

THE LEGISLATIVE ASSEMBLY OF MANITOBA
10:00 o'clock, Friday, May 30, 1975

Opening Prayer by Mr. Speaker.

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 24 students, Grades 1 to 8 standing, of the Cold Lake, Sherridon, Manitoba, School. These students are under the direction of Mr. Graham and Miss Dube. This school is located in the constituency of the Honourable Member for Flin Flon.

On behalf of all the honourable members, I welcome you here this morning.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements or Tabling of Reports; Notices of Motion; Introduction of Bills. The Honourable First Minister.

INTRODUCTION OF BILLS

HON. EDWARD SCHREYER (Premier)(Rossmere) introduced Bill No. 61, and Act to amend The Financial Administration Act (2). (Recommended by His Honour the Lieutenant-Governor)

MR. SCHREYER introduced Bill No. 63, an Act to amend The Income Tax Act (Manitoba) (Recommended by His Honour the Lieutenant-Governor)

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster), in the absence of the Attorney-General, introduced Bill No. 62, the Statute Law Amendment Act (1975).

ORAL QUESTIONS

MR. SPEAKER: Questions. The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Official Opposition) (River Heights): Mr. Speaker, my question is to the First Minister. I wonder if he can indicate whether there is any additional information available now as to when the First Ministers will be meeting with the Prime Minister prior to the Budget in June?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, it is a rather unusual circumstance in that there is emphatic indication - or shall I say definitive indication - that a meeting is to be held, but no indication as to precisely when, except that designs are that it will be some time in June. And it hasn't been more precise than that.

MR. SPIVAK: I wonder if the First Minister can indicate whether his officials have had, or the government has had discussions with the Federal Government with respect to energy prices, some preliminary consultation prior to such a need.

MR. SCHREYER: The answer is yes, Mr. Speaker. And really, the liaison in that respect has been coming through two channels with respect to this very specific matter raised by the Honourable Leader of the Opposition. One is through the Department of Energy, Mines and Resources, as might be expected, and the other is through the Privy Council office. The answer is yes, there have been meetings involving officials of the Crown in the right of Manitoba.

MR. SPIVAK: Well I wonder if the First Minister can indicate whether it's contemplated that the pricing with respect to energy matters would be settled prior to the announcement of the Federal Budget, whether there has been any indication that we are dovetailing both in terms of timing or not.

MR. SCHREYER: Well, Mr. Speaker, that's certainly the assumption of a good many of us. On the other hand, I can indicate to the Honourable Leader of the Opposition, for example, that the Federal Minister of Finance has changed the date of the Federal Budget so that it would come subsequent to any such meeting, because there was a change in the initial sequence of all this. So that therefore I am assuming that the Government of Canada is assuming that this meeting on energy pricing will take place, still take place, before the Federal Budget date. I can't be more specific since I am not the convenor of the meeting.

ORAL QUESTIONS

MR. SPIVAK: Mr. Speaker, my question is to the Attorney-General. I wonder if he can indicate whether the RCMP have completed their report in connection with Schmidt Cartage.

MR. SPEAKER: The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General) (Selkirk): No, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I have a question for the First Minister. Can the First Minister indicate to the House if he had any negotiations or discussions with the Federal Government in respect to grants for teaching of languages in the Province of Manitoba?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: If the question is, have I had such discussions, the answer is no, not in recent years. I'm a little puzzled by the question. My assumption has been that federal policy has been pursued for several years now in that regard. I'm not aware that there's been any particular problem and therefore any need for revision in either federal or provincial policy in that regard.

MR. PATRICK: I have another question for the First Minister. Is the Provincial Government participating in a national secretariat to study the long-range energy problem as recommended by the Energy Council of Canada?

MR. SCHREYER: Well, Mr. Speaker, no such - I look at my colleague the Chairman of the Energy Council, but it is my rather clear impression that no such national secretariat exists as yet, and that there is, however, liaison federal-provincial and it is taking place primarily through the mechanism of the, not the National Energy Board so much but the Department of Energy, Mines and Resources (Ottawa), the Manitoba Energy Council, and other provincial mechanisms in other provinces.

MR. SPEAKER: The Honourable Minister of Education.

HON. BEN HANUSCHAK (Minister of Education) (Burrows): Mr. Speaker, I thought that the Honourable Member for Assiniboia was going to ask a supplementary question to the first which he had put to the First Minister, but in response to federal grants for the teaching of a second official language in Manitoba, there is federal assistance on the formula basis for both the French Immersion Program and the teaching of French as a second language, and also assistance in the development and the establishment of the Francaise Program in our province. As a matter of fact, just a matter of moments ago the Honourable Hugh Faulkner, the Secretary of State, made an announcement to that effect, announcing the federal support for this program.

MR. PATRICK: Had the Minister any communication with respect to the teaching of other languages besides French and . . . ?

MR. HANUSCHAK: Well, Mr. Speaker, in meeting with the Honourable Mr. Faulkner this morning, I believe the Honourable Member for Assiniboia would know that his responsibility is in the area of bilingualism and does not extend to other languages, so therefore I did not discuss the teaching of languages other than English and French with him.

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

HON. RENE TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Mr. Speaker, being Minister responsible for cultural development, there is sharing between the federal Minister, Secretary of State Mr. Faulkner, and my department for that purpose.

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

ORDERS OF THE DAY - ORDERS FOR RETURN

MR. GREEN: Mr. Speaker, I would propose to deal with the Adjourned Debates on Second Readings in the order in which they stand on the Order Paper.

MR. SPEAKER: Thank you. The Honourable Member for Sturgeon Creek.

MR. J. FRANK JOHNSTON (Sturgeon Creek): By leave, Mr. Speaker, in the absence of the Member from Charleswood, I would like to move, seconded by the Member for Morris, that an Order of the House do issue for a Return showing:

(1) Total amount of money spent for the operation of Gimli Industrial Park from the time of the provincial takeover from the Federal Government to date;

(2) A amount of money spent on capital projects from the time of the takeover to date;

ORDERS FOR RETURN

(MR. F. JOHNSTON cont'd)

(3) Annual rent for 1974 received from the following:

Alwest Marine, C. N. R., Dawsco Industries, Gimli Auto, Gooseland Decoy, Lake Winnipeg Boat Works, Misawa Homes, Ontario Central Airlines, Saunders Aircraft.

(4) A listing of other revenues and amounts derived from Gimli Industrial Park.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works) (Elmwood): Mr. Speaker, we're prepared to accept the order.

MOTION carried.

MR. SPEAKER: I believe we're going to take out a few moments for Royal Assent. Are they ready?

ROYAL ASSENT

DEPUTY SERGEANT-AT-ARMS: His Honour the Lieutenant Governor.

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

No. 18 - An Act to Authorize the Expenditure of Moneys for Capital Purposes and Authorize the Borrowing of the same.

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

GOVERNMENT BILLS

MR. SPEAKER: Adjourned debates on second reading. Bill No. 26. The Honourable Member for Birtle-Russell.

MR. HARRY GRAHAM (Birtle-Russell): Mr. Speaker, can I have this matter stand, please? (Agreed)

BILL NO. 40 - THE STATUTE LAW AMENDMENT (TAXATION) ACT (1975)

MR. SPEAKER: Bill No. 40. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Thank you, Mr. Speaker. Mr. Speaker, this morning, we have had first reading to Bill 61, an Act to amend the Financial Administration Act (2). Mr. Speaker, we also have under this bill, the Statute Law Amendment (Taxation) Act, we find numerous references throughout the various sections, whether we're dealing with the gasoline tax or the gift tax or the mineral acreage tax, and you name all the various parts in it, where reference is made to the regulations under the Financial Administration Act. I have not had the time to study the regulations under the Financial Administration Act, and I would like to ask the First Minister now, as in his capacity as Minister of Finance, if, when he is closing debate on this particular thing, if he can explain to us whether this is indeed just a streamlining in administration to have all the various changes in the various Acts all come under the regulations of the Financial Administration Act or not. I would suspect that this is what it is, that it is a streamlining to expedite and to improve the internal workings of the department. And if that is the case, sir, then I would say that I agree wholeheartedly with that type of move, because today, sir, we're finding an increasingly complex bureaucracy, and there is a tendency under an increasingly complex bureaucracy, if there's a possibility to defer a decision because of something that occurs in another section, it has the tendency to slow things down. So if this is nothing more than streamlining, then I'm entirely in agreement with him. But I have not had the opportunity to fully examine the regulations under the Financial Administration Act. And secondly, because we have changes coming, really, sir, it's too early yet to assess what the implications will be, because we do have the first reading now of the Act to amend The Financial Administration Act.

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(MR. GRAHAM cont'd)

However, Mr. Speaker, my main point, I think, in rising in this debate at this particular time, and I think it bears repeating because it has been said before and I think it should be said again, that the people of Manitoba, at least the ones that I am familiar with - and here I have to take a little issue with the Minister of Mines and Natural Resources. You know, Mr. Speaker, he has on many occasions stated that he represents the people, and I'm paraphrasing and I'm sorry that the Minister's not here because I would want to be sure that I am correct in what he is saying. He says that he represents the people and if the people don't like his policies then they kick him out at the next election. I think he has made those types of statements on numerous occasions. But I'm not too sure that when he says he represents the people that in between elections he really listens to what the people say. I'm not too sure whether he does or not, and that he can only answer himself.

Well, sir, I also feel that I represent the people, and the people that I represent - at least a good portion of them - have expressed their concerns to me about this two-cent gasoline tax. And it was expressed, quite clearly I think, on February 11th by the Rural Municipality of Birtle when there was a Resolution passed - and I know the First Minister must have a copy of this - and that resolution says:

"WHEREAS when Autopac was incorporated we were led to believe that it would pay its own way without government subsidy; and

"WHEREAS we understand that the Government of Manitoba is going to impose a two-cent gasoline tax on motor fuel to help subsidize Autopac;

"NOW THEREFORE Council of the Rural Municipality of Birtle strongly oppose this method of obtaining revenue to subsidize Autopac, as it is unfair to rural Manitobans and contrary to promises made by Manitoba Government when Autopac was incorporated."

Well, sir, we had a debate the other day, and the Minister of Mines I believe was involved in it, and there were quotations from Hansard, and I don't want to take a great deal of time and repeat those. Now that resolution was also substantiated by similar resolutions from the Rural Municipality of Saskatchewan, Strathclair, Town of Russell, Town of Rapid City, the Local Government District of Park, and sir, these are all local government bodies in the area of Manitoba which I am most familiar with.

Well, Mr. Speaker, it wasn't too long after that resolution was forwarded to the government that the Minister responsible for the Manitoba Public Insurance Corporation replied to the Reeve of the Rural Municipality of Birtle, and I'm sure he has copies of the letter and there is adequate correspondence there. But for your information and for the information of other members of the House, I think, sir, it would be appropriate to read into the record what the Minister responsible for Autopac said to the Municipality of Birtle. And the letter is addressed to Mr. J. C. Ashcroft, Reeve of the Rural Municipality of Birtle, and it starts out:

"Dear Mr. Ashcroft: I refer to Resolution No. 2 passed by the Council of the Rural Municipality of Birtle on February 11, 1975, relating to the proposed gasoline insurance premium.

"I take strong exception to your allegations that the two-cent gasoline insurance assessment is a government subsidy to Autopac.

"The government has maintained its promise that Autopac will be self-supporting, and to date has not and will not divert any existing government funds to the insurance plan.

"Your criticism that the gasoline insurance premium is unfair to rural Manitobans is completely ill-informed and invalid.

"On the contrary, one of the fairest methods of assessing a premium to auto insurance is through a gasoline tax, for it is directly related to the amount of time that a particular vehicle is on the road, which in turn increases or decreases the possibility of that vehicle being involved in an accident."

And I want to stop right there for just a minute. That, sir, is the assessment of what constitutes a rift, in the opinion of the Minister responsible for the Public Insurance Corporation. I think that it is that type of ill-informed thinking, that irrational approach that the Minister takes, that causes the greatest concern in the Province of Manitoba about Autopac. But sir, I'll continue with the letter:

"The rationale for the collection of a portion of the insurance premium through a

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(MR. GRAHAM cont'd) gasoline tax is no different than the rationale which exists for assessing a higher premium on a motorist who uses his vehicle to drive to and from work, than one who utilizes the car for weekend driving only. The motorist who drives to and from work is more likely to be involved in an accident, because every time that person is on the road there's a possibility of an accident. The more miles he drives the greater the likelihood of being involved in an accident.

"So, in the final analysis, the motorist will pay a higher or lower gasoline insurance premium in direct proportion to the miles driven, and hence the probability of being involved in an accident."

He goes on further to say:

"Private insurance companies have acknowledged this concept, and for a number of years have incorporated this principle in their rating system. For instance, to qualify for the most inexpensive rating category under private insurance the car must not be driven more than 10,000 annually. Or a motorist who drives more than 10 miles each way to work pays a higher premium than those whose mileage to and from work is under 10 miles. In other words, private insurers also relate a premium to the amount of miles driven by a motorist.

"Autopac has retained the same insurance principle and will achieve the same results through the gasoline insurance premiums."

And then, sir, he ends up by saying: "Frankly, I am amazed and disappointed that such an irresponsible resolution was passed by a body which is supposed to act in a responsible manner. I trust that this letter will be taken up at your next Council meeting. Sincerely, Bill Uruski, Minister responsible for the Manitoba Public Insurance Corporation."

Well, Mr. Speaker, the letter was taken up by the municipality at its next Council meeting, and they turned around and replied to the letter when the Minister invited a reply. Here is the answer:

"To the Honourable Bill Uruski, Minister responsible for the Manitoba Public Insurance Corporation. Dear Sir: With reference to your letter of February 27, 1975, the Rural Municipality of Birtle would like to take strong exception to the reasoning contained within it and the tone in which it was written.

"In the second paragraph of that letter, you state that you take strong exception to the allegation that the two-cent motor fuel insurance assessment is a government subsidy of Autopac. You state that the government has maintained its promise that Autopac will be self-supporting, and to date has not and will not divert any existing government funds into the insurance plan. The inference we draw from this paragraph is that if a fund is created through provincial taxation which is not an existing fund, and the fund is used to support Autopac, that this is not government support of Autopac but an example of Autopac being self-sufficient.

"If the two-cent tax is an example of Autopac's self-sufficiency, why doesn't Autopac levy the tax? Obviously it doesn't because it lacks taxing powers. It is our position that the two-cent tax can be regarded as nothing other than an example of the government using its taxing powers and diverting money raised from tax revenue to support Autopac.

"You state that the criticism of the insurance premium as unfair to rural Manitobans was completely ill-informed and invalid. It is clear from studies of automobile accident frequency that volume of traffic has much more to do with the likelihood of any accident than the miles driven.

"We submit that a farmer driving 30 miles along a municipal road for his mail in the morning does not pose the sort of insurance risk as a person driving 30 miles in an urban centre. It is even more astonishing that you should regard this as equitable when Autopac rates themselves reflect this difference in risk between urban settings and rural.

"Furthermore, the tax will be passed on to the consumers of goods that are trucked into communities and rural areas by the trucking firms, raising an even further gap between consumer prices in Winnipeg and consumer prices in rural Manitoba.

"We are impressed that you should look to the private insurance industry as the justification for the levying of this tax. That practice we regard as laudable, for we feel that Autopac could learn a great deal from the practice of private insurance companies. The private insurance companies, however, reflect the question of mileage driven directly in the insurance premium, and we see no reason why this should not be done as well by Autopac.

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(MR. GRAHAM cont'd)

"We are astonished at the low tone of your parting comments and do not wish to demean ourselves by replying to them. Yours truly," and that is signed by the Secretary of the Municipality on behalf of the Council.

Well, Mr. Speaker, I think some of the points that were raised by the Council are indeed very very valid ones, and when a government, through a Minister responsible for Autopac, states that the premium should relate to the number of gallons of gasoline you burn, the number of miles you drive, that that is a higher insurance risk, I would submit to you, sir, that probably the exact reverse is the truth. I would say that the more miles you drive the less likelihood you will have an accident. I have found, sir, that those people who are professional drivers, the truck drivers, have relatively very few accidents, sir, in relationship to the total miles driven. Another point in that, sir, is that it is not the number of miles driven, it's the time of the day at which those miles are driven that also is important. There is much less likelihood of having an accident on Broadway, right in front here, at 6:15 in the evening, much less likelihood than there is at 4:15. So it is the frequency of vehicles and the concentration on that particular piece of road that is the area that creates the frequency or the high incidence or probability of an accident, and not the number of miles that's driven at all.

I know from my own personal point that if I leave home to drive to Winnipeg at 6 o'clock at night, it takes me half an hour longer than if I leave home at 11 o'clock at night to drive to Winnipeg. The same number of miles, but there are much fewer automobiles on the road and the traffic moves far more smoothly.

INTRODUCTION OF GUESTS

MR. SPEAKER: I wonder if the honourable member would give me a moment to interrupt.

We have in the gallery some 89 students of Grade 6 standing, of the Maple Leaf School, under the direction of Mrs. Hopko, Mrs. Boughton and Mrs. Vyse. This school is located in the constituency of the Honourable Member for Rossmere, the First Minister. On behalf of all the members, I welcome you here this morning.

The Honourable Member for Birtle-Russell.

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MR. GRAHAM: Well, Mr. Speaker, I don't want to continue too much longer, but I do want to point out one thing, and that is there is a difference in philosophy and there's a difference in practice between members on the other side of the House and members on this side of the House. And when the Minister for Mines and Natural Resources and the House Leader states that he represents the people, and the policies that he brings forth should be the policies of the people, and if they don't like it then boot them out the next time around, that type of approach I think is consistent with most members on that side of the House. In other words, sir, it's a basic reluctance to listen to the views of the people - and I don't say that it exists with all members on that side of the House. I think there are some on that other side who do try and listen to the people, whereas on this side of the House I think the majority of the members do listen to the people and, if the people express their will, whether it be by Resolution of Council or what other, we then try and convey that feeling, the feeling of the people, to the members of the government. And sir, I suggest to you that the method that we use more closely reflects the feelings of the people of Manitoba than the attitude and the direction that is used by the government. And sir, I would suggest that they strongly listen to it.

When we bring forward what we think the people want, I think that we are more closely attuned to the feelings of the people than members on the opposite side of the House.

MR. SPEAKER: The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General) (Selkirk): Mr. Speaker, I've listened with interest to the comments by the Honourable Member for Birtle-Russell and I would like to only make some brief comments relating to some of the misinformation that has been enunciated in this House in connection with this particular issue. In particular I would like to relate to a comment that was made by the Leader of the Opposition.

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(MR. PAWLEY cont'd)

A statement was made by the Leader of the Opposition that it was indicated, when Autopac was formed back in 1971, that payment would be made in respect to automobile insurance in Manitoba by premiums only. Mr. Speaker, there was never any such statement. In fact I can recall exactly the reverse. I can recall after the report was issued in respect to automobile insurance, my being interviewed at that time being the Minister responsible for automobile insurance program that was being established, and indicated that I could foresee the development of the payment for automobile insurance in Manitoba by means of gasoline tax. I can recall that very clearly, to the extent that I can recall events which occurred after that: attacks which were launched by the Opposition; attacks which were launched by the insurance industry, and references that were made in the newspapers of the day to the fact that in fact the public plan might be paid by way of gasoline tax. And I can recall very well indicating at that time and basing it upon a very comprehensive report by the Wootton Commission studies in British Columbia that in fact the gasoline tax would be one of the fairest, most equitable means of paying for automobile insurance. Honourable Members appear to have a short memory if they forget that it was they, in fact, that responded at that time in a most irrational way to any consideration that part of the automobile insurance program in Manitoba would be paid by way of gasoline tax.

The Honourable Member for Birtle-Russell has referred to resolutions from municipalities. I received copies of those resolutions, but there was one note of peculiarity which I could not help but discern, and I look forward to having the opportunity to discuss this particular matter with the municipalities involved, because there was quite a peculiarity in the resolutions that were being forwarded to the Minister responsible for Autopac. And Mr. Speaker, that peculiarity was geographic. I believe every municipality that sent in a resolution was in the constituency of Birtle-Russell, or very very close to the boundaries, or adjacent to the boundaries of the constituency of Birtle-Russell. So I would assume, Mr. Speaker, that from listening, from the comments of the Birtle-Russell member when he waved the various resolutions, that in fact he was indicating that all the smart people, all the intelligent people in the municipal field in Manitoba, are located in the constituency of Birtle-Russell or within a very close radius, but nowhere else in Manitoba were there any municipal people that had the fortitude or the brilliance to discern that there was something terribly wrong with the method that was being developed in order to pay for automobile insurance.

Mr. Speaker, I can only interpret the remarks by the Honourable Member for Birtle-Russell, as he was completing his speech, as a direct and frontal attack upon the private insurance industry in Canada, and that's what it was, Mr. Speaker. Because he indicated that it was unfair and improper and incorrect to assume that premiums should be based upon mileage. He's indicated that it was incorrect to suggest that - in fact he indicated - he went further, Mr. Speaker, to indicate that one that drove more miles in fact was less susceptible to accidents than ones that drove less miles. He attacked that method of rating, rating proposals.

I'd like to indicate to the Honourable Member for Birtle-Russell, and I'm curious as to why just now the Honourable Member for Birtle-Russell has raised this as a basis of criticism, because the Insurance Bureau of Canada has, ever since the inception of that organization, charged for automobile insurance through the private sector by the mileage that the motorist operates his motor vehicle. Ever since the inception. And the Insurance Bureau of Canada is not a public agency or organization. It is not financed by the public sector. The Insurance Bureau of Canada is financed by the private insurance industry from one end of Canada to the other end of Canada, from east to west. So in fact what the Honourable Member for Birtle-Russell is saying this morning is that his friends in the insurance industry all across Canada are wrong; that they've been faulty; that they are charging for automobile insurance across Canada on an improper basis; that in fact the method by which they are using is unfair to motorists in Canada, and that motorists all across Canada are being gypped by the present . . . over that theme being charged by the insurance industry across Canada, because if the principle is incorrect in Manitoba that we charge according to mileage, then it's also incorrect whether it be in Alberta or Newfoundland or New Brunswick or Ontario, where, Mr. Speaker, the same method is being organized by the private insurance industry to charge for insurance; that we know that the private insurance industry charges according to the number of miles that

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(MR. PAWLEY cont'd) is driven. Ten thousand miles and more per year results in a higher charge for automobile insurance. If the motorist drives more than ten miles to and from work, he pays more. If a motorist drives more than 25 miles to and from work he pays more for his automobile insurance.

So what is this nonsense about mileage, Mr. Speaker, as being an unfair method? The fairest method for payment of automobile insurance is by a combination of relating it through usage of vehicle with a factor being introduced to relate the payment of that automobile insurance to the risk, which relates to the number of convictions the motorist has. And in fact the principle and the concept of Autopac is to assess additional costs upon a driver's permit based upon the number of demerit points that the motorist has obtained through convictions.

So I think, Mr. Speaker, that we can look with a certain degree of justification to the assessment of this charge based upon use, a charge that can be levied with a minimum of administrative costs, and which by the very principles that have been developed over the years by insurance, whether it be public or private or whether it be on the east coast or on the west coast, has introduced some levy based upon the usage of that vehicle.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I have a few comments to relate to this bill, which I think the First Minister described as a sort of an omnibus bill of some thirteen parts, with certain sections that I can support and the party can support and certain sections that we can't support. And I suspect that due to the hang-up of this type of a bill, that we likely will be voting against the bill in second reading, and the reasons are quite manifold, Mr. Speaker. The Member for Birtle-Russell laid out some ground work as reasons to why we should oppose it, and basically we represent the people in our constituency and when the people tell us that they are opposed to certain legislation, it's the right and I think the duty of members who represent those people to express their sentiments in this Chamber by words and by vote.

And Mr. Speaker, I can't help but go back to the days of Autopac and the sentiments of the First Minister who was presenting this bill to us at this particular stage. He made certain statements at that time that still haunt me and I'm sure they must haunt him. And I don't see how he can possibly bring this bill in with a clear and an honest conscience as the First Minister of this Province, and ask us now to support this legislation. Because, if you remember what the Honourable the First Minister said in those days, and I'll refresh the memories of the members opposite in case they have forgotten, he went on - the First Minister said in the debate, I think it's Page 3228 of Hansard - and he says, "because if this bill passes and if the corporation is set up, two years from now Auto Insurance will not be an issue any more." And here we have it before us in a bill, still an issue, looking for more money.

Now why didn't the First Minister tell us at that time that we would be expected to provide more funds for this monstrosity or whatever you want to describe this Public Insurance Corporation? He goes on; he says, "The Conservatives know!" - that's us guys over on this side, Mr. Speaker - "the Conservatives know that in two years of operation of this plan, the government will be able to run on the record of public auto insurance." Now that's not true. The government can't run. They're so ruddy scared of public insurance in this province. The people are scared and the government's running scared. That's the sentiments, that's the expression, Mr. Speaker, of the First Minister that I am reading, the Premier of this Province. Why couldn't he have been fair with the people at that time? Why can't he be fair with the people of the province right now in asking for more money? Why didn't he tell them in those days that it's going to cost you a lot more money than you're paying right now? And we're going to do it by levying a tax on your gasoline.

He goes on, Mr. Speaker, and he says, "If they're right, the people of Manitoba will use the democratic process at the next election to remove Public Auto Insurance." He says, "Let it work." Well we're sure letting it work, Mr. Speaker. And it's working to the discredit of us, to the discredit of the people, to the discredit of anybody that has any common sense about business. It's not working, and it won't work unless we provide this gas tax for you. It's not going to work. The whole thing has got to be scrapped and start over again, as the Member for Minnedosa said the other day. Put some new people in there that have some knowledge of business, have some idea of what the insurance industry is all about, and maybe it will work.

He goes on, Mr. Speaker, he says, "Let it work for a year or two and then if it's not

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(MR. McKENZIE cont'd) . . . working," - read this - "and then if it's not working, like all other human things, what has been done can be undone." And why is the First Minister making those statements on those days, and coming here now, rather than creating more problems for the people of this Province by more taxes, why can't we undo, as the First Minister promised us in those days, why can't we undo this monstrosity? He goes on and he says, "It can be changed." Yes, it can be changed. Changed to the detriment of the taxpayers of this province, to the motorists of this province, to the people who are driving boats on the rivers. Everybody's going to have to pick up the tab whether you drive or not.

Mr. Speaker, he goes on. He says, "The laws we pass here are not like the laws of the Medes and the Persians. What laws are passed here can be changed here." Now let's turn over. This is the next. "I might add that since we do not plan, we don't want this plan to be a subsidized one." The First Minister! That's the First Minister of this province. "I might add," he said, the First Minister said that "since we do not want this plan to be a subsidized one, the money will be repayable to the insurance corporation after the 4th or 5th year of operation."

Now, Mr. Speaker, is there any way that the First Minister or the government of this province can ask us, who opposed the government in those days, who told you basically what was going to happen, can any way justify that we have to go back and ask the people in our constituency to put more taxes for Autopac? It just can't be done. I can't do it. I can't do it for the reasons that's spelled out by the First Minister. The First Minister of this province should have been fair to the people at that time. He should have been honest with the people of this province. He should have had more background, he should have had more knowledge of the subject matter, he should have known where he was going. But to come at this late stage now and say, "Well, I'm sorry, people. You, the taxpayers of this province, you're going to have to pay more money." More money. You're going to have to subsidize this monstrosity, this public insurance corporation, which he said in those days wouldn't be subsidized. He said if the plan doesn't work, Mr. Speaker, it can be undone. It can be undone. Is this undoing it today as we're adding more taxes on the people of this province? That's not true, Mr. Speaker.

Mr. Speaker, let's deal with the subject matter that the Honourable Attorney-General just raised, and of course the Honourable Attorney-General in those days was the leader and the spearhead of this operation, and I'm sure his remarks must haunt him from time to time. I'm sure he must have sleepless nights, because, Mr. Speaker, he doesn't know what he's talking about either. And I'll just give you a classic example. He just sat down two minutes ago, or five minutes ago, and said that the only areas that's protesting this tax in this province is the constituency of the Honourable Member for Birtle-Russell. He said the only area is the area - yes. Well, I have many protests - do you want me to read all the protests that I've got from my constituency? But I have one here --(Interjection)-- No, I've got them here.

MR. SPEAKER: Order please.

MR. McKENZIE: Let's talk about the North. Thompson. Now either the Attorney-General is misinformed, he is not reading or he doesn't want to read, or he doesn't understand what the people of this province are saying. I'm expressing my sentiments that people of Roblin constituency don't want to pay that 3 cents on gasoline. They'll pay the 3 cents if you'll levy that money to fix our roads - and they sure need fixing. They'll have no quarrel about levying a 3 cent tax to build up our highways and improve the quality of our PR roads, but the people of Roblin constituency don't want to be taxed 3 cents to try and bail out some corporation that the NDP, the socialists, dreamed up and forced on the people of this province. Let's be fair and let's be honest with the people. The intent of all motive fuels and gasoline taxes of this province, historically, has always been to build roads. Build better roads. Build better highways. And all of a sudden, in the middle of the stream, we find the socialist dreamers coming along here; they've got themselves in trouble with Autopac and they said, "Oh ho, we've got to get money. So let's go and nail those guys. We'll lower the standard of highways in this province. We'll lower the maintenance of highways." We already have evidence of that all over the province. I had people from my constituency phoning me yesterday, Mr. Speaker, and telling me there's areas in the Camperville-Duck Bay area that they have to pull their cars on highways. Pull them! In this day and age. We need that 3 cents to fix our roads up and provide us with a better transportation system and better highways than we have at the present time. And if that tax had been levied on those grounds, then the people that I represent in Roblin

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(MR. McKENZIE cont'd) . . . constituency would say, "Certainly. We are in complete support of 2 or 3 cents being levied on our gasoline to build some roads for us." But we are not going to, Mr. Speaker, at second reading, give this government more money, more leeway to try and build on this archaic, crude Autopac insurance thing that they've dreamed up and they're forcing onto people of this province.

And why can't the First Minister of this Province be honest with the people? Why can't the Attorney-General of this province be honest with the people? Why can't the Minister of Autopac be honest with the people and tell us the truth? Is this going to happen next year, and the year after, and the year after? I suspect it is, Mr. Speaker. I suspect it is. Because when you read the expressions of the First Minister of this province, who made all those promises to the people, the Attorney-General made promises, and this morning, Mr. Speaker, in his sentiments he stands up and he says the only area that's opposing this legislation is the constituency of Birtle-Russell - which is not true, and I've got the evidence. The North opposes it. Roblin constituency opposes it. Go around and talk to the people. Did you see the article about the boat owners the other day? People are opposing 3 cents on gasoline at this day. And Mr. Speaker, I'll tell you how it hurts. I gassed up on Wednesday coming in, at Neepawa 74 cents for gasoline - 74 cents a gallon, at Neepawa. I see the prices in Winnipeg are much lower than that, but Mr. Speaker, I do not like to pay, and I'm going to oppose payment, of that 3 cents that's asked for in this bill to support an archaic, crude Autopac system that won't work. Certainly two cents is going to the . . . and one into the general revenue. I can't support it. I think it's wrong. If you would turn it around and put it into building better highways and better maintenance of our highways and our PR roads, we from Roblin constituency could support it, but we can't support it for Autopac.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the members again to the Gallery. We have 34 students of Grade 6 standing, of the J. W. Walker School from Fort Frances, Ontario, under the direction of Miss Pipila and Miss McLeod, as our guests this morning. We welcome you.

The Honourable Member for St. James.

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MR. GEORGE MINAKER (St. James): Thank you, Mr. Speaker. I too would like to add a few comments in this debate. I listened with interest yesterday when the Honourable Minister of Mines contributed to the debate. Particularly I listened with interest on his feelings with regards to premiums where actually I would understand it to be the desire to have lack of premiums. We listened, you know it made sense to put three cents tax on gas, because that represented the usage of an automobile and hence represented a risk that Autopac had with the user of that vehicle, and that it would mean that somebody who drove more miles every year, had a higher risk and a greater usage of Autopac, that it reflected in their records that people who drove more miles had higher claims. This is what one would understand it to mean if they claim that this is a fair tax to try and bail out a corporation that is deathly ill, deathly sick.

Then one starts to wonder, Mr. Speaker, why don't we apply that philosophy to Medicare. Because if that's the way that the Honourable Member from Inkster believes, you know believes that usage of some source that creates the problem should be the main effort of raising the funds. In the terms of Autopac, the more mileage that you use, the more gas you consume, then obviously you're going to have a chance of using the Autopac insurance. Well let's apply that philosophy to Medicare. Now, the more you're sick, the more you're off work, the more you're going to use the doctors, the more you're going to use the hospitals, then it should be related to non-working. But lo and behold, we look at how Medicare is financed, or we look at how the operation of our province is financed, it doesn't relate to that, it's the opposite, it's the reverse. The more you work, the more money you make, the more taxes you pay, the more you contribute to Medicare. One starts to wonder how you can apply one philosophy to one entity that is controlled by the government, but then take the reverse stand when it comes to another entity that is operated and controlled by this government.

So I would like someone on that side to explain to me how the Honourable Minister of Mines can stand up and say, or any of the members on that side can stand up and say that it's

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(MR. MINAKER cont'd) . . . a fair tax, we shouldn't have premiums. We should pay for our whole cost of Autopac on the gasoline tax. But when I suggest, and throw out to the government side, Mr. Speaker, well why not apply that philosophy to Medicare, or Pharmacare, that it's the reverse. So one starts to wonder how this government postures back and forth to suit the situation --(Interjection)-- Mr. Speaker, that's exactly what they always come back, "what do you prefer." You know, what would you do.

Mr. Speaker, as the Honourable Member from Roblin indicated earlier, that there are certain sections in this Act that we can support, and particularly where there is some kind of a rebate going back to the small oil producers in our southwestern corner of the province. If there again we see something that's happening. If I understood the First Minister in his budget speech, and I read it again today to make sure I understood it correctly, that one cent that is being applied on the gas tax, that approximately two-thirds of that will go back to the oil producers, and one-third will go into general revenue. And this again is the philosophy of this government, Mr. Speaker, is to always take a little more than you need. Get a little more of that cash so we can control it. Control that cash flow in the province and we control the people and we'll crumble them to do what we want them to do. And there again, is that philosophy: We'll take 3 cents, we'll use two and two-thirds cents, and then the other one-third we'll throw back into the kitty, but now we've got another couple of million dollars that we control.

Mr. Speaker, one takes a look at what the government is presently controlling in the cash flow of our province and we start to wonder where it is going to lead to. And I've said it before in the House and I'll say it again, if you use the statistics that were given in this book, the Manitoba Budget Address 1975 - we have to presume they're correct because I'm sure the Honourable First Minister would not use statistics in this House that couldn't be backed up or wouldn't print them. The government wouldn't dare do that I wouldn't think. So I looked at the statistics, tried to interpret them, I looked at the Public Accounts and looked at various things, and one starts to wonder, you know, how much money does the government really control every year in our economy in this province. Just how much? Because why should they raise this tax on gas, or why should they get involved in these other tax changes, if they have more money than they actually need.

Mr. Speaker, I see the Speaker rising in his Chair. I presume that this is an omnibus tax bill that we can discuss the taxes in general of our province because we're relating here to a subject that is dealing with increasing taxes. So, Mr. Speaker, with that in mind, one looks at just how much expenditures these taxes are paying for. And if we total up our estimates that we're proving here in the House and we look at the capital expenditures from year to year, and we look at Manitoba Hydro spending from year to year in their operating, and we look at the Telephones and their operating costs from year to year, and we look at Autopac, the sick corporation that we have that they're trying to bail out in this particular Act, or at least trying to put a Band-Aid on one of the wounds, we start adding up all these costs, and we compare them to the total cash flow in our province. And, Mr. Speaker, to give you an idea, we totalled those up: in 1971 that came to \$805 million and the gross provincial product at that time was a little less than 4 billion. And they had about 20 percent of the cash flow in the province. Then we went to 1972 and we added up those figures and it came out to about 1.2 billion. On the total gross provincial product that year it was 4.4 billion, they hopped from 20 percent of the cash flow to over 27 percent of the cash flow in our province in one year. But not only that they increased their participation by 51 percent, in one year. If you looked at what happened between '72 and '73 the same thing again happened, that they went - or from '73 to '74 they went from a total participation of 1.2 billion up to 1.8 billion. Another 51 percent growth in one year of the participation of the total cash flow in our province. But not only that, Mr. Speaker, they controlled 30 percent of the cash flow of our province. \$3.00 out of every \$10.00 that was spent in 1974 that created the demands and services in this province were directly or indirectly controlled by the government.

Mr. Speaker, it just goes back, how much of the cash flow does the government want to control? They took another two million here where they didn't necessarily need to take it. But the First Minister stood up and said, we're going to have a deficit budget. I suggest, Mr. Speaker - and I'll stick my neck out - that they have estimated that the personal income tax that they will raise this year will be about \$242 million. I suggest, Mr. Speaker, that it'll be over \$275 million, that they have underestimated that. If you use the statistics that are in the

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(MR. MINAKER cont'd) . . . 1975 Budget Address and you look at the total income, the personal income, last year and you look at their graph for taxes paid, based on a per capita income, and you look at the federal tax and you look at the provincial tax, and take the difference and apply the multipliers it comes out to more than \$ 275 million, Mr. Speaker. But here again underestimating, padding the account, but every time they do it another little grab at the cash flow control in the province.

So, Mr. Speaker, as my Honourable Member from Lakeside said, "Justification for tax rises." Mr. Speaker, getting back to the premium principle that the Honourable Minister of Mines appears to want to eliminate, one starts to wonder what'll happen when they build the whey plant. How is the subsidy going to be paid for that? In milk consumption? Will that represent usage of, or the amount of pollution that is being created. Is that how they're going to base it if they apply the gas tax for Autopac? How will they pay the subsidy on the loss on an item like that that they're proceeding into. It's been indicated that in the reports that I've seen in the government that there's going to be a deficit. So if we look at this philosophy of taxing based on usage and apply it to that corporation - it's almost on its deathbed before it begins - how do we expect it to be a profitable item unless there's other methods in their madness. But if you follow that philosophy that is being presented at this time that you pay based on usage of a product, or consumption of a material that creates another demand on our society, and that's exactly what they're saying on Autopac that if you use your automobile you're burning gas and you have a dented fender it's going to create a problem, so therefore you should pay proportionately. Well if you apply that thinking to the whey plant, if you drink a cup of milk, correction, or if you eat a pound of cheese, or if you eat two pounds of cheese, and you've created so much whey . . .

MR. BLAKE: You've got a problem if you eat two pounds of cheese.

MR. MINAKER: . . . then are they going to tax on the basis of consumption, or are they going to tax it on the basis of production, or are they going to go back to the producer who produced the cheese? So, Mr. Speaker, one starts to wonder how this lack of premium principle is going to work and where it is going to work. So one starts to wonder how this compares to Medicare, or how it would compare to dental work. It doesn't relate to how many children you have in your family that will require the medical service; it doesn't relate because it's the opposite, if you have more children in your family, you're obviously going to consume more cheese, more milk. You know, how do they visualize that you can compare this philosophy to their government-owned entities that get sick and need bailed out. And as I related earlier, you know if you apply it to Medicare, the healthier you are, and if you're energetic, the more money you're going to make, then the more you're going to pay for Medicare.

So, Mr. Speaker, I - and with no surprise probably to some of the members on the other side - I'm somewhat confused on the honourable Minister's presentation that he made yesterday with this regard because if you extend this thinking to the other fields where they have eliminated premiums, or where they are taking on new corporations, then I'm a bit confused, and I would think that some of the members on the other side must be a bit confused as well. So that, Mr. Speaker, we cannot support this philosophy of increased tax on the gas tax because we feel that a corporation should rest on its own merits, and it should charge the proper rates so that it runs on its own and operates as an entity the same way that the Hydro tries to operate as a self-sustaining utility. If Autopac is somewhat like a utility, then it should be self-sustaining. It shouldn't have to go elsewhere for sources of revenue.

Mr. Speaker, we will vote on the individual items in committee and will make our decision at the time of the vote, the third vote, but at the present time we cannot support a concept that is being put forward on Autopac because in our consideration it's a direct subsidy and that this isn't the answer or the method, particularly if the philosophy that was presented by the Honourable Minister of Mines is extended, then we can see many avenues of problems later on that will have the reverse effect of our understanding of their philosophy, that it will, if it's applied to the whey plant proposition in consumption of the foods, then the low income people with large families are going to suffer. Everybody's going to suffer from it. So, Mr. Speaker, on this basis at the present time we cannot support this particular bill.

MR. SPEAKER: Pleasure of the House to adopt the motion. Agreed - The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I wish to speak briefly

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(MR. G. JOHNSTON cont'd) . . . on Bill 40. An omnibus bill as you know is very difficult to speak on the principle. There may be some items in a bill that one agrees with and other items that there is disagreement, but basically on the matter of increasing the exemptions on the succession duties, we are in agreement with that, so I don't think there's any disagreement among all members, but on the matter of the increase in the fuel tax, I think even members on the opposite side of the House have some qualms about the 3 cent increase on the gasoline. We think that the one cent for the small oil companies at Virden is a good idea, and have no objection there, but like almost everyone else on this side of the House we do object to the 2 cents going to finance Autopac. We've said it before, and we'll say it again although it won't help that much, I guess, but we feel Autopac should stand on its own feet. The people should know exactly what it costs them, which in a year's time will not be the case because with all the hidden moneys that are coming back to Autopac through the driver's licenses, through surcharges, and now through the automotive tax of 2 cents a gallon, people really won't know what it costs them. So of course the Minister for Autopac will be able to write letters for some years to come, proudly proclaiming the lowest rates in Canada because the rates don't reflect the true cost, and of course some people will be inclined to believe it, but I would think the majority of the taxpayers in this province won't be fooled.

I wonder how members of the government, I wonder how members of the government who come from rural Manitoba will be able to justify to their constituents this 2 cents which will really bring their premiums up to, I would say, higher than urban drivers. It's a well known fact that an urban driver can go to and fro to work, his wife can go shopping, and probably in a day only put on five or ten miles on the family car, and it's well known that farm people and people who live in small towns, people who live in the north, will be using, I would say, twice as much gas in a week, and therefore twice as much gas in a year. So this will be an unfair burden on the people of rural Manitoba. There's no question about it. The industry, the insurance industry recognizes that there are less accidents in rural areas - and I'm talking now of rural Manitoba - and even Autopac recognized that when you set the rates. But now, even if it's only 10 or 20 dollars a year, they've destroyed that principle by making, by legislation, by forcing rural drivers to pay more for their car insurance. And I say even if it's only 10 or 20 dollars a year, they have violated the principle, this government has violated the principle that was established by Autopac, namely, because there were less accidents in the sparsely settled areas or the north, than there are in the metropolitan area of Winnipeg.

So in their eagerness to search and find means of cutting down the \$10 million annual deficit, the government's hit on this method and I guess it'll be pushed through, but I just want members opposite who represent farm areas and small towns and villages that --(Interjection)-- Yes, including the Minister of Autopac, that he'll be able to look his constituents in the eye, and say, "Well we can't help it but we've had to charge you more than your city cousins." And that's what has happened. --(Interjection)-- Yes, it is so. Yes, the Minister has probably solved his problem, at least he thinks he's solved it.

A MEMBER: The urban influence.

MR. JOHNSTON: But once again, once again borne more heavily on the people of rural Manitoba than he has the people of the urban area, instead of being equal. --(Interjection)-- Yes, I'm saying this. I would like some of the members from rural Manitoba on the government side to stand up and defend and say that their constituents are not going to pay anymore, because they know in their hearts that they are going to pay, and they're going to pay plenty more. The people that live in the north who have to drive down south, the farmers that have to drive into town every day, whether it's to the hospital or for supplies, they know very well that the people in rural Manitoba drive far more miles in a year than the people do in the city. --(Interjection)-- Well, I see I'm evoking a response from the Minister for Autopac. I hope he gets up and gives his point of view on this. But he knows very well that the people from rural Manitoba are going to pay more in an unfair way to support Autopac than their city cousins.

QUESTION put, MOTION carried.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I would like to introduce 24 students, Grades 4, 5 and 6 standing, of the La Riviere Elementary School. These students are under the direction of Mr. Saarela. This school is located in the constituency of the Honourable Member for Pembina. On behalf of all the members, I welcome you.

GOVERNMENT BILLS cont'd

MR. SPEAKER: Bill No. 41. The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Mr. Speaker, can we have this stand?

BILL NO. 42 - THE CHILD WELFARE ACT (2)

MR. SPEAKER: Bill No. 42, the Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): Mr. Speaker, I adjourned this for the Honourable Member for Brandon West.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, Bill No. 42 involves certain changes to the Child Welfare Act, and they have been explained by the Minister of the Department of Health. In second reading, Mr. Speaker, it is our responsibility to deal with principles of the bills. There is no new principle or really no specific principle involved here, it involves amendments to various parts of the present Act. We have examined these and also examined the explanations of the Minister. We feel that it is not necessary to delay the passage of this bill in second reading. We're prepared to see it go to committee where a clause by clause examination will be completed, and we are therefore ready to allow the bill to proceed.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 43. The Honourable Member for Gladstone.

MR. FERGUSON: Stand, Mr. Speaker.

MR. SPEAKER: (Stand)

BILL NO. 44 - THE PLANNING ACT

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

MR. FERGUSON: Stand also.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I'm prepared to speak on the bill at this time.

MR. SPEAKER: On Bill 44?

MR. AXWORTHY: Yes.

MR. SPEAKER: Very well. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, this is I suppose by the number of pages certainly the most lengthy bill, and according to the Minister, the Attorney-General, responsible for Municipal Affairs, what he considers to be the most important piece of legislation that has been brought forward at this session. I think there is probably good argument to make that on both counts it represents a very awesome and formidable task for anyone in opposition to have the obligation to sit down and look carefully and cautiously at the kinds of provisions put forward in the New Planning Act, because it deals, Mr. Speaker, with certainly one of the most intricate and complicated problems that present any modern day Legislative Chamber, and that is the full question of managing growth, trying to find ways of dealing with the intricate problems of land use, and particularly to try to redefine the respective responsibilities that exist between people, citizens, politicians, planners and experts, which perhaps is, at least in my opinion, one of the most major and controversial questions that anyone has to face who gets involved in public life and that is the definition of the rights and roles of citizens in respect to their government.

Mr. Speaker, I would only say that we looked with great anticipation to the presentation of this bill because last year, during the estimates of the Minister, we had occasion to bring forward to his attention our own concerns about the problems of growth that were occurring on the urban fringe, the fact that there is an increasing scale of settlements beyond the boundaries of Winnipeg, and to the additional zone and beyond into a 30 - 40 mile radius around the City of Winnipeg. And that that growth was having very severe and dramatic impacts upon the area surrounding Winnipeg, that land costs were escalating at a very high rate, that large portions of choice land were being consumed without any rational planning being applied to it, and that the way of life of many of the smaller towns and rural centres were, in fact, being disrupted or altered as a result of the exurban movement of large numbers of urban people into those areas. Anyone who has spent a Sunday afternoon driving, or any time sort of just roaming around the fringes of the city would realize how it is tending to become that classic North American malaise of the spotted scattered sprawl of any city, and it was with that kind of discouragement that we

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(MR. AXWORTHY cont'd) . . . tried to raise as an issue, and have requested repeatedly, in the session last year for some action.

We also felt, Mr. Speaker, that it was very essential at this time and place to look at the whole question of private property and the use of land. I can only say that in part, I suppose, because the wheels of our own democracy grind quite slowly, that we oftentimes don't have the opportunity to keep pace with events as we should. I note with great regret, for example, that at the very time that we are debating this bill that, in fact, what I can only call the exploitation of large portions of land around Winnipeg are going on. I can only say that - I notice the Minister of Tourism and Recreation is not in his seat - for one prime example where we see something like 20,000 acres of land in the Springfield area and the East St. Paul area sort of being subdivided into sort of five acre lots with really no provision for services or no provision for proper community planning going on, is really a tragedy of very high order, something that - I suppose it may be too late or it may be something that has already occurred, but nonetheless something that is a prime piece of evidence as to what we should be concerning ourselves with in this bill, that it is a continuing and ever-growing problem of how we are going to try to manage the livability of the urban region of Winnipeg, you know, around Winnipeg. And by that I just don't mean the City of Winnipeg but all the towns and villages and farms which are within the shadow of Winnipeg, and that shadow stretches far beyond the present location, and it reaches out I would estimate on a 30, 40, 50 mile radius. So the problem is here, Mr. Speaker, and it's a question then to what degree does this particular piece of legislation meet the problem.

In saying that, Mr. Speaker, I would beg the indulgence of the members for a minute or two to talk about the question of planning itself. I suppose for I guess some time now I've been engaged in different activities, either directly involved in planning or related to planning, and I keep coming up with severe reservations about it. Severe reservations about really the style and method of planning that we have tended to adopt in this country. Because it is not an easy art, it's not something, it's not a kind of technical skill that one acquires I suppose like an engineer where you can pull out a slide rule and mathematically compute the solution to a problem; it's something that is very much involved in trying to mesh certain technical requirements of measuring things, of about the physical design and social design of the community with sort of human values, and human objectives, and human goals. These are not nearly as malleable or manipulable as an engineer would have in trying to build a bridge; it's a much more difficult process than that. And yet, Mr. Speaker, time and again we have tended to adopt the attitude somehow that planning is a technical activity, something that one can precisely measure, that somehow we attach a great deal of responsibility and almost at times a monopoly in making decisions to planners, to people who have certain degrees I suppose behind their name, or certain educational requirements, to say, okay, you go ahead and do that. I think it's one of the most serious negligent areas of any government is that we have increasingly over the years transferred a great deal of decision-making power to professionals, to experts, to bureaucrats and I say that as being one of them. I'm saying that, as one who has been partly trained in that kind of skill, to say that one of the mistakes we have made is by transferring far too much decision making power to them, and that it seems to me the role of the politician, the person in political life, is to rewrite that balance to make sure that it is not something which dominates people's lives and that there is, in whatever we do, the fundamental requirement that if you're going to plan you plan on the basis of what the concerns and priorities and requirements of people are. And that has not been the way that we have planned this country or this city or this province for a long time, that we have - and I've spoken in this House before, I've spoken for example in relation to the question of things like Manitoba Hydro. Not that I'm against developing electrical energy, but I don't like to see the whole development of energy in the hands of the professional engineers who kind of have a myopic view to it, just like I don't like to see cities planned according to what urban planners say, because they have the same kind of myopia. They think frankly that they know what is best.

The tendency in transportation is the same thing. You can name - many areas. Health care is the same kind of thing, in that while we pay great respect to doctors, I don't want health planning confined to medical people, because again there is a certain myopia that one acquires as a professional that one must guard against. And it's a necessary requirement. I'm not saying that we take a kind of a know-nothing attitude and become anti-bureaucratic or anti-professional, like I've heard some people in this House adopt, a kind of know-nothingness about the skills and

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(MR. AXWORTHY cont'd) . . . requirements that we need to run a modern world. But at the same time it is very necessary to have a balance and to make sure that while the planning is going on, and while skills and wisdom of a specialized kind are being applied, that they are being applied subject to very very open disclosure, and subject to very much of a democratic participation of individuals who are going to be affected by those plans. That's not a new principle; I suppose it goes back about 2,500 years. But it is a principle that we have lost sight of in our rush in this modern world to try to create solutions to problems. I suppose there has been no area where that particular problem has been more predominant than in the urban area because there has been a tendency to react to crises, to look at the problem of urban transportation and say, boy we've got to build freeways, or look at the problem of housing and say, boy we've got to build public housing, or look at the problem of land use and say, boy we've got to run out and buy land, or whatever it may be, the tendency has been to sort of buy the advice of the expert without subjecting it to the proper tempering and the proper kind of accountability.

I raise that point, Mr. Speaker, because if I must come down in terms of a major critique of this bill, it is that it is a planner's bill, not a people's bill. It is a bill designed to suit the convenience and the requirements of the planner, not to suit the convenience and requirements of the people who are going to be affected by the plans. It is that basic point, Mr. Speaker, which I rise in objection to, because there are many things in this proposal that I think are good. I think that the Minister and the Department of Municipal Affairs have certainly updated and modernized the machinery of planning the province. I think the ability to set down special districts to preserve areas which are threatened environmentally, to preserve agricultural areas, to set out special areas for community development, I think these are significant advances and ones that are long overdue, and should be applauded. Even I notice in the bill there is sort of fleeting mention of the idea of developing plan unit development concepts, or PUD as they are called in the jargon of the trade, and that itself is a very important alternative to the traditional notion of zoning.

Now it's not spelled out very well in the bill as to how it would work or how it would be applied but that in itself is a concept that is now gaining circulation throughout North America, and having great success in helping to plan and build communities not based upon the rigidities of the traditional zoning system but in fact built upon concepts of quality and standards of how people will use areas. I applaud those particular kinds of interventions.

I also applaud, Mr. Speaker, the idea of the very precise and specific requirements set out in terms of what is going to be required in a development plan. And if I may take an exception, because I notice the Member from St. Johns is in the House, I'd like to react in part to something he said yesterday when we were debating The City of Winnipeg Act. He said, "Why do you want to put things in legislation?" He stood in great sort of, not outrage but I suppose feigned outrage in part about saying we in the City of Winnipeg Act established an environmental impact requirement, but don't ask us to specify what it is. Don't ask us to detail what it should be, because after all that's going to be determined in the courts. Well that has to be the most topsy-turvy legal opinion I've ever heard in my life because in fact when you're dealing with a difficult concept, like environmental impact or development plans, it does require some spelling out of what is the composition of those things. How would they be carried out? How should they be conducted? And the weakness of course in The City of Winnipeg Act is we say we shall have an environmental impact statement, then it tells you nothing of what you're going to do with it. It doesn't tell you how to proceed with it; it doesn't tell you what use it should be put to, it just simply says there shall be one. So I think that this Act, that The Planning Act, by comparison is better. It does spell out in some detail the kinds of requirements for development plans and for subdivision. And those are useful and they're necessary, and as a result we say that's a good thing.

But at the same time, Mr. Speaker, while you're taking account of those kinds of corrections and improvements in the planning machinery as you read through the Act one thing becomes very clear, that the role of private individuals in the determination of plans under this Act is minimal. In fact it's almost sort of - it almost isn't there. You have to look very hard to find it. And what one of the most sort of serious omissions in this kind of Act is the almost complete denial of the role of private people in their own communities to have a determining effect upon the composition and development of those plans. As a result, Mr. Speaker, I would suggest that it in part is a denial of their own rights as people to do it.

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(MR. AXWORTHY cont'd)

Now, I know the Minister is going to say well look we set down here certain appeal procedures, we said that after the plan is published and it passes second reading there can be a hearing and people can come and represent it. Well surely, Mr. Speaker, after the years of experience of knowing exactly how often and useless public hearings are and how restricted they are, and to simply say that a person has a right to respond to a plan once it's made, once it's decided, that we realize that's not any kind of involvement, that's not participation, that is simply a gesture, it's a symbolic motion, but it doesn't really sort of get down to the real guts of the question. If you're really serious of finding out why you want people involved then this plan doesn't provide it. So the question comes, Mr. Speaker, I don't think really the government wants to have it. I say so because I've listened on many occasions, for example, the Minister of Mines and Natural Resources a week ago said, "Oh this participation stuff is a bunch of nonsense, let's get rid of it. After all let's go back to the traditional concepts of representative government." And everyone, you know, kind of said Amen to that.

Well the problem is, Mr. Speaker, I too believe in the concepts and principles of representative government but I would also suggest that in this day and age it may not be enough. It may not be sufficient to get the kinds of policies and plans that we require. Because the problem is that the elected person, the representative who is chosen by people is often himself or herself still commanded or dominated or controlled by the sort of information he gets by the experts who are hired by the government. They are in a sense captive to their own professionals that they only can make decisions based upon, in the effect of the . . . because there is just so much happening. And I would defy really any Minister of the Crown, including the Minister of Mines and Resources who is such a strict opponent to any idea of participation, to really tell me if he really knows about everything that's going on in his department. I betcha he couldn't name the top 15 civil servants in his department other than on a name basis, but to be able to say what's going on in the environmental management division, in the mines division they don't know, and as a result they must rely upon good faith. And one of the major corrections to that is to ensure the people who are going to be affected by those plans and programs have an opportunity to be involved as well, and not in a symbolic way, not in a simple gesture way but in a real sort of basic way.

I'd like, if I may, Mr. Speaker, to read to you a short section written by Mr. David Greenspan who was the Counsel for the Ontario Hydro Corporation and has written a small article. And as you know Ontario Hydro has gone much further than our own corporation in terms of trying to solicit the interest and opinions of people in terms of the development of hydro in Ontario. But he says this; "My second proposition is that while the participation movement started with geographic parochialism it is now one of the only means to defeat the issue of parochialism." He said that if there were no Ontario Municipal Board and no participation movement to animate it then the municipal voters of the townships, and he mentions a whole group of them, would simply not have had the opportunity to represent their point of view. He said, "even in our so-called liberated year of participation I suggest to you that participation is often a sham because of what government does. First, he says we don't allow or permit participation until the sixth and often not until the ninth inning, almost till the game is over. Secondly, without the information in the possession of the government or less frequently the experts the participation movement is like an army without ammunition. The citizens can rarely get that information and if they can get it they don't have it in time. By the time they get up to bat the government's experts have already taken all the bust, hip and waist measurements, they have already made up their minds about all the critical issues in the matter and throughout the incredibly complex snakes and ladders process to which planning matters are subjected they will stick with that preliminary and earlier decisions as if it were Holy Writ rather than just one more in an endless series of trade-offs in a dynamic marketplace of planning.

Mr. Speaker, I think that that particular sentence points to what I'm trying to say. Is that you simply can't allow people into the process at its end to provide their sort of agreement to something that's already been decided. If you're going to get good plans and real plans and plans that fit the configuration of people's concerns and priorities then you must start at the beginning.

So I went back to this Act and said, okay where does it start? Where do people get into

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(MR. AXWORTHY cont'd) . . . this kind of thing? Well, Mr. Speaker, they really don't. The only point that I have is at some point - and I think that the Bill itself states that they only have the right to respond, they don't have the right to get involved. The basic requirement for any kind of individual to make his voice heard is to know what's going on. What does the plan require? Not that a development plan will be published and printed and distributed in a municipality or an area, but that if someone wants to find out they can go to some location where the one plan is and take a look at it.

It reminds me, Mr. Speaker, of the old kind of case I can remember dealing with the City of Winnipeg, going through a little exercise with them a couple of years back when they were developing plans, and they said "Well you can have a plan but it's going to cost you \$40.00". And you say "Well how many citizens can afford \$40.00 to see your development plan?" "Well that's their business." On another occasion I went to them and said, "Well now look, I'm not so sure I like what you guys are doing in transportation and you have all those transportation information on your computer tapes," I said, "Why don't you give us those tapes and we'll run them off at the university and see if we come up with a different solution? Free of charge, no cost to you. If we believe in adversary system of democracy, of having two points of view represented, you give us the same data, we'll see if we can come up with another alternative." They said, "We can't do that, that's confidential." I said, "No it's not confidential, taxpayers pay for it, it's public money, why shouldn't we use public information." "Well come on now."

In other words, Mr. Speaker, the first thing you have to fight against in any planning act is the monopoly on information, the requirement that somehow you're going to keep it all to yourself, and make it very difficult for people to find out what's going on. That's what this bill does. Makes it almost virtually impossible for anyone in an affected municipality to find out what's going on. And certainly we can say municipal council's going to have an opportunity but to begin with how many municipal counsellors are going to be able to wend their way through the technical jargon and high faluting statistics and all the other kinds of things that modern planners are able to do. Not very many, Mr. Speaker. And one of the only protections we have is to make sure there is some countervailing force.

There is no provision in this plan or bill, Mr. Speaker, that we should have the supply of some kind of available resources to individual solutions or groups of people to make sure that they are able to look at a plan, get proper advice and then be able to make their point of view heard. To get the kind of advocacy that they require. Because the government's got all the hired guns on their side, they can pay for the experts. But who helps a farmer in Springfield to interpret a complicated planning act and be able to react to it with the same kind of intelligence, at the same level of expertise as the guys on the other side? Well there's no provision in this.

Mr. Speaker, we've seen the weaknesses of that, we spoke to it yesterday. We set up a fancy plan of community committees and resident advisers in the City of Winnipeg, presumably advise government on what it should be doing in the planning area, but when we came around and said, how about giving some resources to those resident advisers so they can make head or tail of what's going on, well nobody including this government, was prepared to put up one cent for it. So it was a sham, you know it was subterfuge, they weren't serious. Because if you're really serious about it then you make sure that the thing works well and you give it the proper resources to make it work well. And in fact, Mr. Speaker, what you find increasingly through this particular piece of legislation is grudging acknowledgement that we must pay some lip service to the fact that private people are going to be affected, but we do not make it an integral part of the new planning act. It is an afterthought, it's a secondhand affair, it has nothing to do with the - it doesn't go to the basic concerns. So what we're talking about is planning in a closed shop, planning that will be confined and limited to those who simply sort of feel that they know what's best. And I'm saying that while we provide in it - certainly the municipalities are going to be consulted and we're going to give some advice to the municipalities and give some technical planning assistance, you still don't allow that kind of assistance or advice to become distributed or disseminated to the general population who are going to be affected.

And that, Mr. Speaker, is one of the most serious omissions and weaknesses and one that cannot be excused, because in this day and age we surely should have come to a point of knowledge and understanding about planning to realize that that is an important component. You

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(MR. AXWORTHY cont'd) . . . know, whether you believe in the fact that individuals should have some democratic rights, be involved in the planning process, let's take that argument aside for a moment. Let's simply go on the basis that if you don't have it you don't get good plans. And if I can lay any evidence in front of this House, Mr. Speaker, I simply go back several years when I was involved with the Federal Task Force on housing and urban development, where we travelled to every town and city across this country and asked people about urban renewal. Why wasn't it working? Well the reason it wasn't working, because the people who were affected by urban renewal were not involved in the making of the plans. If people don't want to make a plan work it won't work. And they had no right to be involved, in fact they were being shunted out of it. And if there was any particular lesson I learned from that experience, Mr. Speaker, was that we had to basically sort of re-tool the whole planning process to make sure that if we were going to get good plans, effective plans, plans that work, then the first requirement was to make sure that they conformed to the basic values and concerns of the people who were going to have to live with them. And to do that you had to develop a system and a machinery and an organizational base to allow and enable it to work. So the idea of participation is not some esoteric notion, it's something that is a real, vital part of public policy planning, and this government ignores it at its peril in almost everything it does. It simply does not believe in that concept because it believes that government knows what is best. But government itself is subject to the same blindness and the same of any monopoly, that it can become captive to its experts whether they're engineers, or planners, or social workers, they can become captive the same way. The only way to escape that captivity is to make sure that individual citizens who are going to be affected by the plans have the right to do so.

Now, Mr. Speaker, there is also another aspect of this which I find of some concern. That is in the area of . . . okay we're setting up the machinery, we're setting up of a fairly elaborate system of advisory groups and district boards and municipal councils, and enhancing by the way the power to municipal boards much further than it ever has been before. It intrigued me enough that I went back and looked at the history of the municipal boards to find out what were they supposed to do. And of course the municipal boards in this country were set up because municipalities used to go bankrupt during the depression, and this was the way for provincial governments in the bad old days to provide some control on the expenditure basically.

Now it seems to me that we are changing the role of the municipal board substantially, that we are really without stating it adding to the powers and capacities of an appointed board to really be making a lot of decisions in terms of deciding where special districts will go, and in some instances if you read the Act carefully, and I think it's around Section 21 or 22, in fact not even giving recourse of appeal from the municipal board to Cabinet in some of the decisions that they make. So there is one thing, Mr. Speaker, again that gives us an area of concern is that in the machinery itself we're building up a number of areas of substantial power for institutions that didn't have it before, and we're saying that's something that should be carefully looked at. Do we really want to give the municipal boards all that amount of power? Do we really want to say that that's something that we should be handing over to them? At the same time, Mr. Speaker, we're ignoring, or excluding, other groups that have been involved. I think for example of the Regional Development Corporation. There really is no place in that bill to provide for some place for the Regional Development Corporation. I suspect the reason is because this government would really like to see those things wither away. They really don't like the Regional Development Corporation. They don't give them an awful lot of help, and they don't really like them. And yet in fact the Regional Development Corporations in some areas have been one of the more useful vehicles for private people in the different regions to become involved in planning and development in their areas. But they tend to be excluded from any involvement in this Planning Act.

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(MR. AXWORTHY cont'd)

A third area of concern, Mr. Speaker, is in the question of policy itself. And I go on this basis, that I don't think that you can put together a very complicated piece of machinery without having made some statement as to what you want to do with it. It's like building a very elaborate automobile but not having any maps of where you want to go or putting any fuel in the tank - even at the inflated gas tax rate - so that it will go somewhere. So we're doing up a very elaborate machinery and saying, okay what does this government want to do with this Planning Act? What kind of growth does it want to manage? What is the sort of planning and development that they envision taking place around the fringe of Winnipeg and in other parts of the province? What is it that . . . We've had a short debate in this area about new communities and I should mention that. The Minister said, well I think maybe if we're going to do new community development they should be attached to existing centres. That's fine, and I agree with that. That's a good idea. But let's say it. Let's indicate. Let's give people something to respond to, not just in a mechanical way but in a substantive way. Something that very definitely sets down some of the propositions about where they see this sort of exurban region we're talking about going. Are we going to have urban development going on in the corridors of the highways? Are we going to have sort of new growth centers in Stonewall or Steinbach or Selkirk or Dugald? Are we going to decide as we try to ask the Minister of Tourism and Recreation, are you going to have large recreational land preserves? What is it you want? Are we going to develop green belts? What is it that you want to see happen? Because that's also what the debate in this House should be about. Not just the machinery, not just the mechanics, but also what are we going to use the mechanics for. What kind of basic outlines are we envisioning a few sort of steps down the track? So that when we go back to municipal councils and ask them to debate this, then they will have some opportunity to do so.

But right now, Mr. Speaker, we're talking about a piece of machinery that has no apparent purpose at this point. It's simply there. It's like the old Rube Goldberg machine, it could sit there and it could whirl around, and the wheels could go, and everything could happen, but it's not going to move anywhere until someone gives it a prod and says, "That's the direction we want you to go in." That's the kind of thing we want you to do. So, Mr. Speaker, that's the other kind of concern we have about the bill is that it's a piece of machinery with nowhere to go at the present moment because no one has outlined the propositions or policies behind it.

A fourth area of concern, Mr. Speaker, and I think it may be the most difficult one, and that has to do with the question of property rights. And I wish I had some more time - but there is no problem more difficult to cope with in this whole area than somehow to manage the question of how do you deal with the property rights of people involved. Because this country, as we all know, has been based upon concepts in the common law about property rights, and in fact has been for a lot of people their only form of equity. There are a lot of people in both the City of Winnipeg and outside of it who don't have large amounts of wealth, who don't make revenue off stocks and bonds and that kind of revenue. The only form of equity that they have is what they sink into their property, whether it's their house, or their piece of land, or their farm. I think we have always taken a fair amount of care and consideration of those because in fact once you take that equity away you don't leave them with very much. In many cases, Mr. Speaker, those are the people who are, I guess, what other members have called the backbone of this community. They're independent, they're self-reliant, and they don't ask for much as long as they leave that sort of basic equity as something that can be used. At the same time, and equally important, is the community has to come along and say, but all of a sudden life is getting more complicated, and you simply can't run or manage the society any longer on the idea of individual lots of property because there are a number of community values involved, a number of things about preserving certain open spaces of land, things about preserving the natural environment from certain uses. The idea of trying to control growth so it is unplanned and that you preserve things for future generations. And so what we have, Mr. Speaker, is a very difficult contradiction and conflict.

So the question is: How do you resolve it? What is the way you do it? Well the traditional way, and there is some small provision in this to say, well if the community is going to affect someone's property rights, we will pay them some compensation for it; we'll provide some minimal area. Now this is where this bill I think perhaps has the greatest area of difficulty and contradiction and real problems to it, is in this whole question of how it handles

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(MR. AXWORTHY cont'd) property rights. For example, Mr. Speaker, when you down zone a piece of land, or if you say to farmer A that your land is going to be an agricultural preserve but next door farmer B is going to have a development zone, it means that immediately farmer B's land is worth 50 times what farmer A's land is, automatically by the stroke of a pen. You've enhanced the value inordinately. What do you do with Farmer A? Do you say, "Sorry fellow, that's it, tough luck." And the bill says at the very end that, you know, under Section 77 I think it is, something to that degree, that if in fact that happens, and universally there's no compensation, it may be that you can show some direct effect in terms of a negative thing. But if by comparative value if farmer B gets an awful lot more because the decision of the community is to do it, then how do you compensate farmer A for it? You may penalize farmer B, you may take half his money away, as you can do under this Act, you can take half his capital, you know, his value right away, the municipal council can do it in 12 months, and let's face it, Mr. Speaker, that's going to cause some complications because poor old farmer A may want to stay to be a farmer for awhile and all of a sudden the municipality says, "Boy we want half the money." And if the value is \$50,000 we want \$25,000 cash on the barrelhead.--(Interjection)--Well, Mr. Speaker, the point I'm raising - and the Premier says it's an old dilemma, and it is--(Interjection)--Well I think the First Minister will have an opportunity of speaking to this bill, and I suggest that the best way to speak is to stand on his feet. So the question is how do you begin to resolve that, Mr. Speaker? Well one thing I would have hoped that in bringing forth a bill of this kind, probably the most - at least in terms of this country of planning - the most up to date in terms of the chronological events at least, it could have been more up to date in terms of resolving those problems.

For example I see no provision in this Act for the idea of the transfer of development rights, which is a new legal concept which is now being used in several jurisdictions as a way of dealing with that problem of compensation. Because what it simply means is that you establish on pieces of land the idea of a development right. And so you say, what is happening is that you have two pieces of land, A and B, and A can be developed and B can't. But in order for A to be developed it needs ten development rights but it only has five assigned to it, and B has five assigned to it. So when you confiscate B and say you have to stay open land or agricultural preserves, he still has five development rights to sell, and the only way you can put houses or apartment blocks on parcel A is he has to transfer those development rights for a price, which means that when you're enhancing the value of parcel A you are also making sure that the person who owns parcel B receives some return for that, and is not excluded from it. Now it's a complicated idea, it needs working out but it's not unusual, and the First Minister gets up and says it's a dilemma that goes back hundreds of years. Of course it has. The thing is that some people are finding some new solutions to it, and it's not in that Act. Well I just said one, if you had been listening.

A MEMBER: Where?

MR. AXWORTHY: You know if you sort of opened your ears and listened to some ideas. We talked about the idea of transfer of development rights. Now there is a new concept. And you say--(Interjection)--Well, oh well, of course you see this First Minister knows everything. No one can tell him anything; he knows everything. So why bother talking in this House, why bother talking in this House because he already knows everything. We might as well close this place down and all go home.

MR. SPEAKER: Order please. Order please.

MR. AXWORTHY: Because that's the point of debate is to bring forward different ideas, to bring forward alternatives, and that's what we're trying to do.

MR. SPEAKER: Five minutes.

A MEMBER: You say those ideas are new but they're not.

MR. AXWORTHY: Well why are you bringing in the bill then? Why are we talking about them?

MR. SPEAKER: Five minutes left.

MR. AXWORTHY: And why aren't we using them? And I think that, Mr. Speaker, comes down to the part of the concern that we agree with the Attorney-General's statement it's an important bill; it's going to have a long-standing effect upon the livability of life in this province for a long time to come. What you've put in this bill will not very quickly be undone. And all of a sudden we find, Mr. Speaker, that the choo choo train is on and we're

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(MR. AXWORTHY cont'd) going to rush it through. Because Mr. Speaker, we discover that all of a sudden we want to say that this Planning Act, which is so complicated and so important and so crucial, can be debated and passed in this House in two or three weeks. And I frankly say, Mr. Speaker, that the ideas and concepts and the omissions in this bill require an awful lot more discussion and debate than what we're going to be giving, and what the people of this province are going to be giving to the municipal councils.

The Attorney-General made a new statement. He said, "Well the municipal councillors had been consulted." That's not quite accurate, Mr. Speaker. That the Winnipeg region had a councillor from each municipality represented, and now they are told - one councillor out of a whole region - you go back and in a matter of two weeks tell your other councillors and the people in your area in your municipality what's going on. --(Interjection)--So well, okay, now we've got six weeks ago. And as I sat down and talked to a lot of councillors, they said, "Boy, we don't even know what it means." Where is the advice being given to interpret it? Where is the advice being given to figure out how it should be worked out? What are the implications of this bill? And there are a lot of implications in it. And that is why, Mr. Speaker, we asked when it first came out, saying that we're not disagreeing in principle with the new Planning Act, and we agree with many of its proposals, but we also say there are many things missing; there are many aspects of it that have to be closely examined; there are many implications that should be spelled out; there are many additions that should be made, and in order to provide for a good piece of legislation we need some time. And that's why we said that we are prepared certainly to give this bill its second reading if we can also get a commitment that we will have through the Municipal Affairs Committee the opportunity over the summer, or into the fall, to have that kind of thing examined, and make sure that the municipalities know what's going on, make sure that the people in the municipalities understand what's going on, and have the opportunity to make their voice heard; and have the opportunity for legislators in this House to have a proper time to make their proposals, and although I suppose the First Minister seems to indicate he doesn't want to listen very much, to at least make their recommendations and suggestions on how it can be changed.

Now the Minister of Mines and Natural Resources said, well I don't believe in committees because they're all partisan anyway, and all we're going to get is a bunch of political hacks coming up. Mr. Speaker, I think frankly that is really a slur on the rules and procedures of this House to suggest that we can't use a committee for its proper purpose, which is to examine a complicated piece of machinery and offer a forum to those who will be affected by it to come forward and present their case. Mr. Speaker, we're not going to allow for a proper forum, nor to give the time for that forum to develop, in order to get a good piece of legislation.

So, Mr. Speaker, that is really our initial reaction to this planning bill, is that there are many things, and basically it comes back to the fact that it's been drafted by planners for use by planners and technicians and experts, without much consideration about the people who will be involved, and the way that it is most clearly exemplified that the passage of the bill itself is being done to the exclusion of people who are going to be affected by it, and we're going to run it through as quickly as possible, and as a result I think the way the bill is being handled is a very clear indication of the nature of the bill itself. That's what we object to very strongly, and that's why we would ask and request in the strongest of terms that in order to show some good faith in presenting a willingness to discuss this bill and to accept the kind of changes that should be introduced, that the government should be prepared to after second reading to allow a full and proper discussion and disclosure in Municipal Affairs Committee over a proper period of time, and then I think we can get the kind of instrument we need to plan this province properly.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I'd merely like to ask the honourable member if he would permit a question. Just to ascertain, Mr. Speaker, the consistency in the matter, I would like to ask the honourable member if in light of what he has said in these last few minutes whether he remains an advocate of the National Capital Commission type of concept.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, where and how the First Minister picked up the National Capital Commission is irrelevant to this sort of . . . No I think if the Minister would like to go back, and I'll refer him to a piece I wrote about two years ago, I objected strongly to the concept of the National Capital Commission again because it tended to be an exclusionary

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(MR. AXWORTHY cont'd) device in planning and that when I was in the service of the Federal Government, had made that case very clearly and said that there are ways of trying to change it very directly, and if he'd like to see the piece of writing I'd be very glad to provide it free of charge.

MR. SPEAKER: The motion will remain in the name of the Member for--(Interjection)-- Very well. The Honourable Member for St. Johns.

MR. SAUL CHERNIACK, Q.C. (St. Johns): Mr. Speaker, I have a great deal of respect for the opinions and expressions of the Honourable Member for Fort Rouge, and I listened very carefully. I think I caught just about everything he had to contribute today. I understand him to have said - and since I've heard him interpret me wrongly, I have to assume that I might be interpreting him wrongly - I understood him to say that it was not something in the bill that he found objectionable but that he felt that there was more that could be in the bill. And I think he made a number of points which to me are worthy of consideration.

On the other hand when he got into a sort of an interchange with the First Minister I sort of lost the rationale of some of the things he was saying. For example, Mr. Speaker, he was saying what are we doing when we downgrade the value of a piece of land because of a development plan? And then when I think he was saying "downgrade" he apparently meant "upgrade" the value of the neighbour. To him this appeared to be a downgrading of the value of the land which was not affected but neighbouring that of a development area. So it's really not a downgrading, it is a lack of upgrading, or a lack of increase in value, and he recognized that this Act does attempt in some way to recognize and enforce the right of the municipal body or the planning authority to participate in the material benefits that are derived from a change in planning alone. Which is something that the honourable member will recall, something that we proposed, was it two years ago or more, to municipalities, in particular the City of Winnipeg, as being a very valid method by which the people of a municipality will be the beneficiaries of what is done by their representatives and not by what is done by a developer who happens to have a choice piece of land. He knows that, and I think he agrees with that. But he says there are problems and I suppose there are. His problem that he posed was I believe, what do you do if a person has his farm land changed by zoning but wishes to continue to farm it and is now called upon to pay. And I don't know whether it wouldn't be a good suggestion to put a lien on his property that if, as and when he sells it for an increased value, that's when he pays his contribution to society. Maybe that's it.--(Interjection)--Well good, the Member for Assiniboia doesn't say it, then by all means that's why we have this - what I figure sometimes a cumbersome machinery but a valid one, of discussing it in principle at this stage and then discussing it in detail at committee stage where that suggestion may well be proposed by the Member for Assiniboia. It may be and should be discussed. But that doesn't really mean that this is a bad bill. I think it's an excellent bill, I think it's a tremendous stride forward. And then the whole problem of planning in the province, I think that for too long the Department of Municipal Affairs has been struggling with this problem and I think it's a tremendous accomplishment if the Minister's able to say that this has been discussed with a large number of people in the responsible positions of planning in the province and has received substantial approval. Which doesn't mean that it's the greatest and it doesn't by any chance mean the end all.

And let me now refer in direct relation to what I just said, to some remark which, I can't attribute it to the person because I don't know who made it, I don't remember who made it, but a stupid remark made by somebody to the effect that once we passed the City of Winnipeg Act we pretended that there was nothing else to be done, that it was perfect then. I have yet to see legislation that shouldn't be amended from time to time, especially that of a living, growing, viable community like any municipality is. There has to be change. I think this is a great step forward. I have to compliment the Minister who I know worked hard with his department over a period of years - and I know that too - to reach the stage we're at.

The Honourable Member for Fort Rouge may be unhappy that there hasn't been a further development but I have to tell him - as if he didn't know, so I'll just say it - that very often you have to bring in legislation piece by piece, because very often it has to prove itself as you go along. And that's why I welcome the introduction - I wish it could have been done last year, I wish it could have been done two years ago. Frankly I would deplore it if it's delayed again and again just because it is insufficient. If there's nothing wrong, let's go ahead with that and

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(MR. CHERNIACK cont'd) let's work towards the future. I would encourage that there be inter-sessional meetings, that there be more discussion, and I'm not so sure that it's that important to hear from everybody in Manitoba. I think there are people in this very House who could make more and more contributions.

If the Member for Fort Rouge wants this session continued indefinitely like it happens in Ottawa or in Ontario, well we have to consider whether we as members of the Legislature are prepared to turn this into an annual year-round session or whether we can actually work within the time allotted to us. But because it doesn't measure up to the dream of the Member for Fort Rouge - and I mentioned yesterday that I know that professionally he's closer involved to this kind of a thing than any of us. That doesn't make him more expert, or more interested, or more full of bona fides and good faith, which is what he challenged just as concluding remarks. He said he'd like to see some more good faith here, and inferentially I assumed that he meant that there was bad faith on this side. I'm only saying that because he questioned the good faith on this side. Instead of that, I say let's talk some more and learn some more, but don't let's hold up something that is good to the extent it goes. Because he said to us and he said to the First Minister "I'm making suggestions". By the way he said that this is one of the most up-to-date pieces of legislation but it's not enough up-to-date, and he says why, for example there's no reference to the possibility of a transfer of developmental rights. He said that's new. Boy it is new, Mr. Speaker, it is to me, I'm not a professional in the field, I'm not aware of development rights. Of course he said that it means that one person who has an authority but not enough, like he needs 10 points, he has 5 points, can buy 5 points from somebody else who would need 10 points but has 5 points. I was sorry for a moment that the Minister for Mines was present when he heard this said because I could just see that monopoly set coming out of his desk again. Because that's what it seemed to me, like we're now talking about the development rights being traded back and forth.

You know I will only in passing refer to the fact that last year I called down the wrath of almost every person present on both sides of the House when I suggested we start evaluating the true value and need for the ownership of land in order to occupy a place in which to live. I said I thought that tenure was more important than ownership. And I know people on my side of the House as well as those opposite thought it was a terribly radical thing to say. Maybe it is. But now we're talking about developmental rights and trading for points. I'll give you two points - I don't know it's something like share warrants. I know that those kinds of things are tradeable on the stock market and it kind of frightens me. But the Member for Fort Rouge then said, about this system I don't comprehend, he indicated, I believe, that he doesn't either, because he said it's complicated and it needs working out. Well then let him not pretend to the First Minister that it's clear-cut, because this was said in the light of when he said "It's being done elsewhere, why don't you look elsewhere." He didn't tell us where it's being done. But if it's being done elsewhere, so we stop all our planning here, we go there and we start studying and if it's new there, as he said it was new, do we wait until they work it out, or are we irretrievably preventing ourselves from making that further investigation and growing in our experience and our knowledge by learning from others as we go along?

I don't quite comprehend why he felt that a regional development corporation could make a greater contribution than the Planning Authority itself. It is regional, it is local, it consists of elected people. The Regional Development Corporation does not necessarily consist of elected people. They are appointed. They are nominated. I don't know why a planning authority doesn't have much greater responsibility than does a regional development corporation but eventually there has to be some sort of an appeal. You know, I do believe in appeals from decisions and if there were some other body that the Member for Fort Rouge could suggest that would be a better review authority - fair game, I'd like to hear that. But I don't think that he seriously believes that the Regional Development Corporation would be that appeal authority - no, he shakes his head, therefore we agree. That's not what he was thinking. So he is saying that there should be an input and he says a reactive one. Well that may be the problem. Because, Mr. Speaker, I agree with so much of what he said and I agree wholeheartedly, in theory, about the greater need for the participation of the people affected. But I have been whipped and I have been shaken and I have been disappointed by the inability of so many people, and I would say probably including the Member for Fort Rouge himself, who has been involved in animation for a number of years, by a great deal of apathy. And I suppose

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(MR. CHERNIACK cont'd) one has to say that a democracy works best when you have "an aware community" and frankly, I don't know if the constituents of St. Johns will say, that man doesn't believe in us therefore we wouldn't re-elect him or his party, but I'll say that I believe that the people of Manitoba have not yet achieved that level of awareness and knowledge to take full advantage of the democratic system. And I think they've made tremendous strides as compared with any other jurisdiction I know of. The mere fact that they keep electing a New Democratic Government is a sign of their real awareness of the advance they've made. So I don't for a moment downgrade the stage we're at, but I do say that we're not yet at the stage where we can really rely on an interested and aware community group of volunteers to participate in all aspects of government. Because they do to a large extent delegate their powers to those of us they elect, and that is part of democracy. They do say we have elected so and so because we have respect in his ability to project in the role he plays our wishes, our aspirations and deal with our needs. That's democracy.

I say I'm in full sympathy with the member's desire to bring more and more, but I have to tell him that I am aware of the fact, and now I come back to what is more close to me, that is the experience of community committees in Winnipeg where the people who turn up, to a large extent - not completely, you know, I know there are exceptions - but to a large extent they turn up when they personally are affected either in pocket or within the pocket of their community. And when it comes to a larger problem, to a problem of magnitude, they're not there, Mr. Speaker, let's admit that. Let's admit that the old concept of meeting in the community halls where you had a referendum right on the spot, is far gone. The television programs take away - or let me put it differently. Television programs today attract many more people than does a real important discussion on basic issues in the community. We know that, so let's not pretend that creating the opportunity will by itself create the interest.

And I speak to the Member for Fort Rouge because he is an animateur--(Interjection)--He isn't? Well, he's involved in animation, I believe he is, I may be wrong. I really thought he was. I thought he was involved in trying to stir the conscience and interests of the community in order to participate in the decision-making process, at least to the extent that it knows what it's doing. And I think it's very sad that he can report to us that he or somebody associated with him asked for data and volunteered that with the use of the tape, to produce it at no cost even, and was denied. I think that's a very sorry state. And if it's related to something that this government refused to give him, I'm sorry. I'm really sorry that information, facts, were not made available for study.--(Interjection)--Well, I'm told it's not this government. I really feel badly about it but I still feel that the forum in which it is to be debated is the forum at which the responsibility and the authority lie. And that's why I said I would be sorry that if it were this government, that we did that.

You know, if I were a member of the Cabinet at the time when I learned that that was happening in this government, I would feel deeply responsible for the decision that was made to deny facts to others. I'm not talking about opinions or recommendations, I'm talking about facts. And I would say the member should come here and make that complaint. But, if that refusal to give facts was at another level of government, then I don't think it is right to come to this level and say "force them to give the information". I think that the role is to go to that level where there are people elected - and I said that yesterday in another connection - elected to serve and have them be aware of the fact that there is information being denied and let them fight for it. Which brings me and right on point to what the member said about my saying that a requirement to have an impact study does not have to carry with it a selling-out of the nature, the extent, the breadth, the depth of the study. And I still stick to that.

I'm saying that once you say there shall be a study, then the people who are going to use that study in making a decision are the ones who have the responsibility and the authority to determine the extent, the depth, the breadth, the nature of the study that's required. And I don't back away from that. I know that there's a great deal to be spelled out, but I said yesterday and I say today, putting it into an Act doesn't make people hear. The fact that you speak doesn't mean that they have to listen. And it's their voters who have to see to it that they listen. And it is those people involved in community organization like the Member for Fort Rouge that have to make sure that they listen. And that applies to this kind of planning authority too.

The gentleman quoted - I think the member said his name was Greenspan - made some

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(MR. CHERNIACK cont'd) very important statements. He said that people shouldn't be brought in at the ninth inning. I agree. And he said that people should have available to them expertise. But then, you know, the Member for Fort Rouge who himself was once involved in the bureaucracy of government, in a very high and influential position, shouldn't, I think, speak of expertise employed by government, planners - by the way he's a planner, that's his profession - planners who do an act, who think nobody else knows as much as they do, and he called them hired guns, that's the meaning - not necessary - I must admit I also have a son who's a planner professionally. And I don't like to think that a planner has any motives that are any more questionable than that of the politicians that act on their decisions. I somehow don't think that's so. And I don't like to think of them as hired guns. I don't see the necessity to do that because they have a role to perform, and they have information to give and it should be made available.

Now if the member says let's, in addition, make money available to community citizen groups, there again he's been involved in getting grants for purposes such as that. And I think that's good. He has received grants from this province for the furtherance of the work he does through the Institute of Urban Studies. That's good. But does he then say that all opposition as soon as it appears should also be financed? Because I have to tell him that unfortunately much opposition that I've seen to planning programs has been of a vested interest type which I don't think is that valid. And therefore, if somebody wants to protect or enhance his financial worth at the expense of the community, I'm not particularly interested in financing that. I admit that I'm not. But if he wants to show that the impact on his quality of life is going to be affected, I'm interested.

So when the Member for Assiniboia said yesterday, every elected councillor of the St. James-Assiniboia community was opposed to something and they couldn't stop it, I don't think that's terrible, Mr. Speaker. As long as they had an opportunity to hear their constituents and report to the larger body on the beliefs and feelings of their constituents, and their own feelings and beliefs, and tried to persuade and had the opportunity to persuade and failed. That's democracy. But for them to be able to say we don't want something, means again a splitting up of a unified city. That's what he wants. The Member for Assiniboia, the way he described yesterday the authority he would like, would like to go back to the old municipalities. That's what I believe he would like to do - completely opposite to what the Member for Fort Rouge would like, I believe. I believe the Member for Fort Rouge has supported the concept of unicity. And I believe the Member for Assiniboia, like his counterpart from Sturgeon Creek, would like to see us go back to municipalities, little cities within the big city, autonomy there. No, it's not a shame, it's all right. It's pretty good, it's pretty good for those municipalities that end up rich, like it was pretty good for those municipalities who were rich before. Like the Member for Assiniboia said yesterday, "maybe we had it too good". He said that - I'm quoting. I think those are word for word what he said - "maybe we had it too good" - when he was complaining about his bill being tripled. Well yes, that's right, maybe they had it too good. And therefore I feel that those who had it too good aren't really entitled to keep on having it too good, but have to recognize that there is something that is for the greater good of the greater number. And therefore if you have an unattractive but necessary public service to settle in some area within a larger area, the people who don't want it can be multiplied by all the people who don't want it next to them but want it somewhere else. And therefore I think that they should have the right to make their point but not have the right to veto it. That's the point I made yesterday and that's the point I make now as to the opportunity to participate.

But I don't want anything I've said to be interpreted as being in opposition to what I consider the ideal as expressed by the Member for Fort Rouge. I would like to encourage it. But I would not like to see our desires, and I join him in that, frustrate advancement. And I have seen that happen. I have seen worthwhile projects stifled, frustrated, held up because of the misuse of machinery designed to make things work. And therefore I am not sympathetic to the proposal that we should say now that we will deal with this bill a year from now. I say let's go to committee. Let's find out where we stand. Let's find how we understand this. Let's find out what's wrong with the bill, not what could be added to it, because that's valuable but not urgent, but let's find out if there's something damaging in the bill now so we can at least make a giant step forward in setting up a rationalization of the planning authority in the

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(MR. CHERNIACK cont'd) province. And let's hear from the municipalities and let's consider, but let's do that, unless there's a danger in doing it.

The Member from Fort Rouge has not spoken of danger, he has spoken of inadequacy. And inadequacy in what? Not compared to standards that we know but rather compared to what may be going unused somewhere else which may yet be studied in the future. And I would encourage him to continue to make this kind of contribution but not to prevent progress but rather to assist it by going step by step as we can, always looking to improvement in the future. Which is exactly the way I conceived of the City of Winnipeg Act when I introduced it some years ago.

MR. SPEAKER: Order please. The Honourable Minister will have a little more time this afternoon. The hour being 12:30 I'm now leaving the Chair . . .

MR. CHERNIACK: Mr. Speaker, may I say I have concluded and if you wish to pass beyond this bill, it's in order from my standpoint.

MR. SPEAKER: Well, I'll take ten seconds to say that the Bill remains in the name of the Honourable Member for Gladstone as adjourned, because it was in his name when the Honourable Member for Fort Rouge spoke. I'm leaving the Chair now to return at 2:30.