

## LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, May 23, 1974

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

## PRAYERS

[Mr. Speaker in the Chair]

## INTRODUCTION OF VISITORS

MR. SCHMID:

Mr. Speaker, it is a pleasure for me to be able to introduce to you and through you to the members of this Assembly, Mr. Ron Scott, the Chairman of the Commonwealth Games Foundation and the 1974 Commonwealth Games held in Christchurch, New Zealand. It is known to us, of course, how successful and immensely popular and friendly these games were.

I would like to welcome Mr. Scott to the province of Alberta. Mr. Scott is accompanied by his wife and by his Worship, Dr. Ivor Dent and Mrs. Dent. I would like to ask Mr. Scott and his wife to rise and be recognized by this Assembly.

MR. GHITTER:

Mr. Speaker, I'm pleased to introduce through you to the members of the Legislative Assembly a number of young boys and girls from deep in the inner city of the city of Calgary in the heart of Calgary Buffalo; a number of students from the Connaught School who are visiting with three of their teachers, Miss Veale, Mrs. Van Gaalen and Mrs. Rimmer. I would ask them to kindly stand in the members gallery and be recognized by the Assembly.

MR. CRAWFORD:

Mr. Speaker, I take pleasure in introducing to the members of the Assembly 26 retired members of the Edmonton Business and Professional Women's Club. I didn't have the advantage of meeting with them earlier today and only received notification of their presence in the gallery. I want to commend them for their interest, welcome them and ask hon. members to welcome them, Mr. Speaker, as they stand in the members gallery.

MR. HYNDMAN:

Mr. Speaker, it is my pleasure today to introduce 45 members of the Grade 7 and 8 junior high class at Westminster School in my constituency. They are accompanied by their teacher Mrs. Shewchuk. They are in the members gallery and I would ask that they now stand and be accorded the welcome by the Assembly.

## TABLING RETURNS AND REPORTS

MR. MINIELY:

Mr. Speaker, I'd like to table a reply to Written Question No. 153.

## ORAL QUESTION PERIOD

Petrochemical Projects - Federal Announcement

MR. CLARK:

Mr. Speaker, I'd like to direct the first question to the Premier and ask if there were very recent consultations between the Government of Alberta and the federal minister, Mr. Macdonald, prior to his announcement today that he has, in fact, approved the construction of a pipeline from Alberta to Ontario and secondly, that he really has approved the plastic feedstocks operation in Sarnia.

MR. LOUGHEED:

Mr. Speaker, although the hon. member is operating from news reports, I presume, there has been no official word of that nature from the government insofar as the decision of the federal cabinet, although one is expected relatively soon.

I believe the initial part of the hon. Leader's question dealt with the matter of discussions. I would say that there were discussions, and they have occurred, on the project, over a period of time, including the letter of May 6 which was sent by the hon. minister, Mr. Getty, [and] which was tabled in the House.

MR. CLARK:

A supplementary question to the Premier. Would it be fair to assume that the Government of the Province of Alberta is extremely disappointed at this particular announcement?

MR. LOUGHEED:

Mr. Speaker, I am still having difficulty responding to that question because I think we would like to await any official word which is received in the normal channels. When we receive that word, we will make a response, and perhaps give hon. members some idea of the approach, response, and courses of action we intend to take.

Home-owners - Middle Income Assistance

MR. CLARK:

Mr. Speaker, a second question then, to the Minister of Municipal Affairs. Does the government intend to become more actively involved in assisting middle-income families to acquire home-ownership?

MR. RUSSELL:

Yes, Mr. Speaker, I announced during the Budget Debate the involvement of Alberta under the Assisted Home Ownership Plan, which brings another scale of family incomes in the potential of home-ownership. That program is now under way.

MR. CLARK:

A supplementary question, Mr. Speaker, to the Provincial Treasurer. Is the government giving active consideration to making use of the Consolidated Investment Fund, so that reasonable interest rates can be made available to middle-income families to acquire home-ownership?

MR. MINIELY:

Mr. Speaker, I think the hon. Leader is aware that we have had under consideration a wide variety of policies with respect to the use of the substantial additional funds the province will have. In due course we intend to present a bill to the Legislature. Of course, we will be developing these policies as we go along. But I can say specifically, while a wide variety of things is being considered, the particular item the hon. Leader mentioned is certainly one which will be receiving in-depth consideration.

MR. CLARK:

A supplementary question to the Provincial Treasurer. Is the government prepared to make interest charges, on mortgages for personal family dwellings, tax deductible from provincial income tax?

MR. MINIELY:

Mr. Speaker, again it's a matter which is under consideration, along with other things, in the province's total tax policy. No final decision has been made on the matter as yet.

MR. CLARK:

A supplementary question. When can we expect a decision and an announcement on both matters - before the end of this session?

MR. MINIELY:

No, Mr. Speaker. I think the hon. Leader will have to wait. I am not in a position today to indicate a specific date.

#### Public Housing Projects

MR. WILSON:

A supplementary question, Mr. Speaker, to the hon. Minister of Municipal Affairs. Will the minister report on the current status of the three-year-old request of Alberta's municipalities for control of public housing?

MR. RUSSELL:

Well, the status remains where it has been for several years now, Mr. Speaker.

We attempted to keep negotiations going with the municipalities with respect to that item. We've told them very clearly that if they have housing needs, funds are available by the province and for goodness sake, let's get on with it. If we come to another arrangement, we will certainly make the projects retroactive if it's at all possible.

But I think it's time to emphasize that if public housing projects are not now being built in cities, it's the cities' fault, not the province's.

[Interjections]

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation followed by the hon. Member for Macleod.

#### Official Languages

MR. SORENSON:

Mr. Speaker, my question is to the hon. Premier. In view of the fact that the Quebec government has made French the official language for Quebec - at least it's in the process - would the provincial government consider making English the official language of the province of Alberta?

DR. HOHOL:

Make it Ukrainian.

MR. LOUGHEED:

Mr. Speaker ...

AN HON. MEMBER:

It's just the way you talk, Ralph.

[Interjections]

MR. LOUGHEED:

Mr. Speaker, I'm getting all kinds of advice. Mr. Speaker, it's certainly not the intention of the government to make any moves in that direction. I think the general situation in this province with regard to that matter is one that has the full acceptance of the vast majority of the citizens.

MR. SPEAKER:

The hon. Member for Macleod followed by the hon. Member for Calgary McCall.

Credit Union Loans

MR. BUCKWELL:

Mr. Speaker, my question is to the Minister of Agriculture. Has the minister had any representation or expressions of concern from the Credit Union Federation in respect to the creation of hardships to the consumer and small business loans due to the increase in interest rates by the Bank of Canada?

DR. HORNER:

Yes, Mr. Speaker. We have had some representations from the Credit Union Federation and from individual credit unions. Indeed some ongoing discussions have been held with them by my department and by the Provincial Treasurer's department.

MR. BUCKWELL:

Supplementary, Mr. Speaker. Has the minister considered any change in the policy or regulations to ease the granting of loans by credit unions?

DR. HORNER:

Well, those are under review at the moment, Mr. Speaker, having regard to other policies by which we might be able to assist them in continuing to play a meaningful role in the banking business in Alberta.

MR. R. SPEAKER:

Mr. Speaker, a supplementary to the Provincial Treasurer. Has the Provincial Treasurer considered taking funds from the general revenue of the province and investing them in the credit unions? This money in turn could be made available as loans to consumers or small business people in the province.

MR. MINIELY:

Mr. Speaker, as the hon. Deputy Premier has stated, both he and I have had discussions and dialogue with representatives of the Credit Union Federation and with individual credit unions. I have asked my department to coordinate a joint meeting, which I hope to have in the near future, with members of the Credit Union Federation and members of the Credit Union Branch under the Minister of Agriculture and representatives of my department to explore the possibility that the hon. member is questioning.

MR. SPEAKER:

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

Bus Transport - Pollution

MR. HO LEM:

Thank you, Mr. Speaker. My question today is directed to the Minister of the Environment. In view of the City of Calgary's decision to replace all existing trolley buses with diesels, could the minister indicate if the Department of the Environment is reviewing that decision because of the environmental impact on the city of Calgary, where 85 per cent of the air pollution is caused by motor vehicles.

MR. YURKO:

Mr. Speaker, this is a decision made by a local authority, and as such it is respected. We are, of course, watching the development of pollutants in the city of Calgary on an overall basis. We will be setting up this year a mathematical model of the city of Calgary with the inputs that contribute to air pollution in Calgary from various sources in an attempt to develop some guidelines in terms of development on the long-term basis and as a result, provide our cities with some guidelines in this regard.

MR. HO LEM:

Supplementary, Mr. Speaker. Would the minister give consideration to the setting up of incentive grants to the municipalities to encourage the use of trolley buses in view of their environmental benefits?

MR. YURKO:

Mr. Speaker, we considered very seriously the idea of encouraging the use of propane and natural gas in buses against diesel fuels and gasolines, but it was not considered to have an adequate effect. It would not reduce the pollutants sufficiently to justify it on that basis. As a result, the general viewpoint of the cities was that the costs of conversion and operation wouldn't be sufficient with respect to the gain. As a result we have abandoned that project.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Member for Medicine Hat-Redcliff.

#### Petrochemical Projects - Provincial Aid

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Premier and ask him whether or not the government has been asked for or has discussed with either the principals of Dow-Dome or Alberta Gas Trunk-CIL any form of assistance or subsidy from the provincial government.

MR. LOUGHEED:

Mr. Speaker, I don't think I'm in a position to deal with that matter today. Perhaps I could take the question as notice and respond at a more appropriate time.

MR. NOTLEY:

Supplementary question, Mr. Speaker, when the hon. Premier responds I wonder if, at the same time, he could give the Legislature some idea of the dimension of any assistance.

MR. SPEAKER:

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

#### Alberta Labour Shortage

MR. WYSE:

My question, Mr. Speaker, is to the hon. Minister of Manpower and Labour. It's regarding the labour shortage in the province at the present time. My question is, is the provincial government presently trying to develop an immigration policy or trying to persuade workers [to come] to Alberta from abroad?

DR. HOHOL:

Mr. Speaker, this is one of several factors that we are looking at with respect to the problem posed by the hon. member. But certainly it is not an overwhelming kind of consideration that would lead to a government position at this time.

MR. WYSE:

Supplementary question then, Mr. Speaker. Is this government studying the concept or proposal presented to them by the Alberta division of the Canadian Manufacturers' Association?

DR. HOHOL:

Yes, Mr. Speaker, at least at the departmental level. The executive board of the Alberta division of the Canadian Manufacturers' Association met with me about two weeks ago for some considerable time. We discussed the proposals which they left with me. In due course some of their considerations, as well as those of other departments of government including my own, will be discussed with a larger group of cabinet ministers and later the caucus.

MR. WYSE:

Supplementary question, Mr. Speaker, regarding that proposal presented to the provincial government. Can a provincial government by-pass the federal government's policy on immigration?

MR. SPEAKER:

The hon. member is asking for some legal advice which perhaps he might seek elsewhere.

MR. DRAIN:

Mr. Speaker, on the same subject. Would not the minister consider looking in different parts of Canada, such as Sarnia where there is a potential of unemployment, for future labour for Alberta's chemical industry?

[Laughter]

MR. WYSE:

Supplementary question, Mr. Speaker, to the hon. minister. Is the labour shortage in the province near critical at this time?

MR. SPEAKER:

Perhaps the hon. member might do his own research on that topic.

The hon. Member for Drumheller followed by the hon. Member for Vermilion-Viking.

Purple Gasoline - Standard Price

MR. TAYLOR:

Thank you, Mr. Speaker. My question is to the hon. Provincial Treasurer. Will there be a uniform price set for tax-free fuel, commonly known as purple gasoline?

MR. MINIELY:

Mr. Speaker, I'm not sure whether the hon. member is referring to the fuel oil tax or whether he is referring indirectly to the price that purple gasoline might be marketed for by the retailers.

MR. TAYLOR:

I'm referring to the price that the farmer will have to pay for tax-free gasoline.

MR. MINIELY:

Mr. Speaker, the situation on purple gas is subject to the same competitive situation that I've spoken to hon. members about with respect to gasoline prices at the pump. It is a competitive situation and prices would depend on the individual dealers.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. Provincial Treasurer. I wonder if the Provincial Treasurer could advise the Assembly what progress has been made towards implementing the recommendation of the MLA task force report calling for a consistent wholesale price?

MR. MINIELY:

Mr. Speaker, I think that task force undertook its study under the jurisdiction of the Minister of Consumer Affairs. I will refer that question to him.

MR. DOWLING:

I beg your pardon, Mr. Speaker, I didn't catch the question.

MR. NOTLEY:

Mr. Speaker, I'll repeat the question and direct it to the Minister of Consumer Affairs. I would ask him whether or not he can report to the Legislature what progress, if any, has been made on implementing the recommendation of the MLA task force dealing with a consistent wholesale price for gasoline?

MR. DOWLING:

Yes, Mr. Speaker. We did have a report from the MLA task force. We have met with majors, with the industry. We have met with representatives of the ARA on a great number of occasions. I would suggest that progress has been made. I would sooner not divulge the details of that program at this time. There are other meetings under way with both the majors and the ARA.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. minister. In the light of his past statement, is he in any position, however, to advise the Legislature as to what time frame he is looking at - what target date we might contemplate for action on this proposal?

MR. DOWLING:

We have made progress, Mr. Speaker. I think there need not be a time frame put on it because progress is being made now.

MR. CLARK:

A supplementary, Mr. Speaker, to the Minister of Consumer Affairs. Has the government, as public policy, accepted the principle of a standard price across the province?

MR. DOWLING:

No, Mr. Speaker. That's not correct.

MR. LFE:

A supplementary question, Mr. Speaker. Is it not true that that was not a recommendation of the task force report?

MR. DOWLING:

Yes, Mr. Speaker. That is correct.

MR. CLARK:

Mr. Speaker, a supplementary. Would the minister be prepared to table the task force report in its entirety?

SOME HON. MEMBERS:

Hear, hear.

MR. DOWLING:

Mr. Speaker, that task force report was made public some time ago. We circulated copies to members of the industry and members of the ARA. I would assume that would be making it public.

MR. LUDWIG:

How about the MLAs?

MR. CLARK:

Mr. Speaker, a supplementary question. Will the minister table a copy in the Assembly?

MR. DOWLING:

I have no objection to that, Mr. Speaker, at all.

MR. SPEAKER:

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

Wainwright School Walkout

MR. COOPER:

Mr. Speaker, my question is directed to the hon. Minister of Manpower and Labour. Is the Department of Manpower and Labour investigating the circumstances surrounding the attempted use of students as strikebreakers in the Wainwright school, which resulted in the students staging a walk-out?

DR. HOHOL:

Not an investigation, sir, as the word would be defined in the dictionary.

MR. COOPER:

A supplementary, Mr. Speaker, to the minister. What is the present state of the strike involving the Wainwright School Division and the Canadian Union of Public Employees?

MR. SPEAKER:

There is some doubt as to whether the hon. minister's official duties require him to make periodic reports concerning strikes involving local authorities.

MR. TAYLOR:

A supplementary, Mr. Speaker, to the hon. Minister of Manpower and Labour. Who would be responsible if there was an MLA walk-out?

[Interjections]

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Member for Medicine Hat-Redcliff.

Federal Feed Grains Policy

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to the hon. Minister of Agriculture and ask him whether he has had an opportunity, as yet, to review the feed grain policy that has been recently announced by the Minister of Justice in charge of the Canadian Wheat Board?

DR. HORNBER:

Mr. Speaker, my officials have been able to obtain a shortened version of the feed grain policy announcement yesterday. But we are still trying to get some other details that surround it. I'm not in a position yet to really comment on it until I get that additional information.

MR. SPEAKER:

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

Cil Royalties - Municipal Share

MR. WYSE:

My question, Mr. Speaker, is to the hon. Premier. It's regarding the urban governments' meeting that was held at Banff a few weeks ago, and their concern with the loss of local autonomy.

My question is, has the provincial government given any consideration to implementing the old formula of passing on one-third of all royalties to the local municipalities? I understand the Premier supported this policy when he was Leader of the Opposition.



MR. SPEAKER:

Order please.

MR. LOUGHEED:

Mr. Speaker, the final portion of that question is absolutely wrong. The position we took on that, and it has been a consistent position throughout the past seven years, is that we do not think it wise for a portion of any given item of revenue to be allocated to another level of government - to the municipal government. Our view with regard to that particular legislation - when it was brought in, [it] was brought in without any advance consultation of any significance, any discussion whatsoever, as a budgetary statement by the previous government, and in no way illustrated a respect for local autonomy in our view.

MR. SPEAKER:

The hon. Member for Calgary Millican.

Oil Exploration - Investor Confidence

MR. DIXON:

Mr. Speaker, I'd like to direct my question to the hon. Premier. My question is: does the Premier or members of his cabinet plan to hold meetings with Amoco Canada Ltd. and Texaco Canada Ltd., which have announced that they will be stepping aside from any further new resource activity, as far as exploration is concerned, until the energy conflict between the province and the federal government is settled?

MR. LOUGHEED:

Mr. Speaker, the question is wrong on a number of counts. First of all, basically there is not an "energy conflict", with the federal government in the way that the hon. member describes, relative to crude oil pricing. There has been an understanding that it will be maintained for 15 months. If the hon. member is suggesting that it's official Social Credit policy to reduce the amount of royalties, then we will be anxious to hear from him.

However, from our point of view we consider that the federal budget is clearly an academic document at the moment. However, the Minister of Mines and Minerals and myself had, as late as yesterday, discussions regarding our incentive plans. We will continue to have them with the industry, and we will continue to have them over the weeks ahead.

MR. DIXON:

Mr. Speaker, I think the hon. Premier misunderstood my question ...

AN HON. MEMBER:

I sure understand his answer.

MR. DIXON:

... I mentioned nothing about royalties. This has nothing to do with royalties. It's a serious situation where oil companies in particular, in Alberta, are saying they are going to suspend operations until policies are clarified. Is the hon. Premier or any member of his government planning to hold meetings to reassure industry that they wish to cooperate with them and do not want them to slow down, even until July 8?

MR. LOUGHEED:

Mr. Speaker, as I've tried to explain in my answer, that is exactly what we have done, are doing and will continue to do - to assure the industry that we believe they play a very valuable role in this province; we think they very clearly understand the distinction between royalties and taxation and that royalties are a return to the ownership interests of the province; that we have some effective incentive systems that haven't, perhaps, been fully digested by the industry; that we welcome further ideas from them as to how the incentive system may occur, but in terms of the approach that they're taking, I think that to a degree it's ill-advised because it's predicated upon a situation of a budget that no longer is in existence, one, as was well expressed on this occasion by the Member for Spirit River-Fairview - and I am fully in accord with him - a very academic document as far as we're concerned.

MR. DIXON:

A final supplemental question to the hon. Premier. I wonder if the hon. Premier has had any indication from either of these oil companies as to whether they will reverse, in the near future, the announcement that they made?

MR. LOUGHEED:

Well, Mr. Speaker, I believe I said that I thought it was an ill-advised approach for the companies to take. I would think that their approach should be to attempt to convince the federal government and all of the federal parties which are involved, that it's in the best interests of Canada to have a situation where there's an adequate rate of return to the oil industry.

We felt, by way of response to the action that we took on royalties on March 28 in this House, and the subsequent response during the month of April, [there] was very positive reaction from the industry. I think most of the industry people have reflected that as being a very fair situation, in terms of a gross average royalty rate on 'new' oil of approximately 40 per cent and I think the Minister of Mines and Minerals indicated that the additional revenues that flow to the oil industry that came out of the increase in ...

MR. SPEAKER:

With great respect, the hon. Premier's answer is going considerably beyond the scope of the question.

The hon. Member for Calgary Bow.

Outdated Legislation

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Provincial Treasurer. Could the hon. minister advise the current status of The European Flood Relief Act?

AN HON. MEMBER:

It was your Act.

MR. MINIELY:

Mr. Speaker ...

[Laughter]

MR. SPEAKER:

The Chair is unable to express an opinion as to whether that question fits within the rules or not. If it's seeking a legal opinion as to whether the Act is in effect or not, then, of course, it doesn't come within the scope of the question period.

MR. WILSON:

Supplementary, Mr. Speaker. Was the \$65,800 paid?

MR. MINIELY:

Mr. Speaker, I might just answer the question by saying that it has been a considerable task for the government to dig up all the redundant, outdated legislation that had existed in Alberta for about the last 20 to 25 years.

AN HON. MEMBER:

What's the answer?

MR. WILSON:

Supplementary, Mr. Speaker, to the hon. minister. From the reply, are we to assume that the hon. minister does not know the current status of the Act?

MR. CLARK:

Agreed.

MR. LUDWIG:

That's right.

MR. MINIELY:

Mr. Speaker, I don't think the hon. member could say that at all. There are ...

MR. LUDWIG:

He's said it.

MR. MINIELY:

... there are several acts including one he pointed out earlier, which I think was related to the creation of a chartered bank by the Legislative Assembly back in 1940 after The Treasury Branches [Act] had existed. It was never actually put into effect. The acts had been passed by the Legislature and really had no effect or had never been acted upon. There are certainly acts like this. I'll check this one out, but I imagine it's of similar status.

MR. LOUGHEED:

The Social Credit Realization Act?

Purple Gasoline - Standard Price (Cont.)

MR. DOWLING:

Mr. Speaker, to avoid any proliferation of paper that isn't necessary, I would like to report to the hon. Leader of the Opposition that Sessional Paper No. 614, The Task Force Report on Gasoline Prices and Marketing in Alberta was tabled on October 30, 1973 by the hon. Member for Calgary McKnight.

MR. LUDWIG:

You didn't even know.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview.

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the ...

MR. CLARK:

The minister didn't know that either.

Lethbridge Power Plant - Proposed Sale

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Telephones and Utilities whether or not officials of his department have had any discussions with the City of Lethbridge or [with] Calgary Power concerning the proposed sale of the City of Lethbridge power plant to Calgary Power?

MR. FARRAN:

Mr. Speaker, I've had discussions myself with Mayor Anderson.

MR. NOTLEY:

Mr. Speaker, a supplementary question. Can the hon. minister advise the Assembly whether the government favours or opposes the sale of the power plant to Calgary Power?

MR. FARRAN:

Mr. Speaker, that is wholly a matter for the choice of the local authority of the City of Lethbridge.

MR. SPEAKER:

The hon. Member for Calgary Millican.

Oil Extraction - Nuclear Process

MR. DIXON:

Mr. Speaker, I wonder if I could ask the hon. Minister of Federal and Intergovernmental Affairs or maybe the hon. Minister of the Environment, has the Alberta government indicated any interest in purchasing the nuclear blast process to be used in either the tar sands or the Suffield block? I understand there were meetings with individual officials of the company some time back in January.

MR. GETTY:

Mr. Speaker, the answer to that is no.

Oil Exploration - Investor Confidence (Cont.)

MR. LOUGHEED:

Mr. Speaker, without elaborating on the question which you precluded, I do find that apparently when I said an average on 'new' oil, I meant to say an average on 'new' oil, by way of royalty, of 28 per cent and [on] 'old' oil of 40 per cent. So if the record indicated otherwise, I'd appreciate [that] it [be] corrected.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview.

Lethbridge Power Plant - Proposed Sale (Cont.)

MR. NOTLEY:

Mr. Speaker, a supplementary to the question I asked the hon. Minister of Telephones and Utilities a moment ago. I wonder if the minister could advise the Assembly whether or not, during his discussions with Mayor Anderson, any discussion took place of possible assistance by the province if the city were to decide to keep the power plant and build whatever facilities are needed to retain ownership?

MR. FARRAN:

Mr. Speaker, my discussions with His Worship the Mayor were wholly about the matter of a degree of natural gas rebate connected with gas-fired generation of power.

MR. GRUENWALD:

A supplementary to the minister, Mr. Speaker. Does the minister recommend that the power plant or public utilities be provincially owned?

MR. SPEAKER:

The hon. member is asking the minister to express an opinion.

MR. GRUENWALD:

I think it would be a worth-while opinion, Mr. Speaker.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Would the government be prepared to consider any financial assistance to the City of Lethbridge as far as the costs of extending or expanding facilities are concerned, if they decide to maintain civic ownership?

MR. SPEAKER:

Possibly the hon. member's hypothetical question might await the eventuality on which it is based.

MR. NOTLEY:

Mr. Speaker, in view of the fact that the utility is presently owned by the City of Lethbridge, perhaps I can rephrase that and ask the minister, in light of that fact, whether the government is considering any assistance at this time.

MR. FARRAN:

Mr. Speaker, I believe your earlier comment was very appropriate.

Until all the facts are in it's not reasonable to make a judgment. There is a school of thought that thinks the power plant in Lethbridge is obsolete, inefficient and will be very costly to replace and it might be advisable to buy power from somebody else. There is another school that thinks entirely the opposite. Until all the evidence is in, I imagine Mayor Anderson won't make his final judgment.

MR. GRUENWALD:

What school are you in?

AHC Chairman - Severance Payment

MR. RUSSELL:

Yesterday during the question period I undertook to report back on a question put to me by the hon. Leader of the Opposition. The answer to the question is, yes.

MR. CLARK:

Mr. Speaker, a supplementary question to the 'yes' answer. Does the minister's answer today mean that all arrangements have been completed in their entirety, as far as the severance for Mr. Lansky, the former Chairman of the Alberta Housing Corporation [is concerned].

MR. RUSSELL:

That's correct, Mr. Speaker.

ORDERS OF THE DAY

WRITTEN QUESTIONS

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

1. (a) What was the total amount of money spent by Alberta Government Telephones on advertising during 1971, 1972 and 1973 respectively?
- (b) What are the names of the advertising or public relations companies that received contracts from Alberta Government Telephones during this period?
- (c) What was the date that each contract was signed and what was the amount paid in each case?

MR. FARRAN:

Mr. Speaker, we accept the question and beg leave to file the answer.

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

1. (a) During the period from September 1971 to the present, have there been any cases known to the government in which apprentice tradesmen working for any company or companies in Alberta have been dismissed immediately prior to the point in time at which their wages are to be increased and that these same companies then immediately replace the dismissed apprentices with starting apprentices, thus realizing a saving in terms of the amount of wages paid?

- (b) What company or companies, if any, actually engaged in the practice referred to in (a), for what period of time, and what was the total number of apprentices dismissed in each case?
2. During the period since September 1971 have there been any cases in which the apprenticeship-journeyman ratio was exceeded by employers in Alberta which were not authorized by the Director of Apprenticeship? What were the names of the employers involved and to what degree was the ratio exceeded in each case? Were any penalties imposed on employers found to have exceeded the ratio?

DR. HOHOL:

Mr. Speaker, we accept this question.

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

1. (a) How many unskilled workers are presently in the employ of Bechtel, GCOS and Syncrude respectively in Alberta?
- (b) How many of the above were, upon hiring, residents of the local area - i.e. the Fort McMurray region in each case.
- (c) How many of the local unskilled workers presently in the employ of each company are Indian or Metis?
- (d) What proportion of skilled workers employed by each of the above companies are Indian or Metis?

DR. HOHOL:

Mr. Speaker, the government is unable to accept this question because the information which is called for is not information which the government has, or has access to.

MR. NOTLEY:

Mr. Speaker, for the time being I'll withdraw the question and perhaps attempt to rephrase it, or possibly bring in a motion for a return so we can debate it.

186. Mr. Wilson asked the government the following question:

- (1) What are the names of "Assessable Payroll Accounts" that ceased operation in 1973, owing money to the Workmen's Compensation Board, and the amount of each account owed?
- (2) What was the Workmen's Compensation Board net write-off, in dollars, for 1973?
- (3) Were any of the directors of the companies that ceased operations in (1) above, previously directors of other companies which ceased operation owing money to the Workmen's Compensation Board?

DR. HOHOL:

Mr. Speaker, the government is happy to accept this question.

187. Mr. Wilson asked the government the following question:

- (1) What is the total amount of donations received to date under The Alberta Heritage Act?
- (2) What is the total dollar value of contracts awarded to the private sector to date, under The Alberta Heritage Act?

MR. SCHMID:

Mr. Speaker, I accept this question.

## MOTIONS FOR A RETURN

188. Mr. Wilson proposed the following motion to the Assembly:

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

Regarding the Consolidated Cash Investment Trust Fund,

- (a) A copy of the May 14 telex message announcing "parcel" available;
- (b) The names of all recipients of this telex message;
- (c) The names of all respondents and their bids;
- (d) The name of the successful bidder; and
- (e) The total amount in the fund on April 30, 1974.

MR. MINIELY:

Mr. Speaker, I wonder if I could ask the hon. member - because I understand he has had some discussions with people in my department attempting to learn how the Consolidated Cash Investment Trust Fund is managed. I think a person in my department gave him inaccurate information for which I must apologize. There was actually no telex on May 14 as named in the motion for a return, although I believe the hon. member was advised there was one on May 14.

I, therefore, would like to suggest that we accept the question, but alter the date to a day that there was actually such a transaction, which was May 7.

[The motion as amended was carried.]

## MOTIONS OTHER THAN GOVERNMENT MOTIONS

1. Mr. D. Miller proposed the following motion to the Assembly:

Be it resolved that the Legislative Assembly of Alberta conduct an annual review of existing legislation each year during the fall session with a view to removing unnecessary and outdated statutes.

MR. D. MILLER:

Mr. Speaker, I take this opportunity to speak on this resolution in the context that perhaps it is not the most pressing or emotional subject that might appear before the Legislature, but rather it is an issue that would, in the long run, contribute to better legislation for the people whom we are elected to represent:

Be it resolved that the Legislative Assembly of Alberta conduct an annual review of existing legislation each year during the fall session with a view to removing unnecessary and outdated statutes.

Mr. Speaker, this resolution was introduced for a number of purposes, perhaps the most obvious is the need to keep our provincial statutes up-to-date and current - in other words, a job of house keeping. There are many unnecessary and redundant bills which should be removed.

AN HON. MEMBER:

Name one.

MR. D. MILLER:

Secondly, I believe that a review of the legislation, annually, would be ...

MR. LUDWIG:

Bill 55 might be.

MR. D. MILLER:

... educational for the MLAs. Even those who spend full time on legislation have difficulty appreciating the scope and variety of existing statutes. An annual review would assist in understanding those statutes which we might be knowledgeable of ourselves, as well as [to put us] in a position to better explain them to the public.

Thirdly, Mr. Speaker, I think an annual review of the legislation could give us an opportunity to examine legislation which has become outdated and unnecessary. Perhaps an entire act should be repealed or various sections which infringe on [an] individual's rights.

And finally, I believe that by doing all these things we might be in a position to better evaluate where legislation could be improved. Also it may assist us in having a better appreciation of legislation which is useful and serves a valid purpose either socially or economically.

I am sure all members have a general understanding about the history and development of legislation, but may I just take a moment to outline the background of this development.

As amendments to legislation are passed, the Queen's Printer eventually consolidates all the amendments in an up-to-date copy. Every so often, the province, since its inception, has revised the Statutes of Alberta. This occurred in 1922, 1942, 1955. The last revision occurred in 1970. A revision of the statutes is usually brought about when it becomes too cumbersome for the public and for the legislative staff to deal with unconsolidated amendments and revisions.

The initiative is then taken by Executive Council to introduce a bill called The Revised Statutes Act. The Legislative Counsel is then empowered to examine all legislation with a view to striking out that which is dead, renumbering chapters not properly ordered, and putting the legislation in some semblance of order.

It seems to me this delegation of authority is a very serious matter as our legislation is vitally important to our well-being and our life styles, and the way in which we govern and create rules for ourselves as well as others. Revising the statutes is not an easy task nor can it be done quickly. The revision of the 19 statutes took no less than two and one-half years. In the meantime, our statutes were still inefficiently organized.

Thirdly, Mr. Speaker, on the initiative of various ministers, an entire act may be rewritten, such as The Alberta Labour Act. This represents an opportunity for legislation also to be reviewed. I think the point I would like to make in giving this background is that there is no systematic or effective way of revising legislation. Although we revise statutes, usually the Legislative Counsel is instructed only to review legislation on the books between one revision and another. This means very often that legislation preceding it, and particularly legislation that is redundant, is not repealed or changed. For example, a number of the bills introduced by my colleague, Mr. Wilson, the hon. Member for Calgary Bow, are examples of bills that were left out of the revision of 1955, yet were still in force at the time his appeal bill was introduced.

How would an annual review be conducted? Merely passing new legislation is a major task in itself and one that requires the attention, for some periods of time, of all the members of the Assembly. If we are to take advantage of the great experience and expertise latent in society, I believe public hearings should be held annually around the province, preceding the review in the Legislature. Interest groups, lawyers, executives, labourers, everyone who has any concern about legislation, either changes or introductions, would have an opportunity of presenting their ideas to the hearings. The report from these hearings would be presented to all MLAs well in advance so that they might examine the proceedings of the review. The review would take place during the fall session or the third session designed specifically for that purpose. Although the job is a large and massive one, I believe that initially if all MLAs were to review the various parts of our statutes as they do the budget, by committee, then we might have an orderly way of accomplishing this job.

To summarize, Mr. Speaker, I have outlined to the members of this Assembly why the resolution was introduced, the importance of housekeeping, keeping our legislation up-to-date and removing legislation that is not relevant to today's society. I have given the background of the legislative process and how it works at this time and, finally, I have suggested perhaps an orderly way this system might work.

While I am discussing this matter, I would just like to suggest that because our legislation is so important and keeping it current is even more important to society today, we might take a look at the possibility of placing our statutes on the computer so that amendments might be inserted instantly and we might withdraw information on any given subject instantly. I believe in this manner our legislation would never stand still and that would be good.

In conclusion, Mr. Speaker, I would summarize by saying that although this resolution may not be a subject that requires immediate and quick action, I do believe an annual review of legislation would be in the best interests of the members of the House and, more particularly, in the best interests of those who elect us, the citizens of Alberta.



I thank you, Mr. Speaker.

MR. WILSON:

Mr. Speaker, I would certainly like to take this opportunity to congratulate my honourable colleague from Taber-Warner for putting this resolution on the Order Paper. Ever since the start of my short career in this Legislature, Mr. Speaker, the ...

AN HON. MEMBER:

It's almost over.

MR. WILSON:

... the amount of redundant of extra-limetary legislation which seems to be around, makes me feel that there needs to be a concerted effort to repeal legislation which is no longer required.

Mr. Speaker, for the benefit of some of the hon. members opposite who may not have been paying full attention, I have been endeavouring to draw to the government's attention some pieces of legislation which are no longer required, some that should be repealed, and so on.

We have introduced a couple of bills on the Order Paper to repeal, for example, The Alberta Academy Act. Now the principle behind that act was very good, but it has never been implemented. Perhaps the hon. Minister of Culture, Youth and Recreation will take a really serious look at this particular act that is on the books at the present time and determine whether to implement it or move that it becomes a government bill and repeal the act.

Similarly we have another one on the Order Paper, Mr. Speaker - The Alberta Banking Powers Act. There does not seem to be any further need for that particular act in the Alberta statutes and we should repeal that. I would welcome the hon. Provincial Treasurer moving that that bill become a government bill, and repeal the act, or get one of his own back-benchers to put in a bill and repeal it. Fine, as long as the job gets done I'm not particularly concerned about how it is done.

Also, Mr. Speaker, today when we asked the hon. Provincial Treasurer about the current status of The European Flood Relief Act, I should now like to point out that it is on yesterday's Votes and Proceedings as notice for another repeal bill which I intend to introduce in this Legislature. That particular act, Mr. Speaker, was one which was passed some time ago in order to provide relief for some flooded and devastated areas in Europe. The bill has served its purpose and, in my opinion, there is no need to leave it on the books. We would like to see the government take steps to take that one off.

Then, Mr. Speaker, I think it would be interesting to point out that Section 9 of Bill No. 55, the repeal of The Proposed Village of Waterways Act, was an act which I think was drawn to the attention of the hon. Minister of Municipal Affairs through our efforts, and he included it in Bill No. 55.

We also have just recently notified the Clerk of the Legislature that we do not have any intention of submitting our repeal act on that one because it is not needed inasmuch as the government has now taken steps to repeal that act. We appreciate the fact that they have taken the lead from us and have gone that route.

Also, Mr. Speaker, I'd like to point out that [with regard to] some of the bills which need to be repealed, it is very difficult to check them out and determine if, in fact, they are redundant legislation and if in fact a repeal bill should be submitted. Part of the problem is that a member of the Opposition certainly doesn't have the manpower or the information resources in order to check out some of these bills thoroughly, so we find we have to go to the departments involved on many occasions.

In some of the departments the government policy is certainly overly restrictive. We find that some of the employees do not feel that they can even tell you what their job is, let alone give you any information about any bill. They advise, in some cases, that they have been instructed by the ministers not to talk to Opposition members, not to give them any information, that they can take and receive requests but they are not to reply. Well, I guess that is all right as long as the ministers will answer the questions we put in trying to determine which legislation should be repealed and which shouldn't.

So you see, Mr. Speaker, in trying to clean up the provincial statutes, there is a considerable number of problems that a member runs into. The resolution and the proposal as outlined by the hon. Member for Taber-Warner is I think valid and should definitely be given serious consideration by all hon. members of the Legislature.

Mr. Speaker, some of the ministers have indicated that they would be cooperative in supplying information about legislation, which we felt should be checked out and determined if it should be repealed or not. We, at the moment, are looking forward to a reply from the hon. Provincial Treasurer regarding a bill called The Calgary Borrowing Validation Act which dates back to 1949. Perhaps the hon. Provincial Treasurer would be good enough to give us the replies to the questions we left with his department on that one.

We are also looking forward to a reply from the hon. Minister for Education, Mr. Speaker, on an act respecting arrears of taxes under the repealed Educational Tax Act. Then, Mr. Speaker, we have another one we are working on to determine whether it should be repealed or not. This one is called The Canada Borrowing Validation Act. We are awaiting a reply from the Department of Municipal Affairs on this one.

If some of the hon. ministers opposite want to include a repeal designation in some of their bills to look after ridding us of some of these outdated pieces of legislation, I am sure that would be fine too. Of course, we wouldn't mind a credit here and there for drawing it to their attention.

We also look forward to a reply from the Department of Agriculture on a couple of bills which we have notified them we are checking out.

Mr. Speaker, that is the gist of the kind of things we can do as individual members of the Legislature. But these are mostly small short acts that can be tracked down and checked out with some initiative and effort. To get at the heavy legislation definitely requires cooperation of many departments, Mr. Speaker. I think this proves the need for such an approach, as the resolution indicates.

I would like to close, Mr. Speaker, by thanking the ministers and their staff, to the limited degree they have been able to help, for the research we have had to date in trying to repeal some bills. We look forward to more cooperation in the future and we hope that all hon. members would support the resolution.

MR. KING:

Mr. Speaker, in rising to speak to the resolution I must say that it gives me some delight, because a number of years ago, prior to the last election, one of my responsibilities, when working in the office of the Leader of the Opposition, was to look at some of the old legislation, The Social Credit Realization Act for example, and consider the opportunities for repeal of acts such as that. I must have gone to exactly the same source for my information as has the hon. Member for Calgary Bow ...

AN HON. MEMBER:

You got the same answers too.

MR. KING:

... and got exactly the same answers. But he hasn't really indicated the magnitude of the problem.

Schedule 2 of the Revised Statutes of Alberta of 1955 has 30 pages of close print listing acts that are in force in the province but not in effect. I didn't count all of them individually but there were 25 on one page and, multiplying that by 30, I come to a total of 750 acts which are in force in this province but not in effect. I have a much better understanding now of what was done between 1935 and 1971 ...

MR. GHITTER:

Nothing.

MR. KING:

I was interested in some of the examples he cited. I don't think he cited all the most interesting examples of bills that should certainly be reviewed, if not repealed. The first one on the list - no, it's been repealed, The Alberta Social Credit Realization Act. But then we have The Provincial Loans Act of 1942 which is described in the explanatory remarks as being temporary. That was the one where the government of the day totally abrogated all fiscal responsibility to debenture and debt holders. We've got The Alberta Banking Powers Act - oh, you referred to that - of 1944, and the explanatory note is that it has no general application. I presume that the reason it has no general application was because of prior difficulties that the government of the day had with the Supreme Court of Canada and the Privy Council.

Another interesting one that I came across was 1894, An Ordinance to legalize the Election of the Calgary City Council. Who knows, it might yet turn out to be a good thing

that that statute is still on the books. They've got another election coming up this fall ...

AN HON. MEMBER:

We'll legislate them out.

[Interjections]

MR. KING:

... and a number of others, some of which have been cited.

Mr. Speaker, in spite of the fact that there is much good work that could be done in terms of repealing acts, I'm not sure that this resolution adequately deals with the problem, particularly in view of the fact that a good deal of the groundwork has already been laid in the Schedule No. 2 to the Revised Statutes of Alberta, 1955. I would really wonder about the necessity of having the Legislative Assembly, as a whole, turn annually to conduct a review of existing legislation. The Legislative Assembly seems to me to be bogged down enough reviewing new legislation that is presented by the Opposition. It seems unreasonable, in light of the workload that is thus created, that we should be also charged with the responsibility of reviewing the repeal of legislation that they enacted during their years in office.

For that reason, Mr. Speaker, I have an amendment to the resolution which I would like to propose. It is that the word "conduct" be deleted and replaced by the words "direct the Standing Committee on Law and Regulations to consider the need for", so that the resolution then would read:

Be it resolved that the Legislative Assembly of Alberta direct the Standing Committee on Law and Regulations to consider the need for an Annual Review of existing Legislation each year during the Fall Session with a view to removing unnecessary and outdated Statutes.

Mr. Speaker, I would move that amendment to the resolution. Thank you.

MR. SPEAKER:

Has the hon. member copies of the amendment for the hon. member whose motion this is, and for the Leader of the Opposition, also the Chair?

MR. KING:

I have copies, Mr. Speaker, for the mover, the Government House Leader, the Opposition House Leader and the independent members.

AN HON. MEMBER:

How about the Premier?

AN HON. MEMBER:

How about Koziak?

MR. SPEAKER:

Are you ready for the question on the amendment?

The amendment is with regard to Motion No. 1, that the word "conduct" be deleted and replaced by the words "direct the Standing Committee on Law and Regulations to consider the need for".

Are you ready for the question on the amendment?

MR. LUDWIG:

Mr. Speaker, I'd like to say a few words with reference to the amendment. I don't think it alters the intent of the motion one little bit. It expedites the request of the hon. member who moved the motion. But I would like to make a few comments with reference to the repeal of legislation, or taking legislation off our books that has not been active.

MR. SPEAKER:

Order please. Is the hon. member raising a point of order as to whether or not the amendment is in order?

MR. LUDWIG:

Oh, I thought that the question was called with reference to the amendment, Mr. Speaker. And the way you worded it, I thought that you were calling for question on the amendment without further debate.

MR. SPEAKER:

I understood the hon. member to open his remarks by saying that he did not think the amendment amended the motion in any way.

MR. LUDWIG:

No, I didn't ...

MR. COOKSON:

That's right. That's what you said.

AN HON. MEMBER:

Explain yourself.

MR. LUDWIG:

Mr. Speaker, I was speaking to the amendment and not on any point of order as to whether the amendment is in order. I'm sorry if I created a misunderstanding, Mr. Speaker.

MR. SPEAKER:

The hon. member would agree then that until the amendment is disposed of, the debate from now on must be narrowly confined to the question of whether or not the amendment does or does not improve the motion.

MR. LUDWIG:

I have no quarrel with that ruling.

[Interjections]

Mr. Speaker, in view of the fact that you have now stated that the amendment is in order, I would now wish to make a few comments with reference to the amendment.

SOME HON. MEMBERS:

Agreed.

MR. LUDWIG:

That's exactly what I was doing. I presumed that the amendment was in order. I didn't see any reason to take issue with the amendment as it's worded.

And so the amendment, Mr. Speaker, is that the word "conduct" be deleted and replaced by the words " ... direct the Standing Committee on Law and Regulations to consider the need for ... " repealing of legislation that is either not in effect or has been dormant for a number of years. I favour that.

It's interesting to note when we get a motion like this on the Order Paper, the hon. members stand up and they tend to rejoice that in 36 years a very active government which has brought this province from the depths of depression to, perhaps, one of the most favourable economic positions in North America - they tend to rejoice in the fact that, ha, ha, you had some statutes and they were not active. This government has been in office 13 months and already the rot has set in. They're amending their amendments so fast that even they can't keep up. And they're complaining, Mr. Speaker, about the fact that they can't ...

MR. FCSTER:

\$1 billion a year. It's in the record.

MR. LUDWIG:

... that they can't keep up with their own amendments.

The hon. member who just spoke stated that it's enough that we have to keep up with the bills we're bringing in here, Mr. Speaker, without giving them the responsibility. Nobody's assigning any responsibilities to the hon. members, Mr. Speaker. As government members, they've indicated they will do as they please. And so nobody's assigning any responsibility to them, especially with regard to ideas submitted by the hon. members here, Mr. Speaker. So, they're not obliged to participate.

But I just want to comment with regard to the amendment that there is a biblical expression that says one ought to remove the beam from his own eye before he starts criticizing, making comments about the mote in the eye of his brother. It seems to be - I didn't quote the Bible correctly, but ...

MR. KOZIAK:

Mr. Speaker, I can't find that last statement, or any of the previous comments, ...

MR. FOSTER:

What chapter and verse?

MR. KOZIAK:

... are relevant to the amendment. They may be relevant to the motion if amended, but not to the narrow amendment that you've indicated in your previous ruling. I think that the ...

AN HCN. MEMBER:

... narrow-minded ...

MR. SPEAKER:

With respect to the hon. member, it would appear to the Chair that the question which is now before the Assembly is whether the intent of the motion should be accomplished by an annual review by the Legislature, or whether it should be accomplished by consideration by the Standing Committee on Law and Regulations. The hon. member will undoubtedly acknowledge that he is entitled now to speak on the choice between those two alternatives. Then after that has been disposed of, he's again entitled to speak on the main motion or the main motion as amended.

MR. LUDWIG:

Mr. Speaker, I appreciate your ruling. I'm also of the opinion that the need for repealing legislation which is not active is just as much an issue under the amendment as it is in the motion. I will then restrict my remarks strictly to the amendment and state that the hon. member who rose on a point of order - in our interpretation, I believe he is becoming an authority on narrow interpretation and perhaps that ought to be one more job for the hon. members rather than dealing with Opposition bills.

I don't object to the amendment providing some action will be taken to review statutes on our books with a view to perhaps culling them and repealing them if they are not effective or are not being used, if they are dormant.

I would like to make one more comment about disposing of statutes, repealing them if they are not in operation ...

MR. SPEAKER:

Possibly the hon. member might make that comment when he is dealing with the main motion, or the main motion as amended.

MR. LUDWIG:

Mr. Speaker, I will. Thank you.

[The amendment was carried.]

MR. SPEAKER:

Is there any further discussion on the motion as amended?

MR. LUDWIG:

Yes, Mr. Speaker, now that we're on the motion as amended, I would like to state that a trend has developed in this Legislature very recently. First, I think it's a very

foolish trend politically, and I'm not certain at the present time whether it's a trend that is within the authority of this Legislature, to delegate the repeal of legislation.

So when we are dealing with the repealing of statutes, even the most simple statute that may not have been in operation for 40 years, we will still have to go through the usual first reading of the bill, second reading of the bill, committee stage of the bill, debate on the section, the very simple repealing section, discussion on title and preamble, and then third reading and royal assent. We want to repeal a simple statute that perhaps most hon. members haven't heard of until this motion was passed.

Then when we deal with other legislation which allows the Executive Council the right to repeal, change or suspend the major legislation ...

AN HCN. MEMBER:

You're right.

MR. LUDWIG:

... here is a serious problem, Mr. Speaker, and it's going to lead this government perhaps to more trouble. They are already on the defensive on it. So maybe all the hon. members there who are concerned about which way this government is going, perhaps they can put their heads together and come up and see whether that is a good way to repeal legislation or suspend it. Because it could be repealed as effectively, Mr. Speaker, for certain circumstances as if this Legislature had gone all through the procedure of repealing or enactment of a statute. I'm saying that there lies a real serious problem.

This motion, as the hon. member who moved it stated, should be considered as something we should think about, but it is not an urgent matter, something [for which] we ought to drop everything else and proceed with. But I commend him for bringing this issue to the attention of this Legislature.

I want to emphasize and I will continue to emphasize the fact that we should guard - and those who are concerned about the legislative process and the supremacy of the Legislature and the worth of the back-bencher to not empower or attempt to empower a subordinate group to the Legislature. If the Legislature is supreme, the cabinet has to be a subordinate body to the Legislature - to not empower a subordinate group by way either of delegation or abdication of the responsibilities of this Legislature to legislate, to give them power to suspend legislation. That has been an issue which has been fought for many, many years, for centuries in Britain. I believe it has arisen in this country before and there are powers of disallowance at the federal level of legislation if there is any doubt that it is not in the best interests of the people or that it may be ultra vires to the province. On opinion only, if the Governor General felt that the legislation may be ultra vires, he could disallow it - legislation that abdicates the responsibility of the Legislature.

So when we are dealing with repeal of statutes, Mr. Speaker, I believe this is an issue directly on point, that we have to be very careful how we do it. It's interesting that in Bill No. 55, when they are repealing one small act under Section 9, it was specifically stated that we are repealing this rather innocuous bit of legislation which was lying dormant, and most people didn't know about it until the hon. Member for Calgary Bow dug it up.

But then in the section before, they are allowing virtual repeal of the major legislation in this province without so much as a stand, without so much as any kind of effort on the part of the hon. members on the government side to at least question the manner in which this is done, so that perhaps someone on the other side may express an opinion that this is the right way to go, that it is certainly within our powers to do it and that it is at least in the public interest.

As I have stated already, I think it is politically very, very wrong. The public will be apprehensive of moves like that because, as I've stated before, why stop with 11 or 12 of the most major acts in this province dealing with local autonomy and powers, as we have set up boards, municipal governments, IDs, et cetera? Why just stop there? Why not make it easy for the hon. members to say that the government, the cabinet, may suspend, alter or change any of the legislation on our books? If you carry it to its logical conclusion that would, in my opinion, be an abdication of our responsibility.

Now some hon. members may stand up and feel on that interpretation I'm wrong. That doesn't bother me one bit, Mr. Speaker, because in a lot of constitutional battles in the Supreme Court of Canada - but before that before the Privy Council - a lot of the learned judges were often divided on these issues. Someone felt it was so close that some of the most learned judges in the British Empire took opposite stands. It ill behooves a lawyer to say, well, somebody is wrong on this and I'm right, because the most learned judges on constitutional law have sometimes been divided on minor points raised perhaps in other legislatures. So I'm saying that as far as this issue of repeal of legislation is

concerned, we ought to be very certain of our ground when we empower the cabinet, the Executive Council, to repeal legislation.

If the hon. members opposite feel that my reasoning is not relevant, why don't they take the easy way out and empower the present government, the Executive Council, to declare on their own volition and as they see fit all the statutes they think are not operative, that are not active, to declare them suspended? This would be a lot less harmful than allowing them to suspend, if they see fit, some of the major legislation. Why don't they just stand up and say, well there are pages of legislation that are of no effect at all and we'll entrust the Executive Council to do what is right. After all, they are ministers and they are elected, so let them repeal all that by a decree of the executive - whether it's an order in council or a minute of their meeting.

The analogy is very, very appropriate, Mr. Speaker, when we see how undesirable this would be for us to give the cabinet power to take these pages and pages of legislation that the hon. Member for Kingsway - he's not listening - I misquoted his constituency. But all those pages of legislation that he has, why doesn't he move a motion to empower the Executive Council to declare them suspended? That would be an easy way out. It would save many hon. members a lot of work. We're doing a similar thing with a lot more important legislation.

I believe, Mr. Speaker, this issue ought never to be treated lightly and I am of the opinion the hon. members opposite feel they can do no wrong now when they empower their cabinet to repeal legislation. A majority does not mean they are right in everything they say or do, or think they can do.

It is my sincere opinion that I would like to see that legislation challenged, legislation which empowers the cabinet to repeal or suspend legislation or declare it inoperative or change it - if you change legislation you are in effect legislating. I believe there are opinions which state the Legislature has power to delegate the powers to legislate. The hon. Member for Calgary Buffalo quoted a Latin phrase which says, a delegate cannot delegate. But there is a lot of authority, written by very learned scholars in this field, that perhaps the province can delegate the right to deal with statutes in this manner to perhaps another body. So it's a debatable point, but I ...

MR. SPEAKER:

Order please. The hon. member is perhaps inadvertently slipping into debate on second reading of Bill No. 55 and perhaps we should come back to the motion which is before the House.

AN HON. MEMBER:

Agreed.

MR. LUDWIG:

Mr. Speaker, I must admit I slipped into debate on Section 8 of Bill No. 55 which, in my opinion, deals with repeal of statutes. It was done inadvertently, but I appreciate your ruling. I will wind up by saying I support the motion as amended, but caution them if they feel they could perhaps expedite the repeal of all these statutes by giving the cabinet a blank cheque to do it - I would warn them not to do as they have done in Section 8 of Bill No. 55.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Question.

MR. SPEAKER:

Are you ready for the question on the motion as amended?

SOME HON. MEMBERS:

Agreed.

[The motion as amended was carried.]

2. Moved by Mr. Cookson:

Be it resolved that the Province consider making a request to the Federal Government to standardize wildlife hunting rights for all people of the province.

[Adjourned debate: Mr. McCrae]

MR. McCRAE::

Mr. Speaker, it's my pleasure today to offer a few comments on this fine resolution by the Member for Lacombe.

It has been some time now since we had the resolution before us, so I think it would be appropriate to read it again. The resolution is:

Be it resolved that the Province consider making a request to the Federal Government to standardize wildlife hunting rights for all people of the province.

Mr. Speaker, I am sure the resolution is well-intentioned. I am sure it results from the complaints of the hunters, the sportsmen, about the shortage of four-footed game in the past several years. There are scores of reports from people who have bought licences and gone out into the green area, the forest area of the province and into the rural areas themselves, in search of a deer, a moose or an elk. The reports are that there are fewer and fewer of these animals each year. The reason for the shortage is not quite clear. There are almost as many reasons or suggested reasons for the shortages as there are unsuccessful hunters going out. Some of the more commonly accepted suggestions for the shortage are that there are more and more hunters each year and each of the hunters has more recreation time each year, so the animals are either being shot, frightened or driven way back into the less accessible areas of the province. The result is that fewer and fewer hunters are successful.

Another suggestion for the shortage is that there has been a severe loss of habitat or suitable forage for the animals in recent years. One of the theories is that since man has learned to control forest fires and practically eliminate them, the forest areas, the trees have grown much more mature. Apparently it is important to these animals, the deer and so on, that there be areas where there is small growth, limited growth, which apparently are food and resting areas for the deer, whereas a mature forest area does not offer the same grazing or breeding opportunities. And because of this situation, there are fewer animals each year for the hunter.

Another suggestion, Mr. Speaker, is that it is a cyclical thing and we are in a low period of the cycle. A good deal of the stock out there right now is older stock and not breeding stock, so we have fewer and fewer young animals coming each year.

The intention of the resolution, as I said, Mr. Speaker, is, I am sure, a very good one. It is motivated because of concern that we may be losing the wildlife and it is a valuable tourist and recreational opportunity for Albertans and for visitors from other provinces - the concern that we may be losing that opportunity.

The resolution, however, as it is worded, has pretty serious implications, I think, for the Native people. To standardize the hunting rights of wildlife for all people of the province would mean, presumably, that the Native people would have to forego some of the guarantees of early statutes. These rights were guaranteed them way back in the early years, say 1905 or possibly earlier, and I think it is rather ironic that we'd be suggesting, in this year 1974, we might restrict their rights.

I have just read a very interesting history book on Alberta by one James MacGregor; an extremely well-written book. It has a number of references to the great buffalo population of the early years here in Alberta; how the Indian population of those days relied on the buffalo for food, clothing, tents and so on, and how these same buffalo were decimated by the white hunter who came along and sought them out merely for the hides. In fact, they killed hundreds of thousands of these animals and left them lying on the plain to rot, merely for the hides. The almost virtual elimination of the buffalo caused a serious problem for the Native people of that day. It resulted in near starvation conditions for many of them. And, in fact, almost resulted in elimination of some of the tribes.

As I said, I think it is rather ironic that in this day, this year of 1974, when there is so much apparent prosperity among the white people here and, according to all reports, such a limited opportunity and prosperity for the Native people, we should be concerned that they may, in fact, be eliminating the four-footed animals which offer hunting and recreational opportunities for so many of us.

I think it is an extremely sensitive time to suggest there might be any restriction of their rights. I would suspect the situation we saw in James Bay when the Quebec government there moved to build the hydro-electric project which will result in the flooding of lands on which the Native people there have hunted and fished and so on over the years - the reaction of the Native people was harsh and severe. I am sure they were very upset by it. In fact, it did take litigation to try to get an injunction against the project. I am sure if we took any steps here to eliminate their original hunting rights, the reaction from them would be very severe.



Mr. Speaker, I think there is another solution to this problem, the problem of diminishing game, a solution other than restricting the Native hunting rights under the guise of standardizing the rights for all Albertans. And that, I think, Mr. Speaker, is that we need better game management. What we need is the cooperation not only of the white hunter but of the Native people, in determining what the population of various species is right now, what forage or habitat is available for them and what is required to give the animals greater opportunity of increasing their stock through providing additional forage or habitat area and so on.

I would suspect the licenced white hunter probably takes a greater toll of the species than do the Native people with their hunting rights which allow them to do things, to hunt game during periods and times when the white hunter can't hunt. I would suspect the white hunter takes many more animals than the Native people. I think we should seek the assistance of all people in Alberta to determine what game stock there is right now and what the annual kill is. Perhaps with that kind of information, that kind of inventory, we could determine what must be done in the future to assure there will be sufficient game animals for all hunters, so we won't need to worry or take action to restrict the rights of the Native people.

As I said, Mr. Speaker, I think the intention of the resolution is a good one. I have a little trouble with the wording in that it would be a restriction of the present rights of one of our Native groups. A concern that is often expressed here is that the fees, particularly for the game birds, are especially low in comparison with other areas and countries. Perhaps, if we would increase the hunting fee to a more reasonable level, we might well find that the number of unsuccessful hunters would be severely reduced.

As it is right now, with the very, very low fee, a number of untalented and possibly not very serious hunters take to the field. Because of their inexperience, lack of knowledge and lack of study of what they are going to do, they are unsuccessful. This adds to the percentage of those who are unsuccessful and possibly gives an inaccurate representation of the game that is actually out in the field.

I would suspect that if we increased the fees to a higher level, we would reduce the number of people going into the field and that the people who did go would be more responsible hunters and would be more likely to succeed in their efforts.

For those reasons, Mr. Speaker, although I think the intention of the resolution is a good one, I cannot support it because of some of the implications of the wording.

Thank you, Mr. Speaker.

MR. ZANDER:

Mr. Speaker, I just want to add a few words. I think the intention of the resolution is probably good but I think it falls short to the degree that the hon. member from Calgary mentioned a moment ago. I think the good part of it, Mr. Speaker, is that it will certainly equalize the rights and privileges of all Albertans without segregation, whether they are Natives or whites. I probably have to agree with the hon. member that most of the transgressions of the game laws, on percentage basis, are committed by white people, because there are more of them in Alberta.

The only other aspect that I have, Mr. Speaker, is that to some degree the Native people over a period of years have adapted to the modern social life that began years ago. We can recall perhaps when the Indian was dependent on fishing and hunting for a livelihood, but today when we look at the Native people entering the academic and industrial fields of the province of Alberta, I think perhaps in the next four, five or maybe ten years they will be adapting more and more. I don't want to say that we should destroy or try to destroy their way of life entirely, but certainly the integration that has come about in the last few years has indicated that they are adapting themselves well to new, modern techniques in the industries and in the social life of the community.

I recall that for the first few years it was very difficult to get Native children into the public schools and high schools. They have become more and more adaptable and agreeable in the past decade. I think there is every reason to believe that within the next few years they will accept the white man's ways and perhaps try to keep their culture in the same manner as some of the people who have immigrated to this country and have kept their culture, have accepted the responsibility of taking on a new language and have also, in many ways, adapted to the new life in a country far removed from their native lands.

Today, with a few exceptions, we find the Indian and Metis population is being educated. They are getting into the fields, thanks to the minister of the department of northern affairs, and they are asking to be taken into the confidence, into the social structure, into the modern way of living. I think it will be a matter of perhaps a few years down the line, when we will find that they will be totally integrated. But I would certainly not hope to see them lose their cultural way of life as much as some of the new Canadians have.

I believe that we could do with a great [deal] more consultation and discussion with the Indian and Metis people before we structure our regulations as far as hunting and fishing are concerned. I am sure they are willing to listen. They are also willing to give us the benefit of their decisions about how they wish to live. I believe it is time; we have to take them into our confidence about what are the objects, what are we looking for down the line. I'm sure they will agree that the diminishing herds of elk, moose and deer - that they will also be concerned about conservation and trying to save the environment as much as possible. I would hope that in a year or two perhaps, but down the line, the Minister of Lands and Forests and the department of wildlife will establish some kind of direct line and call these people in and discuss with them how best we can conserve wildlife, our fishing and everything else.

I'm sure that when we sit around with a group of men who are willing to discuss not only saving the environment, but also trying to save what we lost many years ago - I think the dialogue has to go both ways. It cannot merely be done by the minister, but it must be done by the Indian and Metis associations of Alberta. I hope that this will be done in the near future because I know well that we will have to have their full cooperation in managing our wildlife and game birds in the province. If we don't do this, very shortly we are going to find that we do not have even those that exist now.

MR. BUCKWELL:

Mr. Speaker, I'd like to make a few remarks on this resolution. One of the things that disturbed me most particularly was the idea that this deals primarily with Native peoples within the province - whether hunting is a right or a privilege. One of the speakers made the remark that treaties were not important or they were not applicable today and we should negotiate a new treaty with the Indians. This is probably one of the things that concerns me more than anything else, not the fact of whether the Indians and the white men signed a treaty 100 years ago which they thought would be there for all time - in fact, the Indians, in their poetic way of expressing it, said these treaties would last as long as the sun shone and the rivers ran.

Today as we look at what has happened with our Native peoples, we realize that to some extent they got the best of the white man, because today it has cost us a considerable amount of money, within Canada, to live up to these treaty rights. On the other hand, we've taken every advantage we could, to deny anything to the Indian people that we thought we could get away with.

It's rather interesting that it was almost 80 or 90 years after these treaties were signed that the Indian people had to go to court and they actually got \$250,000 for ammunition money, which you could say, for all intents and purposes, they never really needed today. But this, maybe, goes back to the motion that we just disposed of, redundant legislation. It's redundant as far as The Indian Act was concerned at that particular time. Yet having got the \$250,000, the Native people then couldn't decide among themselves how they were going to divide it up. But the fact is they had to go to court to get it.

What I'm concerned about is whether hunting today is a right or a privilege. These terms today in many cases are quite synonymous with us. But as far as the Indian is concerned, the right to hunt was given to him. Whether the right to hunt today for the white man is a privilege or right can be argued all day and all night without coming up with a sufficient answer. It's almost the same, we could say, as arguing whether driving an automobile on the highway today is a right or a privilege, or whether being able to buy alcohol at an Alberta Liquor Control Board store is a right or a privilege. You could debate these things all night.

But as far as treaties go, to say that they are not applicable or that we don't like to live up to the terms of them, let us look again at another treaty which because of their influence and because of their importance nothing has ever been done about it; and that is the treaty and the rights which were given to the CPR. They had certain rights and privileges and were given certain concessions provided that they lived up and give transportation and so on and so forth. We realize today that, from our point of view, they have not lived up to these treaties. They have not lived up to these regulations. Yet from the railway's point of view, they have lived up to the letter of the law.

What I am concerned about then is hunting. For example, the Indians today in the settled parts of the province - I'm not talking about the Métis or those Indian bands in the more unsettled parts of the province. The Indians today, as we know them, within the settled parts of the province maybe have no more need to hunt for food than the white man has.

I would say the white man today, particularly within the major cities and within our towns and our villages, has no right at all to hunt for food. In fact, if as one man said you buy a \$200 shotgun and four bottles of liquor and go out and spend all day in the field and come back with a couple of battered up mallard ducks and tell the wife how the price of meat has gone down, you are going to have quite an argument on your hands.

But the fact is that hunting then becomes the sport for the privileged. The hon. Member for Calgary Foothills, I know, didn't mean it this way, but if you raise the hunting licence high enough to get rid of the triflers, hunting is going to become the sport of the privileged as it has in Europe.

But I think we have to look at hunting rights from another point of view, one which concerns me and has probably concerned the Minister of Lands and Forests. If we are looking ahead, are we going to be able to supply the birds? Are we going to have the deer? Are we going to have the wildlife to hunt in the future?

As we look across the world, we look in the United States, for example, which maybe fifty years ago was in much the same position as we are in Alberta. There are many things in Alberta that we could do because we were wild and free - spoil the environment, do anything you wanted in the past because there were not so many people around that you were tramping on their coattails.

The city of Edmonton I think it was around 1935, had a population of 85,000. There were probably a lot of things you could get away with in Edmonton when its population was only 85,000 that you can't get away with today with a population of 450,000. Then there are a lot of things you can get away with in the city of Edmonton today that you wouldn't have thought of getting away with when its population was only 85,000. The temptations there are much greater.

What I'm getting at, Mr. Speaker, is that I think we have to look at our hunting particularly. We are going to get to the point, as they found in the United States, where there are only certain areas of the country where any game is left. I see very little point today in saying we are going to have equal rights for all hunters. For example, you might say we are going to have a kill of 200 antelope, so you issue 300 licences. Yet you may have 1,000 who want to hunt antelope.

This is one of the reasons we are going to have to tighten up considerably in our wildlife. In a given area, say, you have 100 deer which the wildlife officials feel are a kill for the year. Yet you sell licences indiscriminately. You may sell 500 licences, but there are only 100 deer to take in a given area. Because he has bought a licence, a man feels he has a right to shoot something. If he hasn't got a deer to shoot, the tire on the farmer's tractor or something else might be a substitute.

I think we have to look ahead. As our population increases, as there are more hunters, as guns become more perfect than they have been, as ammunition becomes stronger or has greater carrying power, we are not going to be able to hunt indiscriminately as we have in the past. Hunting is going to be not a right, but more of a privilege.

Maybe we have to look at fair hunting rights for everybody. There isn't going to be a game to hunt and what game we have we had better protect. For example, I moved with my family to the farm that is my home in 1928. I was only 10 years old. We never saw a deer until the early '50s. From that time on there have been deer even looking in my kitchen window. Now where were those deer in the meantime, during the '30s. Because people were hard up during the '30s, they shot everything they could see.

Deer can live with civilization. In fact, they get along quite well. But to see a deer in the headlights of your car, to see a doe with a couple of fawns right from your kitchen window, to see geese in the creek, to see wildlife in its natural state is a thrill far greater than to see the dead pheasant laying before you and wish that you hadn't killed it. You could have bought a chicken and not worried about the buckshot.

I think we have to look at the thing. We today as a population have a queer standard, queer priorities in life. We think it is all right, it is manly to go out and shoot a deer. It's manly to go out and kill ducks or shoot birds. I have had my share. I'm maybe like Andy Russell. When you've had your share of it and you are too old to hunt, you suddenly decide to become a purist and take pictures.

I think we are in a position today where we had better value the things we have in nature before they are all gone. We had better start looking at nature and saying, well, on the one hand we pick up a paper and we see that 50,000 Pakistanis starved to death - poor beggars. Then we turn the page and see what Bobby Orr has done lately. On the other hand, in wildlife you can get more for shooting a doe out of season than you can for shooting an Indian. In fact, an Indian down there several years ago killed his wife. They couldn't prove it was murder and, bit by bit, they reduced the charge. He finally got a \$50 fine for common assault.

Life is cheap you know, if you are not too concerned. We're very concerned about parents battering children. Yet, we're maybe not so concerned to see that the Metis or the Indians or some of our minorities are taken care of. We're not so concerned, we'll say, individually. We are concerned collectively in that we have a social development department that takes care of the poor and the needy, but they are one step removed from

us. If you are hard up, or if you see a case, phone the welfare office and let the welfare officer take care of these people. We don't have to dirty our hands.

I am suggesting, Mr. Speaker, that we talk about more hunting rights. Maybe we ought to preserve the things we have. God gave us this country and it's a beautiful country. He didn't just make it for man alone. The animals are there for a purpose. Maybe the purpose is not revealed to us or maybe we just don't understand why they are there, but to see deer, beaver - to see the game - and to know that these animals are not afraid. You can stand on one side of the creek, it's not a wide one, and here are a couple of old Canada geese honking at you and talking to you from the other side. I have often wondered. We had sheep. Quite often in the fall we would kill a sheep, say, for winter meat. We would stick the gun over the fence and let it have it. The poor beggar didn't know what had happened and he would fall to his knees. Yet this is exactly what we do to our ducks.

Here are the ducks on the slough. On a given day - they haven't got a calendar and you didn't tell them - all of a sudden you stick the shotgun over the fence and let them have it. These are the great hunters. We are certainly kind-hearted people. Here is a deer that you have seen all summer and all of a sudden it is hunting day today, so get out first thing in the morning and let it have it. I wonder what we would do - we have had so many of these examples, say, in the city and in our civilized area where people vent their spleen on one another.

But there is a day coming. Maybe you can say it may be poetic. There is a day coming in this world, whether you want to believe it or not, on which the Lord says the lamb shall lay down with the lion. Maybe this is a good time to have a look at what we are trying to do with our hunters. If we don't have to kill them, why do we kill them at all?

I suggest to you, Mr. Speaker, that if we do have a surplus of game - and I quite realize that for the hon. Minister of Lands and Forests this is a crop to be harvested. Let us say, in his department, that we need 50 hunters. We've got so many deer. Pick out some hunters and take them back and say, all right we'll shoot these and we'll give the meat to the poor or give it where it is needed. But to have people just running around the country blasting off everything we've got and say that we've got to give them rights, I would say more particularly, Mr. Speaker, that we're a little too much concerned about our rights and our privileges in this country. We should be more concerned with the responsibilities and duties that go with them.

If we looked at the duties and responsibilities, not for today, but am I going to leave game for the coming generation? Am I going to be able to tell my children, my nephews or nieces that there used to be game here? There isn't any more. What happened? Well, uncle shot it, or dad shot it. We have a responsibility - not so much concern about blasting everything off and equal rights and responsibilities so that we can hunt - to leave something for the future generations.

MR. TRYNCHY:

Mr. Speaker, just a few brief words on this resolution. In reading this resolution, Mr. Speaker, it offers me some concern. The hon. member who just spoke outlined a lot of the things I wanted to say. In reading this resolution, it states, "to standardize wildlife hunting rights for all people of the province".

That makes me wonder. What happens if we pass this resolution and the federal government gives us the rights that, say, the Native people have now? You can hunt without a licence, hunt any day of the year or week, hunt in the springtime, in the fall, in the winter. What will we have for animals? What will we have for game? To standardize wildlife hunting rights for all the people is something that has to be defined much more clearly than it is in this resolution.

AN HON. MEMBER:

Pretty weak ... [Inaudible] ...

MR. TRYNCHY:

Mr. Speaker, in going over this resolution, it takes me back to the hunting rights of the Native people and what they received when they got their rights years ago. I spoke a few years ago - or was it last year - on the same resolution, or something like it, on hunting. I feel there are a lot of things we can do with standardization of hunting laws in Alberta, but how do you do it to be fair to everybody?

The hunting rights of the Native people were something that were given to them. Do we have the same rights? Can we ask for the same rights? Do we expect the same rights? I don't know.

Some of the things that bother me and happen in my constituency are that Native people do hunt very unnecessarily sometimes. They go out. On research, one moose is to last two people for a season. Yet you read reports from wildlife division that two hunters in the Rocky Mountain House area killed 23 animals in one week. Now what was this for? Was it for themselves? Was it for sale, or for their neighbours, or was it because they had to have it, or was it because they were hired by somebody else to hunt for them? These are the things I really think we should be looking at.

First, before we standardize the hunting regulations in the province, in my way of thinking, we should possibly have a permit system for some of our Native people and have them get a permit from the wildlife division with no cost to them. They could hunt on a basis of need and not on the basis of a \$20 bill from somebody else, or two bottles of whiskey, or the hide for a neighbour, or a number of other things.

I think this way, with a permit, we can monitor our animals. We can find out if there is a surplus of animals in any one area, or if there are no animals at all. I think this can go for all types of wildlife, not just moose, deer and elk, but our feathered friends.

Native people have to hunt at all seasons because of the need for food. This was the case many years ago. It's probably not the need any more. Yet this happens in a number of places in a number of ways. I can recall an incident that happened about two winters ago. A car went down the highway; there was a moose on the side of the road. It was shot by some hunters. Of course, it was out of season - no licence. They jumped back in the car after shooting the moose, drove down to the Indian settlement, picked up an Indian friend - it was legal for him to hunt - and made him do the dressing of the animal so it would be legalized and [they would] not be charged with shooting out of season.

AN HON. MEMBER:

Who was it?

MR. TRYNCHY:

Some of these kinds of things, I think, are what we have to protect. By this resolution, by standardizing wildlife hunting rights - and I am just wondering if we got the rights from the federal people to have the same rights as all people in Alberta who have the rights today, such as our Native people - there would be no limit to the amount of game we could shoot because there is no limit for them.

If the hon. Member for Lacombe had outlined his standardization policy a little more clearly ...

AN HON. MEMBER:

It's under the regulations.

AN HON. MEMBER:

Agreed. Agreed.

MR. TRYNCHY:

... possibly most of the members on both sides of the House would be able to know how to vote.

AN HON. MEMBER:

We know how.

AN HON. MEMBER:

Don't worry about us.

MR. TRYNCHY:

I go back a few years where we had the case of the Indian up north who shot a duck out of season and went to the Supreme Court of Canada because he was charged with shooting out of season. He stated he was shooting for food.

There are a lot of things that come into this when you look at this resolution. I think monitoring of the killing is something we should be doing. I hate to see us shooting our animals out of season - our ducks in the springtime when they are easy to get at, like the hon. member across mentioned, our moose in the springtime when they are in calf, the deer, the bear, the beaver and so on. This has been done by the Native people in a number of ways in a number of areas.

Mr. Speaker, a resolution such as this, I think, is premature. It's a resolution that should be given more thought than we have up to this time ...

AN HON. MEMBER:

Hear, hear.

MR. TRYNCHY:

... and there are a few other things I'd like to say before closing. Possibly we could do it another time.

I beg leave to adjourn debate.

MR. SPEAKER:

May the hon. member adjourn the debate?

SOME HON. MEMBERS:

Agreed.

PUBLIC BILLS AND ORDERS OTHER THAN GOVERNMENT ORDERS

Bill No. 210 An Act to amend The Legislative Assembly Act

MR. FURDY:

Mr. Speaker, I move second reading of Bill No. 210, an act to amend The Legislative Assembly Act.

First of all, Mr. Speaker, I'd like to thank the hon. members of this Assembly for holding the bill, being that I was absent from the House last Thursday.

The role of an MLA today is very much expanded from what it was ten or fifteen years ago and we now find ourselves in the Legislature five months out of the year compared, at one time, to a month to six weeks. In saying that, Mr. Speaker, I find, looking through The Legislative Assembly Act, that when an election is called, a member of the Assembly is no longer a member after the House is dissolved. A person is actually paid, under the amendments that were brought in a couple of years ago, from polling day to polling day. I have considered this very seriously and think it should be debated in the House.

I [think we] can find ourselves in situations during an election campaign where problems regarding provincial matters could arise in a constituency and the people of the constituency would have no one to turn to. They could turn to members of the Executive Council, but members of the Executive Council are also on the campaign trail trying to get re-elected.

If we were into a campaign at the present time - and in my constituency we have a few problems; people are in constant contact with me over flooding and so on - I'm just wondering who these people would turn to at the particular time to try to get some guidance and answers. I imagine to members of the civil service to whom they have had to turn in the past.

Another point we could look at which is outlined in this bill is a commissioner for oaths and a notary public. We can get into areas of the province of Alberta where there are no notaries public or commissioners of oaths. The only person the people turn to for commissions to be signed and so on is the elected representative, the MLA.

If this bill is not enacted with that amendment in it we'll have, as in the past, areas that have to wait, or a person may have to drive a considerable distance to have something notarized.

Another point that is in the amendment to this Act, and I expanded on it a minute ago, is the service that the MLA performs regarding letters, et cetera which should be answered. The amendment I am looking at here is that a person should be able to avail himself of services in the Legislature during an election campaign. Many letters have to be answered, telephone calls made and so on. This particular amendment says that he can only do this for government business and not for private business. It would be, as it is now, that the offices are available to elected representatives of this Assembly for

legislative business, constituency business and so on, but not for private business - and I'm sure all members do presently respect that clause in The Legislative Assembly Act.

As I stated earlier, members are paid from polling day to polling day so, in fact, by bringing this bill before the House, Mr. Speaker, if the Assembly did accept the amendment and brought this into legislation, an MLA would then have the role to fulfil of looking after constituency needs and so on.

I'm going to close on that note and see what the participation is by other members of this Assembly.

MR. DRAIN:

Mr. Speaker, may I ask the hon. member a question?

SOME HON. MEMBERS:

Agreed.

MR. DRAIN:

Mr. Speaker, are there any precedents in other jurisdictions in Canada or in the British Empire where this type of legislation has been enacted?

MR. PURDY:

I've asked to have that investigated but I haven't got the information to date.

MR. DRAIN:

Mr. Speaker, looking at Bill No. 210, it would appear to be an innocuous bill and one that could be construed as a good housekeeping effort in some measure. However, from my concept of the British parliamentary tradition it is based fundamentally on the attendance of Her Majesty's loyal subjects to vote supply to Her Majesty the Queen. This, in fact, is the principle of legislation. Government, as such, is conducted by the Executive Council or Her Majesty's cabinet.

Thus, traditionally, when this function has been performed and the House is dissolved at the prerogative of the government - which could occur at any time possibly because of a vote of lack of confidence or because of feeling the political winds with your finger and feeling that the wind is right to call an election, which of course, is one of the privileges of being in power - and when this does occur those who are the representatives of the various areas in the province no longer have any of the privileges or prerogatives of their office as MLAs.

And then the question brought forward by the hon. member is that in spite of this the work continues, and so it does, traditionally. In fact, relating back to my own personal experience - I think in a lot of the areas of my constituency during and after the election was called, I suppose as a result of the election publicity, they become aware of the fact that there is in reality an MLA in the area. You then are inundated with a fantastic number of phone calls and representations and so you direct them, to the best of your ability, in the direction of government. And government, except in a major situation, is not directly involved. A lot of them are things that can be fixed up at the deputy ministerial level. So, you pay for the phone calls and you write your letters and you sort of accept that as part of doing the job. It's part of the service.

I have no great hang-up in going in the direction of Bill No. 210 and this is the reason I asked the hon. member about precedents. I wondered where this sits constitutionally. I would think that a proper assessment on where and how the thinking should be directed, whether to endorse or disprove the principle of this bill, would have to be how it had been evaluated in other jurisdictions. It can truthfully be said that there is nothing new under the sun and somewhere, at some place in the parliamentary areas of government in the British Empire or elsewhere, a bill such as this has surfaced. Apparently, it has not been publicized to any great degree because there does not appear to be anything in the library, having this particular information available.

So, my reservations on the thing would be first, on the principle that when parliament is dissolved you go forth and appeal. The government says, we are appealing to the people for a mandate, but we are charged, as ministers of the Crown, with the responsibilities of carrying on the government. They do that up to and beyond the election day, which did occur after the last election when the former government carried on for some time while the present government was getting organized. And this is the only way it can be done, Mr. Speaker.

So whether the MLA, as such, should feel in spite of his increased responsibility, that to some degree he pre-empts and takes over the role of the Executive Council, is a

question that I would like to have answered. Therefore, my view is that unless the concept of parliamentary government, as I understand it, is not correct - that the government is the Executive Council which will report to the Lieutenant-Governor who is the representative of the Queen and the MLAs are here as representatives of the various areas to vote supply to Her Majesty, and this is their role - I would have some reservation about supporting Bill No. 210, Mr. Speaker.

MR. STRCMBERG:

Mr. Speaker, with all due regard to my colleague to the left who has brought in a number of good bills and motions in the last two and a half years to this session, I rather view this bill with considerable suspicion. And I would have to ...

[Laughter]

... or a little bit of nervousness. I have to think of what would take place. Suppose a year from now we have an election - and I'll use the hon. Member for Calgary Mountain View - if he wins his nomination, which is questionable ...

AN HCN. MEMBER:

He did.

MR. STRCMBERG:

... and he is a candidate, and he's fighting for his political life, and one of his ...

MR. LUDWIG:

Mr. Speaker, on a point of order. Just to enlighten the hon. member, I am already nominated. I have been here 15 years and I'll probably be here 15 years longer than the hon. member.

SOME HON. MEMBERS:

Agreed.

MR. STRCMBERG:

Well, congratulations, lightning has struck twice then.

AN HCN. MEMBER:

In the same place.

MR. STRCMBERG:

But I can see the Member for Calgary Mountain View being put in an embarrassing spot. After the election writ has come down, someone would approach him, one of the people living in his constituency, and say, now look here Albert, we've been after you for 15 years to do something about this and if you don't, I'm not going to vote for you. It's going to put members in a very awkward spot, acting as MLAs.

I think the majority of us find ourselves involved in so much work now, how in the world are we going to be involved in an election and still take care of the affairs of the constituency?

I rather agreed with the Member for Pincher Creek-Crowsnest when he pointed out that the Executive Council is there to handle it. We have some very good deputies in this government, the civil servants. I hope the odd emergency that comes up would not be on a matter that a deputy could not handle.

I know that just prior to the last election, I had a phone call one morning from a farmer in the east end of the constituency. I told him that I couldn't help him, I hadn't even won my election yet; I still had hopes. But he thought it was an emergency. His hired man had run away with his wife. They had taken his half-ton, and he wanted the half-ton back.

[Laughter]

Fortunately, I saved that vote; I didn't get the wife with it.

But seriously, Mr. Speaker, when the election writ does come down, that should be the end of it - then. I'm a farmer. The Member for Calgary Mountain View is a ...



AN HCN. MEMBER:

Farmer.

MR. STROMBERG:

Questionable ... but a lawyer.

AN HON. MEMBER:

Questionable.

MR. STROMBERG:

That should be our role. We should be equal with the others with whom we're competing for that nomination.

Thank you, Mr. Speaker.

MR. TAYLOR:

Mr. Speaker, I also oppose the bill but for reasons that haven't yet been outlined. The bill, if enacted, would give MLAs an unfair advantage over other candidates. If an MLA is able to continue to use his telephone pass during the election campaign, it's an unfair advantage over those who are not members. If an MLA is able to use his railway pass, his bus pass, then it's an advantage over those who are vying for that same position. And I really don't think that is fair. Also, if an MLA is able to use his office facilities in the building and the mailing privileges that the government has granted to MLAs, again, it's a very great advantage over the other candidates who are trying for that position.

For these reasons, I think this would be most unwise and unfair legislation.

In connection with continuing a legislative committee right up till the day of the election, I think that would be highly questionable because the report of that committee would not come to the Legislature. It would have to be reconstituted by the next Legislature and possibly by the next government if the government changed, or by the government if it didn't change. Consequently, to continue expenditures for members of a committee whose report can mean nothing, whose report cannot be concluded in order to be considered by the Legislature that set it up would, in my view, be a most unwise use of public money.

It's for these reasons, primarily, that I oppose the bill. I think it would be giving special privileges to those who happen to be MLAs in the last Legislature and it would be most unfair to those who are running as candidates in the election.

MR. BUCKWELL:

Mr. Speaker, I'd like to say a few words on this bill. I think one of the reasons it may have come to the members' attention is the fact that we were paid from polling day to polling day. Under the old pay scale, we had to stand in line like school boys. They never paid us until the last minute was hung, just in case we ran off and the province would be stuck for some money. This idea that the hon. Member for Camrose talked about today - all the problems that would come - I think it's a wonderful idea that if an election were held once every four years, there's at least six weeks that the people of the province of Alberta are not bothered with any MLAs at all. Sometimes in each constituency, they may have four fellows vying to them and lying to them about just what they're going to do if they get back in. I think the fact that a member can turn around - the hon. Member for Drumheller - this, to me, is one of the things that the MLA has an advantage then that none of his competitors have.

The second one that I could mention here is in clause (c), that he "may continue to avail himself of the offices and services that were available to him as a member of the Assembly at the Legislature Building at Edmonton ...". Now this is fine for the member from Stony Plain who is just a hop, skip and a jump to the west. But if a person, like myself, is 300 miles from Edmonton, you're certainly not going to come to Edmonton to mail a few letters or just to sit in your office. So there is a certain advantage, maybe, to the members who are within the vicinity of Edmonton itself.

It may be surprising, say, to some of the members of the city of Edmonton and immediate vicinity that the further you get away from the hub - if you can refer to Edmonton as the hub - the further the spokes get away from the centre, the fewer problems you have, simply and solely because you can't bend the minister's ear as often, and Edmonton being that far away you can probably get along quite well without government services.

Quite often MLAs - and I'm quite serious about it - many MLAs are bothered primarily with duties that rightly belong to the civil service. But the MLA takes it upon himself. If I can get Joe Blow a pension, Joe is beholden to me. But he was going to get the pension from the civil service anyway. It's nice if you can work it that way. I mean, here's the grant they were going to get, but I'm giving it to you, and I remind you who gave it to you. You see, this is the sort of idea we work on. I can get you something for which you could have just phoned Doc Horner's office and he'd have given it to you anyway. It was coming to you, but you can show that I steered you in the right direction. That is maybe not the role of the MLA. It may be to the extent that we see our electorate get all the services provided by the government. This is what we are there for. But to turn around and become the MLA and a civil servant, or work as a civil servant - sometimes they get in the civil servant's hair, and civil servants don't have quite the respect for MLAs that the MLAs think they have.

Bill No. 210 - we haven't reached that period where we are going to be MLAs steadily the whole year. This is one of the ideas maybe that we have, and we have it on the federal scene. If we had a certain amount of time - we're going to pay you so much, and when that money is gone, boys you are on your own - the federal session would be over in six months instead of ten. Maybe we're in the same position here that if we had to account to the people at home for the time we spent or misspent here, we might be home a whole lot quicker.

That reminds me that if I shut up we will get home a little quicker.

MR. ZANDER:

I'm going to be as brief as you are.

Mr. Speaker, I think the mover of the resolution - I was thinking of the county council where the council member is elected until the day of polling. But I think I have some misgivings of the bill itself in that I don't agree with the hon. Member for Drumheller who says he will use the bus pass or the railroad pass. I think in campaigning in a rural constituency that just doesn't fit in, and you know this as well as I do. You are going to have to go out there by car and walk. I don't think there is a railroad at every turn of the crossing and there isn't a bus running either.

What I do believe in is that looking back a few years, where the MLA was elected and then was not sworn into office to act as an MLA for a period of three, four, five, six months. In one case, I think it was the hon. Member for Edson in a by-election who was not sworn in for something like - it was a long period of time - and there was no way he could act as an MLA. Although he won the election he was not sworn in, and therefore he could not carry on his duties, at least not in a fair way.

This is the only part on which I have some apprehensions. I think this probably has occurred in the last election where the MLAs were sworn in shortly after, I think about 30 days or so after the election. I think this is the way it has to be.

I have to agree that I don't want an unfair advantage with anybody running. The duties of the Executive Council are there and I think, as the hon. member has said, during an election campaign with four of the major parties running in almost every constituency, the electorate would prefer that he doesn't bother the MLA because he sees enough of them during the election anyway, not only one but three or four more. So I would say I have some concerns about the bill. I think if it could be properly researched, if it was possible that there isn't an unfair advantage, I would certainly go along with it.

But there is a difference between - I don't know The Town and Village Act - but I do believe there is a difference between a member of the Legislature and a member of council, where the council as a whole acts as an executive council and he is a member of that council. If an MLA were put in that position, I believe he could probably phone up the Minister of Highways and Transport and say, well, Mr. Clarence Copithorne, I am in trouble. Why isn't this highway built? Why don't you move the contractor out of Drumheller and bring him into my area? You know, it's undue pressure. I think this probably does occur sometimes.

MR. TRYNCHY:

No.

MR. ZANDER:

I wouldn't like to see that happen. I think there has to be a fair advantage for every candidate who is in the field, and if he is properly nominated and out there working hard, I think the people will recognize the work he has done in the past. If they are not satisfied with him, it doesn't make any difference whether he's an MLA until polling day or not, he's going to be voted out of there or in there. This is frankly my opinion.

MR. FRENCH:

Mr. Speaker, in rising to make a few comments on Bill No. 210, I want to say that at one time in the Legislature we were only paid once a year, at the end of each session. We're in an entirely different situation today because in 1972 we passed an amendment to The Legislative Assembly Act which states in Section 52:

There shall be paid to each member out of the moneys that have accrued to him under section 51 an amount not exceeding one-twelfth of his annual indemnity and expense allowances per month.

We're in an entirely different situation today than we were some years ago, when, after you won an election, you would continue to serve as an MLA, and there could be a period of several months or even quite a number of months between the time of the election and the time of the session. But today we are in an entirely different situation now that we receive our monthly allowance at the end of each and every month.

I should point out some of the advantages that the hon. Member for Stony Plain is trying to achieve under this bill insofar as continuity of representation in the area is concerned. I would say that many of the things he is trying to achieve are now available with the amendments to the Act in 1972.

But when we come back to the basic principle of this amendment, I want to say to the members of the House that under Sections 2 and 3 of The Legislative Assembly Act which is the act that is under debate today, the province is divided into 75 areas, 75 electoral divisions, I believe, is the terminology in the Act, and that there shall be elected one member from each of these electoral divisions. The intent of the Act is that the province is divided into 75 zones. We then have 75 different members. Each member should have an equal opportunity to be a member in this House whether he sits on the right or the left of the Speaker.

When we look at the amendment which is before us today, I think we have to realize that we certainly don't have equal opportunities under the amendment to the present Act. Normally speaking, after an election is called, the various candidates, the retiring candidates, retiring members of the Legislature, go out to the hustings and attempt to obtain the confidence of the members of their constituency so they can return to the House.

Now as far as the members who live maybe adjacent to the city of Edmonton are concerned, and I believe there are some 16 members in the metropolitan area of Edmonton, there may be another one or two who could be considered as adjacent to the city of Edmonton, this amendment would certainly be a distinct advantage. I can't visualize people from the southern part of the province driving up to Edmonton, or even using the bus or coming up even by air bus and taking advantage of the use of the offices in the building here.

So, number one, if we are going to have equal opportunities in this House, if we are going to have equal privileges as members representing the people of the province, we should have equal opportunities at election time. If we pass this bill in its present form, we are going to be in a position where some people have certain advantages over other people.

I am concerned also, Mr. Speaker, with Section 49.1(d) of this bill. It reads:

... may continue to act as a member of a committee appointed by the Lieutenant Governor in Council, and to be paid expenses and allowances pursuant to section 59 ...

I think we all realize that for the past period of time we have had a number of task forces appointed by the government. I don't like to raise this thing in the House again, but here is a section in The Legislative Assembly Act which is possibly going to pay the task forces at election time.

AN HON. MEMBER:

Oh my!

MR. FRENCH:

Now really the intent of The Election Act is that the members of the Legislature go out and seek a mandate to continue as members. But here is a section in the act which is going to say to the members of the task force, well, sure we have got an election but we take it for granted we are going to carry on in office. We are all going to be elected again and we'll be back in office so we might as well continue to receive our X dollars a day and our expense money just as if there is no election called.

Mr. Speaker, this is the most arrogant piece of legislation that I think has come before this House for a long time. I think the time has come when we should recognize the principle behind The Election Act that we go out and seek a mandate whenever the election is called. And when you look at this whole bill, I have to say it is completely arrogant. They are taking the attitude that because they are members of the government they are going to continue to be members of the government, and that's the way the situation is.

So with these brief remarks, Mr. Speaker, I feel the sooner we turn this thing down and get on with some other business, we'll look after the business of the House. Certainly I can't visualize for one minute that we can say to certain people, you can have certain advantages in a public building, which is the Legislative Building here, to the disadvantage of other people. For that reason I am certainly going to oppose this bill.

MR. BENOIT:

I would just like to make one or two comments and begin by asking one or two questions of the mover of the bill.

I was wondering if he had given any thought and made any provision for the incumbent who doesn't run again as to whether he would be included as one who would receive the same privileges until the day of the election; or to the member who was intending to run and then wasn't nominated, so that he would run out of time so far as he was concerned.

I think it is important to make a distinction between the ministers and the other elected MLAs because ministers do have the responsibility of carrying on the government until the time another government takes over, whether it be the same one or another. For that reason, they may continue to act as administrators in their responsible positions, but they are still not considered to be MLAs under the existing circumstances, even though they are ministers and doing their administrative duties. And those distinctions are made between their remuneration as a salary, as minister of the Crown, and their indemnity as an MLA throughout their entire office.

Talking about the telephone and transportation passes, it is true that transportation passes, as one member mentioned, would probably not be used very extensively. But certainly the telephone pass would be a tremendous advantage to the incumbent if he were privileged to use it for the month or six weeks of the campaign. This would be particularly so in the rural areas. So I understand there is always the possibility they still may be used, but they also are supposed to be paid for if they are used, although they were supposed to be taken back.

I think these and a number of other aspects would definitely give the incumbent [an] advantage over the others who were competing against him. I think we need to protect the incumbent against the encumbrance of his time with committee work as is mentioned in clause (d). Because that has been spoken on, I'll not speak about it any more.

However, the incumbent has a built-in advantage to start with over the others due to the fact that he has been the sitting member for two, three, four or five years, whatever length of time it may have been. That advantage is offset to a certain degree by other candidates who are offering themselves, by the fact that very often an election is called immediately after a session of the Legislature, in which case the other candidate has had an opportunity to beat the bushes, so to speak, while the incumbent was busy in the legislative affairs of the province. So those two advantages sort of offset one another.

But beyond that, if the incumbent were to continue on as an MLA with a number of advantages, I don't believe it would be fair. I don't think the opportunities for equality would be there.

Something else I was wondering if the mover of the bill had given consideration to, and that is what The Election Act permits and does not permit by way of receipts and assistance and so on, because The Election Act is very stringent when it comes to what you may receive by way of assistance or what you may give by way of gifts which may be considered to be an advantage or a bribe or anything of that nature. I think this needs to be compared here also.

Beyond this, I think all candidates should have an equal opportunity. In raising these questions, if the member has the opportunity to reply, I would like to have his observations with regard to the questions which have been raised, Mr. Speaker.

DR. HORNER:

Mr. Speaker, I beg leave to adjourn the debate on this bill.

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER:

May the hon. Deputy Premier adjourn the debate?

HON. MEMBERS:

Agreed.

Bill No. 204 - An Act to Limit Smoking in Public Places

DR. PAPROSKI:

Mr. Speaker, to speak for the second time on this bill, Bill No. 204, An Act to Limit Smoking in Public Places, I would remind the hon. members of a number of items I brought up at that time. Those were: the hazards of smoking and the causative factor it will bring about with a large degree of smoking ... a high index of smoking - I am sorry, Mr. Speaker, there are a number of things.

One, of course, is lung cancer. It is commonly known, Mr. Speaker, that lung cancer is ten times higher in moderate smokers and twenty times higher in heavier smokers. We know that chronic bronchitis, coronary heart disease and carcinoma of course, or cancer of the mouth, larynx and throat are much more common in heavy smokers.

Mr. Speaker, I also mentioned - just to remind the members - that pregnant women have smaller babies. This, of course, is a hazard. And ulcers of the stomach are also a very common factor with heavy smokers.

In summary, Mr. Speaker, for the hon. members of the Assembly, the total death rate in smokers is some 70 per cent higher than in non-smokers.

DR. MCCRIMMON:

We all die.

DR. PAPROSKI:

So Mr. Speaker ... True, true, it's a good point.

AN HON. MEMBER:

A good point.

DR. PAPROSKI:

So Mr. Speaker, the benefits, if there are any from smoking, are obviously just psychological and they are certainly minimal compared to the hazards associated with smoking. I suggest, Mr. Speaker, it is also very well documented that it's not easy to stop and it is certainly a social custom in addition to that.

When we get around to the bill specifically now, Mr. Speaker, I suggest - and I suggested then - that the preventive measures in addition to those items mentioned in the bill are very vital, that is, the public action which can be taking place in addition to the item mentioned in the bill. That was early education, of course, especially of youth, regarding the hazards; restriction on the sale of tobacco which is indeed being done, but I think it could be even more restrictive; and the importance of restricting the advertising of tobacco and smoking. For that matter, Mr. Speaker, I suggest smoking should be totally eliminated from advertising. The increased taxation on cigarettes and smoking is an item that can be reconsidered, and the "hazardous" label on [cigarettes] should be prominent so that there is no doubt in anybody's mind that this is a hazard.

I mention, finally, Mr. Speaker, that setting up anti-smoking centres was an essential factor to assist by counselling and so forth those citizens who have difficulty stopping smoking.

Then we come to the bill ...

MR. SPEAKER:

With great respect to the hon. member, it seems that we have again lapsed into a debate concerning the merits or lack of merits of smoking generally, whereas the bill is quite specific in being aimed at smoking in public places. I would respectfully ask the hon. member if he might wish to direct his comments to the subject matter of the bill.

DR. PAPRCSKI:

Thank you, Mr. Speaker. I'll do just that. So we come to the essential item in the bill, Mr. Speaker, the wider restriction of smoking in public places as indicated in the bill, which is obviously one of the many items that can be implemented to control this particular health hazard. I suggest, Mr. Speaker, that this item, although a very important item, is not the only item. But it does play a very important role.

Mr. Speaker, the question of what to do with respect to this bill specifically, I suggest is that the public relations programs and all the programs that can be brought about and the items I have mentioned in addition to this certainly would play a very important role. I support the bill in principle and generally. I don't think anybody in the House can object to the general concept brought about in the bill. But specifically, Mr. Speaker, I suggest to the hon. members that other items have to be considered. In either case, if this bill comes to a vote today, I will indeed vote for it.

MR. DRAIN:

Mr. Speaker, I approve of Bill No. 204. I agree with the hon. Member for Calgary Mountain View in putting this bill before the Legislature, that it should be considered and accepted. I agree with him that sinners should not be permitted to go forth and sin and not know about the virtues they should properly earn. However, I see some weaknesses in the bill, Mr. Speaker, in the area of the penalties.

For the enlightenment of the hon. members, I will refer to some of the penalties that occurred in the past with regard to smoking. There was great opposition from the time Sir Walter Raleigh had a glass of water thrown in his face ...

MR. HENDERSON:

Would the hon. member permit a question?

AN HON. MEMBER:

Agreed.

MR. HENDERSON:

I didn't quite get whether he was talking about smoking in the Pass or in the past?

[Laughter]

MR. DRAIN:

That's merely flack that is irrelevant to the total of the discussion, Mr. Speaker. I am going to bring before the hon. members for their consideration the possibility of enacting some of these regulations that have in the past been placed before legislatures and enacted into law in an effort to break this vicious habit.

The man who developed a lot of learned theses on smoking was King James II. That was one of the particular things he was very much opposed to. Those who expounded the virtues of smoking at that time also did so with great energy. Louis XIII of France forbade its use unless ordered by a physician. Pope Urban VIII ordained that all found guilty of taking snuff in church would be excommunicated. It served them right.

AN HON. MEMBER:

They sneezed too loud.

MR. DRAIN:

The Swiss placed a prohibition against tobacco among the Ten Commandments. The Greek Church got into the act by forbidding its use in any form. Czar Michael I decreed that for the first offence the culprit would be whipped and for the second offence, executed; while the snuff takers ...

[Interjection]

... pretty grim, eh? - while the snuff takers were to have their noses amputated.

Now, Mr. Speaker, you can see that some of the legislators who were approaching this problem were approaching it with great seriousness - effective legislation.

However, let's go along and find out what ultimately happened. In Turkey, Persia and India the death penalty was prescribed for tobacco users. In Japan the penalties were less drastic but whether harsh or lenient, all these prohibitions were unavailing.

However, what happened to change the political environment that made tobacco acceptable? Mr. Speaker, it is the dross subject I have to mention - simply bucks. That's what it came to. Suddenly it was discovered by the politicians that here was a painful way of taxing the public. Then, of course, governments got into the business and from that day on, smoking was accepted as something that would derive a certain amount of revenue. As times went on, the tax take increased and increased. The result has been relatively good because there have been some decreases in smoking.

I could not, in all conscience, make one positive point or attempt to make a point that there are any virtues in the subject other than to refer to a case of a catskiner I sent out to pick up another one who was a non-smoker. It was about 62 below zero. He took the wrong line and there was no way we could communicate. You're out 70 or 80 miles, so you either come in or you don't come in. About 20 miles from camp he ran out of gas. As a result, he couldn't operate the motor and, of course, was cold. He froze both his feet and his hands. I said, why didn't you build a fire? Well, he said, you know I don't smoke and I didn't have any matches. Well, I said, why didn't you walk? He was afraid of the wolves, and you'd better believe it, they're something to be afraid of. You see these big black things running along the line - boy, I'm telling you.

So, Mr. Speaker, the only virtue of tobacco is that you have the opportunity of burning holes in your shirt and you usually have the availability of fire or else you're seeking it out. Any other virtues I can't see or I cannot approve. However, I question ...

MR. HENDERSON:

Would the hon. member permit a question? Does the hon. member smoke?

MR. DRAIN:

Regretfully I must travel along the primrose path, hon. member, just to show people like yourself that it's the wrong way to go.

I believe, though, if it came to a question of nose-cutting that there would be some doubt in my mind whether I would carry on with this noxious habit, Mr. Speaker. However, other than having some reservations on the penalty which historically seems not in any way to equate to the severity of the penalty placed on it by government in the distant past when smoking first started and first occurred and which, of course, was all forgiven and forgotten in the desire to enhance the treasuries, Mr. Speaker, I think I could support this. I would maybe become a hermit as a result and live on a hillside where I wouldn't pollute any public places.

Thank you, Mr. Speaker.

[Two hon. members rose.]

MR. SPEAKER:

I believe the hon. Member for Cardston won the draw in that case.

MR. HINMAN:

I just wanted to ask the last speaker if, in the translation, we haven't lost something. Was Pope Urban objecting to the use of snooze or to snoozing in church?

MR. D. MILLER:

After all the fun, Mr. Speaker, I would like to say a few things about this bill. I think every one has enjoyed what the hon. Member for Pincher Creek-Crowsnest has had to say and the way he places it, hardly in the context that we should be considering this bill because of the seriousness of it.

I wish to support Bill No. 204 because I have had some experience with it. I can see what takes place in confined areas and that isn't good. Smoking is a dirty, smelly habit.

SOME HON. MEMBERS:

Agreed.

MR. D. MILLER:

To expect the non-smokers to put up with it is really asking too much.

SOME HON. MEMBERS:

Agreed.

MR. D. MILLER:

Say, that sounds like it is going to go over here, Albert.

All the studies in the past, as well as the present, point to the dangers of the use of tobacco, especially when you try to burn it where there are any people around. Besides the addiction which it causes, the enslaving properties of the weed are far from minimal.

Hospitals, as the honourable doctor pointed out, are institutions for the recovery of health, and they acknowledge the need for pure air. So pollution caused by smokers in these institutions gives management great concern. At present our largest active treatment hospital is considering restricting smoking in the hospital, as well as the sale of tobacco. They are especially concerned in the area where they are treating patients for the recovery of health, that they should be selling something, especially among patients suffering from respiratory ailments. If the hospitals pursue this policy and this path, I'm satisfied that they will get favourable support.

Tobacco cannot be classified a joke. The Executive Director of the National Cancer Institute says, and I quote:

We know smoking leads to cancer and that every year millions of dollars are spent trying to treat patients who have cancer because they smoke.

Regardless of such proof, a drug company in Vancouver displayed a large sign to the effect that they would discontinue the sale of tobacco from then on, in all their stores in Vancouver, because they consider it a conflict of interest. Where they are selling vitamins and pills of all natures to keep people well, they were selling tobacco that would just do the opposite. So after due consideration in their business, why, they decided to place a big sign where the tobacco was, saying that they would discontinue selling it.

Not only is smoking tobacco injurious, but so is tobacco growing. The succulent material in the juices left in the stalks - where the farmers in the South, in Kentucky especially, have turned their hogs in to eat up these stalks, they find that the ...

DR. WARRACK:

Smoked ham.

MR. D. MILLER:

... the pregnant pigs invariably have deformed litters. The agriculturists who are researching this have proven to the satisfaction of the state, and to all the continent as well, that repeating litters are healthy, if they can keep the sows out and not let them eat the stalks with the juice in them - which they really go after.

The thought that has been proven to my satisfaction recently was brought to my attention from the W. R. Meyers School in Taber. An experiment was carried on there by two students. They placed a cigarette in a jar where it could get some air and they kept a cigarette burning there continuously. They watered it. They took care of it. It had sunlight. In 23 days, regardless of all the stimulation they tried to give it with the cigarette continuing to burn in there, the plant died completely. So, here not only with humans but with plants, some people contend that they thrive on tobacco smoke, but I don't see how they could.

This was very evident to me. I also had another experience recently with one of my friends. You couldn't tell him of the evils or seriousness of smoking until he had to go to a doctor about a year ago. He went through a clinic in Edmonton. They told him he had to have surgery. He had cancer way down in his throat. He had smoked all his life, almost continuously. He couldn't quit before. He said it was just impossible. He had tried. But now he has quit and he is grateful to be alive. He has had a large part of his tongue and a considerable amount of his voice sounding box removed. He had to learn to speak again and you can hardly understand him. It also disfigured his neck and face, from what they took out ...

MR. SPEAKER:

Possibly the hon. member is getting off on the subject of the hazards of smoking rather than the subject of smoking in public places as is the subject matter of the bill.

MR. D. MILLER:

Thank you, Mr. Speaker. I just bring this up to show what we are enduring second-hand from the smoke these fellows are blowing out. He has had his effect on me too. I feel sorry for him. But we do a lot of things sometimes by compulsion, which I think I'll have to do at this time, although I've got a lot more to say.



MR. SPEAKER:

The hon. Member for Lacombe. That will probably exhaust the time.

MR. COOKSON:

In view of the fact, Mr. Speaker, that everyone wants to get out for a smoke, I beg leave to adjourn the debate.

[Laughter]

MR. SPEAKER:

May the hon. Member for Lacombe adjourn the debate?

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, tonight we move to Committee of Supply. First, the continuation of the estimates under Executive Council and then the Department of Culture, Youth and Recreation or maybe one other one, depending on the time.

MR. SPEAKER:

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

[Mr. Speaker left the Chair at 5:29 o'clock.]

