

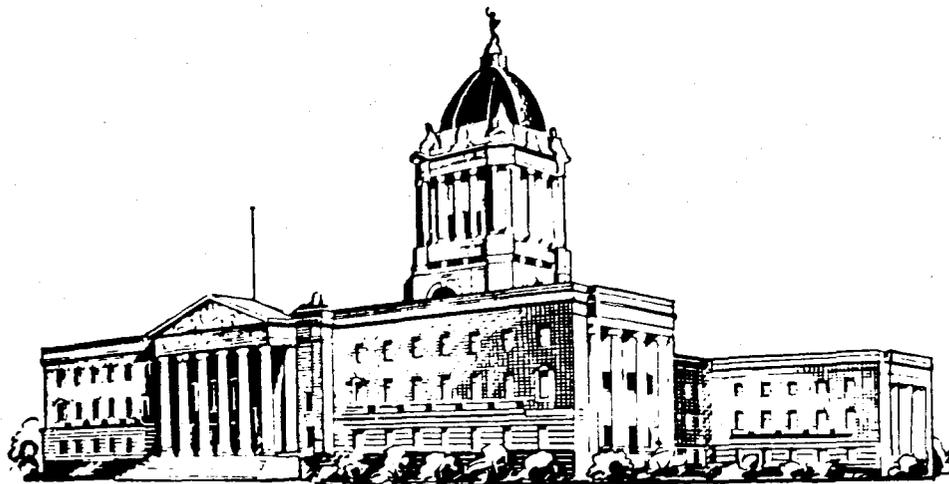


Legislative Assembly of Manitoba

DEBATES  
and  
PROCEEDINGS

Speaker

The Honourable Peter Fox



Vol. XXII No. 121 10:00 a.m., Wednesday, June 11th, 1975. Second Session, 30th Legislature.

Printed by R. S. Evans — Queen's Printer for Province of Manitoba

Electoral Division	Name	Political Affiliation	Address	Postal Code
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ASSINIBOIA	Steve Patrick	Lib.	10 Red Roblin Pl., Winnipeg	R3J 3L8
BIRTLE-RUSSELL	Harry E. Graham	P.C.	Binscarth, Man.	R0J 0G0
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FORT ROUGE	Lloyd Axworthy	Lib.	132 Osborne St. S., Winnipeg	R3L 1Y5
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LOGAN	William Jenkins	NDP	1294 Erin St., Winnipeg	R3E 2S6
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PORTAGE LA PRAIRIE	Gordon E. Johnston	Lib.	26-120 - 6th St., S.E., Portage la Prairie, Man.	R1N 1E8
RADISSON	Harry Shafrensky	NDP	4 Maplehurst Rd., Winnipeg	R2J 1W8
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ST. JAMES	George Minaker	P.C.	318 Ronald St., Winnipeg	R3J 3J8
ST. JOHNS	Saul Cherniack, Q.C.	NDP	333 St. Johns Ave., Winnipeg	R2W 1H2
ST. MATTHEWS	Wally Johannson	NDP	418 Home St., Winnipeg	R3G 1X4
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SEVEN OAKS	Hon. Saul A. Miller	NDP	Legislative Bldg., Winnipeg	R3C 0V8
SOURIS KILLARNEY	Earl McKellar	P.C.	Nesbitt, Man.	R0K 1P0
SPRINGFIELD	Hon. René E. Toupin	NDP	Legislative Bldg., Winnipeg	R3C 0V8
STURGEON CREEK	J. Frank Johnston	P.C.	310 Overdale St., Winnipeg	R3J 2G3
SWAN RIVER	James H. Bilton	P.C.	Swan River, Man.	R0L 1Z0
THE PAS	Hon. Ron McBryde	NDP	Legislative Bldg., Winnipeg	R3C 0V8
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TRANSCONA	Hon. Russell Paulley	NDP	Legislative Bldg., Winnipeg	R3C 0V8
VIRDEN	Morris McGregor	P.C.	Kenton, Man.	R0M 0Z0
WELLINGTON	Philip M. Petursson	NDP	681 Banning St., Winnipeg	R3G 2G3
WINNIPEG CENTRE	Hon. J.R. (Bud) Boyce	NDP	Legislative Bldg., Winnipeg	R3C 0V8
WOLSELEY	Vacant			

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
10:00 o'clock, Wednesday, June 11, 1975

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees. The Honourable Member for Logan.

REPORT BY STANDING COMMITTEE - LAW AMENDMENTS

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to present the Second Report of the Standing Committee on Law Amendments.

MR. CLERK: Your committee met on Tuesday, June 10, 1975, and heard representation on Bills as follows:

Bill No. 48 - The District Health and Social Services Act

F. Lloyd Lenton - Social Planning Council of Winnipeg

H. A. Crewson - Manitoba Health Organizations

Bill No. 58 - An Act to amend The Public Schools Act

E. J. Martens - Manitoba Association of School Trustees.

Your Committee has considered Bill:

No. 47 - An Act to amend The Social Allowances Act,

And has agreed to report the same without amendment.

Your Committee has also considered Bills:

No. 43 - An Act to amend The Health Services Insurance Act.

No. 48 - The District Health and Social Services Act.

No. 52 - The Dental Health Services Act.

No. 53 - The Dental Health Workers Act.

And has agreed to report the same with certain amendments.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I move, seconded by the Honourable Member for Thompson, that the Report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills; Questions. The Honourable Minister of Consumer and Corporate Affairs.

ORAL QUESTIONS

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services) (Osborne): Mr. Speaker, the other day the Member for Assiniboia asked me a question about the Public Utility Board increases in gas rates and he wanted to know whether they were interim increases or whether they would cover the situation for the rest of 1975. I can advise him that as a result of board orders No. 105 and 106 that the increases ordered as a result of those two orders will apply to the end of 1975, if of course the National Energy Board does not grant any further increases in gas rates that the Greater Winnipeg Gas Company will have to pay.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, it's really a follow-up of a question yesterday to the First Minister regarding the bank loan from the Swiss Bank and I wonder if you could confirm the persistent radio reports that the bank loan is completed.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Yes, Mr. Speaker, I can confirm that the loan agreement has been entered into - 100 million Swiss Francs at 8-1/8 percent payable annually the 16th June, starting this June, and for the next five years.

MR. CRAIK: How many dollars does it work out to?

MR. SCHREYER: I don't have my currency conversion table, Mr. Speaker; in the crudest of ways it would be about \$33 million Canadian.

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

ORDERS OF THE DAY - GOVERNMENT BILLS

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, perhaps we could go to Bill No. 46.

MR. SPEAKER: Bill No. 46, proposed by the Honourable Minister of Industry and Commerce. The Honourable Member for Fort Rouge. (Stand)

MR. GREEN: Mr. Speaker, I wish to move into Committee of the Whole House to consider third reading of the Manitoba Telephone Act.

I move, Mr. Speaker, seconded by the Honourable the Minister of Industry and Commerce, that Mr. Speaker do now leave the Chair and the House resolve itself into Committee of the Whole to consider the following Bill: Bill No. 41.

MOTION presented and the House resolved itself into a Committee of the Whole with the Honourable Member for Logan in the Chair.

COMMITTEE OF THE WHOLE HOUSEBILL NO. 41 - MONEYS FOR CAPITAL PURPOSES OF M. T. S.

MR. GREEN: Mr. Chairman, I just wonder if you'll give the Minister a minute; he went to get his material.

MR. SCHREYER: Mr. Chairman, it's perhaps a little unorthodox but by leave I'd just like to refine for the Member for Riel the conversion to Canadian dollars. I said it would be very crudely about 33 million; it's 40 million - 40 million seven hundred thousand.

MR. CRAIK: I wonder while we're on this unorthodox point whether he could indicate - I gather the loan is in Swiss francs and payable in Swiss francs?

MR. SCHREYER: That is right although there is an incidental, not sought after, but there is an incidental and unavoidable degree of speculation in the sense that between now and next Tuesday a decision has to be taken as to whether to take it at today's or next Monday's conversion rate which fluctuates daily. I believe that's being worked on today.

MR. SPEAKER: Order please. Is it the will of the committee to consider the bill? Bill No. 41, An Act to amend the Manitoba Telephone Act and to authorize the expenditures of money for capital purposes for the Manitoba Telephone System and authorize the borrowing of the same.

Clause 1-passed; 2-passed; 3-passed; 4(1)-passed?--(Interjection)--The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): I was interested in the debate that took place on this particular bill and the purchase of computers. The Minister mentioned at that time that a number of the computers that they presently have are on lease or rental or some system of that. Now I'm just wondering what the government - when they borrow this \$10 million to go into the computer field, have they got manpower at the present time in the Telephone System to handle these new computers they're going to purchase? Are they going to lease them or who's going to maintain this computer system that they're going to set up here? This is very important. If the computers don't operate any better than the student aid computers last summer that looked after student aid, well I sympathize with the Telephone System, because my goodness, that was a nightmare. I hope the Minister of Education is listening, because every day either the computer was broke down or something and the students had to wait six months to find out whether they were turned down. It was always the computers' fault. Now are you hiring sufficient trained staff in the computer field to operate, maintain these computers and are they going to be placed all in Winnipeg or are they going to be placed like in Brandon, Northern Manitoba, where are these computers going to be placed?

MR. CHAIRMAN: The Honourable Minister of Consumer and Corporate Affairs.

MR. TURNBULL: Mr. Speaker, the question with regard to staff for the operation, and I assume the maintenance of the computers, will be on board when the utility is established and operating. At the present time the Manitoba Government computer centre and the other centres that are now in operation do have staff to carry out both the program functions and the actual operations of the computer main frames.

If you are speaking about maintenance, the maintenance agreements that normally are entered into on lease arrangements will be, I assume, continued. If the purchase of equipment occurs then I would assume that the Telephone System would carry out its maintenance function in the manner that has always been carried out when computers are bought. I can get further information on this particular point for the member but I don't think that there is cause for concern here. There is certainly staff to carry on the operation and if staff are

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(MR. TURNBULL cont'd) . . . . required for maintenance apart from the manufacturer's staff then of course that will have to be provided.

MR. McKELLAR: Mr. Chairman, just another question. I was just wondering, are you going to build a new building to house all the computers that are involved with the operations of the Manitoba Telephone System, and if you do build it where are you going to build it?

MR. TURNBULL: Mr. Chairman, the exact location of the computer building has not been determined at the moment. That would be somewhat presumptuous until of course the bill is passed. But I assume that the location of the computer building, when and if it is undertaken, will be in the City of Winnipeg. The point here of course is to locate computer power within the province and terminals in other parts of the province so that the people in those areas can get access to computer power. The location as I say, is one that will have to be discussed and a location arrived at on the basis of what seems most feasible and practical for this particular operation. Computer facilities do need secondary sources of hydro electricity, stand-by resources of that kind and various security measures, that type of thing. So I would think that the Computer Centre would be located in Winnipeg. Where in Winnipeg is as yet an open question.

MR. CHAIRMAN: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): On the same question, I wonder if I might ask the Minister whether or not this \$10 million includes the cost of the building that you're discussing at the moment?

MR. CHAIRMAN: The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Mr. Chairman, a lot of the money that is mentioned in the bill is not new money. A lot of the 10 million will in fact just be picked up from other appropriations, and one of the amounts that will be picked up from other appropriations is the amount of money that will be, in the future, expended on a building. That building would have had to have been constructed in any case because the existing Government Computer Centre location in the Norquay Building is getting overcrowded and it will become more and more overcrowded as time goes on. So a new building was going to have to be built and that building - originally there were moneys set aside in the appropriations of the Public Works Department, and all that's happened here is the money has been taken from that appropriation and put into the bill and struck from Public Works. That's the kind of switch that is occurring here, and as I say, the 10 million is certainly not all new money.

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

MR. McKELLAR: One final question. I wonder if you can indicate - the Minister - in what constituency this might be built?

MR. TURNBULL: Mr. Chairman, I hope that the member is not implying that it would be built in my constituency, because it will not be built there, unless, of course, Osborne proves to be the most feasible place to locate it.

MR. CHAIRMAN: . . . 4(1). The Honourable Member for St. James.

MR. GEORGE MINAKER (St. James): Mr. Chairman, through you to the Minister. I was wondering if the Minister could advise - in his remarks in presenting the bill he indicated it would be run as a separate entity, this particular department. I now ask him that should this department run at a loss in the first few years, how and where will they get the funds from - will it come from the Telephone System's revenues and as such be indirectly subsidized by the telephone users of Manitoba? Could he answer this question?

MR. CHAIRMAN: The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Mr. Chairman, the bill does specifically provide for the separation of the computer utility from the telephone system's function as a telephone service. And the reason for that is to avoid any possibility of transference of funds from the telephone operation to the computer operation and vice versa. I have to emphasize, because the member did seem to imply that this is a departmental function, it is not envisaged as a departmental function. It is going to be located within the Manitoba Telephone System. And the separation is contained in the bill and when we get to that section we could discuss it in perhaps more detail. But I don't expect that there will be losses incurred as a result of this centralization. And the reason for that really is quite simple. That in the initial stages of the operation of the computer utility, all that it will be doing is bringing together the present government in-house computer business. And the Computer Centre at the moment does not lose money. In fact, as

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(MR. TURNBULL cont'd) . . . . I explained in my opening remarks, the Computer Centre of the government now operates on the basis of a nil vote. That nil vote is achieved of course through a chargeback from the various line departments to the Management Committee of Cabinet. The new computer utility in its initial stages will be doing that computer business for the government and consequently I cannot anticipate that there will be any loss in the initial stages of this operation. And as it develops, of course - as the computer utility develops, becomes stronger, develops expertise, etc., then I would think that they would be in a strong position to be self-sustaining and to set off any possible deficits that they might incur. But there again I do not anticipate that deficit, even when they get into the private sector, will be realized.

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

MR. MINAKER: Mr. Chairman, through you to the Minister. Can the Minister advise if there will be a Provincial Sales Tax charge on the computer services that will be sold to other businesses?

MR. CHAIRMAN: The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Mr. Chairman, within the government service, of course, there will be no charge, I do not think, of sales tax to the government's line departments. The sales tax charge to private companies that purchase the service, that is a question that I would have to seek an answer for in the Revenue Tax Act. I can't give him an answer to that particular question at the moment. I can tell him though that the Telephone System does pay sales tax on certain equipment that it purchases and, in fact, the government computer centre now does not pay - apart from sales taxes, does not pay certain taxes that the utility as it's envisaged here might have to pay.

MR. CHAIRMAN: The Honourable Member from St. James.

MR. MINAKER: Yes, Mr. Chairman, through you to the Minister. Could the Minister advise will there be a different rate for users of telephone lines if they utilize the Telephone's Computer Centre, say they have the terminal set up in their particular factory or office and they utilize the telephone computer versus using a private computer system, would there be different rates? Does he visualize the Telephone System utilizing its services to encourage the government use of computers? In other words, will there be two sets of rates, one where a terminal is tied to the computer centre that's owned by the government, versus a terminal that would be tied to a private computer centre? This is on the cost of the lines that would be utilized by the two firms.

MR. CHAIRMAN: The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Mr. Chairman, I'm looking for staff in the gallery, which I don't see at the moment, to give me more detail on this particular question. The telephone line rates, that is the rates charged for telephone, of course are approved by the Public Utilities Board. Consequently I would not envisage, because of the structure of the new computer utility, that the Public Utilities Board would allow the kind of rate structure that the Member for St. James envisages. Another approach to the argument, of course, would be that computer lines might well be dedicated lines, and dedicated lines, even now for telephone service, have a special charge. So that on both counts I would think that what he envisages is not likely to be the case.

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

MR. MINAKER: Mr. Chairman, through you to the Minister. I think it's an important question because at one time, I don't know whether it's a fact now today, but at one time the Manitoba Hydro used to have varying rates for customers that would take on electric heat. I think maybe that may have changed, I don't know, but it was my understanding that they could vary these rates in order to get a user to put in electric heat whereas the gas utility, the Greater Winnipeg Gas Companies, could not vary their gas rate from customer to customer. So that the principle had been applied before by a Crown agency, you might say exempt to the Public Utility Board. This is why I'm raising the question now, whether or not this type of approach might be utilized by the Crown agency, the telephone systems, to encourage or to try and become more competitive in the computer service field by varying the rates for the line charges depending on whether the terminal was tied to the government-owned computer or the privately-owned one.

INTRODUCTION OF GUESTS

MR. CHAIRMAN: Before the Minister answers, I wonder if I could draw the attention of the honourable members to the gallery where we have 28 students of the River Heights Junior High, Grade VII standing, under the direction of Mr. Kupchak. This school is located in the constituency of the Honourable Member for River Heights, Leader of the Opposition. On behalf of all the honourable members, I bid you welcome this morning.

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MR. CHAIRMAN: Clause (4)(1)-passed. (4)(2)-passed. (5)(1)-passed. (5)(2) . . .The Honourable Member for St. James.

MR. MINAKER: Mr. Chairman, Section (5)(1), I wonder if the Minister could elaborate on this particular section. Does that mean that the fact that (4)(1) has been authorized for \$10 million that by approving Section (5)(1) that we are then approving an additional \$10 million that could be raised by the government on behalf of the telephones, so that we're looking at a total of \$20 million?

MR. CHAIRMAN: The Honourable Minister for Consumer Affairs.

MR. TURNBULL: Mr. Chairman, there is a procedural point here. I wonder if the member would mind if we got . . . well, I can deal with it now. I was going to suggest that we pass the clauses relative to the borrowing and then I can deal with all the questions at once. If that would be acceptable to him, I would prefer to proceed that way. If not - he's not nodding affirmative to that - if not, I can say to him that this is not the case. There is to be one amount of \$10 million set aside to be raised in the various ways set out in the bill and there's certainly not to be any duplication or any twice raising of the \$10 million. It's one \$10 million amount.

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

MR. MINAKER: Then, Mr. Chairman, through you to the Minister, next year if an additional \$5 million or \$10 million would be required, it would come through the capital estimates that would be requested in the House? Is this the way, if any additional moneys above and beyond the \$10 million figure is required, they would come through in capital supply bill?

MR. CHAIRMAN: The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Yes, Mr. Speaker. That would be the way that we would have to handle this.

MR. CHAIRMAN: (5)(2)-passed. (6)-passed. (7)(a)-passed. (b)-passed. (7)-passed. (8)-passed. (9)-passed. Preamble passed. Title passed. The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Mr. Chairman, may I thank members for, I assume, allowing this bill to pass. I think it will be a step forward in the provision of this kind of service to rural and remote areas of the province. I also think that there is every likelihood that it can be used as a nucleus to attract people experienced in this new technology. I know members like to see this kind of measure discussed in a separate bill where moneys are being allocated for entrance into this kind of operation and this bill, of course, meets with that requirement of theirs, and I thank them for their contribution.

MR. CHAIRMAN: Preamble passed. Title passed. Bill be reported.

MR. WARNER JORGENSON (Morris): On division.

MR. CHAIRMAN: On division. Committee rise and report. Call in the Speaker.

Mr. Speaker, the Committee of the Whole has considered Bill 41, recommends it to the House and asks leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to move, seconded by the Honourable Member for Flin Flon, that the report of the committee be received.

MOTION presented and carried.

BILL NO. 41 - THIRD READING

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs. BILL 41 was read a third time and passed (on division).

MR. GREEN: Mr. Speaker, will you call Bill No. 28 please?

BILL NO. 28 - AN ACT TO AMEND THE EMPLOYMENT STANDARDS ACT

MR. SPEAKER: Bill No. 28. The Honourable Member for Fort Garry.

MR. L. R. (BUD) SHERMAN (Fort Garry): Mr. Speaker, Bill No. 28, in principle, is legislation that we on this side of the House agree with because of the benefits that it contains for individual workers and employees in the Province of Manitoba, so we accept the direction in which the legislation points. It's necessary, I think though, sir, to raise a warning flag or a warning question or two as we embark on this reduced regulation work week, should the legislation pass, and I want to pose one or two questions and considerations for the attention of the Minister. At the same time, I take this opportunity to thank the Minister for permitting me and us some time and some indulgence in our examination of the bill.

The main concern that I have, Mr. Speaker, and that my colleagues have, is that the bill, while on the surface promising benefits and advantages for workers, really pays very little heed to the requirements of some special category industries, and I think in the Province of Manitoba we cannot afford to ignore the problems of specific special category industries that bring with them specific and much needed benefits to our economy. And the case in point here, sir, is the needle trades, the garment industry. It's a fact of Manitoba life that the garment industry provides to our economy and to our people much of our prosperity, much of our employment. It provides much of the cash flow that exists in our marketplaces.

The statistical report of the other day which was of interest, I'm sure, to all members of the House pointing out that Manitoba's garment industry now accounts for 20 percent of Canada's export trade in the garment field, is one that represents an important consideration when we're looking at legislation of this kind, sir, because it's in the area of interprovincially competitive industries that we will feel the most impact of legislation of this kind. And the garment industry, the needle trades, is a highly competitive industry in the interprovincial sense. There are three primary needle trade centers in Canada - Montreal, Toronto, and Winnipeg - not necessarily in that order. As a consequence, we're dealing with three specific provinces - Quebec, Ontario, and Manitoba. And here we have an interprovincially competitive industry of one of the highest competitive orders and we need some special consideration, some special categorization and some special pleading, I suggest, for our industry in that competitive position. And I'm concerned that with legislation of this kind, that that special consideration is not present.

The Province of Ontario, I believe, prescribes special legislation for the needle trades. The Minister of Labour could correct me on this - he's shaking his head, so that indicates to me that my suggestion is incorrect. I'm under the impression that in the Province of Ontario industries can establish their own hours provided they have the approval of the Minister. In this case the Minister of Labour is nodding his head, so I may be back on the right track here, sir. And that being the case, industries like the garment industry or any special category industry of that kind, can have its hours modified or adjusted with the approval of the Employment Standards Division, or the Employment Standards Bureau, and with the approval of the Minister, and thus put itself into a position which is competitively advantageous to it in interprovincial terms. I believe that the needle trade, the garment industry in Ontario has taken substantial advantage of that provision in the Ontario legislation. And I would ask the Minister whether such consideration is available for industries of this kind here in Manitoba; whether our special category industries of this kind, which do provide so much in the way of employment, which do provide so much in the way of cash flow and which do provide so much in the way of revenue both on an export and a domestic basis, can not be provided with special consideration of this kind to ensure that they don't suffer competitively with industries in their field in other provinces.

We face the prospect, and I'm not challenging it, we face the prospect and we have the Minister's own word for it, of an increase in the not too distant future in the minimum wage. Looking at this legislation we are directly imposing here a move or a measure that will have the effect of increasing wage costs in Manitoba industry by 10 percent. If the minimum wage is increased by, let us say 10 percent - and that's a hypothesis, but if I pose it we can perhaps

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(MR. SHERMAN cont'd) . . . . elicit some indication from the Minister of his intentions in this regard - if the minimum wage should be increased by 10 percent, then what you're looking at here for industry in Manitoba, Mr. Speaker, is a 20 percent increase in wage costs this year, not counting the impact and effect of inflation. That is a pretty heavy burden for industries in a province like Manitoba to bear in competitive terms vis-a-vis the rest of Canada. Combine those two, the effect of this legislation and the effects of a suggested and forecasted increase in the minimum wage, and you have that kind of additional wage cost, that kind of additional operational cost, that kind of additional economic burden, facing industries in Manitoba which, all of us would agree I think, are at some competitive disadvantage with respect to the rest of Canada, notwithstanding considerations of this kind. Taken across the board, regardless of what happens in the area of minimum wages and the area of regular prescribed hours of work, many of our industries operate at a competitive disadvantage because of geographic location, freight rates, market availabilities and the like.

So I would just, in reviewing this bill at this stage and attempting to expedite it for movement through the second reading stage, pose those questions and those considerations to the Minister for his thoughtful attention. I think that some special pleading for industries of this kind is necessary in Manitoba. We have to protect what we have here that is of value, of job producing and revenue producing value and merit. And while legislation of this kind has a popular and populous appeal, it tends in some ways to be idealistic and to be a little too theoretical in my view, Mr. Speaker. It tends in some ways to overlook the real and harsh considerations of the economy and of the marketplace itself.

I hope the Minister will have some comments on this particular aspect of the legislation and I hope that the legislation itself will be either modified or applied in such a way as to ensure that industries of this kind in Manitoba are not forced into a disadvantageous competitive position. With those words, Mr. Speaker, I thank the Minister for the time he's given us to consider this legislation and I repeat that the principle, on the level of the working man and working woman, is one to which I'm sure all Manitobans can subscribe, but let us not forget the problems of the employer, particularly in special category industries. Let us make some provision to protect his operation.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I move seconded by the Member for Roblin that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Call Bill 44?

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): 37.

BILL NO. 37 - DISCLOSURE OF INTERESTS

MR. SPEAKER: Bill No. 37 proposed by the First Minister. The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I think it's appropriate at this time that the Liberal members gave an indication of how they felt about Bill 37, and I might say at the outset that we support the principle of the bill although we are rather critical of the content and the lack of content of the bill.

I might say that there has been a blunder or an error made by some members of this House, and I suppose the Chairman of the Statutory Rules and Orders Committee should take some of the blame but also the members of the committee should have taken it upon themselves to remind him that there should be a Committee Report before the House. After all, this subject matter was discussed in a committee which the chairman was the Honourable Member for Wellington. I can't recall all the membership now but the Member for Swan River, myself, the Member for Fort Rouge, among others, were on the committee, and I think we had two meetings. The First Minister I don't think was on the committee. The First Minister took part in the meetings but he was not a member of the committee. So I think that we are somehow remiss collectively that we don't have that report before us before the legislation is brought to the House based on the report of the committee. That if I can recall, I think after the final committee meeting a statement was made by way of letter by the Member for Lakeside wherein he said that it would be the Conservative position to oppose the legislation on the grounds that it did not adequately deal with conflict of interest. And in part I support him but

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(MR. G. JOHNSTON cont'd) . . . . really, but really I must say that a start has to be made somewhere. Legislation has to be brought in and it can be amended even if it's not completely adequate.

But, Mr. Speaker, had we had some type of legislation in the past few years, I'm sure that some of the incidents that I will remind you of may not have happened. I don't say they would not have happened but the parties involved might have reconsidered some of their actions. And I just refer to two or three weeks ago when a senior official in the City of Winnipeg was required to resign because of an apparent conflict of interest relating to his work in development for the City of Winnipeg. Now had there been guidelines at that time applicable in the municipal field, particularly in the larger cities, it's possible that that situation may not have arisen, because the particular official would have been cognizant of the fact that he had been forewarned previously and there was guidelines enshrined in legislation that he would have to be accountable to. And since there was none, the situation occurred.

I remind honourable members that there has been controversy, both last year and this year, with respect to one of the Directors of the Communities Development Fund, in having a direct connection with a business that was obtaining loan moneys from the fund. Had there been conflict of interest legislation and applicable, I presume, to members of boards and commissions which is mentioned in the legislation, this person would have known very well that he was going to be in conflict with some of the laws of the province and he probably would have conducted himself in a different manner. I say "probably", we will never know. But at least the law would have been in place and the guidelines, if any, would have been there and every senior official in the province would have had a warning and knowledge of that law.

To go further back, if we had had similar type of legislation at the time that CFI was being developed, I'm sure that the Managing Director of the Manitoba Development Fund, Mr. Grose, the moment that he entertained and negotiated a contract for possible future employment with the CFI Complex, he would have clearly saw his duty to report to his superiors that he was negotiating for a position with that firm, namely another situation of conflict of interest, and perhaps there might have been a different outcome completely to the CFI matter.

I say these are all probabilities; we do not know. If a person is going to be dishonest, he'll find ways and means to do it. But if a person finds himself in a situation where greed overrules his judgment or temptation is there, or an honest error in judgment is made, at least in the three cases that I've just enumerated, there is a possibility that some of these officials would have had second thoughts and would have not only been guided by their conscience, but would have been guided by the law, which were really terms of their employment.

As far as members in the House go, in my past 13 years experience, I know of no one, and I'm very proud to say, that I know of no member in this House that has used a position, as either a Cabinet Minister or an MLA, or a member of a board or a commission, to find out something that he would use for the benefit of himself or his friends. I feel very proud of that fact, that this House has not had any breath of scandal or any controversy whatsoever in that regard. However, after having said that, I say again that I believe that with the huge amounts of moneys that the provincial administration is handling now, with the type of work that is becoming very close to year round, with the many dealings with various boards and groups in our work, that I see nothing wrong with someone who runs for office having to give a little on the matter of his personal privacy. We all know that members have to give a great deal of their privacy because they are public figures. So we're talking now about another type of privacy that may have to be partly revealed and I for one, and we in the Liberal group, feel that this is a small price to pay, really.

So really we support the concept of the bill but I'm inclined to take the suggestion of the Premier that the bill be sent for further refinement and study back to the committee. Because there are, in our opinion, many things wrong. And if I could give a few examples: The way the bill is presently written, the only people who can go to the Speaker and see the information on each member is the Leader of a party or his designate. This means that any one of these people could go and I presume xerox all 57 financial histories and take them away, because if he's allowed access to them he can pretty well make records and copies. So really, who are we kidding? We're not confining the information to members of this House because that information once it goes out of the office it can go anywhere and all over Manitoba. I'm talking about now the worst that could happen. And this is the worst that could happen,

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(MR. G. JOHNSTON cont'd) . . . . that the information can become public through devious means. So we say well let the public have access to it. Let the public have access to it, because if someone is determined enough they can find the information anyways, through their own MLA or through their party affiliation or however. So we say, let the record be there for the public to see, but in order to discourage frivolous uses we suggest that a register be kept so that it is known who is seeking information on who. And I would even go further than that and say whoever has been investigated, they would receive a notification that so and so has looked at their record.

Now, all sorts of situations can arise here. A frivolous accusation can be made. After it has been dealt with by committee and then the House, it could well be that the member is completely exonerated but the very fact that an accusation was made is very hard on the character of the member. And it could happen near an election or it could happen in a heat of a debate even. All that has to happen is a member to rise in his place and make the charge and the machinery must then go to work. The Speaker is required to read the charge and then by a vote of the House it's referred to a committee; the committee can take all sorts of time because they have to take the place of a judge really. They can take a half a year or a week to decide. In the meantime the cloud remains over the member's head. We suggest that whoever makes the accusation, he is the accuser, that he should have to post a bond - a \$1,000 or \$500 or some substantial amount, so that if the accuser has made a frivolous accusation then he should be reminded of that and it's not something that's taken lightly.

We say, also, that all cities of Manitoba should be included in this legislation. We all know that at the municipal level is where land rezoning occurs, where variances in building codes are sometimes made, where land development takes place and so on. So if it's good for us, if it's good for us - and I agree with the Member for Souris-Lansdowne, when he said that a backbencher or a member of the Opposition has very . . . well he has no opportunity whatsoever to know anything that no one else knows. So I say that if it's going to be applied to us, then it should apply to others who are in situations where possible conflicts of interests could arise.

So I say very strongly that it should apply to the cities of Manitoba. We did discuss in our caucus whether or not it should apply to towns or villages. This could be looked at, but in view of the fact in the smaller communities where everyone knows pretty well what everyone else's affairs are, or approximately are, the need is not the same, and where you have a settled community of a village of 300 people where they've known one another all their lives pretty well and there's very little interchange or moving in and out of strangers, they know themselves, and I would suggest for that reason to leave them out of it. It's only a suggestion, but we do feel strongly that the cities of the province should be included in this legislation. I think I gave an example on a very recent case in the City of Winnipeg.

With respect to the including of the senior civil servants and members of boards and commissions, we agree with that. We are somewhat concerned that the sole judge if any wrongdoing has been found is the Cabinet. I know they're honourable men and I would not reflect upon their judgments unless I had some real cause to do so, but I could give a hypothetical case that would give cause for some concern. Suppose some career civil servant has been found in violation of the law as it applied to him and after all the steps were taken it was then up to the Executive Council to decide whether the person should be demoted - I don't know whether a fine is in the legislation - but demoted, suspended, or fired, I believe is, and it would only be human nature for the Cabinet to be a little kinder if it was a person that they had appointed, whereas if it was someone who had been there before their time and they're really not that concerned about that person's career, we're liable to have two sorts of judgments which could never be proved, but human nature, being what it is, there's an inclination to be kind to your friends and tough on your enemies or tough on those that we do not know.

So we would suggest that the final arbiter in this case would be the Civil Service Commission, not the Cabinet who may have feelings for or against or otherwise to the person that they're called upon to judge. I think also that any member of this House would feel very very queasy, if that's a word, about having to pass judgment on another member. It would bother me, I know that. I wouldn't like to do it. I wouldn't like to be a member of the Cabinet that had to fire or make the decision whether to fire, demote or suspend indefinitely someone. I wouldn't like to make that decision at all. I would sooner that decision was made by someone

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(MR. G. JOHNSTON cont'd) . . . . who had perhaps more training and more experience and no political bias whatsoever. I just wouldn't feel comfortable if I was a member of the Cabinet and had to rule on some senior civil servant who may have barely broken the law, flagrantly broken it, or somewhere in between. I just wouldn't like to make a judgment on a man's career or a woman's career.

So, Mr. Speaker, I think we've indicated our position that in principle we think the legislation is due, but we think the guidelines should be more developed so that our senior civil servants know where they stand in given situations. We feel that cities should be included, and we feel that for further refinement, that this should be studied for another year by committee. I might make an aside and say that the way the legislation reads now, the three Liberal members could be investigated every day of the year, I guess, but we would have no right whatsoever under the legislation to look at anybody else's. Myself, I wouldn't like to look up anybody else's record - that would bother me. But I suppose if the occasion arose where it had to be done, one would do it. After having said that, Mr. Speaker, we feel that the intent of the bill is good. The bill isn't refined enough, it hasn't foresaw enough situations and needs a great deal further work.

MR. SPEAKER: The Honourable Member for Wellington.

MR. PHILIP PETURSSON (Wellington): Mr. Speaker, reference has been made to the fact, both yesterday and again today, that there was no report brought in from the meetings of the Committee of Statutory Regulations and I, being Chairman, am probably considerably at fault. The Honourable Member for Portage is taking some of the blame and indicating probably that other members of the committee may also share in it. I don't know exactly where the blame lies, but I am prepared to assume the responsibility and make apologies to the House for oversight and neglect.

There were two meetings held - one on November 5, and one on January 8. The proceedings were recorded and the recording has been transcribed and, so far as I know, copies of the proceedings have been sent out to all the members. So they have them in their hands to read, to study, to criticize, or to praise - I don't know which. At the first meeting the subject matter presented was, in a sense, new to most of the members. They realized what was involved to a certain degree but there was a considerable amount of discussion and exchange of views and there seemed to be a general consensus somewhat along the line that the Member for Portage la Prairie has indicated.

There is one quote, I think, that reflects the thinking of most of the members of the committee, where one member said, "I would like to indicate to the Premier that I think he is correct in the assumption that he made earlier in his comments that in this particular matter there will be a great deal of consensus on the part of all members of the House, certainly from our group," this member said, "to arrive at workable legislation. I say that without having had the opportunity of caucussing with our group but I think it's a matter that you sensed correctly, that that is the feeling of the House." Do you want me to name the member? I don't think he would mind. It's the Honourable Member for Lakeside. I'm quoting words transcribed in the record of the meeting held last November 5, and I'm doing it not in criticism but in praise. And that, I think, was at that time the general feeling of the meeting. There was some change in the position, some questions that had arisen in the minds of members at the second meeting, but no large scale or resounding adverse opinions being expressed. There were more questions than anything else.

A MEMBER: Who were the members of that committee?

MR. PETURSSON: Now, you've got me. I don't remember who all the members were but if we go through the record . . . it's on the record, yes, it's on the record. The members are named one at a time in the . . . if you read it through, you'll probably get the names of all of them because each one did make a contribution to the . . . I'm getting the . . . This is like raising your hand to heaven and having something put into it. The members of the committee are Messrs. Evans, Hanuschak, Toupin - Honourable Messrs., I have to remember that; we have to recognize the men who are higher up. Then the lower echelons are Bilton, Boyce, Johnston, Portage la Prairie, Jorgenson, Malinowski, Moug, Osland, myself, and Chairman.

Mr. Chairman, that's all I want to say at this time. I'm simply recognizing a short-coming on my part in not having made enquiries or seen to it that the report was made. But all that we would have had to report was that we had discussion and questions asked, questions

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(MR. PETURSSON cont'd) . . . . answered and did, at the second meeting, go over the draft form of the proposed legislation which has been somewhat changed in the redrafting as it was presented in the form of the bill. So, if I'm going to be strung up and quartered, then so be it. Thank you very much.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I move, seconded by the Honourable Member for Virden, that debate be adjourned.

MOTION presented and carried.

BILL NO. 44 - THE PLANNING ACT

MR. SPEAKER: Bill No. 44. The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, yesterday at 5:20 I was attempting to make some comments on this bill which I attempted to make this morning. I say in passing, Mr. Speaker, I don't as a rule make an issue of it but there is some disappointment on the part of members of the Opposition that should be noted, the singular lack of attention that the treasury bench gives to its bills. It's a bill, a major bill before the session, Bill 44 that we're dealing with now. The Minister responsible is not in his seat. Indeed, all too often, all too often, the number of government members in their seats barely ranks with the number of people in the press gallery, members of the fourth estate. I'm well aware, Mr. Speaker, that other duties and responsibilities of office from time to time keep Ministers occupied in other pursuits, but, Mr. Speaker, the kind of attendance that the government has provided in this session particularly, you know, should be noted, Mr. Speaker, should be pointed out for the public record. In this instance, we're dealing with important matters, but that's just in passing, Mr. Speaker.

Mr. Speaker, my comments on the bill are thus - and they come from a kind of a general feeling that I think has been expressed now on several bills by members of the Opposition which, you know, I think accurately reflect the attitude of the Opposition towards some of the bills being presented, this one in particular. We're saying to the government, we're saying to the government that, you know, we can recognize very often the need for this kind of legislation. We recognize, Mr. Speaker, that with, you know, increased government involvement, increased government funding programs that it would be irresponsible on the part of the opposition to indicate that there wouldn't be, and there wouldn't have to be further extension of government involvement in these programs, to some degree government control of the funding of these programs, so the question really comes down to what degree is local control, local authority eroded in the process?

Then we go one step further, Mr. Speaker, and I think, you know, the honourable members opposite will have recognized this, that what we're probably saying to them, that some of this legislation - and I'm referring specifically to the same kind of legislation that we dealt with having to do with the health services districts, this planning bill before us - is that we really think it's probably pretty good legislation; it would probably be excellent legislation in our hands, we don't quite trust it in your hands.

I think that, Mr. Speaker, is not an unfair reflection of some of the things that have been said to the members of the government from this side, whether it's my leader speaking, whether it's other people saying. I'm attempting to reasonably accurately, reasonably accurately reflect, you know, the kind of comments that have been made on this bill and on other bills of this nature. Mr. Speaker, it would then seem to be fair to examine why is the Opposition taking this attitude? You know, Mr. Speaker, it is usually good advice - advice given them by the Member for Morris - that it's a good position at all times for the Opposition to oppose all things proposed by a government. That's a traditional position that most oppositions could do well to follow, despite the fact that that seems sometimes to be contrary to what the public expects of an Opposition. I'm inclined to agree with the Member for Morris, in most instances we would be safe to do that, but it doesn't always satisfy us individually in the House. We see the needs and the areas of responsibility where government have to act and therefore we have to sometimes acknowledge necessity for certain pieces of legislation and make our comments about it.

Mr. Speaker, the areas of particular concern dealing with Bill 44 revolve around the kind of authority, the kind of control that the Provincial Government, senior government, is

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(MR. ENNS cont'd) . . . . taking upon itself. It revolves around sections of the Act, Mr. Speaker - and we're speaking on second reading about principle and philosophy of the bill, I won't be referring specifically to sections of the Act - but it refers specific to sections of the Act like 19 which sets out the membership of the board or with Section 15 which indicates how members of a board can be removed, can be replaced, it's in this area of concern in the bill, that concern how the bill has been expressed, to what extent the government will use its heavy hand, to what extent big brother will be dictating to the municipalities, to the school boards, to rural Manitoba, to our towns and villages, the future nature of the planning for their development.

Mr. Speaker, why do we in the Opposition then have this hesitancy to grant to this government those powers, that authority that I've just admitted are probably not all that bad and probably necessary, and if we were on the other side would very likely be introducing, in similar fashion, at this particular time.

Mr. Speaker, there are of course reasons, and some of the reasons I would like to document, I'd like to refer to. In doing so, Mr. Speaker, I will be speaking about some other matters not specifically germane to the bill, but I want to assure you, Mr. Speaker, prior to you getting nervous and edging up to the edge of your seat and ruling me out of order, that it will be done so strictly for the purposes of demonstrating the point I'm trying to make which deals very specifically with the bill and not in any way to bring irrelevant matters into the discussion that would not be proper at second reading of Bill 44.

Mr. Speaker, I believe that we have a right to look at certain background documents that have been made available to us as to properly determine the attitude of this government when it deals with these matters. I read from two specific sources of material, one of course the unabridged version of the Guidelines of the Seventies, more properly known as the NDP Manifesto for Manitoba, when it deals, in this case on another matter, but specifically with rural Manitoba, and a direct quote from that report states: "Because the Boards of Directors will be composed . . ." - in this case we're talking about the setting up of municipal Crown corporations or the hope of setting up municipal Crown corporations, but this is the important note: "Because the Boards of Directors will be composed of local elected representatives, the institutions will, to some extent, reflect the political preference of the areas they serve. Thus, if a local council that tended towards conservatism and retrenchment were replaced by a more activist body, this would be mirrored in changes in social and economic structures of the community."

You put that together with the document that my leader just read on another bill dealing with the Health Services Act, this particular paragraph coming from the White Paper on Health Services, when it gives us an insight as to when this government and how this government is prepared to deal with matters in a democratic way. "The development, and I quote, "of a democratic structure is not a sentimental objective but the very guarantee that reform will have bite to it and will create the indispensable economizing force. But the corollary of this is an integral of tutelage in which the composition of the embryonic boards is subjected to and even determined by close provincial review and which care is taken to develop their expertise and capacity. Once solidly established their composition can safely be left to the principle of democratic election. But if the boards are created instantly and given full authority, they are unlikely to be either competent or democratic" - and I add, do the things the government wants them to do.

Mr. Speaker, with that kind of background - and these are not light papers, this comes from an official White Paper produced by the government having to do with Health Services - with that kind of a background, Mr. Speaker, it is not unfair at all for the Opposition to examine very closely the kind of attitude this government would take towards the greater overall development as envisaged in the Planning Act before us, Bill 44.

Mr. Speaker, they have indicated to us, both in written form and by action in this House, that they are quite prepared to exert that tutelage period, that heavy hand of big brother, not to allow that local autonomy, that local authority to be expressed in a way that that area wants it to be, because that area may tend to conservatism, may tend to retrenchment. Mr. Speaker, we can go away from the written word which one might say is just some planner's concept of a position to be taken; we have the actual performance of this government in this Chamber, in just very recent times. We had a situation, already referred to by the Honourable Member

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(MR. ENNS cont'd) . . . . for Morris. Mr. Speaker, I can recall making a speech at that time saying that, you know, what surprised me was that - and I do not wish to take anything away from the importance of hog production in this province - but nonetheless in light of the kind of involvement that the government has, will have in the future planning of development in the Province of Manitoba, whether in this bill, whether it's in the Health Services Act, then certainly the kind of government involvement in that Act, one really must re-examine the position that was stated and taken by this government when a duly elected person to an agricultural commodity board - one of those elected persons, I imagine that this bill envisages - might serve on the board, might serve on the membership of a board. The only difficulty, sir, in this instance that person chose not to concur or agree with the policies of the government. What was the government's reaction, sir? Unexplainable. The force of the government was brought down on this person, he was asked to resign, for no other reason, Mr. Speaker, other than the fact that he disagreed with government policy. Mr. Speaker, it wasn't left there. The Minister responsible stood up in this Chamber and suggested that the entire board would be wiped out if the board didn't abide with his wishes and with his will.

Mr. Speaker, those words are etched forever in my memory, I don't have to refer to Hansard, they are there. Furthermore, what is also there is that the Minister is saying that he'll go along with democracy as long as the right people are elected. Mr. Speaker, I have yet to have heard a more offensive phrase spoken by a government spokesman in this Chamber. He will go along with a degree of local participation, local authority, as long as the right people get elected. Mr. Speaker, nobody on that side objected to that. The Minister of Mines and Natural Resources did not object to the fact that somebody representing him, speaking for him, talked about the necessity of electing the right people or else we'll not have democracy. Or else we'll not have local participation. The First Minister of this province was prepared to have somebody speak for him and say that we'll have local participation, we'll let local planning boards, hog boards, agricultural commodity boards exist as long as the right people get elected.

Mr. Speaker, I think that that was one of the more offensive things that have ever been said in this House. We've said many offensive things to each other from time to time in this House, but fundamentally in terms of believing what we, I think, would like to acknowledge all of us believe in, that we are representatives of the people that have sent us to the Chamber, that our duties and responsibilities are to reflect those views of those persons that sent us here - not necessarily always to impose our will, our doctrine, our philosophy, on them - when we find it demonstrated in such a manner, then we have cause for concern about the planning authorities, the authority that we grant to this particular government, to this particular government.

Mr. Speaker, let me give you even a more current example. Let me give you even a more current example. Mr. Speaker, we have a situation right now where this government is willfully bent on taking a particular action, and in this instance it involves the construction of a large dairy complex. They are doing this at this particular time because they do not trust, they do not want to wait until the people involved, namely the people that should be making the decision, the Milk Marketing Board, until it becomes a democratized institution, until it becomes an elected group of people, because they then no longer have that control on them. The Manitoba Milk Marketing Board is going to be duly democratized, the Minister of Agriculture has indicated to us; the Manitoba Milk Marketing Board is going to eventually properly represent the wishes of the milk producers in the Province of Manitoba. But, Mr. Speaker, perhaps one of the major undertakings by this industry, by this group of Manitobans, the decisions that will affect them, will affect the whole industry, is being made now, is being made now prior to the time when the will of the producers can be properly represented. It's being done now while that board consists of solely politically appointed persons. It's being made now in the face of the unanimous decision on the part of the milk producers' duly elected association's rejection of the proposal, of which the government has a resolution now. Why are they rejecting the resolution? They have already been informed or indicated that they will have to pay for this plant. I suppose some of the speeches made in this Chamber that the general taxpayer was going to have to pick up most of the load has even caused the government to back away from that initial position. My understanding now is X number of cents per hundredweight of milk will have to be dedicated to the construction of this plant.

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(MR. ENNS cont'd)

Mr. Speaker, this is perhaps out of order to this extent that I'm getting into detail, but the point that I'm trying to make is that a group of Manitobans is going to be levied a tax to do a certain thing which they have indicated they don't want done. But this board, this government, because they have the authority and the power, and not unlike the kind of authority and power granted in Bill 44, through their appointed people rather than their elected people, can put the wishes, the will of the government ahead of the people most immediately involved.

Mr. Speaker, what kind of confidence, what kind of confidence do we then have in the apparent safeguards that are built into this bill? What kind of confidence do the rural municipalities, the urban municipalities, the school boards, have in the apparent provisions made in this Act for their involvement in the planning processes of this province? What kind of assurances does anybody in Manitoba have that . . . you know, if the province is prepared, the government is prepared to ride roughshod over the expressed wishes of, in this case, the dairy producers; in the case of yesteryear, or a few years ago, of the hog producers, to impose their will then, Mr. Speaker, these fears or the suggestions made by individual members on this side of the House with respect to this bill are more than justified. Mr. Speaker, it is not therefore also a hypocritical position on the part of the opposition to take when we say that in essence we find a great deal in the bill that we support. It is not a hypocritical position to say, Mr. Speaker, that very likely a bill of this nature would have been introduced by us if we were government today. It's in the way and the manner of carrying out the provisions of the bill, and one's philosophical bent, that concerns us.

Now, Mr. Speaker, let me give you another example of the differences between us. You know, Mr. Speaker, in the past administration, the administration that I was part of, we underwent perhaps - and it is related in the area of planning and certainly in this case, in the field of education when we introduced the Unitary Schools Division system it was a position that the government was dedicated to. We were every bit as dedicated to it. The former Ministers of Education, Dr. George Johnson and Mr. Stewart McLean, were every bit as dedicated to the bringing into Manitoba the updating of the school system in the Province of Manitoba. As a government we were committed to it every bit as much as the Minister of Agriculture is committed to building the Crocus Food Plant at Selkirk.

But how did we handle it, sir? We went out - in fact we held meetings and we held elections, Mr. Speaker, I see the Honourable Minister of Mines and Natural Resources smiling. He's smiling. I'm not really a great believer of government by plebiscite. But, Mr. Speaker, the fact of the matter is that under the administration of our group, under the administration of our group insofar as a major change - and it was a major change, it caused a great deal of difficulties for many people, for many individual politicians, a major rationalization of the educational system which very often disrupted the set patterns of rural life - introduced bussing to rural school children. Mr. Speaker, we felt that that kind of a major planning change - sir, just to get you back in your seat a little bit, I'm talking about planning - to get that kind of a major planning change introduced, despite the kind of authority maybe that we had, and, Mr. Speaker, we had authority because in other instances we used that authority. In the Interlake because we were involved in a multi-million dollar development program involving the Federal Government where the educational component was a major factor of it. Yes, we trampled on democracy in the Interlake, and we assigned them to being five . . . the school divisions, the school divisions by order-in-council. Now, Mr. Speaker, all I'm saying is, there is this difference of course between us. You know, the members opposite often have said we approached it in a laissez-faire manner. We haven't got a pre-set doctrine approach to the subject matter. We don't plan continuously greater and greater public involvement and centralized control. You know, and to that extent, the Honourable Minister of Mines and Natural Resources criticizes the Honourable Member for Rock Lake that this bill is not a big socialist plot, and wasn't dreamt up in the dark basements of our houses or somewhere. Now I can rationalize that position. You know, I believe that my friends opposite they think about their politics probably a lot more than I do, and they're socialists. So when I see three of them having coffee downstairs in the cafeteria, you know, I'm not stretching my imagination too much that down there in the basement of this building, in the very bowels of our democracy, are being hatched the evil tentacles of socialism that will one day rout out that breath of free air that we have, you know.

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(MR. ENNS cont'd)

So, Mr. Speaker, you know, in like manner, in like manner, I say that the Honourable Minister for Mines and Resources is far too hard on my friend, the Member for Rock Lake. But, Mr. Speaker, I have attempted to point out that the attitude that this government has displayed in several specific instances, we're given the choice, we're given the choice to allow, to allow for the local group, local region, whether it's a commodity board for an agricultural product, or any other kind of local area, where the provision of the Act, there where these kind of local expressions of opinion can and should be possible to be made, this government has shown a disposition to wield a very very heavy hand on them.

When they speak about tutelage, Mr. Speaker, an interval of tutelage is required before any such boards are liable to become competent or democratic, we have reasons - and we have specific examples of boards, and individual members of such boards, that were subject to that tutelage - and, Mr. Speaker, that tutelage bore a pretty heavy clout, that bore a pretty heavy clout. I mean, the one person I refer to, it was certainly heavy enough to cause him to leave the board and leave the province and no longer produce hogs in this province. What was his sin, Mr. Speaker? His sin was that he did it in a very open - and maybe with not a great deal of finesse, but then farmers are not always noted for a great deal of finesse - he opposed the Minister of Agriculture. He opposed some of the things that were happening on the Hog Board. He wanted to know for what price we're selling pork to Japan, as a Director of the Board, and couldn't get the answers.

Now, Mr. Speaker, why then if in some of the far more delicate and sensitive areas of overall planning, planning decisions that will have to be made, the kind of planning decisions that will be made possible by Bill 44, why then would this government choose then to all of a sudden not wish to impose its will indirectly if it happens to be contrary to the local residents involved, if it happens not to agree with a pre-determined policy position on the part of an individual Minister responsible for the administration of this Act, or a pre-disposed position that the government as a whole may have with respect to planning for a particular region?

Mr. Speaker, I have no particular objection to the government's introducing the kind of legislation - in fact, I believe it would probably simplify things a little easier if they would not make that attempt at window-dressing, if they would not pretty up bills such as Bill 44 with all kinds of provisions that give the indication and indeed, in the right hands, would in fact be quite effective for a great deal of local input, a great deal of local control, a great deal of local contribution to the planning that is necessary. But, Mr. Speaker, I don't believe this government has any intention of allowing for that local input. I've cited several examples which, you know, fade into insignificance in terms of the overall importance in the province where they have not allowed it. You know, they can't allow the dairy producers of this province a voice in a major undertaking in their industry. They can't put off six months, eighteen months, until that board is a duly elected board and can make and speak for their representatives.

A question should well be raised, why isn't the board an elected board by now? Mr. Speaker, when the Act provides, when the Act provides for how individual members of this planning board can be replaced and removed as it does in Section 15, Page 11 of the Act, Mr. Speaker, we have been shown how individual members of boards of any make-up can be replaced, and can be removed, and can be hounded out of office by this government. Not for any specific wrongdoing, not for any specific transgression of their oath of office, but simply because they chose to oppose the government's will. Mr. Speaker, we are supposed to pass into these kinds of people the power and the authority that's vested in this Act.

Well, Mr. Speaker, the Honourable Minister of Mines and Resources shows his disapproval of my comments. I must indicate, you know, to my friend the Honourable Minister of Mines and Natural Resources that it bothered me, and it bothers me to this day, the level of tolerance that he showed towards what I believe that he had some feeling for, some understanding for, and some strong beliefs in. But I repeat he was prepared to let somebody speak for him in outlining his concepts, and the government's concepts, to what extent local democracy can operate and what parameters it has around it. He was prepared to sit in his seat, as was the First Minister, and have a spokesman stand up in this Chamber and say that we'll have democracy as long as the right people are elected.

Mr. Speaker, it's that kind of an attitude that with the passing of time, with every passing session, that will bring to my constituents, to the broader constituents in the Province of

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(MR. ENNS cont'd) . . . . Manitoba, the true colours of this administration. It will not be the capability of their debates, it will not be the skill and astuteness of the Minister of Mines and Natural Resources in questioning people at some Land Use hearings, and maybe scoring Brownie points, it's that age old thing that happens to so many governments, and it's going to happen to this government, and it's happening right now, is that by their actions they'll be known and by their actions they'll be defeated. Mr. Speaker, they misjudge, they misjudge very significantly the tenor of the people of Manitoba if they feel that those kinds of actions, individual and maybe insignificant by themselves but collectively aren't having a rolling effect throughout the Province of Manitoba, and, Mr. Speaker, a snowballing effect throughout the Province of Manitoba. Mr. Speaker, while it might have been a fair criticism, it might have been a fair criticism earlier on to suggest that the Opposition was helping this snowballing effect with wild and exaggerated statements, with scare tactics, with scare tactics the actions taken by the government as they become clearer and more definable make it easier for us to make those statements, make those claims with validity and with credibility, and one that is being understood.

Mr. Speaker, the Honourable Minister of Mines and Natural Resources indicated yesterday that this bill had received all kinds of prior discussions. I'm well aware, sir, that the whole question of planning has been in a constant state of discussions with municipalities, with planners, with departmental people, but this bill, like so many of their bills, once the bill has been produced, bears in many instances little resemblance to what those discussions were all about. Furthermore, the question is, to what extent have those persons that have expressed interest in the bill, the municipalities, both urban and rural, school boards and others, have had a chance to look and familiarize themselves with draft copies of this bill, with intent of this bill? It would appear, sir, from the reaction that is now slowly coming in that that is not the case. And, Mr. Speaker, let me also indicate that perhaps the Honourable Minister of Mines and Natural Resources gives us too much credit. He suggested yesterday that we clutched at Bill 44 as a last ditch stand to raise a great deal of emotional impact against the government, and that he saw that as a legitimate political tactic. Well, Mr. Speaker, I must confess that that's not been the case. We have been the recipients. We have done our job in terms of sending the bill out to people that we know are interested, as we do with any other bill, but there is no masterminding of municipal objections to the bill. They're doing it all on their own. There is no masterminding of school boards objections to the bill, they're doing it all on their own.

Mr. Speaker, we feel that this bill, perhaps even more so than the bill that has already been suggested might be held up for inter-sessionary further study and refinement, could well be given the same treatment. Mr. Speaker, we have, among other things, a group still set up, hasn't reported to this House, that's in search of a land policy in Manitoba. Now the very essence of the major portion of the planning bill before us has to do with land use, has to do with control of the urban sprawl; what do we do in rural Manitoba in terms of planning out the proper use of our available land? Certainly if you read the whereases which set up this committee in search of a land policy in Manitoba, you know, it could well be suggested that the two should go in tandem, that we really can't plan our development in the province accurately unless we have come to grips with developing a land policy and a land use policy. I don't know, Mr. Speaker, whether we're putting the horse in front of the cart or the cart in front of the horse, I'm not prepared to say that, but I am saying to the honourable members of the government that it would probably make good sense to take a harder look at this particular bill, and if not, then, sir, to at least be prepared to consider in some way the concerns, the objections that have been voiced, the kind of blatant fear that has been expressed by members of the opposition about the authorities vested in the governments, particularly insofar as it relates to the membership of boards, powers and authority of the government with the removal and replacing of members of the board. If they were prepared to look at ways and means of strengthening the local position vis-a-vis the overall planning of their future development at committee stage of this bill, then, Mr. Speaker, I must confess to you, and the honourable members of the government, that we would simply be hard-pressed not to take a very hard look at the bill from the point of view of wishing or wanting to support it.

But, sir, the cavalier attitude this government has shown towards local authority and local control, where it has existed otherwise, duly existed, in a legitimate form, leads us to

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(MR. ENNS cont'd) . . . . take the position that we've taken today on the bill, that it's the kind of authority asked for by this government, by these people, that we are most reluctant to give. The Minister snorts, "these people", and sir, he should because that is an offensive phrase too - just about as offensive as when somebody said for him that he will only let the right people vote, he'll only have democracy if the right people get elected. That, Mr. Speaker, I'll not allow this government to forget. I'll not allow the people of Manitoba to forget come the next election.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 30 students, Grade 7 and 8 standing, of the Rosenort School under the direction of Mr. Hiebert. This school is in the constituency of the Honourable Member for Morris.

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MR. SPEAKER: The Honourable Minister of Labour.--(Interjection)--The Honourable Member for Ste. Rose.

MR. A. R. (Pete) ADAM (Ste. Rose): Would the honourable member entertain a question on his remarks? He mentions how undemocratic the Milk Board is at the present time because it is not elected and is appointed. Could he advise when he was a member of the previous administration and they set up the Hog Marketing Commission, were those members appointed by the government or were they elected by the producers?

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Speaker, glad to answer that question on two counts. Firstly, not a single hog producer had to deal with Hog Board. It was a voluntary board. He must understand that.

Secondly, we were bound by resolution of this House, by resolution of this House that within a period of time, if any change was to be made, to make it compulsory that there should be a vote held among the producers. This government then took over, they made it compulsory, and there was no vote held. There was no vote held. One of the reasons why the resolution was introduced, and one of the reasons why the resolution was introduced by your First Minister at that time, sitting in opposition, sitting in opposition, they gave us permission to set up the voluntary Hog Marketing Board on the basis that within a specified period of time there should be a referendum held among the hog producers as to whether to make that into a compulsory Hog Marketing Board. But again, it's a funny attitude that this government displays. When they're in opposition, they want votes on everything. You know, the beef producers of this province, they wanted a 10 or 15 cent checkoff to promote their own beef industry. This government then insisted there had to be a vote because they were opposed to it. In fact, they went out and actively worked in opposition to it. The Milk Control Board - they want a plan, but the Milk Control Board can't have a vote on it. Any more stupid questions?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, possibly I should not take part in this debate because of the fact that the Honourable Member for Lakeside supports the bill almost in totality, and has indicated to us that if his Party were in power, the chances are that they would be introducing similar legislation, and then, and then he goes on to chastise the government for introducing such a bill, and suggests that possibly there hasn't been sufficient involvement with municipal councils and municipalities in consultation with this bill. I've never heard in my 22 years in this House such hogwash as I listened to this morning by the Honourable Member for Lakeside. And I appreciate the honourable member doesn't like socialists.

MR. ENNS: No, I don't like socialists.

MR. PAULLEY: He doesn't like socialists - and really, Mr. Speaker, I don't like fascists. And I sometimes question whether some of the members of the Assembly in debate lose sight of the fact that there are differences between socialists and fascists. Hear my honourable friend this morning in discussing Bill 44 - with side references now and again to the bill itself - other as I'm saying, while we support the bill, or I support the bill, but I don't support the government. Well, of course, I'm democratic enough to realize and appreciate

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(MR. PAULLEY cont'd) . . . . the fact that the honourable member does not support this government. But the majority of the people of Manitoba do, including, including many municipal people.

MR. F. JOHNSTON: No, not for this bill.

MR. PAULLEY: Not for this bill. Now my goodness gracious, Mr. Speaker, of all the poppycock, that utterance of the Honourable Member for Sturgeon Creek must be the most poppycockish remark that I've heard this year.

MR. F. JOHNSTON: It's a rural bill.

MR. PAULLEY: He talks that we haven't got support for this bill. I say to my honourable friend that when I became a member of this House in 1953, we had a report of the then Liberal Party administrative appointment of a commission to look into the matter dealing with municipalities and a re-division of Manitoba or recommendations thereof - and one of the most important statements contained in that report of the Royal Commission of 1952 was the need for proper planning at the municipal level in the Province of Manitoba. Following that, we've had half a dozen different Royal Commissions or commissions looking into the question of planning in the Province of Manitoba. It's not until this government, with this bill, produced a different approach taking into account the needs and desires of all municipalities, not rural alone, that we've had this bill.

. . . . continued on next page

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(MR. PAULLEY cont'd)

My honourable friend, the Member for Lakeside, has said that it is the duty of the opposition to oppose. Of course that is historically so, but it's also the duty in my opinion, Mr. Speaker, for the opposition to oppose on the basis of some sound principle, and I haven't heard any of that from the members opposite who have taken part in this debate. They see and hear an opportunity to politicalize and to try and condemn this government for producing something constructive for the citizens and the municipalities of the Province of Manitoba. I don't know where the Honourable Member for Lakeside seeks his information. I wonder how much real detailed consideration the member has given to the content of the bill. All throughout the bill, as I read and understand the bill, there are provisions for majority involvement, even on the Planning Board itself, of one representative of government and one from each of the municipalities that will be in the district to be set up to consider planning. Is not that democratic? Merely because of the fact that there are other clauses in there dealing that when a local councillor is no longer on a local council, he no longer sits on the board; dealing there when certain circumstances might occur that by Order-in-Council the board can be changed? Is that not democracy in action? Are we, who happen to be on the Treasury Benches or members of the Cabinet, responsible to our electors as we are responsible in this House?

I don't object, Mr. Speaker, to the Honourable Member for Lakeside being less than flattering to myself as a member of the Treasury Bench; that is his prerogative, and I do not deny it. But when my honourable friend attacks the government for a bill that he supports, then I almost come to the conclusion that I must attack his mentality. How can a man in any conscience at all have the gall - as I would call it - to say that the only thing wrong with the Act is that it's being forwarded by this government instead of that bunch over there, who had the opportunity for 10 years in office to bring out of an area of chaos the lack of planning in the municipalities and across the whole of the Province of Manitoba and did little or nothing about it except set up one or two commissions that did recommend, particularly insofar as Metro Winnipeg, some asinine recommendations. But that was all right, because they were the government of the day. And it was wrong for those of us who were in Opposition at that time to tell the government accordingly. Well we did tell the government, Mr. Speaker, of that day accordingly. And then we went out to the hustings and told the people of Manitoba accordingly, and the net result was a transfer from one side to the other of the Conservative Party, and our party came over here.

We're attempting to do something in the area of planning. I frankly will admit that there may be some areas contained within the bill that may be objectionable to some of the municipal people, may be objectionable in some slight way to the members of the Opposition. But one of the processes that we have in our democracy - or that we pride ourselves on, Mr. Speaker - is the opportunity of people to be heard. As an ex-municipal person, I can appreciate the fact that after second reading of this bill, it will go into the committee stage where the people can be heard. Simply . . . Pardon? --(Interjection)--

Well, my honourable friend the Member for Portage la Prairie refers to one o'clock in the morning. I don't recall having sat that long, this year at least. But I do recall, I do recall, Mr. Speaker, while in opposition, this House with the democrats in power - you know, the democrats, namely, the Conservatives - that we sat on bills until 3:00, 3:30 in the morning. And my honourable friend for Portage la Prairie, I'm sure will recall, that even the then Leader of the New Democratic party found it desirable and necessary to don a nightcap, but he wasn't asleep. He was aware of what the government of that day were attempting to do, and they failed; they failed miserably. They failed miserably in government just as they're failing miserably in Opposition. How in heaven's name can the former Deputy Leader of the party stand up in this House and say, we support the bill - or he supports the bill in general, but because this government is introducing something worthwhile, he's going to oppose it! What nonsense.

One of the statements made by my honourable friend the Member for Lakeside, the Act is not all that bad, but it questions the power given to the present government. What's the alternative, Mr. Speaker, to power being given to a democratically elected government, other than a fascist type of government - which I reject. I don't know if that was what my honourable friend was suggesting that we should have, but certainly by inference as contrary to his concept of we being socialists, of his concept of the rights and obligations under government, certainly

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(MR. PAULLEY cont'd) . . . do not jibe with mine. My honourable friend said that the duty of opposition is to oppose. But sometimes even individuals in opposition are placed in peculiar situations. Well, Mr. Speaker, I think that holds true of my honourable friend the Member for Lakeside. What an awkward position for the previous Deputy Leader of the Official Opposition, to be placed in a position where he agrees with something but he's in a peculiar situation and he has to get up and in general oppose for the sake of opposing. Now maybe this is the reason that the honourable member is no longer the Deputy Leader of the Opposition, because he was just trying to lead himself, I think, and some of his colleagues up a garden path. But the garden path, Mr. Speaker, I would suggest, I would suggest that the garden path contained thistles and hawthorne barbs by the millions. And in the final analysis, what the honourable member stated, I think, indicates his lack of the true concept of a democracy.

A moment ago, Mr. Speaker, reference was made to speed-up and the question of late sittings by my honourable friend, the Member for Portage la Prairie. I wonder if he recalls that on Friday, the 24th of May in 1938 at 9:30 a. m. in the morning, after the committee had met until about 3 or 4 o'clock in the morning, the then Attorney-General, the Honourable Sterling Lyon, reporting from the Standing Committee on Law Amendments, named out 37 bills. At 9:30 - were reported from the committee at 9:30 in the morning, after we had sat until about 3 o'clock that same morning. Is this democracy? Is this what my honourable member is suggesting, my friend from Portage? I'm sure that he's not. And here again, Mr. Speaker - while my honourable friend opposite was bellowing, I never interjected once. I never interjected while the Honourable Member for Lakeside was speaking. --(Interjection)-- You are sorry. You should be, because your interjections are indicative of the irresponsible attitude of the Opposition to constructive legislation. --(Interjection)-- Yes, it may be slaps on the wrists, Mr. Speaker. Maybe the slap could be directed elsewhere and a little more firmly, in order to educate my honourable friend in the true democratic processes, rather than the inclination of my honourable friend, which appeared to be more fascist in nature than we are used to here in this Assembly.

As we read the bill, Mr. Speaker, the Planning Bill, I made reference to a commission, I believe, that was headed by the former, the late Deputy Minister of Municipal Affairs, Murray Fisher - headed this commission, which was made up of representatives of the then Campbell administration and representatives of the Union of Manitoba Municipalities to consider all aspects dealing with municipal affairs, including the important matter of planning within municipalities, the same as this Act does. What happened? Nothing of any concrete nature. There were suggestions of reorganization on a district basis of many of the municipalities in the Province of Manitoba under a Liberal Government at that particular time. That takes us back to 1953. Now 1975, the first concrete suggestions made on a democratic basis of changing the Planning Act of the province, which will be done, and it will be done in consultation with municipal people. And then following that, we had another look, as I indicated a moment or two ago, of the change of the make-up in Metropolitan Winnipeg, government planning there was also very important. Who headed that commission? A former Minister of the Crown, Bob Smellie, a Minister of the Conservative Crown. Now if you don't call that politicalizing commissions and appointments, by Jiminy Christmas, I suppose that I've been in here all these years with my eyes shut. And so it goes on and on and on. I say to my honourable friend and my honourable friends opposite, government has its responsibilities and its duties and its obligations. One of them as contained within the provisions of this Act, Mr. Speaker, I suggest is to bring a little order out of chaos insofar as planning within municipalities is concerned.

When I was Mayor of my little community of Transcona, that was one of the problems we had at that time. There was no uniformity. There was no real co-operation between the municipalities within the province. This bill gives an opportunity for the establishing of districts with democratic representatives of the elected people to get together to plan for the present, and also to make provisions for the future. Sure, some of my friends opposite, as I say, may have some objections to this content. I haven't heard any of my local councillors come down to see me to object either to the principle of planning or to the concept of this bill. I say that if we're going to be democratic, let us allow the people to be heard through this bill going to second reading. Let the Conservatives oppose progress. They've been doing it historically ever since there was a Conservative Party in the Province of Manitoba. And the

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(MR. PAULLEY cont'd) . . . Honourable Member for Lakeside with his introduction of garbage, I think gives an indication of what I am saying is so correct, because we've been so used to garbage from that side of the House since 1969 that it's become the order of the day for the Conservative Party in Manitoba. They'll oppose anything that is constructive, without offering anything constructive to take the place. I've yet to hear on this long debate that has taken place on this bill, I've yet to hear one constructive proposition from the Conservative Opposition. --(Interjection)-- You're going to give it to us. Right. My honourable friend from Portage la Prairie says he's going to talk constructively, Mr. Speaker, and I welcome that, because in all of the debates that I've heard so far from members of the Conservative Party, it's been destructive, but we support the contents of the bill. What a position for a once responsible party in Manitoba to take. And I say once, not only advisedly, but because it's so true.

The Honourable Member for Lakeside referred to our White Paper on the Guidelines of the Seventies as a government document. Well, Mr. Speaker, even in my archives today, I have gathering dust many guidelines for the future that came out of the pens of the supporters or the research people of the Conservative Party. Great plans for the development of Manitoba. Books this high, of recommendations made to the Conservative Party when they were in power and it was window dressing then, just as I suggest that what we heard from the Member from Lakeside was window dressing today. The difference being however, Mr. Speaker, we are attempting to do something constructive about it. There are provisions in this Act, I suggest, for full consultation with the municipalities. And there's something else in this Act that I note. That the Act itself will only come into effect on proclamation, in order to give time for the municipalities and for those who are going to be concerned with the research into the operation. To give them time and an opportunity to set their houses in order, so that order may be the factor rather than the type of guff that we've previously obtained from the Conservative government.

I say to my honourable friends opposite - sure, we're not perfect in our legislation, there's no question or doubt about it. That's why bills are introduced. That's why they go into committee for consideration, and to hear people. Not until three or four o'clock in the morning - it might happen yet, we don't know when we're going to get into here, but it hasn't happened. The latest hour I ever sat, however, I must confess, was when we were government and we sat until 7 o'clock in the morning before the House was dissolved prior to the last election. I remember that well. I didn't have my nightcap with me or else I'd have put it on, even though I was a member of government.

The fact of the matter though, Mr. Speaker, is that here we have a bill that gives to the municipalities - it gives to the people of Manitoba an opportunity of putting house in order. And there we have a government - or at least a party who at one time was the government, who says we like the bill - or their former deputy leader says, we like the bill, we like everything about it; or, practically speaking, everything about it, but we don't like the fact that you of the New Democratic Party government are introducing the same in this Assembly. They had their chance, they failed. The electorate of Manitoba had their chance, and they put this government in the seat of government - and we are attempting to be constructive, and not destructive. And no municipality, I am convinced, Mr. Speaker, will suffer as a result of the application of the contents of Bill 44. So I suggest to my honourable friend from Lakeside that he takes a look at the bill, stops window dressing, takes a look at the provisions in the bill - and he will find, as I find when I look into the contents, democracy in action, not fascism.

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

MR. GORDON JOHNSTON: Well, Mr. Speaker, I really hadn't intended to speak on this bill until I received some communication from some administrators who would be concerned with trying to make the legislation work. So I began to take an interest, and I listened with interest, particularly today to the speech from the Member for Lakeside and then the speech from the Honourable Minister of Labour. And while we have spelled out the fascist and the socialist position on the bill, I don't know, I still didn't get that much as to how either one of them expected to have the bill work in the manner in which, I suppose, the drafters hope it will work. But let me say at the outset, Mr. Speaker, that this bill, I guess, is one of the more important ones of the session, and it's very surprising that the Minister who introduced

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(MR. G. JOHNSTON cont'd) . . . . the bill couldn't arrange his business, that he should be here to hear the comments . . . --(Interjection)-- Well, yes we did. --(Interjection)-- No, I didn't, this is my first opportunity. But I suggest to you that a bill of this importance, the Minister should be in attendance all the way through, to take note of what is said, so that he can give the answers when he closes debate. Well, I know I'm angering the House Leader, but that's fine with me. I'm stating what I think, that it is an important bill and the Minister should be in his seat to guide it through the House. The Hansard is a week late. He's not going to know what was said by members on this side, or even on the opposite side.

MR. GREEN: Mr. Speaker, on a matter of privilege.

MR. SPEAKER: The Honourable Minister state his matter of privilege.

MR. GREEN: I am now going to require honourable members to speak when the Minister is in his chair, and not permit adjournments. This bill was adjourned for 20 days, and the Minister was here. Now you just see. . . that's what's going to happen.

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

MR. GORDON JOHNSTON: Well, I think the Minister of Labour wouldn't exactly appreciate that comment. That's not socialism, that's dictatorship.

MR. GREEN: No.

MR. GORDON JOHNSTON: It is. But I say, Mr. Speaker, in addressing myself to the bill, that for many years now I'm sure governments of different political stripes in this House have really been concerned about doing something about the smaller local governments in the province. In speaking to the Member for Souris-Lansdowne, he tells me that his municipality is, I believe he said four townships.

MR. McKELLAR: No, six.

MR. GORDON JOHNSTON: Six townships. So that's an average of about a little over 200 square miles. Well, with the modern communications we have now - better highways, better communications and so on - the small municipalities are not serving the purpose that they once did, keeping local government close to the people and so on. So I'm suggesting that if it can be shown that it is more advantageous to the taxpayers on a dollars and cents basis to go into some form of regional government, then government has the responsibility to look at it, to prepare a plan, take it out to the people affected, let them examine it, and then let them have some sort of a referendum to see if this is better and would they like it.

This bill, Mr. Speaker - I think it was mentioned by the Member for Fort Rouge - is a planners bill, it's not a people's bill at all. It's been developed by planners, it's being pushed down, and it will affect the lives of people if it's implemented in its present form. And I'm sure that many of the councillors who have had general discussions with members of the government about the proposals will be quite concerned when they see how they're going to have to work to implement the bill. And I'm talking about the co-operation between the Planning Board and the municipalities. I think that they will find that there's going to be a great deal of difficulties. There'll be found, if the bill goes through in its present form, there's going to be a clash between different acts of this government. And I would like to point out some of the areas where there is concern by people who will be required to work with this legislation.

We note in the bill that the Minister may make grants to any organizations engaged in or constituted for the purpose of carrying out programs of participation and planning. The Minister in his explanation of the Act has stated that grants will be available to municipalities who adopt planning schemes under the new bill. The concern seen at the present time, of any form of a grant on an ongoing basis by the provincial government to institute municipal programs, has the end result of escalating the municipal portion over the years, while the provincial government grants remains reasonably static. We've seen a number of these programs, primarily in education, where the grant system has fallen well behind the escalating costs of the program, with the result that the cost to the municipality has escalated far beyond that share of the provincial government.

Is it the intention of the provincial government to assist the municipalities in their attempts at planning? And if so, it appears that this is the intention of the government. Any system of grants should be laid out in writing, so that it can be referred to in the future, and the intentions of the provincial government be laid before the municipalities affected. The problems of the education type can be looked at, and with an overview what was intended by the government in the first place. Now the criteria for obtaining these grants should also be

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(MR. GORDON JOHNSTON cont'd) . . . either as a percentage figure or a dollar figure, and how it relates to the size and scope of both the planning schemes - the number of municipalities involved, and the size, the population and the assessment of the municipalities concerned. It must be borne in mind that in the Minnedosa area, four municipalities could constitute a planning district. It would be smaller in size, population and assessment than, say, the R. M. of Portage, or the City of Portage or the City of Brandon.

The methods of funding the planning districts also give cause for concern. There appears to be various sections as to how the planning districts will be financed, of which Section 15, sub-section 1, is one. And it states that the Order-in-Council will prescribe the proportion in which the funds are to be contributed to the districts by the municipalities and by the government to meet the expenses of the district board - shall be shared by the municipalities on the basis of equalized assessments, subject to financial assistance received from the provincial government on the Minister's terms, or however the Minister may determine. We see no place in the Act where the planning district has authority to levy moneys against a municipality. And this may be a technical error, I don't know. And that, in fact, it is the intention of the government that the planning districts be given authority to levy on a municipality. However, if this is so, there appears to be no limitations on the levying on the municipality for the purposes of the planning district's board.

And we can make several points here. The Act provides for the employment of some staff and probably for the payment of other expenses of the planning district. And while the method of sharing the expenses laid out in the Act, the Minister may prescribe the portions in which the funds could be contributed under Section 15. The authority to levy and the limitations are open to question. If there is authority in Bill 44 for levying on municipalities, it should be most clear as to whether there is a limitation to this levying in the same fashion as other bills. For example, the Watersheds Act and the Municipal Act. If a maximum is prescribed in the regulations or the Act as to the limit, it should be most clear whether the Minister has the authority whether to exceed the amounts laid out in either the Act or the regulations. This statement is made in light of the fact that the Municipal Act limits municipalities to 35 mills - in effect, this has become redundant inasmuch as the Minister authorizes all expenditures, whether they're over the limitation or otherwise.

Another point. With respect to capital expenditures and the method of raising moneys to accommodate them, Section 23 gives some cause for concern. The general powers of the board allow it to acquire property as it considers advisable, keeping in mind Section 35, that the acquisition may be by gift, purchase or expropriation; and may be sold, leased or otherwise disposed of when no longer required.

Now, another section authorizes expenditure of the funds for any of the purposes of the board. And these powers raise the question as to whether a planning district can obligate a municipality or a group of municipalities in the planning district for the capital expenditures beyond the ability of the district, or the municipality, to handle. Or, alternatively, whether land holdings could be purchased and acquired in one municipality and paid for by the group. If it is not paid by the group of municipalities, it necessarily follows that the debt will then belong to the specific municipality in which the property is acquired. And this in fact would give an additional, non-municipal board the authority to create a debt on a municipality by a body apart from the elected council. This could further be aggravated by the fact that one member of the board of the planning district shall be a person employed by the government. And this person could be a voting member with no responsibility to the municipality.

The powers given to the Planning District Board are sufficiently broad that they come into direct conflict with the powers given to the councils, and with no revision in the Municipal Act to take the powers away. Among the authorities are the establishment - and this is of a district planning board - among the authorities are the establishment of transportation systems, utility systems, recreational facilities, which could include arenas and recreational complexes, and building and maintaining of housing systems; the administration and the enforcement of zoning by-laws and building by-laws, where the board is responsible for the administration and the enforcement of a building by-law passed by a council. And this is in direct conflict with the way things are done now in the municipalities. So, all I'm saying, Mr. Speaker, is that the planners haven't taken into account the clash of authorities under the Municipal Act and under this Act. And it's going to make it extremely difficult to work. And I said before,

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(MR. GORDON JOHNSTON cont'd) . . . . if the government has the idea that they would like to bring about some form of regional government, then I think it should be done with some consultation, with a view to holding a vote sometime or someday after it has been discussed, on the forming of larger regional units in the Province of Manitoba. Because this intertwining of two bodies dealing with one level of government, in my opinion, just won't work - and it will cause a lot of confusion, a lot of delay, and eventually the government will have to face up to the fact that they can't use two laws and two bodies to govern and work with one group of people.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I wanted to say just a few words on this bill. I haven't spoken on it up to this point, but I've been . . .

MR. GREEN: Mr. Speaker, does the honourable member wish to do it now or does he wish to call it 12:30? If you're only going to be a few minutes . . .

MR. CRAIK: I'll only be a few minutes, Mr. Speaker. I don't wish to hold up the vote on it. I think we should deal with the thing now; most of the topics have been covered. But first of all, I want to say that it's difficult to vote against a planning bill, particularly since, in principle, we recognize the need for it. And particularly for some of us who have been involved, and saw that originally the Conservative Party brought in the principle of metropolitan government, mainly to bring about planning in the urban area of Winnipeg - and the Metropolitan government, after it was established, made that its principal thrust. And apart from the conflict that existed in the personalities between the City of Winnipeg and Metro, the municipalities welcomed the planning capability that Metro brought - and the school boards welcomed the planning that was brought about by Metro so that they could do their future projections - and by and large, people lived by it. And the extension of a planning capability to the rural areas of Manitoba is desirable as well. To a certain extent, that already exists. You have a number of municipalities that are already working together with the planning authority.

But the problem is that the Planning Act before us is, as it's been stated, is a planners' bill and not a people's bill - and the nature of municipal government in the rural areas of Manitoba is quite different than it is in the urban area. And the Boundaries Commission which addressed itself principally to - as referred to by the Minister of Mines and Natural Resources - dedicated and directed itself more to rationalizing the boundaries from the point of view of regional educational structures. --(Interjection)-- Well, their principal work was in the area of designing boundaries to suit changes in the educational structure -and in the development of regional vocational schools came into it as well, but their main thrust was principally in the field of education. And the things that had to be dealt with there are different than those in municipal government. The problems dealt with in education were the problems of exposing, being able to expose the student population to sufficient latitude of teaching capability, and there was a driving force to see that then that the regional system came in.

But under municipal government, there is a difference. You know, the rationalization there applied are economies of scale for equipment and personnel and so on, but they're entirely different than the forces that brought about regionalization for education. And I don't think that there's nearly as much justification for regionalization of municipalities as there was for education. In fact, I think that you'll find that if you take the time to study - I know the planners love it - but soon as you start developing a larger geographical structure, you take away the input of the elected people, and there's no way that you don't. You can lay out these things from the point of view of theory, but I've had to work with bodies in other provinces, and I can tell you that when you get a group of planners together, they'll manipulate a group of elected people all the way to the railroad station -because the elected people come down, they'll sit down and they'll decide certain things and they'll present certain points of view, but they go back home the next day and they don't come back for a month or two weeks, and in-between the people that are there full time take over.

I think you have to build in safeguards to make sure that you have checks and balances, and those aren't in that bill. The checks and balances are the most important thing. You have to retain that to make sure that your planning and your people representation remain in equal sort of a position. Now when you make it bigger, when you make your regions bigger and you

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(MR. CRAIK cont'd) . . . do away with your smaller councils, that's one step towards losing some of that input on the people's side. But when you also write a bill that gives you a pyramid structure of power from the Minister down through, that's the second step. And you add the two together, and then you've got a problem of it being too rich on the one side of the equation, and that's what we find is the difficulty with the bill. It's not balanced. So it's bad enough in that respect, that with some difficulty, we can't support it. And it's not because we don't want planning; we think that planning is necessary and that to a certain extent planning is working already in the province. But we think the bill, as has been stated here, is a planners' bill and not a people's bill - and that a good deal of input, more than what has been done so far, is required before this should get put into law. Mr. Speaker, I think there is a couple more comments, so I will yield to the floor.

MR. SPEAKER: The hour being 12:30, the House is now adjourned and stands adjourned until 2:30 this afternoon.