visited the institution. My impression of it was that of a very well-run institution, although the building is certainly quite an old one and at the present time we have no plans for its replacement.

MR. HRYHORCZUK: Mr. Chairman, I had occasion to visit that building quite a number of years ago and at that time it was far from adequate and we were contemplating then that it would be necessary to build a new women's jail, more suitable to the purpose than what this one is, and I believe at present it would be more overcrowded and being several years older, it would be in a worse state of repair because of its age. Now that building is in a position where you can't do anything about the building itself. There's no room to either expand the facilities or to do anything about it. And if my memory serves me right, we had intentions of putting the building on property that we own in Portage, or owned at that time - I believe we still own it - the property that the Manitoba Home for Boys is located on. I just forget what the acreage is there but it's considerable. I would suggest that the Honourable Minister give priority to this institution because I'm quite sure that it's badly overcrowded; it must be, unless the Honourable Minister is placing our women inmates somewhere else that we're not aware of. I believe that the only institutions we have for women is the one at The Pas which must be filled pretty well to capacity at all times and the one at Portage.

I would like to hear from the Minister as to the number of inmates; whether in his opinion the building is over-crowded; whether it has the facilities that he thinks are desirable, because my understanding is that the Welfare Council of Winnipeg have condemned this building and consider it a hot bed of crime insofar as women inmates are concerned. I have read more than one report on this particular institution and from these reports I gather that there is no space, no accommodation for segregation at all, the habitual and chronic prisoners that appear in there come in contact with young women who are placed there over-night, held for court; and that something should be done and the sooner it's done, the better.

MR. McLEAN: Mr. Chairman, I just can't quickly put my finger on the figure of the number of women in the jail at Portage la Prairie -- perhaps I'll get it here. Well, in 1965 in December for example, it ran between the high of 45 and a low of 41. So, looking at this, I see it seems to range somewhere from 33, looking at the record for the year, 33 up to - the largest number I see here is 46, just quickly, on this report. So that it's ranging from 33 to 46. One of the things that has helped in the women's jail, of course, was the establishment of the jail for women at The Pas which takes, I understand quite a number of people who would normally have been going to this institution in Portage la Prairie.

Now it's a matter of priority. If you want to talk about the custodial institutions that are not modern, you have to add to the jail for women at Portage, the jail at Brandon and the jail

(MR. McLEAN cont'd).....at The Pas and then you have to decide which comes first. I can only say that while recognizing the force of what the Honourable Member for Ethelbert Plains has said, that at this moment there are no plans with respect to the replacement of the jail for women. As I say, you can say, "Well it ought to be done" and one has to decide the order of priorities and we haven't made any plans with respect to this institution.

MR. HRYHORCZUK: Mr. Chairman, I don't think that the Honourable Minister has given us the exact picture as it is today insofar as the jails that he has mentioned, say the Brandon one and others. He has made other facilities for inmates that would be in these institutions otherwise, such as the one in the Duck Mountains, the one at Falcon Lake and I believe there's one now under construction in Southwestern Manitoba. So you actually have been doing something for the male inmates but you haven't been doing anything for the female inmates, and I believe that they at least warrant the same consideration that the males do, Mr. Chairman.

MR. CHAIRMAN: Resolution 21 passed; 22 passed.

MR. MOLGAT: Mr. Chairman, I think there are still some questions that we must ask the Minister on the matter of Minister's salary because they don't appear elsewhere in his material.

My colleague, the Member for Ethelbert Plains has spoken about the jail in Portage. Now there was new facility built however in The Pas, was there it not? The Pas women's jail? Now is that facility fulfilling the purpose for which it was intended. Is there actually -- while I realize there is a new building there, what is the situation so far as staff is concerned? Is there some rehabilitation work being conducted there or is the jail in The Pas strictly custodial?

MR. EVANS: Mr. Chairman, I move the Committee rise.

MR. CHAIRMAN: Call in the Speaker. Madam Speaker, the Committee have asked me to report progress and ask leave to sit again.

IN SESSION

MR. COWAN: Madam Speaker, I move, seconded by the Honourable Member for Pembina, that the report of the Committee be received.

MADAM SPEAKER presented the motion and upon a voice vote declared the motion carried.

MADAM SPEAKER: As it is now 5:30 the House will now adjourn and stand adjourned until 2:30 tomorrow afternoon.