

LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, April 12, 1973

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

PRAYERS

[Mr. Speaker in the Chair]

Speaker's Ruling

MR. SPEAKER:

The point of privilege raised yesterday by the hon. Member for Calgary Mountain View may be described as follows:

Order No. 109 of this Assembly for a return requires that certain information be provided by the government according to "actual locations".

The return, as filed, gives the information according to zones, of which there are (as was, I believe, mentioned in debate) 14 in the province.

The basic principle governing the duties of the Speaker and those of the House, in relation to a point of privilege, is simple and practical. The House and the Speaker have two different functions:

If the Speaker finds that the matter was raised at the first opportunity (as it obviously was in this case) his only other duty is to decide whether, on the face of it, there is a possible case of breach of privilege. He does not make a decision which says: "This is a breach of privilege." That is for the Assembly.

In other words, the Speaker's duty here, as in many other instances, is to protect the Assembly against a waste of time. This is very similar in effect to an ordinary preliminary hearing. In a preliminary hearing the judge or magistrate decides whether the charge may be worth bothering with. If it seems to him that it is, he commits for trial. This does not mean at all that there is a finding of guilt.

Likewise, the Speaker's ruling that there is a prima facie case of privilege cannot constitute a finding of guilt in any way.

As the presiding officer of the highest authority in the province, the Speaker does not in any way sit in judgment on the Assembly, the Opposition or the Government. He is still one of the 75 MLAs but with the special duty of applying the rules to assist the House in getting its work done.

It may well happen that what the Speaker finds to be a prima facie case of privilege is found not to be a real case of privilege if it were to be examined by the Assembly with all of its power and means of inquiry (which the Speaker does not have). That would not mean in any way that the Speaker would be overruled. A mere prima facie case of privilege may turn out not to be a real case of privilege just as a bottle labelled "whisky" may turn out to contain tea.

The hon. Deputy Premier's motion to refer to a Committee of the House the matter of orders for a return, cannot change the nature of a prima facie case of privilege which may have already arisen. Moreover, the Deputy Premier's intended motion dealt with motions for a return generally, and not with the one we are now concerned with specifically.

If the word "semantics" indicates an undue preoccupation with the meaning of words, then it cannot be applied to this situation.

The debate on the motion for a return cannot be given too much effect in interpreting the meaning of the words. An order for a return should be construed according to its own text. It is quite immaterial in this regard from which part of the House the amendment came.

The question is one of simple everyday non-technical language. There is, in ordinary language, a difference between requiring names and requiring locations. The locations may lead to the discovery of the names, but the Assembly voted for that difference. In plain ordinary everyday language, to know the location of something is to be able to find it. That cannot be said for a zone whose average area is one-fourteenth of the area of the province.

I must therefore find that there is here a prima facie case of breach of privilege, and that it was raised at the first opportunity.

INTRODUCTION OF BILLS

Bill No. 42 The Senior Citizens Housing Statutes Amendment Act, 1973

MR. CRAWFORD:

Mr. Speaker, I beg leave to introduce Bill No. 42 being The Senior Citizens Housing Statutes Amendment Act.

Mr. Speaker, there are six major principles enunciated in this new legislation in addition to two matters of form, one of which is the changing of the name of the Act from The Homes for the Aged Act to The Senior Citizens Housing Act. The other is to place much of the responsibility for the administration of the Act in the hands of the Minister of Municipal Affairs.

Now the six major principles, Mr. Speaker, are first, the requirement of unanimity among contracting parties to a foundation in regard to the location of senior citizens' lodges within the area of the foundation will be done away with. This will introduce a new concept of operating agreements between contracting parties and the government agency, which would be Alberta Housing Corporation, and as well, will permit individual municipalities to contract in a form that did not exist previously.

The second principle will be clarification, if any be required, of the fact that municipal governments will not be able to tax senior citizens' lodges.

The third principle will be that through a system of grants and financing the government, using Alberta Housing Corporation, will have a program of full capital funding for capital construction and major renovation purposes. A substantial sum is being made available this year for that purpose, more than double the amount that was made available last year.

The fourth principle --

MR. SPEAKER:

Order, please. Under the heading of a list of principles the hon. minister is, in fact, giving substantially the contents of the bill. I believe that we have gone somewhat beyond the scope of the usual introduction of bills. Possibly it has been sufficiently identified for first reading.

[Leave being granted, Bill No. 42 was introduced and read a first time.]

INTRODUCTION OF VISITORS

DR. HOHOL:

Mr. Speaker, I am pleased to introduce to you, sir, and to this Assembly 40 students from O'Leary High School in the constituency of Edmonton Belmont. They are Grade 10 students and are sitting in the members gallery. They are led this afternoon by their teacher Mr. Thiele. I should like to ask them to rise and be recognized by this Assembly.

MR. SCHMID:

Mr. Speaker, I would like to introduce to you and through you to the members of this Assembly students from Grades 4, 5 and 6 from the Argyll School. They are accompanied by their teachers Mrs. E. Cuthiell and Mrs. Sonnenberg and also by parents Mrs. Goodwin, Mrs. Schulz and Mrs. Flynn. They are in the

public gallery and I would like them now to rise and be recognized by this Assembly.

MR. STROMBERG:

Mr. Speaker, today we have 24 students that I would like to introduce to you and to the members of this Assembly from Round Hill. They are accompanied by their teacher, Mrs. Ilnicki, their bus driver Mr. Bannick and Mrs. Bannick. I will ask them to stand; they are in the member's gallery.

MR. SORENSON:

Mr. Speaker, I wish to introduce to you and to the members of this Assembly a group of ladies from Loughheed which is in the constituency of Sedgewick-Coronation. They are members of the Loughheed Women's Institute. One of their more recent accomplishments has been the issuing of a large, comprehensive history of that area and it is certainly a leader in the field of area historical accounts. Their president is Mrs. Swainson and the secretary is Mrs. Frost.

I would just like to relate an incident that happened during the noon hour, Mr. Speaker. A group of doctors from Calgary came by and I mentioned that I had a group of ladies from the Loughheed Women's Institute. One doctor said, "Loughheed Women's Institute, what's that?" Well, he failed to realize we have a beautiful village named Loughheed.

MR. SPEAKER:

Possibly the hon. member might directly conclude his introduction.

MR. SORENSON:

This group is in the public gallery and I would ask that they stand and be recognized at this time.

FILING RETURNS AND TABLING REPORTS

DR. HOHOL:

Mr. Speaker, I should like to table two reports: first the 1972 Annual Report of the Alberta Public Service Commissioner and secondly, the 1972 Sixth Annual Report of the Pension Benefits Branch.

MR. DOWLING:

Mr. Speaker, having regard for your ruling I hereby file an amended return for 109.

ORAL QUESTION PERIOD

Royal Alex Nurses

MR. HENDERSON:

Mr. Speaker, I wonder if the Minister of Labour could advise the House as to at what state the collective bargaining process now rests, relative to the nurses at the Royal Alex Hospital and the management of the hospital?

DR. HOHOL:

Mr. Speaker, the department is keeping a close watch on the situation. They supervised the vote which has taken place and at the moment are standing by, prepared to assist through mediation should they be called in by either party.

MR. HENDERSON:

Just as a matter of clarification, Mr. Speaker, I gather from the minister that, thus far, the department has not been directly involved in the negotiations.

DR. HOHOL:

Not in the negotiations, Mr. Speaker.

MR. NOTLEY:

A supplementary question, Mr. Speaker, to the hon. Minister of Health and Social Development, dealing with the Royal Alex and hospital negotiations generally. By way of explanation, Mr. Minister, the other day when I asked a question about this matter you said that there is a global budgeting for hospitals in the province.

My question to you is --

MR. SPEAKER:

Would the hon. member please address his question to the Chair.

MR. NOTLEY:

Mr. Speaker, my question to the hon. minister is, are there any specific guide lines on wage rates for registered nurses in the global budgeting proposals?

MR. CRAWFORD:

No, Mr. Speaker, there are not.

MR. SPEAKER:

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

Ninety-Day Price Freeze

MR. HO LEM:

Yes, Mr. Speaker, today I would like to direct a question through you to the hon. Premier. Mr. Premier, in Ottawa the Conservative party submitted a document calling for a 90-day freeze on all prices and services and income.

My question today, Mr. Premier, does the hon. Premier support the federal Conservative party's call for a 90-day freeze on all prices and income to halt the rise on consumer prices?

MR. SPEAKER:

There is no requirement for an hon. minister to answer for declarations of policy by anyone other than the Government of Alberta.

MR. HO LEM:

Supplementary to the Premier, Mr. Speaker. Can the hon. Premier advise the housewives of Alberta when they can expect some action from this government in combatting the rising prices of food?

MR. LOUGHEED:

Mr. Speaker, with regard to that matter, we mentioned, (as all hon. members are aware) that we felt over the years there had not been a Department of Consumer Affairs in this province, that there quite obviously had been the Batten Report of some four years ago on which very little action was taken, but matters had developed to the point that we felt a Department of Consumer Affairs was required.

I think it is only fair and reasonable for the new minister, Mr. Dowling, to have an appropriate opportunity to assess the various legislation that has been transferred to him, to assess the circumstances that are involved with regard to the question of consumer prices, and to propose to the House, perhaps this fall, some action that can be taken from a legislative point of view.

In addition to that, the government has been watching with some interest, and frankly with not too much pleasure, the slow process of litigation relative to the action involving Canadian Safeways by the federal government, and is in the process of re-evaluating our position in that regard.

We today met and received a petition from the organization involved with the food price situation which has been formed in this province, a committee to protest rising costs. We were pleased that in their presentation which they made to us today, they made it abundantly clear they were not involved in simply

the question of meat prices, but they were talking about the overall question of food prices. We noted that. We just received the brief some 15 minutes ago and will be giving it consideration and hope that we will be able to respond both to that group and to the public in due course.

MR. HO LEM:

Mr. Speaker, a supplementary to the Minister of Consumer Affairs. In view of the statements made by the hon. Premier in response to my question, will the minister give serious consideration to the implementation of a freeze, or other means of control on rising prices and incomes in Alberta, to stem the present inflation trend?

MR. DOWLING:

Well, Mr. Speaker, there are limitations to what the provincial government can do, bearing in mind the federal responsibility. However, we will not fail to do our duty with regard to the consumers of Alberta.

I should mention, Mr. Speaker, while I am on my feet, that yesterday we had a meeting with the hon. Mr. Herb Gray, the Minister of Consumer and Corporate Affairs for the federal government, and it is the first of a number of meetings we propose to have with him and the resource people in his department.

MR. HO LEM:

Supplementary, Mr. Speaker. In view of the meeting with Mr. Gray and other considerations, are you now considering the setting up of a royal commission to investigate the rise in food prices?

MR. DOWLING:

Well, Mr. Speaker, I don't believe we are in a position at this time to make that kind of decision. Of course the hon. member will realize that I have not as yet appointed a deputy minister or any resource staff other than that which already existed which was minimal in nature. We have expanded it by four for the purpose of expanding the operation within the city of Edmonton office and in a Calgary office. So until such time as we have additional resource people we cannot make any decision of that kind.

MR. LOUGHEED:

I would like to supplement that remark and come back to the comment I made earlier, Mr. Speaker, through you to the hon. member. That is there seems to be a tendency, I believe, for people to consider that price and wage control is an easy answer to solve this problem.

What I would suggest is that we be very careful to assess what that means and what its impact will be upon our citizens. Because the citizens who are perhaps suffering the most under this question of rising food costs are the citizens in the lower income levels.

As I pointed out in my remarks to this Legislature last October, there is a considerable body of opinion that comes to the conclusion that if you have rigid price and wage controls the group that continues to suffer, and perhaps more so, is the group in the lower income levels of our society as they are less able to find ways to move around the question of such controls. So we are very, very concerned that any precipitous action might be taken with regard to such a group.

When there is a reference to a royal commission I think it's fair to say that the Batten Report was a royal commission report albeit through more than one province. It was through the cooperation of the provinces of Alberta, Manitoba and Saskatchewan. There were a number of recommendations there. There was practically no action taken, in our view, and for that reason the public might not weigh a royal commission into these matters because of the history of the Batten Commission and the follow-up in the same way that they might otherwise have done.

MR. CLARK:

A supplementary question to the --

MR. SPEAKER:

Possibly we could revert to this topic if there is time left at the end of the question period.

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

Latta Case

MR. DIXON:

Mr. Speaker, I would like to direct a question to the hon. Attorney General. It's regarding the case of Keith Latta presently serving a life sentence in the Drumheller Penitentiary. Has the Attorney General any further action to report on this case following Mr. Keith Latta's submission that was taken by the Edmonton City Police Force some six weeks ago?

MR. LEITCH:

Mr. Speaker, my answer to that would be rather lengthy and I would prefer to make it on Orders of the Day following the question period.

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER:

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

Alberta Indian Association

MR. NOTLEY:

Thank you, Mr. Speaker. I would like to direct this question to the hon. Premier. Can the Premier advise the House whether he has personally checked the serious charge by the president of the Alberta Indian Association that the provincial government is sabotaging efforts by --

MR. SPEAKER:

Order please. The hon. member's question is disguised debate and the disguise is somewhat thin.

MR. NOTLEY:

Mr. Speaker, can I rephrase the question? Has the hon. Premier received any representation from the Alberta Indian Association with respect to the moves by the Alberta government in training natives for the tar sands region and the concern of the Alberta Indian Association that perhaps the Alberta government is not moving quickly or responsibly enough in this area?

MR. LOUGHEED:

Mr. Speaker, yes I have. I had a meeting with Mr. Harold Cardinal, if my memory serves me correctly now, it may have been some two and a half weeks ago. We were discussing another subject at the time but that matter was raised. We agreed to follow up on that particular matter. I believe the plans are now that there will be a further discussion with Mr. Cardinal, as an association, within a matter of weeks that will involve both the Minister Without Portfolio responsible for native affairs, Mr. Adair, the Minister of Manpower and Labour and myself.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Can the Premier advise the House if it is true that the government has not yet formally responded to the joint proposal of last June of the Alberta Indian Association and Syncrude concerning native employment in the tar sands region?

MR. ADAIR:

Mr. Speaker, I can't really respond to that. I would pass that question on to the Minister of Advanced Education who is the head of the committee that

involves both the Indian Association and the private industries along with education.

MR. FOSTER:

Mr. Speaker, I know that we indicated our response to Mr. Cardinal specifically on that proposal and to the other persons involved in the committee which fostered the document. I'm not sure, however, whether that response was followed up in correspondence, but I can check if you like.

MR. SPEAKER:

The hon. Member for Vegreville, followed by the hon. Member for Vermilion-Viking.

Peace River Flood Threat

MR. BATIUK:

Mr. Speaker, since the water resources and the emergency measures are involved my question is directed to either the hon. Deputy Premier or the hon. Minister of the Environment.

Is there anything which could be reported to the House on the probability of the town of Peace River being flooded by the Peace River?

MR. YURKO:

Mr. Speaker, an ice-jam is forming a couple of miles downstream from the town of Peace River. The storm sewers have backed up. There is flooding in the town of Peace River. With respect to the west Peace River, we have built dikes this winter through the policy enunciated by this government last year. These dikes are holding but there is some danger that they haven't stabilized. As a result Water Resources is investigating the need to call in the army to do some blasting of the ice jam, as well as the fact that EMO has been contacted and is in Peace River available for any emergency action.

The hon. Deputy Premier may wish to add something to this.

DR. HORNER:

I can only add, Mr. Speaker, that personnel from the Emergency Measures Organization have flown to Peace River and are dealing with the situation. It may be necessary to blast the ice jam, as the hon. Minister of the Environment has said.

MR. STROM:

A supplementary question, Mr. Speaker, to the hon. Minister of the Environment. Has the hon. minister made any checks as to whether or not British Columbia's dam up at Fort St. John would in any way be responsible for this situation?

MR. YURKO:

The information which has been supplied to me, Mr. Speaker, is that this condition is a result of the fact that about 30 miles of river hasn't broken up and the ice is jamming up against this 30 miles of river. As a result an ice jam is being formed and is backing up the river substantially. To my knowledge, this isn't really affected by the Bennett Dam in British Columbia.

MR. SPEAKER:

The hon. Member for Vermilion-Viking, followed by the hon. Member for Hanna-Oyen.

Discriminatory Employment Programs

MR. COOPER:

Mr. Speaker, my question is directed to the hon. Minister of Manpower and Labour. Mr. Speaker, could the Minister of Manpower and Labour advise the members as to the number of complaints, approximately only, because I certainly wouldn't expect him to know the exact number, received by the Human Rights Commission from women complaining of discrimination in employment?

DR. HOHOL:

Mr. Speaker, I would really have to go to the files for that and I will give the hon. member a memorandum on the matter.

MR. COOPER:

A supplementary. Would you supply this information too? Has the commission acted on a suggestion by an officer of the commission that more effort should be made to encourage women to report unfair treatment in wages and job promotions?

DR. HOHOL:

Yes, I will, Mr. Speaker.

MR. COOPER:

One more, if I may, Mr. Speaker. Could the minister advise the House of the nature of the advertising campaign informing people of their rights under Alberta law to be carried out by the commission on a province-wide basis?

DR. HOHOL:

I would be very happy to do that.

MR. WILSON:

A supplementary, Mr. Speaker. What action is the government going to take on the existing procedure of secret evaluation letters compiled by civil service supervisors that are placed on a subordinate's file without being shown to the subordinate, which is contrary to government procedure and policy?

DR. HOHOL:

Well, Mr. Speaker, there is some question as to whether the statement in the Ombudsman's annual report used the term "secret", and I haven't the document with me but I will check it. However, for the record, the approach we are now using with respect to the matter is such that there aren't, to my knowledge, secret letters. It could well be that there are -- not in the sense of "secret" but in the sense that an employee hasn't access to them when, in fact, he has access to the rest of the material in his file. This, of course, is not proper procedure and will be discontinued.

I don't officially and personally know of any such occurrences. My instructions are quite to the contrary. However, I accept the statement as fact in the Ombudsman's report that there are some letters or some articles in an employee's file which may not be accessible to him.

MR. HO LEM:

A supplementary to the minister. Will the government take action on the Ombudsman's recommendation for reform of the employee performance rating system?

DR. HOHOL:

Mr. Speaker, could I make a statement on that under Orders of the Day, with your permission?

HON. MEMBERS:

Agreed.

MR. BUCKWELL:

Supplementary, Mr. Speaker, does the Minister of Labour know that the MLAs are getting paid monthly? Does the Department of Labour have a secret file on the MLAs?

MR. WILSON:

A supplementary, Mr. Speaker, to the hon. Minister of Manpower and Labour. Will the government ensure that employee appraisal training for supervisors be given greater priority in supervisory training programs than it currently receives?

MR. SPEAKER:

The hon. member is making a recommendation which perhaps the hon. minister might also wish to comment on on Orders of the Day.

The hon. Member for Hanna-Oyen, followed by the hon. Member for Lethbridge East.

Cattle Grazing in Suffield Block

MR. FRENCH:

Mr. Speaker, my question is to the Minister of Agriculture. What representations have been made by the provincial government to permit the grazing of cattle in the British Block this summer, or the Suffield range?

DR. HORNER:

Mr. Speaker, we have been working with the Member of Parliament for that area, Mr. Hargreaves, in relation to his representations to the Minister of National Defence in conjunction with my colleague in Federal and Intergovernmental Affairs and backed up by the petition of the people in the area to have the -- and I could be wrong about this name -- but I think it's the Drowning Ford Grazing Association expand their activities into a part of the Suffield Block for pasture because of the drought conditions in that particular area of the province.

These representations have been made to the Minister of National Defence by Mr. Hargreaves in Ottawa and followed up by a joint submission here.

MR. FRENCH:

A supplementary question, Mr. Speaker. What are the views of the provincial government with respect to the multi-use of the Suffield range which could include the grazing of cattle? I mean, do we approve this multi-use?

DR. HORNER:

Well, Mr. Speaker, the general situation with regard to the question of the multiple use of the Suffield area or the British Block I think is pretty adequately laid out in the report that was tabled in the Legislature with regard to the multiple use.

I don't think the situation we now face down there is, in fact, -- I think it has to be dealt with on a different basis than on the total concept of the multiple use of the Suffield Block. I think we have to take into consideration the situation as it is, which is that there is a shortage of grazing land for the number of cattle that there are in the area, having regard to the amount of moisture they've had. We've asked the federal department to have a look at the question of making more grazing land available for those people in the area.

MR. FRENCH:

My last supplementary question, Mr. Speaker. When would the minister anticipate that final negotiations could be made available in view of the inquiries that I'm getting from that area?

DR. HORNER:

Well, I don't know that I can anticipate the action of Ottawa in this regard, Mr. Speaker. I can say to the House that we are following the matter up and we'll try and get an answer as soon as possible because it is important to the ranchers in that particular area that they know fairly quickly.

MR. SPEAKER:

The hon. Member for Cypress with a supplementary.

MR. STROM:

Mr. Speaker, I'd like to direct another supplementary question to the hon. Deputy Premier. He suggested that the Drowning Ford extension is what they were looking at. Would the hon. Deputy Premier know whether or not consideration is also being given to the use of some rather extensive facilities that were provided in the area about six years ago which would supply a great deal of pasture to the people in that area?

DR. HORNER:

Mr. Speaker, that is in addition to the request of the Drowning Ford Grazing Association and that is quite true. In Mr. Hargreaves' submission he also included that particular area in which there were not only grazing facilities, but I believe corrals and fencing and watering facilities which had been made available and which were not demolished in the interim years. As a matter of fact they are still there. At least that's the information I have.

DR. BUCK:

A supplementary to the Minister of the Environment. In light of the fact of the threatened drought situation, is there any danger of environmental damage to this area?

MR. YURKO:

Well, Mr. Speaker, not more than normal, though we are concerned with grass fires from exploding shells and as I've indicated, I think on one occasion during the estimates, I had written to the Minister of National Defence in regard to a possible inspection by land managers and men qualified in appraisal of the soil from a standpoint of destruction of the top surface of the soil.

MR. SPEAKER:

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

Alcohol and Drug Abuse Commission

MR. ANDERSON:

Mr. Speaker, mine is a follow-up to a previous question to the Minister of Health and Social Development. Could the Minister of Health and Social Development advise the members of this Assembly as to what progress has been made by the Alcohol and Drug Abuse Commission in its efforts to upgrade the Lethbridge office of its commission?

MR. CRAWFORD:

Mr. Speaker, the news article that the hon. member referred to the other day in respect to the commission's activities in Lethbridge quite accurately reflected the anticipation that useful changes were looked forward to, hopefully within a reasonable period of time now that the chairman of the commission has had a chance of seeing for himself that the facilities up to the present time have not been as good as they could be. I know that's the intention of the commission and I'd be glad to provide some report as soon as possible.

MR. ANDERSON:

A supplementary. What staffing or administrative changes would be necessary if the office is to be upgraded in this region? Do you have any idea?

MR. CRAWFORD:

Mr. Speaker, I don't know the answer to that question right off. The staff is, of course, employed by the commission rather than by the department and all I could say is that the intention of the commission is to make sure that it is adequate and I have confidence in that intention.

MR. SPEAKER:

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

Nursing Home Facilities

MR. SORENSON:

My question is to the Minister of Health and Social Development. Is the hon. minister planning to fund rehabilitation programs for Alberta nursing homes? This comes as a result of a study by a University of Alberta professor that links immobility with physical deterioration and elaborates on the increased cost of treatment that results.

MR. CRAWFORD:

Yes, Mr. Speaker, I was delighted to have had the Alberta government play a key part in doing the study which was in the beginning a federal-provincial study reported last year to the government in regard in reactivation programs in nursing homes and auxiliary hospitals. The government has reviewed the proposals. At the present time, the types of proposals that will be carried out would not apply to the entire system. That would be premature.

But some pilot projects are anticipated and from what has been done to date, I can say that I heartily believe in the ability of rehabilitation and reactivation programs, not only to make the lot of the patients in the nursing home or auxiliary hospital more enjoyable while they are there, but also to create the possibility that some of them can be handled on a day-care or out-patient basis in time.

MR. SPEAKER:

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

Department of Consumer Affairs

MR. CLARK:

Mr. Speaker, I'd like to direct my question to the Minister of Consumer Affairs and ask the minister when he will be introducing legislation into the Assembly setting up the department or formally setting up the Department of Consumer Affairs?

MR. DOWLING:

Mr. Speaker, we expect to have legislation prepared for the fall sitting. I see no reason at this time for it being delayed beyond that.

MR. CLARK:

A supplementary question to the minister, Mr. Speaker. Does the minister anticipate holding public hearings in various areas across the province prior to presenting legislation to the Legislature regarding the establishment of this department?

MR. DOWLING:

Not specifically, Mr. Speaker, to pass judgment on what we believe we should have in the department, as a department. But in the event there are items of legislation to be introduced dealing with a specific part of our economy, I am sure the members of the department as well as myself will do everything we can to make sure there is ample opportunity for both sides of the question to be aired in a public meeting of some kind, public in the sense -- public in my office, as opposed to a public hearing.

MR. CLARK:

One further supplementary, Mr. Speaker. Does the minister plan to establish an advisory committee between now and when the legislation is presented to the House, the advisory committee being made up of people from the public, to advise him and the government on the establishment of the department?

MR. DOWLING:

Mr. Speaker, I am aware that this facility is available to us at this moment. I am also aware that it was rather ineffectual as it was. This comes from the members of the department and we are considering what method we can use to determine the views of the people, the consumers of Alberta. And this is one that we possibly could take. It may be expanded beyond that point, however.

MR. SPEAKER:

The hon. Member for Macleod, followed by the hon. Member for Little Bow.

Mini-Farms

MR. BUCKWELL:

Mr. Speaker, my question is to the Minister of Agriculture. By way of explanation, in Arizona there is a tremendous interest in what they call mini-farms in irrigated areas, with holdings of one to five acres. If there were in Alberta such an interest in an irrigated area, would they qualify for the Agricultural Development Fund?

DR. HORNER:

Mr. Speaker, the only way the Agricultural Development Corporation can operate in any reasonable way is to set out some guidelines and then allow the people in the corporation to deal with the applications as they see them fitting within those guidelines. In my view, such mini-farms would have to have a tremendous amount of production to, in fact, qualify.

MR. BUCKWELL:

Supplementary, Mr. Speaker, to the Minister of Municipal Affairs. Would The Planning Act have to be changed to have such small acreages registered in Alberta in a rural area?

MR. SPEAKER:

The hon. member is asking for an interpretation of a statute, which is ordinarily a subject not covered in the question period.

The hon. Member for Little Bow, followed by the hon. Member for Drumheller.

The Crown Agencies Employee Relations Act

MR. R. SPEAKER:

Mr. Speaker, my question is to the Minister of Manpower and Labour. Will the minister be bringing in amendments to The Crown Agencies Employee Relations Act this session?

DR. HOHOL:

Yes, I will, Mr. Speaker.

MR. SPEAKER:

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

Alberta Flag

MR. TAYLOR:

Mr. Speaker, my question is to the Minister of Public Works and a very short explanation is required. At the British Columbia-Northwest Territories boundary on Highway 35 there are three flag poles. The one at the north carries the flag of the Northwest Territories and the one at the centre carries the Canadian flag. The one to the south looks very lonely; it does not have an Alberta flag on it. Would the hon. Minister of Public Works check and have an Alberta flag erected?

DR. BACKUS:

Yes, Mr. Speaker, I'd be very happy to. Maybe I should comment. There has been some delay in putting Alberta flags everywhere they might be because there has been a good deal of stealing of these flags, and we are presently trying to put up flag poles that have a particular type of internal-locking device so flags can be put up and won't be tampered with.

MR. TAYLOR:

Supplementary. Perhaps the minister would have the flag poles greased.

But my supplementary is actually, is it the policy of the government to erect the Alberta flag at all major entry and exit points on major highways to and from the province?

DR. BACKUS:

Yes, Mr. Speaker. Certainly, I think, at our provincial borders in particular relationship with other provinces. The Canadian flag, of course, is the one erected along the borders between Alberta and the States but I believe we should have an Alberta flag there too, in Alberta.

MR. SPEAKER:

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

Control of Alberta Companies

MR. DIXON:

Mr. Speaker, I wish to direct a question to the hon. Minister of Intergovernmental Affairs, but in his absence I wonder if the Premier could inform the House as to whether the government has decided on the procedure and policy that the government of Alberta would establish for the purpose of screening possible foreign investment, with regard to large Canadian companies being taken over in Alberta?

MR. LOUGHEED:

Mr. Speaker, because of the nature of that question and the fact that the Minister of Federal and Intergovernmental Affairs met with the hon. Mr. Gray, I would think that the question is better taken as notice, and I will pass it to him. That will put him in a position to answer the question, Mr. Speaker, from the hon. member when he returns.

MR. DIXON:

Supplementary, Mr. Speaker, to the hon. the Premier. On Monday, apparently -- this is the reason for the question -- the Minister of Industry, Trade and Commerce, Alastair Gillespie, the federal minister, announced in Ottawa on Monday in conjunction with the provinces he was going to assure them they would have a voice in screening any applications before approval. I was wondering, was there any Alberta representation in Ottawa on Monday by a cabinet minister or a senior official?

MR. PEACOCK:

Mr. Speaker, I would like to reply to that question. I was there, and in the course of that conversation I think maybe I was the one to raise it. The fact was that Mr. Gillespie's reply stated that there would be an input from the provinces in regard to what process they might set up in regard to screening foreign takeovers.

MR. SPEAKER:

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

Domestic Air Fares

MR. HO LEM:

Mr. Speaker, I have a question to the hon. Minister of Industry and Commerce. Mr. Minister, as a result of the announcement of the round-trip fares to England being set at \$229 return by Canadian carrier, will the minister ensure that strong representation be made to facilitate the possibility of lowering domestic air travel rates?

MR. PEACOCK:

Yes, Mr. Speaker.

MR. HO LEM:

Supplementary, Mr. Speaker. Does the minister have any specific proposal in this regard?

MR. PEACOCK:

Mr. Speaker, our department is working on that at the present time and we are preparing a presentation for the consideration of CTC.

MR. HO LEM:

A final supplementary, Mr. Speaker. Will the minister be calling a meeting of the western transportation committee which was established by the western provinces to deal specifically with the question of lower domestic fares?

MR. PEACOCK:

Mr. Speaker, we have had, I think, four such meetings with the ministers responsible for transportation in the western provinces in the course of the last year in which matters of not only rail, air, highway, ports and new modes of transportation were discussed but also the problems of abandonment as well as the passenger fares, rail rates and freight rates pertaining to western Canada and those various modes of transportation.

MR. HO LEM:

Mr. Speaker, as the result of the federal government's approval of higher transportation subsidies for the Atlantic region, will the government take more aggressive representation to the federal government in its request --

MR. SPEAKER:

Order, please. The hon. member is asking a debating question. If he wishes to ask what the government is prepared to do that may be another matter.

MR. HO LEM:

Supplementary, Mr. Speaker. Will the minister contact the federal government in this request for a fairer structure for western freight rates?

MR. PEACOCK:

Mr. Speaker, I think the hon. Premier indicated how aggressive the Alberta government was in this regard at the recent western Canadian Provincial Premiers' meeting in Winnipeg also indicated by numerous editorials and articles that have appeared in the paper of the aggressive attitude we, as a province, are taking in this regard.

MR. SPEAKER:

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

Legislative Fall Session

MR. WYSE:

My question is to the hon. Premier, Mr. Speaker. Has the government set a date for the fall sitting of the Legislature as yet?

MR. LOUGHEED:

No, Mr. Speaker, we haven't. We are trying to assess the degree of business which may be conducted in the House during the months of May and June, and then we will be considering the question of the fall session.

AN HON. MEMBER:

You could add July.

MR. SPEAKER:

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

Employee Reporting System

MR. WILSON:

Mr. Speaker, I would like to direct a question to the hon. Minister of Manpower and Labour. How long has the committee in the Department of Labour, established to study the employee-reporting system, been in existence?

DR. HOHOL:

Mr. Speaker, I will be speaking on this matter under Orders of the Day.

MR. SPEAKER:

The hon. Member for Wainwright.

Property Tax Reduction Plan

MR. RUSTE:

Mr. Speaker, my question is a supplementary one to the Premier. Earlier in the question period there was reference to the food prices and controls and so on. My question to the Premier is, does the government propose to increase the payments of those people who are the direct responsibility of government, in light of the increasing cost of living?

MR. LOUGHEED:

Mr. Speaker, there is no question that the Alberta Property Tax Reduction Plan is probably one of the most effective ways of doing that. It does it in many ways and I could take more time than the Speaker will allow me to respond to that question -- except to say that in a very, very significant way, perhaps to the tune of \$50 million a year, that action is being taken. That action stems directly out of the Alberta Property Tax Reduction Plan.

MR. RUSTE:

A supplementary question to the Premier. There are a few people though that don't benefit from that.

MR. SPEAKER:

Order please. Is the hon. member asking a question?

MR. RUSTE:

Well, to the Premier then. Does that cover the people who do not benefit from the tax reduction plan?

MR. LOUGHEED:

Well, Mr. Speaker, as the hon. member is acquainted, not only does the Alberta Property Tax Reduction Plan with its ceiling of \$7,200 of assessment concentrate upon giving benefit to the people in the middle and lower income groups in our society, it also adds to it the people involved as renters. In addition to that, of course, there has been a substantial degree of direct assistance to the senior citizens of the province in many ways. Again I am afraid I would have to stop there without launching beyond that point. I would be delighted in the course of my remarks in budget debate to expand further.

MR. CLARK:

Supplementary question to the Premier, Mr. Speaker. Mr. Premier, does the government plan to introduce legislation that would prevent landlords from increasing their rent just to pick up the \$100 that renters are getting?

MR. LOUGHEED:

Well, Mr. Speaker, I think that matter would appropriately fall within the scope of debate on the Alberta Property Tax Reduction Plan.

MR. CLARK:

Well, supplementary. But there is no legislation anticipated at this time by the government?

MR. LOUGHEED:

Mr. Speaker, I think the same thing would have to apply. We are proposing to present to the House within a matter of not too many days, the Alberta Property Tax Reduction Plan. I refer the content of that bill to the hon. member.

ORDERS OF THE DAY

MINISTERIAL ANNOUNCEMENTS

Southern Alberta Dispute

DR. HOHOL:

Mr. Speaker, I would like to give the first of two announcements or statements under Orders of the Day.

First, in the matter of The Alberta Labour Act, and a dispute between the Southern Alberta School Authorities Association, acting on behalf of 18 member boards and the Alberta Teachers' Association.

Mr. Speaker, on April 6, 1973 the negotiators for the Southern Alberta School Authorities Association and the Alberta Teachers' Association, assisted by mediation staff from my department, signed a memorandum of agreement settling all items in dispute between the parties except the salary grid. The parties ratified all items in the dispute except the salary grid on April 11, 1973.

I have now appointed Mr. Eric Lesfrud, barrister and solicitor, Edmonton, to act as a single arbitrator in the dispute. Mr. Lesfrud will be meeting with the parties in the immediate future and will make an award by April 30, 1973 respecting the final item in the dispute.

Employee Performance Rating Program

Mr. Speaker, I should like to respond with a statement under Orders with respect to the employee performance rating. The Public Service Commissioner has some time ago, shortly after we came into office, established a committee to review the government's employment performance rating program. The committee consists of a member of the Civil Service Association of Alberta, a representative of the Public Service Commissioner's office, and several members from various departments of government.

The committee's initial studies found that neither the best interests of the organization nor those of the employees were best served by this approach and recommended that a new system be developed and implemented throughout the government service. The committee is presently developing such a system and the new appraisal program will be ready for implementation in the near future.

Prior to implementation of the new program, all supervisors and employees will be expected to attend training programs designed to acquaint them specifically with the purpose and the objectives of the rating system. And in reply to the hon. Member for Calgary Bow it would be my opinion that the findings of the Ombudsman -- and these, of course, were not new to us, we are in agreement with them and this is why this approach has been used by the Public Service Commissioner that clearly the emphasis on the supervisory development programs is properly made.

Latta Case

MR. LEITCH:

Mr. Speaker, because of the wide publicity about the case of Mr. Keith Latta and in particular the publicity about a statement alleged to have been made by Mr. Goncalves to the effect that he had killed the person for whose death Mr. Latta had been convicted, and because of the questions that have been asked in this House about the matter, I feel I ought to make this statement.

Mr. Latta was tried by a judge and jury in December, 1971 and convicted. He later appealed that conviction to the appellate division of the Supreme Court of Alberta and the appeal was dismissed. He subsequently applied for leave to appeal to the Supreme Court of Canada and that court refused to grant leave to appeal.

Thereafter, Mr. Speaker, a statement made by an Edmonton resident was made public. That statement, as I've indicated, was to the effect that a Mr. Goncalves had told the person making the statement that he, Mr. Goncalves, had murdered Mr. Neville, the man for whose death Mr. Latta had been convicted.

Mr. Speaker, after a person has been convicted by a judge and jury and has pursued without success his rights of appeal through the courts of Alberta and the Supreme Court of Canada, in my view it would be a very rare case where a government would take any action to in any way affect the decisions of the courts.

However, Mr. Speaker, when information comes to a government which raises in the minds of the public the possibility that an innocent person has been convicted, there is no doubt that the government responsible for the administration of justice within the jurisdiction where the conviction occurred has a duty to carefully review and examine that possibility.

This has been done, Mr. Speaker. The City of Edmonton Police Force carried out an extensive investigation into the matters raised by the statement I have referred to, including having Mr. Goncalves interviewed in Brazil by members of Interpol and themselves interviewing Mr. Latta. Mr. Goncalves categorically denied either the murder or making the statements he was alleged to have made.

Mr. Speaker, because this matter has been dealt with by the courts of Alberta and the Supreme Court of Canada there is no jurisdiction in a provincial government to interfere with the courts' decision. However, Section 617 of the Criminal Code of Canada provides that the Minister of Justice, on the application of a person convicted, or on the application of someone on his behalf, may grant the relief provided by that section. That relief, Mr. Speaker, includes the granting of a new trial.

Mr. Speaker, I want to emphasize that any action taken under that section is to be taken solely by the federal authority. However, had the information that I have referred to led me to believe that this was a case where there ought to have been a new trial or other relief, I would have been prepared to make representations to the federal government.

But the investigation conducted by the police and the legal review conducted by the personnel of the Department of the Attorney General subsequent to receiving the statement to which I have referred, has not created a situation in which I think the provincial government would be justified in making any representations to the Minister of Justice. Therefore, Mr. Speaker, so far as the provincial government is concerned, it does not propose to take any further action in this matter.

However, I want to stress that an application can be made by Mr. Latta to the Minister of Justice and in that event the province would certainly cooperate to the utmost with the Minister of Justice in any way he might request.

WRITTEN QUESTIONS

235. Mr. Taylor asked the government the following question:

1. With reference to provincial gaols and other provincial penal institutions in Alberta as at December 31, 1972:

(a) What is the total number of staff at each institution as at December 31, 1972?

(b) What is the total number of inmates at each institution as at December 31, 1972?

(c) How many inmates were given day passes at each institution during 1972?

(d) How many inmates were given day passes more than once at each institution during 1972?

(e) How many inmates were transported or chauffeured to universities, colleges or other places of learning during 1972?

2. (a) How many persons were apprehended bringing drugs or liquor into the institutions during 1972?

(b) How many persons escaped from police or guards after their entry into prison during 1972?

(c) How many home-brew stills were located in each institution during 1972?

MR. LEITCH:

Mr. Speaker, I have some comments I wish to make on Question 235. I am not at all clear what information the hon. member wants. The question refers to "provincial gaols and other provincial penal institutions". Now first of all, Mr. Speaker, we don't call them gaols in Alberta. They are correctional institutes. But that is not the substance of the difficulty I have with the question.

I am not at all sure what institutions the hon. member wants information about. Are they those that are administered within the Department of the Attorney General which includes the correctional institutes, the camps we run outside those institutes and out of the institutes, et cetera? But when he refers to "other provincial penal institutions" there is the possibility in my mind that he may be referring to places where juveniles are held, for example, under the jurisdiction of the Department of Health and Social Development.

My suggestion is that the hon. member either withdraw the question and submit it in a form of more particularity about the information he wishes, or alternatively that he amend it now.

MR. TAYLOR:

Mr. Speaker, I didn't hear the last few words of the hon. Attorney General.

MR. LEITCH:

I suggested, Mr. Speaker, that as an alternative to withdrawing it and wording it more accurately, he might amend it now.

MR. TAYLOR:

Mr. Speaker, with regard to "provincial gaols" I had in mind Fort Saskatchewan Gaol, Spy Hill Gaol, and the Belmont Institute. With reference to "other penal institutions" I had in mind the camps that are operated from these particular institutions. I did not have in mind the other correctional institutions operated by the Department of Health and Social Development.

MR. LEITCH:

Well, Mr. Speaker, there are two additional correctional institutes not referred to by the hon. member, the one in Lethbridge and the one in Peace River. Then, of course, Belmont is operated by the provincial government and is within the Attorney General's department. That is the difficulty I am having.

MR. TAYLOR:

Mr. Speaker, perhaps the better thing to do would be to withdraw the question and reword it so we know exactly what I mean.

237. Mr. Henderson asked the government the following question:

What were the reasons for rejection of the request by Shannalta Beauty Products Ltd. of 6124 - 103 Street, Edmonton, for a loan under the Alberta Opportunity Company?

MR. HENDERSON:

Mr. Speaker, on a point of privilege, and for the information of the members of the House, I would like to beg the indulgence of the House to simply table a letter of consent on the part of the president of the company involved in this particular question.

DR. HORNER:

The government is not willing to answer this question, Mr. Speaker, because it brings in to question the principle of, the question of every loan that the Opportunity Company, the Agricultural Development Company, and/or the treasury

branches might make. Surely it is not one of the responsibilities of this Assembly to be a banking institution.

SOME HON. MEMBERS:

Agreed.

MR. HENDERSON:

On a point of order, Mr. Speaker, is one allowed under the rules to reply to the debatable points presented by the hon. Deputy Premier?

MR. SPEAKER:

We might possibly, it might possibly be called a debate. I don't think this is an occasion now for debating the matter. The government is not obliged to answer the question. If the hon. Leader of the Opposition wishes to put in the form of a motion for an answer, he may do so.

MOTIONS FOR A RETURN

236. Mr. Barton proposed the following motion to this Assembly, seconded by Mr. Dixon:

That an Order of the Assembly do issue for a return showing:

Copies of all correspondence between the federal government and the Alberta government from February 27, 1973 to date, with regard to the proposed new rapeseed crushing plant for High Prairie.

MR. STROM:

Mr. Speaker, on behalf of the hon. Member for Lesser Slave Lake, I'd like to move the motion standing in his name on the Order Paper.

DR. HORNER:

Agreed to, Mr. Speaker.

[The motion was carried.]

MOTIONS OTHER THAN GOVERNMENT MOTIONS

1. Mr. Stromberg proposed the following motion to the Assembly, seconded by Mr. Farran.

Be it resolved that the Government of Alberta give consideration to the Alberta Department of Agriculture establishing a separate Horse Industry Department which would co-ordinate all phases of the horse industry in Alberta.

MR. STROMBERG:

Mr. Speaker, the purpose of this motion was to endeavour to convey to the members of this Assembly and to the Department of Agriculture, the need to establish a separate horse industry department within the Department of Agriculture to deal with and coordinate all phases of the horse industry within our province.

Mr. Speaker, I would like to bring to your attention that in the latest census taken last year in Alberta, we had approximately 83,000 horses here and with no stretch of the imagination, we would have to admit that the contribution they make both in recreation and in the agriculture sectors of our economy is very great.

Mr. Speaker, in 1971 and 1972 there were approximately 86 recognized 4-H horse clubs here in the province. And this year that figure has come up to 108. Alberta 4-H horse club members now represent the third largest group in the 4-H movement next to beef and clothing. In 1971 and 1972, Mr. Speaker, there were three draft horse breed associations here and ten light horse breed associations. There are approximately 250 horse clubs duly organized, and I mention that, duly organized, here in Alberta. Also in 1972 there were 35 horse shows conducted in Alberta under the Canadian Horse Shows Association rule book.

Mr. Speaker, under their regulations the points that are acquired by winning horses are tabulated in Toronto and are entered in a Canada-wide competition. Also under these regulations, Mr. Speaker, Canadian horses can compete in the United States and vice versa.

The number of horse shows held annually in Alberta not governed by the Canadian Horse Shows Association is estimated at approximately 200. Many of these, of course, are connected with our agricultural fairs in several categories. Whether these shows, Mr. Speaker, are sponsored by the horse clubs, the riding clubs, the gymkhana clubs, pony clubs, trail horse clubs, or the breed clubs or many others, they are usually held in cooperation with agricultural fairs and with the assistance of the provincial Department of Agriculture.

Mr. Speaker, I would like to point out that at these small shows the interest of the spectators and owners alike is truly remarkable.

Education institutions across Alberta have recognized the need for the improvement of horsemanship, nutrition and equine activities. Our education institutions are providing more extensive courses each year on these subjects. The following institutions now have active programs: the University of Calgary, which is, of course, probably the most advanced that we have in Alberta and is making a strong bid to become the national equestrian centre of Canada. In all probability this will come to pass.

Our University of Alberta in Edmonton here is offering horse nutrition courses for the first time in its history. Lethbridge Community College and Red Deer College offer courses, one on breeding and one on nutrition. Medicine Hat University, Grant MacEwan College and Olds College with a three month course now going into its third year. This college, Mr. Speaker, probably has more facilities and more space than anywhere else in Alberta, as a note of interest, 15 or 16 girls last year took evening courses there.

Edmonton city, under their Parks and Recreation branches, has, for the last four years, horsemanship courses. In addition to these, Mr. Speaker, the Peace River area of Alberta has indicated a strong desire to provide courses in horsemanship.

Mr. Speaker, equine sports rank surprisingly high in recreation value and desires and activities here in the province. In a high school survey taken last winter in the City of Calgary, horsemanship or horseback riding was voted only second to golf, and, I might point out, by a very close margin.

Therefore, Mr. Speaker, if you add all of this and other aspects of the horse industry, such as breeding, feeding, training, showing and judging, interest in horses surpasses by a very wide margin all other forms of recreation desired by teenagers in Alberta. And I think, Mr. Speaker, it is a very important point.

Mr. Speaker, some work is being done here in the Edmonton area conducting horsemanship classes for retarded and handicapped children. Much interest has been created in discussions at numerous breed associations and horse clubs in Alberta for the formation of an Alberta Horse Council that would be involved in both heavy and light horse industries in this province.

Mr. Speaker, Alberta's 83,000 horse population places her in the following bracket relating to other breeds in the provinces:

We are the first in Canada with the number of registered Arabs, first in Canada with the number of registered pintos, first or second in Canada with the number of registered quarter horses. We are first in Canada with the number of registered appaloosas; second in Canada with the number of American saddle breeds; second in Canada with the number of registered palominos; second, again, with registered Morgans; second with the number of registered ponies; sixth in Canada with the number of registered hackneys and seventh in Canada with the number of registered hunters.

Mr. Speaker, Canada's horse population is 300,000. Our province has approximately one quarter of the horse population of Canada, and it is rather sad that with this number of horses we are at the bottom of the list in regard to hunters and jumpers population. At the same time Alberta raises the best hunters and jumpers in North America which are purchased and trained by easterners who perform them to world-wide fame. Shouldn't we do more of this right here in our own province?

Mr. Speaker, let's take a look at some of the dollars-and-cents factors in relation to this industry. There are between \$3 million and \$5 million worth of good horses, and between \$5 million and \$6 million of ordinary and fox horses. Therefore, Mr. Speaker, our horse industry is worth \$10 million to us.

If you look at the horse industry strictly from an agricultural angle and forget about its recreational value, it would appear that the provincial Department of Agriculture might well be justified in giving the Alberta horse industry some very serious consideration and some financial assistance, considering the number and the size of the industry in relation to such matters as the insurance of horses, the tack shops, the saddle and harness making carried on here in the province, the western wear stores and of course, printing of literature, advertising, photography, education courses and construction.

Mr. Speaker, I might point out that small fortunes are being spent in the construction of barns and horse facilities, the carriers' work, the feed industry, the drug manufacturing of veterinary supplies and services, and the selling and buying agencies involved in commissions, also horse racing and pari mutuels which pour \$2 or \$3 million into the provincial treasury annually.

This list, Mr. Speaker, may I suggest, warrants an immediate research into the dollars and cents value of the horse industry in Alberta and its related industries with a view to supporting it financially.

I would like to point out, Mr. Speaker, that France has committed itself to a budget of \$25 million to promote its horse industry over the next 15 years. In our own back yard here in Canada, Hunters College in Ontario has spent \$325,000 to establish an equine education centre and the hiring of four full-time instructors. On the West Coast the Okanagan College has new facilities stabling 88 horses to be used for horsemanship.

Mr. Speaker, the horse industry for the past 20 years has almost experienced a quiet revolution, during which time it has expanded to major proportions. This has been done, and I would like to point out, with very limited financial support from governments through Youth, Culture and Recreation, 4-H clubs, and through rather meagre grants to agricultural fairs to help cover the cost of judges.

Since it is widely recognized that recreation plays an ever increasing role here in Alberta and horses contribute substantially to the filling of that need, may I submit that our Alberta Department of Agriculture, and the Department of Youth, Culture and Recreation should strongly consider establishing a separate horse industry department which would coordinate all phases of the horse industry here in Alberta.

Mr. Speaker, there is one aspect of the horse industry that I, due to lack of knowledge, have not mentioned, and that is the thoroughbred and harness racing and the breeding and the selling of these animals.

Mr. Speaker, there are several members in this Assembly who are directly associated with thoroughbred racing. The hon. Member for Calgary McCall is the owner of a registered thoroughbred called Butcher's Meat. Mr. Speaker, the hon. Member for Edmonton Whitemud has a number of thoroughbreds. One of his horses which I will never forget, was named Fast Buck. Mr. Speaker, I can assure you he was adequately named. It was the fastest buck I ever lost in my life, betting on that mule!

Mr. Speaker, the contribution of the horse to the history of Canada has never been fully recognized. In this year of our North West Mounted Police Centennial, it is the horse that should have been credited with that great march west. The horse and the man behind that plough actually opened up this West. Where would our great ranches of today and those of the past be, or where would the Calgary Stampede be without our horse?

Mr. Speaker, Canada's national emblem is a beaver. When one realizes the tremendous contribution the horse has made to the development of Canada, I suggest, Mr. Speaker, that this noble animal, loved by young and old alike, should have been our national emblem.

Mr. Speaker, in recognition of the contribution the horse has made to Alberta's agriculture, I would like to table this horseshoe.

MR. FARRAN:

Has he finished? Mr. Speaker, that's supposed to represent good luck, but please don't throw it.

MR. SPEAKER:

I'm not aware of any authority for tabling this exhibit, and I don't know whether copies will be made available for other members. It's encouraging that the horse to which it was attached is not being tabled as well.

[Laughter]

MR. FARRAN:

Well, that's right, Mr. Speaker. It's some horse. It looks to me as though it would be a Clydesdale or a Percheron.

Mr. Speaker, I have pleasure in seconding this motion for the hon. Member for Camrose because I agree with every word he said. I am disappointed there are so few members in the House but there are some who, I know, are interested in horses, some on the other side like the hon. Member for Calgary Bow who I believe is interested in harness racing, the hon. Member for Calgary McCall who is interested in both Arabians and thoroughbreds and the hon. Member for Calgary Millican who is interested in wild horses. But it is disappointing there are so few members in the House. I suppose it could probably be likened to addressing a Social Credit meeting in 1975.

MR. FRENCH:

There was a meeting called this afternoon which has taken some of the members to a committee meeting, Mr. Speaker.

MR. FARRAN:

Thank you for your information.

Going back into the beginnings of this province, at least to the beginnings of the southern half of the province, the horse was almost as notable a pioneer as man himself, the man who rode him. And I am not only referring to the horses of the Plains Indians, the Blackfeet, the Piegans, the Sioux and the Crees but also to the white man who arrived just under 100 years ago.

The North West Mounted Police arrived in Calgary at Fort Macleod as troopers mounted on thoroughbreds. The first settlers were cattlemen who rode horses as they still do today, and they laid the foundations and the heritage, the background and the culture in Calgary the city I represent, at least in part.

Before the First World War the horse industry in southern Alberta took many forms. The Bow Valley Horse Ranch in Springbank raised hundreds of Percherons for meat and in those days it was recognized that a horse would beat, on a weight-for-age yardstick or basis, any measurement set by cattle, and I think it still would today whether you are talking about exotic breeds or about the old-line British breeds. When you go for weight-for-age, there is no doubt at all that a horse is a better converter of forage into meat.

There was good blood stock in Alberta in those days and the British remittance men who settled much of the foothill country brought good thoroughbreds with them. These early British settlers largely disappeared during the First World War. They were the fellows of whom Bob Edwards, the famous newspaper publisher said: "My God, they may have been green but they certainly weren't yellow." They went to the First World War and few of them returned.

But some of their horses were left. A large number were bought for remounts for the Canadian army, for the cavalry and for artillery team horses in the First World War, but some were left and even in the '20s the sale of polo ponies to the United States from Alberta was a big business. Polo ponies from southern Alberta were shipped as far away as New England.

Now in the past few years there has suddenly been a comeback for the horse. There is a huge interest in riding in traditional western style especially in southern Alberta. It is a hobby among adults and young not only in the rural areas but also among city dwellers. Gymkhanas are held everywhere; barrel racing, cutting horse competitions, western riding classes at the horse shows grow every year. They can hardly get them in the ring; they have to divide them into about three groups.

The sale and importation of quarter horses and appaloosas, Arabs and thoroughbreds now constitute big business. Many a farmer makes more out of

service fees for a good stud than for a good bull. It is an honest, straightforward sort of business despite the traditional talk about selling a horse and a horse ..[Inaudible].. not being entirely trusted by anyone. But it is a good, sound business. People talk about stocking sloughs with fish, with pheasant farms and so on to boost the farmer's income. They often ignore perhaps the easiest crop of the lot, the horse crop right under their noses.

The variations are enormous. Some farmers already are making a good living out of ponies for instance, many of them for export to the west coast, Welsh ponies, Shetlands, Dartmoor, which require minimum keep in our climate. For myself, my own attitude to horses, I can only express the words that are carried on the top of the Chronicle of the Horse, a monthly magazine well known among horsemen. Those words are, "I freely confess the best of my fun I owe to the horse." I believe that was written by Siegfried Sassoon.

The art of riding in European or English style has never been lost in southern Alberta, or in Edmonton for that matter, anywhere in Alberta. You have to remember that the early ranchers often rode in a flat saddle. If you look at pictures of those early ranching days around 1875 or 1880, many of them were riding in a flat saddle.

The most famous ranchers and horsemen we have had in the south, in the Calgary part of the world, rode both English and western. There were fellows like Clem Gardner who could ride both ways. He rode bucking broncs in the 1912 Stampede, but he also rode in a flat saddle and played polo.

The two methods of riding have different purposes. In a flat saddle there is more contact between leg and horse, not so much leather separating you from the horse. This allows you to give more direct aids in riding. You ride with a milder bit, you are not able to stop as quickly as you can in western style, but you also can use the pressure on the bows of the horse's mouth to control the horse to a greater degree in many ways than you can with western equipment.

But don't forget, it wasn't only members of the Royal Canadian Mounted Police and the South Alberta Light Horse who rode a flat saddle; there were cowpunchers who did too.

But western saddles, of course, have a different purpose. They are a work saddle, and if you are riding all day long they are more comfortable and the saddle horn has a purpose. Of course, no bit is any tougher than the guy who uses it and even though a western bit is a tough curb bit -- if you overdo it you can ruin the mouth of the horse -- if it is used properly you can stop a horse or turn a horse in short order with western riding gear.

But primarily the western saddle is built for work and for long trail riding, sitting and working in the saddle all day, day after day. It is perhaps not built for the type of training of the horse and the use of the aids for which the European type of saddle is built.

In recent years Canadians were proud when we won a gold medal in the Olympics at Mexico City. This was one of the few gold medals we won in recent years, so it is a sport we do well in. We have had many Albertans on the national team, on the show jumping team. We had Torchy Miller from Cochrane, Barbara Simpson from near Cochrane, from the Brand Valley area, the young Myers girl and Gail Ross from up here in Edmonton. We have had a number. Robin Hawn who is the captain of the cross country team, the team that rides over fences on long cross-country trails, is a farmer from Saskatchewan but he rides a lot in Alberta.

We have perhaps the two best western horsemen in the world in Alberta, and I am thinking of Billy Collins of Edmonton and Randy Dunham of Calgary. We have had a dressage champion on the Olympic team in Zoltan Szahlo, who works in the sheriff's office in Calgary.

Our people ride cross-country over fences, they ride over horrendous show jumps, they barrel race, they ride in any conceivable style.

Old timers in Calgary still talk of the days when a horse called Barra Lad jumped over eight feet in the stampede corral. Nobody ever told the Guinness Book of Records this had taken place so it's not recorded in world events. But they swear it did take place, and you can talk to some of these fellows who were there when it happened, that a horse actually jumped over eight feet.

A really good show jumper can be worth as much as \$50,000. Some of those horses that the Canadian team rode were worth in excess of \$40,000 or \$50,000. Good big jumping horses are in world short supply so people scour the world for

this big athletic type of horse. And it's big business in Ireland, big business in Germany. Alberta is presently importing quite a number from Germany. A lot of Hanoverians and Oldenburgers are coming into Alberta at high prices. They are being flown here by PWA. So it's not just a pleasure game. There is business involved there and the opportunity for some people to make money.

Sure you can drive around Alberta and see scrub horses in almost every field, poor horses that have been poorly bred and are worth no more than \$125 or the price they get for fox meat. But if you go to the quarter horse and thoroughbred sales in Calgary you see a different picture. Even a fairly mediocre horse can bring up to \$2,000.

In southern Alberta our climate is well suited to horses. Horses do well in that short blue grass country. They do well on timothy, which grows prolifically in the foothills and is regarded by cattlemen as a poor type of hay. But it's very good for horses. It fetches a premium for horses. They can stand our tough climate. If they are turned out they can hustle for themselves. They will eat snow if there is no water available. They require minimum attention if they are not being worked. They can usually be held by just a single barbed wire.

The other day the various horse clubs in the Calgary area came together for a meeting. There were more than 62 clubs -- different forms of riding and horse clubs -- in Calgary alone representing more than 4,000 active riders. The City of Calgary began to recognize this trend about four or five years ago and set up jumps and bridle paths in Glenmore Park. The City of Saskatoon has municipal stables right in the middle of the city where kids who otherwise couldn't afford to ride can keep horses at minimum cost. I would like to see the same sort of thing in the old Burns ranch buildings in the new provincial park on Fish Creek. I don't know if I will succeed in pushing that point of view, but I think it would be a good one.

The biggest selling childrens' books in the world are books about ponies. Every little girl wants to buy a book about a pony. Whether she ever sees a live pony or not doesn't matter, they like to read about them.

Horse raising is big business too. Don't forget that we have had several very successful race horse breeders around Calgary and that Edmontonians are great bettors. They are great followers of the races in Edmonton and among Canadians Edmontonians are recognized as great bettors.

This is big business providing work for jockeys, blacksmiths, trainers, breeders, the girls who walk the horses in the morning. It's a big industry.

Most popular of all the 4-H clubs in recent years has been the 4-H horse clubs. And they have lots to learn because it's a game that's got a lot to it. You can live a lifetime and still have something more to learn about horses.

The pony clubs in Alberta are among the biggest in the world. The Calgary pony club is the biggest in Canada. It is bigger than anything in the United States, Australia, New Zealand or South Africa, almost as big as some of the big ones in Britain. There are branches of pony clubs throughout the province at Red Deer, Edmonton and several different country points. They are passing on some of their ideas to the new 4-H horse clubs.

It is a wonderful sport for young and old. Certainly you may get into trouble, say, with slow horses and fast women, but you can never get into trouble with fast horses and slow women.

[Laughter]

Well, anyway, apart from the speed of these various animals you will never suffer from sitting on the back of a horse, only sometimes from backing a horse, never sitting on a back.

MR. HENDERSON:

Would the hon. member permit a question? I was wondering if he was expressing from the basis of personal experience, or what is the foundation for the philosophy he has just enunciated?

MR. FARRAN:

All I can tell you is that Winston Churchill once wrote that it's a good way to die if taken at a gallop. It's athletic and it's a risk sport. Many people fail to appreciate this but it is a risk sport and there is quite a

challenge in it. Oh, I should tell you that in riding horses I have broken my back five times and a finger once. But I still ride.

[Laughter]

MR. HENDERSON:

Would the hon. member permit a question? I was wondering, on the basis of that evidence, how he arrived at the conclusion? If I remember the hon. member correctly, I think he said he had broken his back five times and did something else riding horses. I am still wondering how he arrived at his earlier conclusion -- about never getting into trouble?

AN HON. MEMBER:

What are you blushing for?

MR. FARRAN:

I think that page of Hansard should be destroyed.

Anyway, despite these mishaps I still ride and I am a great lover of horses. I have pleasure in seconding the motion of the hon. Member for Camrose. He has told you good horse sense straight from the horse's mouth.

MR. LUDWIG:

Mr. Speaker, I will just be very brief. After listening to the hon. Minister speak about riding horses, it reminds me of a story about a cowboy who just got through riding a very tough bronco. He was asked by a lady, "Mr. Cowboy, doesn't riding these tough horses give you a headache?" And he said, "No, m'am, on the contrary, the reverse is true."

[Laughter]

I would like to support this motion. I believe it has certainly good intentions. But I was not happy with the fact that they refer to horses as being a "horse industry". My association with horses, whether they were thoroughbreds, fine horses or ordinary plugs, that somewhere somebody owned that horse and loved it as much as if it were a blue blood. A lot of these little plugs and little ponies you see out in the country that may not be all that well-bred may have a lot more care and affection than perhaps some of the finest that you see in this country.

I heard the Honourable the Lieutenant Governor talk to the Arabian Horse Breeders' Association about the ordinary plug, the cayuse, as a horse is commonly called in western Canada. He referred to it as the horse that actually won the West.

So, in supporting this motion, Mr. Speaker, I believe that it is perhaps a good motion and that there should be some emphasis placed in the Department of Agriculture insofar as horse breeding in this province is concerned, no matter what the purpose may be, whether it is for racing, or showing, or just as pets, or for whatever purpose.

One concern that I have about the great number of horses that are owned, particularly in the areas of the cities -- and this point was very strongly brought to the attention of the public a couple of years ago -- is often that horses that have not good accommodation are exposed to severe cruelty, particularly in the wintertime.

AN HON. MEMBER:

Hear. Hear.

MR. LUDWIG:

There were horses east of Edmonton I believe, just near Sherwood Park a couple of years ago that died of starvation and froze to death because they couldn't cope with the winter. This is one aspect I believe the Department of Agriculture can zero in on to check and watch that these animals do not suffer unduly because they are not provided for properly, are without owners or because the people who own them just don't know any better or are cruel in any way. Because the horse is not looked upon, in fact, as an item of industry as much as the beef industry may be. It isn't entirely a commercial venture. Most people

who have horses just keep them as pets, and referring to this as an industry is not always correct.

On the other hand when we talk about the type of horse that the hon. minister just spoke about, the race horses, these are usually owned and kept by people who can afford to keep these horses. By and large I believe that is true, although many, I suppose who are able to afford race horses end up not being able to afford anything because of the nature of the business.

But I do believe that when we talk about a horse industry we should look at the kind of action that would foster horse breeding and horse raising in this province to a greater extent than we have, but with some emphasis on overseeing the fact that perhaps these animals ought to be protected from cruelty. Where the owners cannot provide for them or do not keep them under proper circumstances the government should be able to act to deprive these people of the animals that they own.

MR. HO LEM:

Mr. Speaker, I take pleasure in rising to support this motion and at the same time to offer a few brief comments because I feel this motion is a good one and because the subject of horses has always been very close to my heart and to my pocketbook.

Today, Mr. Speaker, more and more people are becoming aware that the horse industry in Alberta is an important industry with a splendid potential for extensive future development. With proper support and careful planning, I believe Alberta can fast become known and regarded as the Kentucky State of Canada.

Alberta now can boast of the best pasturelands in Canada. We grow the finest hay and feed. In fact, Alberta alfalfa, broom and timothy is the best you can purchase. Our climate is most conducive to the raising of horses, and contrary to some of the thinking that our cold winters are hard on horses, it in fact, serves to harden up our horses and build up their stamina, a quality which is a 'must' in all good horses.

Our summers are considered ideal for young growing horses to develop to their fullest conformation. As proof of all these benefits in Alberta, it is a proven fact that Alberta bred horses are held in high regard because when you look at the results of these horse sales held in Alberta, you find that many many people from outside the province come and participate in a very substantial way in buying Alberta horses and then exporting them to other parts of the world.

Mr. Speaker, because I have already declared my interest in horses and have given you several reasons why, I would like to speak briefly on only a few of the many current equestrian activities in Alberta. The area which I wish to cover would be limited to recreational riding, pony clubs and 4-H club horse activities, adult education involving horses, horse show activities in this province, rodeo and stampede activities and lastly, thoroughbred and standard bred racing in Alberta. After a few brief comments on each of these, I would like to give a few suggested recommendations as to how we can improve the horse industry in Alberta.

Firstly, Mr. Speaker, on recreational riding. Today, as already expressed, there are thousands and thousands of horse lovers in Alberta who own their own horses. The trend towards this ownership, Mr. Speaker, is on the increase. The only drawback in this, and it has already been expressed, is the lack of outdoor facilities, riding facilities so that these people may go out and enjoy the outdoors. What we need is more development of bridle paths, particularly within convenient distances of the larger centres.

I think that municipalities and the province should take definite steps in making provision for these facilities so that more of our citizens can take part in this good sport and recreation.

I read with interest this morning that the City of Calgary is taking initial steps in providing such a bridle path. It starts in my constituency, the proposal, going along the south side of the city's boundaries and then over to the hon. Premier's constituency.

In the area of pony clubs, Mr. Speaker, in this province, as already mentioned, there is a great deal of activity in pony clubs. These clubs are mostly operated by volunteer instructors and they are dedicated to giving the basic instruction necessary to our children ranging from 6 to 16 years of age in

the art of equitation, in the art of communication as was mentioned by the hon. Member for Calgary North Hill, how to give aids and signals from the rider to the horse to develop various gaits as to a hand gallop or extended trot or a slow trot or changing gait, changing diagonals, changing leads and that sort of thing. And this is quite an art.

The children are given, at these clubs, basic instruction in the care of horses, not only owning a horse and riding a horse, but how to look after them.

The major problem, Mr. Speaker, facing these children and the clubs is the lack of funds to provide for the renting of facilities, particularly in the winter when indoor facilities are needed to conduct these courses. I would suggest that certainly, consideration be given in this area of need.

In the way of adult education programs at the University of Calgary, presently, under the adult education program there are courses dealing with equitation, dealing with the care and feeding of animals, the breeding. These classes have class demonstrations in western and English riding and basic jumping. Mr. Speaker, enrolment in all these courses is beyond all expectations and some courses are presently oversubscribed.

The interesting thing to me is that the enthusiasm in horses is shared by people in all walks of life, business people, professional people, people of all age categories.

In addition to the many activities which we see in the educational system, I believe that the activities in horse showing which were mentioned by the hon. member across -- in Alberta we have a very high calibre of horse shows. We have the local horse shows, we have provincial horse shows, national horse shows, and international horse shows. On the local and provincial levels there is very keen and exceptional competition. In the area of national and international shows, entries are received from all areas of North America from as far away as Mexico. The quality of horse shows in Alberta is, indeed, very high. But I would like to make this remark. There are not sufficient local horse shows for the children, for the younger people, because the distance required to travel from one horse show to another creates a problem.

Mr. Speaker, in the area of rodeos the Calgary Stampede, complete with its chuckwagon races, is tops in the world today. Our smaller rodeos, starting in June and extending way into September, are a real tourist attractions. They draw many, many of our tourists to the smaller centres which hold annual rodeos. We can be proud of the international achievement made by Alberta cowboys. We think of people like Pete Knight, Harmon Linda and Mighty Will, all Albertans who have made their mark in international competition. Our rodeo stock is in great demand. The highest demand for Alberta horses is in rodeo stock because of the strength and the stamina of horses raised in Alberta. I believe that the government can now well afford to look into the possibility of government participation in purses and prizes in order to encourage even more the development and competition in this area.

I think it is about time for the government to think about setting up an insurance fund, and other benefits ought to be set up for our competitors. This is a hazardous sport, a hazardous profession which is bringing many, many benefits, in addition to monetary benefits, to this province.

Mr. Speaker, the 1972 Alberta Racing Commission Annual Report brings to the forefront the magnitude of the racing industry in Alberta. Nearly \$50 million has been spent in the pari mutuels, and in this coming year an increase is anticipated. No longer is the sport regarded as a sport for kings, even though we have people such as the hon. Minister of Intergovernmental Affairs actively engaged in this industry, and also my hon. colleague, the Member for Calgary Bow, who boasts of a stable of 38 head of horses. It is to me the \$2 bettors who keep the racing industry buoyant and healthy and on the increase.

It would seem about time the government began pouring back some of the revenues received, in providing better facilities and, indeed, participating in some of the major purses being offered to horsemen. The old adage that you only get back what you put into it seems to be very, very applicable at this time to the horse industry.

Mr. Speaker, may I suggest to the government ten simple and very basic recommendations for it to consider.

1. Breeding bonuses ought to be awarded for top Alberta breeders.

2. Government owned stallion services should be made available to approved mares at nominal prices.
3. Alberta registry should be established for Alberta-bred horses.
4. Instructional school in horse show judging should be established. At the present time we have several international horse judges from this area, including our Lieutenant Governor, the Honourable Grant MacEwan.
5. Alberta stake prizes in all classifications, including showing, both western and English, jumping and racing, ought to be offered by the provincial government as an added incentive to the private contribution made by citizens and industry.
6. The implementation on an annual basis of an Alberta Winter Fair specializing in the showing of all breeds of horses, competitions and rodeos to be included as a feature attraction in this fair.
7. Provincially sponsored courses in the care and breeding of horses. Government loans ought to be made available to those people wishing to go into this field as a business proposition.
8. An Alberta veterinarian college specializing in equine studies ought to be considered for Alberta. The present arrangement with the western college at Saskatoon is not satisfactory because we are only able to add six new students from Alberta in this college at the present time, and that is not very many.
9. Development of a north-south bridle path through the province along the foothills with access to this trail at strategic locations for the use of recreational riders. This could be a Canadian counterpart to the trail which was developed in the U.S. which starts in the State of Washington and ends near Mexico. We have the land; why don't we do something about it.
10. Apply to the federal government for the transfer of jurisdiction of all racing responsibilities to the province. I think we should hurry along on this final recommendation because it is very much needed. We need local autonomy in order to promote racing in the Province of Alberta.

Mr. Speaker, in conclusion, it is indeed a pleasure for me to express some of my views on this subject which I hold so dear, and I would appeal to the members of this Legislature to give their support to this motion.

MR. DIXON:

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

MR. SPEAKER:

May the hon. member adjourn the debate?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

Does the hon. minister wish to ask the speaker a question?

MR. PEACOCK:

Yes, Mr. Speaker.

MR. SPEAKER:

The last speaker, I mean to say.

MR. PEACOCK:

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

MR. SPEAKER:

I believe the debate has already been adjourned by the hon. Member for Calgary Millican.

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

Bill No. 206, The Family Homes Expropriation Act

MR. LUDWIG:

Mr. Speaker, I once again have pleasure in speaking to the principle of this bill. This matter has been debated at length before but I feel the principle embodied in this bill is sufficiently important to bring it to the attention of the hon. members again, with a view to urging the government to either implement this bill or to bring in legislation embodying the principle of this bill at the earliest possible date.

I wish to point out, Mr. Speaker, that in debating the principle of the bill during the last session, it appeared that almost everyone who debated the bill agreed with the principle of the bill, and I am suggesting that is all we are debating or ought to debate on second reading of the bill. There are times when even a good bill might have sections not acceptable to hon. members, and therefore it is not fair to debate the principle of the bill and at the same time to discuss specific sections which could be amended in committee.

I am bringing this to the attention of the hon. Speaker so that in debating the principle of this bill in this session, we deal with nothing but the principle. If an hon. member does not agree with the principle he may oppose the whole principle of the bill, but not to seek some minor matter in the bill with a view to perhaps casting an adverse reflection on the bill as a whole.

It is amazing, Mr. Speaker, what remarks bring great joy to the Deputy Premier. I am glad I cheered him up somewhat. It isn't often that I can make him laugh.

Mr. Speaker, some of the reasoning against a bill of this nature is that, since the government intends to bring in major revision to expropriation legislation in this province in due course, perhaps one ought not to proceed. I would like to point out that certainly the studies conducted by the Institute of Law Research and Reform and the recommendations made indicate that perhaps the field of expropriation law in Alberta requires some major revision. That does not alter the fact that the principle of the bill proposed can be implemented without affecting adversely any of the present legislation. Perhaps with one or two minor amendments to the legislation, the principle of this bill can be embodied in our present legislation. Then the government may in due course, when it is good and ready, bring in major revision.

Now sometimes a government can move awfully quickly in bringing in major revisions to legislation, but sometimes it might take two or three years. It does not appear that the government is prepared to move in any major way on expropriation revision in this province at the present time. Therefore, I am urging the hon. members to consider this point when voting on the principle of this bill.

It is not the first time that this particular principle is brought to the attention of the hon. members. The hon. minister, Mr. Dickie brought an amendment that by and large embodies the principle in this bill to this Legislature I believe three years ago. And if this legislation was needed three years ago, Mr. Speaker, it is all the more necessary today because there are many changes; urban renewal, new roads going through, and more public projects being built in areas, which require expropriation of private homes. For that reason the issue is a lot more urgent today than it was in the past. Things are moving a lot faster in this province, particularly in the cities, and therefore the social problem that exists with regard to expropriation of people's homes is more urgent today than it was in the past. And there is every indication is that the problem will not subside but will become more aggravated as time goes by.

The recommendation of the Institute of Law Research and Reform which is chaired by Dr. Bowker touches on this issue, and I would like to read just a bit of what is said in the latest report submitted to the government, that is report No. 12 dealing with expropriation dated March, 1973. Under the heading, "home for a home," here is what the report says:

The next topic is that of expropriation of a residence where the owner is dispossessed and where market value plus the usual items for disturbance would not be a fair compensation. This is colloquially called "home for a home". There are cases where the home-owner can not go out and acquire equivalent housing premises for the amount of the market value of his

expropriated home. He is forced to pay more for a home that is at least the equivalent.

Newfoundland has an elaborate statute especially dealing with this subject.

This bill before the House, Mr. Speaker, is based almost entirely on the Newfoundland statute.

Ontario covers it in one section (section 14). This section was not based on any recommendation of the Law Reform Commission which thought this subject to be outside its terms of reference. The Commission had recommended the establishment of financial relocation programs in connection with urban renewal. Canada's section 24 (6) is to the same effect as Ontario's provision but it specifies the date at which compensation is to be fixed as the earlier of the time of payment on the time when the Crown becomes entitled to possession.

I am quoting this recommendation to indicate that this principle is accepted by those who have reviewed the issue of expropriation very thoroughly. So there is not much more that I could add to the debate on the principle of the bill that is not embodied in the bill itself or that I have said to the present time. So there is not much more that I could add to the debate on the principle of the bill that is not embodied in the bill itself or that I have not said to the present time.

But I would like to stress that it is not that difficult to implement a section in our present expropriation legislation to give the people the remedy this bill proposes and not at all insisting that it be implemented in the exact manner in which it is proposed, in which the bill is written.

I'm saying that the main purpose of an opposition member in proposing a bill of this nature is to bring the matter to the attention of the Legislature. Certainly one could not say that the issue is not timely; nor can one say that the people do not expect this legislation in the near future. I am saying that any homeowner might find that his home is the next home to be expropriated. No one knows when some government, either local or provincial, will decide to put up a public building or some public project which would require a home to be expropriated. This can happen whether it's in a poor district, in a downtown district or in a residential area. That every homeowner ought to be concerned or is concerned is certainly a fact.

I believe that in delaying passage of this bill because the government is thinking of implementing or bringing in a major revision to the legislation is not really relevant. I believe that if the government said we're working on it now and the major revision to legislation is imminent, it certainly would not be wise to proceed with a portion or an important amendment, even though a small amendment. But if the government is thinking of bringing in legislation a year or two down the line, then I believe it is incumbent upon the hon. members to take a good look at this section and not to consider the side from which it is proposed to determine whether this is necessary, and to bring this legislation in.

As I have stated, Mr. Speaker, I am not too concerned in what form the government would determine that the legislation is put into the existing legislation. I'm arguing against delay because there is no hope held out to the people who own homes which may be expropriated of a remedy to which I think they are entitled.

I believe when an individual is deprived of his residence for the good of society as a whole, that society does not mind paying him a sufficient amount to relocate him properly so that he doesn't have to go into debt, so that he does not have to borrow money for a bigger home than he can afford when he was quite content to live in a smaller, older home.

The principle of this bill is aimed primarily to help those who are financially chained to their property. By this I mean that if they are deprived of the location and the specific property that may be paid for, and perhaps has a tenant or a bit of revenue coming from it, that these people are thereby subjected to a hardship and a great deal of worry because it had financial security, no matter what its level. They were settled, they were paid up in full and now they must give up the home for perhaps \$20,000 and seek to buy one elsewhere, even though a better home, for maybe \$30,000.

People often are elderly or unemployed or disabled, and they cannot earn more money than they are getting at the present time. To these people this situation which exists in Alberta at the present time is a particular worry. They have not the peace of mind they ought to be entitled to and if they are expropriated they must wonder, where do we go from here?

On that basis alone, Mr. Speaker, I urge the hon. members to support the principle of the bill. I believe if the principle of this bill is voted upon and supported in this House it would be an indication to the government, to the hon. Attorney General, to either expedite the revision of our expropriation legislation, or for the time being to bring in this bill. It would be a minor amendment. It could be done in this House this year and perhaps bring peace of mind to a great number of people in this province.

Mr. Speaker, with those remarks, I urge the hon. members to give consideration to this bill. In view of the debate that took place on this bill last year, perhaps this bill ought to be voted upon during this session. Thank you, Mr. Speaker.

MR. KOZIAK:

Mr. Speaker, almost a year ago to the day, a bill of exactly the same wording appeared before this House under the number 203. At that time, Mr. Speaker, I commended the hon. member for bringing in the bill and agreed fully with the intent of the bill. At that time I also suggested, Mr. Speaker, that the bill should, however, await the outcome of the report and studies of the Institute of Law Research and Reform prior to any action being taken on the principle which the bill propounded.

As it happens, the report of that institute is now in and has been in for something in the nature of eight days. I have had an opportunity, Mr. Speaker, to consider a great portion of the report, although I haven't had an opportunity to study it in detail. I agree with the principle as I did a year ago, and I find that that principle is supported by the report.

I question, however, the advisability of enacting the bill in its present form having regard to the numerous other recommendations and suggestions contained in the report. The report, as a matter of fact, has appended to it, in Appendix D, a model of an expropriation act. This goes on for some 50 odd pages, Mr. Speaker. In this appropriation act the committee deals thoroughly with the whole aspect of expropriation and with the whole aspect of compensation. The principle of a home for a home is only one aspect of compensation, one head of damages for which a homeowner should be recompensed.

Now there are some interesting suggestions in the report, some that I find with favour, some that I question. I am particularly pleased with the provisions in the proposed Act for an inquiry.

Mr. Speaker, the proposal of the institute is that upon receipt of notice of intention to expropriate, the homeowner will be given the opportunity to object to the expropriation, whereupon a hearing will be fixed and an inquiry officer appointed to hear the objections. In dealing with the objections under the proposed subsection 7 of Section 15 of the act, the inquiry officer shall inquire into whether the intended expropriation is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority, and in the case of a municipality, shall inquire into any objection to the objectives themselves.

Now under the present procedures, Mr. Speaker, if a homeowner objects to an expropriation -- assume that this is within the City of Edmonton and the expropriating authority is the City of Edmonton -- then his objection would be heard by the council of the City of Edmonton which, in fact, is the expropriating authority. The same person hears the matter as the proponent, the taker, hardly in concert with our present concept of national justice.

Mr. Speaker, under this proposal an independent officer would hear such objections and both the expropriating authority and the owner would have an opportunity to present evidence to this independent officer, and he could then determine whether or not the particular expropriation is necessary. And in the case of a municipality, Mr. Speaker, he can even question whether or not the municipality's objects are correct.

The point which comes to mind here and the example which comes to mind is the proposed freeway which was to link the new 105 Street Bridge and at the same time destroy a large part of old Strathcona in my own constituency. A number of years back the City of Edmonton wrote letters to a number of home-owners in the

area, advising them that they wished to purchase the property as the property was required for this freeway. In fact, a number of homeowners in the area sold because they felt they had no choice, the city was coming, they were going to put a freeway through their house, they might as well sell.

As it turns out now, Mr. Speaker, after that step had been taken, after a number of people had sold their houses and moved out of the area, a decision was made to hold a public meeting of a couple of days to determine whether or not a road system should go through the area. Objections by surrounding residents were raised at this meeting and to date, a number of years later, that freeway has not proceeded.

Now that situation could have been avoided under the proposals of the institute. The decision as to whether or not those objectives of the expropriating authority were correct could have been dealt with by an independent inquiry officer in advance of any expropriation commitments. And I hail that provision.

An extremely timely and excellent recommendation is the one which uses a new word, the word "proffer", which appears in Section 26 of the proposed Act.

Mr. Speaker, the suggestion of the institute is that where an expropriating authority wishes to expropriate and after the inquiry officer has made his recommendation, that the expropriating authority make an offer based on an appraisal and submit to the homeowner the appraisal, and at the same time immediately make the money available. Not after a long hearing, but immediately.

The owner has this opportunity at this point: he can accept that money, but without prejudice to his right to claim more. So he isn't put in the position of a pauper while he pursues his rights. And that is an extremely timely provision, Mr. Speaker, and one that I would like to see in any bill that deals with the expropriation of family homes.

Concurrently the same section provides, Mr. Speaker, that the owner who has now received this proffer can hire an appraiser and hire legal advice knowing full well that the expropriating authority must pay for this. He is not under any feeling, Well, you know, what if I hire an appraiser for \$300, \$400, or \$500 and he comes up with a price that is less than is offered to me. You know, can I afford that kind of money? Or, why should I pay a lawyer for advice in this regard? Can I afford that kind of money?

He doesn't have to worry about whether or not he can afford that kind of money because the Act would provide that upon receipt of this proffer he could then retain legal counsel and an appraiser knowing full well that the cost of legal counsel and the cost of that appraiser would be borne by the expropriating authority. So after taking these steps he can rest assured that either that offer is correct or it's incorrect and he should pursue his remedies further.

In arriving at his decision he isn't burdened by the financial expense incurred in obtaining the required information to make that decision.

There is a further provision, Mr. Speaker, and it is an interesting one that permits the owner where the expropriating authority after taking the property, after taking the property the expropriating authority, decides it doesn't need it or it doesn't need all of it. The proposed act, Mr. Speaker, would give to the owner of that property before it was expropriated an option to repurchase it for two years after expropriation. Another excellent piece of legislation.

Dealing with the item of damages, Mr. Speaker, which is primarily the --

MR. LUDWIG:

On a point of order, Mr. Speaker. It is my understanding that when one debates the principle of a bill one should debate the principle of the bill before the House and not deal with sections of the bill. But now the hon. member is dealing with sections of other recommendations which are entirely -- I believe he has gone a bit too far. He is getting into all kinds of expropriation recommendations that have nothing to do with the principle of this bill. It is almost tantamount to suggesting sections of major expropriation revision, which are not covered in the principle of the bill. I do believe that the hon. member is out of order because he has gone too far --

MR. GHITTER:

On a point of order, Mr. Speaker. Mr. Speaker, if the hon. Member for Mountain View feels that he can hide this somewhat shoddy piece of intended legislation before the House by suggesting, Mr. Speaker, that we can only talk about the principles of the bill, by limiting us because of the poor approach that is being taken to this problem, I think that he is mistaken. Surely my learned friend from Edmonton Strathcona is --

[Interjections]

If you have something to say, you can have your moment to do it --

MR. HENDERSON:

Mr. Speaker, I've tried to point out to the member --

MR. GHITTER:

Well, when I'm finished.

MR. SPEAKER:

Order please.

MR. GHITTER:

Mr. Speaker, may I submit that surely we should have the broadest latitude with respect to the debate of the principles of this bill. There are many principles contained in this so-called bill with respect to approaches, procedures, which are indeed principles of expropriation, that my learned friend from Edmonton Strathcona is alluding to. Possibly the hon. Member for Calgary Mountain View can't understand what my learned friend was suggesting, but surely we must have the broadest latitude in this debate.

MR. LUDWIG:

Mr. Speaker, responding to that point of order. I believe that the hon. member who has just spoken has fairly outdone himself compared to his previous efforts. There is no point in abusing anybody's understanding or lack of understanding. I have my opinion of his. But this is --

[Interjections]

Yes. But this is not part of the principle of the bill. Yes. There is nothing more interesting than when an hon. member starts becoming abusive because he can't challenge the principle of the bill. And he spoke in favour of it last time.

I raised a point of order for the Speaker's consideration. I did not necessarily state that he is not on the topic, but I felt that he had gone far afield as to the principle of the bill before the House. I believe that the hon. member wasn't even here when I made my remarks and perhaps that's why he is flapping his ears in the wind.

MR. GHITTER:

On a point of privilege, Mr. Speaker.

MR. LUDWIG:

Yes. Mr. Speaker, I'm up on a point of order and I am --

MR. SPEAKER:

Order please. The hon. Member for Calgary Buffalo is now raising a point of privilege.

MR. GHITTER:

The suggestion, Mr. Speaker, that I was not in the House at the time the learned Member for Calgary Mountain View made his comments is indeed fallacious. I was here and for what it's worth, I heard what he said.

MR. LUDWIG:

Mr. Speaker, may I continue with the point of order? If he was here, he didn't stand out as prominently as he usually does. I am sorry that I overlooked him. But I looked that way and if he was here, he wasn't here all the time. Yes.

MR. SPEAKER:

Has the hon. member anything further to say on the point of order?

MR. LUDWIG:

Yes, Mr. Speaker, thank you. In discussing the principle of a bill, I made mention in my remarks previously that the hon. members will agree with the principle and then find some remote issue to attack the principle on. And I am suggesting that the hon. member who just spoke, the hon. member Julian Koziak, has gone into --

MR. SPEAKER:

Would the hon. member refer to other hon. members by their constituency rather than by their names.

MR. LUDWIG:

Mr. Speaker, with humble apologies. For the time being I forgot the constituency he comes from -- Edmonton Strathcona.

MR. HENDERSON:

It's not hard to forget.

MR. LUDWIG:

Yes. And I suggest, Mr. Speaker, that had I wanted to review the whole report that I got here about three weeks ago, I could well have done it and been talking beyond the principle of the bill. That is exactly what the hon. Member for Edmonton Strathcona is doing. He is reading this report that he said he had only eight days ago. I happen to have received it about three weeks ago. For that reason the hon. member is out of order in debating the principle of this bill before the House.

MR. SPEAKER:

There are very few bills in my limited experience which express only a single principle. The purpose of debate on second reading, as I understand it, is to get down into the actual text of the provisions of the bill, and insofar as I am aware, it is quite in order, when debating the principle or principles of a bill, to point to provisions that may have been omitted. I would say that within the latitude which is ordinarily allowed in debate, the debate which points to omissions in a bill may well be in order and appropriate on second reading.

MR. KOZIAK:

Mr. Speaker, continuing, and armed with additional material which I was able to gather during the course of the mini-debate, I might point out that I thought I had suggested at the beginning of the debate that I was completely in accord with the principle. However, my contribution to this debate is directed toward showing the House why I cannot vote for the bill at this time. As a result, my debate goes in that direction, and I indicate that I cannot vote for the bill at this time because of its being completely incomplete.

MR. LUDWIG:

I really don't expect you to vote for it.

MR. KOZIAK:

That's a Charlie Drain.

MR. LUDWIG:

I wonder if the hon. member, in making the remark he did, was aware of the fact that this principle was a Conservative election promise?

MR. SPEAKER:

Order, please.

MR. KOZIAK:

Thank you, Mr. Speaker. Yes, Mr. Speaker, I was well aware of this and as a matter of fact this matter was a large plank in my own personal platform, because of the concern of the number of constituents in Edmonton Strathcona with this very problem.

However, Mr. Speaker, as I have indicated throughout the course of this debate and also a year ago, the bill that was introduced a year ago and its twin sister this year do not solve those problems. I'm looking toward solving all the problems and not just a small portion of them.

MR. HENDERSON:

Amend it.

MR. KOZIAK:

Now, dealing with the matter of damages, which Bill No. 206 directs itself to, the report approves the principle that a home-owner, when being compensated for the loss of his home, should be given, after the tribunal fixes the market value for that home, the tribunal should go on and calculate a further figure, an additional amount of compensation which would be necessary in order for the owner to relocate his residence and accommodation that is at least equivalent to the accommodation expropriated.

Now it goes further, Mr. Speaker. Not only does it provide that this difference should be allowed, but it also provides that if there is an increase in the cost of such new accommodation between the time of expropriation and the time when the new accommodation can reasonably be obtained, that should also be paid.

Now that is an extremely important principle in an inflationary market. Members of this Assembly, Mr. Speaker, I'm sure, are knowledgeable of a number of circumstances under which expropriation proceedings commenced in one year and were completed a year or two or many years later. The inflationary market we have experienced in the last few years shows the large increase in the cost of a home which can arise in that short period of time. And that is a further principle that must be included in any legislation which deals with the principle of a home for a home in compensation for expropriation.

There is a further principle suggested in the new bill with which I wholeheartedly agree, Mr. Speaker, and that is the principle which will permit an allowance for the inconvenience of relocating and the costs of finding another house. It would be five per cent of the compensation payable, in respect to the property taken, or the actual amount expended, whichever is the greater. Again, Mr. Speaker, an extremely important principle in determining the damages that a home-owner suffers when his home is expropriated.

I question one conclusion that the report has come to, and I raised this problem in the debate on Bill No. 203 almost a year ago today. That was the area of what happens before expropriation, before the expropriating authority decides to serve the notice of intention to expropriate as provided for under this report.

Mr. Speaker, presently The Municipal Government Act requires, under Section 130 in the case of a municipality, that the municipality shall first negotiate with the owners and occupiers of such land or other persons interested therein for the acquisition of the land by a group. And in case it cannot acquire the land at an acceptable price by agreement, the municipality may acquire the land by expropriation pursuant to The Expropriation Procedure Act.

Now that section, Mr. Speaker, requires the municipality in good faith to sit down with the home-owner and say, "Now listen, we need your home for a specific purpose, we would like to buy it from you." There is no threat of expropriation hanging over them. This is just two parties sitting down at the table, one having something the other wants and the other making the offer for it.

This procedure is an extremely important procedure, Mr. Speaker, because my thought is that if we eliminate this prior negotiation, as suggested by the

report, we could develop a type of polarization between the home-owner and the expropriating authority that we don't want in our civilized society.

I would imagine how I would feel if one day, on picking up the mail at home, there were a piece of paper from, say, the City of Edmonton saying: "We are intending to expropriate your home and we have just filed the notice at the Land Titles office." Boom - just like that. Nobody has come along and asked to buy my house. They have just said they are taking the house.

Immediately the hair on the back of my head would go up, and I am sure the same would happen with almost anybody. Immediately you have a polarization and at that point it becomes very difficult for the two parties to get together, Mr. Speaker, and negotiate the sale and purchase on amicable grounds.

The alternative, Mr. Speaker, if there isn't such polarization is the submissive situation where the home-owner submits, well, that's the state, the state is all-powerful what can I do and from then on, and for the rest of his or her life, complains about the treatment that person has received at the hands of the state, again something that, in our society, I don't think we would like to develop.

So, Mr. Speaker, in any expropriation act I would urge that provision for prior negotiation be mandatory before the right to expropriate be given to the expropriating authority and that the prior negotiation be a condition precedent to any rights to expropriate.

And with those thoughts, Mr. Speaker, I reiterate my earlier comments that insofar as Bill No. 206 is concerned, I agree with its principle. However it represents a very, very small segment of the solution to the problem that we have at hand.

My own recommendation, my own suggestion to the members of the House is that they carefully consider the proposed act in the report of the Institute of Law Research and Reform and that legislation in this form but requiring the prior negotiation, be introduced to this House as quickly as possible. This, I think, is the answer to the problem that the members of this Assembly face in their constituencies. This is the problem to which we must address ourselves, Mr. Speaker.

MR. GHITTER:

Mr. Speaker, hon. members when they generally enter a debate will normally say that it gives me great pleasure, or gives me a pleasure to enter this debate. I won't say that this afternoon. Hon. members normally say that they commend the member on the other side for presenting a particular bill and I won't say that this afternoon either.

Mr. Speaker, as you are well aware, at this time last year we debated a bill identical in terms to the bill being debated in principle this afternoon. It appears that the hon. Member for Mountain View didn't learn anything from the debate that occurred last year at this time with respect to his bill. For had he paid any attention to the statements of the hon. members who were endeavouring to debate the principle of the bill, he would have had reference to the comments that were made by some members to the effect that the bill was brought forward for political motives, that the bill was incomplete, that the bill was not good enough, that the bill was nothing but a political exercise and unfortunately a very poor one, that the bill was too late and should have been brought in years ago by prior administrations, that the bill didn't meet the requirements the people of the Province of Alberta are entitled to, and that the bill basically should go back to the drawing boards.

Now, all of these things were set out in --

MR. LUDWIG:

Mr. Speaker, would the hon. member permit a question? If the remarks the hon. member is making -- why is he repeating that garbage here again --

MR. SPEAKER:

Order please.

MR. GHITTER:

Mr. Speaker, if the question is, would the hon. member permit a question, I think I am entitled to state my point of view and when I am finished I would be

happy to try and elucidate -- only out of respect for the fact that you had apparently gotten on your feet on a point of order --

MR. SPEAKER:

Order please. Would the hon. member please address his remarks to the Chair?

MR. GHITTER:

I apologise, Mr. Speaker.

AN HON. MEMBER:

I don't believe him.

MR. GHITTER:

Mr. Speaker, when we debated the bill last year, all of these comments were made by the hon. members. Our Attorney General suggested in the debate that it was a highly deficient bill in both principle and procedure.

MR. LUDWIG:

So is his department.

MR. GHITTER:

The hon. Member for Mountain View obviously wasn't listening, for now he has the affront to the House to come forward with a bill that is identical in terms. The debate that was presented talking about the principles that were not acceptable to the House --

MR. LUDWIG:

On a point of order. I wish to assure the hon. members in this House that I was listening and I read Hansard and I am well aware of what he is saying. How can he accuse me that I wasn't listening when I was, very carefully. I didn't learn anything --

[Interjections]

MR. SPEAKER:

Order please. Order please. This is not a point of order. Possibly we should get the debate back on the track and not be discussing motives or intelligence or lack of it or anything of this kind. Deal with the merits of the bill on principle.

MR. GHITTER:

I quite agree, Mr. Speaker. My comments were only by way of preamble so that --

[Interjections]

-- so that the members of the House could recollect what occurred last year when we had to deal with this very same bill.

In any event, once again the bill has been brought before us, I take it in a well-meaning way, on the basis that there are some principles here that should well be discussed.

I see the Member for Calgary Mountain View is so interested in what we are discussing that he is leaving the Assembly.

MR. LUDWIG:

I can read it later on.

MR. GHITTER:

Mr. Speaker, may I suggest that the bill we are presently being concerned with from the point of view of principle is one that takes a considerable amount of consideration if we're to come to any conclusions as to what approach should be taken in what I regard to be a vital and important matter. Unfortunately,

the bill we are debating in principle today is silent on some very crucial areas we must be concerned with if we are to judge the appropriateness of the bill on the basis of principle.

For example, the bill is silent as to what is, in fact, expropriation. The bill is silent as to the notice which must be given to the landowner in expropriation proceedings. The bill is silent as to the position of the landowner upon receiving notice and what the rights of the landowner will be if the landowner objects to the expropriation proceedings. The bill is silent as to time limits as to the rights of landowners and the rights of the expropriating authority. The bill is silent totally as to procedures which should be followed, Mr. Speaker, from the point of view of, if this bill were to become law. The bill is silent as to what occurs in the event of urgency whereby the expropriating authority must move quickly.

What then is the position of the landowner? The bill is really, totally silent in any meaningful way as to what compensation, what are the gauges of compensation that the authority, whoever that authority is, and the bill is silent on that as well -- but what are the principles of compensation that must be applied on this so-called, home-for-home basis? It is one thing to talk in terms of home-for-home basis but it's another thing to define it in legislation. I would suggest, Mr. Speaker, that this bill is so silent in so many ways, and that there are so many holes in the bill that there is no way hon. members upon examining this bill, albeit on principle, can readily support it.

I was hopeful when the hon. member produced this bill once again at this session that it would be a refined bill in further detail so the hon. members could then look at it and support. Unfortunately, Mr. Speaker, that is not the case. Unfortunately we are no better off from the point of view of this bill than we were with the last one.

Now hon. members have referred to the very learned report of Institute of Law Research and Reform, which has been tabled. And I know from the comments of the hon. Attorney General that it is his intention to study these recommendations in the hope that they could become legislation at the earliest possible date.

I would certainly recommend to all hon. members the opportunity of reading this report from the institute because they spent a tremendous amount of the time and effort of some very knowledgeable Albertans from the point of view of dealing in a very specific way with the many, many problems that are involved in expropriation. It doesn't deal in the manner of just saying we are going to deal on a home-for-home basis, as is apparently the purport of this bill. But it lays out in detail, Mr. Speaker, the recommendations from the point of view of the procedures at each step that should be followed in order to maintain that very delicate balance where a landowner's rights are being deprived for the benefit of the public interest as purported by the province.

I would then suggest and urge the hon. Attorney General to examine at the earliest possible date this report and come forward with legislative recommendations in a detailed way so that many of these difficult areas of expropriation may be dealt with.

The hon. Member for Calgary Mountain View who, I'm pleased to see, has returned, has suggested this bill has great urgency, that his bill must immediately be passed and placed within the statute books of the Province of Alberta to overcome all these tremendous difficulties which he says exist. I don't for a moment wish to underestimate the difficulties that exist for some home-owners in this area. But I would also bring to the attention of the hon. member presenting this bill this afternoon that our courts, to a certain degree, have recognized the home-for-home principle in the awards of compensation and in setting out certain rules as to the conduct of tribunals that are dealing in expropriation proceedings. That they may not have done it adequately enough is true but the courts have been cognizant of the problems of relocating and finding market values and finding new locations and the additional cost. And they have made awards on that basis.

As a result I fail to see the urgency, Mr. Speaker, of bringing this bill forward to the statute books of the Province of Alberta when really many of the difficulties the proponent of this bill suggests are really being handled in a somewhat capable manner within the procedures we already have.

The problems with respect to expropriation are fantastic. They cannot be dealt with in an off-the-cuff cavalier manner as has been the case this afternoon. They demand close examination and scrutiny and we are indeed

fortunate to have such a detailed fine report as this one by the Institute of Law Research and Reform.

I am not one who would suggest as did the Minister of Agriculture that this bill was purely politically motivated. Some might think that, but I'm not suggesting that this afternoon. I would suggest that, albeit well intentioned, Mr. Speaker, what we must do is examine this in a very intricate way and put all our efforts into coming forward with a fair, reasonable and detailed piece of legislation, not this piece of paper I am holding in my hand this afternoon. Thank you, Mr. Speaker.

MR. BENOIT:

Mr. Speaker, my words will be few. I only want to express my need for getting the bill underway. I don't think that the hon. Member for Calgary Mountain View suggested that the bill had to be passed today. In fact, the way I heard him was the way I see it; that is that if we do approve it today it will be quite a while before it gets through Committee of the Whole and third reading. And I think that by the time it gets to that position we will all have had an opportunity to give ample study to this report from the Institute of Law Research and Reform.

The other thing I would like to say, Mr. Speaker, has to do with the matter of home-for-home principle involved in the bill. With the fluctuating prices in costs of homes in this day in which we live, and I say "fluctuating" in speaking about a long period of time, it is the only principle that could be used when we are talking about the expropriating a home. I can recall the 1930's when nice homes in Calgary were selling for \$1,500 and nobody could buy them because they didn't have the money to buy them. Many of them started making payments on these homes and finally had to give them up because they weren't able to keep up the payments, albeit they were only \$25 a month or something of that nature.

However, those homes which were purchased at that time are still in existence 40 years later and are selling for seven, eight, nine and ten times the price that was paid for them in 1930 after having been used all that length of time. Some of them have not been kept up all that well either.

Now in this age in which we live and in the recent past, we have had all kinds of assistance for building a home that has been provided for by various types of legislation. In spite of all this assistance a lot of people still haven't been able to purchase new homes. Now the cost of home building is going up so rapidly that the assistance which has been offered in the last four or five years is not nearly adequate to assure that people will be able to purchase their own home. What is more, if the assistance was increased they would have no assurance that they could ever pay it back.

So I think the principle involved is excellent and I don't think anyone denies that and the fact that this bill may be lacking in some details can be looked after when it comes into Committee of the Whole. I urge hon. members to give consideration to the length of time between now and the time the bill would actually be passed, to give it second reading at this point so we can get it into Committee of the Whole and certainly get it at least to the third reading stage.

MR. YOUNG:

Mr. Speaker, I believe that last year I had the opportunity to participate in the debate on a very similar bill, substantially similar, in fact identical, was it?

DR. BUCK:

You people learn so slowly.

MR. YOUNG:

Well, one of the points I am glad the hon. Member for Calgary Mountain View identified for us today is that he did acknowledge the true source of the idea, which was from an hon. member on this side. I believe he suggested that it was indeed a part of the platform of the party on this side of the House.

MR. LUDWIG:

A slippery platform.

MR. YOUNG:

Therefore, I think he has been exceedingly clear in giving us this information. We can then look at the bill in terms of his interest and regard his contribution as the phrasing of the particular bill. Some comments have been made on that.

Before I address myself to the language in which the principle and sub-principles, as I shall try to define them, are couched, I would like to speak for a moment on the significance of this bill to my constituency and my constituents.

Mr. Speaker, in my constituency of Edmonton Jasper Place, I have a situation where there is a community which is going to be redeveloped. The nature of the redevelopment scheme is not absolutely clear at the moment but one thing is clear. That is, some 75 houses will have to be expropriated eventually unless some arrangement for sale, to the satisfaction of the owners, can be arrived at. These houses are situated on a very noisy thoroughfare, a street which has increased in traffic very substantially over the last dozen years and which, according to all projections, will continue to increase in traffic density.

In speaking with these constituents, I find that they share a very grave concern, and that is because of the impact of the traffic and the earth tremors emanating from the street. Because of the large tractor trailers passing on that street, the houses have deteriorated rather substantially. Of course there is also the dust and noise which is a concomitant of heavy traffic and which is a serious impediment to quality of life along that particular street.

Now the city has recognized these problems to a degree in that in recent years it has reduced the tax rate, the assessment on these particular homes. But the problem they have identified to me is, how can they get off that particular street and still afford another home? And this particularly is an urgent and pressing problem because many of these people having retired are no longer in the labour force. It's an older community. So as they have put it to me, many of them, would gladly move from their homes and make way for enlargement of the street if that be necessary, provided they could be assured of having an adequate home some place else. And of course the proposition that we have here, the over-riding basic principle as I read it in this bill, would do just exactly that.

It is true, Mr. Speaker, as identified by my hon. colleague from Calgary Buffalo, I believe it was, that there have in fact been some decisions and some expropriations in Edmonton of late years which have attempted, and I think have provided rather well for the achievement of the objective of the principle embodied in this bill.

Mr. Speaker, one of my concerns in terms of the drafting of this particular bill is contained in Section 2. As a matter of fact it's a very basic concern that runs all through the bill, and that is the attempt to define a family home. It seems to me that this definition will be found wanting in many respects, as it is contained in Bill No. 206. And I say that in my opinion it will provide a field day for the legal fraternity, in fact, many field days if the bill were to go into statute as it now stands.

I notice in reading the report of the Institute of Law Research and Reform and their recommendations commencing about Recommendation No. 45 through 50 or 55, that they have been quite careful to avoid the term 'family home'. They instead have used the expression "residence" and refer, I think, in all instances to the owner of a residence. And that, it seems to me, is much more readily defined. It avoids, Mr. Speaker, the problems that we might get into if we look at the attempt in the schedule in Bill No. 206 where the suggestion is that family unit is to be interpreted in a broad and flexible sense.

Now it's fine to interpret something in a broad sense, Mr. Speaker, and the drafter of the bill has gone on to define "family" here as a group of parents and children, but has then extended it to recognize the family in the sense of its social and physiological characteristics. And once we get that far afield, I fear that we've opened up room for lots of debate.

I think that I could not support the bill if there were only that one drafting deficiency identifiable in it. So, Mr. Speaker, this has to be my number one concern in terms of the efficacy of this particular bill, in terms of being a satisfactory statute.

Mr. Speaker, since I have a couple of other points to make, the clock now pointing, I believe, at 5:29 and a half, may we call it 5:30? May I adjourn the debate?

MR. SPEAKER:

May the hon. member adjourn the debate?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until 8:00 o'clock this evening.

[Mr. Speaker left the Chair at 5:30 o'clock.]