

LEGISLATIVE ASSEMBLY OF ALBERTA

Tuesday, December 4, 1973

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

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

Bill No. 97 The Gas Utilities Amendment Act, 1973

MR. FARRAN:

Mr. Speaker, I beg leave to introduce a bill, being Bill No. 97, The Gas Utilities Amendment Act, 1973.

Mr. Speaker, I'll be very brief in describing its object and necessity. Its object, Mr. Speaker, is to take certain steps to assure that Albertans who rely on propane or butane for fuel shall receive this fuel at a fair and reasonable price.

As you will recall from the debate on The Rural Gas Act in the fall sitting, some 20 per cent of Albertans do not enjoy the benefits of natural gas. At that time, Mr. Speaker, I pointed out that it was viable for an average propane user to switch to natural gas if his propane were costing 14 cents a gallon. Retail prices, Mr. Speaker, are now far in excess of that level. This is due to the energy crisis in the United States and to the increase in wholesale prices reflecting the escalating opportunity value for export. On second reading, Mr. Speaker, I can point out specific examples of how this price of propane has increased.

The new act will empower the Public Utilities Board upon an order from the Lieutenant Governor in Council to set the price of propane at the factory gate for various classes of Alberta customers. This interim Alberta price may be varied later after public hearings.

[Leave being granted, Bill No. 97 was introduced and read a first time.]

Bill No. 87 The Alberta Insurance Amendment Act, 1973

MR. DOWLING:

Mr. Speaker, I beg leave to introduce a bill, being Bill No. 87, The Alberta Insurance Amendment Act, 1973.

The principles under which this bill is founded, Mr. Speaker, are: that the government has a responsibility to the consumer to ensure that insurance companies licensed and operating in Alberta are financially capable of meeting their obligations as these arise; that the Government of Alberta has a responsibility to ensure that a healthy investment climate prevails in this province so as to encourage this type of institution to incorporate and develop successfully; that Alberta insurance companies should be given the opportunity to compete in the marketplace on the same basis as extra-provincial and federal insurance companies; and that the consumer must be given full, true and plain disclosure of insurance contracts. Also, Mr. Speaker, it will ensure more adequate protection to the automobile insurance policyholder, and to innocent victims involved in property damage and personal injury problems caused by automobile accidents. It will provide the department with the authority to require new provincial insurance companies to further capitalize, bringing additional stability to the industry. Finally, it will facilitate the

amalgamation of insurance companies when this is deemed to be in the public interest.

The principles involved in this amendment, Mr. Speaker, are designed to prevent certain types of inter-company transactions that are not in the public interest, and to ensure that variable life insurance policies are filed with a superintendent of insurance prior to offering them to the public. The principles, Mr. Speaker, will allow the Alberta insurance companies to compete on the same basis as federal and extra-provincial companies in the sale of variable life insurance policies, and they will increase the minimum compulsory automobile insurance coverage.

These amendments, Mr. Speaker, will be in the best interests ...

MR. SPEAKER:

Order please. The hon. minister, with great respect, is going considerably beyond the scope of an introduction of a bill, under the guise of giving the government's reasons for introducing it.

[Leave being granted, Bill No. 87 was introduced and read a first time.]

INTRODUCTION OF VISITORS

MR. SPEAKER:

I am sure hon. members will be glad to know that we are honoured today by the presence of a distinguished visitor who is the Counsellor of the Embassy of the Republic of France in Ottawa, M. Phillipe Husson. He is accompanied by the distinguished Consul of France in Edmonton, M. Francois Erhard, and by our Protocol Director, Mr. John Whalley. I would ask them to stand and be recognized by the Assembly.

MR. TRYNCHY:

Mr. Speaker, it gives me great pleasure to introduce to you and to the members of the House some 28 Grade 12 Social Studies 30 students from the Grand Trunk High School at Evansburg. They are accompanied by their teacher, Mr. Alison, and they are seated in the members gallery. I would ask them to rise and be recognized by the House.

MR. HYNDMAN:

Mr. Speaker, today it is my pleasure to introduce to you and to all members of the Assembly some 38 enthusiastic students from Grades 4 and 5 at St. John's School. They are accompanied by their teachers, Lorette Wasylyk and Linda Hammond and are in the members gallery to your left. I would ask that they stand and be recognized by the Assembly at this time.

FILING RETURNS AND TABLING REPORTS

MR. COPITHORNE:

Mr. Speaker, I beg leave to table Return No. 257.

MR. RUSSELL:

Mr. Speaker, I beg leave to table the remaining portion of Return No. 248.

MR. FARRAN:

Mr. Speaker, I beg leave to table first a letter from the Energy Resources Conservation Board advising producers of propane of their obligation to supply Albertans first.

Also, Mr. Speaker, I beg leave to file copies of the Public Utilities Board preliminary report respecting propane used, consumed, stored or retained within Alberta subsequent to their recent inquiry.

ORAL QUESTION PERIOD

Nursing Aides - Equal Pay

MR. CLARK:

Mr. Speaker, I have two questions. The first one is to the Minister of Labour. I would like to ask the Minister of Labour if the Alberta Human Rights Commission has concluded its deliberations concerning the complaint lodged by a number of individual certified nursing aides with regard to equal work for equal pay?

DR. HOHOL:

Mr. Speaker, this very important matter is at the present time before the commission. It is concluding its work. I will be in a position to report to the House some time later.

MR. CLARK:

Mr. Speaker, a supplementary question to the minister. Has the Human Rights Commission not completed its deliberations on this matter?

DR. HOHOL:

It hasn't concluded its work. It may have concluded its deliberations, if I can distinguish between those two words, sir.

MR. CLARK:

Mr. Speaker, a supplementary to the minister. Have the individuals who lodged the complaint been advised of the decision and has the Royal Alex Hospital Board been advised of the decision?

DR. HOHOL:

Those are three detailed questions, Mr. Speaker. I believe the people who lodged the complaints are fully informed, to the best of my knowledge, of the interpretation of the problem by the commission. I believe this is the case also with the hospital. But I would want to check that that is the case before I would take a categorical position.

MR. CLARK:

One last supplementary question, Mr. Speaker, to the Minister of Manpower and Labour. Is the government going to include money in the estimates for the Royal Alex Hospital for next year to enable us to live with the concept of equal work for equal pay which is now law in Alberta?

MR. LUDWIG:

Come on, stand up, say something.

MR. CLARK:

Silence is consent.

MR. SPEAKER:

The silence of the minister doesn't really imply anything except ...

MR. LUDWIG:

It means he doesn't know the answer, Mr. Speaker.

Oil Sands Development - Eastern Participation

MR. CLARK:

Mr. Speaker, a second question to the Minister of Mines and Minerals. I'd like to ask the Minister of Mines and Minerals if the Government of Alberta has had discussions with other provinces in Canada concerning the likelihood of those provinces being involved in tar sands plants in the Alberta oil sands?

MR. GETTY:

Mr. Speaker, the matter was discussed in the House during the question period yesterday. I wonder if the hon. member wants to amplify his question, because we dealt with the fact that Ontario and Quebec have expressed considerable interest in the oil sands development, since they realize they will be such an important part of future supply in Canada and North America.

MR. DICKIE:

It wasn't quite clear. For clarification, was the hon. member asking whether I was at those meetings?

MR. CLARK:

We assumed that if they were being discussed you would be there.

MR. DICKIE:

Yes, that's correct, Mr. Speaker.

MR. CLARK:

Supplementary question, then, to the minister. We were glad you were there. Did the minister talk in terms of leases that would be available to the provinces of Ontario and Quebec if such a plant went ahead?

MR. DICKIE:

No, Mr. Speaker. I think the hon. Minister of Federal and Intergovernmental Affairs answered that question yesterday. The discussions were of a very general nature.

MR. CLARK:

Supplementary question, Mr. Speaker, to the minister or to the other minister. Are there leases that could now be made available to the Province of Ontario or the Province of Quebec if satisfactory arrangements could be worked out?

MR. DICKIE:

Mr. Speaker, we haven't reviewed the lease situation. Most of the mineable leases for the mining type of operation of the Alberta oil sands have been leased. There are some leases available that would cover the in situ, but we haven't reviewed extensively to see if there is a particular lease available.

MR. CLARK:

One last supplementary question, Mr. Speaker, to the minister. Do you plan to ...

MR. SPEAKER:

Would the hon. member please address himself to the Chair.

Tar Sands - Leases

MR. CLARK:

Mr. Speaker, is it the intention of the government to cancel a number of the existing leases in the Alberta tar sands?

MR. DICKIE:

Mr. Speaker, there has been no intention to cancel leases.

MR. NOTLEY:

Supplementary question.

MR. SPEAKER:

Possibly ...

MR. CLARK:

[Inaudible] ... sands are you going to lease to them?

MR. SPEAKER:

Possibly we could have a final, or post-final, supplementary from the hon. Member for Spirit River-Fairview and then go on to another topic.

Tar Sands - Discussion With Shell

MR. NOTLEY:

Mr. Speaker, a post-supplementary question then to the hon. minister dealing with the tar sands. Can the hon. minister advise whether any further discussion has taken place with Shell as a result of the application pending before the Energy Resources Conservation Board?

MR. SPEAKER:

The minister may answer if he wishes. I have some difficulty in seeing that as a supplementary to a question dealing with leases being available to other governments.

The hon. Member for Edmonton Kingsway followed by the hon. Member for Highwood.

British Commonwealth Games - Provincial Subsidy

DR. PAPROSKI:

Thank you, Mr. Speaker. To the Minister of Culture, Youth and Recreation.

I wonder if the minister would be so kind as to tell us whether any other government or anyone else has matched the Alberta government's contribution of \$11.6 million to the British Commonwealth Games?

SOME HON. MEMBERS:

Oh.

MR. SCHMID:

Mr. Speaker, so far, no ...

MR. SPEAKER:

Order please. Order please. The hon. member is clearly asking a question which is not peculiarly within the knowledge of the government and may perhaps be discovered by some diligent research.

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

Pollution Controls and Energy Crisis

MR. BENOIT:

My question, Mr. Speaker, is to the Minister of the Environment. I wonder if the minister or his department or any of his government have been approached regarding the possibility of relaxing pollution controls so that refineries could increase their production in this time of energy crisis, and if so, what is the government's position?

MR. YURKO:

Mr. Speaker, no company or refinery has approached the government in this regard.

MR. BENOIT:

A supplementary, Mr. Speaker. Is the government giving consideration to relaxing pollution controls under any circumstance?

MR. YURKO:

Mr. Speaker, there is no need for any type of relaxation in this regard. It hasn't been asked for. It hasn't been considered. As a result, the situation today in terms of environmental management is no different than it was six months ago.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Member for Calgary Mountain View.

Pan-Alberta Gas

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Mines and Minerals. Could the minister advise the Assembly whether the government has taken any position with respect to the application now pending before the National Energy Board to export nearly a trillion cubic feet of gas by Pan-Alberta Gas Limited?

MR. DICKIE:

Mr. Speaker, that application was Pan-Alberta. That application was heard by the Energy Resources Conservation Board and subsequent to their decision that will be coming before cabinet.

Gas Export Policy

MR. NOTLEY:

Mr. Speaker, a further supplementary question to the hon. minister. In light of the minister's answer, has the government given any consideration to an overall policy on the further export of natural gas from the province of Alberta to the United States?

MR. DICKIE:

No, Mr. Speaker, we haven't considered an overall policy other than the present one whereby the applications come before the Energy Resources Conservation Board. After those applications have been considered by the Energy Resources Conservation Board they then come to cabinet.

MR. NOTLEY:

A further supplementary question, Mr. Speaker, to the hon. minister. Has your department, Mr. Minister, any mechanism to monitor the prices of natural gas in the American market, and if this information is available, would you be prepared to table it ...

MR. SPEAKER:

Would the hon. member please address himself to the Chair.

MR. DICKIE:

Mr. Speaker, what I take the hon. member to mean is whether we have any legislation whereby we can require a disclosure of prices in the United States. I would say no, we have no legislation affecting companies that may be operating in Alberta but have negotiations in the United States.

We have, however, requested our Energy Resources Conservation Board to acquaint us with prices as they become available and in that way we do carry on a monitoring system. But the verification of that is difficult because a great deal of the information is confidential.

MR. NOTLEY:

Mr. Speaker, one final supplementary question for verification purposes. Do I take it from your answer, Mr. Minister, ...

MR. SPEAKER:

Would the hon. member please address himself to the Chair.

MR. NOTLEY:

Mr. Speaker, could I ask the hon. minister whether or not the government has specifically requested the Energy Resources Conservation Board to do this on an ongoing month-to-month basis, and whether that information would be made available to the members of this Assembly?

MR. DICKIE:

No, Mr. Speaker, that request hasn't been made. I think what the hon. member should be aware of is that we announced in the House yesterday that the National Energy Board will be conducting a hearing after it has received submissions, which would deal with the opportunity price of natural gas in the United States.

MR. LOUGHEED:

Mr. Speaker, if I could supplement that answer. I'd like to confirm the statement I made yesterday with regard to policy, if the hon. member was directing his question to government policy with regard to the export of natural gas.

The first position we take is that there will be no removal from this province until we are satisfied that the 30-year requirement has been met, and when it leaves this province it is our desire to have the needs of Canadians met first. When the needs of Canadians have been met and then there is any excess, we certainly would concur with export, but we would clearly hope that we would - as I mentioned in my remarks yesterday - have a national energy policy that looks to the residential use of natural gas in Canada.

MR. DIXON:

A supplementary question, Mr. Speaker, to the hon. the Premier. Following your remarks regarding the 30-year supply, your other barrier to export concerns fair price for Albertans.

I wonder if I could ask the Premier if the government has changed its mind on that decision not to export till a fair price ... , keeping in mind that he mentioned staged prices yesterday?

MR. LOUGHEED:

Mr. Speaker, that's not so. When we referred to staged prices we were referring essentially to oil prices.

We were expressing the point of view yesterday that the government, by way of policy, would accept some period of time in terms of the period in which there would be adjustment from the present price levels for natural gas to within our parameters. But it would have to be a commitment to come within those parameters by a certain period of time, together with the two-year renegotiation period.

A new development has now occurred - which I mentioned in my remarks yesterday - the view of our Alberta Energy Resources Conservation Board as expressed in their report tabled yesterday, which I commend to the hon. members to read, of the future industrial needs for natural gas in this province. We will be awaiting with interest a final report from the board on our Alberta industrial natural gas needs.

But, Mr. Speaker, without any question of a doubt our position is firm. There will be no removal by this government of further natural gas until we are satisfied that it is at a fair value for Albertans or arrangements for a fair value are made.

MR. HENDERSON:

Mr. Speaker ...

MR. SPEAKER:

Let this be the last supplementary on this point.

Complaints Concerning Gas Reserves

MR. HENDERSON:

Mr. Speaker, on the question of gas export. I wonder if the Premier could advise the House if the government has received any complaints from producing oil companies relative to the difficulties in acquiring gas reserves for pressure maintenance and secondary recovery undertakings?

MR. LOUGHEED:

Mr. Speaker, I couldn't particularly answer that question myself. I would refer it to the hon. Minister of Mines and Minerals and perhaps he could check into it.

MR. DICKIE:

Mr. Speaker, information of a complaint of that nature hasn't come to my attention but we will take it as notice.

MR. SPEAKER:

The hon. Member for Calgary Mountain View followed by the hon. Member for Stettler.

Gasoline Prices

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Minister of Mines and Minerals and it deals with the matter of gasoline prices. When can we expect the government to announce a reduction in gasoline prices in this province?

AN HON. MEMBER:

Hear, hear!

MR. MINIELY:

Mr. Speaker, the hon. member asked that question earlier in the fall and I believe my answer was that it was under active consideration. It still is under active consideration.

MR. LUDWIG:

Mr. Speaker, is there any truth to the fact that - since they're actively considering this issue and rumours are flying - the amount of reduction is intended to be six cents per gallon?

MR. SPEAKER:

The hon. member is not entitled to expect the minister to confirm or deny rumours. If he wishes to ask the question in a direct way, that may be in order.

MR. LUDWIG:

Mr. Speaker, I must say that if the question was not proper ... but when the minister can't answer rumours ...

[Interjections]

MR. SPEAKER:

Order please.

MR. LUDWIG:

A supplementary to the hon. minister, Mr. Speaker. In light of changing circumstances and almost an impending increase in gasoline prices in western Canada, when can we expect this study to be complete?

MR. MINIELY:

Mr. Speaker, in answer to the hon. member, I think that the reason it's been under active consideration is simply that there have been a lot of changing

factors. The hon. member probably should be aware, as all Canadians know, that there's been a freeze of the price of Alberta crude at the wellhead imposed by the federal government. That's a factor which has been introduced since this was first looked at.

So I think there are many factors which have to be taken into account and we, certainly on this side, are not going to implement a policy until we are sure that we have covered all parts of the question.

MR. LUDWIG:

Mr. Speaker, a supplementary question. Do I gather from the minister's answer that he's not acquainted with the ramifications dealing with this problem?

MR. SPEAKER:

Order please.

MR. RUSTE:

Mr. Speaker ...

MR. SPEAKER:

The hon. Member for Wainwright with a supplementary, followed by a final supplementary from the hon. Member for Spirit River-Fairview.

MR. RUSTE:

Mr. Speaker, my question is to the Provincial Treasurer. Is consideration being given in any of these studies to the reduction of fuel prices - gasoline and diesel fuel - for farm operations?

MR. MINIELY:

Well, Mr. Speaker, what we're looking at covers primarily gasoline tax under The Fuel Oil Tax Act. There are many other considerations which have been involved in the studies made. At the present time some of those items are being looked at. But until we are able to clarify many of these factors along with those I mentioned relative to the federal government's price freeze on crude oil, we will not be able to determine a policy that is necessarily, in the final analysis, in the best interest of Albertans and Canadians.

MR. NOTLEY:

Mr. Speaker, I would like to pose a supplementary question to the hon. Provincial Treasurer. In light of what you have said, does the government concur in the findings of the MLA task force on gasoline retail pricing in Alberta?

MR. SPEAKER:

It is of doubtful propriety to ask a minister or the government whether they agree with someone else's expression of policy. A question like that can always be asked correctly within the rules by being asked directly, without reference to confirmation or denial of another opinion.

MR. NOTLEY:

Mr. Speaker, could I ask the hon. Provincial Treasurer, then, whether or not the government agrees with the recommendations of the task force that government regulation is not possible?

MR. SPEAKER:

The hon. member's question varies very little from the previous version.

The hon. member for ...

DR. BUCK:

Maybe if they reported to the Legislature we could all draw our own conclusions.

MR. SPEAKER:

The hon. Member for Stettler followed by the hon. Member for Cypress.

Fertilizer Supplies

MR. HARLE:

Mr. Speaker, my question is directed to the Minister of Agriculture. I wonder if the minister could indicate the status of fertilizer supplies for the coming year, particularly related to liquid and dry supplies.

DR. HORNER:

Mr. Speaker, this has been of continuing concern through the past year. Of course, as the grain prices have increased substantially, fertilizer demand is increasing as well. The amount of use last year increased approximately 27 per cent. It is anticipated, with the current situation, that an additional increase of 20 per cent or more will be required to meet this year's situation.

There is a difference between the types of fertilizer in that we have, of course, the ingredients in Alberta to manufacture most of the ammonia and nitrogen fertilizers. On the other hand there is a difficulty when we come to the phosphate combinations because the phosphate rock is imported into Alberta for formulation into fertilizer.

One of the problems, as I understand it, has been that some of the phosphate operations in the United States have been curtailed because of the energy crisis there. We are concerned about having adequate amounts of phosphate fertilizer for the coming year. We have been in contact with the industry ...

MR. SPEAKER:

Possibly the hon. minister might come directly to the answer concerning the shortage.

DR. HORNER:

Well, Mr. Speaker - I was - the shortage, if any, will be in the area of phosphate fertilizers. We have been having discussions with the industry as well as with the federal government and they have assured us that they will do what they can to meet the demands. The commitment from them is that Canadian demands will be met prior to export.

MR. HARLE:

Mr. Speaker ...

MR. CLARK:

A supplementary question, Mr. Speaker ...

MR. SPEAKER:

A supplementary by the hon. Member for Stettler, followed by a supplementary by the hon. Opposition Leader.

MR. HARLE:

Mr. Speaker, my supplementary is: can the government give us any indication of the steps being taken to protect Alberta farmers? Has it taken any steps to insist that Alberta farmers be protected in their supplies?

DR. HORNER:

Insofar as supply is concerned, Mr. Speaker, the commitment from the companies to us as well as to the federal Minister of Agriculture, was that the Canadians would have first access to the supplies of fertilizer manufactured primarily in Alberta but also in other places in Canada.

MR. CLARK:

Mr. Speaker, a supplementary question. Has the minister, along with his counterpart, the Minister of Industry, been successful in getting Cominco to make anhydrous ammonia fertilizer in Calgary again this year?

DR. HORNER:

Yes, Mr. Speaker, at least to a certain degree. We can have additional information in regard to that specific company and specific product made available to the hon. member.

DR. BUCK:

A supplementary to the Minister of Consumer Affairs. Can the Minister of Consumer Affairs inform us if he can guarantee that farmers who prepay their fertilizers will be supplied?

MR. DOWLING:

I would suggest, Mr. Speaker, that that matter will be handled with usual adroitness by the Department of Agriculture.

AN HON. MEMBER:

... Consumer Affairs.

DR. HORNER:

In regard to price, the indication we have at the moment is that the primary price-setter in the industry is the one in which the farmers own a substantial portion of the company - in Western Co-op Fertilizers. The price increase will be in the area of five to seven per cent, particularly for those varieties of fertilizers manufactured in Alberta from Alberta raw material.

I might suggest, Mr. Speaker, that what we really require in our resource development is the development of phosphate rock deposits.

MR. SPEAKER:

The hon. Member for Cypress followed by the hon. Member for Wainwright.

Petroleum Royalties

MR. STROM:

Mr. Speaker, I'd like to direct my question to the hon. Minister of Mines and Minerals. I'd like to know, has the hon. minister or any other minister of the government had any discussions with the oil industry in regard to the increasing of the percentage in royalties on petroleum products?

MR. DICKIE:

Mr. Speaker, I propose to make a statement tonight on the second reading of The Mines and Minerals Act. Perhaps I can deal with it more adequately at that time.

MR. STROM:

Thank you, Mr. Speaker. Could I ask if the hon. minister would be giving the House any indication of the type of royalties we will be looking at, whether it will be an escalating royalty process or will we be getting information on that within the next few days?

MR. DICKIE:

No, Mr. Speaker, I think if the hon. member would wait until this evening, I will make a very general statement at that time.

MR. STROM:

It will be hard to wait, but I will try.

MR. SPEAKER:

The hon. Member for Wainwright followed by the hon. Member for Hanna-Oyen.

Monitoring Foreign Crude Oil Prices

MR. RUSTE:

Mr. Speaker, my question is to the Minister of Federal and Intergovernmental Affairs. Does the Government of Alberta have some way of monitoring the pricing policies of crude by other countries? I give examples: Venezuela, the Arab States, and so on.

MR. GETTY:

Mr. Speaker, there has been an addition to the Department of Mines and Minerals in the area of international energy matters. Perhaps my colleague, the Minister of Mines and Minerals might want to amplify that.

MR. DICKIE:

Yes, Mr. Speaker, I am pleased to answer that. The hon. members will recall that last year they approved an appropriation which was under the title "International Energy Specialist". This was the far-reaching thinking of this government at that time and we did engage a specialist in that area. We call him an executive director of energy. We have asked him to meet with the federal government on these questions of an emergency supply. That started on the first Tuesday in November. He has been meeting weekly with the federal government on the emergency questions.

At the same time we have asked him to review with the refineries in Quebec and Ontario the various prices that are coming in from offshore crude. I personally sent a letter to the various refineries, asking them to make available to him, on a confidential basis, the pricing of the various crude oils that are coming in to their various refineries.

MR. LUDWIG:

... by Getty.

MR. RUSTE:

Mr. Speaker, I was just monitoring to see whether the expenditures were going out.

MR. SPEAKER:

The hon. Member for Hanna-Oyen followed by the ...

MR. NOTLEY:

... if I could pose a supplementary?

MR. SPEAKER:

We are running a little short of time and perhaps we should limit the supplementaries until we finish the first round of questioning.

The hon. Member for Hanna-Oyen followed by the hon. Member for Drumheller.

Alberta Coal and Electricity Potential

MR. FRENCH:

Mr. Speaker, my question is to the Minister of Mines and Minerals. Has the government taken an inventory as to coal and electrical energy potential in the province?

MR. DICKIE:

Mr. Speaker, those aspects - particularly on coal - are being covered presently by a report by the Energy Resources Conservation Board which we anticipate receiving at the end of the year. They have already given a report on electrical energy.

MR. LOUGHEED:

Mr. Speaker, I would like to supplement that question. If the hon. member is not aware, this document is available annually. The latest one, December 31, 1972, a very important document that I referred to yesterday in my remarks -

The Energy Resources of Alberta A Summary. The further document will be coming early in 1974 to cover the calendar year 1973.

MR. SPEAKER:

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

Ambulance Assistance Plans

MR. TAYLOR:

Thank you, Mr. Speaker. My question is to the hon. Solicitor General. Is the government, or are any of the agencies considering a new assistance program for ambulances operating outside of the cities of Calgary and Edmonton?

MISS HUNLEY:

Mr. Speaker, ambulance service is one of the health services which we have under continuing review. We don't have anything, or any firm commitment or any firm program at the moment, but we're hopeful that we may be able to offer something before too many years roll by.

MR. LUDWIG:

Same old story.

MR. SPEAKER:

The hon. Member for Clover Bar followed by the hon. Member for Little Bow.

Licence Plate Manufacture Tender

DR. BUCK:

Mr. Speaker, I would like to address my question either to the Minister of Highways or to the Solicitor General. I would like to know if either minister is in a position to inform the Legislature who the low tender was for the licence plate manufacture for the coming year?

MR. COPITHORNE:

Mr. Speaker, I would have to take that question under advisement and could give the answer tomorrow.

DR. BUCK:

Mr. Speaker, does the Solicitor General know?

MR. SPEAKER:

It is the sort of question of detail that would ordinarily appear on the Order Paper.

DR. BUCK:

I just want to know, was it an American firm or a Canadian firm?

MR. SPEAKER:

The hon. Member for Little Bow followed by the hon. Member for Calgary Bow.

Agricultural Society Grant Program

MR. R. SPEAKER:

Mr. Speaker, my question is to the Minister of Agriculture. Will the government be placing more money in the agricultural society grant program in this current fiscal year?

DR. HORNER:

At the moment, Mr. Speaker, the answer to that particular question is open for discussion, but I would rather feel that we have made the allocations for this winter, and that others will be looked at for future years.

MR. R. SPEAKER:

Mr. Speaker, a supplementary to the minister. Will those centres which presently have been accepted by the committee of your department be given first priority for funds in the 1974-75 fiscal year?

DR. HORNER:

Mr. Speaker, a number of factors are taken into consideration in developing a priority list. They have to do with the question of employment in the area and other factors are jointly worked out with my colleagues in the Department of Manpower and Labour and the Department of Culture, Youth and Recreation.

MR. SPEAKER:

The hon. Member for Calgary Bow followed by the hon. Member for Calgary Millican.

Syncrude

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Minister of Mines and Minerals. Can the minister advise the House if the federal government has agreed that it will not regulate the price of Synchrude production below the levels attainable in a free international market?

MR. DICKIE:

Mr. Speaker, I will be giving a report on the Synchrude project some time within the next few days and I will deal with that at that time.

MR. WILSON:

A supplementary, Mr. Speaker. Will the production from the Synchrude plant be excluded from the provisions of the proposed Alberta Petroleum Marketing Commission?

MR. DICKIE:

Mr. Speaker, that bill is not even before the Legislature. I think it would perhaps be better to deal with it at that time.

MR. WILSON:

On a point of order, Mr. Speaker, it is my understanding that Bill No. 94 will be up before the Legislature this evening. There is some information that would be most useful in the debate on that bill if we could have that information. That was the purpose of raising the question today because the Alberta Petroleum Marketing Commission is referred to in that bill which is up for debate today.

MR. SPEAKER:

In the minister's judgment the answer involves a preview of what he is going to say on the debate. Surely he may exercise his discretion and postpone his remarks until he talks on the debate, and in any event he is under no obligation to reply.

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

Federal-Provincial Consultation on Energy

MR. DIXON:

Mr. Speaker, I'd like to direct my question today to either the hon. Premier or the hon. Minister of Federal and Intergovernmental Affairs. It is regarding consultation with the federal government. My question concerns proposed legislation which is to come before the House regarding energy.

Is your government at the present time in consultation with the federal government to assure that our proposed legislation will not be attacked by Ottawa as being unconstitutional?

MR. GETTY:

Mr. Speaker, in the interests of good consultation we are in consultation with the federal government and have discussed generally with them the aims of the provincial government in the legislation which we are proposing to the House. There can be no guarantee I gather, Mr. Speaker, at this time until the federal government has had an opportunity to see the legislation in full detail, as to their feelings on whether or not it is constitutional.

MR. DIXON:

Mr. Speaker, a further supplementary question. Do I take it, Mr. Speaker, from the minister's answer that you will not give the federal government complete details until the bill is introduced in the House? Is that ...

MR. GETTY:

That is right, Mr. Speaker. We felt that would only be the correct parliamentary procedure, for the bills to be introduced in this Legislature first.

MR. SPEAKER:

The hon. Member for Medicine Hat-Redcliff followed by the hon. Member for Edmonton Strathcona.

Senior Citizens' Services

MR. WYSE:

My question, Mr. Speaker, is to the hon. Minister of Health and Social Development, and it is with regard to the new services for senior citizens. When will the regulations covering the new program be made public? The only announcement we have had so far was back in ...

MR. SPEAKER:

Possibly the hon. member has completed the question.

MR. CRAWFORD:

Mr. Speaker, there are meetings still taking place this week, according to my understanding, that will relate to the details of operation. These are meetings between officials of the department and representatives of some of the professional bodies involved.

My expectation is that by next week we will be able to have a program under development that will fully acquaint Albertans with the procedures they should follow in making claims under the plan. That program of acquainting the people of the province with claims procedures would be by way of advertising in newspapers, and that sort of thing, to make sure the information gets out immediately.

MR. WYSE:

A supplementary question then. The program will be retroactive to August 10?

MR. CRAWFORD:

Mr. Speaker, the date was the date of announcement of the program, retroactive to August 23.

MR. FRENCH:

A supplementary question, Mr. Speaker. Will these services include ambulance services over and above that which is covered by Blue Cross for senior citizens?

MR. CRAWFORD:

No, Mr. Speaker. The program which relates to medical appliances, to dentures, to eye glasses and to hearing aids has not been extended beyond those areas.

MR. BUCKWELL:

A supplementary, Mr. Speaker, to the minister. Have these professional bodies that will carry out these services been apprised of what is expected of them? Because many of them don't know anything about it.

MR. CRAWFORD:

Yes, Mr. Speaker, the meetings have taken place on frequent occasions. There are five separate bodies involved - and I hope to see the last of them very shortly, that is the meetings and not the associations - resolving those things. The associations themselves, through their normal procedures, and I would think with the assistance of the advertising program that we plan, will be making it very clear to their members what is expected of them under the programs.

MR. SPEAKER:

The hon. Member for Edmonton Strathcona followed by the hon. Member for Lethbridge East.

ETS Strike

MR. KOZIAK:

Mr. Speaker, my question is to the hon. Minister of Manpower and Labour. Could the minister advise what role he and his department are playing in bringing to a speedy settlement the parties involved in the present City of Edmonton bus strike?

DR. HOHOL:

Mr. Speaker, the speedy part I would only hope for, as do all of us. We are playing a significant part through the mediation staff of the Board of Industrial Relations and the Department of Manpower and Labour. In addition, I would just bring the House up to date in recalling that after a seven-hour session which our mediation staff attended and was assisting in on Monday, the parties broke off to consider their positions. To the best of our knowledge there is not a date and an hour set, but we would hope that that would be soon.

MR. SPEAKER:

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

Drilling Incentive System

MR. ANDERSON:

Mr. Speaker, my question is directed to the Minister of Mines and Minerals. Given that the present drilling incentive program tends to encourage the drilling of shallow wells, what will the government do to stimulate increases in deep drilling, say along the foothills and the eastern slopes?

MR. DICKIE:

Mr. Speaker, I would first like to take issue with the way the question is phrased. The formula that was devised for the drilling incentive system was not devised in such a way as to give an incentive for drilling shallow wells. It was to cover all types of wells. I think the year's activities have proven that that has worked very satisfactorily that way. I think one of the concerns that has been expressed, however, is that the incentive system could be improved to cover the deeper wells. This is one of the areas that is being given consideration at the present time.

MR. WILSON:

Supplementary, Mr. Speaker, to the hon. Minister of Mines and Minerals. Can the minister advise as to the approximate liability incurred to date under the incentive drilling program?

MR. DICKIE:

Mr. Speaker, I can't give you the exact amount involved by way of application for credits. I think the latest estimate that I have would be in the neighbourhood of between \$15 and \$18 million.

MR. SPEAKER:

The hon. Member for Taber-Warner followed by the hon. Member for Cypress. Sorry, the hon. ...

MR. MANDEVILLE:

Supplementary, Mr. Speaker, to the hon. minister. Could the hon. minister report the progress of the committee that is studying the drilling incentive program in relation to the retroactive consideration?

MR. DICKIE:

Yes, Mr. Speaker. There have been a number of meetings, particularly during the month of November, between the officials of the Department of Mines and Minerals and various representatives of the petroleum industry. I think they are now at the stage where they can make some recommendations to be considered by me with some of the top officials of the various representatives of industry.

MR. SPEAKER:

I regret having given the hon. Member for Bow Valley the wrong constituency.

MR. STROM:

Mr. Speaker, a supplementary question to the hon. Minister of Mines and Minerals. Could he tell us whether the majority of the wells drilled under the incentive program have been shallow wells?

MR. DICKIE:

No, Mr. Speaker, I haven't that information available at the present time.

MR. SPEAKER:

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

Liquor and Wine Advertisements

MR. SORENSON:

Mr. Speaker, my question is to the hon. Solicitor General. Will the Department of the Solicitor General be appointing a permanent officer to ensure that beer, wine and liquor advertisements are confined to brand preference and do not equate consumption of their products with 'the good life' and social prestige?

MISS HUNLEY:

The administration of our regulations is handled exclusively by the Alberta Liquor Control Board, and we have instructed them to ensure that the regulations that we have passed are carried out.

MR. SPEAKER:

The hon. Member for Bow Valley followed by the hon. Member for Calgary Foothills.

MR. MANDEVILLE:

My question has been answered by the bill that was introduced by the hon. Minister of Telephones and Utilities. Thank you.

MR. SPEAKER:

The hon. Member for Calgary Foothills followed by the hon. Member for Wetaskiwin-Leduc.

Energy Allocation Supply Board

MR. McCRAE:

Mr. Speaker, my question is for the hon. Minister of Mines and Minerals. What, if any, consultations were held between Ottawa and Edmonton with respect to the composition of the newly-announced board in Ottawa, the Energy Allocation Supply Board? Will we have a provincial member on that board?

MR. DICKIE:

Yes, Mr. Speaker. I'm pleased to advise that when the mines ministers met with the Minister of Energy, Mines and Resources for the federal government, he suggested a three-man board to deal with the allocation of supply and demand. He mentioned at that time that there would be one representative from the provincial government, one representative from the federal government and one representative from industry.

After hearing that suggestion, we asked if the federal government would give consideration to having a five-man board with two representatives from the provinces, one from the producing provinces and one from the consuming provinces. Subsequent to that, the representatives from Ontario suggested that the provincial representatives be from Alberta and Quebec, and that was accepted by the ministers at that meeting. I've subsequently noted that the Minister of Energy, Mines and Resources for the federal government has now announced that there will be a five-man board and that there will be two representatives of the provinces, one representing the producing provinces and one representing the consuming provinces. Mr. Speaker, in my view, this is effective consultation.

MR. SPEAKER:

The hon. Member for Wetaskiwin-Leduc followed by the hon. Member for Spirit River-Fairview.

TransCanada PipeLines

MR. HENDERSON:

Mr. Speaker, I wonder if the Premier could advise the House as to whether the government has made any representation to Ottawa either directly or indirectly relative to the monopoly position that TransCanada Pipelines now enjoys?

MR. LOUGHEED:

Mr. Speaker, not at this time, although it is our intention to do so, both in terms of discussions that will occur between the Minister of Federal and Intergovernmental Affairs and the Minister of Mines and Minerals with the hon. minister, Mr. Macdonald.

Pending the nature and response of those discussions, it would be our intention to consider a direct communication to the Prime Minister on the matter if there is not a favourable response, so that the matter could be considered by the Prime Minister and the federal cabinet.

We think the matter, as I mentioned in my remarks yesterday, is of such significance that we would hope that they would consider it and consider it quickly.

MR. HENDERSON:

Mr. Speaker, I wonder, in regard to my supplementary to the Premier, whether he would consider it to be an appropriate subject to bring up at this National Energy Conference?

MR. LOUGHEED:

Mr. Speaker, I definitely think it would, in fact, I would intend to bring it up at the National Energy Conference.

I answered the original question in the way I did because I felt the nature of the matter was such that it should be dealt with as quickly as possible, hopefully at the first opportunity when the ministers from Alberta meet with Mr. Macdonald. It could be raised then, and again raised by myself, if necessary, in communication by letter with the Prime Minister. This would lead me to feel

that both of those would occur prior to the holding of a national conference on energy.

MR. SPEAKER:

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

Downey Report

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the Minister of Advanced Education.

Can the minister advise the Assembly whether or not the government proposes to act upon the recommendation of the Downey Report concerning an interprovincial board for post-secondary institutions in the Peace River country?

MR. FOSTER:

Mr. Speaker, I have just received a copy of Dr. Downey's report. I've not yet had the opportunity of reviewing it. It will be the subject of considerable public discussion in both regions of both provinces on December 17 of this year; all MLAs from the region, of course, are invited to attend and participate in this discussion. I will be particularly interested, Mr. Speaker, in hearing the comments of the MLAs who represent the areas on both sides of the border.

MR. SPEAKER:

The hon. Member for Whitecourt followed by the hon. Member for Taber-Warner.

Oil Export Tax

MR. TRYNCHY:

Mr. Speaker, my question is to the Minister of Federal and Intergovernmental Affairs. It was announced today that a further increase in the export of ...

MR. SPEAKER:

Would the hon. member please come directly to the question.

MR. TRYNCHY:

What effect will the increase of the export tax have on Albertans? Can you explain that?

MR. SPEAKER:

The hon. member's question, with great respect, is eliciting a matter of opinion of which there may be several dozen. If he can relate it to government policy perhaps it would be in order.

MR. TRYNCHY:

Mr. Speaker, could he explain why this action was taken and how ...

MR. GETTY:

I'll try, Mr. Speaker.

Actually, Mr. Speaker, "export tax" is hardly an accurate description, any longer, of the mechanism presently being used by the National Energy Board. Since the freeze placed on Alberta wellhead crude on September 4, there has been an additional increase in the offshore crude coming to Montreal. That increase is now another 30 cents on top of the \$1.90 which was the difference between international crude and the frozen price in Alberta. The 30 cents has therefore been added to the \$1.90 under the National Energy Board's recommendation to the federal government.

I think this is really hardly an export tax; it's more a penalty factor of the freeze, Mr. Speaker. We've discussed the matter with Ottawa and we are presently exploring alternative methods of covering this factor so that the

jurisdiction and ownership position of the people of Alberta is more adequately served.

MR. SPEAKER:

We are just about out of time and I've already recognized the hon. Member for Taber-Warner. Perhaps the further questions could be saved for tomorrow.

Energy Conservation

MR. D. MILLER:

Thank you, Mr. Speaker. My question is to the hon. Minister of the Environment on conservation of energy. Is it possible to conserve energy with strict emission controls on motor vehicles?

MR. SPEAKER:

The hon. member is really not asking a question of government policy. It's a matter of perhaps chemical or environmental opinion. Put in that way, the question is really not within the rules of the question period. Perhaps it could be rephrased.

MR. LUDWIG:

Yurko knows everything. He can answer that.

MR. D. MILLER:

I'll ask my supplemental. Is the minister prepared to recommend less control on internal combustion engines to conserve energy?

MR. YURKO:

Mr. Speaker, this area is an area that is jurisdictioned by the federal government thus far. The federal government has regulated with respect to these devices on new cars. Each province can then regulate with respect to the maintenance and keeping these devices on the cars. Thus far, I think only Ontario has regulated with respect to maintaining the devices. Alberta hasn't regulated in this regard. I've said on several occasions that the ultimate solution to this problem is associated more with redesign of the engine rather than the catalytic devices which are being used.

MR. D. MILLER:

A supplementary, Mr. Speaker. Is the minister prepared to make a recommendation to Ottawa?

MR. YURKO:

Mr. Speaker, the Federal Minister of Environment called the provincial ministers together last April. At that time we had an excellent conversation on this point. I'm pleased to say that I think Alberta's opinion was highly respected in this regard because it was well thought-out and we did indicate to the federal government what our position was.

ORDERS OF THE DAY

MR. HYNDMAN:

Mr. Speaker, I would just like to outline government business for the balance of the day as tentatively seen at this time.

This afternoon of course, will be private members day beginning with the House considering in committee the continuation of the Report on House Rules.

At 8:00 o'clock tonight we will move to second reading of Bill No. 93, The Freehold Mineral Taxation Act, followed by second reading of Bill No. 94, The Mines and Minerals Amendment Act, 1973. Depending on progress of those two bills, possibly we may move to committee study of Bills No. 53, The Arbitration Amendment Act, and/or No. 96, The Gas Resources Preservation Amendment Act.

[The Clerk Assistant called: Motions Other Than Government Motions]

MR. CLARK:

On a point of procedure ...

MR. SPEAKER:

Strictly speaking, I'm not here.

[Laughter]

MR. CLARK:

In the event that you were there, would you respond please?

This being Tuesday, isn't it customary that we deal with the motions for a return before we deal with motions other than government motions?

MR. SPEAKER:

Does the House unanimously agree that the Speaker may return to the Chair?

SOME HON. MEMBERS:

Agreed.

AN HON. MEMBER:

Welcome back.

MOTIONS FOR A RETURN

285. Mr. R. Speaker proposed the following motion to the Assembly, seconded by Mr. Wilson.

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

Information about the Vocational, Rehabilitation and Research Institute, Calgary, also Industrial Research and Training Centre, Edmonton and Advance Industries, indicating for each of the past five years:

- (1) the yearly operational costs,
- (2) the source of all funds and methods of obtaining same (not just C.A.P. but all inputs, for example LIP grants and donations),
- (3) the number of applicants, total served each year and total currently on waiting list,
- (4) the number of staff, including part time and those on special grants (example, LIP and federal grants, etc.),
- (5) the number of full time administrators and the number of administrators working part time on university payroll, I.R.T.C. payroll, or both,
- (6) the number of clients transferred from Red Deer,
- (7) the number of university students working on part time and/or training at the V.R.R.I., and the number of university faculty and students engaged in externally supported research at the V.R.R.I.,
- (8) the type of research carried on at V.R.R.I. by project numbers (rehabilitation, preventative, etc.),
- (9) the number of former trainees now in employment outside V.R.R.I. full time (part time), rate of pay of individuals, job locations and employers by name,
- (10) the number of trainees employed at V.R.R.I. and rates of pay, and costs of operation per client,
- (11) the number of persons in attendance at V.R.R.I. each year since inception,

(12) the type of contracts for manufacturing, the costs of manufacturing, including overhead and labour, and sales costs,

(13) How many trainees are or were employed by these contracts?

MR. R. SPEAKER:

I move the Motion for a Return that stands in my name.

MR. CRAWFORD:

Mr. Speaker, I would like to just respond in this way at the present.

I have the opinion that the motion asks for information which, in several of the parts, is not within the control of the government. The reason I say that is the two institutions named, are operated in fact, by private societies. They are charitable societies and the government's role in respect to them is to provide a variety of grants from different sources, primarily by the purchase of services although outright grants have also been made.

There are indeed other sources of income the charitable societies which operate these two institutions have, and in view of that, what I would like to do is cooperate with the hon. Member for Little Bow in regard to providing the information that can be reasonably obtained through the motion for a return mechanism. With that in mind, I would ask that maybe he withdraw it.

In asking him to allow it to stand I am not sure that I would be able to agree to meet with him prior to Thursday, when it would normally come up again. So either let it stand for one week or withdraw it for the purpose of the type of discussion that I think is necessary, and then we would come back with one of two alternatives.

Either we would have agreed on the areas on which we can provide information or, if we can't agree, then he could place the motion again, either in this form or whatever form he thinks best.

MR. R. SPEAKER:

Mr. Speaker, in speaking to the motion and the minister's comments, I'd be prepared to have the minister take the motion as is and bring in the information that would be available and certainly in the interim, as the information is being gathered we could have discussions. If it isn't available, I'd be prepared to accept his judgment on that particular matter.

I think that would facilitate the ability to move ahead at this time, deal with it and have it over with.

AN HON. MEMBER:

Agreed.

MR. HYNDMAN:

Mr. Speaker, I think the motion here has to be passed, in which case there is an order of the Assembly to provide the information, or defeated and another motion put forward. I think the suggestion leaves us in a somewhat gray area between two points of view that would end up with the impossibility of replying to the order.

MR. SPEAKER:

I would ask the hon. member whether he has any further submissions to make on this discussion which I take to be a discussion on a point of order so that the motion may be dealt with in some regular and recognized way.

MR. R. SPEAKER:

Mr. Speaker, I'm prepared to have the matter stand on the Order Paper. I could have discussions with the minister and then we could bring it back possibly on Thursday and discuss the motion again.

MR. SPEAKER:

The hon. member's request will of course require the unanimous consent of the House.

Is there unanimous consent for the motion to retain its place and not to be dealt with for the time being?

[Agreed]

[Mr. Speaker left the Chair.]

* * * * *

COMMITTEE OF THE WHOLE

[Mr. Diachuk in Chair]

MR. CHAIRMAN:

The Committee of the Whole Assembly will now come to order.

MR. HYNDMAN:

Mr. Chairman, by way of getting the continuation of this discussion going, members will find on their desks, four xeroxed pages containing five amendments which are proposed to the balance of the rules. That is, beginning at Rule No. 47 which is the motion at which we left off, those five pages contain five suggested changes, three of which were brought to the attention of the members when the House last sat in October.

My understanding, Mr. Chairman, is that we left the report on proposed Rule No. 47 on page 16 of Volume II, the rule which deals with the report of the committee being signed only by the chairman. I believe the matter was left at the stage where the Member for Calgary Mountain View had posed an amendment to strike out the last sentence of the Rule No. 47. It would have the effect, if that amendment were passed, of striking out the words "No minority report shall be made to the Assembly".

I thought it might be appropriate, insofar as I was on that committee, Mr. Chairman, to very briefly set forward my - and I think the committee's - feelings as to why there should be no change in Rule No. 47. First I think it is important to note that the committee recommended Rule No. 47,

The committee very carefully considered that rule and felt on balance it should remain as it is. So the amendment would propose a major change whereas the committee was simply saying, let us leave the rule the way it is now, in the sense that we have had 68 years of wisdom applied to the rule and it has worked satisfactorily.

One could probably say that throughout the British Commonwealth jurisdictions this rule, including the statement that no minority reports should be made in the Assembly, is common.

Secondly, I think the committee felt that the usefulness and the effectiveness of select legislative committees would be really destroyed if minority reports were to be submitted. I think the usefulness of these committees would be destroyed probably by an injection of a new element of partisanship.

I believe what this would do would not give us the collective judgment and consensus this House seeks when it gives a matter to a committee. So the usefulness of the committee would be undermined, possibly to the extent where it would not be wise for this House to have any future committees if this approach were taken.

Thirdly, I think one item should be made clear. There seemed to be a feeling there was some restriction on what a member could do if he were on a select committee but didn't have the opportunity, because there was no minority report, to set forth his points of view. It should be clearly understood that once a report is tabled it is a public document, and if a member who was on that committee disagrees with a report he can call a news conference; he can go on radio and television; he can write an 800 page treatise on why he disagrees with the report. I make it clear to everyone and I think it should be clearly understood he has the right to do that.

I simply wanted to make those few points, Mr. Chairman, and suggest therefore that it would be wise of this Assembly to defeat the amendment.

MR. LUDWIG:

Mr. Chairman, I agree with the hon. minister that a member of a committee has the right to express a contrary or different view. That is part of the purpose of this House.

The only complaint I have - I know that if I want to prepare a minority report I am entitled to do so or voice my views in the House. But it is a question of fairness to an individual who is entitled to be heard equally as effectively as the report itself. So the committee will bring in a report - and I don't want Mrs. Chichak to feel that I am already going to file a minority report although there are many reasons why I should ...

[Interjection]

... that is important - but I think that equal opportunity of publicizing your views should be there. It is a question of fairness. The minister says that I have the right to do it but if you can't afford it or you can't afford the money to print it, then it will be a little economic squeeze on you so you really are not going to be effective. That is the basic disagreement.

So there should be some attitude of fair play because it can possibly happen - for the benefit of the hon. members opposite - it can happen that one of them may disagree with their government. Now it doesn't appear that anybody has sufficient courage to perhaps commit a heresy at the present time, but it can happen. It has happened before and it is rather pleasing sometimes to see somebody who has the courage of his convictions to speak his mind.

There is no more reason to believe that a committee of five is right than that a man who has a strong opinion to the contrary is wrong. So it is equally in the public interest to publicize the report and the other side.

If you believe that a man has a right to do it, then don't throw a block in his way and say, we have the right to do it but we have news for you; we'll make it so that your report is non-effective. And of course, if the member who files a minority report is a person of means, he can print 1,000 copies. He can buy time or he can rely on the good will of the media. In fact, he may have a report dealing with the media that is critical of the media and so his good will there would not stand him in good stead.

This is, I think, a valid point but it is interesting when you hear someone debate in opposition to an idea quoting the committee report. I always understood that the committees were for advice and not for authority. If it is convenient, the committee report is quoted and when it is convenient and something they want, then tradition comes to be a weighty factor in determination of a point of dispute.

I remember the hon. members were quite active and quite critical, sometimes very effectively, when they were in the opposition and they somehow leaned towards the fact that we ought to have some means of giving minority reports. In fact, I believe that at one time a minority report was given and a very good one at that.

So it is a question of whether we are going to facilitate the free expression of opinion even though it disagrees with us or not. That is the point in dispute. And so in the main point of whether this is the right thing to do - that the hon. Minister of Education [mentioned] - I agree completely that anybody has the right. The question is, are we going to be magnanimous enough and fair enough to make that right meaningful or are we going to say, well, it is tough, especially if you have no money, you can keep quiet because you can't be heard.

So that is the point I am making and I am urging the hon. members opposite not to feel sort of secure in the majority because it could happen that one of them has the courage of his convictions on some report and they want a minority report and find out that he is non-effective, that he is as non-effective if he hasn't got money as if they said you haven't got the right. So it is the denial, in fact, of expression of a person's opinion concerning public matters if he can't afford it. It must be a public matter otherwise a committee would not be set up to study it.

I think we should remove that fine distinction because many members can and many members cannot afford to either hire secretarial staff or to print a minority report and disseminate it as they are entitled.

So that is the point I make. I would urge hon. members to support the amendment that we permit minority reports and the question that the effectiveness of committees would be destroyed. They would be seriously undermined if this were permitted. That is not a valid point at all, Mr. Chairman. Sometimes a valid disagreement with a report is the very thing that brings the report to focus, to attention and to public interest, and often ends up in implementation of some of the recommendations in the report that otherwise would have perhaps remained without public interest.

If you have a one-sided view on anything, quite often it falls by the wayside. I may agree with 40 per cent of the bill - that would be a pretty high percentage - but I may disagree with 60 per cent of it and I may disagree with some minor matters. But I could focus attention by disagreeing with something to make that an item of current public interest - a high point of interest - so that a minority report would in fact enhance a report because it may and often does generate public interest.

It is tantamount to saying that if the minister has a proposal for some reform in education, if no one disagrees then that is good because it is so sound and so terrific that nobody would think of disagreeing. I think that public interest would not be focussed on the issue involved unless someone did raise a few questions and did take the minister on and ask him whether he studied all the ramifications, how did he consider this, that and several other things.

I think that controversy often results not only in publicity of an issue, but often results in change, even in this House. Change has been effected by debate and controversy and often meaningful debate, albeit sometimes very minor. You will find that sometimes minor amendments are very, very important.

So I would like to urge upon hon. members that this is not a political matter. This is a matter of convenience, particularly to a back-bencher who may have studied some issue at length, notwithstanding the committee, and may want to express himself. This is, I believe, a step to ensure that the back-bencher, no matter which side of the House he sits on, will have a more effective voice.

While I was in Ottawa I had the pleasure of sitting on a committee with Mr. Baldwin. There is a man who has now served very faithfully, has served very long, and we talked about the role of back-bencher, perhaps the diminishing role of the back-bencher and the matter of giving up your rights. He said that no one should yield to any diminishing of the rights of the back-bencher or the member without a strong stand that this thing ought not to be done. There were other people there who might confirm what I said. I believe that two members were there. Mr. Baldwin gave us a very brief but a very pointed bit of advice: that you have a responsibility and you fight for your rights. So that is what I am urging the hon. members here to do, to stand up and perhaps express a voice on their own behalf.

I am sure the minister is not all that opposed to it. But he quoted tradition, he quoted the committee report and one point that I entirely disagree with: that it would undermine the effectiveness of a committee. I am saying that it would enhance tremendously the effectiveness of a committee report to see if there were opposing views. That is how decisions are made, not only in this House but outside the House.

I urge all hon. members to support the amendment.

MR. TAYLOR:

I want to make just two points in connection with Rule 47. I can't agree that the fact that this has been in parliamentary rules for a long time is a valid argument why it should stay there. I think it simply shows that governments over the years have been most anxious that there be no minority reports. It is the government of each Legislature that really has the final say in regard to what goes into the rules. So the fact that this has remained in the rules for a great number of years only proves to me that each successive government has been anxious that there be no minority reports.

If we accepted this as a sound argument and always stuck to the way it was done in the past, there would be no progress. I think we have to open up new furrows at times.

I want to advance one other argument why I think the amendment is sound. When a report is made it is distributed throughout the length and breadth of the land, and sometimes there are many, many thousands of copies and sometimes fewer. But the people get the copy and read it. In my view, they get a false

impression if they do not know how many members of the committee supported particular arguments. If there were a seven-man committee and four, including the chairman, approved and three opposed, that is a pretty even split. The chairman voted one particular way. That would show that there is very great opinion on both sides. But in no way is the public going to get that information by reading the report signed by the chairman, because the conclusion most people come to is that the report is the view of the committee. Unless the minority opinion is attached to that report, the people may well get the very wrong idea that the whole committee is supporting it.

The right to give it to the press or to go on TV doesn't really answer the problem, because you get to different people. The people who read the report when it is issued are the ones who should know if there is a minority view, a strong minority view, on some aspects as recommended in that report.

I can't see what is wrong with this. I think it is a democratic procedure. I don't see how it will hurt. It will simply give the people a better understanding of both sides of the question. They may well completely disagree, as the majority of the members of the committee do, with the minority view. But surely the fact that there is a minority view should carry with it the right to express that minority view and that that minority view should be read by those who read the report at the time they read the report. That is why I think this amendment is sound.

When a report is tabled without debate, then even more so this argument is sound, because members of the committee don't even have the opportunity to stand up in the Legislature and say they disagree with certain aspects of the report. Consequently, I think the amendment is sound and I urge the members to vote for it.

MRS. CHICHAK:

Well, Mr. Chairman, I am rather surprised that the members can say that it would make no difference if this amendment were passed or would enhance the work of a committee. I can just see a member agreeing to go on a special committee appointed by the Legislature, simply because that individual has some strong views with respect to the matter to be reviewed, and then not really being concerned about the matters that need to be explored or discussed in committee and benefiting by whatever information might be made available to broaden his thinking. The individual, who may be very strong-minded on a certain issue, may then forget his responsibility, the responsibility to consider the effect that the study or the review and the final report may have on citizens as a whole and not pertaining to any particular small segment of the citizenry.

I can visualize the effectiveness of a special legislative committee in its work, in its deliberations, should members of the committee be absent simply because they don't agree with what the majority of the committee is striving to bring forward as its final considered views, simply because there is the 'out' of writing a minority report and expressing one's individual point of view.

It seems to me that when committees of the Legislature are appointed, they are appointed for the purpose of delving into a particular situation or area of review on a non-partisan basis and bringing forward a collective decision, hopefully of all of the members, but at least of a majority of the members. And I think a chairman of a committee is in as difficult a position as any other member if he does not agree with the views of the members. Nevertheless, there has to be some sort of controlled guideline, controlled consideration or controlled responsibility of why we really accept a position to serve on any committee.

I have to stress again, as it has been stressed, that the opportunity for any member of the committee, be it the chairman or be it any member, is sometimes perhaps even more effective if the minority or opposing view is expressed apart from the report and taking the opportunities that are available - because it seems to me that the media are far more anxious to represent the dissenting view - to be sure that the fairness that perhaps needs to be brought to the public is in fact brought to its attention.

I think we have to look at the philosophy behind the structure or the reasoning behind the establishment of special committees. Surely one of those is not to enable that committee or its members to go their own sweet way, file their minority report and not really contribute what they must, or the responsibility they had undertaken when they agreed to let their name stand.

I think it is important that each member contribute his or her views to the committee at a time when the review is taking place and when the study is taking

place, and not only at the whim of writing a minority report and having complete disregard for the efforts of other dedicated members who accepted their responsibility when it was given to them.

So apart from what history has said in itself, whether this has been a procedure that has been followed since 1905 or from whatever date, surely I just cannot see how we can follow the logic of allowing minority reports to be added to the majority report of the committee.

I could see that logic only if one were constrained from expressing one's opposing views. And to say that a member does not have an opportunity to air his opposing views surely is not true. When a report is tabled, it immediately becomes a public document. Immediately thereafter, any member, if he wishes, may move to make his views known whether inside or outside the House. There is no member in this Legislature who is precluded from putting forward a motion to bring about a debate.

So I would ask the hon. members to consider very carefully the amendment and vote against it.

MR. KING:

Mr. Chairman, I'd just like to make a couple of brief additional remarks. I think much of what I was interested in saying has already been said by the hon. Member for Edmonton Norwood.

I would, however, like to pick up very briefly at the point where she left off, that it is the right of any member to introduce a motion that the report of a committee should be debated in some way in the Assembly. When that happens, as can happen if any single member should choose to instigate the process, you create potential conflict with another rule of our Legislative Assembly. I say "potential" because, of course, it lies with each member to decide in his own mind.

One of the rules of the Assembly is that the House will not consider twice at one session the same matter or substantially the same subject matter. So the situation would then arise of a report presented to the Legislature and subsequently considered and decided upon as the result of a motion of the Assembly. Consideration then of the minority report itself would automatically be out of order because in voting on the report itself, the decision of the House has been given.

But in addition to that, in the debate on the original report of the committee, whichever committee it may be, all of the members have an opportunity to make the points they would like to make. If they are concerned that they have been members of a committee, the report of which they disagree with, then the opportunity lies for them to introduce the motion that would have the report considered.

The hon. Member for Calgary Mountain View, I thought, destroyed his own case when he referred to a previous occasion in this House when the then opposition had apparently introduced a minority report. He referred to it as a very commendable minority report - and I certainly agree with him on that. It was. It came from the gentleman who is now the Minister of Municipal Affairs. The actual mechanism used was that immediately after the chairman of a committee tabled a report in the Legislature, the Minister of Municipal Affairs, then an opposition member, rose and tabled a document ...

MR. BARTON:

Tried to.

MR. KING:

Tried to, rather. He didn't say it was specifically related to the text of the report just tabled, but it had the effect the hon. member wanted to achieve.

So for these two reasons: first of all that an innovative opposition can get its point of view across if it works a little bit at it, and secondly because consideration of the report itself would automatically preclude consideration of a minority report, I think we are well to continue with the practice as has been the case in this House for many years.

MR. LUDWIG:

Mr. Chairman, in replying to some of the comments made, I was going to say that had it not been for my strong convictions and high principles, I might have succumbed to the impassioned plea of the hon. Mrs. Chichak. But such is not the case under the circumstances.

With regard to their remarks ...

DR. HOHOL:

[Inaudible]

MR. LUDWIG:

I'd watch that Hohol.

It is interesting that they agree in principle with me - which is what we are really debating - that a dissenting voice or a minority voice ought to be given the opportunity of expressing itself in the House. There is no disagreement in principle so far. The four members on the government side are, in my opinion, taking a reactionary stand here. Deep down it really doesn't matter that much. They don't disagree with what I'm saying. None of them took issue with me on the point that it is not a question of my right to do it. I have the right and nobody can take it away from me. But it is a question of fair treatment to a person who may not be able to afford to give it the same kind of coverage, the same kind of distribution as the people who have produced the report.

Maybe this is not important. But I say that if you go back into history many many years, hundreds of years, some of the best ideas, some of the greatest reform, some of the most important legislation generally started with people who were dissenting. Not always. A lot of them fell by the wayside. A lot of them were wrong. A lot of them did not make any headway. But by and large this is how the major changes under our system evolved.

A group of people dissented to suppression by the monarchy under King John. Now they did not have the right to do what they did. They might have been shot, and some I think may have been afterwards. So these are the things I'm driving at. Just because we happen to be in office now and have a majority, does this not matter?

I think the principle I am expounding at the present time is valid. If you read back, there were some people who even became martyrs for very minor issues which in the years to follow were implemented and have benefitted mankind. I would say that even now with the women's lib movement for emancipation, a lot of them have sacrificed their homes, perhaps except their principles - and I'm not sure about that sometimes. They are fighting a cause. They're ridiculed, but they are also being given the opportunity of disseminating their views - and I must say that I support a lot of those things. But some of these people are not only dissenters from the general accepted view, but dissenters from views and accepted ways among women. So it's things like this.

I think we should encourage in this House the opportunity for people to dissent. It would almost be like a breath of fresh air if somebody on the other side sometimes got up and told a minister that he was right, but not wholly - w-h-o-l-l-y. I'd like to recommend perhaps an improvement. It's amazing how the hon. Member, Mr. King, can give us a piece of his mind, small as it is at times, but never have anything to recommend for improvement on that side. Sometimes I think they need it badly. There is a useful purpose to be served by the hon. member who spoke.

I'm sure he doesn't entirely disagree with me. Perhaps his remarks were said more in the interests of an apologist for his own side rather than in support of a principle which I think is of benefit.

It can happen also in changing times that the hon. members have not got any kind of stranglehold on being a majority. People have been shown to be changeable. Sometime one major step that may be a bad step can put this whole thing into a nose-dive. I can say that if the Conservatives ever got into Ottawa that you people would have to pull leather to retain your seats in all likelihood. So don't display that touch of arrogance that we're in here now and we don't need your minority reports. The case can turn. It can turn sometimes more rapidly and easily than you think. So do what is right. Support a good sound idea and let's get on with the rest of the debate.

MR. BUCKWELL:

Mr. Chairman, I would like to say a few remarks on this because I have sat on committees when they were in government and also in opposition. Most legislative committees, I think, deal with subject matter of a sort of general interest to the House and also to the people of the province. But it is generally, say, as a motion on the floor of the House. If it were debated as a motion on the floor of the House it could probably generate quite a lot of interest. It generally requires something more than debate. It requires a great deal of study. I think actually when we look at a legislative committee, its terms of reference may be the most important thing of all in setting up a committee.

Looking at the membership, we know as well as the government - and it worked on both sides when we were in government - naturally because it is the government, it has the majority of members and therefore it will have the majority on the committee.

But in the study of the subject matter, having set up a legislative committee and its terms of reference and the terms of the subject matter, if we were to have a minority report, this would become the rule. In fact the only one I ever remember who put in a minority report was the hon. Mrs. Woods and this was on fluoridation. She was so adamant against it that she was probably entitled to it.

I can quite understand that the person who was - and I say this kindly - actually interested enough to put in a minority report that I feel sorry for the committee the person was on. I am afraid with the terms of the subject matter, and because we are all human beings and not so perfect that a person could say, yes, I want to go on this committee and be appointed by his party whether government or opposition, and carry his bias over into the committee and be an absolute dead loss as far as the committee was concerned. He didn't try to change. He didn't try to really look at the subject matter and the study with any form of commitment whatsoever, because he knew that at the end he would be able to put in a minority report. I feel in a way there are members - and I had the same thing happen to me as a member of a committee even though we were in the government at the time - who may not have agreed with the whole report. As the hon. Member for Mountain View has said, "You may agree with 95 per cent of it, but the 5 per cent that you didn't agree with may have been some of the most important issues of the whole committee."

I feel in some respects that if we are going to insist on a minority report that we are going to weaken legislative committees. In the committees I have been on I have been able to advance my opinion on everything I wanted. There were no restrictions of speech, no restrictions of thought.

I feel that while, generally, we can say even when we go away from the Legislature that we have had a good session: these are the things I agreed with, these are the things that I did not, but life must go on.

If we are going to go into minority reports I can see where you could have two or three - and this happened where there are three groups on this side, the official opposition, the independents and the NDP - if they were on a committee you could have a minority report from all three of them. You might even have a minority report from some of the members on the government side of the House. So your legislative committee would actually accomplish nothing. I would sooner see the chairman come back and say, We cannot agree within committee. We cannot come to any conclusion. We will have to strike a new committee.

Now if the subject matter is of such importance that it is going to come before the House and be debated, the members then have the opportunity, if they are for or against, to voice their views. We now have Hansard in which their acts and thoughts are recorded. I am afraid like most legislative committees they are filed away and probably lost forever.

I quite agree, in thought, with those who are in the minority who would like to have their names perpetuated forever. But let us be perfectly frank. Under what terms and conditions are you going to have a minority report? If it is going to be of such a major nature that it requires one then there is something wrong with the committee. There is something wrong with the whole structure of the legislative committee. If it is going to be of such a minor nature then why bother with it at all?

MR. LUDWIG:

Mr. Chairman, I would like to add to those remarks because they all, one by one, agree that the right to express a minority view or a dissenting view is there.

Why would it be that if I had \$25,000 to express my views and disseminate them this would not destroy democracy, but if the Legislature enabled me, having no money at all, to express my views to the public all of a sudden this would destroy everything.

I think this reasoning requires to be looked into because it is weak and it is illogical. I am surprised to hear this kind of thing because it is not saying we are going to stop him. If minority reports and minority expressions of opinion are detrimental to democracy, why don't you have the courage of your convictions? Stand up and say you are not entitled to express a minority report-period. If you draw this to a logical conclusion that is what you have to do. So let's not treat this lightly.

The next step is, well if I disagree with them I should be hushed up. They can't do it legally but say, economically if you haven't got the money we will keep you quiet. Is this what we want out of a democratic system? If this is what we want then stand up and express yourself. That is what I am fighting against.

I agree with you that in the past, when I was on the government side I was on a committee, that sometimes it does happen. If you have any convictions at all on anything you are not entirely wrong if the whole lot disagrees with you. It just could happen that there is more than one way to arrive at a point in dealing with an issue. I am sure that is why you hold caucus committees and cabinet meetings, to fight it out and hear minority reports. Because you say that if six of us want, and four don't, we don't have to listen to the four. That is not the way I believe it is done.

So why do people stand up in this House and say, well, minority reports will undermine the committee system. I would say there are more reports in this province, many of them under the Social Credit government, that were filed away, covered with dust and never acted on.

At least the public didn't demand action on them because they were not given a good controversial airing. Maybe in the House they were but people don't read Hansard, as my colleague has stated. Well you want to perpetuate your name. I think that eventually every man's name is forgotten much sooner than he thinks. There is only one person in Parliament whose name will live on and on and on, and that's John Diefenbaker and he isn't leaving yet.

But I believe this is sheer nonsense, saying that somebody wants to get help to file a minority report. I believe that the system encourages minority views. I may be wrong. I'd like somebody to tell me that it isn't allowed. It's certainly allowed in the British Parliament. It's allowed in most other parliaments, in the legislatures, and I think it is encouraged, if not in the House for the apparent solidarity or for what appears to be solidarity of the party - but certainly minority expressions of opinion or differences of opinion, I believe, are encouraged in caucus. They are encouraged because they just might be the very thought the group needs.

So, as I have stated at times, I don't think that anybody has rebutted the fact that the right exists. Nobody has rebutted the statement I made, that we should not discriminate against a person who can afford to make a minority report and the person who cannot. It's an important distinction. Because a person has no means to get his views put on paper and get them publicized, does not mean that his views are not as valid as or better than the majority committee report.

I made the point, and I'm going to stress it, that if minorities are persistent and if they - as the hon. member, Mr. King, said - do their homework and are sincere, you'd be surprised how often they prevail. So I don't feel that, in fact, a minority report may be completely wrong. Maybe nobody will disagree with him, but still, in my opinion, there is the right of a person to make it. What you are saying if you are voting against this thing is, well, you can make it, Mr. Ludwig, if you want to, but if you can't afford it, well, tough. That's what you are telling many people, and many MLAs cannot afford to disseminate and publicize an idea.

I'm saying that in principle we agree and we ought to stand up and vote for our principles. Thank you, Mr. Chairman.

MR. TAYLOR:

Mr. Chairman, I think two points need to be answered. If the committee was so garbled - as the hon. member from Fort Macleod suggested, there were three or four minority reports - then the report is certainly misleading to the people who read it if they don't know that. Surely all this will do is give the people more information. So I just can't follow the argument that because there will be different views not able to carry the judgment of everybody on the committee, they should be hushed up.

The other point I want to make is that there seem to be some members of the Legislature who think that those who would be making a minority report would be biased, insincere or not responsible. That doesn't carry at all. The member who makes a minority report, I think, has to be considered just as responsible and just as sincere in his beliefs as those who make the majority report. It's a pretty dangerous precedent to start assuming that some members are insincere.

I think the only way you can proceed with parliamentary government is to at least start on the premise that all members are sincere and that all members are responsible. The suggestion that those who would want to make a minority report are not, I think, is a pretty dangerous assumption.

MR. COOKSON:

Mr. Chairman, just a quick comment. I think we should try to support the Member for Calgary Mountain View in his submission this afternoon. I think his popularity has dropped considerably. After all, how can you communicate with the people outside if you lose your popularity? I notice the press left just as soon as he started to speak. He never gets in The Edmonton Journal. I think The Calgary Herald has probably forgotten about him. I don't know whether the North Hill News even considers printing his comments. I think that when you drop in popularity to this degree you deserve some support.

I would suggest that if it's a matter of cost I would be prepared to take up a collection on this side to print his minority reports.

MR. LUDWIG:

Mr. Chairman, there is nothing as magnanimous and charitable as a rich Conservative. I think that if the hon. member got away from the little area he represents and went further afield in Alberta, he'd find out that I have now been re-elected four times and, at times, against pretty good odds.

[Interjections]

Nobody is there forever. But I think that when we look back, whether The Edmonton Journal writes me up or writes him up will not alter the course of history in this province, nor will it affect the well-being of its people. So I don't attach as much significance to whether I'm written up or not.

But for the hon. members' advice, and perhaps to keep records straight - which seems to be a weakness on the part of some hon. members here - the press got up and left right after the question period. This happens in Ottawa, Mr. Chairman. I was there. When the question period was finished, not only did the press leave, but the Conservatives, the Liberals, the NDP and everybody else left. By whichever door they could find first they were gone. I was sitting there watching and there were 18 or 20 out of 265. So these are just things that ought to be brought to your attention.

But to the hon. member, Mr. Cookson, I believe I got his name into Hansard more often than he did. He ought to try to be factual. It's important, when you represent somebody, to not just spew off a bit of nonsense. Be factual and be honest, even if it's a minor point.

Now, Mr. Chairman, I have one thing to read here. This is a report from Mr. Laundy, who wrote a book on rules and procedure - on Speakers, I believe. I met him in Ottawa. Here is what he says on page 9 of that report, just as an indication that perhaps change is possible.

The prohibition of minority reports is certainly consistent with practice. However, the principle has been questioned by certain Members at Ottawa, notably in the case of the Report of the Joint Committee on the Constitution. I have no strong feeling on the matter myself, except that the House should have the right to change a practice, no matter how traditional, which it feels may have become inconsistent with the rights of Members.

There is a person with an objective view, and I believe that the right to publish a minority report does touch - if you talk about the right to present a report, then you are dealing with a right. If you feel that the person has no right, as I stated before - and I have to repeat myself because some of the hon. members apparently missed the point, and it is quite understandable that they could. Maybe I don't express myself as clearly and forcibly as the hon. member, Mr. Cookson, but I try. But there is no effort made by anybody here to say that you must not file a minority report. There is every encouragement, and the rules we are dealing with now make provisions for this. That's what the rules are all about. That's what we're discussing, the rights of members to get up and express their views.

I'd hate to have anybody on the other side stand up and say that I'm wrong and he has always been right. There is an expression which says that the man who has never said a foolish thing has never done a wise one. But we have the right to disagree and even the right to perhaps cling to an idea that may not be popular, but to each his own.

I'm saying that a much stronger case of facts and reasoning has been presented in favour of permitting it. You are really not disallowing anything if you vote my amendment down. You are disallowing equal opportunity of presenting your case to the people. That's all you are disallowing. So it's a test of fairness. I once again urge you to vote for it.

MR. COOKSON:

Mr. Chairman, I just overlooked one point in support of the Member for Calgary Mountain View. He does get his speeches quoted in Hansard, but when he reads them he can't understand what he said.

MR. CHAIRMAN:

Order. The question has been called. The motion was, as presented by Mr. Ludwig - we will deal with the amendment first, which was that the words, "No minority report shall be made to the Assembly" be struck out.

[The amendment was lost.]

MR. CHAIRMAN:

Any further comments on Rule 47?

MR. LUDWIG:

Yes. The loudest voices are not always the most intelligent or the majority.

[The motion was carried. Rule No. 47 was agreed to.]

[Rules 48 through 52 were agreed to.]

Rule No. 53

MR. CHAIRMAN:

Pertaining to Rule 53, we have some amendments that have been circulated. Any questions? The amendments were distributed today, 53(1) (2) and (3).

[Rule No. 53 as amended was agreed to.]

[Rules No. 54 and 55 were agreed to.]

Rule No. 56

MR. KING:

Can we hold No. 56 for just a moment because I've got a note here to check a memo and I don't know which memo.

MR. CHAIRMAN:

Hold Rule 56.

[Rules No. 57 and 58 were agreed to.]

[Rule No. 59 as amended was agreed to.]

Rule No. 58

MR. HENDERSON:

Mr. Chairman, I wonder ...[Inaudible]... could we revert to Rule 58 for just one moment?

HON. MEMBERS:

Agreed.

MR. HENDERSON:

I'd like to suggest to the committee that we're really not at this point in time following the procedure as it's spelled out in Rule 58. I refer specifically to 58(2):

The Chairman shall, before a Bill is considered in the Committee of the Whole Assembly, ask whether any comments, questions or amendments are to be offered with respect to any sections of the Bill.

Basically it boils down to any amendment to the bill. I'm wondering whether we need to leave the words "comments" or "questions" in, because I think the practice has developed that if a member doesn't have any amendments, he, generally speaking, is withholding his general comments until the subject of title and preamble. That seems to be more in keeping with the way the committee was actually evolved when they made the change to delete clause-by-clause study.

So I'm wondering if it wouldn't be in order, Mr. Chairman, for the committee to consider in Rule 58(2) just deleting the words "comments, questions or ..." and leave the word "amendments" in. It would then mean that if a member intends to introduce amendments to the bill there would be an opportunity for him to say so.

Then going on to 58(3), where the Chairman has received an indication that amendments will be offered with respect to sections of the bill, the committee shall consider every section and title and preamble be considered at the last. Again in 58(3) delete the words "comments, questions or ..."

Then we get to 58(4): "Where the Chairman is satisfied that none of the members propose to offer any ..." and once again take out the words "comments, questions or ..." and make it read "... offer any amendments with respect to the Bill, he shall proceed to call for consideration of the Bill's title and preamble."

Then at that point in time, members can get up and make general comments on the bill if they want to comment in committee. But we don't have to get into the question of going through clause-by-clause because, basically, the way the rule is followed, when a member just wants to comment, according to the rule, he's supposed to go through it clause-by-clause. We're not actually doing that.

I think if we just delete the words "comments, questions or ..." in 58(2), (3) (4), then the rule would in actual fact conform to the practice that has evolved in committee over the last two sessions.

MR. TAYLOR:

Mr. Chairman, I can follow the argument of the hon. member for item (3): "... the Committee shall consider every such section ...". That doesn't mean every section of the bill, but every section on which a question or comment has been raised. We have followed the practice of considering every section of the bill because there has been some question about some sections. I don't think that that's necessary. But when a member does raise a comment or question about a section, then I think that section should be considered separately.

When it comes to (2) and (4), I really can't agree that we should take out "comments" and "questions". There may well be a point of view that should be advanced in regard to some sections that may bring out some very worthwhile debate. Secondly, questions that may be asked may well be about an amendment if the right answer does not come to those questions. So I would not favour taking out "comments" and "questions" in (2).

In (3) if it reads the way I think it does, that only the sections raised by the people who want to make comments, questions or amendments be considered separately, then you go to title and preamble, I think that's pretty fair. It's not going to close out debate. But if we take out "questions" and "comments"

entirely in (2), it may well prevent debate, because the debate sometimes depends on the answer given to a question.

MR. HENDERSON:

Mr. Chairman, I believe that the words of the Member for Drumheller are well taken. My point in raising it is that the committee is not actually following the exact wording that we have in the rule now. So I raised it with a view to suggesting to the committee that it might be desirable to examine the specific wording to see whether there were some way of getting the rule written more in accordance with the procedure followed. But I have no personal objection to leaving it in, as long as we don't get hung up on the fact in committee that some of the arguments should be specifically followed 'as is' and start turning the clock back to the way we were doing things before. It's much more time-consuming.

[Rule No. 61 was agreed to.]

Rule No. 56

MR. CHAIRMAN:

Very well. We go back to Rule 56. Mr. King.

MR. KING:

Sorry, it was an error in my notes, Mr. Chairman. I've got no problem with No. 56.

[Rule No. 56 was agreed to.]

Rule No. 62

MR. FRENCH:

I realize this rule is pretty well the same as [the one] we've had for many years with respect to private bills. I'm wondering whether we should give some consideration to information that was given to the Legislature, I think about two years ago, when the government announced they were going to embark on a fall session. At that particular time some comments were made. I'm just giving this information so it can be considered when we are dealing with Rule 62.

The government at that time suggested that the fall session might be a good time to go into public accounts, private bills and some other matters, and that maybe in the spring session we should deal with other items. I don't know whether the government has changed its opinion as to the reason for a fall session, but when we read Rule 62, if we follow it to the letter it means that private bills can only be introduced during the spring session.

I personally feel that if we're going to have useful fall sessions maybe such things as private bills and some other items of that nature could be dealt with during the fall session. Because at the present time with our private bills, I think if we're fair to ourselves that we realize - I'm not trying to get away from the subject, Mr. Chairman - the public accounts [committee] doesn't normally meet until the public accounts have been tabled in the Legislature which is after the budgets are introduced.

It seems to be a tendency on the part of the Legislature to spend very few days on public accounts which is a very important document. At the same time it's almost impossible for the private bills committee to meet when the public accounts committee is meeting because so many people are on both committees and so on and so forth. The result is that there seems to be quite a bit of pressure on these two committees, which I think are both important committees, to handle the work before that particular committee. I felt, when the announcement was made some two years ago that we would be holding fall sessions as a matter of routine procedure, that such things as private bills could be dealt with at that particular time, which would probably be a better time than during the spring session.

So I give this to the committee. And if we're going to follow that line of thought, then, of course, we would naturally have to make some changes in Rule 62.

MR. TAYLOR:

Mr. Chairman, I wonder if I could make a comment on this. It simply says that private bills will be considered for the first session in each year. When a group wants to present a private bill to the Legislature, I personally think that that is the time to do it - at the beginning of that session.

Now because the session adjourns doesn't mean there's another session. If it's necessary to carry it over into the fall session after that, it can be done now without any change to the rule. There's no difficulty there. But to earmark it specifically for a fall session I think would be dangerous because there are going to be some years, when the government may well consider that a fall session is not required - that the business has been completed at the spring session.

I think this is something that has to remain in the hands of the government and I think the safest procedure is to follow it exactly the way it is now - that the private bills be introduced at the first session and then if necessary, carry them over after the adjournment to the fall.

MR. HENDERSON:

Mr. Chairman, I would very briefly like to inform the members of the House that the committee kicked this particular issue around at great length and to put it briefly, arrived at the conclusion just stated by the Member for Drumheller - that the rule doesn't preclude dealing with private bills in the fall.

We also felt it necessary or desirable to leave the rule the way it is so that the private bills are in the hands of the House before the sitting starts so they can plan their business. You get into all sorts of problems trying to come up with definitions if you want to go through advertising twice a year and so on and so forth. After a great deal of deliberation on the question raised by the Member for Hanna-Oyen, I concluded that all things taken into account, the rule as it stands now is a pretty sound one.

[Rule No. 62 was agreed to.]

[Rules No. 63 through 74 were agreed to.]

Rule No. 75

MR. HINMAN:

I don't know where I should have really made these remarks. But going back to 72(3), a private bill "when reported by the Private Bills Committee, shall be placed on the Order Paper for second reading. Then looking at 75, it says what the report of the Private Bills Committee shall be.

Now ever since I've been in the Legislature I've been very concerned that very frequently these reports recommend that the bill not be proceeded with. It isn't actually provided for in this rule. But I have a very strong feeling that a private bill should not be defeated on second reading. I'm not going to propose an amendment at this time on it.

A fellow who goes to all the trouble of preparing a private bill, it seems to me, ought to have a chance for the terms of his bill to be discussed in the Committee of the Whole. It's so easy to get around this by the report of the Private Bills Committee.

On three different occasions in my career I have sat in just as a spectator on Private Bills Committee. At various times during the hearing before that committee there was not a quorum of the committee present. It seems that that's an occasion when the very make-up of the committee has a lot to do with what treatment this private bill gets in the House. All the little prejudices that we all have because of our backgrounds, our occupations, our knowledge of the fellow presenting the petition seem to creep into these reports.

Now before we finish all this, I probably could come back with a proper amendment. But I would like somewhere in the act a provision that a private bill shall proceed to the Committee of the Whole before it is killed, so that a full discussion can take place before all the members of this Legislature. I presented one myself - and I'm not going to talk about examples - but really, it provided an opportunity for this Legislature to determine what had been its intent when it passed a certain act. It was killed in the Private Bills Committee. I wasn't particularly concerned personally that it was killed,

but I was very much aware that the Legislature as a whole never did get a chance to know what the private bill was all about. I asked as many members as I could. They didn't even read the bill. So I'm pretty concerned, as I say, that a private bill shall not be killed on second reading on the recommendation of the committee.

Another thing I don't like is that the Private Bills Committee can make or propose amendments and that they shall be written of course and initialled by the chairman. I think that's a right that shouldn't be there either, unless they can get the consent of the people presenting the private bill. The private bill deserves the consideration of the whole House.

I'm going to let it go at that. Whether you would be willing to hold that section before a final decision is made, so that a proper amendment could be drafted, I'll just leave to the committee.

MR. KING:

Well, I have mixed feelings about the comments made by the hon. Member for Cardston.

I really couldn't go along with any suggested rule change that would require the advancement of a private bill to committee stage before it could be killed, as he said, because public bills introduced in this Legislature don't have that guarantee now. If they should be defeated at second reading - that is approval in principle - why then they would not proceed. I don't know that the private bills introduced before the Legislature should be guaranteed any more progress than we allow to our own public bills.

I think, having said that, it is important to recognize that the procedure which is suggested here, essentially the same as the rules we have acted under to this point, is not the procedure that has been followed in an important respect. When the committee reports on a private bill, that is after first reading stage and prior to second reading, under these rules the opportunity for consideration would still present itself at second reading of that bill - that is, consideration of the principle which is embodied in the private legislation. I think that's what you're concerned about, that is the opportunity for the whole House to consider if they choose, the principle of a bill.

Now what I gather has been the practice - and I wasn't here when it originated so I'm not sure - but apparently the practice has grown up that if there were a recommendation from the Private Bills Committee that the bill not be proceeded with, then it is not.

In point of fact the rules in front of us don't provide that it should automatically be dropped just because the Private Bills Committee recommends that it be dropped. As these rules read, a private bill could be debated for second reading even though the Private Bills Committee recommends that it be withdrawn. Now I presume it's probable that on the recommendation of the committee there may be very little debate or it would be defeated at second reading or whatever. But what I think you're concerned about is debate at second reading. Theoretically, at least, these rules do provide for that - do provide for debate on the principle of a bill after we have received the recommendations of the committee.

MR. YOUNG:

Mr. Chairman, on the second point raised by the hon. Member for Cardston with respect to the notification of persons who had submitted private bills in case of any proposed amendments. I think, as a matter of fact, that in practice this procedure is followed. It is not one, however, that I think should be embodied in terms of our procedure and be required by statute here. That is tantamount to saying that if this House should decide that an amendment would be desirable, it could not proceed without the agreement of the sponsor of the bill - pardon me, in the more technically correct sense the person submitting the bill. We would be bound in a way in which I don't think we wish to be bound. I do not think that it is a realistic commitment we should be making. However in practice I agree that it is a procedure which we ought to observe and I hope has been observed.

One other comment I might make while I am on my feet here. In the discussion of this particular procedure relating to private bills in the committee, it was determined that many members who have laboured on the Private Bills Committee in the past year - and I suspect we could extend that to many members of this House - have been proceeding upon some assumptions which are not in fact well-founded. At least they are not founded on the rules that we

are supposed to be following and that govern the House. It was in fact determined that some of the things that were discussed in committee as concerns should not have been concerns, had rules of the House governing the treatment of ... [Not recorded] ... have been quite well considered and are quite operable - if they are followed. They have not always been followed.

MR. TAYLOR:

Mr. Chairman, I have considerable sympathy for the points raised by the hon. Member for Cardston. But frankly I cannot see how that can be done if we are going to have a Private Bills Committee. If a Private Bills Committee brings in a recommendation, after studying the principle, that the bill should not be proceeded with, then it would be somewhat a waste of time to carry it into the Committee of the Whole if it were still not going to be proceeded with.

I have never sponsored a private bill that was defeated, but I have spoken to some people who have had. They did feel rather badly that their bills did not get before the Committee of the Whole. My reply to them was that the Private Bills Committee recommended against it. Every member of the Legislature had a copy of the bill and received a copy of the report of the Private Bills Committee. If the majority of the members did not want to proceed on the recommendations of private bills, then the report of the Private Bills Committee need not necessarily be accepted and that would not kill the bill.

So really I think there is every opportunity for this bill to be considered from all points of view. If, however, the Private Bills Committee is going to recommend that the bill not be proceeded with, I think the present procedure is the proper one to follow.

MR. HINMAN:

Mr. Chairman, I am not very concerned about these amendments that I mentioned. I think maybe the procedure is all right, but on the other point I am quite adamant. In the first case, a private bill is presented by one member. If a man has enough money and enough influence to get to every member in this House ahead of time and do a lot of lobbying, he may get somewhere. But it is pretty difficult, as you know, for him to do it. It is pretty hard to get a party to take up his cause or it wouldn't need to be a private bill.

Now if he has only one or two people who are willing to state his case in the House, when it comes to second reading, they make their speeches and that is that. They can't answer anybody else in the House. When it gets to committee, if he really wants to sponsor it for this person, he has an opportunity to answer the questions, to refute the arguments, to state his case very plainly.

Now the Private Bills Committee, under Rule 75, has no right to recommend that the bill be not proceeded with as I understand it. I think that is quite proper. I think that is a business for the House without a recommendation. If it stays like that and they just adhere to the rule, as the hon. member has mentioned, that satisfies me.

But I still want to restate the case that the whole principle of the private bill was that any citizen could get the whole Legislature to consider an act which he thought was important for himself or for everybody. And because it can be stopped at second reading and because he cannot be there to state his case, but must usually depend on just one member of the House - and that member might himself not agree with the bill, but as a legislator and as a citizen think it is his duty to express it - I think it is pretty vital that the fellow who is representing the man with the private bill have more than one opportunity to speak after he has heard all the other people who might be against it or might have questions.

MR. HENDERSON:

Listening to the discussion, it seems to me that what we are really debating or really fundamentally questioning is the value of a Private Bills Committee. Just in principle, I can't see the merit in having a Private Bills Committee unless it has the opportunity and prerogative to make a recommendation to the House as to what should happen to the bill.

The bill is the property of the House once it comes into the House, no matter whose bill it is. I can understand a person - the Private Bills Committee turns him down and he would like to have another hearing. Naturally he would like it to go before the whole House because he is hoping the whole House will change the recommendation of the committee. Fundamentally I think all this brings up is the question of the procedure of having a Private Bills

Committee. To my mind, if we are talking about amending it in the manner the Member for Cardston suggests, we might just as well talk about scrapping the Private Bills Committee and deal with private bills in the same manner as we do public bills.

And I rather suspect if one went back far enough in this whole private bill affair, he would probably find out that the problems they were getting into before the whole House - and some of the debates and so on and so forth [are] time-consuming - led to the setting up of a Private Bills Committee to deal with the matter.

I think, on the whole, that the entire Private Bills Committee structure has worked adequately. I suggest that we maintain the principle. I think if we were to talk about bringing the bill before the House, we should talk about bringing every bill before the Committee of the Whole and scrapping the Private Bills Committee, which I don't particularly endorse.

MR. DIXON:

Mr. Chairman, I think the objection the hon. Member for Cardston is concerned with - and it has happened over the years - is that most of the people who are objecting because the Private Bills Committee has recommended that [a bill] not be proceeded with in the House, do so because they are asking in most cases for a privilege which they have either been denied by the courts or by some government regulatory body or they are running into the fact of statutes of limitation regarding a law suit or something of that kind.

I am wondering if the House shouldn't take some cognizance of the complaint and maybe rather than the gentleman or lady trying to get a private bill before the House, to be heard and to rectify what they consider is an injustice - or at least if it is not an injustice, something that is preventing him from carrying on a legitimate business or affecting his livelihood - I am wondering if maybe we should also look a little bit at the petition rules to make it easier for somebody who has a complaint to be heard by the House by way of a petition rather than a private bill. I realize we would have to make some amendments to our petition rule, but that might be an easier way of getting to the root problem that these people have. I think they automatically put private bills in with the idea that they are not going to be proceeded with in the hope that it will at least focus some public attention on it. Then they are discouraged - well, not discouraged, but they are at least not happy with the fact - that they are not able to get before the whole House.

I believe this is a problem we could look at by way of a petition to the Legislature so these people could be heard.

I am sure each and every one of the members here has had some fellow or some lady complaining to him about the fact that they couldn't get justice and would like to be heard by the Legislature - or at least a committee of the Legislature. But in this case a committee has heard their private bill and decided that it wouldn't recommend it to go further. I think what really frustrates them is the fact that they would still like to have their story told to the majority of the members.

I don't see how we could change this particular rule of a private bill, but I think we could certainly look at petitions to see if we couldn't overcome the feeling these people have that there is an injustice being done, that they are being held up either by a regulatory body of the government or by the Private Bills Committee saying they are not going to recommend they be heard, or their bill be heard, by the whole House.

MR. LUDWIG:

Mr. Chairman, I would like to support the hon. Member for Cardston. I do not disagree with the hon. Member for Calgary Millican. Perhaps we could deal with some of these matters by way of petition of right. But a citizen or a group wanting a private bill is asking that the law be changed in some regard whereas a petition deals more with a grievance.

I think that the most direct and the most effective way of dealing with alteration of law or getting a private bill passed for whatever purpose, is a private bill. I would like to suggest that a person who wants a private bill is entitled, once a member of the Legislative Assembly has agreed to sponsor the bill for him, turned down by what he thinks is the highest court in the land. And although we feel that the private bills committee may - once it decided against it a bill might not have much of an opportunity in the Legislature. Nevertheless, if a person is determined, he has a right. We make it possible

for people to fight for their rights. We make it possible to spend money to allow people to complain against grievances they have or think they have. So this is an extension of a right that exists.

But a person does not feel that a committee of 15 members has the final adjudication on his proposal because he has complied with the preliminary requirements - of advertising, proper form, perhaps compliance with the law, and checked out by the Legislative Counsel. He has complied with everything necessary, but he is denied the right to be heard by what is to him the highest court in the land and that is the Legislature. It isn't that important. It isn't that important in time taken in the House, but the principle is important. And it is more important when it happens to you. That is when it really becomes important when you appear to be knocking your head against a brick wall and you can't be heard.

It would not be undemocratic. It would be most proper to give this man his say in court, or this group its say in court, and let the Legislature turn him down instead of delegating the authority of telling him that you are out, you are not going to be heard; we have disposed of you.

If that is the better way, if you have so much faith in a Private Bills Committee to do this, then why - if it is such a effective way, and we have such implicit faith in a committee to do the right thing - I think there are chances of a man being satisfied that he was properly dealt with, even though he does not get his bill, if 75 members who are elected to adjudicate on this matter were heard instead of 15, and sometimes a quorum - I forget what a quorum is - but sometimes a quorum in private bills committee, say if they are half, eight or nine people can say well, tough, but you are not going to be heard.

I think the principle is sound and that we should take a look at it because we have been gradually extending through the years the right of people who have a grievance or who want the law changed, but it is not such an imposition on the Legislature to have the man come here. Although the private bills committee has worked effectively, maybe for decades, we should not be so set in our ways that perhaps a change would disrupt something and make the democratic process less effective.

It might happen once. I don't recall how many times a private bill has been turned down by the private bills committee where a person persisted in wanting to go further. It happens once in a while. These exceptions should be treated fairly and to the satisfaction of the aggrieved person, Mr. Chairman.

MR. HINMAN:

I think there is a purpose to be served by the Private Bills Committee. A great many of these bills are to form companies and things like that. A private bills committee can analyze it to be sure that it meets with all the provisions of the various acts and can thereby recommend. So I don't object to the Private Bills Committee, nor do I think it ought to be disbanded.

I am not going to propose an amendment. There might be another opportunity, but I think this is something for the members to consider that this truly is the highest court in the land. On a few occasions this Legislature has passed private bills upsetting the decisions of courts, or upsetting the penalties or upsetting the charges. I think all I am concerned with is that there be a chance for somebody in this House to answer people who oppose it and to present arguments you can never get when you can only make one speech on second reading.

MR. CHAIRMAN:

Are you ready for a question on Rule 75?

MR. FRENCH:

Mr. Chairman, I didn't know that we were at 75. I was going to make a comment on 73.

MR. CHAIRMAN:

I'm sorry. Mr. French.

MR. FRENCH:

Could we revert to No. 73 for a minute?

MR. CHAIRMAN:

Very well. Let me finish No. 75 and then we'll revert to 73. Agreed on Rule 75?

[Rule No. 75 was agreed to.]

MR. FRENCH:

With respect to Rule 73 there are two comments I wanted to make, Mr. Chairman. First, it says:

The Clerk shall give at least twenty-four hours' notice of a meeting of the Private Bills Committee to consider a private Bill by posting a notice of the time and place of the meeting on the notice board in the lobby.

Well, the notice board is not in the lobby. It's out in the hall and I am wondering if we shouldn't remove the words "in the lobby" from the rule so that we will be consistent.

Secondly, as far as this notice is concerned, I presume that this is the notice to be given to the public so that they may be able to know when the committee is meeting. I presume that's the reason for the public notice. But I am also thinking that we should be giving - and during the past number of years the committee chairman has given written notice to every member of the committee. Yet I don't see any place in the rule whereby this is mandatory, although in procedure this has been the practice. I am wondering whether we should have it in the rules that it is mandatory that a notice be given to each member of the committee, 24 hours or whatever the time should be, so that each member would have a written notice of the meeting of the committee. Because it is quite possible for a meeting of the committee to be held and the members maybe wouldn't even know the time of the meeting.

I would move, Mr. Chairman, to simplify it, that the words "in the lobby" be deleted

MR. CHAIRMAN:

Mr. French, may I have the unanimous leave of the committee that we revert to back to No. 73 because we have had agreement on Rule 73. Is that agreed?

HON. MEMBERS:

Agreed.

MR. CHAIRMAN:

Pine. Mr. French, go ahead.

MR. FRENCH:

I thought we had that agreement. I would move that the words "in the lobby" be removed from Rule 73.

MR. CHAIRMAN:

Any further comments? Is the amendment agreed as moved by Mr. French?

HON. MEMBERS:

Agreed.

[Rule No. 73 as amended and Rule 76 were agreed to.]

MR. TAYLOR:

Mr. Chairman, all that simply says is that we post it on the notice board. But it doesn't say where the notice board is. I'd like to know where the notice board is going to be.

[Rules Nos. 77 through 79 were agreed to.]

[Rule No. 80 as amended was agreed to.]

[Rules Nos. 81 and 82 were agreed to.]

Rule 83

MR. CHAIRMAN:

We have an amendment that was distributed today, Mr. Strom.

MR. STROM:

Mr. Chairman, I wasn't going to deal with the amendment. I'll let the amendment go first. I was going to deal with a section in No. 83.

MR. CHAIRMAN:

The amendment I see is pertaining to subsection (7), so if it's any part of the first part, go ahead.

MR. STROM:

Yes. Mr. Chairman, I note that if a person wants to make a correction in his transcribed speech it has to be done within 30 minutes of the session closing. It appears to me that this does create some difficulties because I take it that it's posted out on the board in the back of the hall, is that correct? I think there would be a real problem if everybody who said something were to ...

MR. CHAIRMAN:

Posted in the lobby, Mr. Strom.

MR. STROM:

That is the lobby? Okay, in the lobby. I really don't know how it is checked when it is taken from the tape. Is it only checked by one individual? I am thinking of a speech I made myself that I picked up and read in Hansard a long time after the 30 minutes had elapsed. The word "exploited", for example, was used instead of "exported". It certainly made a big difference to the context of what was said.

I am not really concerned about it. But I note that it says here, "The transcript shall remain an accurate. ..." I take it that the tape, as far as I am concerned, would be accurate. But I am not so sure that the transcript would be. And yet if we don't have it I can see where a lot of arguments could develop later on. Because you are told, well, you know, you had better go and listen to the tape.

I raise it as something we might want to think about as a better method of checking it. I am wondering if Mr. Speaker might have some comments on it.

MR. AMERONGEN:

There is an inescapable dilemma here between allowing a reasonable time for corrections and giving the Hansard staff a reasonable opportunity to produce the Hansard within the time limit. If you extend the time for making corrections, then that is going to delay the Hansard staff in producing the final copy.

The only other thing you could do, it would seem to me, would be to make corrections after the daily copy comes out and before you produce the bound volume. But that's fraught with a considerable amount of expense which would stretch our budget more than it has been stretched already. If the hon. members have any suggestions as to a better way of getting corrections, we would certainly welcome them.

It may be recalled that in the 1972 session, we first started to produce photocopies of the rough transcript and to distribute them to all the members. But the cost of doing that was enormous. Perhaps there could be some compromise arrangement whereby those members who have spoken would get copies. But even that presents considerable administrative problems as well as a considerable increase in the cost.

What we have been doing is posting the rough copies at the two ends of the members' lobby hoping that the members might have some opportunity to check them and to get corrections back. As a matter of actual practice, although I can't say this with certainty, I don't think we have rigidly adhered to the 30 minute rule. But you can see that if you were to make it an hour and a half, you would be adding that much more time to the time the staff has, which is already

critically short. They are always under great pressure in producing Hansard within the time limit that we have under the rule.

As far as I know, we are the only province in the country that produces a daily Hansard within the time limit that this Hansard complies with.

MR. STROM:

Mr. Chairman, to Mr. Speaker then. Are the tapes kept, or are they destroyed after they have been transcribed?

MR. AMERONGEN:

There is an archival tape prepared, which was started under the previous Legislature. That is still being done, and this is kept indefinitely. The working tapes from which the transcript is prepared are also kept quite a time. I've forgotten how long, but they are kept for quite a time.

CLERK:

The duration of the sitting.

MR. AMERONGEN:

Mr. Clerk says it's the duration of the sitting.

MR. STROM:

Mr. Chairman, I would be satisfied with that. I think that in the event of a serious mistake on a word they could always go back to the tape, even though it might not be 30 minutes or one hour afterward. I thought I would raise it now because just in my own case the one word certainly did change the context. I'm not really concerned about it, and I'm sure that in posterity, if they ever want to read it and see what their great-great-grandfathers said, they are not really going to be too concerned about it either. But if a dispute ever arose, I think there is some real value in having the tapes available at least for a length of time so we could go back and check them. I'd be satisfied with that.

CLERK:

I might add, Mr. Chairman, on behalf of Mr. Strom's suggestion and particularly in the light of the last 30 minutes of the day or so, that the editor is quite prepared to bend that rule because the material will not be down on the board at the time you leave the Assembly. She will listen to recommendations for a change or correction up until 8:00 o'clock in the evening if there is an evening sitting, or at any time during the evening if there is no evening sitting.

Also, as many of the members know, I think, who have gone to interview the editor on these matters, she often makes the tape available for both to listen to, to take up such words as "exported" and "exploited" and determine if that is exactly what was said.

MR. TAYLOR:

Mr. Chairman, I was just wondering if the tapes could be subpoenaed. Before answering that, the hon. Member for Cypress mentioned the accuracy of tapes. I'm not sure that President Nixon would agree with that completely, and I'm not sure that I agree with it completely either. I didn't hear it this year, but from what I hear of the tapes at the press party each year, it makes me wonder what you really can do with tapes.

MR. STROM:

Mr. Chairman, I would just make a quick comment. I would like to think that in our province the tapes are very secure in the hands of those who are presently keeping them.

MR. AMERONGEN:

So far we have not confessed to any missing tapes.

MR. BENOIT:

I think the Speaker's suggestion of some correction in cases of very serious error could be made in conjunction with the bound volume by just simply

publishing an erratum at the beginning of the bound volume if a mistake were so serious that it really should be done.

MR. AMERONGEN:

This is, in fact, being done.

MR. DIXON:

Mr. Chairman, I ran into the instance where I was quoting someone else. I did actually say, "they were not paying", when, in fact, they were paying. I meant to say "were" and I couldn't get that changed. I don't mind if I have said it and they are my words. But I'm quoting someone else where you can show quite easily that what I said was not actually part of the quote. I couldn't get that changed.

I was wondering about a case like that. I'm a great believer that the less a thing is changed the better. I think this is a chance you take as a speaker in the Legislature. But where you are quoting somebody else as in the case where I said that the Ontario government, "were not paying", when the very article I had was quoting that they were paying and I wanted to get it changed back, but because I had said it, there was no way I could get it changed.

MR. AMERONGEN:

As far as I know the problem that Mr. Dixon mentions is now looked after by the words, "manifestly erroneous" in 5 (e). So the moral is that if you are going to make a mistake, make one that is manifestly erroneous.

MR. DIXON:

This one was.

MR. HENDERSON:

Mr. Chairman, just for the benefit of others, I think in spite of the rules that are here, that there is nothing to stop a member who feels he has misstated or misquoted from rising in the House on privilege the next day and having it put on record and the record straightened out, at least so it is not of some embarrassment to him later on. Members have not been doing this. I don't think one has to belabour the point that what goes into Hansard is not subject to correction by a member. He can always do it under privilege in the House later on.

[Rule 83 as amended was agreed to.]

MR. RUSTE:

Mr. Chairman, Rule 83 is a long one and there is one point I'd like to raise on part 7 (a) in the subscription price to Hansard ...

MR. HYNDMAN:

There is an amendment to that. See the amendment.

MR. CHAIRMAN:

Mr. Ruste, the amendment deals with that, I gather - the one that was circulated today.

MR. HYNDMAN:

The amendment, Mr. Chairman, is to give some latitude and discretion to the Speaker under the advice of the members' services committee. These rules would have to be amended, I think, with some regularity because the opinions as to the charges that should be levied for various other copies would change from year to year. I think this gives the flexibility and discretion of the all party members' services committee which would be starting next spring.

MR. RUSTE:

Mr. Chairman, just on that matter - the point I was going to raise. When we compare the federal Hansard, to which many of us subscribe - I think that in the matter that we advertise government services, we have the Alberta communications network and we have many other avenues of trying to get information out to people. I think we would do well to look seriously at

lowering the rate of this, considering especially that our House sits for a lesser time than the federal House of Commons. I think if there is anything we can do to get the information out on what goes on here, and when we have the Hansard verbatim report of this session, then certainly it is up to us to see that we get it out to as many people as we can and to make the price available to those who may wish to subscribe to it. I don't say we can give it to them free, but certainly if someone wants to pay a nominal amount to receive Hansard in the mail as the session progresses, I think they are a better informed public and we can serve them better in that way.

MR. AMERONGEN:

Having regard to the Hansard costs, the present charges are nominal or less.

MR. RUSTE:

Mr. Chairman, with reference to that, I feel that I am comparing the charges for Hansard. True enough, if we were going to charge the full amount it would be considerable. But I still feel that this is one of the places where we may even say we are subsidizing the publication of Hansard to get it out to the citizens of this province who are interested in what is going on in this Legislature.

MR. HENDERSON:

Mr. Chairman, I would have to agree that judging by the contents of Hansard sometimes it is probably underpriced - or it is probably overpriced, I should say. I got that wrong. It is overpriced. The last thing I would ever want to do is read my own speeches from Hansard. I can't quite stand that. But other members obviously don't have those troubles. They make better speeches than I do.

MR. CHAIRMAN:

Mr. Henderson, did you want that corrected? Was it "overpriced" or "underpriced"?

MR. HENDERSON:

I would say that judging by the contents we are probably overpricing it a little bit, but judging by the cost of production it is underpriced and I think that is a good in-between figure to stick with.

MR. STROM:

I have some hesitation in rising to do this, but I do it because I think that maybe it is rather important to raise it at this time. The subsection I want to deal with is (2): "Newspaper photographers may take still photographs of the Assembly, while in session, under the guidance and advice of Mr. Speaker."

Now I appreciate this one being in, but I would like to bring to the attention of the House that in permitting the photographers to come into the Legislature there are possibilities of them taking photographs and publishing them in such a way that it could be embarrassing to a member.

Now, I take my own case when I had a picture on the front page of The Journal, I believe it was. I was shown reading some of my mail. This mail happened to be a confidential letter. The photographer taking the picture certainly had no idea that it was, but it appeared on the front page, I believe, of The Journal. The individual could have very easily identified it and could have very easily been upset because it appeared in public print.

I am not objecting to the photographer doing what he did, because he had the full privilege of being here. But I point out to members that we are really creating a situation for ourselves that could be embarrassing. I would like to now ask Mr. Speaker if it is his intention to screen every photograph taken within the Legislature. Are you suggesting that an individual who takes a picture such as that will then go to the individual and check with him that there will be no possible repercussions as a result of it, or how is it going to be handled?

In my particular case it had no serious repercussions, but it could have because I could have been charged with being very careless in how I handled my confidential mail. I think that all we need to do is take a look at our desks. They have locks on them. I don't think anyone has had a key for a long, long

time, but I suppose the original purpose was that there would be some confidentiality and some privacy.

I have discussed this with you, Mr. Speaker, before and I simply raise it here within the Legislature because I think we ought to recognize the potential danger that lies within this and we ought to have some understanding of the kind of screening that will be done of any pictures that are taken within the Legislature.

MR. AMERONGEN:

I was under the impression, and I could be mistaken, that all hon. members had received copies of a memorandum which went to the press gallery and to the media concerning the taking of photographs within the Chamber and within the members' lobby. There was some difficulty in drawing these because, as you know, the purpose of the game is communication. We want to be a communicative Legislature and therefore we should err on the side of being easy rather than on the side of being restrictive. That may bring with it certain unavoidable risks.

There were some queries raised about this memorandum and we have on several occasions invited amendments to it that people think might improve it. So far none of those have been received. If there are such suggested amendments received then certainly they will be taken under consideration.

The reason I say "amendments" is that there isn't any conflict in principle. The press gallery and the honourable members, as far as I know, agree with the practical principles that should be involved protecting privacy of communication and so on. The actual conflict that could arise is with the specific text of the memorandum. Therefore if suggestions are made for changes, I would welcome those suggestions to be embodied in specific texts.

[Rule No. 84 was agreed to.]

[Rules No. 85 through 89 were agreed to.]

Rule No. 90

MR. KING:

Mr. Chairman, I would like to move the inclusion in the report at this point of a new standing order and subsequently the renumbering of our present S.O. 90 as S.O. 91. I have copies of the amendment here. Very simply, it rectifies an oversight of the committee. We made reference to a members' services committee and didn't provide in the standing orders for the creation of it. I will read the text of it and then distribute it.

- (1) At the commencement of the first Session of each Legislature the Special Committee referred to in S.O. #39 ...

that is, the one that nominates members to committees

... shall also prepare and report a list of members to compose the Special Select Committee of the Legislature, on Services.

- (2) Such Special Select Committee of the Legislature shall serve for the duration of the Legislature.

So the amendment which I propose, first of all, composes the committee which has already been referred to, and secondly, makes it a unique committee in that it will not serve for one session of the Legislature. It will, when it is created, serve for the balance of each Legislature. That is, it will serve from one election to the next election. It will serve for two or three or four sessions of the Legislature.

I have copies here for yourself, for the hon. Leader of the Opposition and for the Independent members as well as the House Leader. It is seconded by Mr. Lee.

MR. BENOIT:

Mr. Chairman, might we ask the hon. member to elaborate on the business of this special committee?

MR. KING:

The first volume of the report of the Special Committee, you will remember, referred to various functions of the office of the Speaker. It recommended that there be more freedom for responsibility on the part of the Speaker and it recommended that there be created a committee of the Legislature to advise the Speaker on services to members to assist in getting the estimates of the Speaker through the Legislature, and this kind of thing. So the rule simply creates the committee that was recommended in Volume 1 of the report of the committee.

[Rule No. 90 as amended was agreed to.]

MR. HYNDMAN:

Mr. Chairman, the amendment regarding Rules 90 and 91 should now be numbered 91 and 92.

MR. HENDERSON:

Mr. Chairman, ...

MR. CHAIRMAN:

In a minute, Mr. Henderson. Mr. Hyndman, we have an amendment to Section 90 that was distributed earlier today.

MR. KING:

... [Inaudible] ... 91 and 92 because we have inserted a new 90.

MR. HENDERSON:

Mr. Chairman, I would beg the indulgence of the committee to revert back to 24(1). I do so because I think there is a matter that should be brought to the attention of the members that was contained in Mr. Laundry's report ...

MR. CHAIRMAN:

Very well, as soon as we finish all of these Sections.

[Rule No. 91 as amended was agreed to.]

[Rule No. 92 was agreed to.]

MR. CHAIRMAN:

Now, Mr. Henderson, that was Section what?

Section No. 24

MR. HENDERSON:

Section 24(1) and I have to hearken back to the little bit of difficulty we got into when the committee's report was tabled. We then went back to committee and made some changes that removed some highly contentious recommendations in the report. I think there is a desirable amendment that flows out of a matter that the committee did not deal with when we redrafted the report and resubmitted it to the House.

It concerns the last sentence in 24(1) dealing with the question of emergency debates. The rule as we now have it in the report before us in the last sentence requires a majority agreement of the House before you could proceed with an emergency debate. I want to bring to the members' attention that that change went into our report because it was predicated on the assumption that we were going to have this 'opposition Thursday afternoon deal'. That did not materialize. So I think if members read the report they received today, or the copy of the report from Mr. Speaker, a recommendation that came from Mr. Laundry brings to the attention of the members the suggestion that we should go back on the question of emergency debate in our rules as they now stand.

The rules as they now stand state very briefly that in dealing with an essential matter if objection is taken after the question is put by the Speaker about having an emergency debate, Mr. Speaker requests those members who support the motion to rise in their places and if 15 or more members rise accordingly, the Speaker calls upon the member who asked for leave. The rule then goes on,

if less than 15 but not less than 5 members rise in their places, the question whether the member has leave to move the adjournment of the Assembly shall be put forth without debate and determined if necessary by - I've got an error in the memo here - to take a vote on it, what is the word, Mr. Clerk - no, no, - by a division. I've got the discussion in my text here.

I would like to suggest to the members that we should amend 24(1) to conform with the rule that we now have which makes it permissible, that does not require a majority vote of the House to have an emergency debate; that 15 members, as is in the rule book, should now stand.

I have drafted an amendment to that effect and I would move that we amend 24(1) by striking out the last sentence which reads: "Such a motion must have majority agreement of the House" and inserting the words I have just read out, which are taken verbatim out of our old rules.

MR. DIXON:

Mr. Chairman, I would like to support that amendment because under parliamentary positions, of course, the government has its majority as its protection and the opposition has the rules for its protection.

This way, I don't think the government could be accused of shutting it off because it has the majority. I think it would leave it to the Legislature and the 15 members, plus the fact that it would give the Speaker much more latitude in dealing with the amendment where he wouldn't be put in a position where the majority could vote him down.

There are many other things I could say on it but owing to the time I would just say that I agree with the hon. Member for Wetaskiwin-Leduc and support his amendment.

MR. HYNDMAN:

Mr. Chairman, this has come upon us with some surprise and the prelude to the remarks made by the Member for Wetaskiwin-Leduc as to the reasoning behind this amendment I can't say I agree with. I think we should consider it further.

So accordingly I move the committee rise and report progress.

[The motion was carried.]

* * * * *

[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the rules, reports progress and begs leave to sit again.

MR. SPEAKER:

Having heard the report and the request for leave to sit again, do you all agree?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

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

[Mr. Speaker left the Chair at 5:28 o'clock.]