

LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, March 29, 1973

[The House met at 2:30 o'clock.]

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

Bill No. 211 The Child Welfare Amendment Act, 1973

MR. WILSON:

Mr. Speaker, I beg leave to introduce a bill, being The Child Welfare Amendment Act, 1973. The purpose of this bill is to make the reporting of child abuse mandatory. Based on North American studies, the potential reportage of abused cases in Alberta would be 360 individuals resulting in 7 to 11 possible deaths per year, most of which would be under 4 years of age.

[Leave being granted, Bill No. 211 was introduced and read a first time.]

INTRODUCTION OF VISITORS

MR. BATHURST:

Mr. Speaker, it gives me pleasure to introduce to you and through you to the members of this Legislature Major and Mrs. Paine. Major Paine is a former member of parliament for the Vegreville constituency. They are seated in your gallery and I would ask them to rise and be recognized by the House.

MR. SCHMID:

Mr. Speaker, I would like to introduce to you and through you to the members of this Assembly Dr. Louis Lemieux, Secretary of the Consultative Committee on National Policy on Museums. He is here to discuss with us implementation of the national program of assistance to Canadian museums and art galleries. His program aims at promoting national unity and national identity through an exchange of museum and art gallery collections and exhibits. I would now ask Dr. Lemieux to rise and be recognized.

MR. GRUENWALD:

Mr. Speaker, I'd like to introduce to you and through you to the members of this Legislative Assembly Grade 10 students from the Lethbridge Collegiate Institute. The students came in on their bus yesterday, and toured Edmonton yesterday and today. They are seated in both galleries. I believe there are more in the public gallery than in the members gallery. I'm not sure if that is an indication of the support they have for one side of the House or the other. They also have their teacher, Mr. Laurence Turner, a student teacher from the University of Lethbridge, Mrs. Cunningham, and their supervisor, Florence Prummell. Could we have those people please stand and be recognized.

MR. FARRAN:

Mr. Speaker, it is my privilege to introduce to you and through you to the members of the Assembly some 34 Grade 9 students from Senator Patrick Burns High School in the late hon. Len Werry's constituency of Calgary Foothills.

Len Werry was very interested in education and, in fact, all aspects of life and people, especially those who needed help. Len greatly admired Senator Burns and his history, a famous Calgarian who came to this country from Ireland

and rose from humble circumstances to become one of Alberta's most famous industrial pioneers.

They are accompanied today by their teacher, Mrs. Szulczyk, teacher's aide, Mrs. Stenstrom, and one of the mothers, Mrs. Craig. They will be paying particular attention to the workings of the House today, because it is likely that there might be a by-election in this area some time in the near future. They are seated in the public gallery and I would like them to rise now and be recognized.

MR. STROM:

Mr. Speaker, it is a real privilege for me today to be able to rise in my place and introduce to you three gentlemen seated in your gallery from the County of Forty Mile. We have Reeve Dan Van der Berg, Councillor George McFall, and Secretary Roy Wallman. I'd ask them to stand at this time and be recognized.

GRAL QUESTION PERIOD

Justice in Lower Courts

MR. HENDERSON:

Mr. Speaker, I have two or three questions I'd like to ask. First, to the Premier, in light of the announced stand by the Alberta Medical Association, is the government reconsidering its request for a Royal Commission into the administration of justice in the lower courts in Alberta?

MR. LOUGHEED:

Mr. Speaker, I will refer that question to the hon. Attorney General.

MR. LEITCH:

The answer is no, Mr. Speaker.

Public Power Employees Hearings

MR. HENDERSON:

Mr. Speaker, I would like to address a question now to the Minister of Manpower and Labour. I wonder if the minister could inform the House as to why the certification hearings that are before the Board of Industrial Relations, relating to the certification of a number of Edmonton public power employees, have been transferred to Calgary when the problem is situated in Edmonton?

DR. HOHOL:

That's not the kind of information I would have with me, Mr. Speaker, but I will be happy to provide the hon. Leader with the information.

MR. HENDERSON:

Mr. Speaker, then relating to this particular matter, I wonder if the minister could also take under advisement the question of whether the four employees of Edmonton Power that are to be tried by the union for non-union activities -- the international union -- whether the individuals who are going to try them are Albertans, or Canadian citizens -- all of them?

DR. HOHOL:

That information is public, sir, and I'll be happy to provide that.

Project Recovery Funds

MR. HENDERSON:

Mr. Speaker, I have just one more brief question I'd like to address to the Minister of Health and Social Development. I wonder if he could advise the House as to why the funds that have previously been made available to Project Recovery have been discontinued by his department?

MR. CRAWFORD:

Mr. Speaker, the Project Recovery operation is one that was made the subject of a very intensive study by the department and by the Alcoholism and Drug Abuse Commission over a period of approximately the last six months.

The present situation is, I am informed, that they have arrived at an arrangement with the Alcoholism and Drug Abuse Commission which replaces the arrangement which was previously funded through the department. I do believe that one or two details of it are still unsettled at this time but I placed the matter in the hands of the commission a couple or three weeks ago. They have made a great deal of progress, I am informed, in making an alternative arrangement, and I expect it will be concluded.

MR. HENDERSON:

Supplementary as a point of clarification, Mr. Speaker. I wonder if the minister could clarify the point as to whether the funds have not actually been discontinued, but rather just the method of payment is under consideration or reconsideration?

MR. CRAWFORD:

I think it is hard to give a short answer to that question, Mr. Speaker, but I'll try. The payments that were being made by the department, by and large, were payments that were made on account of the fact that in practically every case the people involved were public assistance cases when they were at Project Recovery.

The difficulty that remained, in spite of the \$3 per day support that was being given, was that the operation was operating at a loss they couldn't make up from other sources, whatever those may have been. It was with that in mind that the whole matter -- although I would say I indicated to Project Recovery that we felt we had alternative services coming on-stream in Edmonton that would fill the bill -- I still said to them that if they could make an arrangement with the commission, I certainly would be quite prepared to accept the commission in making some alternate arrangement.

Now I think the only other thing that need be said to clarify, in respect to the supplementary question, would be that in the circumstances whether the arrangement is the same one from another source. I don't think so. It is a new arrangement and I do believe it is one that is being negotiated with a fairly good feeling on both sides.

Confidentiality of Files

MR. NOTLEY:

Mr. Speaker, could I put a supplementary question to the Minister of Health and Social Development. Following up on the first question raised by the hon. Leader of the Opposition, in the light of yesterday's statements by the President of the Alberta Medical Association, is the government considering any new steps to protect the confidentiality of the doctor-patient relationship and the confidentiality of doctor's files?

MR. CRAWFORD:

Mr. Speaker, the official statement by the Alberta Medical Association expressed satisfaction that when the Craig case went to the higher courts, the courts made certain expressions on that subject. The official statement of the Medical Association said that on that point they were satisfied.

MR. SPEAKER:

The hon. Member for Drumheller, followed by the hon. Member for Pincher Creek-Crowsnest.

Dog and Horse Meat

MR. TAYLOR:

Thank you, Mr. Speaker. I would like to address a question to the hon. Minister of Agriculture. In view of what is happening elsewhere, will dog meat and horse meat come under the Meat Inspection Act in this province if used for human consumption?

DR. HORNER:

That is hypothetical, Mr. Speaker.

MR. TAYLOR:

Supplementary to the hon. Minister of Consumer Affairs. In the light of the present retail price of meats, what steps is your department taking to make regular meats available to people in low-income brackets so they won't have to eat dog and horse meat?

MR. SPEAKER:

Order.

DR. HORNER:

Mr. Speaker, if the hon. member will take time to read the submission we made to the federal committee on food prices I think the answers are pretty self-evident there.

MR. SPEAKER:

The hon. Member for Pincher Creek-Crowsnest, followed by the hon. Member for Macleod.

A Clockwork Orange

MR. DRAIN:

This is to the hon. Minister of Culture, Youth and Recreation, Mr. Speaker. It has been suggested in committee discussions that your department may reconsider the position that has been taken by the censorship board in relation to A Clockwork Orange and I was wondering if any conclusions have been arrived at?

MR. SCHMID:

Mr. Speaker, no conclusions have been arrived at, but as was stated, consideration may be given to have the film resubmitted for a panel to view the film, whether or not it should be shown in Alberta.

MR. SPEAKER:

The hon. Member for Macleod, followed by the hon. Member for Olds-Didsbury.

Hog Prices

MR. BUCKWELL:

Mr. Speaker, a question to the Minister of Agriculture. Could the minister give some indication to the hog producers in their concern about the sudden, drastic drop in the price of hogs in the last ten days?

DR. HORNER:

The sudden drop, of course, Mr. Speaker, has been within the last day or two in relation to a drop in the price of hogs in the United States. As the hon. member is aware, we are on an North American pricing mechanism in relation to red meats. This has been a direct result of a consumer resistance to the prices that are being charged and, in my view, unwarranted attention in relation to the problem rather than doing something about the problem.

The situation, as I understand it, Mr. Speaker, is that the hog producers in the United States have also entered the fray and have withheld the marketing of hogs and the price in Omaha this morning has gone up \$5 a hundred. I would think it will stabilize perhaps a little bit lower than its peak but it will continue to remain in the \$44 or \$45 range in the coming months.

I want to say again that when we consider that the percentage of income allocated to food in Alberta is essentially less than it was ten years ago, the farmer is entitled to his fair share of an increase in income as well.

MR. BUCKWELL:

A supplementary question, Mr. Speaker. Is there anything to the rumour, Mr. Minister, that United States and Canadian exports to Japan have been seriously cut back?

DR. HORNER:

I didn't quite get the member's question. The exports to Japan?

MR. BUCKWELL:

Yes.

DR. HORNER:

There may be some in-fighting going on in relation to Japanese trading companies trying to establish foreign marketing commitments at lower prices than they would otherwise get. I think our people are well enough informed so that foreign contracts won't be signed below the present market prices.

MR. BUCKWELL:

One further supplementary, Mr. Speaker. I don't want the minister to think that I am picking on his marketing division, but when it comes down to it, Mr. Minister, are not marketing studies little more than educated guesses?

DR. HORNER:

Well, marketing studies have to be a combination of consumer demand and productive capacity in relation to price as well, so it isn't just an estimated guess, but rather having a fair amount of market intelligence in knowing what is happening around the world with a particular product and then having a reasonably intelligent estimate as to what in fact the future is going to bring. Nobody is suggesting for a moment that we can predict the future with any great deal of accuracy, but we do have to have some indication as to the road we are proceeding on.

MR. TAYLOR:

Supplementary, Mr. Speaker.

MR. SPEAKER:

Might this be the last supplementary on this subject and then perhaps we could return to it if there is time left.

MR. TAYLOR:

In view of the present price of pork, is the hon. minister indicating that the farmer is getting the large share of that, or is he referring to middlemen and the price not getting back to the producer?

DR. HORNER:

Well, Mr. Speaker, again I really recommend that the hon. Member for Drumheller peruse our submission to the Food Prices Committee in Ottawa, because we have gone over that in some detail. And as I said earlier in this House, Mr. Speaker, the reports I am getting from eastern Canada in relation to our submission are that it was one of the best submitted to that committee.

MR. SPEAKER:

The hon. Member for Olds-Didsbury followed by the hon. Member for Wainwright.

CKUA Licence

MR. CLARK:

Mr. Speaker, I would like to direct my question to the Premier and he can farm it out as he sees fit. Mr. Premier, has your office received representation from a number of Albertans, especially in the Edmonton area, regarding the future of radio station CKUA?

MR. LOUGHEED:

Mr. Speaker, I would refer that question to the Minister of Federal and Intergovernmental Affairs.

MR. GETTY:

Mr. Speaker, there was a time in the past when there was considerable agitation among all Albertans, but particularly Edmontonians who had the opportunity to hear CKUA, to make sure that the station did not go off the air and that we would try and arrange an extension of its broadcasting licence. That was done for a two-year period and there is now an effort being made to place CKUA under the kind of jurisdiction that will allow it to continue in Alberta indefinitely.

However, that does raise the question in some people's minds that perhaps the character of the station might be changed. It is the government's commitment that the character of the station does not get changed by the change in the jurisdiction and the way the station is, in fact, operated in Alberta. There have been some people who contacted the government, worrying that should it be placed under any other authority it might lose its present character, and we are assuring them that it will not.

MR. CLARK:

Mr. Speaker, a supplementary question to the minister. Mr. Minister, is it true that the government is guaranteeing to interested persons that CKUA's management will have the same kind of flexibility in the future as it has now as far as its public affairs programming is concerned?

MR. GETTY:

Well, Mr. Speaker, I was not talking about the future flexibility of management. I would think that there may be changes in management as the station tries to satisfy more and more people. What we were saying is that the present character of the station and its kind of broadcasting, which is so well received by Albertans, will remain the same.

MR. CLARK:

A supplementary question, Mr. Speaker, to the minister. Will the management of CKUA have in the future the same freedom from political interference as it has had in the past?

MR. GETTY:

There will be no political interference, Mr. Speaker.

MR. CLARK:

One last supplementary question, Mr. Speaker, to the minister. Mr. Minister do you have any plans for a similar station in that very fine city to the south, Calgary?

MR. GETTY:

I suppose, Mr. Speaker, there are members in the House who would consider there are other fine cities south in this province. However, Mr. Speaker, there is a great deal of work being done to try to provide the unique broadcasting abilities of CKUA throughout the Province of Alberta.

MR. TAYLOR:

A supplementary, Mr. Speaker --

MR. SPEAKER:

Might this be the last supplementary on this topic.

MR. TAYLOR:

-- to the hon. Minister of Federal and Intergovernmental Affairs. Has the minister put up a real fight with Ottawa to retain the present status of CKUA?

MR. SPEAKER:

That is scarcely a question of fact. That would be very much a question of subjective opinion and also a matter of debate.

MR. TAYLOR:

Well, I doubt it.

MR. SPEAKER:

The hon. Member for Wainwright, followed by the hon. Member for Lethbridge East.

Spring Water Supply

MR. RUSTE:

Mr. Speaker, my question is to the Minister of the Environment. What is the situation as it relates to the expected run-off from the eastern slopes this spring and its effect on our water supply?

MR. YURKO:

Mr. Speaker, the department has an expert in the area of predicting run-off in our rivers. I haven't checked the matter with him as yet, but I will certainly check and if the hon. member wishes he can contact me privately and I can suggest what is expected to be the situation in terms of flood conditions or total run-off in our various rivers.

MR. RUSTE:

Just a supplementary. Could I have the minister report back to the House on this, probably tomorrow?

MR. YURKO:

Yes, Mr. Speaker, I will report back in the next several days.

MR. BUCKWELL:

A supplementary, Mr. Speaker. Your expert isn't an old Indian chief, is he?

MR. SPEAKER:

The hon. Member for Lethbridge East, followed by the hon. Member for Lethbridge West.

Lethbridge Sportex

MR. ANDERSON:

Mr. Speaker, my question is directed to the Minister of Advanced Education. Are you willing to consider the granting of funds to Lethbridge Community College for the participation in the construction of a Lethbridge sportplex as indirect financial support to the Canada Games, hosted by Lethbridge?

MR. FOSTER:

Mr. Speaker, I understand the commitment made by both the federal and provincial government to the Canada Winter Games is in the order of \$430,000, and in their brief the City of Lethbridge indicated their willingness to put up some \$2 million for the construction of a number of facilities including the sportex. My other information is that the City of Lethbridge has agreed to proceed with the construction of a sportex or sportplex to the tune of some \$3 million and discussions are currently underway between the city college and perhaps the university -- I'm not sure of the latter -- with respect to the use of those facilities by the college and the university.

At one time, I know, the college was anxious to have additional facilities included in the sportex in order that the college could have access to it. At that time there was also consideration given to the college putting in money, capital funds, for the development of it.

We are pleased to endorse the policy taken by the Colleges Commission of joint use facilities and to do what we can to assist. I suggested to the chairman of the college and to the city that discussions take place with respect to joint use of those facilities by the college. I am not aware that those discussions have now been concluded, but I am hopeful that they will shortly.

We are quite prepared to examine the possibility of increasing the budget of the Lethbridge College in order that they might acquire access to and use of facilities in the sportex. Whether or not that will involve a special application for capital funds to joint-fund the sportex I am not aware at this time. I am under the impression that the facility as proposed by the city, and as authorized by the city, is adequate to meet the immediate requirements of the college. I have no doubt that the college's access to recreational facilities is today minimal and they do need access to other facilities. We will do everything we can to ensure that they gain that access on a long-term basis and that their interests are protected.

MR. SPEAKER:

The hon. Member for Lethbridge West, followed by the hon. Member for Sedgewick-Coronation.

Southern Alberta Teachers' Strike

MR. GRUENWALD:

Thank you, Mr. Speaker. I would like to direct my question to the Minister of Manpower and Labour. I don't want him to feel neglected. Would you like to report to us on the southern Alberta school and trustees' strike?

DR. HOHOL:

Yes, Mr. Speaker. I can report just receiving the 2:30 session discussions with the Chairman of the Board of Industrial Relations. Negotiations are constant, persistent and serious and I am hopeful that some movement has been made on both sides. This is not to be taken as any indication of the anticipation but certainly in the hope of concluding an agreement.

MR. GRUENWALD:

A supplementary. Are all the people who were involved in negotiations from the beginning -- the same principals -- are they still involved?

DR. HOHOL:

Yes, Mr. Speaker. The same principals are still involved. One of the principals was away for a period of time during negotiations yesterday and today but is back in Lethbridge this afternoon.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation, followed by the hon. Member for Spirit River-Fairview.

Kananaskis Public Forum

MR. SORENSON:

Mr. Speaker, my question is to the Minister of Highways. Will government representatives be in attendance and present their position at the Kananaskis Public Forum in Calgary this evening, and, if so, who will be present?

MR. COPITHORNE:

Mr. Speaker, there will be somebody from the Department of Highways at the forum tonight in Calgary. It will likely be Bob Cronkhite.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview, followed by the hon. Member for Camrose.

Food Prices

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to the hon. Premier. In the light of your government's submission to the federal House Committee On Food Prices which indicates that the farmer's share of the consumer dollar is actually lower than it was some years ago and, more particularly, in the light of the Batten Royal Commission findings on food pricing practices in western Canada of 1968, is your government prepared to appoint a provincial inquiry into retail food pricing in this province?

MR. LOUGHEED:

Mr. Speaker, I believe I was asked that identical question earlier in the session. My response to it was that we felt that to duplicate efforts which had been made as recently as the Batten Report and to be premature with regard to the inquiry being made by the federal House of Commons would be ill-advised.

However, in establishing a new Department of Consumer Affairs, we certainly intend to give that department an opportunity, during the course of the summer months, to evaluate the action that can be taken by the province and whether or not the inquiry is the approach for our province at the present time. This is something we are considering but it is only one among a number of alternatives.

MR. NOTLEY:

A supplementary question, Mr. Speaker, to either the hon. Premier or to the Minister of Federal and Intergovernmental Affairs. Have you received any communication from the federal government with respect to the charges against Canada Safeway?

MR. GETTY:

Mr. Speaker, in regard to the charges against Canada Safeway, both the officials in my department and the officials in the Department of the Attorney General have been in communication with the federal government. I am not sure whether the Attorney General would like to amplify that answer or not at this time.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Will there be any report on the discussions with federal officials tabled during the spring session of the Legislature?

MR. GETTY:

Mr. Speaker, I am not sure there is any way those discussions should be in the form of a report tabled in the Legislature, but we will certainly take a look at whether or not there isn't something that could possibly be presented in the House either verbally or written. I will just have to take a look at it.

MR. NOTLEY:

One final supplementary question, Mr. Speaker, to the Minister of Consumer Affairs. In view of the fact that the Batten Royal Commission states very clearly -- in the view of the commission anyway -- that the consumer is paying too much for frills, for advertising and excess store space, has your government any plans to deal with the specific complaints alleged by the commission?

MR. DOWLING:

Yes, Mr. Speaker, we have. As a matter of fact we have meetings with some of the manufacturing group scheduled for either this week or next week in my offices. These will be preliminary meetings of course. They have a presentation to make to me and I have one to make to them. I will express my views on this very subject to them and perhaps later on in the fall session, I'll have something firm to report.

MR. SPEAKER:

The hon. Member for Camrose, followed by the hon. Member for Sedgewick-Coronation.

Sulphur Transportation on Highway 21

MR. STROMBERG:

Mr. Speaker, my question is to the Minister of the Environment. My constituents would like to know if your department is taking any steps to control the spillage of sulphur on Highway 21?

MR. YURKO:

Mr. Speaker, generally sulphur is shipped in Alberta in liquid form in trucks which we insist must be closed. However now and again sulphur in solid form is shipped and we require that the truck be covered. However, during the months of January and February of this year, I believe, some sulphur was shipped in the hon. member's constituency in uncovered trucks.

The department has undertaken to send a letter to all trucking firms involved in shipping solid sulphur, reminding them and requesting that all such shipments must be covered with a tarp.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation, followed by the hon. Member for Calgary Bow.

Housing Frauds

MR. SORENSON:

Mr. Speaker, my question is to the Minister of Consumer Affairs. Would the minister give a progress report as to the nature and extent of his investigations and those of his department into the ever increasing, serious housing frauds evident in Alberta?

MR. DOWLING:

Well, Mr. Speaker, of course, that is a very lengthy subject. I would suggest if there are any specific questions that you'd like answered, they might make an excellent Order for a Return.

MR. SORENSON:

Would the minister advise the House as to whether he will be doing anything specific at this session to curb these frauds?

MR. DOWLING:

I can't say for certain, Mr. Speaker, however we do have a form of draft legislation now in process on this particular problem. I'm not positive it will be in a form that can be presented at this spring session, but for certain in the fall.

MR. CLARK:

A supplementary, Mr. Speaker. Has the minister had any meetings with representatives of the housing industry on a provincial basis?

MR. DOWLING:

I haven't on a personal basis, Mr. Speaker, but I understand some of the people in the department have.

MR. CLARK:

Mr. Speaker, could the minister be specific and say who in his department have held those meetings?

MR. DOWLING:

No, I can't at this time, I'm sorry.

MR. SPEAKER:

The hon. Member for Calgary Bow, followed by the hon. Member for Highwood.

Century Calgary

MR. WILSON:

Mr. Speaker, I would like to direct a question to the hon. the Premier. Has the government determined the most effective way of supporting the request of Century Calgary in their negotiations with the Postmaster General for a centennial postage stamp?

MR. LOUGHEED:

Mr. Speaker, I am looking desperately to see who I can farm it out to.

Mr. Speaker, I would refer the matter to the Minister of Federal and Intergovernmental Affairs.

MR. GETTY:

Mr. Speaker, our department is consulting with the Postmaster General in Ottawa to see whether there is any way possible that Calgary can be helped in getting this stamp to commemorate the occasion.

MR. WILSON:

A supplementary, Mr. Speaker. Are these negotiations being carried out by correspondence or by telephone?

MR. GETTY:

They are being carried out, Mr. Speaker, in a variety of ways, including verbally.

MR. WILSON:

A supplementary, Mr. Speaker. Has there been any correspondence by the provincial government with the Postmaster General on this issue?

MR. GETTY:

Mr. Speaker, I'm not sure whether members of my department have confirmed what they have already been talking about with the federal government by putting it in writing or not.

MR. WILSON:

A supplementary, Mr. Speaker, can the hon. Minister of Federal and Intergovernmental Affairs assure us that the provincial government is committed to constructively supporting this request?

MR. GETTY:

Yes, Mr. Speaker, we're trying to do everything possible as I've said to help the people in Calgary with this particular issue.

MR. WILSON:

A supplementary --

MR. SPEAKER:

Might this be the last supplementary on this point.

MR. WILSON:

A supplementary, Mr. Speaker, to the hon. Minister of Telephones and Utilities. Is your department prepared to support Century Calgary in their request?

MR. SPEAKER:

[Inaudible]...the hon. member...attempting to set one department against another. He has had the government's answer from the hon. Minister of Federal and Intergovernmental Affairs.

MR. FARRAN:

Mr. Speaker, however, can I answer the question?

MR. SPEAKER:

Possibly we could come back to it later in the question period. We're running a little short of time. Strictly speaking, a question that is not in order just gives rise to an answer that isn't in order.

Auto Licence Suspensions

MR. BENOIT:

Mr. Speaker, my question is addressed to the Minister of Highways and Transport. Considering that in some Canadian jurisdictions automobile drivers who fail to pay their traffic fines have their licences suspended, their operators' licences suspended, are you giving any consideration to that type of situation in Alberta?

MR. COPITHORNE:

Mr. Speaker, this proposal was made to us, I think it was last year by Edmonton, to suspend licences of the drivers who had not paid their fines. They did, however, include in that parking fines and small fines as such. At that time we turned that request down.

However, the figure in Ontario is quite sizable and I notice also that legislation in Ontario has deleted the parking fines and so forth. They are saying in Ontario, I think, that something in the neighbourhood of a million and some odd dollars are in arrears in payment of fines and it may be even more. I am just repeating from memory.

But, Mr. Speaker, I am sure that in this area, in Alberta, the failure to pay fines is much, much less. And I don't believe, from the discussions I have had with my department, that kind of legislation is necessary at this time. However, if the occasion arises when we need that kind of legislation to bring forth the default payment of such fines, then we'll consider it in a more serious vein.

MR. BENOIT:

A supplementary, Mr. Speaker. Could the minister, maybe not now but sometime, give us some idea of how many drivers are in default with traffic fines?

MR. COPITHORNE:

Yes, Mr. Speaker, but we've checked into it and we find that there are very few within the Province of Alberta.

MR. SPEAKER:

The hon. Member for Lacombe, followed by the hon. Member for Clover Bar.

Dairy Product Prices

MR. COOKSON:

Mr. Speaker, I would like to ask a question of the hon. Minister of Agriculture. In view of recent discussions with the Canadian Dairy Commission, have you anything to announce with regard to new floor prices for dairy products?

DR. HORNER:

Mr. Speaker, the Canadian Dairy Commission announced today the new support prices. If I might just give them to the House and then make some comments on them.

The support price increased for butter from 69 cents to 71 cents, skimmed milk powder from 29 cents to 35 cents, cheese from 54 cents to 60 cents. The direct subsidy paid to producers increases from \$1.25 to \$1.45 per hundredweight of milk. Within the quoted levy there's been an increase from 10 cents to 30 cents per hundredweight of milk. The net increase to producers will be 60 cents per hundredweight of industrial milk.

I would like to remind the House that our submission to the hon. Minister of Agriculture in Ottawa was that, in fact, the net increase should be something in the neighbourhood of at least 70 cents. We also asked, and apparently have not received, a particular consideration for food shippers in Alberta, in fact in western Canada. The major difference in the dairy situation between western Canada and eastern Canada is the very large preponderance of cream shippers that we have in western Canada and we feel that these people have not been fairly dealt with and should have additional support from the Canadian Dairy Commission.

As I tabled in the House previously the matter of our correspondence with the federal minister in relation to our submission in the grains, we are still concerned that we need to increase our production in Alberta and we will be taking further steps in an attempt to do just that.

MR. SPEAKER:

The hon. Member for Clover Bar, followed by the hon. Member for Drumheller.

Medicare Premiums

DR. BUCK:

Mr. Speaker, I would like to address a question to the Minister Responsible for the Health Insurance Commission. Miss Minister, in view of the fact that the commission is nearly \$9 million in debt, will there be an increase in premiums this year?

MISS HUNLEY:

No, Mr. Speaker.

DR. BUCK:

Supplementary. Are there any plans to reduce the percentage of the fee schedule that medical doctors are paid?

MISS HUNLEY:

No, Mr. Speaker.

DR. BUCK:

A further supplementary. Will it remain government policy to keep picking up the deficit from general revenue?

MISS HUNLEY:

At the present time and in the present estimate which is under review, that policy still remains.

DR. BUCK:

A final supplementary, Mr. Speaker. Can the hon. minister inform us if there presently are a large number of unpaid premiums?

MISS HUNLEY:

Yes, there are a number of premiums in arrears. We have a consistent review going on and attempts are made to collect the outstanding premiums. But I don't have, at this moment, the exact figure.

DR. BUCK:

Are there any prosecutions for those people who are in arrears?

MISS HUNLEY:

From time to time, Mr. Speaker, we do prosecute or make recommendations that prosecution should proceed. Our strategy at the present time or our policy, is by direct contact, explaining the difficulties, finding out when and what type of arrears payments we can expect, and handling it in a generally business-like but tolerant manner.

MR. SPEAKER:

Might we revert to this subject later. We are running out of time and there are still a number who wish to ask questions.

The hon. Member for Drumheller, followed by the hon. Member for Calgary Mountain View.

MR. TAYLOR:

I have a question for the hon. Minister of Health and -- oh, I'm sorry.

Auto Licence Suspensions (Cont.)

MR. COPITHORNE:

Mr. Speaker, I believe that when I was answering the question of the hon. Member for Highwood on the suspension of drivers in Ontario I used the figure of \$1.5 million in arrears, and the figure is more like \$13 million. I just wanted that corrected.

Highway Accidents

MR. TAYLOR:

I have a question for the hon. Minister of Health and Social Development. Is the minister planning to initiate an air ambulance service for emergencies arising out of highway accidents?

MR. CRAWFORD:

Mr. Speaker, no consideration has been given to that subject up to the present time. Virtually no change has been made in the type of air ambulance service that has existed over the last several years and that primarily, of course, relates to remote areas and is not directly linked to accidents of a particular type.

MR. TAYLOR:

Supplementary to the hon. minister. Has the hon. minister received a submission on air ambulance service for emergencies on highway accidents from Calgary?

MR. CRAWFORD:

Mr. Speaker, I'm not aware of any submission on that subject having been received yet, but I'll be glad to check into it.

MR. SPEAKER:

The hon. Member for Calgary Mountain View, followed by the hon. Member for Calgary Millican.

Craig Case

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Premier. Can he advise if he has finished his study of the Human Rights and Civil Liberties brief about which he was questioned some time ago?

MR. LOUGHEED:

Mr. Speaker, no, we're not in a position to give any definitive information to the House on that matter.

MR. LUDWIG:

I was interested in whether the hon. Premier has finished reading and studying the report?

MR. SPEAKER:

The hon. Premier has said that he is not prepared to give definite information in regard to the matter, and he has the right to give that answer.

The hon. Member for Calgary Millican --

MR. LUDWIG:

Supplementary, please. In view of the answer, I wonder if the hon. Premier could advise the House as to what stage his interest in civil liberties has declined?

MR. SPEAKER:

Order, please. The hon. Member for Calgary Millican, followed by the hon. Member for Medicine Hat-Redcliff.

Medicare Premiums (Cont.)

MR. DIXON:

Mr. Speaker, I'd like to direct my question to the hon. minister in charge of Medicare. I was wondering if the hon. minister could inform the House as to whether the government is giving consideration to doing away with Medicare premiums altogether, or to include further groups other than the senior citizens in non-payment of their premium?

MISS HUNLEY:

Actually, we've been doing an extensive review, but no decision has been reached on this other than what is presently on the statute books for waiver of premiums and things of this nature of which you are well aware.

MR. SPEAKER:

The hon. Member for Medicine Hat-Redcliff, followed by the hon. Member for Calgary McCall.

Conflict of Interest

MR. WYSE:

Mr. Speaker, I'd like to direct a question to the hon. Premier. Just to clarify a point, did the hon. Premier state earlier that the guidelines or statement with regard to conflict of interest for the cabinet would be made at the spring session?

MR. LOUGHEED:

Mr. Speaker, yes I did, that review is continuing and I would think we would have a statement before the conclusion of the spring session.

MR. WYSE:

One supplementary question then. Is the government considering enacting guidelines for the senior civil servants, such as Premier Davis announced last week -- who seems to be a leader among leaders?

MR. LOUGHEED:

Mr. Speaker, after reviewing 36 years of absence of policy in this matter, we are giving it some further consideration and we hope to be in a position to report to the House.

MR. LUDWIG:

A supplementary. Is the Premier undertaking to bring in some kind of a recommendation during this session?

MR. SPEAKER:

The hon. Member for Calgary McCall, followed by the hon. Member for Drumheller.

Municipal Mill Rate

MR. HO LEM:

Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs. Can you advise the House if in your meeting with the municipal councillors this

week, you advised them they could raise their mill rate to a total of 22.5 per cent this year providing they have no further increase for the subsequent two years?

MR. RUSSELL:

Mr. Speaker, I suppose it could be interpreted that way because we did indicate there would be a three-year rolling period, looking at a total of approximately 22.5 per cent over three years.

The municipalities had asked for this consideration to allow some of them who felt that they could go below the 7.5 per cent, or conversely, slightly above the 7.5 per cent but carry the difference on into the next year, so that was a direct response to that request. I would be very surprised and extremely disappointed if some municipality went the full 22.5 per cent in one year.

MR. HO LEM:

Supplementary, Mr. Speaker. What the minister is saying is that they may, this year, go up to 22.5 per cent providing they don't increase it any further for the next two years.

MR. RUSSELL:

Mr. Speaker, I can only repeat, the authority or the permission is there for them to take the 7.5 per cent increase on a total three-year rolling period.

MR. HO LEM:

Supplementary, Mr. Speaker. Can you inform the House if it is true that a mistake was made in the calculation of the mill rate regarding the Town of Camrose by a grant of some \$25,000?

MR. RUSSELL:

Yes, that is correct, Mr. Speaker. I met with the Mayor of Camrose, and also with one of their aldermen who is the President of the AUMA, and they were concerned about the grant. We said we would go back and check it, which we did. We informed them of that error, that it had been found and that it had been corrected.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview with a supplemental and then perhaps we had better leave this subject.

MR. NOTLEY:

Mr. Speaker, I would like to ask the Minister of Municipal Affairs whether or not the government has any objective criteria to define 'extraordinary circumstances' in the case of his statement yesterday, or is this a subjective decision on the part of the minister?

MR. RUSSELL:

Well again, Mr. Speaker, I would say it would be a subjective representation on the part of the municipality. It was indicated to me by two or three different municipalities that they felt they had unique situations because of some extraordinary circumstances. One I can announce is a town in Alberta that recently passed a by-law with respect to differential assessment rates which put them in a very poor overall assessment situation with respect to this current year's mill rate. It would have been very difficult and, in fact, unfair to them with respect to other Alberta municipalities not to recognize that. Now that is an example of the kind of thing the government would be willing to consider.

MR. NOTLEY:

This is for clarification. It will then be on the basis of a subjective decision on the part of you, sir, as to whether or not this leeway would be granted and there is no objective yardstick or criterion set out?

MR. RUSSELL:

It is going to be pretty hard in this first year to see just what the municipalities might come up with, but I think the municipalities should take heart in the fact that I am pretty broad-minded and fair.

MR. SPEAKER:

Under the circumstances, since the remaining ones waiting to ask questions have already asked one question, we should perhaps go back to the supplementary of the hon. Member for Calgary McCall.

MR. HO LEM:

Thank you, Mr. Speaker. In view of the mistake which has shown up in Camrose, and at this early date there are other possible mistakes that may show up in the meantime, are you now prepared to table in this House a copy of the formula which you used to calculate the municipal grants?

MR. RUSSELL:

No, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Drumheller. That may be the end of the question period.

Safety of Elevators

MR. TAYLOR:

Mr. Speaker, I have a question to the hon. Minister of Manpower and Labour. With the return of the elevator men to work, have there been any alarming defects reported to the minister in connection with the condition of elevators in the province?

DR. HOHOL:

Mr. Speaker, not alarming in the sense of any one individual circumstance, but during the progress of the strike there were several reports to me and, of course, to the police with respect to damage and what might be referred to as sabotage to elevators.

Public Power Employees Hearings (Cont.)

Mr. Speaker, while I am on my feet I wonder if I could answer one of the two questions asked by the Leader of the Opposition with respect to the movement of the hearings to Calgary.

The circumstances are briefly as follows. The International Brotherhood of Electrical Workers acts for all telephone and power employees. Local 1007 was anxious to have the matter dealt with as quickly as possible and asked for the hearings to be held in Calgary. It is important to note that the Edmonton Power Employees' Association was formed in late December, and it was formed because it felt that it could reach its own collective objectives more effectively in this way. However, the International Brotherhood of Electrical Workers nevertheless does represent the Edmonton employees at this time.

The Employees' Association, on the other hand, feels that moving the hearings to Calgary would be too costly and has asked the Board of Industrial Relations to hold them here in Edmonton. The Board of Industrial Relations' plan is to hold the hearings in Edmonton as soon as possible next week. It has been unable to get in touch with the representatives of the union today, at least to this time, to get concurrence for such a meeting and to pursue the hearings here in Edmonton early next week.

MR. CLARK:

A supplementary question to the minister.

MR. SPEAKER:

May the hon. member have the leave of the House to ask a further supplementary?

SOME HON. MEMBERS:

Agreed.

MR. CLARK:

Mr. Minister, when was the decision made to hold these hearings in Edmonton? Because in talking to the people from the Edmonton Power Employees' Association just this morning, they had received notification that they were to be in Calgary. When was this decision made to hold the hearings here in Edmonton?

DR. HOHOL:

I am pleased with the question. Just to make sure there is no misunderstanding, it was not a decision in the sense that countermands the initial one. It is a proposal that the Board of Industrial Relations will make to the two sides. And given the fact that the union will agree to hold them here -- the employers already have asked for it -- then the hearings will be in Edmonton. Otherwise they will, as directed this morning, be held in Calgary.

MR. FARRAN:

Mr. Speaker, will you allow me now to answer the hon. Member for Calgary Bow?

SOME HON. MEMBERS:

Out of order.

MR. SPEAKER:

I believe there isn't unanimous leave of the House to extend the question period for that purpose.

Medicare Premiums (Cont.)

MISS HUNLEY:

May I have the leave of the House to elaborate on one of the answers to my question?

SOME HON. MEMBERS:

Agreed.

[Laughter]

MISS HUNLEY:

Sorry about that, Roy.

I would like to give additional information concerning the question asked me by the hon. Member for Calgary Millican. As I recall, he asked whether anyone extra would be included in premium exemptions.

I think that it would be timely for me to comment on the fact that due to the changes in The Federal Income Tax Act, there will be additional people included in the subsidy arrangements. This does not mean that they will not be liable for some premium, but we expect to catch more people under the umbrella of subsidy. When the federal government increased the personal income tax exemptions then naturally there were more people who would be eligible for subsidy and we estimated this cost to be about \$950,000.

I was somewhat interested in this and thought perhaps it might be diverted and used for other purposes. But in view of the fact that this would once again catch middle class people and they would have been automatically eligible for subsidy if we left the rules the same, it was a decision that we made not to change the subsidy rules. Therefore there will be more people eligible for subsidy in the coming year.

MR. DIXON:

Clarification to the minister, Mr. Speaker. The people I am concerned about are the people who have to retire early under the Canada Pension Plan and I suppose a lot of these people would be covered under that subsidy.

MISS HUNLEY:

Probably, Mr. Speaker, they are already covered under that, but they may not be, depending on how much their income is.

MR. TAYLOR:

Mr. Speaker, on a point of order. If the hon. Minister of Telephones and Utilities has a message for us I think we should hear the answer.

MR. SPEAKER:

I understood that he did not have unanimous leave of the House to extend the question period for that purpose. If, however, I have misjudged the sentiment of the House perhaps it might be expressed now. Has the hon. minister leave to supplement a previous answer given during the question period?

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER:

I believe that was unanimous.

AN HON. MEMBER:

No.

MR. SPEAKER:

Sorry, it's not. I regret that a somewhat submerged "no" came to the surface.

MR. FARRAN:

Mr. Speaker, I am not challenging any ruling but are you sure you heard the question right from the hon. Member for Calgary Bow? I understood him first of all to ask a question about a postage stamp and then secondly, to ask what my department was doing to support Century Calgary.

MR. SPEAKER:

Possibly the hon. minister might wish to make a statement on Orders of the Day.

ORDERS OF THE DAY

MINISTERIAL ANNOUNCEMENTS

Century Calgary

MR. FARRAN:

Thank you, Mr. Speaker. Mr. Speaker, I was only anxious to answer the question put by the hon. Member for Calgary Bow because I recognize it as a friendly question, which is a pretty rare event from that side of the House.

So far as the postage stamp was concerned I was approached by Rabbi Ginsburg and I have been urging support through the department of the hon. Minister of Federal and Intergovernmental Affairs.

So far as Century Calgary generally is concerned, AGT is planning major support for the City of Calgary, the hundredth birthday of my city, the city of a number of our visitors this afternoon. Although I cannot reveal details of those plans now, AGT does recognize that the Calgary market constitutes a very large percentage of its business.

MR. LUDWIG:

On a point of order. Is it customary to permit such gibberish on Orders of the Day --

MR. SPEAKER:

Order please. Order please. The hon. member's remarks verge on a breach of privilege if not actually constituting one.

Federal Assistance
Southern Alberta Irrigation Rehabilitation Program

MR. YURKC:

Mr. Speaker, I rise on Orders of the Day to make an announcement. The Government of Canada through the hon. Don Jamieson, Minister of Regional Economic Expansion, with the agreement of the Province of Alberta announced today that the federal government has committed \$28.2 million toward an irrigation rehabilitation program in southern Alberta.

The program anticipates that up to \$20 million will be expended on the renovation of major and secondary irrigation works and makes provision for a \$6.2 million cash grant to Alberta as compensation for accepting responsibility for the administration, operation and rehabilitation of the Bow River Project and the St. Mary Irrigation Headworks, presently owned by Canada.

The Prairie Farm Rehabilitation administration will be responsible for the reconstruction of the Bassano Dam, the Carseland Weir, the Brooks Aqueduct and the Bow River Headworks in the Western Irrigation District. Work will be completed over the next five years.

Up to \$3.5 million will be available for the rehabilitation of secondary irrigation structures. Details of this program, which will supplement the rehabilitation program already being undertaken by the province, remain to be finalized.

The cash grant of \$6.2 million includes \$2 million for the renovation of structures on the Bow River Project and St. Mary Irrigation Headworks.

The Bow River Project was purchased by Canada in 1950 from the Canada Land and Irrigation Company. It serves approximately 400 farmers, 100 of whom were settled on irrigated farms developed by PFRA in the Hays area.

The St. Mary Irrigation Headworks consists of major storage and supply works which include the St. Mary Dam, Belly River Diversion, and the Waterton Dam. The construction of this complex, which provides water for irrigation of over 300,000 acres, was started by PFRA in 1946 with the building of the St. Mary Dam. Subsequently the Belly River Diversion was completed in 1957, and the Waterton Dam in 1964.

In making the announcement of this contribution toward irrigation rehabilitation in Alberta, Mr. Jamieson commented that the agreement with the province had been reached on all essential points. He noted that the federal commitment reflected the government's longtime interest in irrigation operations in southern Alberta and that it acknowledged the contribution that these operations had made to the agricultural economy of the province.

Oil Sands Development Policy

MR. LOUGHEED:

Mr. Speaker, last evening in Calgary I spoke to the Petroleum Landmen's Association with regard to a number of natural resource matters. Included in the conclusion of my remarks last evening, was a statement of policy by the government with regard to oil sands. Not having been asked about the matter today, I did want to report to the members of the House the nature of that statement and the implications.

The Speech from the Throne refers in page 7, paragraph 5 to the presentation of a new oil sands development policy. The government has been reviewing this matter in light of the decisions it's facing for a second plant in the Athabasca Tar Sands. It has reviewed the oil sands development policy that presently exists, developed in 1962 and altered somewhat in 1968.

That policy, of course, is not an effective long term policy at the moment because the policy was predicated on an energy situation and a demand situation where the main concern was to avoid overcoming a situation regarding conventional crude production and markets for conventional crude.

The second plant situation at the moment, as the hon. members are aware, is that there is an application by Syncrude, and that permit has been authorized subject to conditions and one of the conditions is that a decision is made to proceed by August 31, 1973.

There are essentially two outstanding matters at the moment that have to be resolved, one with regard to the royalty situation and the other with regard to public participation. However, in reviewing the question beyond a second plant of an oil sands development policy which at this particular time in 1973 would lead the provincial government into the possibilities of long term commitments or even medium term commitments, we have reached the conclusion that it would not be in the public interest to do so.

But what we should be doing is engaging and continuing to engage in discussions with various interested groups with regard to future plants or possibly even a second plant if we are not in a position to work out an arrangement that is fair to the people of Alberta with Syncrude. I am optimistic we will. That matter is not as yet settled.

We are also aware that the President of the United States is in the process of making a major statement on the matter of energy within the course of perhaps two months, although it has been delayed. In addition to that, the federal government will be -- or has said it would be -- outlining a statement with regard to energy policy.

We are concerned with a number of aspects involved in the oil sands situation: the leasing activity or lack thereof; the terms of the leases; the question of technological information and the pooling of same; the in situ development and the need for perhaps more thrust in that area; the very extensive government costs within the Fort McMurray area over the longer term; the need to assure a higher degree of processing of the oil sands products here in Alberta on a much more extensive basis than has been the case in past policy.

We will continue to encourage groups to talk to the Minister of Mines and Minerals, the energy committee of cabinet and the government. We look forward to the mission by the Japanese here in this province in mid-April, and their interest in the tar sands. We're given to understand the United States government has a particular interest in the tar sands as well, as do all Canadians, particularly in terms of job creation.

But we have reached the conclusion that it would not be in the public interest and that it would be ill-advised at this particular time or in the near future for the government to put itself in the position of long-term commitments regarding the development of this very important resource.

So we intend to deal with the matter by dealing with the second plant and establish the circumstances of the second plant first before we reach any conclusions by way of commitment for the people of Alberta in this very important resource.

QUESTIONS

224. Mr. Notley asked the government the following question:

(1) Has the government discovered any evidence that P.A.P. Holdings Limited had more than fifty (50) shareholders?

(2) Did the Alberta Securities Commission enforce the escrow agreement with respect to the controlling shares of Columbia Beneficial Holdings which were sold to PAP and then re-sold to the North West Financial Company Limited?

(3) Did the Superintendent of Insurance permit Seaboard Life Insurance Company Limited and Cosmopolitan Life Assurance Company Limited to purchase notes in the amount of \$350,000 (or any other amount) from Allarco Development Limited. Were the terms of the said purchase found to be consistent with the provisions of the Alberta Insurance Act?

(4) Does the government of the day or did the government of the day authorize the withdrawal, assignment or hypothecation of any or all of the assets of Cosmopolitan Life Assurance Company Limited?

(5) What function was performed by the Alberta regulatory agencies to facilitate the purchase of the Cosmopolitan Life business by Seaboard Life Insurance Company Limited?

(6) What relationship to the market value was used to determine the value for consideration used to complete the Cosmopolitan Life Assurance Company Limited and Seaboard Life Insurance Company Limited transaction?

(7) Why was the North West Trust Company permitted to loan money to P.A.P. in view of its involvement as a share owner in P.A.P.?

MOTIONS OTHER THAN GOVERNMENT MOTIONS

1. Mr. Moore proposed the following motion to the Assembly, seconded by Mr. Cookson:

Be it resolved that this Legislative Assembly support the Alberta Government in its applications to the federal government for the removal of quota restrictions on Alberta rapeseed delivered to crushing plants within the province.

MR. MOORE:

Thank you. Mr. Speaker, Motion Other Than Government Motion No. 1 asks this Legislative Assembly to support the Alberta government in its applications to the federal government for the removal of quota restrictions on Alberta rapeseed delivered to rapeseed crushing plants within the Province of Alberta.

Mr. Speaker, the reason for bringing this motion to the floor of the Legislature is to have discussion on the subject and, hopefully, to put to bed once and for all those ideas which have been upheld by some in this province, including sometimes the former government in this province, that Alberta farmers do not have the expertise and the knowledge to make their own marketing decisions, and that an arm of the federal government under the guise of a National Marketing Board should dictate to farmers in Alberta how, in fact, they should market their products within Alberta's borders.

The problem, or what I would call, Mr. Speaker, a sellout of our rights as farmers to market in our own way has recently been drawn to the attention of most rural Albertans by the provincial government involvement in a test court case in southern Alberta regarding alleged over-delivery of rapeseed to Western Canadian Seed Processors in Lethbridge.

Mr. Speaker, there are a number of questions that must be asked in discussing the marketing of rapeseed to crushing plants in Alberta for processing in Alberta -- marketing which, in fact, does not use any of our elevator or railway systems which are designed for the handling of the export movement of grain.

Mr. Speaker, among those questions are: why does the Canadian Wheat Board want rapeseed marketed and processed in Alberta? Why do Alberta farmers want to

gain back some of their freedom to market as they choose? And why does Alberta's crushing industry want freedom to accept deliveries and provide a means for contract production without being restricted by Canadian Wheat Board regulations? Another question, Mr. Speaker: how did the Canadian Wheat Board get control of rapeseed marketing for crushers in Alberta? And finally, what is the involvement of the Alberta government and the Alberta Grain Commission in making changes in this system?

I want to go back, Mr. Speaker, to the first question. Why does the Canadian Wheat Board want control of rapeseed marketed and processed in Alberta?

To begin with, Mr. Speaker, the Canadian Wheat Board apparently desires to have control over grains other than wheat, oats, and barley because of the competition that these grains might provide in a national marketing system.

It must be recognized that the Wheat Board marketed grains require space in the handling system. The Wheat Board makes allotments of elevator space, boxcars, and so on. So, in order not to have undue competition from grains which are not under direct control of the Canadian Wheat Board this was the reason why the Canadian Wheat Board was allowed to control the movement of rapeseed by a quota system.

Now we have this control with respect to rapeseed, except that all grain which is delivered to Western Canadian Seed Processors in Lethbridge is delivered by truck directly to their plant and, in fact, uses none of the national grain handling system, and does not compete for space in that grain handling system with other grains and other rapeseed which is designed for the export market.

So in this, Mr. Speaker, any argument which is made for the continuation of quotas on rapeseed delivered to crushing plants in this province has to be flatly rejected if the argument is made on the grounds that there has to be some regulation so as to provide a movement of other grains for export market.

The second reason, and the only other reason which has, in my opinion, been given to date as to why the Canadian Wheat Board wishes to control the movement of rapeseed to crushing plants within Alberta has to do with the desirability of the Wheat Board and, of course, many farmers for an equitable marketing system for all farmers.

Now, Mr. Speaker, if all farmers in western Canada were growing wheat, barley, and oats and selling all of that product to the export market, and all of it through the Canadian Wheat Board marketing system, then, of course, it would be possible to have an equitable marketing system. However, the system that exists today has been developed over a good number of years. It has developed into a system which, in my view, is anything but an equitable system.

You can take the case of one farmer who may have 400 acres of feed grains and at the same time he has a feedlot which is capable of marketing all of the feed grain that he produces. At the same time he also has a per acre quota from the Canadian Wheat Board which will allow him to ship exactly the same amount of barley as that farmer a few miles down the road who does not have a market on his own farm, or what is commonly known as an off-quota market.

In past years, Mr. Speaker, as much as 80 per cent of the total feed grain production in Alberta has been consumed within this province in the non-quota market. The balance has been sold to the Canadian Wheat Board under a quota system which has not in recent years in any way reflected a perfectly equitable marketing situation.

One other observation, Mr. Speaker, I think is important in discussing marketing equitability, that it, in fact, does not provide any measure of assistance to farmers in Alberta to provide a so-called equitable marketing situation if, in fact, that is provided at the expense of markets around the world. Surely, Mr. Speaker, the objective of those of us in agriculture in Alberta today is to provide for increased marketing opportunities, not to provide just for an equitable system which allows everyone to be poor.

The only way, Mr. Speaker, in which you probably could have a perfectly equitable marketing system in Alberta would be to encourage the Wheat Board to take control of every single bushel of grain which is disposed of, on or off the farm -- farm to farm sales, farm to feeder sales, farm to feedlot sales, and so on. It goes without saying, Mr. Speaker, that most farmers, and well they should, totally reject that kind of regulatory system -- the kind of system, I might add, which has been advanced in this province and in this country in

recent months, the kind of decision, Mr. Speaker, which would take away almost all of the marketing decisions that farmers can and should be making.

So really, Mr. Speaker, when we ask why the Canadian Wheat Board wants control of rapeseed marketed and processed in Alberta, we are given two reasons. The first is the regulatory movement of rapeseed within the grain handling system, which is completely invalid because it doesn't use the system. The second, an opportunity for all farmers to have an equal opportunity for marketing, and I suggest again, Mr. Speaker, that that is completely invalid because an equal opportunity, in fact, does not exist today, and if it does exist in certain areas, it exists at the sacrifice of obtaining the best possible price that an individual can for his products.

The second question, Mr. Speaker, why do farmers in Alberta want to gain back some of their freedom to market as they choose? I need only to look for example, at a contract which is a standard contract written between Alberta rapeseed producers and the crushing plant in Lethbridge. I want to start, first of all, Mr. Speaker, with the business of storage of rapeseed from harvest time until the end of the crop year. If you are selling through the line elevator system to companies in that business on the street market price, you store your rapeseed at your own expense until you make the sale, whether it be one month or ten months or twelve months. I want to read, Mr. Speaker, very briefly, part of the contract between the farmer or the rapeseed producer and the crushing plant at Lethbridge having to do with storage:

Farm storage will be paid at the settlement date on all rapeseed stored on the farm for delivery after December 1, 1973 at the following rates: three cents per bushel on rapeseed delivered during December; five cents on rapeseed delivered during January; six cents during February;

and so on, Mr. Speaker, until in the month of May, ten cents per bushel is paid to the farmer by the crushing plant in Lethbridge for having stored rapeseed on his own farm.

That, Mr. Speaker, is just one of the advantages of delivering to a local processing plant within the province, an advantage that farmers who are forced to deliver to the line elevator companies simply don't have.

Now I want to talk, Mr. Speaker, very briefly about some of the terms of payment which exist with respect to delivery to a crushing plant as opposed to delivering to the line elevator system and accepting payment on the daily street price. In delivering to a crushing plant you have a choice of several different methods of pricing: outright payment based on the daily broadcast country street closing price, the company may allow the farmer to place his seed in storage at the company's plant, and the grower, after placing his seed in storage, may select a price on any day he chooses, based on the street price for that date. Thirdly, Mr. Speaker, the farmer may also store the seed on his own farm, and after he has notified the company of the amount of the seed harvested and actually in storage, the grower may establish a price based on the daily street price on any day he chooses to select and sell that seed when, in fact, it is still in storage on his farm.

Finally, Mr. Speaker, rather than having to go through with what can be a very difficult measure for some farmers of selling on the future's market, a grower delivering to a crushing plant, such as the one in Lethbridge, under the terms of the contract has an opportunity to sell on a future market by establishing the price based on the contract cash price set daily by that company, on an amount of seed of up to ten bushels per contracted acre on any day which he chooses to select.

Now, Mr. Speaker, I recall earlier this week having heard the broadcast price for rapeseed being contracted for this coming growing season and sold next fall and winter as being a guarantee of \$2.96 per bushel.

Mr. Speaker, that type of marketing is pretty attractive compared to the situation faced by farmers who do not have an opportunity to deliver to crushing plants. They have to contact a brokerage firm, and as I said before, go through what many people regard as a rather complicated and expensive business of writing out a future's contract for the sale of the crop at a future date. In writing out a contract of that nature, Mr. Speaker, you are required to place a down payment to assure that you would honour that contract. In the event of price rises over and above the per bushel payment that you make at the time of writing it you would be required to provide an additional payment in order to hold the contract.

I am not suggesting for a minute, Mr. Speaker, that there aren't many farmers in Alberta using that system, both in regard to selling rapeseed and beef and other products. But I do suggest that it is much easier and much more realistic to expect the average person down on the farm to be able to write a very simple contract with a crushing plant which in turn uses that future market to ensure that they themselves don't get into problems with the pricing arrangement they have made.

In addition to those factors I have mentioned which are beneficial to farmers delivering to crushing plants, an advance can be collected on up to one half the value of the seed in storage at the company's plant based on the daily street price on the day on which the advance is taken. That advance, Mr. Speaker, can be obtained before the actual selling of his crop.

Now those, Mr. Speaker, are just some of the very important differences between marketing to a rapeseed crushing plant and marketing to line elevator companies on the daily street price. Crushing plants, Mr. Speaker, by writing contracts with farmers have given us the ability to plan in advance what our production should be, as opposed to a system that has existed for far too long of growing agriculture products without any purchasing commitments and at many times risking the possibilities of over-production and low prices and, in fact, no opportunity whatever to sell at a price that will bring a reasonable return.

That, Mr. Speaker, brings me to the third question; why does Alberta's crushing industry want freedom to accept deliveries and provide a means for contract production without the restrictions that are being imposed by the Canadian Wheat Board.

Mr. Speaker, the business of crushing rapeseed and making raw oil out of that, and in turn making many, many products from that raw oil which we see in our supermarkets today, is a very precise and exacting business. I wish to suggest to you that rapeseed oil products which we see in our supermarkets today, in coming out of the province of Alberta into other countries are rapidly gaining recognition as very high quality products, not only here in Alberta and in Canada, but in other parts of the world. One of the very definite things that must be included in this quality control and in this quality product is the ability of a crushing company to obtain a top quality rapeseed.

I might suggest, Mr. Speaker, in looking at the contract again and quoting from it under Crop Production, as opposed to the normal grower who delivers to the line elevator system

The grower [who has contracted to a crushing plant] agrees to plant, raise, care for, harvest and store high grade seed for and on behalf of the Company under the Terms and Conditions set forth (herein). The Company agrees to sell, and the grower agrees to buy so many pounds of top quality seed stock from the Company.

So you can see, Mr. Speaker, by that clause in the contract that rapeseed for crushing in plants such as Lethbridge is a very high quality seed which is almost always, if not always, produced from certified or higher grades of seed stock.

In addition to that, Mr. Speaker, the farmer and the company make periodic field inspections during the year to see that other varieties of crops, including mustard and undesirable weeds, are not contained in the crop.

In addition, Mr. Speaker, a grower growing under contract agrees not to plant rapeseed on land that has grown such things as cultivated mustard within the previous years. He also agrees not to plant rapeseed on land which may, in fact, within the last two years, have grown a type of rapeseed with a high erucic acid content.

On that subject, Mr. Speaker, I think many of the hon. members are aware that just a few short years ago some experiments were done with regard to use of rapeseed oil which contained a high level of erucic acid. In those experiments a number of rats got fatty tissues around their hearts and finally got into a situation where they had heart conditions. As a result of that, almost all countries now who are purchasing rapeseed from the countries that grow it are requesting that they want only the very low erucic acid varieties. In terms of raw rapeseed, in terms of raw oil, or in terms of products which are in fact manufactured from rapeseed oil, they are requesting that only the very low erucic acid levels of rapeseed be used.

Now, Mr. Speaker, it goes without saying that the situation with regard to the integrity and the reputation of a product which has been built up by

crushing plants in western Canada, and in particular in Lethbridge, would be very much in jeopardy if they were to allow a product into their pipeline of which in fact they were not fully sure of how it was grown, what variety it was and what the level of the erucic acid was.

At any rate, Mr. Speaker, I have mentioned some of the requirements laid down for good farmers in this province to follow when producing seed on a contract basis for a crushing plant. I want to suggest that if the company is not allowed to acquire all of its seed from contract production and it runs short of seed from its contract producers, it becomes very difficult, because of the reasons I have mentioned, to go to just any elevator company and to buy just any rapeseed which that elevator company happens to have in storage.

Now, Mr. Speaker, I appreciate that even people in the Canadian Wheat Board offices and people in perhaps organizations like the Alberta Wheat Pool, who have in fact never been directly involved in the production of a high quality food product from rapeseed, simply don't understand that there is a very great difference between the seed grown on contract production and the seed that may be supplied to them from the line elevator company which is a mixture of several dozens of farmers sometimes, containing often times very high percentages of dockages -- seeds containing weeds which are difficult or impossible to clean from the rapeseed, such as mustard, and seeds which very definitely have a detrimental effect on the final product which is produced from that plant.

In addition, Mr. Speaker, when the crushing companies are asked by the Wheat Board to buy their product from the line elevator system, there is a certain built-in cost involved in double handling which is charged to only one person and that is to the man who produced the rapeseed.

I think, Mr. Speaker, that we should be proud in Alberta of marketing products from rapeseed oil which are without question some of the top quality products not only in Canada but, as I said before, elsewhere in the world.

So it is imperative, Mr. Speaker, that all rapeseed used in crushing plants be grown under that company's supervision, by farmers who are experts and very knowledgeable in the field of rapeseed production, and have the ability to control weeds in crops by spraying and periodic field inspection. And certainly, Mr. Speaker, the farmers who are involved are and should be getting additional returns for their management ability in this area.

Now I want to go, Mr. Speaker, to the fourth point as to how the Canadian Wheat Board got control of rapeseed marketing to crushers in Alberta.

Mr. Speaker, to give the hon. members a bit of background there are two pieces of federal legislation which, in fact, cover this area -- one being The Canada Grain Act and the other being The Wheat Board Act.

The plant in Lethbridge, which I referred to previously, is not an elevator within the meaning of The Canada Grain Act. It also is not an elevator which was scheduled under The Canada Wheat Board Act. But court cases in recent years have suggested that when The Canadian Wheat Board Act talks about an elevator it means not only elevators which are scheduled under The Wheat Board Act, in other words specifically named elevators such as the Stony Plain Feed Mill or some other feed mill, but also any building which falls within the definition of an elevator under The Canada Grain Act.

Now, Mr. Speaker, there was an amendment to The Canada Grain Act back in 1970 which, in my view, is pretty broad. According to that amendment it appears that if you back your grain truck up to someone else's back yard and are able to unload a load of grain into his back door and into his house that house would probably be considered an elevator. That is just how broad the definition of an elevator is within The Canada Grain Act. It says, "An elevator is anything into which grain may be discharged directly from a truck or a railway." It goes on and specifically enumerates such things as oil extraction plants, seed oil processing plants among others.

Historically, the jurisdiction of The Canadian Wheat Board has been founded under two heads: first, where the grain is flowing between provinces or out of the country it is based on the trade and commerce section of The British North America Act, Section 91, I believe. There is ample evidence to believe that any grain or product which flows across a provincial border is justifiably trade and commerce.

The second section under The British North America Act under which federal intervention in grain marketing has been substantiated, is called Section 92(10), and under that section it sets out the powers of the province. It says,

"Undertakings of a local or a private nature or anything of a purely local or private nature are the responsibility of the province." Then it goes on to say, "except such undertakings as steam ships, canals, railways" and so on. But the final blow under The British North America Act in Section 92(10)c says,

The federal government shall have jurisdiction over works or undertakings (which are) declared by the Parliament of Canada to be for the general advantage of two or more provinces in Canada or all of Canada.

The basis, Mr. Speaker, of what I have been discussing here is that Section 92(10)c of The British North America Act says that the Parliament of Canada, as a purely political decision, may declare that certain buildings or undertakings are for the general advantage of Canada and therefore not under the control of the province. That legislation, Mr. Speaker, does not say they have to prove they are for the general benefit of all of Canada, but only that they have to declare them to be of a general benefit to Canada, or two or more provinces.

It would be possible using perhaps the extreme case, Mr. Speaker, under that legislation for the federal government to say that every liquor store in Alberta is for the general advantage of Canada, or that every wellhead that produces crude oil in Alberta is for the general advantage of Canada. I shudder to think, Mr. Speaker, what would happen in this Legislature if, in fact, the federal government began to get involved in either one of those two areas.

So at any rate, Mr. Speaker, on the basis of the decisions which have been made in courts to this date, that is how the Canadian Wheat Board has direct control, at the moment, over agricultural products, rapeseed and others as well which are grown and processed in this province and do not, in fact, use a national grain handling system.

Indeed, it is very difficult, Mr. Speaker, for the average individual to figure out why he cannot have the freedom to produce a product and sell it in his own province, in his own way, without wheat board interference, a product which doesn't use the national rail or grain handling system.

Finally, Mr. Speaker, I want to discuss the last question, the involvement of the Alberta Government and the Alberta Grain Commission in making changes in the system. I would have to say initially that several requests have been made to officials of The Canadian Wheat Board, officials in the federal Department of Agriculture, as well as the minister in charge of The Canadian Wheat Board, to give some consideration to removing the quota restrictions on rapeseed delivered to crushing plants within Alberta. These representations, Mr. Speaker, have been made by many departments of government -- Industry, Agriculture, Federal and Intergovernmental Affairs, and by the ministers involved in those departments, by the Alberta Grain Commission. They have been made to this point in time, Mr. Speaker, with few or no results.

Finally, Mr. Speaker, last fall when The Canadian Wheat Board indicated that charges were pending against some 600 farmers in southern Alberta, the decision was made that it was time to take the whole case to the courts and see if, in fact, we might be able to reach a settlement in that manner. That is the reason, Mr. Speaker, that the Government of Alberta was paying part of the court costs involved in fighting a case which has become known as the 'Siltala Case'. In actual fact, Mr. Siltala could have pleaded guilty to the charge against him and probably would have been fined \$10 to \$50, but he was, Mr. Speaker, one person who was interested in correcting what many people, we as well -- felt was an injustice. We were able to get him to consider going to the courts, and we were able to assist him in his case because of the benefits that might occur to all Alberta rapeseed growers. I might add that, in my opinion, this has cost Mr. Siltala a considerable amount of money personally.

Now, Mr. Speaker, we have been accused by some people -- very few in this province, but by some -- of using public money to defend criminals. That is not the case at all. We are using public money to prove a point which we feel is in the interests of farmers in Alberta, in particular farmers who produce rapeseed. I might add, Mr. Speaker, that a good majority of farmers who do produce rapeseed in this province are solidly behind the position we have taken in this matter. As a matter of fact, Mr. Speaker, the Alberta, Manitoba and Saskatchewan Rapeseed Growers Association did a survey very recently with respect to their memberships to get some idea whether or not their members who produce the large majority of rapeseed in western Canada wanted to continue with a quota system for the delivery of rapeseed to crushing plants within their provinces. Mr. Speaker, that survey indicated that more than two-thirds of those farmers did not want to continue with the quota system for delivery to crushers within their provinces.

I wish to conclude, Mr. Speaker, by saying that in my view the reasons for wheat board control of rapeseed delivered to crushing plants are very, very weak indeed. On the other hand, the reasons for allowing the farmers to deliver without quota restrictions are, in my view, important to the future of the crushing industry and the continuation of the growth of the rapeseed industry. It may be every difficult, Mr. Speaker, to win this kind of case in the courts of this country. However, we are indeed hopeful.

It may interest the members to know that after having lost the decision with respect to this problem a couple of months ago, a new case was opened yesterday in Lethbridge. My information, from the office of the chairman of The Alberta Grain Commission this afternoon, was that a decision on that case will be handed down by the presiding judge on April 27. My information also is that the chairman of the Grain Commission is very optimistic about what the decisions of this second court case might be.

However, in spite of that optimism, I suggest that the battle will be won, Mr. Speaker, if all members of the Alberta Legislature, members of other legislatures as well, will press the federal members of parliament and the government of the day in Ottawa for changes as we suggest in their existing policy.

It is extremely important, Mr. Speaker, that if crushing plants in Alberta are going to market a top quality product that is second to none in the world, these marketing restrictions be lifted. It is important, not only from the point of view of the crushing industry, but important in allowing Alberta rapeseed growers to produce to the maximum, thus substantially increasing their net income position.

Finally, Mr. Speaker, I want to conclude by saying that those in Alberta who suggest that this government, and the Alberta Grain Commission is out to destroy the very vital function of the Canadian Wheat Board that has grown over the years are completely irresponsible in their statements. The Alberta Grain Commission and indeed the government of Alberta in my opinion, believe that the Canadian Wheat Board should continue to be involved in the export marketing of grain.

However we do, in fact, have a great disagreement with their involvement in a product which is grown and processed in this province -- a great deal of disappointment in that involvement, Mr. Speaker, because when I've talked on a number of occasions to people from other countries who are interested in developing either rapeseed crushing plants, malt houses, many of the other secondary agriculture processing industries. The final point we come to in our discussions which leaves them very disturbed, very discouraged and concerned, always turns out to be the kind of restrictions that might be placed on them in trying to obtain a supply of top quality product.

So, Mr. Speaker, if in rural Alberta we are going to develop the kind of secondary agriculture processing industries that we think can be developed we must have the support of this Legislature for the removal of the restrictions that I have discussed here this afternoon. Thank you, Mr. Speaker.

MR. WYSE:

Would the hon. member permit a question?

MR. MOORE:

Sure.

MR. WYSE:

Are you indicating that the judges were wrong in fining these farmers for over-delivery to the crushing plants?

MR. MOORE:

No. Mr. Speaker, I do not quarrel with the decision of the judges. I think I indicated very clearly that I was concerned about the legislation under which the judges were asked to make the decision and I'm not at all sure, in my mind, that that is the kind of legislation that we want in Alberta and I'm speaking about federal legislation.

I would, however, appreciate the hon. member's comments on the whole area that I have discussed.

MR. COOKSON:

Mr. Speaker, in rising to second the resolution of the hon. Member for Smoky River, I won't take too much time in the Assembly, I'd like to hear some of the comments from the other side. I'm not sure whether the Member for Medicine Hat-Redcliffe supports the resolution or the concept of growth of secondary industry in the province, or whether he doesn't support it based on the type of question that he directed toward this side.

MR. LUDWIG:

[inaudible]

MR. COOKSON:

You'll get your chance hon. Member for Calgary Mountain View, in due course.

The resolution deals with a sort of philosophy of the new government, a change in philosophy, fortunately, from what we had to contend with for some 36 years by the former government of the Province of Alberta. And that's the philosophy of development of secondary industry and I just want to touch on this a little bit in the time that I have.

I have no quarrel with quotas as such. I think back to the early history of the establishment of quotas and the importance of quotas. I remember in the case of my own parents and grandparents who spent a good deal of their time lining up -- attempting to get into elevators to deliver their small portion of the harvest. So quotas were established traditionally, historically, to attempt to get some orderly kind of marketing into our product. However, that day may be long gone in view of the demands for food products that have risen in the past few years.

Touching on the philosophy of the Progressive Conservative government of the Province of Alberta and the importance in marketing, immediately you come into conflict with any type of restriction in this sort of thing within the province. Really what the province is attempting to do is to eliminate the old concept of drawing of water and hewing of wood, as I have heard the minister often say and to get into the area of secondary industries.

The attempt by the Wheat Board often to slow down this process inadvertently is something I don't think the province can tolerate. We may have a different philosophy from some of the other provinces of Canada with regard to development. I hope we have, because the Province of Alberta can no longer contend with some of the restrictive controls that are based and work against it as far as its development is concerned. You go into many areas that the federal government has initiated, which have tended to restrict development in this province. And I don't think the members across the way can dispute some of these areas.

We have, and we'll be talking about this at a later date, the problems of the DREE program. We managed to get a very small portion of this province included under the DREE program. But if you look at the facts, over 50 per cent of the total funds that have gone out in the DREE program have gone into the Province of Quebec. And a good, large portion of the balance of the DREE program has gone into the Maritimes.

Now I appreciate the fact that we're one of the 'have' provinces. I appreciate this fact. But I don't accept the fact that you can continually drain off the wealth of a province in order to pull some other provinces up by their boot straps.

And so I, of course, will be speaking a little more about the DREE program at a later date and the restrictive attempt on the part of the federal government to control growth in the province. And no doubt we will come into quite a number of areas of conflict when we attempt to improve secondary industry and development in the province of Alberta.

Some of our organizations that we have, the Wheat Pool for example, I think in the Province of Alberta are now starting to accept the philosophy of the new government in that we really want to develop secondary industry and the only way we can do it is to reduce the volume of restrictions that are working against us. Even the Pool is beginning to accept this fact.

The National Farmers Union -- I think if the rank and file membership of the National Farmers Union understood clearly what the goals and philosophy are

of the Province of Alberta to develop secondary industry and create jobs, I don't think there would be any conflict at all. Certainly Unifarm has come out in a number of instances in support of this type of philosophy.

I think the Member for Smoky River has done an excellent job of covering all the areas of conflict with regard to quotas. I would just like to broach a few situations that could occur if these restrictive measures on the part of the federal Wheat Board and the federal government continue. We have, for example, in the areas of hogs and cattle, no quotas. Now if you want to reverse this trend and place quotas on these types of livestock, I am just wondering what sort of position the province would be in.

There are over 18 packing plants in the Province of Alberta with free flow within the boundaries of livestock. These packing plants employ 4,700 people in this sort of thing. If you start applying quotas and restrictions within a province to prevent this sort of thing, I don't think it will be acceptable to the people.

The malting barley industry is another example of a use of secondary industry. There are over six breweries and wineries within the Province of Alberta. When you get into the area of complete control and restriction, these are the sorts of things that some time along the way will be difficult to develop.

We have over 80 feed mills in the Province of Alberta, and these feed mills are not governed or restricted by quota. Some will argue that this is not perhaps the best sort of thing, especially for the person who is selling barley -- and the livestock dealer suggests that it is an excellent thing.

But I would suggest, and I think the Member for Smoky River suggested 80 per cent of this barley went through the feed grains, that if we restricted this sort of movement in the marketing place by means of quotas, the impact would be almost disastrous within the boundaries of the province.

So what we are trying to do, as a government, is to encourage within the boundaries of the province all types of secondary industry. Whether the members on the other side wish to support this position or not remains to be seen. I think they had better consider very carefully not supporting a position such as this. Because I am convinced that we have in the area of agriculture a whole new generation of young people coming up who are interested in this new philosophy. They are no longer going to be content with merely producing a raw product and exporting it out of the province for someone else to develop, so that they can buy back machinery made in some other part of the world.

So I would suggest that the position we have to take is to support, in any way we can, the philosophy of development of industry and the reduction of restrictions within the province. I'm not talking about the problems nationally. I feel that we have to have controls when they affect other provinces in Canada, but within the boundaries of the province I don't think we can afford not to support the concept of secondary industry and jobs for Albertans.

In conclusion I might just quote, in the area of rapeseed, from a Mr. Umemoto, who is a leading authority in the handling of oil seeds and who also has great knowledge of the important future of rapeseed production, especially as it relates to Japan and some of the Middle East countries.

He suggests that oil seeds do not warrant a marketing board because they face many competitors and substitutes. He says that in the case of wheat there are only six nations including Canada that are major exporters of wheat, and he lists them. But rapeseed, on the other hand, faces many competitors and substitutes. It must compete with other producing nations and also with major vegetable oil seeds such as soybeans, groundnuts, sunflower and so on. And the competition doesn't even stop there. In some areas rapeseed must compete with edible industrial oils such as palm, kernel and coconut oil and these other things. The position he takes is that oil seed manufactured in the main rapeseed must not be restricted in its production through quotas and so on. Something like \$400 million worth of rapeseed is produced in Canada and that means a great deal of money to the farm people of the province and the provinces of Canada.

In conclusion I would just like to reiterate that if we are really to become a productive province, a leader in the field of development of secondary industry and jobs, we have to counterbalance some of the restrictive practices at the federal government level.

MR. BUCKWELL:

Mr. Speaker, in rising to take part in the motion, I would like to say how sorry I am that I was called out when the Member for Smoky River was speaking, because from what I had heard before I went out he had done a very good job of research on the subject, and I enjoyed listening to the Member for Lacombe. We on our side would certainly like to have some input into this important resolution.

Mr. Speaker, it is practically 4:30. Have I leave to adjourn the debate?

MR. SPEAKER:

May the hon. member adjourn the debate?

HON. MEMBERS:

Agreed.

PUBLIC BILLS AND ORDERS OTHER THAN GOVERNMENT ORDERS
(Second Reading)

Bill No. 208 - An Act to Provide for the Protection of News Sources

MR. LUDWIG:

Mr. Speaker, I wish to move Bill No. 208, seconded by the hon. member Mr. Hinman. Before I go into my remarks dealing with Bill 208, I would like to point out that in second reading of a bill Rule -- I think -- 381 in Beaulieu states that only the principle of the bill ought to be debated and not the section of the bill. I am pointing this out because on previous occasions members took advantage of perhaps attacking clauses that could be amended in committee and thereby extended debate on the bill. I believe this is repetitive and not in the best interests of the procedure and business of the House.

I believe, Mr. Speaker, that the introduction of this bill, which will protect all news people, reporters, journalists, broadcasters from having to disclose the source of their information, is very timely and I believe it is proper that this bill be introduced in this province at this particular time for events that have happened in this province in recent months.

I believe there are a number of questions that arise when you look at this bill and one would wonder why do we need a bill? Why do we need a bill of this nature? The occasions, or the number of times that reporters have been subpoenaed before a court to testify to disclose the source of their information in the news report has been very few. It nevertheless has happened. It has happened in eastern Canada. It has happened in the United States. It has happened where a reporter in Calgary was pressured to reveal the source of his information when he leaked a story from City Hall, and the hon. members are now going back into the dim and distant past. I will tell you that no matter what happened in the past which may have violated the rights of reporters, it only strengthens the need for a bill of this nature and does not take away from the need.

I am saying, Mr. Speaker, that when we have a government that can preach civil liberty and civil rights and human rights out of one side of their mouths, and pass bills and publicize everything and make great addresses, spread the Bill of Rights around, and when you can see a bill like that violated on several occasions by members of the government, then this bill is also to be likened to a type of bill of rights -- and we have to look, not to see what has happened but what has been established that can happen in this province particularly. And we are not dealing in the past when things were a bit slower, when reporting was different. What is accepted as good reporting and bold reporting today may not have at all been accepted several years ago.

I believe the reporters, the media, require this protection in Alberta at this present time. I think when we look at what the government is doing, when we see that the government has set up a tremendously large and powerful and well-heeled and well-staffed news information bureau, a publicity bureau in its own government, that is an indication to the opposition and to the people, that they may become instructed and dominated rather than informed. This is an indication of which way this government will go.

One could hardly debate the point that governments generally, even though they like to give you lots of news, lots of information, that it is an understatement to say that the government will conceal that which may be

politically unpopular. Not only conceal it, but refuse to reveal information. This is where good reporting, good bold reporting, good aggressive investigation by the press is of benefit to the public and is in the public interest.

I am thinking of the situation where a reporter may be on the trail of good news, something he considers newsworthy and he has to investigate. He has an idea that there is something to be broken, something to be exposed, whether it is in the government sector, whether it is in the business sector, whether it is at any level of government, or whether it is a social matter. Sometimes a reporter may need to go to a deputy to find out what is going on. He may need to go to a deputy of a department but the diffident deputy will say, "I can't tell you because I don't want my name mentioned."

What does a reporter do? He is losing the opportunity of exposing news which ought to be exposed and which ought to be brought to the attention of the public. These cases are well known. A reporter may well want to go to a department of this government to inquire and pursue something that looks a little suspicious. I am not saying there is, but I am assuming there may be something a reporter has the job of getting and he will not get that information because someone is afraid that reporter may be hauled before a tribunal, may be investigated himself, may be brought before a court. And you will please note that in this bill the definition of a court is very broadly defined to include almost every possible form of investigation or hearing.

And so these are all matters I believe ought to be looked at and I am not at all interested in any of the guises which were already made about what happened in the past. If anything did happen in the past, Mr. Speaker, as I said before, that may have been restricted to the press, then that is all the more reason why in 1973 we ought to look at this bill and include a bill of this nature in the legislation of this province.

So I believe that in introducing this bill for second reading, Mr. Speaker, I can say that we have very little to lose in passing this bill, in accepting the principle of this bill, but we have much to gain. We have much to gain because the hon. members opposite -- some of them may feel that liberties are of little consequence now that they have their mileage out of whatever they were advocating several months ago.

It isn't as important any more. Whether a man is being maligned or whether a man is being abused by either the police or by the courts is no longer important, Mr. Speaker, and that is why this is extremely important that we take an objective look at this bill and see whether, notwithstanding, that we may have at the present time much of the protection I am asking for in this bill, that perhaps we ought to spell it out into law and give the reporters the protection they need.

I also wish to point out, Mr. Speaker, that the issue may be raised that this could lead to irresponsible reporting, irresponsible journalism. I would like to negate that kind of a statement or that kind of stand because the press has its own safeguards to prevent irresponsibility.

It can happen that a man may make a broadcast, a man may make a report that may not be entirely accurate. But no one is infallible, sometimes politicians make statements that lend themselves to all sorts of interpretation and the cry that, "I have been misquoted" is often heard. But if a reporter should make a statement on information he received confidentially, there should not be the slightest danger that the person who gave the information would ever be exposed due to the force of law.

It is also easy for some hon. members to question, has this happened in Alberta? There is no point in closing the barn door after the horses have been stolen, it has happened around us. This is not the first time that we look at events outside of this province, perhaps in eastern Canada, and perhaps in the United States, in Europe and Britain, to determine whether it isn't timely to make a move and to perhaps prevent an unfortunate event because we didn't have the proper legislation.

These are all points that I want the hon. members to consider. I must admit, Mr. Speaker, that in drafting a bill of this nature I had recourse to other information from outside of the province. I believe that we can pass a bill in this province that will be, in my opinion, in the public interest. I believe that we need to maintain the source of information confidential in order to encourage more aggressive and bolder reporting.

But it isn't every reporter who has the type of attitude that he will do or die on a bit of information -- some do and they are a very aggressive and a very

bold lot. But it isn't everyone that will fight vigorously to defend his position. But when there is one like that you should be certain that he will not be brought into serious question because of refusing to divulge the source of his information.

I think some may want to know when I mention this has happened in this province. Not too long ago, in Calgary, one of the reporters found out there was something afoot in city hall -- I believe it had to do with the Police Commission or something with the police of Calgary -- and made an announcement over the air. This reporter was very hard pressed to reveal the source of information. City Hall was going to conduct an investigation to shake down everybody to determine where this thing leaked out from while the public had a good laugh. They appreciated this kind of information and always will.

I believe that reporters have more and more responsibility to expose corruption, to expose bad judgment, to expose negligence, to expose those kinds of things that the government may wish to conceal and has concealed -- and I'm not saying only this government -- but to get to the root of feelings.

For instance we would like to know from the hon. Attorney General -- who is ignoring this whole thing -- why the deputy is being released. The press could find out, the press has a right to dig, but they might not be able to find out from him, but perhaps someone in the department might be able to tell them. But a diffident civil servant will say, "No, I don't want to be implicated." The public wants to know and I'm sure the Attorney General will not tell us -- perhaps someone else will.

This is the kind of thing that I have in mind, Mr. Speaker, but I am saying that this bill ought to be looked at objectively. I'll be surprised -- I believe it is a controversial issue -- if many members opposite will support it. I will also be surprised if none of them stand up and show the courage of their convictions to indicate whether, in fact, they support this bill or not.

AN HON. MEMBER:

Have faith, Albert.

MR. LUDWIG:

Yes, I do have faith. That's the problem.

Mr. Speaker, I believe the importance of confidentiality goes beyond the matter of investigating and reporting. Much that the people need to know about their government -- for instance our mayor, our premier, our prime minister -- has to be found out by none other than the press because politicians are not magnanimous enough to tell the whole truth and nothing but the truth. Many interesting events have been uncovered and have made Canada's history a lot more colourful by the things that the press found out and perhaps broke in advance and forced the government's hand to come clean.

I don't want to go back to a sensitive issue with some members opposite, but I believe that the Munsinger story -- rather a colourful event in Ottawa during the very sedate and conservative government in Ottawa was broken by the fact that reporters had the courage of their convictions, dug around and exposed some very interesting facts.

In fact, if I may be permitted a story at this stage, Mr. Speaker, to show you how politicians don't like to reveal too much, shortly after the Munsinger affair there was a banquet in Ottawa and the Conservative Members of Parliament were present at this banquet. One lady leaned over and said, "You are Dr. Jones, Member of Parliament?" He said, "I am ma'am." She said, "I heard quite a bit about you." He said, "Maybe you have but you couldn't prove a thing."

So that is the kind of thing, Mr. Speaker, that sometimes a reporter has to prove what a politician will not admit but will do everything possible to reveal.

Mr. Speaker, I am sure that in due course the hon. members will laugh but it did probably go over their heads, which isn't easy. I tried it before and three or four minutes later somebody starts laughing. Perhaps if the hon. members had a few shots, as they often do, maybe they would be in a more hilarious mood. It is pretty hard to laugh when you are being criticized, I suppose.

[Interjections]

Mr. Speaker, I am inviting the hon. members opposite to stand up and disclose their thinking on this matter.

I mentioned earlier that we have a particularly serious problem in this province with the tremendously large news bureau, a government dominated publicity bureau, that feeds us information by the tons it seems. It must be that because I have asked them to give me copies of correspondence dealing with their advertising and publicity. Apparently they can't because there is such a volume of it that it is going to take too long. But that is just an indication that it is a big business. Publicity and advertising is a big business in this province -- very big, and I believe that the press ought to perhaps dig in a little deeper and find out just what is going on.

It is pretty hard to get admissions from ministers when we get on the trail of something that may look like it needs uncovering. So we get all sorts of hues and cries in this Legislature that plead everything but the Fifth Amendment -- but they seem to want to rely on it. So this is the kind of thing the opposition needs to do to get information to the public, but the press particularly needs to do this. That is why I am introducing this bill at the present time.

As I have stated, Mr. Speaker, this government has set up a tremendously large section under the Executive Council to filter news. We will not get much of what we want. We will get an awful lot of what the government wants us to know. As I stated, we are being instructed and dominated through the news bureau, the publicity bureau, rather than informed. That is a danger sign and that is why the press, perhaps, will need protection to dig harder, come up with some of the things, expose some of the things that are taking place. And as I stated, it will be in the public interest.

Don't let anybody here, perhaps, deny the fact that anyone who can take the government to task or accuse the government of something is immune from being investigated, because it has happened in Alberta. It has been admitted that it has happened in Alberta. Furthermore, Mr. Speaker, not only has it been admitted that this thing happened, but the reasons for investigating individuals, one of them a press man, have never been revealed. And that is not all that bad. The worst aspect of this whole thing is that a great number of the members opposite feel that this was the right thing to do. This business of perhaps getting hold of a reporter who is overzealous or who dug in a little deeper than the government anticipated -- it is not beyond the realm of possibility that he could be investigated privately and subjected to pressures, if not brought before a tribunal to say where he got his information.

As I stated, there may be a risk of the odd event that may be termed irresponsible. But that risk is not nearly as great as the risk of the media being reluctant sometimes to disclose something, something that would otherwise be disclosed, for fear of some type of government intimidation or government action.

I believe that these are all the remarks I wish to make, Mr. Speaker. I certainly invite all hon. members to participate in this debate. I believe that this is also the kind of bill that ought to be kept on the Order Paper and disposed of by a vote of this House in order that we know where the hon. members stand. Thank you, Mr. Speaker.

AN HON. MEMBER:

The seconder, Mr. Speaker --

MR. HINMAN:

In seconding this --

MR. SPEAKER:

There is no requirement really that the seconder speak second as far as I know. The Chair had previously indicated that it would recognize the hon. Minister of Telephones and Utilities.

MR. FARRAN:

Mr. Speaker, this is a --

MR. TAYLOR:

Mr. Speaker, when a seconder wishes to speak surely he has the right to follow the mover of the motion.

MR. LUDWIG:

Mr. Speaker, it has been the practice on the other side to second bills even though I believe you don't need to. But that has been the practice in this House.

MR. SPEAKER:

The strict rule is that the seconder need not speak immediately after the mover. Ordinarily, it is a matter of who gets the floor first. The hon. minister had indicated that he wished to speak next and since he is prepared to yield the floor to the seconder there is no problem.

MR. HINMAN:

Mr. Speaker, in seconding the bill I have just a few remarks to make. When first this idea was brought to me I was pretty hesitant about taking any part in it, and one of the reasons, of course, is my perpetual aversion to too much legislation, to too much governing.

I think, though, I have to bring to your attention that as our society becomes more and more complex and as those people, whose motives, ideals and characters are not always the best, become very very well qualified and well educated, we have to face certain problems that we did not face in the past. I tried to determine just what reason there would be for ever demanding that the press agent or reporter must reveal the source of his information. I could conceive that once in a very, very long time in some matter of security perhaps -- like something related to national security -- a very important problem might occur. Then I began thinking over the long history of governments and the many, many cases where it finally was revealed to us that people with bad motives had sold us out time and time again and we were not aware of it until long after the results had been suffered. So I became less concerned that such an occasion would become important.

I became also more and more aware of -- not so much perhaps in our government, but in bigger governments -- the many pressures which are put on people in legislative positions. As you are aware, in many countries lobbying has become a science. The amount of money spent in plain attempts to brainwash legislators runs into billions of dollars.

We must remember too that we have had to accept in our enforcement of law the idea of stool-pigeons, once considered about the lowest you could get. But police do employ people, kept on payrolls and guaranteed immunity and from these we get much of the information which is so essential in keeping crime under control.

We are aware, too, that our libel laws don't work too well. Most of you at some time or other have been subjected to rumour which was not in your best interests, which hurt your dignity and your standing in the community. And you discovered that if you wanted to do something about it you had to sue somebody. And then if you were wise, you discovered that in suing them you might spend \$5,000 or \$6,000 and win the case only to determine that they had nothing you could get.

So I have suggested many times that we need a criminal libel bill. That whenever you are able to prove that somebody libels you, that not only is he subject to compensation, but that he is subject to punishment because the libel has become a crime. I never did get very far with that.

But I want to go on with the idea that it is a very, very complicated society in which we live. And that not very many of us are aware of the many influences that work in our communities and that in the end, direct even the legislators of this Assembly.

I want to say, too, that history is replete with examples where a crusading press got at the bottom of something and corrected evils even in our system which legislators never in kingdom come would have got at, had this not been the case. And in doing so, many times they used information on a confidential basis and were not challenged for the simple reason that the information proved to be true. And that anybody who attacked them for not revealing the source found

himself in a very embarrassing position because the information proved to be correct and the source didn't matter very much.

Now we know the amount of bribery, and bluff and intimidation that is rampant in our society today. And we know that every party has thought of limiting campaign funds for the simple reason -- sometimes making them part of budgets -- to do away, as far as possible, with the possibility that money could be used to influence who wins elections and the actions of people after they are elected.

We're aware too that perhaps we have one of the most responsible presses in the world in Canada. I like to think that our editors and our publishers truly have the public interest at heart and that we can depend on them as much as on law, if that is required, to see that news and information is used responsibly. I think you would be surprised if you could ever know the items which editors and publishers turn down because while they might be striking news in their opinion they are not in the best interests of the people.

To sum it all up, I think the conscience of the press has to come into this as well as the conscience of legislators. If we do want a law which says that the press must reveal the source of its information, then our consciences must say to us that there are times when we want false information covered up or when we want true information withheld.

There are rules to do with traitors. And in the end I don't think anybody can give information deleterious to our national safety without finally being caught. But in the many little things that go on in governments, municipal and provincial, but largely national, there are cover-ups. I could mention many. Some of you will recall when somebody discovered that we had horses on the payroll of the federal government. Well to me, I didn't think that was anything to turn out the government for, because we will find things just like that -- maybe not horses. But I suppose that forever we will find false entries and people benefitting from them. That doesn't concern me very much.

But it does concern me that if we want the press to be one of the crusading organizations in our society, to help us weed out those practices, those abuses of government and in private life too, then we owe it to them, by legislation, to guarantee that they shall not be forced to disclose the source of information which so very many times will be important in correcting abuses that may exist.

Mr. Speaker, this is an interesting bill which certainly demands considerable detail of thought. I think, though, that this bill introduced by the hon. Member for Calgary Mountain View may appear to have superficial merit in the light of current events in the United States, but I believe that no hasty conclusions should be reached on the basis of the experience in another country which may not have either the laws or the accumulation of jurisprudence that exists in the British Commonwealth.

Our experience goes back many years, back as far as the days of the Gutenberg Bible and William Caxton and the invention of movable type. Centuries ago the issue of freedom of the press was determined. The occasion in journalistic history is reckoned to date from a time when a guy called John Wilkes was put in gaol rather than surrender to government pressure. He was called a pamphleteer in a sort of a sneering way, but I think the broadsheets of those days were, in effect, primitive newspapers. Wilkes was acclaimed a hero by the people, and like many worthy newspapermen since, he was subsequently elected to parliament.

Those were certainly rambunctious days when the press seemed a little more free than it is today, despite the enshrinement and hallowing of the freedom of the press principle in written bills of rights. They were the days when perhaps the heap of government legislation was not quite so high, when the bills and acts had not accumulated in geometrical progression to the point where the population explosion may be solved by the suffocating effect of the paper.

They were the days when red-blooded citizens like Bob Edwards in Calgary were ready to settle arguments with their fists without fear of charges of assault and battery, for instance, when kids were spanked and when criminals were considered a menace to society rather than a sort of gold mine to be exploited by social workers.

In the absence of restrictive laws the press did prosper and did continue to maintain its freedom in a free society. So the lesson of John Wilkes was well learned by our system. From time to time, when politicians became afflicted with that compulsive mania they sometimes have for making laws and regulating everything from the cradle to the grave, there were clashes with the

press. But the press stoutly resisted and said, "Look, leave us alone. We know your motives are the very best, but we don't really need any regulation or protection."

Because if the press once accepts this gift of special privilege you are offering to it, it has a suspicion that inevitably somebody will raise the question of licensing newspapers. We have precedents in Canada in what happened to radio and television which are other arms of the media. They were regulated, first of all for the basic principle of stopping chaos on the air wave. But then government got into other considerations for granting franchises or licences to radio and TV stations. They began to think about controlling content. Sometimes they gave licences to political friends, they retaliated in a way governments can retaliate if the line were not told properly by the operators of the station.

They try to direct policies, probably good policies from the point of view of Canada. But through their control of content in the market they want to get everybody in some sort of similar nationalistic mold and they begin to think of the media as an education media, delivering a message. But really the newspaper retort to that type of approach is very similar to that of Ernest Hemingway who, when asked what message his books contained, he said: "Look, messages are for Western Union. I write for entertainment."

At the moment anyone can start a newspaper or a broadsheet. He doesn't have to be able to spell. He doesn't have to be able to write. He doesn't need a licence. He doesn't have to shut down 48 hours before an election like radio and television. He doesn't have to accept any controls on content. Even the renowned Senator Keith Davey, who conducted a lengthy inquiry into the press in Ottawa in recent years and stuck his political nose into the affairs of the press, only went so far as to suggest self regulation through voluntary press councils in the industry.

The press is interfered with indirectly by the post office. They give a privilege of the newspapers being allowed what they call second-class mailing rates. Then in order to get this privilege the post office insists on specifying what is a newspaper on the basis of the number of subscribers, the content of advertisements as compared with reading material. They demand access to the records of a newspaper. They lay down regulations on frequency of publication. In other words, as soon as a privilege is granted they begin to expand the foothold, expand that toe in the door to make it wider and wider.

One of the first things I spoke on when I was elected as an MLA to serve in this House was an attempt by the opposition to regulate the press gallery. I don't know if you remember that last year. I took strong objection to that because I didn't believe it proper that the House should interfere with the press. The press gallery sits up there in a position which has grown through tradition. We don't go into their gallery, we've got nothing to do with it. They sit there, special watchdogs for the public of what we are doing.

I always, as a journalist, objected to the sports writers getting together in a little club so that only those who had a membership card could go into the press box at football games. That went absolutely against my notions of basic freedom of the press, and if that charming little lady who runs the Beverly Page wants to go into the press gallery, nobody should deny her by control or regulation that right, or any other representative of a media.

Let me just say something here. Legislators seldom give anything without taking something away, and you all know that. We must admit it. They argue that with every privilege there goes a responsibility and it's a very convincing argument. Far better for the newspapers in their own interests to be like citizens with no special powers and no special privileges. Certainly as a journalist I would have said that I preferred those judgments of the courts that recognized the watchdog role of the press. And when I am talking here about libel and slander actions, it swings the attitude of the courts towards this role of the press, it swings back and forth like a pendulum.

A few years ago they were delivering horrendous, heavy judgments against the press for very small misdemeanours in the area of damages for libel and slander. And then they went back into that massive jurisprudence and came to the conclusion, like many of their predecessors had, that it was in the interest of society not to inhibit the press too much and to allow them the same sort of latitude that they would expect to allow elected members in debate. It would be too bad if the rules were so restrictive that somebody couldn't get worked up in an argument.

And this has been the recent position of Lord Denning, the Master of the Rolls in Britain who conducted a study, something like Senator Keith Davey's, into the role of the press and there has been a swing of the pendulum to certainly reduce the amount of damages awarded against newspapers for alleged libel or slander.

But newspapers do have a sort of a qualified privilege, a qualified privilege which is perhaps just as extensive as that accorded to a municipal council or an appointed board. If they are reporting something that happens at a public meeting or a meeting of public importance, they may have a qualified privilege. After that they rest on the two defences of fair comment or absolute truth. Fair comment must have a degree of truth and absolute truth is a total defence. But of course, if they are sued or their publisher is sued for libel or slander, in their own interests if they don't want to be assessed heavy damages, then they have to produce the evidence as a source of material.

If they take a value judgment and say, "No, in the interest of our basic journalistic ethics, we are not going to reveal our source and we are not going to prove the truth of what we have said." then, of course, they are quite rightly subject to a decision of the court on the evidence that is before it and which they have not been able to disprove.

So it is just up to the newspaper and the particular journalists to determine in those sorts of actions whether they will prove their source or prove the truth or partial truth of whatever they have written.

In criminal actions the thing is a little different although they can be charged, of course, with criminal libel and then they would have the same sort of defence. But in normal criminal actions they might be subpoenaed to give evidence when they have said they knew something about a criminal action and have not revealed the source. Somebody might pressure them then in the courts to reveal the source. But there are always legal ways to claim privilege if they are in danger of self-incrimination.

Or it may be that a journalist wants to be a hero, wants to be somebody like Sidney Carton, you know, "far, far better thing I do than I ever done," and that sort of thing, and he wants to go to gaol. It makes a good story. There are arguments in terms of circulation and journalistic pride sometimes for saying, "Look, we will deliberately be in contempt of court and go to gaol." And this has happened many times in recent history.

I think a newspaperman has to recognize that there is a journalistic duty towards one's fellow citizens. Now newspaper men are not saints. There is no perfection outside Heaven. There is just as big a percentage of unscrupulous people in the newspaper business as there is in any other profession, like the legal profession.

SOME HON. MEMBERS:

Agreed.

MR. FARRAN:

And certainly mistakes can be made. But when a deliberate attempt is made to blacken someone's character, to deliberately smear someone or even, say, to fabricate the news, then a journalist had better be able to back it up with truth or fair comment as a defence. Because if that were not so then, of course, the press would be in such a powerful position that in the end their freedom would be abolished because the people wouldn't take it.

The story is challenged as inaccurate, and the writer knows that it is accurate but declines to give his source because he wants to protect his informer. Then he makes a value judgment -- that he doesn't need the protection of legislation. Usually if he does this the challenger will back off knowing full well that what he has written is true. There are many, many occasions when somebody says they have been misreported or that the newspaper has told a lie. They have their recourse to the courts, but they seldom take it because when it comes right down to it they back off because they know there is an element of truth in the story. But if they want to push it to an action for libel and slander they should be allowed to and the journalist and his publisher -- his employer -- can reconsider their positions, whether they are going to go on and protect the source or whether they are going to prove the truth. If they are prepared to risk losing an action for the sake of protecting a source, that's a value judgment on ethical or business grounds.

In the event of police requiring information for a criminal prosecution the journalist, I presume, has to make his judgment on the grounds, first of all, of his commitment to the source and secondly, of what is paramount public importance. If it's a question of something as important as The Official Secrets Act, espionage or spying or something, a journalist would probably, in the final analysis, put his country first. He would be unlikely to choose a jail sentence for contempt to protect a source working against his country.

I believe I speak for quite a number of journalists when I say that although this bill is well intended --

[Interjections]

Thank you very much. The newspaper business would rather not have it for the reason that they are suspicious of any legislation to regulate newspapers. To use freedom of the press is sanctified, hallowed by tradition and we don't want bills and regulations by the minister and everything on how you run a newspaper.

There are two editorials in newspapers in Alberta which take this sort of a stand. They are all referring to the bill proposed by the hon. Member for Calgary Mountain View. The Lethbridge Herald on March 20 ended up by saying -- and I say the same too, I think he had good intentions --

Despite Mr. Ludwig's good intentions, then, the wisest course may be to rely on tradition rather than on statutes. . .

The Calgary Herald had a very lengthy editorial, much longer than the Herald normally has -- editorial subjects -- and they again put the proposition that :

...the press should stick by its traditional Canadian guns, and eschew special privilege. This means accepting the risks involved, such as a jail term or a fine. Only in that way can essential public credibility be maintained.

It is an intensely personal matter. An editor cannot order his reporters to risk jail. But he can applaud, and offer whatever moral, legal and financial help may be needed. And he can continue to press for sane and responsible conduct of our public affairs.

But he doesn't want protection built into the law. Now there may be some journalists who differ with this point of view, but I believe this would be the opinion of the majority.

MR. WILSON:

I would like to ask the hon. minister if he would allow a question. Mr. Minister is it not true that last year the opposition was merely endorsing --

MR. SPEAKER:

Order please. Order please. It's clearly laid down in Beauchesne that the question of a member following his participation in debate must relate solely to clarity and that the answer to the question may not raise any new topics.

MR. WILSON:

On the point of order, Mr. Speaker. The hon. minister made a statement as to what the opposition did last year. I am trying to clarify that point.

Mr. Minister, the reference you made to the opposition's involvement last year, was it not the one wherein the opposition endorsed a recommendation in the Tory Commission Swan Report? Is that what you were referring to?

MR. FARRAN:

I don't want to quarrel about it, but I think I remember, Mr. Speaker, saying rather loudly, "Keep your cotton picking hands off the press."

MR. JAMISON:

No, I won't adjourn the debate. Don't worry.

Mr. Speaker, I would like to make it abundantly clear that I am not in favour of this bill. As I see it, Mr. Speaker, the legislation proposed in Bill 208 is not necessary, certainly not at this time when the people working in media are themselves divided on how to best resolve the situation.

It would be a very bad thing for the people of Canada and the United States if media reporters had to divulge names of their sources particularly, I believe, in the two major news areas of government and crime reporting. Such a requirement would effectively shut off important news flow and the people would be in the dark and, therefore, unable to make fair judgments. There can be no question about that.

The current situation, when syndicated columnist Jack Anderson leaked a story on the merger of I.T.T. and Hartford Fire Insurance which was the largest merger in corporate history in the U.S., is a case in point. Here is a situation where I think it is essential that the public be kept as fully informed as possible. Regardless of the big names involved the truth should come out, or perhaps, because of the big names involved.

However, some outstanding investigative reporters would prefer to go to gaol over having protection of sources under the law. By doing so, they focus the attention of the public on this matter and they help alert us to the danger of a suppressed press. Responsible and capable newspeople, in my opinion, Mr. Speaker, are prepared to handle the situation without going to the government for legislation like Bill 208 proposes.

I say, Mr. Speaker, let's give them a chance. The unqualified reporters are taking their chances. Such a provincial bill would be, in any case, quite limited in what it could do. Mr. Speaker, I would like to suggest to the hon. members in the House that if they have been getting copies of the Christian Science Monitor they should read the excellent articles on this very subject. Mr. Speaker, as I said in the beginning, I am a newsman and I am not in favour of Bill 208 and I would hope that all hon. members in this Legislature vote this bill down. Thank you.

MR. KING:

Mr. Speaker, I will be very brief this afternoon, mostly of necessity. I too am impressed by the good intentions of the hon. member opposite in having introduced this bill. But I was surprised, in spite of the interest there is in the question of freedom of the press that an hon. member of that party should have introduced a bill such as this when the issue, at least in Canada, has already been completely clarified by a previous action of a Social Credit government. So that in point of fact, as a result of the actions of the previous Social Credit government, an act such as this is unnecessary. Mind you a good many of the endeavours of the hon. member opposite have, with the course of time proved themselves to be unnecessary.

In 1937 the Social Credit government passed an act which was known as An Act To Insure The Publication Of Accurate News And Information. Without going into the Act in detail, it's interesting to read Section 4 as follows in part:

Every person who is the proprietor, editor, publisher, or manager of any newspaper shall, upon being required to do so...

-- and if I can digress for a moment, that was a requirement by the government,

...shall upon being required to do so, make a return in writing setting out every source from which any information emanated and the names, addresses and occupations of all persons by whom such information was furnished.

Now, not only do we have Section 4 of the Act, but we have a very interesting Section 6 and 7 which I would like to read:

In case the proprietor, editor, publisher, or manager of any newspaper has been guilty of any contravention of any of the provisions of this Act, the Lieutenant-Governor-In-Council, upon the recommendation of the Chairman...

-- who was a member of the Legislature and a member of the Social Credit caucus
--

...upon the recommendation of the Chairman, may by order prohibit the publication of such newspaper either for a definite time, or until further order, may prohibit the publication in any newspaper of anything written by any person specified in the order, and may prohibit the publication of any information emanating from any person or source specified in the order.

Section 7, Mr. Speaker --

MR. LUDWIG:

Would the hon. member permit a question?

MR. KING:

Mr. Speaker, time is so valuable at this point, that I must, of course, hold questions until the end. Section 7:

Every person who contravenes any of the provisions of this Act, or who makes any default in complying with any requirement made in pursuance of this Act shall be liable to a penalty not to exceed \$500.

Further fines are for \$1,000 --

AN HON. MEMBER:

Funny money?

MR. KING:

And there are other fines -- well one would have to hope so, or else it would really be onerous.

Mr. Speaker, one of the arguments made in the Legislature at that time, made by the hon. Mr. Lowe, Social Credit House Leader, and the person responsible for taking the Act through the Legislature, and I quote:

It has been definitely known that the press were enjoying, not just a freedom, but a so-called freedom that is much in the nature of licence, untrammelled or unfettered and I can not see that this bill will in any way restrict them at all.

Another hon. member, Mr. Speaker, had this to say:

The public have a right to know these things, and this government is determined that they shall know them --

-- by "these things", he meant accurate news which the Social Credit government of the day was constantly disseminating into the media.

The second object to be accomplished is that the public shall know, as they have a right to know where the news or synthetic news and expressed opinions that take up the rest of the space in the newspaper emanate.

If the news is news, and not just a fabrication of myths and fables, nobody should object to being known as the source whence the news came from. They should rather feel honoured that the world may know of their service to the people. The same may be said of the views and opinions expressed.

I wonder where that would leave the diffident deputy minister who was referred to by the hon. member opposite.

But, Mr. Speaker, of course it was not so much the passage of the Act which is significant to us here this afternoon as the fact that it created history for this Legislature, a dubious history I might say.

That particular legislation, Mr. Speaker, was the last act, at least to the present time, of any provincial legislature in Canada which has been refused assent by the Lieutenant Governor on the direct order of the Governor-General-in-Council, that is the federal Cabinet and Her Majesty the Queen, or His Majesty the King at the time.

Now not only was it reserved for the signification of the Crown, as it says in the 1937 statutes, but the Social Credit government was so upset at their project having been frustrated that they took it to the Supreme Court of Canada to determine whether or not the Governor-General-in-Council could do this. And the Supreme Court of Canada, Mr. Speaker, in 1938 -- and this is why I say that it was a previous action of a Social Credit government which made this bill unnecessary -- the Supreme Court of Canada in 1938 ruled that it was outside of the competence of any provincial legislature to infringe, or indeed in any way to modify, the rights and prerogatives which the press enjoys in Canada.

And so we have here, Mr. Speaker, a bill which by express declaration --

AN HON. MEMBER:

I don't remember that, do you?

MR. KING:

-- of the Supreme Court of Canada is ultra vires and I would suggest, Mr. Speaker, that to approve it in principle, even though we may find its sentiments very admirable, would do nothing more than muddy the waters with respect to the rights and prerogatives of the press. And if indeed the hon. member is so concerned about their rights and prerogatives, I should think that he would be more interested in leaving clear-cut the decisions which have developed the rights and the prerogatives which have developed without any intent to throw them back into the Supreme Court of Canada and cause confusion.

MR. LUDWIG:

Would the hon. member now permit a question please?

SOME HON. MEMBERS:

Order, order.

MR. LUDWIG:

Mr. Speaker, the question is: that after that brilliant defence of freedom of the press, I wonder if the hon. member would care to tell us whether he believes that the Bill of Rights forbids investigation of people for political purposes.

MR. SPEAKER:

Order please. The hon. member well knows that that is not a request for clarification but rather debate. And it may well be that on some occasion of this kind an hon. member may lose his opportunity to debate again on the same motion. Are you ready for the question on the motion?

MR. LUDWIG:

Mr. Speaker, I beg leave to adjourn the debate.

AN HON. MEMBER:

You can't do it, Albert.

MR. SPEAKER:

Has the hon. member leave to close and adjourn the debate?

SOME HON. MEMBERS:

No.

DR. HORNER:

Mr. Speaker, I beg leave to adjourn the debate.

SOME HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, I move that the House do now adjourn until tomorrow afternoon at 1:00 o'clock.

MR. SPEAKER:

The adjournment may be a little previous. We haven't dealt with the hon. Deputy Premier's request to adjourn the debate.

HON. MEMBERS:

Agreed.

March 29, 1973

ALBERTA HANSARD

31-1507

MR. LUDWIG:

Mr. Speaker, it took a long time to scare him, but it finally happened. Let him adjourn the debate.

MR. SPEAKER:

The debate is adjourned. The hon. Government House Leader has asked leave to adjourn the House. Are you all agreed?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until tomorrow afternoon at 1:00 o'clock.

[The House rose at 5:30 o'clock.]