

LEGISLATIVE ASSEMBLY OF ALBERTA

Tuesday Evening, May 14, 1974

[Mr. Speaker resumed the Chair at 8:00 o'clock.]

MR. HYNDMAN:

Mr. Speaker, I move that you do now leave the Chair and the Assembly resolve itself into Committee of the Whole for consideration of certain bills on the Order Paper.

[Mr. Speaker left the Chair.]

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COMMITTEE OF THE WHOLE

[Mr. Diachuk in the Chair.]

MR. CHAIRMAN:

The Committee of the Whole Assembly will come to order.

Bill No. 55 The Northeast Alberta Regional Commission Act

MR. CLAPK:

Mr. Chairman ...

MR. CHAIRMAN:

Mr. Clark, there is an amendment circulated. Everyone has a copy of the amendment?

MR. CLARK:

Yes.

HON. MEMBERS:

Agreed.

MR. CLARK:

Mr. Chairman, I would ask that you go through this bill section by section because I'm sure there will be a number of amendments proposed in addition to the one which has been proposed by the government. In dealing with it section by section, Mr. Chairman, I'd like to propose an amendment to Section 1 of the bill.

MR. CHAIRMAN:

Very well. I'll call Section 1 now.

Section 1

MR. CLARK:

Now that we've gone through that formality ...

MR. STROM:

We've missed the first one anyway.

MR. CLARK:

Yes, we're getting sharper.

On to Section 1 then, Mr. Chairman. The first of a number of amendments I propose to make deals with the structure of the legislation itself. It has been indicated that a number of members on this side of the House are not at all enthusiastic about the concept of one commissioner. As a result of that very genuine feeling, and of the fact that there is in this legislation really no formal input for active and meaningful feedback from people in the northeastern portion of the province, I'd like to propose, Mr. Chairman, that in Section 1(a) where it says, "'Commissioner' means the Commissioner appointed pursuant to Section 3" of the bill, we change that to: "'Commission' means the Commission established by section 3" of the bill. I think a copy of the amendments has gone to you, Mr. Chairman, and to the minister responsible.

The reason for doing that, Mr. Chairman, is that when we get further on in the bill we propose to make amendments that will in fact establish a chief commissioner who will serve as chairman and who would be appointed by the Lieutenant Governor in Council. We would propose also that a commissioner of public works be established who would be appointed by the Lieutenant Governor in Council and that a commissioner of social services would be elected by the people in the area. We think, Mr. Chairman, that this would at least guarantee a sizable amount of local input from people in the area into the decisions the commission would be making.

The amendments we propose won't go any further than simply to say that the commissioner responsible for social services will be elected by the people in northeastern Alberta. The Lieutenant Governor in Council will appoint the chief commissioner and the public works commissioner.

But to get right to the matter at hand, Mr. Chairman, the first amendment is in Section 1(a), that "Commissioner" be changed to "Commission".

DR. BOUVIER:

Mr. Chairman, in rising to support this amendment, I think we want to make it very clear once again before we get very far that we are really opposed to this bill entirely and to the idea of the bill the way it's going to work. But obviously the government has no intention of withdrawing it. I think the hon. Leader of the Opposition and myself, when we spoke on second reading, qualified our remarks by saying that if, of course, the government insisted on going this way we would want to see it a three-man commission. It's under those terms that we are suggesting the amendments to the bill, in view of the fact that the government is going to go ahead with it anyway.

It was rather interesting during second reading to listen to some of the members, unfortunately I have to say on both sides of the House, trying to justify the unjustifiable. It was really interesting to hear the commissioner in northeastern Alberta referred to in the same light as a mediator in a strike. Well I didn't realize the mediator in a strike, went around imposing his will on the strikers. He acts as mediator between the two sides. I just can't see the rationale between the two, and how you can relate one to the other. The commissioner is certainly not going to be a mediator when he is put into northeastern Alberta. He will be a czar or a dictator - whatever you want to call him - and anything but a mediator.

Then we heard him referred to as the driver of a car. Well, you realize that even a driver in a car has to abide by certain regulations. He doesn't make them himself as he goes along. The hon. minister suggested that he wouldn't want to see more than one driver. I wonder if he ever got into a Lockheed - and I use this one, a Lockheed 1011, because it rhymes a bit with Loughheed - and found one man in the cockpit of this plane, how would he feel about riding in it?

Then he referred to the giraffe as an animal which had been drawn up by a committee. Well I wonder, Mr. Chairman, what kind of animal we come up with, or if this bill is the kind of animal we come up with, when we get a 49-man committee working on something. I just wonder - when I heard members from the other side of the House getting up one by one trying to justify this unjustifiable bill and a one-man commission and then, after speaking about this team approach to everything, getting up and offering arguments essentially in favour of a dictatorship.

I really can't understand it, Mr. Speaker. It's got nothing to do with and is so far-fetched or so far removed from a 49-man approach or team, as this cabinet is supposed to be along with all the back-benchers - and then suggesting that after all it is far

better, far better than a team approach, far better than even the three-man commission if we go ahead and have one man doing everything.

Now, Mr. Chairman, I had to come to the conclusion that maybe this is what we have on the other side of the House, a one-man government.

AN HON. MEMBER:

Sock it to 'em, Doc.

DR. BOUVIER:

Obviously, after listening to the speeches one by one I could only come to the conclusion that the Premier calls the cabinet together to tell them what he has decided and they in turn call the caucus together to tell them what the Premier has decided.

This is what seems to be going on because this seems to be what the members on the other side of the House, one by one, took turns getting up to justify, this one-man approach to government. We've gone now from the 49-man team to a one-man approach.

AN HON. MEMBER:

Agreed.

DR. BOUVIER:

This seems to be what the Conservative team on the other side of the House has decided is the best way to do things. And maybe they're right.

AN HON. MEMBER:

Dictatorship.

AN HON. MEMBER:

Tory dictatorship.

DR. BOUVIER:

Mr. Chairman, when I spoke in second reading I, of course, mentioned that I wasn't in favour of a minister being in charge of this commission or in charge in northeastern Alberta. Of course, I spoke before the Premier spoke. As all of you remember, the Premier in second reading stated he would personally see that this commissioner had full powers, even above the cabinet. If I remember right, the way he put it is that if a cabinet minister was not toeing the line according to the commissioner's report, he would personally see that he would toe the line and would expedite matters by doing what the commissioner decided should be done.

Well, Mr. Chairman, if the Premier gives us the assurance that this is going to happen to a cabinet minister whom he puts in charge in northeastern Alberta, well then, there's no reason why a cabinet minister couldn't do just as well and be an elected member and be really responsible to the Legislature and to the people.

So I have to change my stance, and obviously they're not going to do it anyway, just to get on record that with the assurance of the Premier he would support - he is obviously a one-man government on the other side - if he would support a cabinet minister to the same extent that he is willing to support this commissioner, there's no reason why a cabinet minister couldn't do just as good a job.

It's unfortunate the Premier isn't here, but to help him I've even picked the minister for him.

You know, when the government first got into office the Premier decided, of course, that he had to do something for the nine or ten men who had been with him, so he put them all in the cabinet without regard to whether they were capable or not. The man he forgot was the one man he should have put in the cabinet and the man who was responsible for these 10 men doing so good, and that was the man who was researching for them. It's unfortunate that he's not here either. But I'm referring to the hon. Member for Edmonton Highlands ...

AN HON. MEMBER:

In the back row.

DR. BOUVIER:

...who has been put right in the back row. He was the man responsible for the functioning of all of these others. He is very knowledgeable about what goes on in northeastern Alberta. He visits there quite often. His in-laws live in Fort McMurray, and according to him he knows everything about northeastern Alberta. Therefore we suggest that he should be the minister for northeastern Alberta. Obviously he is probably just as capable, if not more capable, than many of the ministers who were appointed by the Premier when he first formed his cabinet and which he has had reason to reconsider since then.

AN HON. MEMBER:

Agreed.

DR. BOUVIER:

So the hon. member, Mr. King, I think would make a very good minister for northeastern Alberta. He is obviously a member who really feels for the people over there. He's fairly familiar with the people of northeastern Alberta and Fort McMurray. Therefore I think he would make a good minister for northeastern Alberta.

Certainly he is much more familiar with northeastern Alberta than the Minister of Municipal Affairs is. Therefore I think he would be quite an improvement.

Now, if the government had bothered to really talk to some of the people in northeastern Alberta - maybe they have - they would know why things haven't been going well in northeastern Alberta.

Oh, and here is the new minister of northeastern affairs coming in. He missed my nomination.

[Interjections]

As I was saying, if the government had talked to some of the people, especially on the town board of Fort McMurray, they would have found that there are two really good reasons why things haven't been going well in Fort McMurray, why things haven't been moving. The two good reasons are the Alberta Housing Corporation which just can't get anything done, and Cohos and partners who just can't get anything done. They are the two reasons holding up everything in northeastern Alberta.

AN HON. MEMBER:

Sock it to 'em, Dan.

DR. BOUVIER:

Now, if a regional commissioner is going to be able to handle these two or maybe get rid of them right off the bat, then maybe they can get something done in northeastern Alberta.

AN HON. MEMBER:

I can't hear you.

DR. BOUVIER:

Well, I hope you can.

So, Mr. Chairman, I just wanted it to be on record that I have changed my mind about a minister, providing the right minister is chosen. The man who was responsible for making the other ten function when they were in the Opposition, the man who was passed over, was left in the back seat although he was probably the most capable on the team ...

AN HON. MEMBER:

Real leader.

DR. BOUVIER:

... and now we think that he should be nominated and put in charge of northeastern Alberta. I am sure that if the government should get lucky enough to be elected next time the Premier won't make the same mistake and leave him in the back seat. He will certainly be moved to the front row.

AN HON. MEMBER:

Agreed.

MR. WILSON:

Step up and try a seat, David.

MR. KING:

... to assure the Government House Leader that I didn't pay for this.

DR. BOUVIER:

This is not a paid commercial announcement.

[Interjections]

Well, we are trying to save money. You wouldn't have to get paid on task forces. You would be paid as a cabinet minister.

Well, Mr. Chairman, I will have more to say on other sections of the bill but I thought I would like to say this. I support the three-man commission only because the government is obviously going to go ahead with the bill regardless. So we feel that a three-man commission will certainly be better than a one-man 'super czar'.

MR. FARRAN:

Mr. Chairman, speaking against the amendment. There comes a time for decision and extraordinary situations require extraordinary measures in the public interest.

As the hon. Member for Drumheller said the other day, we have long had extraordinary measures for special areas, improvement districts, the emerging virgin lands that have special problems. The question before us is whether extraordinary conditions prevail in northeast Alberta. After listening to the hon. Member for Lac La Biche-McMurray, I know that extraordinary conditions prevail in northeast Alberta.

I have never heard so many histrionic, stupid utterances in my life.

DR. BUCK:

Don't swallow your pipe, Roy.

MR. FARRAN:

Doctors usually deal with hysteria by slapping someone on the face.

SOME HON. MEMBERS:

Careful.

MR. FARRAN:

I must say that a psychiatrist will always give benefit of the doubt to the sort of person who doesn't know which side he is on.

We must decide, Mr. Chairman, whether time will permit the slow decision-making process of normal local government, will permit the coordination of the many government departments of the civil service, will allow the provision of the logistics for the largest capital works project in the history of Canada, and that includes the building of the CPR. God knows whether the CPR would ever have been built if there hadn't been a Van Horne, and if decisions had to be made by committee members such as the hon. Member for Lac La Biche-McMurray. I do know, Mr. Chairman, that in zoology some people have described the camel as an animal that looks as though God might have made it by committee.

DR. BOUVIER:

A team approach.

MR. FARRAN:

A team approach.

Mr. Chairman, chief commissioners and city managers are well-known instruments of local government. I remember attending the driving of the first spike in the oil sands - not Van Horne's last spike but Premier Manning's first spike - at the opening of the

Great Canadian Oil Sands. I was astonished to see the scene that day, when a major oil company begins to move on a large project. There were caterpillars and bulldozers in all directions. There were men swarming like ants all over the side hills. There were temporary buildings, crates, heaps of machinery, trucks. It reminded me of the beaches at Normandy on D-day.

That was only a \$300 million project and only the first impact on Fort McMurray. It was about 10 years ago, and the town of Fort McMurray is still reeling from the impact. It has never regained its stride after the tremendous first strain that was put upon it at that time. For years, long before we took office, there were reports of problems over housing, over utilities, over land speculation, over schools, over all the strains of phenomenal growth. If the strain of the first impact could not be absorbed within almost 10 years, how on earth can the normal infrastructure of local government and the normal channels of the civil service be expected to absorb the impact of a second plant three times as big, and another, and another, and another, once every two to three years?

It is important for Canada and Alberta that Canada become self-sufficient in energy. That means without any doubt many more oil sands plants, each costing \$1 billion, each producing 125,000 barrels a day, each using the multiplier effect, producing some 10,000 jobs, jobs of people who require housing and who require all the services of a modern community.

The logistic problems are enormous. The importance of adhering to a schedule is paramount. Apart from the huge investment and the mammoth technical problems of oil extraction, the battle will be lost if the quality of life is not ensured for the people, if there are not adequate utilities, housing, land, amenities.

So no dilly-dallying can be tolerated in the time frame allowed. It must be either a special treatment by some special person on the spot, or the choice in the bill of a single special commissioner reporting directly to cabinet - directly to cabinet. This is the way to assist the local boards which are literally swamped by the problems of sudden growth.

It's just too much to expect part-time aldermen or councillors to handle the horrendous logistic problems in Fort McMurray. It's not just a burgeoning, booming new town; it's going to be an instant city. It has only a very weak immature framework on which to build.

I'm not surprised at the hon. Member for Lac La Biche-McMurray, but I am surprised at the hon. Member for Wetaskiwin-Leduc because he's usually so practical. As for the views of the hon. Member for Spirit River-Fairview, they live up to my expectations, which are not very high.

MR. HENDERSON:

Mr. Chairman, the member doesn't even know what I'm going to say yet, for goodness' sake. What is it the minister is referring to? I haven't got into debate yet.

MR. FARRAN:

Well, this is just a preamble.

MR. HENDERSON:

Is he a mind reader besides an ex-newspaper editor?

MR. FARRAN:

Mr. Chairman, it would be utterly unfair to leave any part-time local government official to struggle with such enormous problems of growth without special assistance, the special assistance of a special commissioner who can report direct to cabinet.

MR. NOTLEY:

Mr. Chairman, certainly I have to say first of all that I find it rather interesting listening to the Minister of Telephones and Utilities outlining a problem which we all acknowledge is a very serious one. No one on this side of the House is arguing that there shouldn't be coordination, integration of services and special help for the area. I think we all recognize that. The question we're debating in this particular piece of legislation is whether or not the government has found all the wisdom they claim to have, by appointing one man who is going to have, as the Member for Lac La Biche-McMurray pointed out, vast powers unparalleled in Canadian peacetime history. I think the test the government members have to live up to and explain to this Assembly and to the people of Alberta is why such extraordinary powers are required, why one man is required to do this as opposed to three and why it isn't possible to have a cabinet minister reporting directly to the Legislature.

Mr. Chairman, I was also a little amused to hear the hon. minister rewrite Canadian history by giving all the credit for the building of the CPR to Van Horne. Most Tories, especially during the next two months, whenever they talk about the CPR I suspect are going to think of two or three other people and claim they had the major responsibility for the building of the railroad.

AN HON. MEMBER:

The NDP?

MR. NOTLEY:

At the very least Stephens and Smith. But in any event, Mr. Chairman, I'm not going to get involved in who built the CPR. The question is, what kind of development is going to take place in the oil sands region and on what basis?

In coming back to the point the Member for Lac La Biche-McMurray made, I personally think it would be better if we had a minister in charge of northeastern Alberta who reported directly to the Legislature and had the commission working under him or her. Frankly, I just don't think that the Minister of Municipal Affairs, with the heavy responsibility he has in other areas, is going to have the time to adequately fulfil the functions of making this 'super czar' fully accountable to the Legislature. Mr. Chairman, I would, as I say, much prefer to see the whole operation proceed under a minister, but it's fairly obvious from listening to the government members during second reading that they aren't prepared to accept that route. That being the case, we are stuck with some kind of commission.

The question then is, should it be a one-man 'super czar' or should it be a more balanced commission as suggested in the amendment? Because I have some real concerns about the extent of power. One of the points the civil service report made was the argument that in dispersing power, at least if you don't stop abuse, you reduce the possibility of abuse. I think there is some merit in that point in the civil service report.

It seems to me, Mr. Chairman, that the amendment we have before us is worthy of support, not because it's the best approach but because in attempting to make this legislation at least within shooting distance of accountability to the Legislature and democratic procedure, we have to on the Opposition side propose every conceivable amendment we can which will bring under control the immense powers which this legislation, as originally proposed, proposes to give to the commissioner.

MR. KING:

Mr. Chairman, I can't resist the desire to make a few remarks because the comments that have come from the Opposition this evening really amaze me.

We have heard, just in the last two minutes, from the hon. Member for Spirit River-Fairview. He believes the best solution to the problem would be to appoint a minister responsible for the region. Having said that, he goes on to say that dispersal is the most desirable objective to achieve in northeastern Alberta. How do you reconcile the centralization that would be inherent in the administration of a minister in the area with your belief that dispersal is the desirable objective to achieve in northeastern Alberta? How do you say, on the one hand, that dispersal is the desirable objective to achieve and then deny that the very fact of appointing a commissioner, who is not a minister of the Crown, not a member of the public service of the province, is not, in effect, the realization of greater dispersal of power in that area of the province than presently exists? Obviously, to create a new position, the commissioner for northeastern Alberta, and to fill that position with a man who is neither minister nor public service, is indeed to effect greater dispersal of responsibility than is presently the case.

Mr. Chairman, I have listened to this debate in the House and I have listened to hon. members speak to it outside of the House. I will say now, as I have said before, that I don't altogether understand what is the concern. We have, first of all, heard the hon. members say that the fundamental principle has got to be the autonomy of the local citizens of the area and of their presently elected representatives. We have then heard them say that the most desirable solution to the problems of northeastern Alberta would be a minister of the Crown having no direct responsibility to the people but having primary responsibility to this Assembly. Now I grant you that this Assembly is, in turn, responsible to the people of northeastern Alberta as to any other area, but how do you reconcile your great championing of autonomy on the one hand with the constantly repeated suggestion that the appointment of a minister of the Crown would be the ideal solution? On the one hand, we have had people say that the ideal solution would be the appointment of a minister of the Crown.

Now generally speaking, only one person occupies a ministry at a time. Having admitted that a ministry isn't feasible, your next best, next closest alternative is to

appoint three men, because one man is too powerful. It is not desirable to have one man responsible for northeastern Alberta, unless that one man is a minister of the Crown.

Mr. Chairman, the amendments that are proposed by the Opposition this evening seem to me to preclude absolutely any remnant of local autonomy in the area. I do not understand ...

MR. HENDERSON:

Mr. Chairman, we have one amendment before the House. I think the member is completely out of order in anticipating amendments that are forthcoming. I think he has the same problem as the minister from Calgary; that he has a crystal ball and knows exactly what is going to happen in this House this evening. I suggest he stick to the facts and forget the crystal ball gazing.

SOME HON. MEMBERS:

Agreed.

AN HON. MEMBER:

Keep an open mind.

MR. KING:

Mr. Chairman, the obvious way in which Bill No. 55 was drafted was to suggest that first and foremost in northeastern Alberta is the importance of coordination and liaison between different local authorities, between different provincial authorities and between local authorities on the one hand and provincial authorities on the other hand.

In reaction to this we have the suggestion that we should appoint a full-time chief commissioner, a full-time commissioner of public works, a full-time commissioner of social services; and that even if all of these men were up there doing their jobs full time, they wouldn't impede in the least the operation of local autonomy in that region. I suggest that is either very naive or considerably worse than naive.

Mr. Chairman, I can only conclude with the repetition of a few remarks I made on second reading. You have to live in Fort McMurray to appreciate the problems of people who do not today have water or electricity or heat at reasonable cost. You must live in McMurray to realize the situation of people who are fearful with good reason that come September their children will be going to school in split shifts and getting a less than adequate education. You have to live in McMurray today to appreciate the absolutely desperate physical shortage of accommodation.

It is inadequate, in my view, to suggest that we should have a minister of the Crown who is in Edmonton on Monday for priorities, in Edmonton on Tuesday for cabinet, in Edmonton on Friday for our morning sitting of the session; and two days a week is going to be in Fort McMurray listening to the concerns of the people, attempting to do the job which is his responsibility. It is absolutely not feasible.

Mr. Chairman, I cannot believe the position of the hon. member for the constituency who suggests that the problems of Fort McMurray can be adequately dealt with by someone who would, of necessity, be spending three or four or five days a week in Edmonton. It is perhaps the result of the fact that his visits to Fort McMurray have been rare since the election of 1971.

SOME HON. MEMBERS:

Oh, oh.

DR. BOUVIER:

My in-laws don't live there.

AN HON. MEMBER:

You're jealous.

MR. KING:

Mr. Chairman, I cannot comprehend that the Opposition has acted on this advice, presumably from the member, and I am totally opposed to the amendments.



MR. WILSON:

Mr. Chairman, just a few brief words. Perhaps the hon. Minister of Telephones and Utilities could explain what has happened to his usual good logic since he has become associated with the Tory government rationale. I was amazed at what this former City of Calgary alderman had to say about local autonomy. Mr. Chairman, I can hardly understand that the same man who represented the heart of the establishment of Calgary City Council, who defended local autonomy at every opportunity and at every challenge and did it very well, and who was so highly respected, would stand up here tonight and say that local autonomy, in effect, doesn't matter and that the people on the town board of Fort McMurray aren't equipped or competent to make the local decisions and so on.

I just can't understand, Mr. Chairman, what has transpired to suddenly change the former sound thinking of the hon. Minister of Telephones and Utilities. For him to suggest that a government-appointed 'super czar', dictator or commissioner is better than elected representatives on the town board after his experience and his past history as an alderman in the city of Calgary - I would just invite him to add a little more to what has happened to transform his thinking in such a radical manner.

Why, Mr. Chairman, I can recall when he was on the Calgary council. He would fight for local autonomy to the last bullet, the last drop of blood, the last ounce of energy, Mr. Chairman. I'm just aghast that he would turn around and take such a different position. Perhaps he would like to explain to us why he feels it's better to abandon democracy than to try to make it work.

Mr. Chairman, I notice that the Department of Telephones and Utilities, as shown on this super handy-dandy government oil sands organization chart, is one of the departments that will be subservient to this commissioner or 'super czar'. I'm just wondering how the hon. Minister of Telephones and Utilities feels about having that part of his territory taken over by this 'super czar' of the North, how he will feel reporting to him and if he has really thought about that aspect of the whole thing.

MR. NOTLEY:

Mr. Chairman, I just want to make a few observations in reply to the hon. Member for Edmonton [Highlands].

I would just make this initial observation, that I'm not quite as enthusiastic as the member for Lac La Biche-McMurray about the appointment. Of course, we'll leave that up to the Premier if he chooses to go this course. I think it's more the responsibility of the Opposition to ask for the resignation of ministers rather than suggesting names of people to take on the positions.

In any event, the point which the member was attempting to make was that somehow we were being inconsistent on this side by advocating a minister responsible and then talking about a commission. I don't really follow this argument, because it seems to me, Mr. Chairman, that in a very weak way we already have a minister responsible. That is, the Minister of Municipal Affairs will theoretically be responsible to this Legislature for the actions of the commissioner.

As the government member has attempted to show during second reading, we will have some slight opportunity to question the commissioner, perhaps, during subcommittee estimates and again during the Estimates. That, crammed in with all the other things which we have to do during the course of the Legislature, in my judgment is not going to guarantee accountability. Equally important, it isn't going to guarantee accountability when you've got a minister who, among other things, is responsible for the 'super Czar' of northeastern Alberta. Among his responsibilities with respect to the Alberta Housing Corporation is the host of urban problems which are developing in this province. Frankly, Mr. Chairman, I just don't think there is any way that a minister, however competent that person may be, can in effect fulfil the functions of being accountable to this Legislature for the actions of the commissioner.

Now, as I would see it, if we set up a minister in charge of northeastern Alberta, under that minister there would have to be some administrative framework which could very well be a commission. There would have to be local input.

The member knows perfectly well that the Department of Northern Saskatchewan is set up in this way. There is a minister responsible to the Legislature, but at the same time there is an elected advisory council which provides that ongoing input.

Mr. Chairman, whether you make a minister responsible for northeastern Alberta and make that his assignment, his cabinet portfolio, you still have to have the administrative network to carry out the functions. As I see it, Mr. Chairman, that would be the best approach.

Now it's obvious the government isn't going to take that approach. Therefore we have to look at other options. It seems to me that the amendment which is proposed here, while it's by no means the perfect solution, and while, as I see it, it's still going to minimize accountability in this Legislature and minimize the responsibility or at least the effective responsibility of elected people, the elected minister in this case, nevertheless it is a better approach than having one all-powerful commissioner who literally can play God in northeastern Alberta, at least until it's reported to the next session of the Legislature.

DR. BUCK:

Mr. Chairman, I would like to make a comment or two. I think that what we are being asked to vote on in the Legislature is probably - the way I consider it - the principle involved here.

[Interjections]

Yes, well if the hon. members are so arrogant that they don't think there is anything in this democratic process except coming here, picking up our cheques and rubber-stamping what the government wants to do, well then fellows, just tell us. Mr. Chairman, by their actions it's quite obvious that this is all they're trying to do, ask this Legislature to rubber-stamp absolutely any and every legislation that they bring before this House.

Quite often we hear accusations that we are delaying the proceedings of this House. Mr. Chairman, there's only one weapon that we have on this side of the House and that is words. If we feel that there has been some bad legislation brought into this Legislature it is our responsibility to try to make the hon. members on that side of the House slow up a little bit and have a look at what they're doing. Because, Mr. Chairman, you always know that you're in trouble, as the Conservative government is, when The Edmonton Journal writes two editorials saying, you'd better have another look. When The Edmonton Journal writes two editorials warning a government to slow up, they had better have another look.

Mr. Chairman, when the hon. Minister of Municipal Affairs was sworn into office, I recall the statement made that if the hon. minister had not received this portfolio he would rather have not gone into the cabinet at all. Well, possibly the Premier did make a mistake.

Mr. Chairman, I think the government has to take the lumps for some of the programs that will have to be carried on in the northeast region. When they are trying to set up this czar, this commissioner, supposedly at arm's length so they do not have to take the lumps, then I say, Mr. Chairman, they are not showing responsibility. The hon. members on that side of the House are suddenly finding out that it's not all a bed of roses. You know, you can't solve all the problems by running around the country getting your picture taken handing out cheques. It just doesn't solve all of the problems.

AN HON. MEMBER:

Who was handing the cheques out, Walter?

DR. BUCK:

There are decisions a government has to make that are not always going to be popular, but those decisions have to be made if you're going to be a government that's going to govern.

AN HON. MEMBER:

Hear, hear.

SOME HON. MEMBERS:

Agreed.

DR. BUCK:

So they try to take this responsibility off their shoulders by setting up a commissioner. If things go bad then they can chop the commissioner and say it is his incompetence and not our incompetence that caused the problem to stay.

AN HON. MEMBER:

We're fine fellows.

MR. KING:

If we did that, Walter, would you let us get away with it?

AN HCN. MEMBER:

You're getting away with lots now.

DR. BUCK:

Now, Mr. Chairman, I think my responsibility as a member in this Legislature is to have someone in this Legislature who will be accountable. I don't want someone set up by the government who reports just to the Executive Council. We want that man in this House so we can question him any time we want to, so the media can question him any time they want to, not someone set up at arm's length whom we can hear once a year through the minister to find out what is going on up there.

So, Mr. Chairman, I am very, very disappointed that this government in a short two and one-half years has become so arrogant. They don't think anybody else has any solutions to any of the problems. Heaven help us that they take this stand, because I have great respect for most of the members on that side of the House. They are trying to do a job.

But, Mr. Chairman, I think they should listen to what we are trying to tell them, that they are bringing in bad legislation, and I for one am not going to support bad legislation.

MR. LUDWIG:

Mr. Chairman, I was impressed with the remarks of the hon. Minister of Telephones and Utilities, Mr. Farran. He went rather far afield to get a little bit of spice for his remarks and he started with the CPR. He mentioned Prime Minister Macdonald's last spike and Premier Manning's first spike. In my opinion the Conservative government needed an apologist for this legislation and he was the last resort.

I don't think that trying to get 'psyched up' and create the impression that there is an urgency, or some disaster is going to befall us if we don't set up a little dictator to crack a whip and make everybody move fast, [means] we have that situation.

I have to hark back to the fine words of the hon. minister, Dr. Backus, who likened this to the threat of world annihilation at one time, where we had to man the barricades and stand fast or else we would be past the point of no return.

The urgency of the situation - it's a large situation which perhaps overwhelms some of the hon. members opposite but it is not an urgent situation. There are better ways to handle this than to tell the local people we are going to wipe you out for the time being because we know best. After all, we put you there in the first place and local autonomy is just good for politicians when they are trying to get elected and after that really doesn't mean that much. That's exactly what the hon. minister said. I don't think he really meant or believed what he said when he tried to ignore local autonomy. It's the system which has worked so well here and is going to continue to work, long after the hon. members opposite are gone and forgotten, again for perhaps 60 years. So the urgency of the situation has not been established. Just saying there is an urgency is not so.

It is a big undertaking, it requires careful thought and some planning, but to say we don't need any local input is to say we will ignore the people because people are not quite as important right now. We are going to put dollars and the project in advance of the rights and the feelings of people.

When I say people, there is a cross section of all kinds of people up north and it was not so long ago that the Conservatives were running up and down talking about a peoples' party ...

SOME HON. MEMBERS:

Yeah, right.

MR. LUDWIG:

Even the Minister of Highways and Transport caught on and every road was a peoples' road, as if only dogs used it before but now people use it. I know of some's roads even a dog couldn't walk on because someone has a gun handy. So it is a peoples' road. It is a peoples' government, and let's have a peoples' government. I believe in a peoples' government. We are dealing with people so let's say people are not quite as important right now. We've got to have the big push. We've got to prove we can get something done efficiently and the only way to do it is in a sort of dictatorial way.

You might deny this is a dictatorial way, but when I look at the other side somebody on that side has a pretty high level of achievement in obedience training when one person can hush, can silence, the whole side - because I don't believe, and I never will

believe as long as I live, that [all] of the hon. members on that side are happy with this bill.

SOME HON. MEMBERS:

Agreed.

MR. LUDWIG:

And if we could be accused of being naive on anything, it is because we are naive enough to think that someone on that side has enough freedom or at least the courage of his convictions to stand up and say, Mr. Chairman, I am not with it and I think we can do better than that. We're naive to think this will happen because in my honest opinion the training has gone far beyond what I anticipated.

They will stand as 49 minds with but a single thought. Now, I don't think you can find 49 people any place in this whole country who would agree unanimately on a mess like this. They just can't. There has got to be one dissident someplace. He may not be the brightest of them all, but he'll say, Mr. Speaker, I know the hon. Premier is great and he's never been wrong, so who am I to say yes, but I don't agree. It doesn't take much courage. I'll have to give credit to one hon. member on that side who stood up when he had the courage of his convictions and said to the minister, I don't go for this. It happened once.

It used to happen more often when we were on that side and perhaps that was one reason we stayed for 36 years through good times and bad times. There were people on the other side who would stand up to the government and say, we don't go for this, and they said it in here. But it is a no-no on that side. After all it would appear that there is a flaw in their thinking if they are not all of the same mind.

[Interjections]

You know, I get the impression that the hon. member, Mr. Miller, must have had a shot of something more than just warm tea tonight. He is about the quietest and most sedate member in the whole House, and all of a sudden he has come to life and is doing a bit of heckling. I don't think he would have a thought of his own if the Premier did tell him to express it. Now he is trying to cut in when somebody else is talking.

So we could be accused of two things. We are saying that the urgency has not been established. Sure, they said it is a big thing. Of course it is a big thing. The government has the power ...

MR. KING:

Would the hon. member permit a question?

MR. LUDWIG:

Mr. Chairman, I will permit a question when I am finished. I will permit more than one. I am sure the hon. member needs to be advised, after his speech, more than anybody else I know. So I will fill him in at any time. But I have been listening to the hon. member. I have known him a long time and he is a professional interrupter. He has a question. I am the only one who gets up here and they heckle me when I get up. But he has a question. He thinks there all day, and he has a question. Why didn't he ask me that question this morning before we came in, Mr. Chairman?

There are two things, Mr. Chairman. One thing is that having some local input by way of a representative on the commission who would be elected by the local authorities is not a bad thing. Perhaps he might know things the government wouldn't want him to know. That's all the more reason why they should have him.

I suppose that even if they appointed the brightest minister they have to be the commissioner, he would not solve all the problems and he would not please everybody. This way, with a three-man commission, at least the people would be more at ease, knowing that somebody was not pulling the strings and making them hop whichever way the Executive Council determined. I want to come back to the point I was making. If one man on that side can make all of them stand up and say yes or no as he pleases, what will they do with the commissioner who is paid by them, who would be at their beck and call and had better do what he is told or a word to the wise would be sufficient.

He would be under their complete and total domination except if something went sour. Then they would say, well, he is autonomous, we appointed him, we gave him full power. That is the fear we have. This has happened. They have blamed boards and commissions before for failures. We want to make sure we don't get caught supporting a thing like this.

If the government could convince me that there is an urgency, that an emergency has developed, that we are going to end in disaster, that there is no other way to handle this thing except by an appointment and it has got to be quick, maybe I could modify my position. But nobody has tried to establish that an urgency exists, except in the minds of at least two war experts, and I question that, Mr. Speaker. There is nothing happening so fast that we have to have dictatorial powers to handle it.

Secondly, every effort was spared to get local involvement and to set up something better than one man. For those two points I will support the amendment and we invite some hon. members opposite who can express a word of their own to get up and express themselves. I think we can't possibly say that the situation has been made for this kind of action. I believe that even the Premier has inadvertently let out the fact that a lot of members on the other side are not unanimous in this bill. As I stated, it would be surprising if you could get that many people to be unanimous on something as controversial as this legislation.

Thank you, Mr. Chairman.

MR. RUSSELL:

Mr. Chairman, I'd like to comment on the amendment before we vote on it because I think it was offered in a very positive way. Certainly there's a great deal of constructive thought in the format of the amendment. I enjoyed very much the remarks of the hon. Leader of the Opposition in supporting his reasoning for the amendment. I don't think it's any secret that the government did give consideration to a commission that would have more than one person involved in it, whether it's three or five or some other number, or whether it's a commissioner with a staff or a commissioner with an advisory committee. I want to assure the hon. members that we did give very careful consideration to the various choices that were in front of us. Certainly the concept, or a similar concept to the one expounded and put forth by the hon. Leader of the Opposition, was one of the alternatives that was considered and finally rejected in favour of the one-man concept.

I'm a little disappointed that some of the other members on that side who spoke in support of the amendment apparently didn't have the comprehension and the understanding of the problem that their leader had. [His] was about the only speech over there that showed any concept, I think, of the magnitude of the problem and the urgency involved with respect to the development of the northeast region of Alberta.

I was a little bit amused by the speech of the Member for Lac La Biche-McMurray. I haven't heard him speak with such vigour since he got up here and resigned from the Social Credit caucus. However, Mr. Chairman, that's another matter.

He also spoke about taking lumps. I think I've taken my fair share of lumps up in Fort McMurray. I venture to say I've been there more times since September 10, 1971 than the sitting member for the constituency, many more times. What we've attempted to do in cooperation with the town board of Fort McMurray hasn't been easy. There is certainly a great deal of urgency involved in the tasks that have to be carried out. Of course, anyone who puts forward the proposition that says there is no urgency connected to this matter simply doesn't understand it at all.

I'm kind of puzzled by the attitude that some hon. members took in speaking to this. Perhaps, Mr. Chairman, it's an attitude that grows out of many years of past experience and being familiar with a certain way of doing things. One hon. member was very concerned that this perhaps didn't meet with the approval of The Edmonton Journal and went on to make the proposition that if The Edmonton Journal didn't approve then it was a bad thing and we shouldn't proceed. Now perhaps that's how their government used to function, but it isn't how this one functions.

DR. BOUVIER:

That's because there was no opposition.

MR. RUSSELL:

Another very interesting thing that came out of the debate was the terminology that some members kept using. I heard the words czar, dictator and 'super czar', et cetera. I don't know why the hon. members were so reluctant to call this man by his proper name, and that is, a project coordinator.

DR. BOUVIER:

I thought we had one a few years ago.

MR. RUSSELL:

That's what he is. He's the project coordinator. There's a great reluctance to call this man by his proper title. Apparently they're used to terms like czar and dictator, and again perhaps it's got something to do with this Edmonton Journal syndrome that's ingrained in them. I don't know what it is. I don't profess to try to analyse whatever hang-ups or problems they have.

Mr. Chairman, seriously, I don't think the concept of commissioner, when you have a very extraordinary program of capital works development and supporting government services, is a strange one in North America. The world's fair, Expo '67, had a commissioner. There had to be some project coordinator, somebody at the top with a great deal of authority who would have the final decision-making [power] and who was on the spot and on the job. The National Capital Commission has a commissioner. I can think of my own experiences in private enterprise on building projects where a project coordinator was certainly always necessary. I think it's been explained very well why a cabinet minister couldn't do this. It has to be someone up there, Mr. Chairman, on the job, I suggest, probably 12 hours a day ...

DR. BOUVIER:

Mr. Chairman, just to correct the hon. minister. It's down there, not up there.

AN HON. MEMBER:

That's only when you're there.

MR. RUSSELL:

I'm a bit puzzled by ...

AN HON. MEMBER:

You look it.

MR. RUSSELL:

... the concern put forth by some members about the loss of local autonomy in the area. It's a fact that local autonomy does not exist in the area. There are only two jurisdictions within the region being proposed by this bill. There is a portion of ID No. 18 and it doesn't have local autonomy. The only local council they have, by statute, is whoever happens to be the Minister of Municipal Affairs acting upon the advice of an advisory committee.

The new town of Fort McMurray does not have local autonomy. They voluntarily gave that up some years ago and they operate under The New Towns Act. I'm hopeful, and the members of the board who have supported this bill are hopeful, they can continue to function with the autonomy they have been exercising over the past few years. In any event, I did want to respond to the hon. Leader of the Opposition to tell him that we are not lightly dismissing the three-man or five-man concept for a commission.

It is one we had considered, one in our own judgment we decided not to support. The concept of a one-man commission is the one we are putting forth to the members of the Legislature for consideration.

MR. STROM:

Mr. Chairman, I would like to touch on one point the minister has raised and, first of all, say to the minister that if I were to listen to his explanation of the responsibilities of the commissioner, I would then come up with a different concept of the bill than I get when I read the bill.

Mr. Chairman, it's not my intention to try to rehash a lot of the ground that has already been covered, but simply to make one point and to make it as clearly as I can. I am concerned by the powers that are given to the commissioner. The minister has suggested that he was a little surprised that the hon. members from this side of the House had not referred to him as a project coordinator. I can't answer for the other members, Mr. Chairman, but I can answer for myself and I simply say that the minister ought to read again Section 4(a). I want to remind the minister that in listening to him I do not get the same concept as I do when I read 4(a), because in 4(a) the functions of the commissioner are very clearly laid out. They are not in the area of project coordinator. They're in the area of initiation and organizing of programs, development of plans, and it goes on to name a number of other things.

I simply want to say to the minister that as I read the bill, as I read it in Section 4, as I read it in Section 8, I do not have the concept that the minister is trying to

outline to us. I'm sorry that I cannot agree with the statement he has made. I can only go by the word as it is written in the bill and I suggest that if it's to be meant as the minister has said, then he himself ought to be proposing some amendments to us this evening.

MR. CLARK:

Mr. Chairman ...

MR. CHAIRMAN:

Mr. Clark, if I may, I would just like to announce the final score for the Stanley Cup game: Philadelphia 4, Boston 2.

[Applause]

MR. CLARK:

That may be the only announcement, Mr. Chairman, you make for some time that will be greeted with that much enthusiasm.

MR. CHAIRMAN:

I thought I'd take the opportunity.

MR. CLARK:

Good. Seldom do you bring good news.

Might I get back to the matter at hand, make one comment and then ask the Minister of Municipal Affairs a question. In the course of the minister's comments just a few moments ago he said - I believe this is what he said - local autonomy doesn't exist in the area now. I just find that statement extremely hard to believe. It is true that the new town of Fort McMurray does not have complete local autonomy as is seen under The Municipal Government Act. But there is a very large amount of local autonomy for the new town of Fort McMurray under the new town status.

Second, the hospital board and the two school boards in Fort McMurray, as I understand them, have complete autonomy in comparison to any other school systems and any other hospital boards across the province. The Minister of Municipal Affairs has heard the Minister of Education several times allude to local autonomy and local control in the field of education.

So frankly, I just fail to understand the minister's statement that local autonomy doesn't exist in the area now. It is true, as he said, that as far as the IDs are concerned there are the advisory committees, but certainly the new town of Fort McMurray, has considerable local decision-making power as far as the town board is concerned.

It's my understanding - I wish the minister would correct me if I'm wrong - that the Fort McMurray school boards, the public board and the separate board, have as much power as do any other school boards in the province. The same thing can be said for the hospital board in Fort McMurray. To generalize and say local autonomy doesn't exist in the area, I don't believe is an accurate statement.

The question I'd like to ask the Minister of Municipal Affairs is this: you indicated in the course of your comments that the government did consider a commission type of approach that we're suggesting here in this amendment. You said the government threw that suggestion out. Would the minister elaborate on why the government threw that suggestion out?

MR. RUSSELL:

I'd like to deal with the questions in the order they were proposed. The hon. Leader of the Opposition is quite correct with respect to the autonomy of the school boards and hospital boards in the area. My comments, of course, were directed toward municipal government and local autonomy in that sense.

I shouldn't leave it at that. I think over the past several years both the former government and this one have tried to leave as much decision-making as possible with the local town board of Fort McMurray, the new town board. But in an absolute legislative sense that concept of local autonomy such as exists in other municipalities does not exist there. However, there has been an encouragement to try to promote it. I'm hopeful it will continue. Certainly I would guess that the commissioner would want local decisions in Fort McMurray to be made by that town board rather than by himself.

I think the other important thing to remember is that we're dealing with the region. There is a tendency here to transpose in debate Fort McMurray with the region. My own appraisal of the situation is that the great hump of challenge has been met in Fort McMurray and I think we're over that hurdle now. The bulk of the challenge remains to be seen in the region. It's in that area that I think it's important this project coordinator be instituted.

That leads, of course, to the second point, Mr. Chairman. Why one man instead of three? I suppose it goes back to the concept of the one strong decision-maker or the one project coordinator, the one boss on the job. It simply has to be that way. The more people you tend to get on the site and involved in the day-to-day administration, I think the more difficult it becomes to have quick decisions made and proper coordination carried out. It's a judgment decision, the one versus the three, and it's along that line of thinking that we did go for the one-man concept.

DR. BOUVIER:

Mr. Chairman, I just have a few questions to ask, principally one of the minister. Why are we now passing a bill to bring a project coordinator into the area when I thought we had one? I'd like him to explain what has happened to the project coordinator who was there and why suddenly we have to bring in a bill to have another one.

On the other hand, I'd just like to comment on the way the hon. Member for Edmonton Highlands speaks about, you know, water only two hours a day and this sort of thing. He leaves the impression that the minute we pass this bill and a commissioner is put in charge, this is all going to disappear. I'd like him to explain to me how this is going to happen. We've all admitted to the problems. Nobody is debating them. And every time somebody gets up on that side of the House to make a speech he tries to outline the problem to us. Now, of course, they are suggesting that we don't know. The minister has just said, of course, that he's gone to McMurray so many times since 1971. I would have to say to that at no time in history has anybody gone to any place so often and seen so little and then done so little about it, as has been going on in Fort McMurray.

The other member who alludes to the fact that he has been there so many times, again is obviously going there on task force money to see his in-laws and then suddenly becomes an expert on everything that goes on in the area. The Minister of Telephones and Utilities, who attended the opening of Great Canadian Oil Sands, now knows everything about the area. It just amazes me that they know much more than people who were born in the area, who have seen it grow from when it first started, who actually worked in the first Athabasca oil extraction plant. Suddenly they are all experts on that side of the House.

I don't know who has been informing them. It must be that little handful - and that's all it is in Fort McMurray - that little handful of Conservatives who seem to know everything [and] who are so vocal about everything. And that's all it is, it's just a handful. How well they've done in the past and how well they will do in the future is an indication of how small that handful is.

Of course the hon. Leader has raised the points about local autonomy on hospital boards and school boards, and the minister has answered them. But I was amazed to listen again to the hon. Minister of Telephones and Utilities debating about a commissioner versus a cabinet minister and then saying that a part-time government official couldn't be expected to do the job, and he was obviously talking about cabinet ministers. I wonder how many are part-time on that side of the House. I thought cabinet ministers were full-time ministers.

He came to the conclusion, of course, that it had to be a commissioner, and that obviously there was nobody on that side of the House, not even the minister himself, who was capable of taking over this job. I have to say it is a very marked condemnation of the team on that side of the House when not one of them is capable of doing the project coordination which has to be done in northeastern Alberta.

Twice now we've heard the situation in Fort McMurray referred to as a war situation. The hon. Minister of Telephones and Utilities even said that when he went to the Great Canadian Oil Sands opening it was like the beaches at Normandy. Obviously they have come up with a war measures act, Mr. Chairman.

MR. KING:

Mr. Chairman, the hon. member has just referred to me as the member who obviously went there on task force money to visit his in-laws. I invite him to substantiate the remark or to withdraw it and apologize.

SOME HON. MEMBERS:

Withdraw, withdraw.



DR. BOUVIER:

I don't think I said he obviously went there. If I did I withdraw that. I suggested he may have gone there.

MR. KING:

Mr. Chairman, we have Hansard available, and I quoted him directly because I was listening carefully. I would invite him to substantiate the remark he made that I was obviously going there on task force money to visit my in-laws. If he can't substantiate it, I would like him not only to withdraw it but to apologize for having made the remark.

MR. LUDWIG:

Will the hon. member permit a question? Has he ever gone there on task force money?

MR. CHAIRMAN:

Order.

AN HON. MEMBER:

Out of order.

MR. KING:

Mr. Chairman, if it will help the hon. members opposite, I am prepared to say that I have never gone to Fort McMurray on any occasion, either on task force money or at the expense of any department or agency or board or commission of the Government of the Province of Alberta.

AN HON. MEMBER:

Apologize.

AN HON. MEMBER:

Come on, Bouvier.

DR. BOUVIER:

I have said already that if I said he obviously went on task force money I would withdraw that. I don't think I have to say it three times.

MR. KING:

Mr. Chairman, I think the use of the word "obviously" clearly indicates a belief or an attitude about the situation. I do not believe it is sufficient that he withdraw the remark. If he is not prepared to substantiate it I would like an apology from the hon. member for having made the remark, because Hansard will show that he used the word "obviously".

MR. HENDERSON:

Mr. Chairman, I would just like to ask the Member for Edmonton Kingsway if he's certain that the name of the Member for Edmonton Kingsway was mentioned? I just heard the word "member".

I'm saying this because I heard him say "the member" when he talked about two members making trips up there. I wish to ask the member if he is certain that he was named in the remark. That's the question I'm really asking.

MR. KING:

Mr. Chairman, I believe that I'm the only member on the government side who does have in-laws in Fort McMurray. My honourable colleagues can correct me. Does anyone else have in-laws in Fort McMurray?

SOME HON. MEMBERS:

No.

MR. KING:

He referred to the hon. member who obviously visited on task force money to visit his in-laws. That applies to me only.

SOME HON. MEMBERS:

Apologize, apologize.

DR. BOUVIER:

To paraphrase the Premier, I accede.

AN HON. MEMBER:

Be a gentleman.

MR. KING:

Mr. Chairman, having acceded, would he apologize?

MR. LUDWIG:

I believe there's a precedent in this House when the hon. Premier was ordered to apologize by the Speaker on some dastardly statement he made in this House. He confessed to it and said, I accede, and the Speaker accepted that as sufficient. I say that the hon. member got what he has got coming to him. He should keep quiet from now on and let's get on with the bill.

MR. CHAIRMAN:

Order, order.

MR. RUSSELL:

Mr. Chairman, I'm really disturbed by the remarks coming from the Member for Lac La Biche-McMurray, because if any one member in this House should have an understanding of the problems up there, the government involvement and the financial commitment, it should be that member.

We've tried to involve him. I asked the hon. member to go to a public meeting with me in February of 1972 and he went. We went to Fort McMurray together. Since that time I have never had a question in writing or by telephone, one comment or suggestion from the hon. member, about a centre in Alberta in which there is more going on than in probably all other communities of comparable size combined. This member doesn't have one comment, one question or one suggestion. Not only that, he has a very bad misconception of what the facts are up there. I think they deserve some straightening out.

He wonders why we need this bill because there is a project coordinator in the area. Of course there is. We discussed the office of program coordination, the role of the Fort McMurray project coordinator, Mr. Gordon Young, and what he's doing there, what his role will be in association with the regional commissioner. The hon. member went on to castigate me for visiting Fort McMurray many times and saying as a result that nothing is happening. There's \$33 million worth of work under way at this very moment in the town of Fort McMurray. There are several hundred developed lots on stream. There's a new mobile home park of 550 pads which is now partly occupied. There's in excess of 50 new homes under construction. There's a vast industrial development park under way. The Department of Lands and Forests complex has been moved out of the centre of downtown. There's a new general plan for the town of Fort McMurray. And that's only the beginning.

If the hon. member says nothing is happening, well then, I think he ought to just pack up his books and forget about participating.

MR. LUDWIG:

Would the hon. minister permit a question? If all these great things are happening there, why don't you turn the water on? According to the hon. member for Edmonton Highlands there is no water. What do they drink?

MR. RUSSELL:

Mr. Chairman, I know the hon. member who just spoke was trying to be facetious, but that is a very real problem. If it was just a question of turning on the tap and putting the water on, certainly it would be done.

There are such things as distribution systems, additions to the water filtration plant and debenture financing which all must be arranged and brought on stream depending upon whether or not Syncrude decides to go. There is a tremendous gamble involved in whether or not to proceed with the capital development and there will be other major decisions. If there are any positive suggestions coming from either side of the House as to how the

water situation, the gas situation and the land speculation could be solved, I'd like to hear them, because we've got an open mind and we are willing to listen.

We have taken several positive measures. There will be no more Crown land sold in the region. We have at least stopped speculation in that regard but, Mr. Chairman, I emphasize again the situation we found in September, 1971. There was no planning undertaken for Fort McMurray, there was no preparation under way for the development that was being considered, and apparently no thought given as to how the additional population was going to be accommodated. I admit the path of development and construction has not been an easy one and there will be challenges and difficult spots ahead. There is a very limited construction season involved in Fort McMurray and it is absolutely essential that things be brought on stream so they can happen between June and November.

I am getting a little more surprised each day at the torrent of negative comments about planning, development, weather conditions and water shortages which come from that side of the House with not one alternative positive suggestion.

MR. LUDWIG:

Mr. Chairman, a sure sign when somebody starts accusing the opposite side of negativism, is when the hon. minister has nothing more to say because he does feel that he is not sure of his ground. So he accuses the hon. members on this side who don't want to support a commissioner, a dictator kind of situation that is negativism. That's a sign that the hon. minister has run out of all reason, that it is getting to him and he can't subdue the Opposition the way somebody can subdue the hon. members on that side so they'll keep quiet and do as they are told.

I suppose if we went along with them and said hear, hear, what a great thing you're doing - if this works so good, there are a lot of problems in the province, there always will be. They keep coming up, and when you solve one you get two more. So why don't you turn over a lot of other problems the government has to commissioners, for more efficiency, and then put one of your more able trainers in charge so he can just tell them what to do and these supermen will solve everything?

This business of accusing someone of negativism does not solve anything. We're opposed to the concept of a dictatorial kind of set up, so that's being negative. That's the ministers line of reasoning, Mr. Chairman.

MR. CLARK:

Mr. Chairman, I'd just like to make one comment and then make a suggestion that hopefully we might get on to dealing with the amendment and other amendments which are going to be proposed.

First of all, let me say to the minister that his statement about no planning for the town of Fort McMurray when he became the Minister of Municipal Affairs, September 10, 1971, just isn't factual.

AN HON. MEMBER:

He just doesn't know what he's talking about.

MR. CLARK:

The Planning Branch of the Department of Municipal Affairs was very, very much involved and had been for some time.

SOME HON. MEMBERS:

Withdraw, withdraw.

MR. CLARK:

Oh my feelings are not that sensitive, he doesn't have to withdraw it.

Secondly, the minister made great statements about things done since that time and he indicated when he introduced the bill that one of the things he had to do was build a high school in Fort McMurray. If we want to lay the cards on the table and be very frank, the legislative machinery is there right now in The School Act. That would have allowed the government to go ahead and build a high school in Fort McMurray without one shred of this legislation being proposed in this Assembly or any other Assembly. So if we are going to lay the cards on the table let's lay them face up as far as everyone is concerned.

The last comment I would like to make is, I question very much whether we are going to help the people in Fort McMurray come to grips with their very real problems by continuing

the debate like this. I suggest we get on and deal with the amendments, because there are more amendments to come this evening.

MR. CHAIRMAN:

Are you ready for the question?

[The amendment was lost.]

MR. HENDERSON:

I have listened with a great deal of interest to the debate thus far and I would like to say a few words on the subject at this time.

The first question that has been posed by a number of speakers on both sides of the House is, why the need for an extraordinary authority? I quite frankly hope the whole argument is n't academic, because in my own view, if the federal government - the past federal government - is re-elected as a federal government we won't have to worry about the development. It won't matter whether it is a joint interest arrangement or what it is, because under the proposed tax changes in the defeated budget of the federal government the industry simply isn't going to have the money to carry on all these developments up there and this whole discussion will have been academic. I hope I am wrong, but only time will tell on that point.

I think a question was raised on why we need the extraordinary authority. In some regards, after listening to the Minister of Municipal Affairs recite all the things that have been done without the authority, I kind of wonder why we need it too. In seriousness, I think all members must recognize that if the developments are to proceed in that part of Alberta then demands are going to be made in that part of Alberta and in the province in total, and some form of extraordinary authority will be required to deal with the problems. I am certainly prepared to grant that in principle.

So the question is asked, why are we concerned about it? Well I would like to tell the members why I am concerned. First, it is not the question of a commissioner. It is the fact that the government is asking the Legislature to grant it authority to throw the rule book away. That's the issue.

Any other commissions established in this province thus far, to my knowledge, have operated within terms of reference of legislation. It isn't the commissioner per se or the question of a concept of a body or somebody with extraordinary powers that is the issue. It is the fact that there are no terms of reference. The Legislature is expected to grant authority to the Executive Council to supersede provincial legislation whenever they think it is supposed to be done. This brings into focus, I think, the question of the responsibility of the Legislature.

The member for Edmonton Highlands has said, what's the concern? I'll say my concern, at the outset, is the attitude demonstrated by the government members at the opening of this debate. Members have stood in their place with the foregone conclusion that no matter what is said - we have heard the minister ask for constructive suggestions - it is obvious that it is almost a waste of time. We have come into the House with the idea in mind that no matter what the Opposition does you are going to shove this down their throats. Then the minister has the audacity to get up and suggest, why don't we make some constructive suggestions? It is very obvious, from the attitude displayed at the opening of the debate, the government doesn't want any constructive suggestions. They have the arrogance to come into the House and rise in their place and anticipate what is going to be forthcoming from this side of the House, and then they turn around and expect us to gracefully accept the legislation and grant the Executive Council the extraordinary powers asked for under this act.

If that isn't a display of arrogance I suggest I haven't seen one in this House. Obviously the members opposite have closed minds on the subject. They had no intention when they came into this House this evening of listening to any constructive suggestions. That's the only conclusion which can be arrived at.

Now, why am I further concerned in that regard about being a member of this Legislature? I'm concerned because I see four bills before this House - and this is the worst one - where the government is asking for authority by executive decree to supersede legislation.

AN HON. MEMBER:

Super powers.

MR. HENDERSON:

I went to the Legislative Counsel and said, could you tell me how many bills there are in the Province of Alberta since its inception in which the Executive Council has power to set aside statute by executive decree? He said, it would take a lot of research to find out. He guessed there might be up to half a dozen. We have four, which I've found so far, before this session where this government has asked for authority by executive decree to supersede the decision-making which goes on in this Legislature.

This is the fundamental issue as to what the responsibility of this Legislature is to the people of this province. Because if that trend continues we don't need the Legislature anymore. It's very fundamental.

Now that doesn't mean to say there aren't circumstances where the government doesn't need extraordinary power, but when I see four bills, ranging from some pretty minor ones to this major one, where they asked for that power, I get a little concerned about why this government is off on this kick after all the commitments that were made by the now Premier of this province, when they were the Opposition, to make this Legislature a meaningful exercise. Instead we find bill after bill after bill coming before the House aimed at downgrading the authority and responsibility of this Legislature. That's the basic issue.

When the government stands up and asks for these powers, it doesn't mean they aren't going to get them, but I do suggest that every member in this House has a responsibility to critically examine whether or not those powers should be granted.

I see the Deputy Premier sitting there looking at me and I think he would agree with me more than, or just as much as, anybody in this House. He has some inside information which I don't have access to and which probably set his mind to rest as to why these powers should be granted. I don't have that inside information. The only information I get comes off the floor of this House and I intend to use my seat in this House, my position, to see that the information is made public, because it's fundamental to this democratic process. If the government cannot justify these demands for these extraordinary powers, they shouldn't have them. That should be the attitude of every member of this House, regardless of which side he is seated on.

But I come back - there are four bills we have before us now where the government wants these powers. That's what I'm concerned about and I expect to get an adequate explanation which will hold water, not only in this House but out in the grass roots when I go back to my constituents. If I vote for the bill, I'm going to be satisfied it is necessary. If I vote against it, I'm going to tell them why I voted against it. That's the basic issue we're dealing with tonight.

The question is about the ideal solution. I don't think the commission is the ideal solution. Obviously we don't have one. The ideal solution would be to let these people try to manage the affairs in that part of the province themselves if they could. I have to agree with the argument that with the state of development that part of the province of Alberta is in and the tremendous developments that are going to occur, if we have a federal government with any common sense, related to the development of energy resources in this province and Canada in the future, there are some serious problems they are facing.

I also have to concur with the suggestion. I'm very doubtful that local authority within the terms of reference even of existing legislation, of all the legislation that's in the statute books, could effectively deal with the problems they are going to be confronted with. I accept the need for some sort of extraordinary authority to deal with the situation, but I have to come back to the question of the use of a commissioner in the absence of any ground rules. If the government were to spell out some ground rules as to how the commission was going to function, we'd be able to have some idea just how this thing is going to operate. But they haven't done that. They want a blank cheque, where the Executive Council can set aside a number of provincial statutes and rule by executive decree through the commissioner.

I feel very strongly that in the absence of ground rules it is in the interest of the people of the Province of Alberta in total, it is in the interest of the people of that part of the province, that whoever is exercising those responsibilities - in this case a commissioner - should be directly responsible to the House. I suggest once again that the office of the minister, in that regard, who sits in this House and is directly accountable to this House, is the obvious choice to use.

Now the suggestion was made by the Premier that this won't work because he has to be resident up there. After the Premier made that comment I sent him a note and reminded him of the situation in northern Ireland, that the British government has a life-and-death situation on its hands. They have a minister at every point who is directly responsible for problems in northern Ireland and he's there, on the job. So the suggestion that it

can't be administered because he has to be in residence up there to deal with the problems simply doesn't hold water.

A minister holds office in Edmonton primarily because his responsibilities extend throughout the whole province. Nobody's going to convince me that when the minister is assigned in areas which relate to a specific geographical area and is granted specific responsibilities it isn't to be expected he should spend most of his time there. I just can't see that, when his area of responsibility is going to be restricted to that area, a minister couldn't do the job. I wouldn't expect [him] to be sitting in this House every day of the week and I don't think any other member would, but I would expect him to be accountable to the members of this House for the exercise of the extraordinary authorities that have been granted to him by this Legislature. I think this is not unreasonable at all to propose. In the absence of ground rules there has got to be a direct accountability.

The fact that the commissioner is going to attend cabinet meetings once a month is of no consequence to me as a member of this Legislature. I don't attend cabinet meetings and there are a lot of other members in here who don't attend cabinet meetings.

The suggestion that when we get into estimates the commissioner could come in and the members of the committee could talk to him doesn't hold water either, because every member here knows that when the minister pulls a member of his staff into subcommittee to examine estimates he only answers when the minister lets him answer.

AN HON. MEMBER:

Right.

MR. HENDERSON:

He doesn't have the prerogative of speaking his mind to members of the committee without the concurrence of the minister. When one suggests that the commissioner is going to have the opportunity to be directly accountable to the committee and to the members of this House through the subcommittees or through Committee of the Whole, that is not a case in fact because he doesn't. He can only talk in committee, subcommittee or in Committee of the Whole in this House when he gets the approval from the minister to do it. I think that's in keeping with the way our system of government works and that's the way it should be. But I'm saying that's not the situation which should exist in these particular circumstances.

In the absence of ground rules I suggest again that there should be a direct accountability between that member, the individual exercising those authorities, and this Legislature. That could only be a minister or a commissioner who is directly responsible to the House as the Provincial Auditor is.

In the absence of either of those two methods there is no direct chain of accountability from that man to the members of this Assembly. That's why I'm concerned about it. I must say that thus far in the debate the government members have not convinced me that the choice of commissioner was the desirable way to go. Certainly the suggestion of the Premier that he had to be up there and couldn't be here and be a minister, I suggest, is simply not a case of point in fact.

Well, Mr. Chairman, this all leads me to the suggestion that I should have got this amendment in because most of the debate has taken place already, I guess, in questions to the minister. But I still want to put it as a matter of record.

If this Legislature is going to delegate the powers granted to it I'm quite prepared, as a member, not to argue over the extraordinary powers going to the commissioner, provided that commissioner is directly responsible to the members of this Assembly. He is not going to be [such] through the minister. That's a fact and there is no way anybody can refute it. Under the way the bill is set up he will not be. If we have direct access to the man who is going to exercise those powers in this House as a member of this House, then I quite frankly go along with the propositions that are requested, but in the absence of that I can't.

Now the suggestion was made by the Premier that this won't work.

Therefore I move, Mr. Chairman, as far as Section 1 of the bill is concerned that Clause (a) be struck out in its entirety, and that in Clause (c) "Minister of Municipal Affairs" be struck out and the following word be substituted: "Minister of North Eastern Alberta Regional Authority".

MR. KOZIAK:

Mr. Chairman, speaking to the amendment and to some of the comments made by the hon. Member for Wetaskiwin-Leduc. In relying on the situation in northern Ireland, I believe,

Mr. Chairman, that he draws on a parallel that perhaps we should not follow. I would hate to see the same situation in Fort McMurray that we have in northern Ireland.

SOME HON. MEMBERS:

Oh, oh.

MR. LUDWIG:

More guns ...

MR. KOZIAK:

That next comment gets back ...

MR. HENDERSON:

Is the hon. member suggesting there is going to be bloodshed in Fort McMurray if we don't have a commissioner; if we have a minister up there?

MR. KOZIAK:

Mr. Chairman, I believe the hon. Member for Wetaskiwin-Leduc has been given his opportunity to speak.

MR. HENDERSON:

I'm asking a question.

MR. KOZIAK:

I'm in the process of speaking to the amendment. If he wishes to add to his comments after I'm through, he'll be given that opportunity.

Mr. Chairman, the comment by the hon. Leader of the Opposition, get back to the law books, is an extremely interesting one. Because what the Member for Wetaskiwin-Leduc is suggesting in his amendment is that the responsibility set out in Bill No. 55 should be carried out by a minister. Now perhaps he has been in this House - I know he has - much longer than I have, and he forgets that a minister is first an MLA. An MLA is a representative of a particular constituency and of the constituents in that constituency who vote for him.

Now, Mr. Chairman, as a result of that particular responsibility, a great deal of an MLA's time is taken up with the business of his constituency, with looking after the needs of his constituents. He's also elected, Mr. Chairman, to represent his constituents in this House. If, as the hon. Member for Wetaskiwin-Leduc suggests, he need not be in this House, that he can be up at Fort McMurray, that he need not take a seat in this House when he discharges his duties under this act, Mr. Chairman, I don't believe the constituents who elected that member would agree with that particular set of circumstances. They elected their member to represent them in this House and not in Fort McMurray. Unless, of course, the minister of northeastern affairs or whatever name was given to that minister by the hon. Member for Wetaskiwin-Leduc, is in fact the MLA for that very area.

AN HON. MEMBER:

Heaven forbid.

MR. KOZIAK:

So first, the MLA has his responsibility to his constituents. He has to fulfil those responsibilities in this House and he has to be about the business of his constituents. Then, Mr. Chairman, if he is a minister he is also a member of the Executive Council and has to fulfil the responsibilities attendant to that position. Both these duties then, Mr. Chairman, the duties of representing his constituents in this House and the duties incumbent upon him as a member of the Executive Council, require his attendance here.

The hon. Leader of the Opposition suggested getting back to the law books. I know how difficult it is for me, an Edmonton MLA with a law office one-half mile from here, to get back to my law books with the position I hold in this Legislature. I know how little of the practice of law I can attend to now as a member of this Assembly. If I were to think that the responsibilities I foresee in the area would be fulfilled by someone who had the responsibilities of an MLA and of a member of the Executive Council, I think that we would be fooling ourselves in thinking the act would be properly executed in accordance with the wishes of this Assembly.

So, Mr. Chairman, I cannot in any way agree with the amendment proposed by the hon. member, and will definitely oppose it and vote against it.

MR. LUDWIG:

Mr. Chairman, I'd just like to make a few comments about the hon. member who has just spoken and about the role of the MLA. I believe that his intentions are all right, but it's a layman's opinion that once you're elected for a constituency that's where you belong and that's what you represent. But that isn't the way it is. The system didn't develop that way, and I'd like to quote an authority.

We all have our views and we all have a responsibility to our constituencies. If we were all ward representatives and that's all, we'd have a pretty funny system. I believe that the hon. member not only has some responsibility of loyalty and concern for his constituents, but probably in this debate, as is evidenced by the way it's going, they have all sworn allegiance to the politics of the thing rather than the principle. There is a quotation that someone once said: "Damn your principles, stick to your politics". That seems to be the principle that is being advanced tonight.

But I'd like to read just briefly from Beauchesne just to dispel the view which the hon. member just put forth about where an MLA belongs.

Every member as soon as he is chosen becomes a representative of the whole body of the Commons, without any distinction of the place from whence he is sent to Parliament. ... that every member is equally representative of the whole has been the constant notion and language of parliament".

Now this goes on and on. I just refer him to page 14 of Beauchesne, Section 17. It goes back as far as quoting Blackstone. It says, and I'll just wind up at the end: "You choose a member indeed: but when you have chosen him, he is not a member of Bristol, but he is a member of parliament". That is the view I subscribe to.

I subscribe to the view that he has a responsibility to be in touch with his constituents and voice their views, but there is a responsibility which supersedes the local responsibility. I just wanted to make that difference [clear] because I believe a lot of hon. members are perhaps not aware of it. It's no reflection on the hon. member. We represent our constituencies to the best of our abilities, but on general matters every MLA is responsible for the government of the whole province, not just one locale.

Thank you, Mr. Chairman.

MR. NOTLEY:

Mr. Chairman, just several quick observations on this amendment. First of all ...

MR. KOZIAK:

On a point of order, I believe the hon. Member for Calgary Mountain View was somewhat misled by my comments if he rose to quote Beauchesne. Perhaps I can correct any misconception that he may have in his mind.

The fact that I have entered into debate on Bill No. 55 is an indication that I, in fact, recognize my responsibilities to the province as a whole.

[Interjections]

Mr. Chairman, the constituency of Edmonton Strathcona does not fall within the improvement district outlined in the bill, so when I speak on Bill No. 55 I am speaking as a representative not only of the people of Edmonton Strathcona but recognizing my responsibilities to this Assembly and to the people of the province as a whole. I only say, Mr. Chairman, to make it clear, that I also have responsibilities to the people within my constituency so they can contact me, so they can speak to me about their personal problems, so I can bring their personal problems to this House.

AN HON. MEMBER:

Tell that in your brochure.

MR. KOZIAK:

However, Mr. Chairman, of course when matters concerning the entire province are brought to this Assembly they are discussed by all of us as members of the Assembly for the good of the province as a whole, and I recognize that factor. So the hon. Member for Calgary Mountain View is under no misconception, the point is that it is impossible for a member of this Assembly, as an MLA, with the very real responsibilities he has to his constituents and with the very real responsibilities he has to be here, to deal with all



legislation that appears before this Assembly. In addition, if you are a member of the Executive Council, [it is impossible] to deal with the matters that come before the Executive Council and have a permanent residence in Fort McMurray and be an on-the-job project coordinator.

Anybody who would suggest that just does not understand the purpose of Bill No. 55.

MR. LUDWIG:

... [Inaudible] ... point of order that the hon. member just had, Mr. Chairman.

MR. CHAIRMAN:

Order.

Mr. Notley, please.

MR. LUDWIG:

I'm holding my ground, Mr. Chairman, you have to give me the right of reply ...

SOME HON. MEMBERS:

No, no.

MR. LUDWIG:

... you can't show preference ...

MR. CHAIRMAN:

Order, order.

MR. LUDWIG:

... you can't show preference in this House, Mr. Chairman, otherwise you will ...

MR. CHAIRMAN:

Mr. Ludwig, order. Will you please retain your ...

MR. LUDWIG:

I will reply to the hon. member. If you will now give him a chance for interruption you've got to allow it to me, otherwise I move that you leave the Chair.

MR. CHAIRMAN:

Please, Mr. Notley is next. Unless you ...

MR. LUDWIG:

Mr. Chairman, I want to reply to the point made by the hon. member who just spoke as you allowed him.

MR. CHAIRMAN:

Mr. Ludwig, would you let me just get Mr. Notley's consent to have you take his place? Mr. Notley is next.

MR. NOTLEY:

Mr. Chairman, I don't think that would be fair. I think Mr. Ludwig is rising on a point of order, and so ...

MR. CHAIRMAN:

Very well.

MR. LUDWIG:

Now that the hon. member who just spoke agrees with the advice I gave him, I don't think we should prolong the discussion.

I only want to tell him that if I misunderstood him in his remarks, it's only because he indulges in a form of logic that lends itself to misinterpretation. Henceforth, as an

eloquent representative of a constituency, he now recognizes that he has responsibility beyond his local one. I believe my advice to him has been well taken and I believe his education is much improved. We should get back to the bill now, Mr. Chairman.

AN HON. MEMBER:

About time.

MR. NCTLEY:

First of all, dealing with the point made by the hon. Member for Edmonton Strathcona which, as I understand it, was that an MLA is too busy with the multitude of constituency chores to really undertake the obligation of a minister in charge of the northeastern Alberta commission.

Mr. Chairman, I find that just a little hard to follow because it would seem to me that same problem would exist for all the members of the Executive Council. Surely the Premier, most of all, has a host of problems but he is also a representative of a constituency. What are we going to do? Are we going to have a commissioner instead of a premier, because a premier has to represent his riding?

It seems to me, Mr. Chairman, that's just the basis of our system. We represent constituencies. If a person takes on an added responsibility by becoming a member of the Executive Council, he has to carry on his constituency responsibilities but he also has to exercise his responsibilities as a member of the cabinet.

Mr. Chairman, it seems to me that applies equally to many of the ministers we have in this House as it would to a minister in charge of northeastern Alberta, particularly when I think for instance of the responsibilities of the Minister of Health and Social Development. Consider the enormous workload that minister has to deal with from an administrative point of view, yet at the same time he has to keep in mind his constituency responsibilities.

Now, Mr. Chairman, dealing with the analogy of northern Ireland, it seems to me that that is a very valid one, as a matter of fact, because here we have the example of a member of the British Parliament who represents a constituency in precisely the same way as a cabinet minister in charge of northeastern Alberta would have to represent a constituency. At the same time this particular cabinet minister has the special responsibilities of dealing with - what they hope in Britain will be a temporary - but nevertheless a very sensitive problem which demands that most of his time be spent in Northern Ireland.

Mr. Chairman, I think that analogy is really a very workable one. I don't think the member suggested that there is any further analogy and that somehow if we have a minister in charge we're going to have blood running in the streets of Fort McMurray. I don't think any members of the Legislature would make that kind of far-fetched comparison. The set up, the structure, is certainly analagous. It's the only feasible approach that both major parties have been able to develop for northern Ireland as far as the British Parliament is concerned. It's the only way, Mr. Chairman, that they have been able to do this. They've been able to exercise extraordinary power, yet do it within the framework of accountability, parliamentary control and the responsibility of a member to the parliament.

It seems to me that takes on added importance when we consider the powers the commissioner will indirectly have but which the Executive Council will execute. For example, under Section 8 of this bill we're going to have the Executive Council being authorized by the Legislature - as the hon. Member for Wetaskiwin-Leduc quite properly points out - to throw the rule book away. We are going to give Executive Council power to amend, change, delete and vary about a dozen different acts, a dozen different statutes which the Legislature has passed.

Now, the Executive Council will have to do that varying, changing and amending on the advice of the commissioner, but because the Minister of Municipal Affairs is going to be so bogged down in other things - while he may have some time to consider what's going on and no doubt will try to do so - he is not going to be in a position to advise Executive Council in the same way a minister would if that minister were in charge of northeastern Alberta.

That, I think, is the important thing. It's not just the accountability to the Legislature which is vital. It is the accountability for that matter to Executive Council when these very sweeping powers are exercised, when in fact the advice is made directly to Executive Council by a minister who is ultimately responsible, not a commissioner the Executive Council can fire and to whom it can say, well, you did a rotten job, away you go, it's your fault. You have a situation where very clearly the elected MLA who is a cabinet minister is responsible and where the buck clearly stops, which is the way it should in our system of responsible government. That is one part of it.

The other part of it is the ongoing accountability in the Legislature during the time the Legislature sits. I think it's critically important that we be in a position - all members of this Legislature whether on the government or the Opposition side. For that matter the government caucus is also a watchdog of sorts. I say of sorts; it is supposed to be. But you really can't have a watchdog perform that way. If you have an appointed commissioner who doesn't attend government caucus, who comes in to the cabinet meeting once a month and then once a year comes in for several days to meet with a subcommittee, as the Member for Wetaskiwin-Leduc has already said, he is really in a position to answer whatever questions the minister permits him to answer. Now, Mr. Chairman, that isn't accountability in any serious way; that is a facade of accountability.

I don't think we, as members of this Legislature, have the right to authorize the powers in this bill unless we have clearly nailed down accountability.

AN HON. MEMBER:

Agreed.

MR. NOTLEY:

And it seems to me, Mr. Chairman, that the amendment posed is one which is clearly consistent with our democratic parliamentary tradition, and I would hope that the government would entertain it.

MR. BENOIT:

Mr. Chairman, I want to associate myself only briefly with some of the remarks that have just been made, particularly with those made by the hon. Member for Wetaskiwin-Leduc. As I said in debate on second reading of this bill, we do not object to the principles which are proposed to be carried out by this or these other bills. It is the way in which it is being done and the means through which it is being done that we so strongly object to.

There is no way the end can justify this kind of means. No matter how good the end is we cannot throw away the supremacy of the Legislature in hopes of being able to accomplish it, particularly when there may be two or three alternatives, more democratic ways of doing it. For that reason, I simply want to say again that the end does not justify the means and that we must return to the supremacy of the Legislature. The Legislature must in no way be by-passed by open-ended legislation, regulations or anything of that nature. All we are asking is that in this bill the Legislature be recognized and be given its proper place and perspective in the ruling of our province.

MR. R. SPEAKER:

Mr. Chairman, I would like to make one or two comments with regard to the amendment and the principle in the bill.

I can certainly agree with the comments that were made by my colleague, and certainly by the minister for Spirit River-Fairview. Did I say minister? They are smiling.

We must recognize that in the government process we are given powers by the people of Alberta, powers we must handle in a very responsible manner. I am concerned that in this bill powers are being given to a commissioner or to other bodies, and the responsibility to this Legislature is not as intimate as it should be. I feel that particular point must receive our attention and consideration.

I believe the amendment we are looking at at the present time certainly has merit, but there must be some considerations by the Executive Council in order to implement an amendment such as this. In my own mind the idea of a commissioner responsible to Executive Council with his powers outlined in this legislation would have certainly been acceptable to me, but we have already, at this point in time, refused that particular amendment.

I feel that, looking at the possibility of a minister of a northeastern Alberta authority, [he] should be given authority to run a northeastern management area or to operate it. There is no way this type of administrative establishment can work unless every minister who sits on that front bench over there is willing to give up his powers to this particular area. I think that applies to the concept of a commissioner. If the cabinet, if the Premier, is not willing to do that, this particular concept is not going to work. When I say, willing to give up those powers, this means that a commissioner, or this minister whom we are supporting at this particular time in an amendment, must be able to answer for health policy, social development policy, industrial policy, mines and minerals policy, the Provincial Treasurer, labour, manpower and so on.

DR. HOHOL:

Not labour.

MR. R. SPEAKER:

What he must be able to do if this area is important, [if] we want to move ahead with good development, is establish policies which will not be consistent with other areas in the province.

If each and every minister who sits on that front bench wishes to protect his own vested interest and certain policy goals he may have, and feels that they must be imposed upon this northeastern development, then the northeastern development is not going to work. Whether you have a commissioner or whether you have a minister, the program is not going to move ahead because it is going to get balled up in red tape and in ministers squabbling about who should make the decision and who should not make the decision.

What I am saying is that I am supporting the idea, at this time, of a minister of northeastern Alberta authority with the powers of administering this management area.

I would suggest this particular minister live in that area and take the job on as a full-time responsibility. I see no problem with that. There is nothing in any legislation, or any law or any tradition, that says a minister must live here in Edmonton. Certainly there is a precedent in the ministers who are sitting in the front row right now where their permanent homes are not particularly in Edmonton at this time.

To me that is a very important policy decision. Maybe that should be part of the amendments in this act, that that minister or that person has control over the management area, but at the same time his powers or his line of reporting not violate the basic principle that he is responsible to this Legislature and in turn responsible and answerable to the people of Alberta.

The Minister of Agriculture says that's not right. He would like to have a man who sits out on the sideline who can be kicked around, maybe given a good salary - because he's back in the party backrooms right now - but given a good salary and then get up there and if he gets hacked all to pieces, the Minister of Agriculture won't care about that. We sacrificed one guy and we're still in political power. So what? That doesn't mean a thing.

But what it does, is violate a very basic thing in the government process. People out in an area such as that who are working for government or for the people of Alberta are responsible to this Legislature [and] through [it] to the people of Alberta. I think that is a very, very important thing we must work for, and as an Opposition we certainly have to bring that to the attention of the people of Alberta.

MR. HENDERSON:

Mr. Chairman, I just want to make one or two brief remarks.

I listened to the comments of the Member for Edmonton Strathcona. They remind me of a story I've used a time or two in this House about the farmer who had a neighbour who was always borrowing things. The neighbour came over one day and wanted to borrow his axe. The chap said, gosh, I'm sorry, I gotta go to town this afternoon and I need it to shave with. After the neighbour left, the fellow's wife lit into him and said, what on earth did you tell him a stupid thing like that for? Everybody knows you don't shave with your axe. You just offended him 'cause now he'll know you just didn't want to lend it to him. And the man said, when you don't want to do something, it doesn't make any difference what excuse you use.

That's about as much logic as we heard from the Member for Edmonton Strathcona. The basic problem a cabinet minister has of representing his constituents while fulfilling his broader responsibilities as a member of the Executive Council, is one that all ministers have. Obviously, by what the member is saying, no minister who resides in Edmonton can possibly execute his responsibilities to his constituents because he isn't in his constituency.

MR. KOZIAK:

Would the hon. member permit a question?

MR. HENDERSON:

I think we'll give him the same routine, Mr. Chairman. When I'm finished.

Obviously, by his argument as I say, there isn't a single minister who can fulfil his responsibilities. The Member for Calgary Glenmore is in Edmonton all the time. Obviously

if he's here all the time, he can't look after his constituents. The same thing applies to every cabinet minister who lives outside the city of Edmonton. So very obviously that argument doesn't hold very much water.

The suggestion that the minister wouldn't have to be in his seat in the House, I didn't make at any time. I said I would expect he obviously couldn't be here all the time if he was carrying out the responsibilities assigned to him by the House. Surely to goodness, if he's assigned those responsibilities and it's in the act that he's to be in residence up there for the majority of the time, how could anybody in his right mind criticize him for fulfilling the responsibility assigned to him by the Legislature, obviously he'd have to be present at times here in the House. We could assign the King Air to him and he could commute back and forth on half days or twice a week or something like this. So that really just doesn't hold water.

Beyond that, Mr. Chairman, I really didn't hear any comments from the other side from anybody other than the Member for Edmonton Strathcona. If another member on the government side spoke, I didn't hear him.

Once again I say, Mr. Chairman, it isn't a question of the commission; it's a question of accountability. I have no concerns about the type of man we would pick. That's incidental to the basic principle involved. The suggestion that the government [being] accountable in itself for the overall operation deals with the matter surely doesn't deal with it. If that's going to be the approach, we might just as well elect the Executive Council every three or four years, forget about having a Legislature and let them write the rules. In effect, this is what the government is asking for in this act.

So, Mr. Chairman, once again I suggest that in the interest of maintaining the responsibility of this Legislature for the total well-being of the people of the province of Alberta and, I think, of preserving a democratic process which has served the people of Canada and of Great Britain well for hundreds of years, the Legislature has to look very seriously at the question of delegating authority such as we are asked to in this act.

In effect, it gives Executive Council the right to throw away the rule book with a number of provincial Statutes and rule by executive decree. That power should only be granted where that member is directly responsible to the members of this Assembly, just as every other cabinet minister is responsible. A commissioner who doesn't fulfil those responsibilities, I suggest then does not have that same degree of accountability and in my view should not have those powers. It's as simple as that.

Saying the government will go out and have an election and get re-elected in spite of all these statements, really brings it into focus. All it means is why bother electing a Legislature? Just elect an Executive Council and pass one bill, have one founding convention and one Legislature to let them write their own rule book and rule by decree, then go back to the people every three or four years and ask for a renewal of life and a blank cheque to run things the way they want.

I suggest that the amendment is in the best interest and should be seriously considered by all members.

MR. KOZIAK:

The question which I indicated I wish to put to the hon. Member for Wetaskiwin-Leduc was whether he intended to present a concomitant amendment to the other section of the bill, Section 3, which would not require him to maintain his office in the region.

MR. HENDERSON:

If the House accepts this amendment, certainly I have no intention of removing that clause from Section 3. I agree he should be resident primarily [in the area] just like I have my residence in Leduc. I think there are a few cabinet ministers, maybe one or two without portfolio, who don't have a residence in the city. I don't see that that is any particular problem. It should stay in the bill. I have my residence out of town, I'm here.

MR. KOZIAK:

I appreciate that, but this is where the office of the minister would be located. Is it the intention of the hon. member to present a concomitant recommendation or amendment to bring the office into the city of Edmonton or leave it in the region?

MR. HENDERSON:

Mr. Chairman, I think the question is really academic. We should deal with that question when the section comes up.

MR. KOZIAK:

It's quite important to the analysis that the hon. member is putting forward. Is he intending to move the ministry here, or is it going to be something that's going to be on the job in the region?

MR. HENDERSON:

Well, Mr. Chairman, if the amendment, as proposed, isn't accepted, then the question on this section, the question of the amendment the member is asking about in Section 3, is academic. Let's take this bill one step at a time. We're dealing with Section 1 of the bill and would bring up this next question if we get to Section 3. If the House doesn't accept the amendment, then the question the member asked is academic.

AN HON. MEMBER:

Agreed.

MR. KOZIAK:

The hon. member's comments are correct. The question is academic.

MR. CHAIRMAN:

Are you ready for the question?

Moved by Mr. Henderson that we amend Section 1 as follows: "1. Strike out Clause (a)" and, "2. In Clause (c) strike out 'Minister of Municipal Affairs' and substitute the following: 'Minister of North Eastern Alberta Regional Authority'."

[The amendment was lost.]

[Sections 1 and 2 were agreed to.]

### Section 3

MR. CLARK:

Despite the discussion we had dealing with Section 1 of the bill, I indicated at that time that I planned to move an amendment as far as Section 3. Despite the results of the amendment to Section 1, I'd like to move the amendment nevertheless. The amendment is:

Strike out Section 3 of the Bill and substitute the following:

3. (1) There is hereby established a commission to be known as the "Northeast Alberta Regional Commission" which shall consist of three members, namely

- (a) a Chief Commissioner, who shall be chairman,
- (b) a Commissioner of Public Works, and
- (c) a Commissioner of Social Services.

(2) The Chief Commissioner and the Commissioner of Public Works shall be appointed by the Lieutenant Governor in Council and hold office during pleasure.

(3) The Commissioner of Social Services shall be elected by the majority vote of all the members of the local authorities having jurisdiction in the Region and holds office for a term of three years and an election of a Commissioner of Social Services shall be held every three years.

(4) The members of the Commission shall be paid a salary by the Government at such rates as may be determined by Lieutenant Governor in Council, but in no event shall the Commissioner of Social Services be paid at a lesser rate than the Commissioner of Public Works.

(5) The Commissioners shall maintain their offices within the Region.

Mr. Chairman, I put this amendment forward despite the fact that the amendment which would make this possible in Section 1 of the bill was defeated. I believe it's important, Mr. Chairman, that we have on record the type of amendment which came forward from the members of Her Majesty's Loyal Opposition to, in fact, make the best out of what we consider to be a very, very woefully weak piece of legislation.

[The amendment was lost.]

MR. HENDERSON:

Mr. Chairman, I'd like to take my turn at the section now.

I come back again - if we can't have a minister accountable to the Legislature, then we should have a commissioner accountable to the Legislature. That's fundamental in my view.

I come back to the authorities that are asked for in a number of bills before this House where the government wants to deal by executive decree to amend just one statute. When we have a bill that is going to allow the government by executive decree to set aside eight or ten statutes, well then obviously I think the party exercising those authorities directly should be a member of the Legislature.

I want to come back to the question again. The commissioner of every other commission that has ever been set up in this province has always had specific legislative terms of reference. It's always on the basis of those terms of reference that the concept of the commission is accepted, because he had definite constrictions placed upon him or them in the manner in which they operate. That's been approved by this Legislature. It seems to me that where we are going to have a commissioner who has no terms of reference other than what Executive Council passes by regulation under which they set aside any and all parts of a number of statutes, it is absolutely essential that the man be accountable directly to the House in the same manner the Provincial Auditor is, and in the same manner you could say the provincial ombudsman is.

Again, I think this is extremely fundamental. If we can't have this, I just question the merits of wasting time standing in the Legislature, because our fundamental concept of accountability and our democratic process has just become meaningless.

So I move, Mr. Chairman, under Section 3 of the bill in subsections 1 and 2, that the word "Lieutenant Governor in Council" be struck out where it appears in both sections and replaced with the words "the Legislature".

MR. CHAIRMAN:

Ready for the question?

MR. CLARK:

Mr. Chairman, just before we quickly slough off the suggestion that has been made by the Member for Wetaskiwin-Leduc, despite the unsuccessful efforts that have been made by amendments or the results of amendments put forward by myself, I just question very seriously whether, even before the amendments are passed out, we should be calling the question on this. It seems to me it's a very basic issue as far as the Legislature is concerned.

I'm in no position to invite, but I would urge the Minister of Municipal Affairs at this time to give us some indication why the government chose not to go the route of the minister. Earlier this evening he indicated that the government gave consideration to the concept of a minister and also to the concept of a commission. He at least indicated - though I didn't agree with his reasons - some reasons as to why the government turned down a commission concept. I'd be very interested in hearing now from the Minister of Municipal Affairs why the government thought the concept of a minister was out of touch, and certainly why the minister feels that the amendment as proposed here isn't in keeping with what the government really wants to do as far as northeastern Alberta is concerned.

MR. LUDWIG:

Mr. Chairman, I believe that we cannot let pass without some comment the fact that there appears to be almost an indifference to the whole issue. It's accentuated by the fact that even though this is major legislation proclaimed by the government as being a bold step to deal with what is urgent and also important to the future of the province, the hon. Premier and some of the senior ministers directly involved in this matter are not here. They are very sure of their ground, obviously. They rely on the fact that their members will not vote against what the party decides, what has been decided. It's rather unusual that there should not be any explanation, any challenge but an air of indifference to the whole thing.

We are dealing with people's freedoms. We are dealing with the democratic process. We are dealing with a drastic departure from the way things are done throughout the whole country. They can say we have the majority, we don't have to listen, we don't have to pay much attention, we'll go through the motions and we'll vote it down. I don't believe that this is a responsible discharge of their obligations. At least it isn't in my view. It does call - and I remember when the hon. members were on this side how they use to get up and demand that a minister make some explanation, because there just might be some

vague reason why they are going this route. But it hasn't been given to us, as has been stressed before.

Now certainly if they have any logical reason we must go this and no other way, then let's have it. Just to maintain the attitude, we're right, we've made up our mind and we're going that way whether you like it or not, is not good enough. If it is, then let them stand up [and say], that is our attitude and as far as we are concerned the back-benchers on our side - that's the government side - are in our pocket, we don't have to worry about them and as far as you are concerned in the Opposition you haven't got the majority. So why should we even debate this thing. That's a good question now, with the attitude of indifference and the attitude that their mind is made up.

I suppose that I shouldn't raise these questions demanding information and the reasons. As some hon. members on this side have already explained, if there are reasons for going this way we were never given them. Just because you can get the concurrence of the hon. members on that side for whatever reason, they stand in line and say yes. It does not mean you should expect all the members in this House to go along with you without explanation, without reason. So let's have it if there is one. If there isn't, then maintain your silence and vote us down, Mr. Chairman.

MR. RUSSELL:

Mr. Chairman, I'd like to respond to the comments raised by the hon. Leader of the Opposition. I had considered responding earlier to the amendment dealing with the substitution of the minister concept. I think it's a very valid proposition to put forth. I suppose the one basic reason the bill is before us in the form it is, is that it is finally in the combined judgment of the government caucus a judgment decision to proceed in this manner.

Certainly the prerogative of the makeup of Executive Council, whether or not there should be an addition or deletion of another minister to Executive Council, must in any parliament remain the prerogative of the premier or the prime minister, as the case may be. Going on the premise here that the existing makeup of Executive Council would not be altered at this time, the question then becomes, if not a special minister for this particular job, then what? I think I tried to deal with the remarks earlier about the question of his being a one-man commissioner rather than three or five or some other number.

I think there is also quite a difference in duties or in line of responsibility that merits some consideration, Mr. Chairman, in that I believe in the traditional sense a minister is regarded as a policy maker, a member of the Executive Council council who is responsible for joint decisions, whereas a project manager or commissioner in this act is really an administrator, a daily manager. The duties of the two persons are quite different.

If I could use an analogy, Mr. Chairman, that perhaps some members might appreciate, let us suppose a major oil company decided to construct an artificial island in the Arctic Ocean. Now the question becomes, do they send a member of the board of directors up there to manage the project, do they appoint a new member of the board of directors of the oil company to go up and manage the project or do they collectively as a board, acting on behalf of their shareholders, appoint a project manager with a great deal of authority to carry out the work and make him directly responsible to them?

I think it's important to recognize the chain of authority that is built into this act, which is not unusual for many other key positions in government in the senior management level, that is, this person holds office during pleasure. That's a case in many, many important government positions. The government in the end must take the full responsibility for whether or not that was a wise decision. That in a way is a capsule comment answering the hon. Member for Wetaskiwin-Leduc and the hon. member, the Leader of the Opposition - why a commissioner as opposed to something else, or something else? In the end it becomes a judgment decision of government caucus and one for which it will have to be responsible.

MR. HENDERSON:

Mr. Chairman, I would like just to point out to the hon. minister that he picked an extremely poor analogy.

AN HON. MEMBER:

Agreed.

MR. HENDERSON:

Having had something to do with the first artificial island built in the Arctic, let me assure the minister that the project manager really had no authority, the decisions



were all made in Toronto. They had very tight terms of reference which granted no discretion whatever. Of course, in this particular undertaking it's exactly the opposite. There are absolutely no terms of reference. That's what the argument's about, blank cheque for a commissioner, for the government to do with as it wants. So, as I say, the analogy is certainly not a good one.

I appreciate the remarks of the minister. As I said at the outset in this debate, the government came in with its mind made up and it is not prepared to entertain any suggestions.

I suggest that the motion before the House now is a constructive one, because it does maintain the basic concept of accountability for the exercise of some extraordinary powers that are being asked for by the government to deal with a particular problem.

The suggestion that the commissioner, the man who is going to be exercising those, is going to be accountable to the House through the minister when the minister allows him to speak in committee, is simply not acceptable. I can only suggest that the only point in having the suggested amendment in here is to make the man who is exercising the extraordinary powers without any terms of reference from this Legislature directly answerable to the Legislature.

I feel extremely strong about it. I think it's extremely fundamental. What this government is moving towards is basically a presidential form of government. The basic theme that's underlying the attitude of the government is, we're not responsible to this Legislature, we're responsible to the people of the province of Alberta. You people who sit between us in here don't matter a damn. We'll go out and win the next election. And you probably will. I don't intend to run and I won't be here. It's going to be at the expense of an erosion of the democratic traditions under which this country has operated and under which this province has operated since its inception.

I just don't think there's any question about that, the suggestion that the government is simply saying, no, this man will not be accountable to Legislature. That's absolutely the only conclusion that can be arrived at from the attitude of the government. He will in no way. He will speak publicly and in this House only when he has been authorized to speak by the minister. That's the only term of reference.

I'm at a loss to understand how a government that's supposed to adhere to some fundamental ideas of democracy can bring a bill into the House and ask for executive decree to set aside the rule book, and at the same time refuse to allow that person exercising the power to be responsible to the House. It's just completely fundamentally contrary to the whole basic concept of our democratic process.

And I have watched this government. I've watched it in Opposition and I've watched it as a government and I must say I arrived at a conclusion before they went into office, that the Premier of this province had a great admiration for the presidential system of government. It fits in with the very polished public relation exercise we have seen since the government took over and I admire them for it - tremendous capability.

But in effect the members in the Executive Council are saying they're not really responsible to this Legislature, and they're not going to let a man, for whom they are asking the Legislature to grant extraordinary powers, to be responsible. I just have to say it is a black day for the democratic process in the province of Alberta.

MR. NOTLEY:

Mr. Chairman, I propose to support the amendment but I think we would have been much better off if the government had accepted the early amendment dealing with the minister responsible. Nevertheless, the amendment we have before us at the moment is at least somewhat of an improvement over the situation where the Lieutenant Governor in Council was going to be appointing the commissioner.

I think the points raised by the hon. Member for Wetaskiwin-Leduc and others are extremely valid. If we are going to have accountability for this individual who has such sweeping power, that individual should be chosen by the Legislature.

Mr. Chairman, I can see the possibility that if the commissioner doesn't work out we're going to have a change made, but because the change will be made by the Lieutenant Governor in Council - perhaps the legislature won't be in session - the information, the background, the reasons, really won't be fully discussed in the legislature which would have to be the case if, in fact, the appointment was made in the first place by the Legislature. I know some might suggest that that would unduly tie the Executive Council, Nonsense. It is very easy to call an emergency session of the Legislature if necessary. If a person appointed by the Legislature wasn't working out, and had made a mess of things and we had to replace him or her, then a session could be called in the Legislature which did the appointing in the first place and could do the firing in the second.

And in doing that, Mr. Chairman, we would then as elected representatives from all over the province be in a position to know what is going on, be in a position to make the kind of judgment decisions which are necessary to fully represent our constituency - the people who send us here - as well as the responsibilities that the Member for Edmonton Strathcona and the Member for Calgary Mountain View talked about in terms of our responsibilities to all the people of Alberta.

So, Mr. Chairman, I feel that this amendment, even if passed, is still going to mean a bill which gives more power than it should and is by no means as workable as would be ministerial responsibility, which has already been voted down. But at least it would, I think, lay a claim to a fleeting vestige of responsibility to the Legislature.

Mr. Chairman, at this stage of the game it appears that all we can do on this side is reach out and try to grab onto as much of that fleeting vestige of legislative control as we can.

DR. BACKUS:

Mr. Chairman, this argument seems to be getting way off-track.

SOME HON. MEMBERS:

Hold it, hold it.

DR. BACKUS:

I agree very much with the hon. Member for Wetaskiwin-Leduc that accountability to this Legislature is of tremendous importance. I also agree very much with the Member for Calgary Mountain View in his description of the responsibilities of members in this House to the Legislature and to the people in Alberta. First of all they suggest that a minister be appointed and sent to Fort McMurray where he spends all his time and is therefore denied his rights as a member to be present in this House at all times ...

MR. HENDERSON:

[Inaudible] ... not the amendments before the House. That issue has been dealt with. So let's not have the red herring of going back to that issue.

The minister should have been up making his speech when the two amendments were before the House.

SOME HON. MEMBERS:

Order. Order.

MR. HENDERSON:

I'm on a point of order, and the minister is out of order. You guys have already shot down the question of a minister. Now he suddenly wakes up and starts talking about two motions back. The question right here is making the commissioner accountable to the Legislature.

AN HON. MEMBER:

Order.

AN HON. MEMBER:

Is this a filibuster?

MR. HENDERSON:

So I suggest, Mr. Chairman, that the minister be called to order and he speak to the motion before the House, and not rethress old straw.

DR. BACKUS:

On the point of order, Mr. Chairman, I think the last speaker spent about 50 per cent of his speech saying they would have preferred a minister, and therefore I don't see why I shouldn't bring into my comments on it a counter argument to his argument which he took up half his speech talking about.

MR. HENDERSON:

On a point of order, as the speaker has often said, two wrongs don't make a right. If the minister wanted to be right he should have been awake and made his speech two motions

earlier. And if the minister didn't agree with the member being out of order, he should have gotten up and stopped him, just as I am stopping the minister right now. The minister is clearly out of order and should speak to the motion before the House.

MR. CHAIRMAN:

Order.

As the Chairman would recognize, there has been a lot of latitude in the debate tonight and this is the reason. ...

[Interjections]

Order.

Therefore, I would just beg that you permit the minister, Dr. Backus, to continue.

DR. BACKUS:

If given the time, without interruption, I'll certainly connect it with the present amendment. Because having first of all wanted to have a minister, and thus deny a member of the Legislature his rights as a member, they now turn around and suggest that this person should be appointed by the Legislature and thus deny, I think to some extent, the rights of the Executive Council.

MR. CLARK:

Which is most important?

DR. BACKUS:

Now I agree that the Legislature is very important, but I am coming to this question of accountability which I do feel is tremendously important.

But are you suggesting the Executive Council is not responsible to the Legislature? Therefore if they make a decision, are they not responsible to the Legislature to debate the decisions they make? The next thing you will be asking for is that the Legislature appoint all the ministers of the government.

MR. CLARK:

It would make some changes.

DR. BACKUS:

Yes, I am sure you people would like it because it does seem that the Opposition forgets they are in opposition and feels they should be rapidly taking over some of the responsibilities of government in this province - something which apparently the people didn't seem to think at the last election.

Therefore the accountability is there, and I agree it is a very important factor. But the accountability of this position is through the Executive Council. I don't see why there is such offence taken at something which, in fact, is part of our method of government. After all, we had school commissions, college commissions and we have an Alberta Housing Commission. All these commissions are accountable through the Executive Council.

Now the function of this commissioner is certainly, I feel, laid down fairly fully in this act and one of the obvious functions that has been brought out is that some of his rulings will in fact detract somewhat from the ministers on this side of the House. He is going to have to sometimes override the decisions or the proposals of the ministers on this side of the House. I therefore would consider it even less reasonable that you should expect the Legislative Assembly to appoint a person who would be in that position. We'll be having strong arguments soon that in fact the Premier of the province maybe ought to be someone who's appointed by the Legislative Assembly.

I realize you people would like to continue governing the province and I feel with you that there is a real responsibility of this Legislature to have accountability in these matters and in all matters. But I don't think that the demand for accountability should be one of demanding a change in the position that the majority in this House is the people who form the government and by virtue of the Legislature, they are accountable to the Legislature for the actions they take.

Therefore I really can't see such a loss of position as far as the Legislature is concerned, unless they feel that they are no longer able, because they are the minority in this House, to override the majority in this House. It seems to me that surely our whole

democratic process, which the hon. Member for Wetaskiwin-Leduc seems to feel is being undermined, equally applies the other way. The democratic process is a process whereby certainly argument and debate can come up in the House, and certainly there's a question period when the government is requested to account for things that they do, and certainly there is debate in the House about it. But, finally it is the majority that reaches a decision and the decision of the majority is the decision of the House.

Therefore I don't think we are straying so far from the democratic process when we say that there is a need for a representative or an agent of government to be placed in Fort McMurray to cut red tape and resolve some of the problems there, and that this agent of the government should become an agent of the Legislature. The government is responsible to the Legislature, and this man is acting as an agent of the government. I can think of nothing more significant than the fact that he is an agent of the government and therefore is acting on behalf of the various ministers of government in that local area to speed up processes of resolution of problems. He becomes accountable to the government and the government is accountable to the Legislature.

I don't think the Legislature is losing any position at all by the fact that this agent is appointed by the Lieutenant Governor in Council rather than by the Legislature as a whole. I think it is possibly [because of] the desires of some of the members to take over some of the responsibilities of government in this province that they feel this amendment should be brought in. Therefore I feel very strongly opposed to this amendment.

MR. HENDERSON:

I would like, if the members will let me, to address myself to the remarks made by the minister. I can only say the minister has a vastly different concept of the democratic parliamentary process than I have.

A minister is accountable to this House for authorities that are granted to him by this House ...

SOME HON. MEMBERS:

Agreed.

MR. HENDERSON:

... and that is the issue. All we are asking for is consistency in that regard. What I'm concerned about is what is fast becoming a practice in the government: that they are not to be accountable to the authorities granted to them because they're asking for a blank cheque. That's the whole issue. There are no terms of reference. Every minister who sits in this House has a statute under which he operates. He has authorities and responsibility assigned to him by the Legislature, and it's spelled out in detail in what he can and can't do.

In this case there are no terms of reference. The only terms of reference are those the government is going to give him by Order in Council to set aside the statutes of this House. Now, how on earth can the concept that the man is accountable to the House be followed when the orders are all, as far as his terms of reference and statutory power, issued to him by Executive Council? There are no terms of reference. "In order to enable the commissioner," Section 8, "to carry out his functions with the diligence and dispatch that the circumstances may require the Lieutenant Governor in Council may make regulations" setting aside the statutes and so on. That's the issue, Mr. Minister. That's the whole issue. There are no terms of reference.

Now, the suggestion that by the House appointing the Commissioner undermines the authority of the Executive Council is preposterous. Under Section 8 of the Act, the only authority he has is the authority the Executive Council gives him.

MR. KOZIAK:

What about Section 4?

MR. HENDERSON:

I'm talking about Section 8. There's nothing in Section 4. We'll come to that in turn when we get to it.

Dealing with the point, there's nothing in the Bill that gives the Legislature any power to set the terms of reference for the commissioner. The fact that the commissioner is appointed by the House, in no way undermines the prerogative of the Executive Council to assign to him the powers and authorities that they would have under Section 8 of the Act. There simply is no compromise with the responsibilities and authorities of the Executive Council.

Quite frankly, I'd like to think that if the man is responsible to the House, he is appointed by the House and he is receiving delegated authorities from the Executive Council. The Executive Council is going to think three times before it delegates any of those powers to him because when they start delegating, then they might be losing something and they won't delegate any power that the commissioner doesn't need.

The whole concept we are arguing about is the one the minister hasn't grasped. There are no terms of reference in the bill from the Legislature as to how the commissioner will operate. It's a blank cheque for the Executive Council to give him those powers. I don't know how that could be stated more clearly or the bill interpreted more clearly. In no way does it undermine the basic authority prerogative of the Executive Council because the Executive Council under the bill is going to be granting the powers. They're going to be making the decisions as to what he does and doesn't do. So I can't follow the minister's argument in that regard.

As far as the other statement, that there's something wrong with an Opposition that has some ideas about trying to exercise some of the authority of the government, God pity the democratic process when you don't have an Opposition that wants to exercise some of the powers of the government, because that will even be a worse day for democracy. That's what keeps the democratic system functioning. I'm concerned about the whole mentality the minister has expressed. It isn't in keeping with the established traditions and concepts under which our Legislature operates. I don't know how the minister has arrived at his conclusions. Every minister, including the Minister of Public Works, has powers and authorities spelled out by the act that make him accountable to the House for its exercising. In this bill there are no powers spelled out in the act, none whatsoever.

MR. KOZIAK:

What about Section 4?

MR. CLARK:

If I could just make one more comment following along what the Member for Wetaskiwin-Leduc has said in the course of his mopping-up exercise.

It seems to me that just one more point could be added. The Minister of Public Works in the course of his harangue talked about the Opposition wanting to continue to be the government of the province. That isn't the issue at all. The issue in its most simple form is, is the Legislature going to continue to be supreme in this province or isn't it?

SOME HON. MEMBERS:

Hear, hear.

MR. CLARK:

And that's the whole question, as to what we're facing on this particular amendment and the other amendments which have been before us this evening.

For the Minister of Public Works to decry the Opposition because they want to continue to be the government of the province - we have no illusion, we know we're not the government of the province - but for us to make suggestions and then for the Minister of Public Works to come back and say, you've forgotten the results of the election two or three years ago, whenever it was, is just completely trying to become the minister of red herrings.

He'd have no guidelines there. He'd have somewhat of a blank cheque there. But I'd be pleased if there would be no money in the bank account for such a cheque.

I just emphasize the point once again, the whole basis of this exercise: is the Legislature going to continue to be supreme or isn't it? That's the question we're facing on several sections in this particular bill.

DR. BACKUS:

Mr. Chairman, I fail equally to understand how the hon. members on the other side - well, I understand why they seem to misconstrue the concept because they start from the wrong premise. They talk about a blank cheque and they talk about this new concept of the Executive Council wanting to take over all the authorities. I think the functions of the commissioner are set down fairly clearly in Section 4.

I think it is recognized, at least by those on this side, that when dealing with a specific area and specific problems it may be necessary to set aside certain acts. I think a recognition of the responsibility or accountability of the Legislature is brought out very clearly in part 2 of Section 8 where any regulations which set aside these acts

are nullified at the time of the Legislature, so unless they are amended by the Legislature the action that has been taken is no longer effective.

I still fail to see how this is considered a blank cheque. I think the premise that we are giving this commissioner a blank cheque is really entirely the wrong premise on this thing. This is why it is my opinion that the Executive Council is responsible.

I think the point made by the hon. Member for Wetaskiwin-Leduc, that ministers act under legislation that has been approved in this House, is a viable argument. But in most legislations in which the minister's function is laid down it is not laid down any more extensively than this. There are in them regulations controlling his activities which are brought in by the [Executive] Council. Therefore, the process is exactly the same here. And there are acts and have been acts in this province for some time in which the [Executive] Council in certain situations, certain areas, can set aside acts of the Legislature.

I know they'll argue that what was good in the past doesn't mean we have to accept it in the present, and this I agree with, but I think we're talking about precedents here. In the past the particular part of legislation which set aside acts did not have that protective clause at the end of it which, in fact, indicated the responsibilities of the Legislative Assembly, whereas this one does.

Therefore, I don't think we are, in fact, talking about blank cheques. I think we are talking about a position where a great deal of responsibility is being taken by the Executive Council, and the Executive Council is accountable to the Legislature. I really don't see this blank cheque argument when things are laid down here as clearly as they are in many other acts. I would be quite happy to dig them up and show them to you.

MR. HENDERSON:

Mr. Chairman, I'd like to ask the minister a question.

The way I interpret his logic, if Section 4 deals with everything the commissioner has to do, those are functional responsibilities. If that deals with the problem, what do you need Section 8 for? If we are just going to talk about Section 4, then we don't need Section 8. Section 8 is what the argument is about. I can only conclude that by the minister's logic, his own argument, Section 8 is not required because Section 4 will deal with it. If Section 4 will deal with it and you are going to scrap Section 8, fine, I'm happy - we've wasted a whole evening here in getting around to that point.

The way I read the bill, Section 4 describes his responsibilities, but then he can't do the job without the powers under Section 8. It's the accountability for the exercise of the authorities under Section 8 that we are talking about. So Section 4, if that will do it - happy day. I'll sit down and shut up and apologize for wasting all the time in the House, but Section 4 just describes his basic functions. The question of authority is what we are talking about and accountability for exercise of that authority, and that's Section 8. Again, if Section 4 does it, why, we don't need Section 8, according to what the minister is saying. So what is Section 8 in there for?

MR. KOZIAK:

Mr. Chairman, Section 8 does not give the commissioner the powers. Section 8 permits the Executive Council to make certain changes. It does not give those powers to the commissioner by any means. The provisions are very similar to The Provincial Parks Act. As a matter of fact, I thought I recalled the hon. Member for Wetaskiwin-Leduc proposing an amendment to The Provincial Parks Act to the particular section to make it conform with Section 8 in this act.

So the provisions there were provisions which enabled the Executive Council as a whole to make certain changes in legislation which must then come back to this Assembly within the next session; otherwise, those regulations cease to be valid.

It is the Executive Council that has that power, not the commissioner by any means. The Executive Council in looking at the commissioner's discharge of the functions under Section 4 may say to itself, there are certain changes that have to be made to certain acts for the commissioner to fulfil his functions. The commissioner does not then get any new powers. The commissioner then does not receive any powers under Section 8 of the act. It's just that the Executive Council, every member of which is responsible to this Legislature, then makes a decision that something must be done by the Executive Council, not by the commissioner; something must be done by the Executive Council for the commissioner to fulfil his functions under Section 4.

We can't possibly anticipate here today what problems may arise. We know that they will probably fall within the ambit of those acts. What we are doing today is giving not the commissioner that power, not the commissioner, but the Executive Council. That's a completely different set of circumstances.

If it was the commissioner who was being given the power to make laws inapplicable, to set aside acts and to set aside regulations, well, I would agree with the hon. gentlemen, Mr. Chairman. But that is not the case. Those powers under this act are given not to one minister even, as suggested earlier in discussions, but to the entire Executive Council, to the entire Executive Council for the benefit of this act. Those functions which are enumerated in Section 4 can be carried out, not any new powers. If Section 8 is looked at in detail it says: "In order to enable the Commissioner to carry out his functions". His functions are enumerated in Section 4. The functions are to initiate, to organize, to develop and to coordinate.

MR. LUDWIG:

On a point of order, the hon. member has repeated himself about four times and I think he's emphasizing ...

MR. CHAIRMAN:

It's no point.

MR. LUDWIG:

Repetition ...

MR. CHAIRMAN:

Order, Mr. Ludwig.

MR. LUDWIG:

I'm on a point of order, Mr. Chairman.

MR. CHAIRMAN:

It's no point of order. Continue, Mr. ...

MR. LUDWIG:

Repetition does not make an argument valid.

MR. CHAIRMAN:

Order, Mr. Ludwig. Continue, Mr. Koziak.

MR. KOZIAK:

Thank you, Mr. Chairman. If I repeat myself ...

MR. LUDWIG:

I would like to rise on a point of order, and I wish to express myself to that point of order.

There is a rule against repetition in Beauchesne. The hon. member has repeated himself four times now, and it's because he's got a weak argument that he keeps repeating himself. He should not be permitted to repeat himself any further. He's spinning his wheels, Mr. Chairman.

MR. CHAIRMAN:

Continue, Mr. Koziak.

MR. KOZIAK:

If I am repeating myself, Mr. Chairman, it's only because of the bad habits I have learned from the Member for Calgary Mountain View. So I think that perhaps with repetition the point will sink in. That, of course, has some merit.

I think there is some misconception as to the whole meaning of the act, as to the whole meaning of Section 8 and as to the whole meaning of Section 4. And at this particular point I will repeat myself. The Executive Council is the one receiving authority from the Legislature in this section, in this act, not the commissioner. The commissioner's duties are found in Section 4. It's the Executive Council that has those responsibilities that the Member for Wetaskiwin-Leduc is attributing to the commissioner. That, Mr. Chairman, is not a correct interpretation of the act.

MR. HYNDMAN:

Mr. Chairman, I move that the Committee rise, report progress and beg leave to sit again.

MR. CHAIRMAN:

Is it agreed, as moved by the hon. minister?

HON. MEMBERS:

Agreed.

[Mr. Diachuk left the Chair.]

\* \* \* \* \*

[Mr. Speaker in the Chair]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bill, Bill No. 55, begs to report some progress and asks 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. HYNDMAN:

Mr. Speaker, I move the Assembly do now adjourn until tomorrow afternoon at 2:30 o'clock.

MR. SPEAKER:

Having heard the motion for adjournment by the hon. Government House Leader, do you all agree?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until tomorrow afternoon at 2:30 o'clock.

[The House rose at 11:07 o'clock.]