

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Thursday, May 29, 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 25 students Grade 9 standing of the Edmund Partridge School. These students are under direction of Mr. Chodirker. This school is located in the Constituency of the Honourable Member for Seven Oaks, the Minister of Urban Affairs.

We have 30 students Grade 11 standing of the Garden City Collegiate under direction of Mr. Pawlychka. This school is located in the constituency of the Honourable Member for Seven Oaks, the Minister of Urban Affairs.

We have 23 students, Grade 6 standing of the Crestview school under direction of Mr. Morgan. This school is located in the constituency of the Honourable Member for Assiniboia.

And we have 28 students, Grade 10 and 11 standing of the John Taylor Collegiate under direction of Mrs. Zadorozny, Mrs. Craig and Miss Pawluk, in the constituency of the Honourable Member for Assiniboia.

And we have 69 students, Grade 5 standing of the Centennial School under direction of Mr. Oster and Miss Crystal, in the constituency of the Honourable Member for Seven Oaks the Minister of Urban Affairs.

On behalf of all the Honourable Members I welcome you here this afternoon.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills; Questions. The Honourable Member for Fort Garry.

ORAL QUESTION PERIOD

MR. L. R. (BUD) SHERMAN (Fort Garry): Mr. Speaker, my question is to the Honourable Minister reporting to the House for negotiations with the Manitoba Government Employees Association. Will the Minister be making a statement to the House on today's developments in that situation?

MR. SPEAKER: The Honourable Minister of Urban Affairs.

HON. SAUL A. MILLER (Minister for Urban Affairs)(Seven Oaks): No, Mr. Speaker, I feel that while negotiations are taking place they should be taking place in confidence as between the two parties. I don't think a statement at this time would add anything. As a matter of fact, I think it's the wrong thing to do.

MR. SHERMAN: A supplementary, Mr. Speaker. Can the Minister advise the House whether a settlement has in fact taken place today?

MR. MILLER: Mr. Speaker, if the settlement has already been achieved, it would be public knowledge, but obviously it hasn't been achieved that's why it's not public knowledge.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Official Opposition) (River Heights): Mr. Speaker, to the Minister of Urban Affairs and the Minister who is negotiating with the MGEA. I wonder if he could indicate whether the settlement that's proposed is in line with the restraint policies of the government?

MR. SPEAKER: The Honourable Minister.

MR. MILLER: Mr. Speaker, I am satisfied with the settlement when it's arrived at, and if it's arrived at it will certainly be in harmony with the statements made in this House, and by Government, in keeping with the fact that the Province of Manitoba as an employer has a responsibility to see to it that its employees have adequate incomes and are treated fairly and equitably with the rest of the private sector.

MR. SPIVAK: I wonder if the Minister can indicate whether it is the opinion of the government, or it is the position of the government that these are bench mark settlements to be made by other industries?

MR. MILLER: Mr. Speaker, I do not . . . the term bench mark indicates that somehow this will be the leading edge towards which others can aspire. I don't think that is the case. The government is trying to achieve recognition for its employees which is in keeping with average salaries and the effect of the increases over the last 24 months.

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MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I have a question for the Honourable Minister of Tourism and Recreation and Cultural Affairs, and it refers to the budget of the Winnipeg Art Gallery. I wonder if the Honourable Minister can advise the House what percentage of the 1.2 million budget of the Winnipeg Art Gallery will be provided by the Province of Manitoba?

MR. SPEAKER: The Honourable Minister of Tourism.

HON. RENE TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Well, Mr. Speaker, the honourable member well knows what percentage and what amount will be paid to the Art Gallery because we have just terminated my estimates, and the question was posed in committee and the answer was given. If the honourable member wants me to scrutinize the amount I can repeat it again. From the top of my head I would hazard to say that the amount is approximately \$256,000.

MR. McKENZIE: A supplementary question, then, Mr. Speaker. I'm to understand then that that's a firm policy of the government regarding the budget of the Art Gallery?

MR. TOUPIN: Well again, Mr. Speaker, the amount contained within the estimates of my department is the amount that was earmarked, voted by committee, and recommended to this House. If new programs are initiated, we can look at new programs. If there is anything that can be done between the Art Gallery and other groups that are attempting to better the field of arts in the Province of Manitoba, we can look at that, but as far as funds being available within the estimates without looking at special warrants, that is the amount.

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

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I rise at this time on a point of privilege. It is a Tribune report of a vote which was held in the House yesterday, where the report states that Liberals and NDP defeated a law review scheme. I just wish to correct the record. That is not so. The Liberals voted to try and have the scheme implemented.

MR. SPEAKER: Orders of the Day. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, my question is to the Honourable the Minister of Education, Colleges and University Affairs. Has the Minister been able to meet yet or respond yet to the St. Norbert parents group who have been approaching him with respect to the all French schools' question out there?

MR. SPEAKER: The Honourable Minister of Education.

HON. BEN HANUSCHAK (Minister of Education)(Burrows): Mr. Speaker, there are many parents groups in St. Boniface, one of whom has approached me, another one wishes to, with whom I'll meet as soon as I have the opportunity to do so.

MR. SHERMAN: Mr. Speaker, just for the record, sir, my reference was to St. Norbert, not St. Boniface.

MR. HANUSCHAK: I'm sorry, Mr. Speaker, my apology. I meant St. Norbert.

MR. SHERMAN: A supplementary, Mr. Speaker. Can the Minister advise whether construction of the proposed school will be withheld or postponed at least until the Minister and his department have had a chance to give the issue a fair hearing?

MR. HANUSCHAK: Mr. Speaker, we do not build schools.

MR. SHERMAN: A supplementary, Mr. Speaker. Can the Minister advise whether in view of the fact that he gave the go-ahead for building the school, it is also within his province to suspend that go-ahead?

MR. HANUSCHAK: Mr. Speaker, there is merely authorization given for the expenditure of moneys for building of a school, but the time when construction will commence is entirely within the jurisdiction of the school division.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Thank you, Mr. Speaker. I have a question to the Honourable Minister of Mines and Natural Resources, responsible for the Clean Environment Act. Do the inspectors from the Clean Environment Department do periodic testing of underground gas and oil storage tanks, or are they called to investigate after there has been a leak, or a gas leak or an oil leak underground?

MR. SPEAKER: The Honourable Minister of Mines.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Underground gas and storage tanks. Mr. Speaker, many of the . . . The

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(MR. GREEN cont'd) . . . . honourable member will have received a report from the Clean Environment Commission on underground gas and storage tanks, which I believe has the answer to his question. Well, if it doesn't have the answer to his question, Mr. Speaker, it is indicated in the report that there have been tanks installed over the years which are probably not structurally as they should be in order to have prevented leaks and other possibilities, and there is recommended legislation with regard to those areas. Now with regard to present inspection, I cannot give the honourable member details of present inspection but I believe that . . . I will take the question as notice and give them to him.

MR. PATRICK: I thank the Minister. Would the Minister consider amending the present legislation that there would be periodic inspections?

MR. GREEN: Mr. Speaker, I don't think that it requires legislation for periodic inspections although I could be wrong. I believe that the inspections could take place. I think that the problem has been, as indicated by the Clean Environment Commission, that some of the installations are such that they should have been structurally different than what they are, and what we will need is legislation requiring certain type of structures to be installed, as well as other recommendations in the report.

MR. SPEAKER: The Honourable Member for St. Johns.

HON. SAUL CHERNIACK, Q.C. (St. Johns) Mr. Speaker, I have a question to the Minister of Education. I'd like to know whether he has received any representations or appeals by Members of the Opposition, including the Member for Fort Garry, to interfere in the affairs of the programmatic decisions of the school board which is responsible for the construction of the school in St. Norbert.

MR. SPEAKER: The Honourable Minister of Education.

MR. HANUSCHAK: No I haven't, Mr. Speaker, but the nature of the questions that were posed to me earlier this afternoon would seem to suggest a desire for me to do that very thing.

MR. SPEAKER: Order please. The Honourable Member for La Verendrye.

MR. BOB BANMAN (La Verendrye): Thank you, Mr. Speaker. I direct my question to the Minister in charge of Environmental Management, and would pose the question to him that if he could confirm that his department right now, personnel from his department are going around Manitoba checking out gasoline and oil storage tanks, and cataloguing the same, including all service stations in Manitoba.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I really can't confirm it but I would hope that something of that nature is either in play or is being instituted. They are presently looking at the recommendations of the Clean Environment Commission and I presume that they would be taking action on that, but it hasn't reached my . . . The report went from myself to the administration to consider how it is best implemented, and I haven't received a response since then.

MR. BANMAN: A supplementary question, Mr. Speaker. I wonder if the Minister could inform the House whether there has been any leakage or environmental problems caused in the past, and if any of these matters have been brought to the Minister's attention?

MR. GREEN: Yes, Mr. Speaker. There was a hearing held by the Clean Environment Commission and a report published, which I would have thought the honourable member would have received a copy, but I am prepared to see to it that he gets one.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, my question is to the Honourable the Minister of Education, and I would ask him, and I would hope the Member for St. Johns is listening, I would ask him, sir, whether in his view the opposition's scrutiny of the expenditure of public moneys in this province constitutes interference with the processes of jurisdiction?

MR. SPEAKER: The Honourable Minister of Education.

MR. HANUSCHAK: Mr. Speaker, the questions that were directed to me with respect to a decision of the Seine River School Board referred specifically to a decision made by the board regarding a matter which, within the provisions of the Public Schools Act, falls within the scope and jurisdiction of the board.

MR. SHERMAN: A supplementary, Mr. Speaker. But I ask the Minister of Education again, does that decision not involve the expenditure of public moneys through the Public Schools Finance Board?

MR. HANUSCHAK: No, Mr. Speaker, it does not. The building of schools does, but

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(MR. HANUSCHAK cont'd) . . . . whether a school board chooses to build a school at point (a) or point (b) or (c), that is a matter within its jurisdiction.

MR. SHERMAN: A supplementary, Mr. Speaker. Would the Minister of Education not consider that the unnecessary building of this school, if it were factually and possibly unnecessary . . .

MR. SPEAKER: Order please. We're getting into the realm of opinion. If the honourable member wishes to rephrase his question, he's welcome.

MR. SHERMAN: . . . Speaker, could the Minister advise whether in his view the unnecessary building of a school constitutes . . .

MR. SPEAKER: Order please. Again it's an opinion you're asking for. The Honourable Member for Fort Garry. Orders of the Day. The Honourable Member for Lakeside. The Honourable Member for Fort Garry.

MR. SHERMAN: Thank you, Mr. Speaker, and I thank the Honourable Member for Lakeside. Could the Minister advise the House whether in his view the unnecessary building of a school constitutes wastefulness in control of public money?

MR. SPEAKER: The Honourable First Minister. The Honourable Minister of Education.

MR. HANUSCHAK: Mr. Speaker, if you would allow me to answer a hypothetical question. Of course unnecessary building would be wasteful. We do not permit unnecessary building, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I direct a question to the Honourable the Minister of Agriculture. In lieu of the information that has now been made public that the Manitoba Egg Marketing Board is suing the Federal Board CEMA for some \$600,000, can the Minister assure us that in this suit that there is . . . clarify this suit. Is it a question of Manitoba Egg Producers not having received their moneys, or is this a question of interaction between the two boards, the Provincial Board with the CEMA Board?

MR. SPEAKER: Just a minute. Order please. I believe the honourable member mentioned that this was before the Courts. If it is sub judice how can we ask the question. The Honourable Member for Lakeside.

MR. ENNS: I suppose, Mr. Speaker, there's nothing wrong with the question. We may not get the answer. The other question is supplementary to the unanswerable question, Mr. Speaker. Is this suit part of . . . does this cover some of the eggs that rotted, you know, a year or two ago by the National Marketing Board. Are we now adding insult to injury, putting the salt in the wound by suing a national board for eggs that rotted some time ago.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Mr. Speaker, I want to advise the Member for Lakeside that this is not the first time that legal action was undertaken by the Manitoba Board vis-a-vis the National Marketing Board of Canada. In the last instance of course they resolved before it got to Court as I recall. This instance may prove to be the same. However time will only tell, Mr. Speaker. It is for outstanding accounts payable to the producers of Manitoba.

MR. ENNS: A final supplementary question, Mr. Speaker. Without in any way wishing to tread on the sub judice, the question that may be involved, but my question still, and the serious question is, does it involve producers that are awaiting payment for eggs delivered, or have the producers been paid for these eggs and it is now the Manitoba Marketing Board that is pressing suit?

MR. USKIW: I would think, Mr. Speaker, that some producers may not have been paid. I'm not certain of that fact, but the way the Manitoba Egg Marketing Board functions I would think that some producers may have not been paid, and that these outstanding accounts of course have to be paid in order that they may get paid.

MR. SPEAKER: Orders of the Day. The Honourable Member for Brandon-West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, my question is to the Honourable the Minister responsible for Transportation. I would like to ask him if a decision has been made to designate Manitoba Government Air Services as the carrier for the commuter service to Brandon, Dauphin and Yorkton?

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

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HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, the decision of the choice of the carrier is the decision that has to be made jointly between the Governments of Saskatchewan and Manitoba, and there has not been an agreed upon decision. When a decision is made, it will be announced, and it will be announced jointly by the two governments.

MR. MCGILL: A supplementary question to the Minister. Can the Minister confirm that Manitoba Government Air Services is presently training pilots to fly this commuter service?

MR. EVANS: That said question may better be addressed to the Minister of Northern Affairs. However, I can add, Mr. Speaker, that we are undertaking through the company that we referred to previously, Sky West Limited, which would be a jointly held agency, a jointly held company that could facilitate this. We're doing as much as possible to speed up the introduction of this service. Now it involves many things, including incorporation, it includes attempting to get an interim license from the CTC, and it may include some testing by some pilots. Maybe that is part of the administrative procedures, but there has been no decision on the carrier.

MR. SPEAKER: Orders of the Day. The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Speaker, I direct a question to the Honourable First Minister. My question is, can the Minister indicate to me whether or not any persons in the employ of the government, or any of its agencies, will they be active in the campaign currently under way in Saskatchewan?

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, no one in the employ of the public service of Manitoba will be engaged in the campaign in Saskatchewan unless they are on a leave of absence without pay.

MR. ENNS: A supplementary question, Mr. Speaker. Has such leave been given?

MR. SCHREYER: I'm not aware, Mr. Speaker, that anyone is thus engaged, but I will check. Clearly if there is anyone thus engaged it can only be on the basis of leave of absence without pay. Unless it be on a Saturday or Sunday, in which case they are free men or women, and that is their own time.

MR. SPEAKER: The Honourable Minister of Health.

HON. LAURENT L. DESJARDINS (Minister of Health and Social Development) (St. Boniface): Mr. Speaker, a few days ago I was asked a question as to who was responsible for the inspection of and testing of milk products, dairy products. I must admit that the question of jurisdiction doesn't seem to be too clear at this time. There are three departments involved and there is question as to the responsibility of the Provincial Government or the City of Winnipeg, and we're looking into this now. I think that I can say the same thing for the situation of the meat inspection also. So the whole thing is being reviewed at this time.

MR. SPEAKER: The Honourable Member for Brandon-West.

MR. MCGILL: Mr. Speaker, my question is to the Honourable the First Minister. It relates to his reply one week ago today that certain Federal correspondence relating to Hydro would be tabled forthwith. I wonder if the Minister is able to indicate when that might occur?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, I've asked staff to proceed on the basis that the reply given by the Federal Minister in the House of Commons as recorded in Hansard, constitutes official concurrence to the tabling of the correspondence, and on that basis I've asked staff to proceed to make it available for tabling. I will check again today and assume to have it Monday or Tuesday.

ORDERS OF THE DAY - GOVERNMENT BILLS

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

MR. GREEN: Mr. Speaker, would you please call Bill No. 40, and then I would like to proceed, following Bill No. 40, to the introduction of bills Nos. 26, 29, 41.

MR. SPEAKER: 26, 29, 41, right. Thank you.

MR. GREEN: Leaving out 29.

MR. SPEAKER: Bill No. 40, proposed by the Honourable First Minister. The Honourable Member for Birtle-Russell. The honourable member is absent. Very well.

ORDERS OF THE DAY - GOVERNMENT BILLS

MR. GREEN: Well, Mr. Speaker, can we pretend that I never called that in case he comes back, unless there is somebody else who wishes to speak, I don't know. I will then, Mr. Speaker, because I would like to call it again if I can; we can't go back unless we pretend I didn't call it.

MR. SPEAKER: Is it agreed? Very well. Bill No. 26,

MR. GREEN: . . . or his nominee.

MR. SPEAKER: The Honourable Attorney-General.

BILL NO. 26 - THE LIQUOR CONTROL ACT AMENDMENT

HON. HOWARD PAWLEY (Attorney-General) (Selkirk) presented Bill No. 26, an Act to amend the Liquor Control Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. PAWLEY: Mr. Speaker, the bill before us, the amendments to the Liquor Control Act contain a number of minor amendments to the Liquor Control Act, and I'll specify the amendments one by one.

First, there is an amendment to provide for a licence for retail wine stores to be operated by the Manitoba Wine Manufacturers, of which we now have two in the Province, as is now permitted for Manitoba Breweries. These stores would not however be located on the property where the wine is manufactured, but probably in choice locations within Greater Winnipeg, for instance, but that would be a decision that would rest with the Wine Manufacturer operating within the province.

A second amendment will remove the necessity to set the price of beer in clubs operating under the club beer licence by regulations. The Commission and the Government have been criticized from time to time for forcing clubs operating under a club beer licence to sell beer, especially draught beer to their members, at prices higher than that desired by the clubs themselves. Presently clubs operating under club beverage room, club dining room, or club cocktail room licences may, subject to Commission approval, set their own prices.

Further amendment deals with the restaurant wine licence. Would permit the sale of only natural table and fortified wines with meals. Although this licence would be subject to all the general provisions of the Act, it would not necessarily be subject to the regular licensing board and Commission required policy as to standards of premises and operation. It is expected therefore that such a licence would not require the capital expenditures now associated with the issuance of a restaurant beer and wine, or dining room liquor licence.

Another amendment deals with permitting licenced dining rooms and cocktail rooms to open their bar at 11:30 a.m. instead of 12:00 noon. This would permit those who take lunch at 11:30, between 11:30 and 12:00, to receive a drink prior to their lunch in the same manner as those taking their lunch at 12:00 noon.

Another amendment still permits the Commission to continue its effort to completely eliminate the practice of overloading tables but would remove the irritation and criticism that sometimes are launched by people forced to gulp the last part of their drinks in order to allow the waiter or waitress to serve drinks at their table. At the same time it would eliminate the possibility of one person ordering and being served a 25 or 26 ounce bottle of wine for consumption by himself. Most licensees are concerned and will not serve a full bottle of wine for consumption by one individual, and the Commission has received some requests to amend this section to back the licensees in their endeavour to control the amount of wine consumed by one person at any one time. Though the amendment still provides for the service of two glasses of beer at one time, no more than one glass of liquor other than beer to be served at one time will now be permitted in the licensed premises.

Another amendment will allow the Commission under certain circumstances to authorize an additional 30 minute grace period for consumption of liquor after the sale ceases in dining rooms. It has been brought to our attention that under certain circumstances, and also in licensed dining room, in Chinatown, for example, those who cater especially to late hour diners, that the one-half hour period allowed for consumption after 1:00 a.m. when sale must terminate, is causing considerable inconvenience. For example, a party of six or ten persons coming into the dining room at 12:30 or 12:45 a.m. will want to order their food before they

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(MR. PAWLEY cont'd) . . . . order their wine, and when the wine is delivered these people must consume their wine sometimes within 40 or 45 minutes whether they are permitted to complete their meals or not.

Another amendment provides changes to the Act as presently written. The Act now states that no person may obstruct or attempt to obstruct the entry of an inspector in the licensed premises, but it does not provide that once on the premises persons may not interfere or obstruct him in the execution of his duties.

Another amendment will authorize the issue of the new proposed restaurant wine licence in any municipality that has passed a by-law approving the issue of a restaurant, beer and wine licence. It will also permit the municipal council to give first and second readings to a by-law for liquor referendum and submit it to a vote even if no petition has been filed. That's in accordance with some comments that were made in the House earlier by the Honourable Member for Souris-Killarney.

Another amendment will allow a municipality to hold a liquor referendum on the day fixed by by-law for the municipal election if a general municipal election was necessary in that year, whether an election is necessary or not.

Another amendment deletes the provision which prohibits the submission of a liquor referendum by law to a vote if a petition has not been filed.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, I beg to move, seconded by the Honourable Member for Fort Garry, that debate be adjourned.

MOTION presented and **carried**.

MR. SPEAKER: Bill No. 29. The Honourable Minister isn't here.

BILL NO. 41 - THE MANITOBA TELEPHONE ACT AMENDMENT

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

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services)(Osborne) presented Bill No. 41, an Act to amend The Manitoba Telephone Act and to authorize the Expenditure of Moneys for Capital Purposes of The Manitoba Telephone System and authorize the Borrowing of the same, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. TURNBULL: Mr. Speaker, I would like to say a few words about this bill so that members will know what the intention of it is. This proposed legislation amending the Manitoba Telephone Act will enable the Telephone System to establish a data processing facility. The bill authorizes MTS, or the Province on behalf of MTS, to borrow up to \$10 million for the purpose of establishing a data processing facility. The legislation would also empower the Board of Commissioners of MTS to establish this data-processing facility as a separate subsidiary of MTS.

The decision to establish a data processing facility through MTS at this time is the result of studies which have suggested that significant efficiencies can be achieved through centralization of Manitoba Government Computer facilities. Thus at the outset the MTS data processing arm will provide general purpose computer facilities for use on a shared basis to all Provincial Government departments, commissions and agencies, except, Mr. Speaker, those in the Health Services and Post Secondary Education areas.

Centralization of Provincial Government computers is in line with the recommendations of a task force of the Computer Rationalization Advisory Board which completed an internal study more than a year ago and is substantially in accord with decisions in other jurisdictions, such as New Brunswick, Saskatchewan and Ontario.

The assumption underlying centralization is that by replacing a number of small or medium sized computers with one or two or more large machines connected to terminals by communications links, costs will be reduced by taking advantages of economies of scale. In addition, by using large central computers, complete back-up facilities will be available to all users. The decision to locate a centralized facility within the Manitoba Telephone System, rather than establish some new entity for this purpose was based on the fact that firstly, data processing services are a natural adjunct to MTS' efforts to extend computer communications services through the province.

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(MR. TURNBULL cont'd)

Secondly, other telecommunications carriers, including New Brunswick Telephone, Maritime Tel and Telegraph and Telephone and CN, CP, Telecommunications have already established computer utilities to offer data processing services to the public. If MTS is to remain in the forefront of bringing new services and technology to Manitobans, it must expand into this field. It is anticipated that entry by MTS into the data processing field will have three major beneficial effects for the people in the province.

Firstly, data processing needs of users outside Winnipeg will be better served. Past experience has shown that existing suppliers of computing services are reluctant to provide necessary maintenance and backup support for computers located outside Winnipeg. So, Mr. Speaker, I anticipate that those businesses in particular that are located in rural Manitoba and northern Manitoba will be better served by a government-owned computer utility than they are presently being served.

A second beneficial advantage for the province and the people in it, Mr. Speaker, is that by providing a facility of adequate capacity at competitive prices, private and public sector business now flowing out of Manitoba may be kept in Winnipeg. In this regard the main suppliers of service to Manitoba business now maintain only terminals within this Province. The actual data processing is being done on machines in Toronto, Vancouver, and Calgary.

A third beneficial effect of this bill and the facility that it will establish is that provision of service at the level contemplated will make the province more attractive for new industry. Mr. Speaker, while it is anticipated that MTS in competition with the private sector will eventually capture a share of the data processing business in the province, the first requirement will be the centralization of government computer facilities. The first year capital authority of 10 million, included in the bill, will allow MTS to acquire data processing assets currently owned by participating government departments and agencies, purchase new data processing equipment, and begin construction of a building to house the operation. Until the new computer centre is built, the utility will operate out of the existing Manitoba Government computer centre in the Norquay Building.

Mr. Speaker, before I close my brief remarks on this bill, I do want to point out the relationship between the computer utility and the main business of MTS, which is of course provision of telephone service. I want to be very sure that the operations of this computer utility are in no way subsidized by the ordinary telephone user. Therefore, while some management personnel at MTS will be members of the Board of the Computer Utility, a set of books separate from those of MTS will be maintained. Appropriate records of the Telephone System will be available for scrutiny by the Manitoba Public Utilities Board so that the Public Utilities Board may insure that there is no diversion of revenues from telephone operations into computer operations.

Mr. Speaker, I think these brief remarks explain the intent of the bill and the intent of the government, and I do hope that we can have a rational discussion of this proposal and of the benefits that I do expect it will bring to Manitoba.

MR. SPEAKER: The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Mr. Speaker, I move, seconded by the Honourable Member for Minnedosa, that debate be adjourned.

MOTION presented and carried.

MR. HENDERSON: Mr. Speaker, I was wondering if he'd make a copy of his notes available to this side because of the delay in Hansard, or the backlog of Hansard.

BILL NO. 47 - THE SOCIAL ALLOWANCES ACT AMENDMENT

MR. SPEAKER: The Honourable Minister of Health.

MR. DESJARDINS presented Bill No. 47, an Act to amend the Social Allowances Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Health.

MR. DESJARDINS: Mr. Speaker, Section 13 to 29 in Section 1, 10, 11, of the Social Services Administration Act, were proclaimed on June 17, 1974, and September 1st, 1974, respectively. The proclamation of the other section of the Social Services Administration Act depends partly on the amendment of the Social Allowances Act. The provisions of the



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(MR. DESJARDINS cont'd) . . . . Department of Welfare which have not been carried over into the new Social Services Administration Act will be incorporated into the Social Allowances Act.

This applies specifically to Section 20 of the amending Act, dealing with the provisions of a recovery of assistance improperly paid into the corresponding section 14 of the Welfare Department Act. There has been a new Subsection 2 of Section 20, as well as new Section 21 and 22 are added in the proposed amending bill to provide for recovery of payments from a person who has defaulted in his responsibility to support the recipient, and for prosecution of persons making false or misleading statements to obtain assistance.

Section 2(f) of the Social Allowance regulations referring to shelter costs states that an allowance may be paid for upkeep in view of rent for recipients, who own or are purchasing their homes. These recipients can be paid for current taxes and insurance at the actual cost and minor repairs up to \$125 in any fiscal year, and principal and interest on a mortgage or an agreement for sale. The regulation proceeds to specify the principal on mortgage or agreement for sale, and essential home improvement repairs and tax arrears, granted as a special need shall be secured by a lien registered under Section 14 of the Department of Welfare Act. And this is refundable up to the amount that leaves the recipient at the time of cancellation of assistance a minimum equity in the property of \$3,000.

Section 7 (1) and (2) of the Social Allowance regulations stated that, and I quote, "In determining whether an applicant is eligible to receive a social allowance, the Director shall take into account, according to the circumstances and needs of the applicant, the total cost of the basic necessities of the applicant and his dependents, from which he shall deduct the financial resources of the applicant and his dependents. And if the cost of the basic necessities is in excess of the financial resources, he may pay an allowance. Notwithstanding Subsection (1), an applicant with financial resources not immediately available for use may be granted a social allowance for a period up to four months while his assets are being converted."

The department's policy regarding this regulation has been that when an applicant for social allowances has assets in excess of the allowable amount in the form of real property but does not occupy this property as a home, it should be converted to cash for current maintenance. However, if it is not feasible to convert the property for this purpose within a four month period, Section 7 (2) regulation, the applicant should be granted social allowances immediately and a lien placed on the property. Any allowance granted after the first four months, if the property has not been converted to cash, should be refundable up to the amount of the recipient's excess assets. Feasible reasons for not converting property to cash include:

- (1) property is listed for sale and a buyer has not been found;
- (b) property is not saleable due to legal complication;
- (c) applicant and/or his dependents are temporarily absent from the property and intend to return to use it as their home;
- (d) if in the opinion of the Director of Welfare it would not be in the long term interest of the applicant;

Section 21 (i) (c) and Section 21 (a) (b) and (c) of the proposed bill would ensure that the department's policy regarding the placement of the lien on excess property, which has not been converted to cash after the four months, will add the legal basis. The lien will only apply to situations where it is deemed that the applicant for social allowances has assets in excess of the allowable amount in the form of real property but the applicant does not occupy that property as a whole. Except for the Province of Alberta, all other provinces have provisions for the recovery of overpayments in the social legislation. The proposed changes are required to reflect changes in the new Child Welfare Act which became effective January 31, 1975. Thank you.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, before adjournment could I ask the Minister if he'd make his notes available because Hansard is so long coming.

MR. SPEAKER: The Honourable Minister of Health.

MR. DESJARDINS: I'll have the Xerox copy of these notes, and I'll send it to my honourable friend.

MR. EINARSON: Mr. Speaker, I thank the Minister for that.

MR. DESJARDINS: I'll do that for the next two bills that I'll be introducing also.

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MR. EINARSON: Mr. Speaker, I beg to move, seconded by the Member for Brandon West, that debate be adjourned.

MOTION presented and carried.

BILL NO. 50 - THE CITY OF WINNIPEG ACT AMENDMENT

MR. SPEAKER: The Honourable Minister of Urban Affairs.

MR. MILLER presented Bill No. 50, an Act to amend the City of Winnipeg Act, for second reading.

MOTION presented and carried. --(Interjection)--

MR. SPEAKER: The Honourable Minister of Urban Affairs.

MR. MILLER: Mr. Speaker, I thought maybe it could be agreed to because in fact explanatory notes, I think, have been distributed with this bill and therefore they really speak for themselves.

A MEMBER: We want to know if you remember them.

MR. MILLER: Well they were distributed. These generally by and large are technical amendments which relate to corrections in Sections of the Act, to the numbering, the clarification of wording, and the clarification of wording, and the clarification and the definition of some of the sections. As you know we indicated to the City that the date for the annual estimates for their budget could be postponed for a month, and that now gives them this power. It ratifies what it's done.

It also gives the power to the City to extend the time within which approved plans of subdivisions might be filed beyond the present 180 days. The City has asked for this because apparently they run into some difficulties where it exceeds 180 days, and as the Act now reads the applicant has to start all over again from the very beginning. So that with the concurrence of council an extension can be granted.

Something that's quite new is giving to the city the power to establish by by-law criteria to assist in determining buildings, erections of structures which could be listed on a buildings conservation list, and the power to conserve buildings which are on such a list, and as well it indicates the conditions under which the province might participate with grants towards conserving these buildings which have historical significance, and which are deemed to be recognized as such, and which it is desired to retain in their present condition, or to retain, if not the entire building at least a facade, so that it can be something which ties us back to our early history and which simply will not disappear as has been the practice in the decades prior to this.

These amendments are amendments that by and large have been asked for - I think all of them have been requested by the City of Winnipeg. The members feel that there is a short list of them, but I would like to remind members that in fact the entire City of Winnipeg Act will be reviewed, a committee review will be established, and the entire Act will be subject to review and anything which flows from that review, any changes in the City of Winnipeg Act in a substantive, that is, substantive changes would then come before the House at the next session of the Legislature. Thank you.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I would like to take the opportunity to pass some comments on the amendments brought forward, or the bill brought forward by the Minister of Urban Affairs. I think that myself, and I suspect other members, had looked forward with some anticipation to the bringing forward of amendments to the City of Winnipeg Act because it had become increasingly clear that the operation and functioning of the City

a lot to be desired, and that in many cases the intentions of the original bill that was brought in of the City of Winnipeg to create a new structure, were not being fulfilled according to their purpose. We felt that while recognizing that there is to be a review procedure, and that that will be conducted and there will be an opportunity in the next two years for a general look to see whether the Unicity concept itself is worthwhile retaining, it doesn't mean that that should exclude consideration of many areas of City operation that are now malfunctioning and could be corrected right now at this session of the Legislature. I would think, for example, Mr. Speaker, that I have heard from members of the other side quite consistently that one of the excuses or reasons that they put forward for the difficulty in trying to develop and build housing in the city, low cost housing, public housing, and other forms of

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(MR. AXWORTHY cont'd) . . . . accommodation, is limited by the nature of the Act and that some correction is required. Certainly the private builders have said the same thing that the zoning procedures set forward in the Act are highly restrictive, and that one of the contributing reasons why we in fact have a shortage of building sites and one of the contributing reasons to the extreme shortage that we're facing. And it would have seemed to me only the minimum of wisdom to have attempted to have brought forward some changes or alterations to correct those situations. I think, Mr. Speaker, that it may be particularly neglectful considering that members of this House last year in debate issued very strong urgings to the government that such corrections be made, that we make some opportunity to look at the problems being faced by the City of Winnipeg because of the nature of its constitution, if you like, by its institutional arrangement, and to bring forward in this session the amendments to it that would overcome those difficulties. Now another session has come and gone, and we hear some promise that maybe next year - well it's like the old Mexican song "Manana" you know, by next year maybe the rain will be falling, so we can put them off for another year. In the meantime, Mr. Speaker, the conditions get slightly worse. I think that in this whole field of the development procedures of the city there are a number of very serious problems that have occurred, both in terms of the neglect of the Act and also because of the actual wording of the bill itself.

And I would like, for example, Mr. Speaker, to say that there are parts of the Act which have caused a certain amount of dispute, which I think the City of Winnipeg tends to ignore, and I would point, for example, to the requirements of the Act for environmental impact studies to be undertaken in the area of public works. I think the city has tried to find all kinds of ways to skirt that law, not to enforce it, not to bring it into its full and proper intention. So it obviously needs some redefinition to point out the necessity that that was an integral part of the original purpose of the government, and yet we're allowing that situation to slide leaving it up in the air, leaving it indefinite, and as a result I think seriously impairing some of the standards of development, and the requirements for development, that are going on in the City of Winnipeg. I would suggest that because of that negligence we are now sort of seeing a number of things happening in downtown areas of the city which shouldn't be happening at all. So you add up first the whole question of the difficulties, the obstacles and the hurdles that are being met in the field of housing and servicing of lots - nothing is done. We look in the area of development. Again the law is not being enforced, in fact it's either not being enforced because it's not clearly spelt out, or because the province is not taking onto itself as the originator, and in fact the constitutional sort of sovereign in this case, to ensure the municipality lives up to its own Act. I think the province has walked away from the City of Winnipeg and its own Act, its own creation, and has let it stand there.

I'd like also to mention, Mr. Speaker, an area which I think at the time was an area or a set of objectives, that many people in this city, in fact throughout Canada, were excited by. We felt that when the original Act was brought in the idea of trying to decentralize government into the local level, to give access to local residents for participation in decision making, to consult with their councillors, to work up a system of decentralization on the community committee level, was one of the more exciting things that have been seen in the area of municipal government in Canada. It really was; it was one of the more interesting and ingenious kinds of development, and one that was applauded right across this country, and in fact many people, as I've known personally, have come and asked, "How is it working? How is it going? Is it really giving a higher degree of involvement and democratic participation?"

And yet, Mr. Speaker, when you look at the practice of it, that we have allowed those areas of the original City of Winnipeg Act that set out the powers and functions of the Resident Advisor groups to wither on the vine, to become to the point where many of those operations which were designed to provide greater democratic control and participation, have been allowed to lapse. In fact, that there is now a deterioration and the withering away of that whole concept. In fact, what you see happening in the City of Winnipeg is a high degree of centralization of administrative control. The very fact that they set up six districts, which in a sense contradicted the whole idea of the community committee areas, was a prime example of how this Act has been allowed to be sort of spurned. The fact that there has been an apparent and obvious requirement to more strongly define the rights of the community committees and resident advisor groups, and this also has not been undertaken in this area. Therefore, Mr. Speaker, we say that these amendments are not really sufficient to serve the problem. They don't really

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(MR. AXWORTHY cont'd) . . . . meet the kinds of requirements that are necessary, and we think particular --(Interjection)-- I'm sorry. Does the Minister have a question?

MR. SPEAKER: Would the Honourable Minister state his point of order?

MR. USKIW: It appears to me that the member is dealing with the whole of the City of Winnipeg Act, which is not before the House. He is not dealing with the amendments.

MR. AXWORTHY: Mr. Speaker, that point of order isn't worth commenting on. I would just like to say that as an Act to amend the City of Winnipeg Act I think that we certainly have every responsibility and right to comment on the validity of these amendments in terms of meeting a particular problem. I am simply saying that these amendments have no validity because they are not meeting any of the real problems of the City of Winnipeg. Therefore, you know, to bring in to this session an Act to Amend the City of Winnipeg and to totally leave out all the things that are important, I think is really an act of negligence. I think that it is something that we are going to suffer for in the city because we are not taking the corrective steps that are required.

Therefore, Mr. Speaker, I'd like to point out that even in the argument, without even raising the global issues about it, that there is a number of also small but irritating kinds of amendments that could have been introduced, should have been introduced as part of this Act. I think, for example, that a meeting with the group of resident advisors in the Fort Rouge area pointed out that under the original Act if someone who has been a resident advisor doesn't happen to be able to attend the Annual Community Conference they can't become a resident advisor, they have to be present at the meeting. And so I would say that in a sense eliminates, for reasons of illness, or vacation, or absence, many people who would like to take an interest in the operation of resident advisors. The wording of the Act as it has been interpreted doesn't allow them to do so. So one of our intentions would certainly be to add to the amendments of the Act to correct that situation and when it comes to committee we certainly will be adding that kind of amendment.

By the same token the powers that should be exercised by the community committee, and the accountability of the councillors on the community committee, have tended to be either ignored or withered away. Again we would have hoped to have seen within these provisions something that would have clarified that and strengthened it, and enunciate and underline once again that this government is still committed to that concept. Now I know that there are members of the Cabinet who are not committed to that concept, who have stated publicly they would just prefer to see the whole kind of community committee idea wither away and we have one centralized amalgamated government. Well I for one would be prepared to fight that, and I think that there are still a majority, I'd like to believe there is a majority in our government who are still committed to their original ideal. So if they are committed then they should be looking carefully at that Act to ensure that the strictures within it reinforce and sustain that idea of a decentralized opportunity for people to participate in local government, in the City of Winnipeg government. But again that has been ignored, Mr. Speaker.

So when we take a look at the amendments themselves in terms of the idea of a building conservation grant, I would like to have seen the Minister supply a much more definitive explanation of the impact and requirements of that, because I think again one of the problems that we have in Winnipeg, one of the ambiguous areas of concern, is the whole question of demolition of buildings. How does one go about, particularly in our older areas, kind of a wholesale sort of tearing down process, and I would think that in part these amendments might work to correct that particular problem. But whether in fact they will or not, I think should have been spelt out. We should hear more about it.

Again it comes back with vagueness. I guess I have now asked three or four times the Minister of Tourism and Recreation to explain what his Heritage Foundation is going to do; presumably it should be available for preservation purposes to retain older buildings of interest and to try to maintain older neighbourhoods. But no commitment has been made, and so the authority is there but there's no policy, there's no direction, and there is no sense that this is something that should occur. This government doesn't seem to be prepared to say, we think that this is a good thing to happen, that we should try to preserve our older structures and maintain them, and maintain some kind of a heritage of older neighbourhoods in the city. You know it's like providing a new vehicle but not putting any fuel in it, we don't know which direction it's going to go. What's it going to be used for? It could sit in the Act and never be used. We certainly see enough examples of parts of Acts that have never been applied or used before.

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(MR. AXWORTHY cont'd)

So, Mr. Speaker, we just wanted . . . and I realize the Minister had hoped to whistle this one through. I think that we wanted to take this opportunity to pause and say that we regret sorely that he did not take this opportunity to at least provide some correction to the original Act, to provide some amendment to the City of Winnipeg Act that would, if nothing else, emphasize and underline the original intentions and make the mechanics of that Act work better than they now do. If at such time, and after the review period is finished, they decide they want to undertake wholesale changes, that's fine we can debate those. But at least while the City of Winnipeg Act is in force, and is based upon the objectives that were set out in the government White Paper, that were portrayed by the Member from St. Johns when he was the Minister who was responsible for this Act, and said so many times publicly, I assume those are still the reasons why we have the City of Winnipeg Act. If they are the reasons, then I think this government has a responsibility to make sure that in fact it's enforced and works out accordingly to those objectives. The evidence has piled up increasingly that it's not working in those ways and needs a certain degree of corrective surgery, and that surgery has not been applied.

So, Mr. Speaker, while we don't find anything objectionable to these amendments - who could really, they generally make some sense - but they are of such insignificance and minor effect upon the operation of the city, we wonder why they even bothered. What would have been a far more salutary and positive course of action would have been to have sat down seriously over the last year with the City of Winnipeg councillors and officials, and resident advisors, who themselves must operate that Act, and say, "How can we make what you're doing work a little bit better"? That obviously was not done and as a result I think that there is going to be many continuations of fundamental problems that we have to face. Therefore, Mr. Speaker, we would only say that while we will certainly not object to this, we will hope that when the Act comes before committee we will have the opportunity to introduce several amendments that we hope, at least on our side, will correct the function of the Act according to its original purposes.

MR. SPEAKER: The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, may I premise my remarks by commenting that a number of years ago when some of us were in the opposition, we persuaded the Speaker of the day that when there is a bill before us that reads An Act to amend an Act of any kind, that we then have every right to discuss any conceivable thing that might come in to any amendment that might be or might not be in the Act. I don't know what I thought then about our persuasive capacity, nor whether or not we were right, but we certainly won that struggle, and now we have the occasion where the debate is wide open on any aspect, not only of the bill before us, or of the City of Winnipeg Act itself, or indeed, Mr. Speaker, of the Minister's salary and of his department and his estimates, which we have not yet reached. Now that the debate is that wide open, I would like to respond in the same wide-open fashion . . .

MR. SPEAKER: Order please. I don't know whether the reference to the Minister's salary was facetious or not, but I am discussing, and I am willing to entertain principle on the Winnipeg Act but not the Minister's salary, and there was no mention by the Honourable Member for Fort Rouge in that area, so if the Honourable Member for St. John's is taking that upon himself, I don't think it falls in line.

MR. CHERNIACK: Well good, Mr. Speaker. I only point out that there were discussions on the policy or direction given by the Minister of Tourism, and the maintenance of structures, and the policy and direction of this government in relation to the dealings with the City of Winnipeg and its powers under the Act. Now you are quite right. I never heard mention of this Minister's salary. I did hear mention of the Minister of Tourism and his policies, and I'm just pointing out, Mr. Speaker, that the debate is kind of wide open and that's fine, although I would suggest, Mr. Speaker . . .

MR. JORGENSON: Mr. Speaker, I just rise on a point of order at this point.

POINT OF ORDER

MR. SPEAKER: The Honourable Member for Morris state his point of order.

## POINT OF ORDER

MR. JORGENSON: Well my point of order is, sir, that the Member for St. Johns seems to have taken it upon himself now to place an interpretation in the meaning of second reading of a bill that I don't think was ever contemplated by this House or any other House, notwithstanding the references that he's made. As far as I'm concerned, sir, and I'm sure that this has been the longstanding rule of this House, debate on second reading of a bill to amend does, as the Honourable Member for St. Johns has suggested, open up the entire bill for debate. --(Interjection)-- Yes. It opens up the City of Winnipeg Act for debate but it does not go beyond that. I think he was attempting to justify remarks that he's going to make, and I do him an injustice if this is not the case, but it seems to me what he was attempting to do is to set the stage to go beyond what could be legitimately described as a debate on the City of Winnipeg Act. If he goes beyond that, sir, then he's going to be out of order. As long as he is discussing matters that relate to the City of Winnipeg, and the City of Winnipeg Act, then he will be in order, but I don't want that inference that I think he left on the record to suggest that we can go much beyond the framework of the City of Winnipeg Act in discussing this bill.

MR. SPEAKER: I do not wish to anticipate, and I did indicate to the Honourable Member for St. Johns that there was an area that was already out of order, but I want to say that relevancy is a very tenuous area and I do not want to stifle debate, but we'll just have to wait and see if the honourable member does go out of order and if he does, he'll be told.

The Honourable Member for Lakeside.

MR. ENNS: On the same point of order for clarification. I believe the problem arises out of interpretation of the rules as seen by the Minister of Agriculture and as seen by the Member for St. Johns. I tend to side with the Member for St. Johns as having the correct interpretation of what has been accepted in this House. The Minister of Agriculture just a moment ago in rising on a point of order in response to the Member for Fort Rouge, with understanding, suggested that his remarks should be relative to the amendments only. That's one side of the position that has been put forward from time to time. But however the Member for St. Johns is quite right. He, under the aggressive opposition that he at that time was part of, convinced other speakers, and in addition this House, that once an Act is opened up via the amendment route or not, then that whole Act is open for debate, and it's under that premise, I believe, that the Member for St. John's is going to enter in the debate this afternoon, and that's the premise that I support, Mr. Speaker.

MR. SPEAKER: Again let me say, let us not anticipate, let us hear what is being said and then we'll judge.

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, I'd like to speak on a point of order.

MR. SPEAKER: The Honourable Member for St. Johns on a point of order.

MR. CHERNIACK: The point of order that was raised by the Honourable Member for Morris, and was spoken on by the Member for Lakeside, is one which I touched on but did not debate. The fact is that I don't agree with the practice that has been going on for quite some time. I personally do agree with the point made by the Minister of Agriculture, which was not ruled on. He made the point, and the Member for Fort Rouge, will all his experience of parliamentary nature, brushed it aside as being worthless. Frankly, I agree with it. The only difference is that we've not followed that procedure for a number of years and I was going to suggest, Mr. Speaker, that it may well be an occasion for your Committee on House Rules that meets between sessions to start redefining the area of debate. But I pointed this out because I really wanted to say that I don't agree that it opens up the whole Act. I don't agree that when the Member for Morris introduced an Act to amend the Financial Administration Act No. 12, that that gave the right to debate everything in the Financial Administration. I don't believe that. But according to the rules, the practice, it would be debatable I guess, any part of the Financial Administration Act. I don't agree with it, but I'm going to accept the practice as has been followed in the past, and as was carried out by the Member for Fort Garry (?) until now. At this stage I complete my point of order and I wish to continue my remarks, unless I'm further interrupted.

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MR. SPEAKER: The Honourable Member for St. Johns.

MR. CHERNIACK: Thank you, Mr. Speaker. Well, Mr. Speaker, I really must, in all conscience, say some unkind things to the Member for Fort Rouge. --(Interjection)-- He says I always do, and that's not true, but the fact that he says I always do is another point of criticism that I have to launch at him for making such a blanket denunciation of all I say. Because, Mr. Speaker, he has many contributions to make, but in this case he skated very lightly and superficially over some factors that are taking place within the City of Winnipeg, and many of which don't have anything to do with the Act. Because, Mr. Speaker, he spoke about sections in the Act and said, now the City of Winnipeg isn't following it so you better redefine it and say it again, and say what you said before and say you mean it, and if you do that then in legislation, he seems to think that means that they will now carry it out. And that's why, Mr. Speaker, I claim that he spoke beyond the Act itself - I mean the City of Winnipeg Act, I'm not talking about this bill - because he talked about the environmental impact study, which I believe is as clear as can be as to the requirements, and I recall that in the City Council, Council was called to task by a member of the City Council, more than one, on certain areas affecting the failure of the City administrators or the executive policy committee to have an environmental impact study brought in. As a matter of fact, I think that that section is now being brought into consideration by a court right now. That's my impression, that there's not yet been a ruling as to the adequacy of an environmental impact study.

As a matter of fact, Mr. Speaker, my own opinion is that once we have stated in the Act that there must be an environmental study, then I believe it is really up to members of council who are elected for that purpose to ensure that there is an environmental impact study of such a nature that will satisfy them in making their decision. That's the point. I don't think that it's for any court, nor for this Legislature, to say to the City of Winnipeg the nature of the environmental impact study must be one which takes into effect the distance of a ten mile radius from the point of contact regardless of the nature of the change that is being suggested, nor does it have to, I believe, predict what will happen a hundred years from now. I don't think that's our responsibility, nor could we by legislation determine in advance what sort of environmental impact study there should be, but we could determine, and did determine, that there shall be an environmental study, impact study. That's why when councillors are elected to that role, knowing their rights and knowing their responsibilities, one would expect them to act like responsible people, and being required to produce a study, indeed do so. Then the extent to which it is used, there is no requirement that it must be accepted, because otherwise you will find that bureaucrats will be making decisions that are the role of the elected representatives of the people.

Therefore I don't see the extent to which this section, dealing with environmental impact, could be changed to make the city more aware of the fact that they have to do it, but it may be that the Member for Fort Rouge is aware of the fact that there are many people in the City Council who would like to do away with the environmental impact study altogether, and I don't know whether it's public information or not but I don't mind saying that there have been demands - I see a nod which indicates that it is public information - that there have been requests made from the elected people at the municipal level to do away with that requirement for an environmental impact study, and that has been refused.

Now I don't know, you see when I said I would be unkind to the Member for Fort Rouge, I am to this extent. He pointed at a very important section which is being ignored, or attempted to be ignored by members of the City Council. Well that's fine, I agree with him. He did not in any way, and I listened carefully, indicate the manner in which legislation could change that. He did not suggest specifically what could be done, and that's where I'm critical of him, and that's where I claim that it was a superficial contribution that he made because he pointed out problems, of which we are many of us aware and which we ought to be aware. no solutions, and many of the problems can only be solved by his colleagues, and I assume they are his colleagues (maybe I'm wrong; I am, and I withdraw that) by members of the ICEC which controls that council. I forget too often, Mr. Speaker, that the ICEC is not a formal coalition between the Liberal and Conservative Parties, and latterly I forget, and I admit that I have overlooked the fact that a very large number of councillors are now independent, having rejected the umbrella and maybe the whip of the ICEC. But the ICEC still controls the council and I hope, and I believe, I believe that I was wrong in attributing to them a form of comradeship with the

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(MR. CHERNIACK cont'd) . . . Member for Fort Rouge.

Mr. Speaker, one of the important changes we made in the City of Winnipeg Act was to create a much greater amount of home rule for that city. We have given to them greater power and therefore greater responsibilities, and this I will recall was the thread that ran through so many speeches of the former Member for Inkster, the late Morris Gray, who always spoke about the fact that a city which is half the province in population should have more powers of home rule, and I believe that we have done that to a large extent, but we impose certain requirements on the city which they have to carry out and which the law can enforce. We imposed on them the requirement that when they review budgets they must first present them at the community committee level. We imposed on them the requirement that they shall hold - and I'm speaking from memory - I believe it's one meeting a month, at least, in the community committee area, that there has to be a larger type of meeting, I believe every three months, that there must be a budget session once a year before the budget is taken up - and the Member for Fort Rouge says they've never done it. Well he's a citizen of the City of Winnipeg. He's more than that. He's been elected by a number of people in the City of Winnipeg and he is an activist who is, more than anybody else here, professionally involved in the business of municipal affairs. Then he is informing us that they have not followed the law - that the City of Winnipeg . . . Well now would he mind telling me if we changed the law and say something else, does that mean they'll follow it? Well he can't be nodding his head and saying that they would because obviously that doesn't force them to do it; unless it would be a requirement that if they don't follow the law, the individual councillors shall be sent to jail, shall be whipped (there are some members opposite who approve of the whip) that there will be some form of penal requirement. --(Interjection)-- Shoot him, shoot him is a suggestion that has been thrown out.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: I'd like to pose a question, if I may, to the Member for St. Johns. I'd like to ask him when he --(Interjection)-- That's right, how many lashes he would like to have. But would he not think that there would be a greater degree of enforcement if, say, under Section 21 which only now amounts to three lines, I believe in the whole Act, a more definitive set of powers and responsibilities were set out for resident advisory groups, community committees and in fact even the environmental impact if it was set down what was required in that environmental impact, so it was very clearly enunciated as to what it was and what it constituted. Would this not lead to greater enforcement and a greater use of the Act?

MR. SPEAKER: The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, there is not particular value in a lengthy description of what is wanted. It seems to me that Moses came down from some trip somewhere with pretty precise laws which were just, "you shall not do so and so", and that was pretty clear. Because the people who followed understood what was expected and understood what was expected and understood the law that was given to them. So the fact that there are three lines and not 27 lines does not make it any less clear. As a matter of fact, the more verbiage, and I guess I'm guilty when I make speeches of using maybe too much verbiage, is likely to confuse.

I made the point earlier, Mr. Speaker, and I'm sorry the Member for Fort Rouge didn't follow that. I said that I do not think that it would be up to this Legislature to determine for that City Council the nature, the extent, the size, the magnitude of an environmental impact study. Because in the end the decision is theirs, not ours. If it were ours, it would be an administrative decision, we would have to bring the matter before us here. What we have to do is make sure that there is a requirement that "there shall be something" and then it is up to those people who are elected, just like we are, and who are expected to be every bit as responsible and conscientious as we are, and I imagine they are, that is for them to see to it that once a study is required that it shall be made, but the extent of it, the nature of it is for them to judge and for them to argue about it, and they are doing it.

Mr. Speaker, the more you spell out, the more loopholes will come about. Lawyers make a good living out of the fact that there's a little too much spelled out and therefore a great deal of discussion as to what is intended, but there is no point in spelling out all the various types of portions that there may be in an environmental impact study if in the end we recognize that the City Council, being the elected body, has the power and the obligation to make the decision. And if they do then it is up to them to have the power, to demand the extent of the study needed and the decision to accept, reject the recommendations or do as they feel with



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(MR. CHERNIACK cont'd) . . . them. And that's what I meant by home rule.

So that a redefinition is not going to make it better, because the fact is that the looser it is the more it makes it possible for people to start an action, and they did. I don't know the nature of it so it's not sub judice to that extent. I believe that the Trizec Development has been held up because the courts are considering whether or not there was an adequate environmental impact study. Apparently there has been a decision. But the point was it was taken up in court, and that's the right of every citizen and I would say the obligation of someone like the Member for Fort Rouge who, as I say, is professionally involved in municipal affairs. And therefore when he says, look, we've got housing, we have planning provisions, zoning provisions, they are not being enforced, I have to say to them that we should not be the policemen.

Now, you know, there is a great temptation for the Minister for Urban Affairs speaking on behalf of the government to say to the city, you shall do this, you shall not do that. There is that temptation. I have been subject to that kind of wish but I think that to a very large extent we've held back from that because we recognize that they are elected people and even though many of them are people with whom I personally have violent disagreement on matters of policy, I don't think I was elected to this House to decide matters that are of a local municipal nature.

He speaks of defining the rights of the community committees. Mr. Speaker, this is a matter of philosophy. He said that the community committee is the committee of councillors elected for a community committee area. Their powers as elected people must be subject to the overall decision of council; so that council as a whole can override a decision made at a community committee level. But if the Honourable Member for Fort Rouge is thinking of the community committee power as being that of the resident advisory groups, then I say to him that we deliberately said that only elected people shall have the power to make decisions and an advisory group shall indeed be an advisory group. I think that that is the correct way. Public representatives, duly elected, have the power and the authority; advisory groups within community committee areas have the responsibility of the accepted, of advising, of questioning, of considering.

I think it's a terrible shame and I am personally very disappointed to know that there are large areas within the City of Winnipeg where the meetings of community committees are not well attended, where maybe they're not even held, and that the community as such has not become involved in the local planning. And I want to accept responsibility as a member of the community for not doing something to effectively bring about a stronger presence of community people within a community committee area. But by the same token I want to invite the Member for Fort Rouge to share with me in accepting that kind of responsibility, and I'm sure he would share with me my sense of disappointment that many community committees are not operating as well as they could, because it's the responsibility of all of us. But it could not work better if this Legislature passed legislation that says "You shall pay attention, you shall listen, you shall be concerned, you shall read the papers that come before you." You know this is nonsense. What has to be, is a good relationship, and now I will accuse many many members of the City Council of having a disregard for the role of the resident advisory group of the local community. I think they bow to parochial interests but I don't think they take the trouble to inform the community of the desirability of doing something which may be unattractive.

I recall when I was on the City Council of Winnipeg that there was a complaint, a big petition, by the residents of a certain street. They did not want the bus to run down their street, the public transit. They did not want it on their street, but they insisted that it be on the street next to them so they'd have a short walk to get to the bus. And I think it's the duty of a councillor to point out to the members of any community that when they object to something they have to realize that they are citizens, have to accept a certain amount of unacceptable or undesirable factors of urban life in the interests of the larger group. And it often disappoints me when I hear reports that Manitoba Housing Program has not taken off because in some community committee is being held up and considered and reconsidered because people don't want to have public housing in their area. I think that it's the duty of the elected representatives, at the municipal level, to discuss the need, and if they recognize the need, and most of them do, to tell their members of their community and their own constituency: "We must bear our share of carrying out a program which is in the interests of the larger number of people."

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(MR. CHERNIACK cont'd)

So it's not the legislation, and that's why, Mr. Speaker, I introduced my remarks by saying that the member was not talking about the bill before us, nor indeed do I think he was talking about the City of Winnipeg Act, I think he was talking about an attitude. And he was attempting, I believe, to suggest an attitude that should be carried out by government to have a stricter control over the city's activities. But I am saying that if in legislation he could correct the problems that he sees then by all means let's be precise, let's not talk in generalities which - and that's the only unkind thing I think I said to him - that is that he spoke in generalities and in a superficial way raised the problems without suggesting solutions.

I invite him, and he may say he'll do that at the committee level, but that's not really good enough because we're now really talking about important matters of policy, that it ought to be done. As a matter of fact - I don't know, Mr. Speaker, whether it is in order to bring in at the committee level a change to sections that are far away parts of the Act that are not within the bill. I have some doubts but I'm not asking for a ruling, I just doubt it, I just doubt whether it's acceptable at the committee level. I do know that there have been occasions where there have been leave granted to the Minister, I think I've had occasion myself to say that there are certain amendments I'd like to bring which were not included in this bill itself and received leave to bring in the changes.

So, Mr. Speaker, the Member for Fort Rouge spoke about corrective surgery but he did not do more than indicate the symptoms and I don't think he even indicated the disease, and frankly in my opinion the disease is in a very parochial limited approach held by many members of the City Council. I believe that's probably the disease. I believe that they are not looking as broadly as they should in the interests and the welfare of the future of the City of Winnipeg.

But the member pointed out symptoms, he did not indicate cures, he suggested corrective surgery without indicating what should be done, and you know that is the extent to which I am critical, because frankly I don't know of any that really would help the problems he raises. I think maybe forced education would be something. But you know, Mr. Speaker, we're going to hear - I haven't the slightest doubt - from some people who are former members of that council, they're going to talk about the City of Winnipeg Act and they're going to say that it's restrictive. And you know I wouldn't be surprised if they say there's a requirement there that we go to Community Committees, we don't want to go there, that could well be, I don't know. Or they may say there's a requirement we discuss our budget with a community committee. What do they know about budgeting? We may hear that. But I don't know that we'll hear that the Act is not restrictive enough, which is what the Member for Fort Rouge has suggested. The Member for Fort Rouge says we have to be more precise, tell them what they must do. I don't think that the former members of City Council who are present in this Chamber will say that the Act should be more rigid in its requirements with the city. I think we'll hear the opposite from them, and I think that that will be symptomatic somehow when we hear it.

Mr. Speaker, I feel that there are things that could be done by this government and I think that they should be invited by more and more people of the City of Winnipeg. I would like to see this government take a more positive role in the promoting of the existence and add to the continuation of the work at the community committee level. I would like to see funding for that, although I recognize it should be the responsibility of the city. I don't think that we should be avuncular about this. I don't think that we should look down and say, you are our creation, you shall do, and if you don't do we will give money to your opposition to do it for you. Because that is devious, and really the impetus should come from council. If it doesn't come then there's obviously something we must do. I'd like to see more of that done.

As a matter of fact, Mr. Speaker, as I recall it, and you know I haven't looked at that Act for quite awhile, I believe that it is the right of community committees - and I mean now the elected people sitting as a community committee within a community committee area - I think they have the right to say that within the budgets there is provision for garbage collection once a week. And there is provision for mowing the boulevards once a week. And there's a provision for cleaning the snow in the back lanes after a heavy snowfall. We would rather this year spend more money on improving the boulevards and we will handle that garbage situation a little longer and have a little longer span between garbage collection so that we can concentrate on doing something about our mowing the lawn. Or they might say, we would be willing to worry ourselves about cleaning the back lanes of snow removal and take more money from snow

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(MR. CHERNIACK cont'd) . . . removal and put it into recreation. I believe that there is that within the Act that makes it possible. Well the fact that the Member from Assiniboia shakes his head doesn't make me believe that he's right. I still have the impression that I'm right. I think that there is that power, within an area of responsibility, be it in works or be it in environmental planning, whatever that committee is called, to make certain changes of a local nature in the budgets. I'm not aware that was ever done.

I think the drive, the unification was such that gave us a unified police force before there was an opportunity to discuss whether it would be more worthwhile to have more men on the street than in the cars, that there be a difference. . . for example, I would see the value in having the traffic policemen not be policemen. I don't see why they couldn't be commissionaires, that they be specialists in traffic control or in parking control or in various measures of police work, and leave the responsibility for crime detection, crime prevention within a department of highly skilled people who operate over the whole of the City of Winnipeg. But locally, I don't see any reason why there couldn't be that kind of separation. But, Mr. Speaker, what we decided in, rightly or wrongly, in our Act was that the local communities and the locally elected people should have much greater powers to make decisions. I think the Member for Fort Rouge would like that restricted, that they be instructed more - do this, do that, you can only do this in a certain way, we spell out for you what you shall do, and therefore I think that that's the wrong attitude. Nevertheless, if he can prevail on the Member for Assiniboia who has yet to speak on this to give us precise, precise recommendations, how would you change Section 21? How would you change any other section? Then we could talk about something in a specific way and be helpful for the future and in the interests of the people of the City of Winnipeg.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. J. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker. And I am sure to the relief of all the members in the Chamber, I will stick very closely to the bill - well quite closely to the bill. I have just about the whole thing - cheesh! You know, you get real excited, you know between the two of them when we get a minor bill on the table like this and we've got their major speeches for the year on urban when we've still got the urban estimates to go through. But really what can you do with highly educated inexperienced experts, you know? It's kind of rough to handle. So we have to listen to this thing at times.

Mr. Speaker, I only would comment to the Member for St. Johns regarding the Winnipeg Act that he has stated that he has now found the cause for the disease and he is obviously trying to blame somebody for the Winnipeg Act other than the government and that is the usual procedure with this government when something goes sour and is not working, somebody else is to blame. We have had that carrying on all through the session so far. And there is really no excuse that the government can make when you introduced a system in Winnipeg which has proved to be nothing more than the lobby system of government which is used in the United States, when you've introduced a situation where nobody can make decisions, when you've introduced a situation of higher costs and higher tax, you know. And really on the basis of the Winnipeg Act at the present time, which has caused all these things and inconvenienced the people of Winnipeg to a very great extent, quite frankly I don't know why somebody is looking around for the disease - you can also say that I scratched myself, I did it myself and that's what the government should be saying.

Mr. Speaker, the bill in front of us. . . when I went over to see the Minister I said to my colleague beside me, if I can get over and clear something up with the Minister very quickly, I'll come back and speak on this bill today. And I could have taken half the afternoon and I'd have still made it on time. So, Mr. Speaker, this bill is, as the Minister said, it does have a lot of corrections. The area that I wanted to ask the Minister about is the one where he said it restricts the government regarding some of the buildings mentioned in the Act, and that the explanation that was put before me sounded restrictive but after reading the Act and talking to the Minister it restricts the government of being involved in the buildings, unless certain terms are met. Therefore, Mr. Speaker, this bill is something that is basically good and should be passed at the present time.

Regarding the City of Winnipeg Act, I say to the Minister this, that I did have, I did have some assurances from the First Minister who was the Minister of Urban Affairs last year, that the City of Winnipeg Act would be studied during last winter, and unfortunately that did not happen. I would like to thank the Minister for saying that we are going to have these studies

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(MR. F. JOHNSTON cont'd) . . . regarding the Winnipeg Act to look over many sections of it and I certainly look forward to it, but I hope, and I'm not trying to be insulting or anything of this nature when I say to the Minister that he will carry through with his word better than the First Minister did last year, because there was nothing done and there are things that should be looked at, not from the point of view of being critical as I was a little earlier about who put the Act in. I think we have to look at sections of it that will clean up the Act as far as regulations are concerned and help the City of Winnipeg. And as far as policies are concerned regarding the City of Winnipeg, I'll have some when we get to the Minister's estimates. They'll be brief. They won't be as long as we've heard today. They'll be brief, but they'll be policies that this party would recommend as far as the structure of the City of Winnipeg is concerned. And I hear the members say "the first time". You know the Member from Fort Rouge seems to think that he is not here to examine what the government does, he's here to set their policy. And one of these days he'll realize that he's elected to examine the policies of the government. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I intend to be brief, possibly even briefer than my colleague from Sturgeon Creek. And I certainly don't like to be political about this but I must say that the opportunity for constituents in Fort Garry and constituents in other former suburban municipalities of Winnipeg, I think, would feel that we were remiss on this side if we didn't at least take this occasion to just remind the Honourable Member for St. Johns of the grand scheme for redesign and re-administration of Winnipeg that he concocted a few years ago and of all the savings that he promised all the people.

Today, sir, the citizens of Winnipeg, including those former suburban municipalities, are opening up in their noon hour mail their tax bills, and they see how reliable those pronouncements and those promises of that Minister area . . . --(Interjection)-- The Minister says "not true", sir - it is true. The Minister in concert with the Minister of Mines and Resources travelled around this metropolitan area like a "medicine show", like a side show - a two-man tandem, going out to all the communities and selling a concept that they said was going to rationalize costs and save people money. It was going to save the taxpayers money. The fact of the matter, sir, is that the promise was about as reliable as the promise about Autopac. All it's done is cost people more and more and more money. And I don't, as I say, I don't want to be partisan and political (laughter) because my friends opposite are never partisan and political. My friends opposite didn't come into Fort Garry and the other communities of this metropolitan area and sell us an NDP bill of goods. No way. Not at all. So today they come before us with a bill that is really an apology, an apologia for some of the mistakes that they made in 1970 and 1971. It doesn't go very far but it goes some distance and it's really a meek and humble and ironic performance to stand here and watch the Minister say to us, as he did a few moments ago, "if you can show us ways that we can improve this bill, if you can show us ways that we can improve this city, show us. Help us to run a better city. Help us to produce a better bill."

What was the Minister saying in 1970 and 1971, Mr. Speaker? What nonsense, what rubbish, what arrogance, What was he saying four years ago? He wasn't even listening to the citizens of the suburban municipalities whom he visited. He and the Minister of Mines and Resources went out there and told them how it was going to be. He never listened to any of them. He told them how it was going to be. So today, recognizing some of the errors that they made in the legislation that they rammed through, against the will of the Legislature and against the will of most of the people in the suburban part of Winnipeg, he now comes hat in hand, meek and humble, and he says "help us, help us to shape a better bill, help us to produce and build for you a better Winnipeg". What a grand performance by this Minister, Mr. Speaker. This has to be the high point in nerve and audacity, this has to be the high point of this session in nerve and audacity for that Minister to ask us to help him build a better City of Winnipeg bill. Where was he, where was his listenership, where was his reason, where was his co-operation when they foisted the bill off on the citizens of Winnipeg four and a half years ago? And the people of Winnipeg, the people of Winnipeg have very vivid evidence of the snow job that they got this very week as they opened their municipal tax bills.

My colleague from Sturgeon Creek has made reference to the fact that innumerable aspects of cost, innumerable aspects of economic difficulty and entanglement result from the haste,

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(MR. SHERMAN cont'd) . . . from the ill-advice, from the ill-consideration with which that bill was rammed through in 1971, and the citizens of Winnipeg who pick up their tax bills this week will second every word that he says in that respect. They'll endorse everything that's said in that respect and if the members opposite who have nothing better to do during debate at this time but cheer from their seats, if they stop and talk to their constituents, ask their constituents how they feel, they will have in all honesty, Mr. Speaker, to agree that this government, through the Minister and his colleagues who shaped that bill in 1971, handed the citizens of Winnipeg and, in fact, the taxpayers of Manitoba a massive snow job, led them right down the garden path and now they're asking us to help them straighten out the mess. Well, we'll be happy to. We'll be happy to, Mr. Speaker. And they can start by opening up the whole bill for total re-examination and for total reconsideration and for total modification. If the Minister wants any suggestions from the residents of Fort Garry as to how the bill can be improved, he can start with that. Opening up the bill and starting from Page 1.

So, Mr. Speaker, I thank the Member for St. Johns. I couldn't resist the opportunity to remind him on behalf of my constituents of how he came out to a public meeting in Vincent Massey High School four and a half years ago and refused to listen to reason and refused to accept suggestions while ramming this pet project of his down their throats. And a few moments ago he looked across at the Member for Assiniboia, who happened to be shaking his head about something, and the Member for St. Johns said, "Mr. Speaker, the Member for Assiniboia shakes his head, he obviously thinks he's right but I still think I'm right". And that, sir, is the epitome of the kind of position we've had on this unification question from that member from the day that bill was first conceived; from the outset he thought he was right and he still thinks he's right. And that's really what's been wrong with the whole reorganization of this city.

There were people like Mr. Elswood Bole, among others, who raised the warning flag at that time as to the costs that were going to be involved here; as to the enormous financial burden; as to the enormous bureaucratic jungle that that unification bill was going to foist off on the citizens and the taxpayers of Winnipeg. They even cited and estimated the total costs that they thought were going to be involved, the total bill that they thought the taxpayers of Winnipeg were going to be saddled with. And, sir, the Member for St. Johns and his colleagues in the administration at that time turned their backs on them, denied that there was any reason or any merit in the argument that those gentlemen were presenting at that time. And what has happened? Those predictions about costs and about burdensome bureaucracy have borne out 100 percent to be true and correct.

So, sir, I say rather than have the Member for St. Johns, humbly and meekly appeal to us to help him straighten out this problem and help him with his bill, let him ask a few of the taxpayers of the City of Winnipeg and particularly those in my constituency - they'll tell him what he can do with his bill. Thank you, sir.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Thank you, Mr. Speaker. I do wish to make a few comments on this. . . I wish to make a few comments on this bill. At the present time I know the Member for St. Johns believes that there is nothing wrong with the present legislation, and I cannot understand where he was when the members of the backbench or the back row, and particularly the Member for St. Matthews, who have continually, last year and this year, continually put all the blame on the members of city council for the lack of any zoning, for the lack of re-zoning, for the lack of lots and so on. And we've heard this for two years. Now can he not understand that last year the Member for Fort Rouge, the Member then at that time for St. Boniface, Mr. Marion, I believe the Member for St. James, made at least 15 to 20 recommendations what had to take place to improve the process in re-zoning, what had to take place. Well was any of those recommendations accepted? No. So what do we get at the present time? We get a bill that's really correcting a few minor things and that's all it is but really the Minister has not really come to grips with the problem.

I believe that local government, it must, it must be equipped to respond to citizens locally and I would like to point out to the Member for St. Johns, when I spoke on unification or on that bill some four years ago, what I had to say, and the point is that it's very true today. Remember what the Member for Fort Garry said. I'll tell you what happened in four years or five years, since unicity bill came in, my taxes - I'm talking about mine because they just came in the mail the other day - increased over 300 percent - over 300 percent. Maybe they were too

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(MR. PATRICK cont'd) . . . low. --(Interjection)-- Well, who's talking about salaries? What does salary have to do with property tax? What does it have to do?

MR. SPEAKER: Order please. Order please.

MR. PATRICK: Mr. Speaker, this is what I have to say about the bill at that time, and I would like to point out if it's not true what I have to say. I said the bill for centralization would make the city government less sensitive to public opinion by creating a powerful bureaucracy, by removing control of all public affairs to officials, less responsive and accessible to the people. In my opinion the proposed committees will be powerless to deal with problems and still be effective. That's what I had to say. Well, is it not true, is it not true that in my constituency where the whole community committee, the whole community committee voted against a commercial development taking place, a structure that's, I believe, on the creek, 15 or 20 stories high, all voted against it and still the permit was granted by the bureaucracy of the City of Winnipeg and the development went ahead, right on the creek which was supposed to be all a park development or reserved for a park and eventually was purchased for a park.

So somehow, the Member for St. Johns believes that there is better communication, that we are having things better. All I can say to him, that our services have been reduced. We have less police service. Our taxes have gone up and really that is what's happened. And there's less participation, there's less participation by the people today than there was in St. James than you had on the local basis. --(Interjection)-- Well my argument is when the bill was before the House, I proposed myself at least a dozen amendments, a dozen amendments, and I said give the community committees more power. They should have the right to see if there should be. . . and I said spell it out in the Act if. . . some people in a certain area may want a sidewalk, people in another area do not want a sidewalk, some want more recreation, some want their garbage picked up twice, twice a week instead of once a week, and I think the community committee should have the power to do that. I know I moved some amendments during the bill in committee, and the amendments were not accepted at that time. So to say now that we have, you know, that there's nothing wrong, and we have accomplished everything that was supposed to be accomplished is wrong, is wrong. I think that there are a lot of problems. I believe that really the responsibilities of community committees in the legislation is very ambiguous. I'm sure it is, and they have no power. Have they any responsibility to hire people or relieve people of their responsibilities? --(Interjection)-- Sure, I'll permit a question.

MR. SPEAKER: The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, I appreciate the honourable member permitting a question. Is he speaking now of the community committee as being the elected members, or is he speaking of the resident advisory group? Does he not recognize that the elected members do have a say in the decisions of the city?

MR. PATRICK: Again, the Member for St. Johns couldn't have been listening. I just told him that in my constituency a year ago, the whole community committee, the elected committee, voted against the development. The development took place anyhow, so what power have they got when they get back to the 50-member council. Really I think that they have very little power, and the resident advisory have no power, none at all, and perhaps they should have some power. I think if you give them some power and give them some responsibility, you'll see very active community committees. They'll come out and there will be great attendance, and there will be participation by the public. All I'm trying to say is that really the legislation is not perfect, and the way I listened to the debates that it looked as though, you know, there was nothing wrong, but here the members on the government side, and the backbenchers say, look the whole problem lies with the City of Winnipeg.

You talk to the city councillors, they'll say the Act is restrictive, and it takes us nine months to get any rezoning, and if you get some appeals then it takes us a couple of years, and by that time you haven't got the finances, or you've lost your . . . so this is what you're getting. So really why hasn't the city and the government got together and improved the legislation, or make it worthwhile, but really there's not even any attempt made to improve under this bill, really. When the Member for St. Johns says that there wasn't any specific recommendations, let him check the debates of last year. There were at least 20 specific recommendations, at least, made by the Member for St. Boniface, made by the Member for Fort Rouge, and made,

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(MR. PATRICK cont'd) . . . I believe, by the Member for St. James at that time, because I listened to the debates, and they're not implemented, none of them, so there has been recommendations made from this side of the House to the government. But I think somehow, in my opinion, it doesn't appear that the government and the city is talking, or is communicating, and it's time that you started to communicate.

I know that at one time, I believe there was only one member, and I believe that it was the Minister of Mines and Resources, said that it wouldn't be . . . it may not cost you less for administration under Unicity, but there's still an impression, there was an impression left, there was an impression left by too many people. I know that many people in Assiniboia, my constituents, were somewhat in favour of Unicity. They said it had good possibilities because they were under the impression that it would reduce the cost. But you go talk to them today. In a matter of four years, and I don't know if there is another city in Canada, and I doubt if very much . . . Maybe in St. James, we had it too good. Maybe our tax was way too low than what it was in the rest of the city. But we had good services, we had good schools, you know, we had, in my opinion, we had a very good administration. I'll go back and say that the administration --(Interjection)-- That's right. You know, we lost about \$10 million in our revolving fund. Where did it go? You know, where did it go? It went all into the pot. So I say if any city lost most in this amalgamation it was the City of St. James-Assiniboia. And it really hit us in a big way in as far as tax, and you know, I see no relevance to even debate or discuss that there's some difference between how much money you're making and what you're taxed on your property. You know, I say we would be debating --(Interjection)--

MR. SPEAKER: Order, please.

MR. PATRICK: What difference does it have to do with earnings and the tax. But what I'm saying, that we're getting less services now than we did before. The committee have not, you know, in my opinion, they're very ambiguous what they can do, what they cannot do. And I think the comments made by the Member for Fort Rouge were legitimate, that we're not getting the same participation now that we even did in the smaller sections, in the smaller communities. Maybe that's the same in every city, I don't know. I think that the other point we made, we said that - and I never heard any debate on the 50 member council - we said, you know, this is going to be a large council to deal with. But really, to say that your local community committee, elected community committee, have any power, I'd say they haven't, very little, they haven't. In fact, it was take away because you're dealing with a 50 member council now.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: Order please. The hour being 4:30, the honourable member will have an opportunity to go at it the next time. Private members' hour. We are on Public Bills. First item is Bill No. 12. The Honourable Member for St. Matthews.

MR. WALLY JOHANNSON (St. Matthews): Stand please, Mr. Speaker.

MR. SPEAKER: Bill No. 4. The Honourable Member for La Verendrye.

MR. BANMAN: Stand please, Mr. Speaker.

BILL NO. 45 - THE CONVENTION CENTRE CORPORATION ACT AMENDMENT

MR. SPEAKER: Bill No. 45. The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY (Radisson) presented Bill No. 45, an Act to amend the Convention Centre Corporation Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: Mr. Speaker, this bill simply will remove the Winnipeg Convention Centre, will allow for the removal of the Winnipeg Convention Centre from the tax rolls; and also provide the, secondly, that the Board of Directors relieve the personal liability. Of course, this would not remove the liability from the corporation. Members, the legal council and people from the Convention Centre will be available in committee to explain any further details that may be required or asked by the members of the committee.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

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

MOTION presented and carried.

BILL NO. 49 - BY-LAW 3321 OF THE TOWN OF DAUPHIN

MR. SPEAKER: Bill No. 49 - The Honourable Member for Ste. Rose.

MR. A. R. ADAM (Ste. Rose) presented Bill No. 49, an Act to validate By-law No. 3321 of the town of Dauphin, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable for Ste. Rose.

MR. ADAM: Mr. Speaker, this bill is a routine housekeeping bill for the Town of Dauphin and relates to Chapter 80, Statutes of Manitoba, 1958, that the Town of Dauphin operates under. It is an amendment to that particular bill and basically, what the bill does is that the present by-law requires a charge of frontage rate for paving, street paving, of \$4.70 per lineal foot, and this by-law will allow the town to charge \$7.00 per lineal foot, which is more in keeping with present costs.

That, in effect, is what the bill is and I would recommend to the House that it send this bill to committee.

MR. SPEAKER: Pleasure of the House. The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I beg to move, seconded by the Honourable Member for Morris, that debate be adjourned.

MOTION presented and carried.

BILL NO. 51 - R. M.'s OF MORRIS AND ROLAND AND  
SCHOOL DISTRICTS OF KANE AND  
MORRIS - McDONALD

MR. SPEAKER: Bill No. 51. The Honourable Member for Pembina.

MR. HENDERSON presented Bill No. 51, an Act respecting the Rural Municipality of Morris, the Rural Municipality of Roland, the School District of Kane No. 2006, and the Morris-McDonald School Division No. 19, for second reading.

MOTION presented.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Pembina.

MR. HENDERSON: Well, Mr. Speaker, at the time the larger school divisions were set up, there were certain assessments done on municipalities which were not in, using the same boundaries as the school division. And at this particular time, the Rural Municipality of Roland was re-assessed and all of the R. M. of Morris and McDonald were not. This happened way back in '67 and it should have been corrected then, really, by means of appealing on the taxes, but because of going into the unitary school divisions, the people weren't aware of it and it slipped by. They became aware of it in '68 and tried to do something, but they were informed at that time that the R. M. of Morris would be assessed and that possibly it could be dealt with in a different way, and like a lot of other innocent people, or people who from time to time should attend to their business, these people didn't just watch it and the time slipped by again and nothing was done. As a result of this, land on one side of this division was taxed about \$100 a quarter more than similar land just on the other side in the other R. M. and then they went to adjust it, and the next year, there was about \$60, and it wasn't until 1969 that finally they came to a decision on it. And this really goes to prove that when assessments are done, they should take in the whole school division so we don't have this sort of thing reoccurring, and this is watched now and it doesn't happen. There was 25 quarter sections affected at this time and there was an amount of approximately \$5,200 involved in total.

Now these people being divided somewhat, they talked about it, but they didn't get the things necessary done, and then they thought they could have it done by a private member's bill. As you know, in 1969 the government changed. There was a change in the electoral boundaries, and as a result, the government changed and their member was changed. So they pursued it again later and they were going to do it by the means of a private member's resolution, and it could have been done by means of a private member's resolution at that time if all municipalities within that area had fully agreed. However, when they didn't, it wasn't proceeded with as a private member's resolution. So the individuals then thought they would go to the ombudsman. They thought he would be the man that could straighten out the problem. However, it was not under his jurisdiction. So as a result of this, it wasn't straightened up, and so these individuals have pursued it now in the way of a private member's public resolution.

And what this resolution does - to summarize it in short - the purpose of this bill is to give the municipal board jurisdiction to hear an appeal against the appropriation of allocations



## BILL 51

(MR. HENDERSON cont'd) . . . of the requirements of the School Division of Kane No. 2006 and Morris-McDonald School Division No. 19, respectively, for the years 1967, 1968, and 1969, and apportionment of the cost between the Rural Municipalities of Roland, the Rural Municipalities of Morris, and the Rural Municipalities of McDonald. Now I know this is dating back quite a long time, but really, justice was not done these people. Although they're partly to blame, many of us are to blame for the circumstances we get in, but it doesn't really place the responsibility on us as members to rule on the thing. It really just gives these people the right to come before the municipal board to be heard and they can make the decision as to whether these people have been treated fairly and whether they should be remunerated in some form or another. I have copies here, Mr. Speaker, for each of the official parties, if they would care to read these notes over in preparation of whatever they might like to see. I know that this dates back a number of years, but I would say that even though it dates back a number of years, these individuals really were done wrongly and I think it's only proper that the Legislature should give them a chance to appear before the municipal board to be heard. Thank you very much.

MR. SPEAKER: The Honourable Member for Radisson.

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

MOTION presented and carried.

PRIVATE MEMBER'S RESOLUTION NO. 15

MR. SPEAKER: Private Member's Resolution, Resolution No. 15. The Honourable Member for St. Matthews has about four minutes.

MR. JOHANNSON: Mr. Speaker, we intend to vote against this resolution. We intend to vote it down because it's a meaningless resolution. . .

MR. SPEAKER: Order please.

MR. JOHANNSON: . . . and it is also a misleading resolution in many ways. The resolved portion states that the Manitoba Government should give consideration to the advisability of applying sales tax to mobile homes on the same basis as it is applied to permanent homes. Well, the sales tax is now applied to mobile homes on the same basis as it is to permanent homes, and that basis is that any manufactured component that is moved onto the site is sales taxed. If it happens to be a mobile home that's delivered to the site, the whole home is taxed. If it happens to be a pre-fab house, manufactured by, for example, by Misawa Homes which manufactures panels and components, then those panels and components are taxed because they are manufactured components delivered on site. And in the case of an individual home that's constructed on site the home is taxed for every component that is manufactured, and that would apply to door frames, to window frames, to manufactured cupboards, anything that is manufactured and delivered on site.

Mr. Speaker, the resolution seems to imply that the Manitoba Government has not done a great deal in the area of housing, particularly in an area of helping people obtain housing at reasonable costs, and I think this is one area where the government has done a great deal. Previously I went over what we have done in the area of public housing, senior citizens housing. We carried out a Pensioner Home Repair Program which I think is the best example of a renovation and rehabilitation program that's ever been carried out in this country; 20,000 homes of pensioners were repaired under this program. --(Interjection)-- 24,000 I'm sorry, I'm a conservative, in my figures, 24,000 senior citizens' homes were repaired under this program and it is one of the best programs I think that we've had.

We have given people substantial savings through our property tax credit and our cost-of-living tax credit programs. And if one looks at the tax tables in the budget, of this year's Budget Speech, the fact is and this can't be denied, that people have substantial tax savings today over what they would have paid in taxes in 1939 under the previous government. And regardless of how high the income range - and this even disturbs me a bit - even at the 50,000 income range we've saved people money. I'm not terribly happy about that. But the fact remains that we have given people substantial tax savings. At the 50,000 income range for two married tax-filer spouse, two children under sixteen, the saving is \$701.00, when one takes into account the personal income tax, health insurance premiums, property tax credit, cost of living tax credit. So we have effected substantial savings for people which can be applied to the cost of

## RESOLUTION NO. 15

(MR. JOHANNSON cont'd) . . . housing.

The basic weakness of this resolution is that it is virtually unworkable. There is no way that if we removed the five percent sales tax on mobile homes that we could guarantee that it would be passed on to the purchaser. There's no way that we could guarantee this. Quite likely the manufacturers, the retailers, could absorb that five percent as additional profits. And in fact in New Brunswick when the sales tax was removed on building materials, there was no savings in housing costs. What happened was that the distributors, the builders, took additional profits. When the Federal Government removed the 12 percent sales tax on clothing and footwear, according to the reports that I have, less than half of that savings was passed back to the consumer - less than half of it was passed back, the rest was taken as additional profits. So this resolution is wrong in its direction and it's impractical in terms of implementation.

MR. SPEAKER: The honourable member's time is up. The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I'll just take two minutes before we close the debate. I have never argued with the Honourable Member for St. Matthews that the Home Owner Pensioner's Repair Program was a good program. In fact I believe I was the first one to get up in this House and said it was a good program. I'm very disappointed where now our unemployment rate is going up and where we have some difficult time that the government has dispensed with the program, done away with. I think that they should have continued, not only continued with that but perhaps implement a program within the city core area to rehabilitate some of the older sections of our city and many of our older homes that can be rehabilitated. I'm sure they could have looked at some program.

I have no argument with the property tax credit except that it perhaps benefitted mostly senior citizens, but it certainly hasn't benefitted most of the other people on middle income groups, it hasn't, it has done very little. I know that the member talked about the cost-of-living tax credit and while it looks good, the principle may be fine, but what does it really mean to a person making \$6,000 or \$7,000 with two dependants? He may get eight or nine dollars which is really - it will hardly cover the increase in the heating costs in one year. So it looks good, it looks great, but really if you put it into dollars and cents, it hasn't got that much validity, not that much meaning unless the government's prepared to really make it worthwhile. So I'm sure the member knows that.

Now as far as removing the sales tax, Mr. Speaker, I think that the Member for St. Matthews really doesn't know what he's talking about. I know that at one time the municipal governments, the provincial governments and the federal government have prided themselves on the high percentage of home ownership in this country, and through their administrations have really made it that much difficult and almost impossible for people to own a home - the governments themselves - and I know which at one time perhaps we did. Canada as a country perhaps the people had the highest percentage of home ownership.

I know that the State of Minnesota, just next to us, has something like . . . Between 75 and 85 percent of the people own their own homes, which is the highest in the Union, and they pride themselves in it and I think that they have reason to. But for the member to say that it's irrelevant what the sales tax is, it will have no effect on home ownership, well surely it will have. If you put \$1,000 provincial sales tax and you put a couple of thousand dollars federal sales tax, immediately you put the property and the homes out of reach of many people. And the other point is the property tax. Now we're saying that you've got to pay at least, even on a small average house, a 900 to 1,000 square foot home, which is a very very square box-type of a house, you have to pay \$1,000 property tax, Mr. Speaker, \$900 to \$1,000, which means \$100.00 per month. So that's the reason how provincial and federal and municipal governments are making it impossible and people cannot own homes.

Now, again I feel - and I feel that the resolution has validity because there's more and more people in this province are finding that mobile homes is a way of accommodation. I know in the Province of Ontario a good percentage now - I'm not sure if it's three or four percent of the people - this is how they live, in mobile homes, and my argument is I know it perhaps would be difficult to implement it - I'll accept that argument but I have met with the Mobile Home Associations, and really an industry that can thrive, an industry that can expand, because most of your products, the goods that go into the manufacturing of a mobile home, I

RESOLUTION NO. 15

(MR. PATRICK cont'd) . . . understand over 95 percent are here in Manitoba that we can use; all these things, components that go into making a mobile home, are all manufactured here in the province, which would create many many jobs, and really the government has not, you know, in any way, shape or form tried to help or assist these people in any way. So what's happening, instead of manufacturing these mobile homes in the province, we're getting to the point where we're becoming the middle people and we're importing them from the other provinces, Alberta and some other provinces, or across the line. And I'm saying if the government would really look at this seriously, they would increase this industry in great proportions. So I feel it has validity.

The member, his other point is that many houses now are built in shops and there is a sales tax even on labour. That's true. There is on windows and so on. but the member must appreciate that it still takes the greatest time to put the house together out in the field, where there is no sales tax on labour, while in a mobile home the total sales tax is put on labour. So there is a differential, unless everybody in the mobile industry doesn't understand, or they all can't read or write, they must be all wrong, because I've met with these people, discussed it, and they feel that there is an anomaly between the two, that there is some proportion higher increase in the sales tax on a mobile than the one that's permanently developed. And I agree with the member that it's difficult to differentiate the ones that are constructed in shops and assembled on the site - well it wouldn't affect those, but there's still many houses built right out on the site.

So I think it has validity and I ask the members to support it.

MR. SPEAKER: All those in favour of the motion please say Aye. Against say Nay. In my opinion the Nays have it.

MR. PATRICK: The Ayes and Nays Mr. Speaker.

MR. SPEAKER: Call in the members. Order please. The motion before the House is Resolution 15 proposed by the Honourable Member for Assiniboia.

A STANDING VOTE was taken, the result being as follows:

YEAS

- |                        |                              |
|------------------------|------------------------------|
| Messrs. Axworthy       | F. Johnston (Sturgeon Creek) |
| Benman                 | Jorgenson                    |
| Bilton                 | McGill                       |
| Blake                  | McKellar                     |
| Enns                   | McKenzie                     |
| Ferguson               | Minaker                      |
| Graham                 | Patrick                      |
| Henderson              | Sherman                      |
| G. Johnston (P. la P.) | Spivak                       |

NAYS

- |              |            |
|--------------|------------|
| Messrs. Adam | Johannson  |
| Barrow       | Malinowski |
| Cherniack    | Miller     |
| Derewianchuk | Oslund     |
| Desjardins   | Pauley     |
| Dillen       | Pawley     |
| Doern        | Petursson  |
| Evans        | Shafransky |
| Gottfried    | Toupin     |
| Green        | Turnbull   |
| Jenkins      | Uskiw      |
|              | Walding    |

MR. CLERK: Yeas 18, Nays 23.

MR. SPEAKER: In my opinion the Nays have it; declare the motion lost. The Honourable House Leader.

MR. GREEN: Mr. Speaker, there is a reception which all of the honourable members are anxious to attend, and I think that they would be desirous that the House be now adjourned. So I would move . . .

MR. SPEAKER: Adjourned or . . . ?

MR. GREEN: No, no.

MR. SPEAKER: . . . or recessed ?

MR. GREEN: Call it 5:30.

MR. SPEAKER: Call it 5:30. Very well. I am now leaving the Chair and I shall return at the hour of 8:00.