

LEGISLATIVE ASSEMBLY OF ALBERTA

Tuesday, May 28, 1974

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

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

DR. HOHOL:

Mr. Speaker, I wish to ask for unanimous leave of the House to introduce a bill.

HON. MEMBERS:

Agreed.

Bill No. 52 The Alberta Labour Amendment Act, 1974

DR. HOHOL:

Mr. Speaker, I beg leave to introduce a bill, being Bill No. 52, The Alberta Labour Amendment Act, 1974. The principle of the bill is intended to facilitate the negotiation of a collective agreement between the principal contractor engaged to construct an oil sands extraction plant including ancillary facilities, and the trade unions in order to meet what has been referred to as condition (a) of the Syncrude agreement.

This act is permissive in intent and any collective agreement which results is to be for the life of the project.

The act removes the effect of registration of employer associations from the construction of an oil sands extraction plant in a lease area. A collective agreement entered into between the principal contractor and the trade unions is entered into on behalf of any employer who is performing work or will perform work in the lease area.

[Leave being granted, Bill No. 52 was introduced and read a first time.]

Bill No. 233 The Flood Control Commission Act

DR. BUCK:

Mr. Speaker, I beg leave to introduce a bill, Bill No. 233 being The Flood Control Commission Act, Mr. Speaker. It's an attempt to coordinate different departments so we can have a greater emphasis on prevention and control of flooding.

[Leave being granted, Bill No. 233 was introduced and read a first time.]

Bill No. 65 The Emergency Medical Aid Amendment Act, 1974

MR. CRAWFORD:

Mr. Speaker, I beg leave to introduce a bill, being Bill No. 65, The Emergency Medical Aid Amendment Act. The purpose of the bill is to clarify the law in respect to the occasions upon which, and the manner in which, a physician or a dental surgeon might provide treatment to a person who is incapable, by reason of mental or physical incapacity, of giving his consent.

[Leave being granted, Bill No. 65 was introduced and read a first time.]

Bill No. 232 The Privacy Act

MR. WILSON:

Mr. Speaker, I beg leave to introduce Bill No. 232, The Privacy Act. The act stipulates it is illegal to eavesdrop, watch or spy either by sight or sound on a person or listen to or record a person's conversation or to use the name or imitation of a person's voice for advertising or promotion, or use a person's letters, diary or other personal documents without the consent of the person or a legally assigned authority.

[Leave being granted, Bill No. 232 was introduced and read a first time.]

Bill No. 230 The Wartime Tax Exemption Repeal Act

MR. WILSON:

Mr. Speaker, I beg leave to introduce a bill, being Bill No. 230, The Wartime Tax Exemption Repeal Act.

[Leave being granted, Bill No. 230 was introduced and read a first time.]

Bill No. 227 An Act to amend The Alberta Health Care Insurance Act

MR. DIXON:

Mr. Speaker, I beg leave to introduce a bill, An Act to amend The Alberta Health Care Insurance Act. Mr. Speaker, this bill contains an amendment to The Alberta Health Care Insurance Act which would prohibit payment from the fund for a number of categories of abortion being carried out in Alberta.

[Leave being granted, Bill No. 227 was introduced and read a first time.]

INTRODUCTION OF VISITORS

MR. JAMISON:

Mr. Speaker, it's my privilege this afternoon to introduce to you and through you to the members of this Assembly two schools in my constituency, the Grade 5 class from Horse Hill, approximately 60 of them. They are seated in the public gallery and are accompanied by their teachers, Mr. Brigden, Mr. Unger and Mrs. Evans; and approximately 30 students from Legal, Grade 9. I'm sorry to report that their teacher and bus driver had to go on an emergency trip this afternoon as one of the children suffered a cut on the leg and had to go for emergency treatment.

I'd ask the students from both classes now to stand and be recognized by the Assembly.

MR. FRENCH:

Mr. Speaker, it's indeed an honour and a pleasure to introduce to you and through you to the members of this Legislature a group of 33 Grade 10 Social Studies students from the Hanna High School. I would like to commend these students on their keen interest in the political life of this province, having financed their trip to Edmonton today through the proceeds of a bake sale and a bottle drive. They are accompanied by one of their

teachers, Mrs. Steward, Mrs. McKay, and their bus driver, Mr. France. They are seated in the public gallery and I would ask them to stand and be welcomed.

MR. LEITCH:

Mr. Speaker, it's my pleasure to introduce to you and to the members of the Assembly, 32 students from R. T. Alderman Junior High School in my constituency. They are accompanied by their teachers, Les Duncan and Rita Urban. They are also, Mr. Speaker, accompanied by two visitors from England, Mr. Davies and Mrs. Capewell. They are in the members gallery and I'd ask them to rise and be recognized.

#### TABLING RETURNS AND REPORTS

DR. HOHOL:

Mr. Speaker, I wish to table regulations to The Boilers and Pressure Vessels Act as required by the Statutes of Alberta.

MR. DICKIE:

Mr. Speaker, I'd like to table a report by the Department of Mines and Minerals dealing with the federal government involvement in the Alberta oil sands. This information was referred to in the second reading of Bill No. 47.

MR. GETTY:

Mr. Speaker, I'd like to table a return to an order of the Assembly, Sessional Paper No. 150.

MR. CRAWFORD:

Mr. Speaker, I'd like to table two copies of the report for 1973 of the Hospital Visitors Committee.

#### ORAL QUESTION PERIOD

#### Meat Industry - Strike Threat

MR. CLARK:

Mr. Speaker, I'd like to direct a question to the Minister of Consumer Affairs. In light of the impending meat cutters' strike on June 5, has the Minister of Consumer Affairs established any procedure for special monitoring of meat prices between now and the date of that possible strike, in light of rumours that a number of retailers are commencing to hold meat back?

MR. DOWLING:

Mr. Speaker, what is happening is that the meat retailers are, in fact, attempting to stockpile meat in the eventuality of a strike. Through the Department of Agriculture, Mr. Speaker, a weekly monitoring procedure does take place. To my knowledge, that has not been upgraded on a daily basis. Perhaps the Minister of Agriculture would like to make some further comment.

DR. HORNER:

Mr. Speaker, we're finalizing arrangements with the retail people, and indeed the wholesale meat trade, to make effective use of our smaller packing plants in the province, including in those the A class plants that have been approved under provincial legislation with regard to meat inspection. We would expect that by using this procedure we'll be able to help them provide the market and there shouldn't be any shortage of meat whatsoever in Alberta.

MR. CLARK:

Supplementary question, Mr. Speaker, to the Minister of Consumer Affairs. Is it the intention of the Minister of Consumer Affairs to have any special monitoring done of food

prices between now and either June 5 or when the negotiations are settled, hopefully before June 5?

MR. DOWLING:

No, Mr. Speaker, we do not have those plans at the moment. However, things could change so that we do monitor more often. They do take place, as I indicated, on a weekly basis.

MR. CLARK:

Supplementary question, Mr. Speaker, to the Minister of Manpower and Labour. Can he give us a report of the progress which the specially appointed mediator, Mr. Dickie, is making at this time?

DR. HOHOL:

I can only repeat the report of yesterday which is to say that the mediator is at work trying to do the job to which he was assigned. He is scheduled for an important meeting with the union this afternoon at approximately 4:00 o'clock. Mediation talks have continued throughout the last two or three days.

MR. CLARK:

Mr. Speaker, a second question to the Minister of Manpower and Labour. I would like ...

MR. HO LEM:

Supplementary, Mr. Speaker, to the Minister of Agriculture. In order to prevent a serious meat shortage, has the minister requested the federal government to negotiate a temporary agreement with regard to U.S. tariffs to relax these tariffs so that Alberta cattlemen can ship their cattle over to Billings, Montana and then for shipment back to Alberta?

DR. HORNER:

Mr. Speaker, I thought I made it very clear to the House, and indeed I would hope to all, that insofar as the Alberta market is concerned there is absolutely no need for any concern as to our ability to supply that market in Alberta.

The people who are going to be affected by a national strike are the consumers in the greater Montreal area and the greater Vancouver area. But insofar as the honourable gentleman trying to suggest that there is going to be some type of shortage of meat in Alberta, this is totally erroneous.

MR. HO LEM:

Supplementary, Mr. Speaker, in view of the minister's previous answer regarding the smaller meat packers taking up the bulk of the work there, does this conform with health regulations insofar as the cooling-off period for meat after it has been slaughtered, is concerned?

DR. HORNER:

Well, Mr. Speaker, absolutely. I don't know where the honourable gentleman was when we passed The Meat Inspection Act in this province, but it compares in every way with the health standards of the federally-inspected plants.

SOME HON. MEMBERS:

Agreed.

#### Syncrude - Labour Legislation

MR. CLARK:

Mr. Speaker, a second question to the Minister of Manpower and Labour. I would ask the Minister of Manpower and Labour if he met yesterday with the representatives of the Plumbers and Pipefitters Union who are involved in the Fort McMurray-Syncrude area to discuss the legislation which he introduced here this afternoon?

DR. HOHOL:

Mr. Speaker, that is correct in the sense that, amongst several union leaders, that particular one was present. But, more specifically, the meeting was between the government and the executive of the Alberta and North West Territories Building Trades Council.

MR. CLAFK:

Supplementary question, Mr. Speaker, to the Minister of Manpower and Labour. Did you discuss specifically the legislation which was introduced today with the representatives?

DR. HOHOL:

In general terms, Mr. Speaker, I would have to be affirmative, but certainly not a clause-by-clause reading.

MR. CLARK:

A further supplementary, Mr. Speaker, to the minister. Did the union representatives present support the government's move in this particular direction?

MR. LUDWIG:

A good question.

AN HON. MEMBER:

Sure!

MR. SPEAKER:

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

#### Oil Companies - Labour Relations

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Manpower and Labour. It concerns the recent newsletter, sent out by Mr. Poyen, the President of the Canadian Petroleum Association, asking all employees of oil companies in Alberta to lobby various federal and provincial officials. My question, Mr. Speaker, to the hon. minister is to ask him if he can advise the Assembly whether there is any way to assure that employers don't exceed their management prerogatives and either subtly or otherwise coerce or intimidate employees to participate in such a plan?

MR. SPEAKER:

The hon. member's request for proposals is hardly a fit subject for a question.

MR. NOTLEY:

Mr. Speaker, perhaps I can reword that. The question I would like the minister to answer is whether or not the government has any way of monitoring the situation to make sure that employers don't, in effect, interfere with the freedom of expression of Alberta workers.

DR. HORNER:

How about unions who pay it all to the NDP?

DR. HOHOL:

Mr. Speaker, I would really have to have some specific information to which to address myself. The question is so general that one is tempted to say that we are doing all we can under legislation and board orders under the Board of Industrial Relations. But couched in those terms it would be difficult. I have a particular understanding of the word "monitoring" and it doesn't fit the kind of activity that the board or the department does.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. minister. Can he advise the Assembly whether or not any complaints of coercion or intimidation would be immediately investigated by the Alberta Human Rights Commission?

AN HON. MEMBER:

Oh, yes.

MR. SPEAKER:

The hon. member is clearly asking a hypothetical question which might better be directed to the commission.

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

#### Civic Bribery Allegations

MR. HO LEM:

Mr. Speaker, my question today is directed to the hon. Attorney General. Could the minister advise if the office of the Attorney General has received a request from the City of Edmonton for the appointment of a judge to conduct an inquiry into allegations of bribery under the authority of Section 417 of The Municipal Government Act?

MR. LEITCH:

No such request has been received, Mr. Speaker.

MR. HO LEM:

A supplementary, Mr. Speaker. Could the hon. minister advise whether or not the government will proceed to take action under Section 417 of The Municipal Government Act in the case of Alderman Kushner, as requested by Alderman Hartman of the city of Calgary?

MR. LEITCH:

Mr. Speaker, no such request has arrived. Until it does, I don't think it is appropriate for me to comment on what action might be taken on it.

MR. SPEAKER:

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

#### Insurance Rates - Young Drivers

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Minister of Consumer Affairs. When can we expect an announcement, of which he gave an indication he would make, with reference to the lowering of insurance rates for those 25 and under in this province?

MR. DOWLING:

Mr. Speaker, the delay, of course, was in some of the administrative procedures which we had to deal with prior to making such an announcement. It will be made as quickly as possible.

MR. LUDWIG:

Mr. Speaker, by that is the hon. minister indicating that it will be made before the spring session is terminated?

MR. DOWLING:

That is correct, Mr. Speaker.

MR. SPEAKER:

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

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Artificial Insemination - Mexican Market

MR. R. SPEAKER:

Mr. Speaker, my question is to the Minister of Agriculture. Following the minister's trip to Mexico, were any agreements reached with regard to the export of Brown Swiss semen and cattle to Mexico?

DR. HORNER:

No firm agreements have been made, Mr. Speaker. We hope to have an announcement in regard to what might be possible with regard to the Mexican trade in both cattle semen and ovum transplant technology within a matter of the next day or two.

MR. R. SPEAKER:

Mr. Speaker, a supplementary to the minister. Could the minister indicate what private Alberta groups or agencies - I assume that's what they would be - are working on these export agreements at the present time?

DR. HORNER:

Mr. Speaker, that will be part of the announcement. I can say though, to the House, that we would make it a condition to any group that is working that any assistance from the provincial government, that anybody who had cattle and/or semen for sale on the international market would have an opportunity to sell it through the venture and thus open a market through the Government of Mexico for cattle and semen.

MR. SPEAKER:

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

Weather Modification

MR. TAYLOR:

Thank you, Mr. Speaker. My question is to the hon. Deputy Premier. Arising out of the hail supression program that was carried out last year, has there been any breakthrough in connection with research in controlling hail?

DR. HORNER:

I would say this, Mr. Speaker, as I am sure the hon. member appreciates, there has been some argument in the past, over whether or not a particular breakthrough has been made.

MR. LUDWIG:

That's an understatement.

DR. HORNER:

That argument continues to be there. I was going to say rage, but I don't think that would be true, I think it has settled down. I think that the people generally in the area appreciate the report of the legislative committee in regard to weather modification. We are moving ahead in a program which I hope can be evaluated in a scientific way and which will be helpful in the longer term. But as to any specific major breakthrough, I'd have to say, not as yet.

MR. TAYLOR:

A supplementary to the hon. Deputy Premier. In the weather modification program, has anything been learned that we could use to stop it raining and snowing?

DR. HORNER:

Mr. Speaker, if we could make that kind of breakthrough it would certainly please me a great deal. We might have some climate control.

MR. LUDWIG:

Talk to Calgary.

DR. BUCK:

Mr. Speaker, the backbenchers think he can walk on water. Surely he can do that.

[Laughter]

MR. SPEAKER:

The hon. Member for Calgary Bow.

Emergency Services - Calgary

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Deputy Premier. Has the minister had communication with Dr. Alan H. Finley, Director of Ambulatory Care at the University of Calgary's medical school, regarding the adequacy of Calgary's emergency services?

MR. CRAWFORD:

Mr. Speaker, I apprehend what the hon. member is asking about is a news report published in today's newspapers which made reference to emergency services. Naturally I was interested in any reflection it might have on the adequacy of health and hospital services because it appeared to relate, at least in part, to that. But I haven't had an opportunity to check it out and I don't know if the hon. Deputy Premier had something to add or not.

DR. HORNER:

I now comprehend what the hon. member is talking about. Insofar as the Alberta Disaster Services Agency is concerned, it is a coordinating group. We would expect that the emergency health services in the various hospitals in a city such as Calgary would, in fact, coordinate themselves and would have, through our programs a disaster routine that they could follow effectively.

We'll be following that up from the point of view only of seeing that they are together and know how to handle a major disaster if it should happen in their area. Certainly other hospitals throughout the province have had disaster exercises and have disaster plans.

MR. WILSON:

A supplementary, Mr. Speaker. Could either of the ministers advise if there is, in fact, any coordination between the hospital emergency services in operation at this time?

DR. HORNER:

Yes, Mr. Speaker. There may be some lack of coordination amongst the various emergency services in Calgary. That's perhaps a matter of opinion, but I can say this, that through the past several years a the number of people who are in the Legislature here have been involved in disaster exercises in relation to hospital disasters and evacuation planning, the allocation of emergency hospital equipment in a variety of spots, along with the allocation of medical supplies in emergency storage throughout the province.

MR. SPEAKER:

The hon. Member for Edmonton Calder followed by the hon. Member for Vermilion-Viking.

Mosquito Control

MR. CHAMBERS:

Mr. Speaker, a question to the Minister of the Environment. I wonder how much assistance is available to the City of Edmonton from the province's mosquito control program this year?

MR. YURKO:

Mr. Speaker, the province set up a program this year to assist municipalities in extending their mosquito control programs. For municipalities that have programs the



province is paying 25 per cent of the cost of their last year's program if it's conducted this year, plus 75 per cent of any additional costs if the program is extended.

Edmonton has proposed spending \$212,247, up to a maximum of \$500,000. If it spends the \$212,000 it will receive \$91,000 from the province. If, however, it spends the \$500,000 it will receive \$306,000 from the province, so there is a very large built-in incentive for the City of Edmonton to conduct a meaningful mosquito control program this year.

DR. BUCK:

Supplementary to the Minister of Municipal Affairs, Mr. Speaker. Would the minister consider that a portion of that \$400,000 that was overpaid the city because of the census error be used as part of this program?

MR. RUSSELL:

No, I don't believe the two issues are connected at all, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Vermilion-Viking followed by the hon. Member for Calgary Millican.

#### Erosion Control - Whitemud Creek

MR. COOPER:

Mr. Speaker, my question is directed to the hon. Minister of the Environment. Is the Department of the Environment considering the implementation of any of the erosion control recommendations of Whitemud Creek as stated in the very extensive Whitemud Creek Bank Stability Study which the minister recently tabled and which I was reading over the weekend?

MR. YURKO:

Mr. Speaker, I made reference to a policy, a major policy on water resource management, on several occasions in this House. This government identified in a major way the policies with respect to its input of dollars with respect to water management programs.

The Whitemud Creek Bank Stability program is considered to be basically a City of Edmonton program, a municipal program. As a result, the provincial government assistance is all the engineering plus 50 per cent of the costs. So that if the municipality undertakes the program, the province will, in fact, fund the engineering and supply most of the engineering and 50 per cent of the costs of the program. So I say again if the municipality is willing to undertake their part and their responsibility and carry it out, we are willing at all times to assist the municipalities to the extent of 50 per cent of the costs of these minor programs.

Wherever the program is a major provincial program, then the costs are fully borne by the province.

MR. SPEAKER:

The hon. Member for Calgary Millican.

#### Banff-Jasper Tourist Project

MR. DIXON:

Mr. Speaker, I'd like to direct my question either to the hon. Premier or possibly to the Minister of Consumer Affairs. My question is: has the government been apprized recently by the owners or the federal government of any proposal, similar to the Village Lake Louise project of three years ago, for the Banff-Jasper area?

MR. DOWLING:

Mr. Speaker, no, we haven't had any direct communication through my department with the federal people relative to the news release that was in the paper. I would suspect if it is a serious matter they will probably be in contact with us in due course.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview.

SFB Regulations - Students' Savings

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Advanced Education and ask him what discussions he has had with student leaders in the province regarding the new regulation of the students assistance board requiring 45 per cent, I believe, of the money earned by students during the summer, to be saved?

MR. FOSTER:

First of all, Mr. Speaker, the policy to which the hon. member refers is a policy of the federal government in that it's a policy under the Canada Student Loan program. It is one which Alberta has had in effect but hasn't really enforced for probably two years. All the provinces have agreed to live with the law of the federal government really or the directives of the federal government in this area.

Our concern is really the growing concern over the amount of unwarranted debt that students may be entering into. We're simply endeavouring to encourage them to effect as much saving as they can in the course of the summer months. I want to underline one point however, and that is that while we are encouraging students to save funds, we do not intend to penalize them if they do not do so. If there are good and valid reasons for their not saving funds or [if] they're unable to save funds, they are certainly entitled to demonstrate to us that they did not raise the funds. And if there are good and valid reasons for doing so, they certainly won't be penalized under the program.

MR. NOTLEY:

A supplementary question to the minister. Does the government propose to make any representation to Ottawa to change the policy, perhaps, to make it a little more flexible?

MR. FOSTER:

I think it's a fair comment, Mr. Speaker, that we are concerned with the flexibility of the program. We simply haven't seen it operating. I believe there's a great deal more flexibility in the program than may have been communicated at the moment, and more flexibility than most student leaders appreciate at the moment. I think that when everyone understands the details of the program and the ...

MR. SPEAKER:

Order please. The hon. minister is debating the merits of the program in answer to a question as to whether he is prepared to make representations.

MR. NOTLEY:

Mr. Speaker, a further supplementary question to the hon. minister. Is it the minister's intention to meet with student leaders in the province, as soon as possible, to explain the program? Because there is a good deal of concern about it.

MR. FOSTER:

Mr. Speaker, there are meetings going on in Red Deer at this very moment with the Chairman of the Students Finance Board and the awards officers of all the institutions of advanced education in the province.

Specifically in response to the question, certainly I'm interested in the response of student leaders. No doubt they'll be in touch with me. They have been in touch with the Students Finance Board and I expect I'll be involved in discussions in the future.

MR. NOTLEY:

One final supplementary question, Mr. Speaker, to the hon. minister. Can the minister advise whether the Students Finance Board or some part of his department is looking into the special financial requirements of low-income students? I'm thinking of special categories such as Native students, for example, or married women.

MR. FOSTER:

Yes, Mr. Speaker, that is being looked at by the board.

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ORDERS OF THE DAY

MR. FOSTER:

Mr. Speaker, I move that you do now leave the Chair and this House do resolve itself into Committee of the Whole.

MR. CLARK:

Mr. Speaker, I wonder if we might deal with the written questions and the motions for a return first?

HON. MEMBERS:

Agreed.

MR. FOSTER:

Yes. Sorry, I guess I'm overanxious.

MR. SPEAKER:

Has the hon. minister leave to withdraw his motion at the present time?

HON. MEMBERS:

Agreed.

WRITTEN QUESTIONS

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

With reference to grants for cultural development for

1. the fiscal year 1972-73, and
2. the fiscal year 1973-74
  - (a) What are the names of the organizations that received grants and the amount of the respective grants?
  - (b) What are the names of the individuals that received grants and the amount of the respective grants?
  - (c) What was the main purpose for which each grant was made?

MR. FOSTER:

Mr. Speaker, might this question be held in the absence of the Minister of Culture, Youth and Recreation? I expect he will return to the House tomorrow.

HON. MEMBERS:

Agreed.

190. Mr. Clark asked the government the following question:

1. Is Harvey John Buckley an employee of the Alberta provincial government and, if so, what department is he employed in?
2. What are his duties?
3. How much money has he received from the government since being employed?
4. What are the guidelines for civil servants who hold crown leases and has Mr. Buckley acquired new leases since being employed by the government?

DR. HORNER:

Mr. Speaker, the answer to Written Question No. 190 is that Harvey John Buckley is not an employee of the Alberta provincial government as such, or as you would think of under public service. In fact he is a member of the marketing council on a part-time basis. He is doing an exceptionally good job as a producer representative on that council. I can get the amount of money that he has received on a per diem basis.

The answer to question 4 is that he has acquired no new leases in the past several years.

191. Mr. Ludwig asked the government the following question:

How many convictions were there for driving or having the care and control of a motor vehicle while one's ability to drive was impaired by alcohol or a drug and what were the total fines levied for said convictions during the period of time between January 1, 1969, and April 30, 1974, inclusive in:

- (a) The city of Calgary, Alberta,
- (b) The city of Edmonton, Alberta?

MR. LEITCH:

We accept the question, Mr. Speaker.

MR. FOSTER:

To use an expression popular in the province, Mr. Speaker, 'now', I move that you do now leave the Chair and this House resolve itself into Committee of the Whole to consider certain bills on the Order Paper.

[The motion was carried.]

[Mr. Speaker left the Chair.]

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#### COMMITTEE OF THE WHOLE

[Mr. Diachuk in the Chair]

MR. CHAIRMAN:

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

#### Bill No. 45 The Coal Mines Safety Act

MR. DICKIE:

Mr. Chairman, on second reading of the bill the hon. Member for Drumheller raised seven points. They dealt with various sections of the act and it is perhaps appropriate that we left it to committee stage for discussion.

I'd like to comment briefly on the seven points raised. I might also advise the hon. members that other members in the Legislature, as well as industry, submitted various resolutions dealing with suggested amendments. All these amendments were reviewed and considered by a representative of the Energy Resources Conservation Board. I think it's fair to say they were satisfied as a result of the discussions which took place.

Dealing with the seven points raised by the hon. Member for Drumheller, first, I think he had a suggestion and an inquiry that the bill doesn't have The Coal Mines Safety Act report to a minister.

Mr. Chairman, in answer to that question I think the Energy Resources Conservation Board reports to the cabinet as a whole. The Coal Conservation Act also followed that practice. It was a practice instituted by the previous administration and carried on by the present administration and I find that it's working very well.

None of the acts that deal with the Energy Resources Conservation Board and its function report directly to a minister. I might draw to the hon. member's attention,

however, that all of the regulations to be passed under The Coal Mines Safety Act are required to be approved by the cabinet.

The second question he raised dealt with what he referred to as a safety committee which, under this new act, is referred to as the inspection committee. I might briefly outline how that inspection committee functions in order to answer some of the inquiries of the hon. member. It consists of three people appointed by the workers. The workers make various inspections of the mine, along with mine officials, and then they submit a report. That report is provided for in writing. However, they can phone the district representative of the Energy Resources Conservation Board.

I think the key question the hon. member was raising here is, what happens if there are no results? I refer the hon. member to Section 40 which really deals with a dispute as to a decision that may have arisen as a result of some of the recommendations of the inspection committee. In that way the board can act by way of an appeal on that decision.

Also, if the safety committee does contact the district representative, the district representative - if there were some item of urgency - could act under Section 9, which is a stop order provision, to stop any emergency situation in the meantime.

So, the feeling was that after reviewing the sections and the protection that was required - at least the sections adequately protect the contingencies that might arise - I think it's fair to say that the Energy Resources Conservation Board realizes the necessity of urgency in these matters. Its district representatives have been carrying mobile phones. At the same time, a representative from the board is on call day or night in the event of a call on which there might be some dispute. He can act very quickly. So it was thought that that was adequately protected.

I think the hon. member raised at the same time an interesting aspect of the remuneration. There is provision for that to be negotiated. Perhaps in earlier years, when there weren't so many workers in a mine, that could have been dealt with by the manager and the individual. However, it was felt at this time that that could be a subject of collective discussion between the employees and the employer, and, as a result, that provision was inserted.

There was some discussion of whether that should be inserted in the act to provide a set amount and it was felt that with the rates varying from mine to mine, it was better to leave it flexible and negotiate it between the employer and the employee.

On the third point, about the mine rescue station - another point that was well taken - in our discussion with the ERCB they drew to our attention that the location, the equipment and facilities were approved by the Energy Resources Conservation Board and the Workers' Compensation Board. The two worked together in providing the locations and the type of equipment.

They also drew to our attention that the financing of the facilities and equipment was by the Workers' Compensation Board. At no time did this in any way interfere with the mine rescue competitions that take place and which have received - as the hon. Member for Drumheller pointed out so well - favourable reaction, not only from this province but throughout the country.

I think, dealing with the mine rescue station and the safety committee, I should mention that the design of the act is such that the ultimate safety is the responsibility of mine management. The act has been designed that way and the proposed regulations now in process are designed with that in mind.

The fourth question the hon. member raised was the question of age. Again he mentioned the working person under 17. Incidentally, some other questions were raised about the age of 17, but it's interesting to observe that the International Labour Organization's recommendations on coal mine safety accepted 17 as being the minimum age for coal miners. Again, he mentioned under the previous Act some people could work under that age as bone pickers and so forth, but I understand that function isn't performed at the present time. But it was interesting to go back to the previous Act and note under Section 94 the following wording, "that no person shall be employed ..." and these are the key words, "... in or about a mine unless he is a male and at least seventeen years of age." Under Section 36 of the existing Act it has been improved slightly and says, "No person under 17 years of age shall be employed at the mine site except in the mine office on the surface." So they do make the exception of the mine office on the surface. It has gone some extent in perhaps alleviating some of the concerns expressed by the hon. member.

The fifth item that the hon. member raised were the overriding provisions which give supremacy to override contractual provisions. Again, this is a section which we have inserted in various acts dealing with the Energy Resources Conservation Board. They were primarily put in there from the point of view of safety so the two contracting parties cannot stipulate for their own convenience to avoid protection. I think the hon. member raised the question about the concern of those sections and I think it's a concern that

all members of the Legislature would agree with. However, when you look at it in light of safety and the use of that section in the past by the board, it is a desirable section to have. For that reason we again recommend that it be left in at that time.

I think the sixth point I have was dealing with check weighmen and check measurers. From our examination and the board's there is no longer need for them as they are no longer in existence. That is, there are no longer payments on a piece-rate basis. So there wasn't a necessity to include those descriptions in the act at all.

I think the hon. member also raised the question of abandonment of mines. This is covered in The Coal Conservation Act.

Those provisions and comments, Mr. Chairman, I think answer the inquiries that have been raised.

MR. TAYLOR:

Mr. Chairman, I'd like to thank the hon. minister for the comprehensive reply. There is one point, I think, that he possibly overlooked and that is in connection with a fatality. The mine manager notifies the board at once. My question was, what if the mine manager himself was in the fatality? There should be an alternative provided in the act so that would not be overlooked.

MR. DICKIE:

Yes, Mr. Chairman, I thought that was answered in second reading of the bill. That was Section 19(3). That deals with the appointment of an assistant manager to take over.

MR. DRAIN:

Mr. Chairman, I did have the privilege of going over some proposed amendments with the hon. minister and the representative from the Energy Resources Conservation Board. It was clearly shown that a lot of the proposed amendments weren't necessary. However, there is one small amendment which I would propose to Section 34(2):

PART 7 Paragraph 34(2) is amended by adding the word "working" between "three" and "days".

At present, the way the act reads right now,

Every record or report which is required by this act or the regulations to be kept at the mine site shall be countersigned by the manager within three days following the date upon which it is made.

I could foresee a situation where, on a graveyard shift, for instance, on a weekend, no one would be available to sign these. Hence, Mr. Chairman, I do move that the word "working" be added between "three" and "days".

MR. DICKIE:

Mr. Chairman, I might advise that we have reviewed that and that is an excellent suggestion and we certainly would accept the amendment.

MR. DRAIN:

Going along, Mr. Chairman, there is another amendment which I have in mind ...

MR. CHAIRMAN:

Mr. Drain, may we deal with that amendment first, please.

MR. DRAIN:

Oh.

MR. CHAIRMAN:

Any questions on this amendment?

[The amendment was carried.]

MR. DRAIN:

Mr. Chairman, Section 94(1) of the old Act as the minister announced went as follows; "No person shall be employed in or about a mine unless he is a male and at least seventeen

years of age." Now this particular section was made redundant by the individual's human rights act of last year and therefore does not apply.

I certainly welcome the fact that in some areas this has been done, because the first case of discrimination because of sex which was brought to my attention had to do with a woman who desired to be employed as a truck driver outside a mine and whom the management wanted to hire. But because of this particular section, they were unable to do so. For this reason this woman had to work as a heavy-duty mechanic which was, I thought, considerably heavier and more difficult than driving a truck. For that reason I do welcome that particular thing.

However, having regard for the circumstances of mining, there are certain things which I think should be clearly within the prerogative of management, and [one] is, who should be hired. This has to do with the awesome responsibility that rests on anyone who operates a mine and is confronted with all of the various hazards such as bumps, gas, cave-ins, flooding and all of these things.

The old Act clearly stated that before anyone could be hired to go underground in a mine they would have to be examined and management would get a certificate from the doctor attesting to their physical ability to do so. Now, I do not doubt that when the regulations are drafted this particular type of legislation will also be added. However, I feel there is certain responsibility on this Legislature, which makes this amendment necessary.

Therefore, I propose this amendment: the bill be amended by adding the following section after Section 36:

36.1 Notwithstanding anything in this or any other Act, an owner shall not be required to employ any person to do any kind of work in an underground mine where the owner is of the opinion that it would unsafe for that person to do that kind of work by reason of his physical unsuitability for that kind of work.

MR. DICKIE:

Mr. Chairman, I would first thank the hon. member for presenting the amendment to me ahead of time. I would ask and urge the hon. members to reject the amendment. I notice in the first part of the wording that "Notwithstanding ... in this or any other Act ...". Again, I think if hon. members will recall our Bill of Rights which gives the women - and perhaps they are not all listening - equality before the law, we specifically spelled out they could overcome the Bill of Rights provided for in the legislation if they wanted to make sure that was exempt. What I am really thinking of is that the design of this amendment is really to get at the women working in mines. So I have rejected on that count.

The second count is that I would ask the hon. members to note the actual wording, a mine owner "shall not be required to employ any person ...". Again, that is a very negative approach because it would be my suggestion that the mine owner has that right anyway. If he doesn't want to employ a certain person he has the prerogative to exercise it in that way. So, I would suggest it is not necessary to deal with that in the legislation.

The third point I would like to deal with is that of "physical unsuitability." As the hon. member mentions, that will be dealt with in the regulations under the physical and mental health aspects.

Dealing with the question of women in mines, Mr. Chairman, it is interesting to note that press reports emanating out of the United States indicate that since last December women have started to become involved in working in mines and, I understand, very successfully, although some of them have had some scares. However, one does recognize that when women are asked to work in mines, certain superstitions still exist everywhere. There is a superstition that women shouldn't go down the mines, but it is occurring. When we introduced our Bill of Rights giving women equality under the law, there was a careful amendment in the old Coal Mines Act to make sure of the deletion of the word "male" relating to employment, so that there was no violation of the Bill of Rights.

In view of the comments on the question of women and the way the amendment is worded, I would urge my colleagues to reject the amendment.

MR. TAYLOR:

Mr. Chairman, I would like to say a word or two on the amendment, which I really support. I heard a program on CBC one Sunday afternoon when I was driving home. This was a program dealing with women working in any type of work. Some woman had phoned in and said she had been refused a job in one of the mines in northern Ontario where there was a shortage of personnel. The CBC undertook to contact these people to find out why this woman was not permitted to go down the mine.

Perhaps history repeats itself because I remember when I was in school studying about the struggle people had to get women out of the mines - the hard work and the effect it was having on them. A terrific fight went on in England for years to stop the employers from hiring women in those mines. At that time I understand they were on their hands and knees digging coal along with other men, pushing cars, operating machines and so on. Now we have come around to the complete spectrum, where we want the women to go back in the mines.

I never have been able to understand women and I still don't. But why a woman wants to work down in the bowels of the earth is beyond me. I don't think civilization is advancing very far. As a matter of fact, I think it's going backwards if women go back down the mines. I am not going to say that some women can't do it. Some women are pretty strong, they tell me, and they are quite capable of doing it physically.

AN HON. MEMBER:

That's hearsay.

MR. TAYLOR:

That's hearsay. But coming from a coal mining area, I know what my brothers and my dad and coal miners went through. From the little bit of experience I had myself - very little - it's pretty difficult work. As I said before, I certainly don't think we are advancing civilization by permitting women to go down the mines.

However, far be it from me, if women want to go down into the mines I suppose we might just as well let them or we'll start another women's 'lib' movement and heavens knows what will come out of that.

In connection with the amendment, I think the hon. Member for Pincher Creek-Crowsnest has hit upon a reasonably satisfactory solution in leaving it up to the mine manager. If a woman is physically strong enough to go down the mine, well and good. That, of course, might create a lot of difficulty, too, in connection with their physical unsuitability. So, all I really want to say is that I personally adhere to the success of the struggle in England to keep women out of the mines. I still don't think women should be working down in the bowels of the earth but I certainly don't want to prevent it by legislation if they want to do so.

I have a tremendous respect for women. I don't understand them but my minister tells me you're not supposed to understand them, you are just supposed to love them. So I guess we'll leave it up to them.

MR. ANDERSON:

Mr. Speaker, I'd like to speak with regard to this amendment and women going down in my mine ...

[Laughter]

... or in coal mines. I mean the coal mines, of course. For my part, Mr. Chairman, I can't see why any woman would want to go down in a coal mine and no doubt, with any change to come in an area that has been like this for years, there will always be an 'uptightness' amongst the old miners.

However, in trying to work towards a free and just society where every individual is given the opportunity to choose his or her calling in life, no matter how strange this calling appears to some of us, the amendment will not enable us to reach this goal. No doubt there will be an outcry among many of the noble and concerned people reiterating the various practical problems involved when women enter the hitherto forbidden domain of the tunnels. Such problems are very real but can be overcome and indeed, must be overcome, for all our citizens to feel a benefit of a democratic society.

Furthermore, Mr. Chairman, when a woman enters into this field of endeavour she should be fully informed of all the implications, pitfalls and hazards that go along with working in a coal mine and that she is making this choice of her own free will.

MR. DRAIN:

Now, what would ...

MR. CHAIRMAN:

Mrs. Chichak.



MRS. CHICHAK:

Thank you, Mr. Chairman. I'm sorry, Mr. Drain, but you have been precluded. Inasmuch as we have women under discussion I would like to participate and perhaps express a few points of view.

The hon. Member for Drumheller perhaps in some respects is correct when he says that he has some concern or doesn't feel that women should be employed in the mines. I don't totally agree but I don't totally disagree ...

MR. LUDWIG:

What would you like to say? What is your concern?

MRS. CHICHAK:

... I would like to say, you know, I like the best of both worlds ...

MR. CHAIRMAN:

That's the trouble Mr. Taylor has.

MRS. CHICHAK:

... however, I have to say for centuries men have had the best of both worlds and I think that women are now beginning to say that there ought to be a little part of that best of both worlds for us as well, in some areas.

Surely the total mining kind of employment isn't simply pick and shovel, isn't simply the hard labour kind.

AN HON. MEMBER:

Agreed.

MRS. CHICHAK:

I think that needs to be recognized. I think as well, precluding women from going into the mines stems from a kind of foreboding that some evil things will happen. I don't know if evil things happened in the Porcupine Mines but when I visited there in 1972 there was no harm to me and no harm to the mine. I found it extremely interesting and, I think, educational.

When you look at some of the job opportunities that exist within mine work, not necessarily the hard labour type, when you look at the wages paid in this area and when you consider the cost of living in the present day, many more women now have the responsibility of supporting, not only themselves, but their families and sometimes supporting a husband for many reasons - and not because of lack of his wanting to be employed or being able to earn a living, but circumstances present themselves to be such. I think it has to be recognized that many women are moving into areas, or want to move into areas, where substantial wages are paid. Surely we have, in all fairness, to recognize that many of these areas are taboo not because a woman isn't capable of doing the job, but for other, I call nonsensical reasons, they have been precluded from entering into employment with respect to these areas. So, this is why I say that I partially agree and partially disagree with the hon. Member for Drumheller.

Positions are now open in supervising and in operating certain types of equipment. If the woman is suited and feels that this is an area that she can excel in and which brings her a kind of financial status for living in the kind of way that perhaps she is required to live, whether she is supporting herself only or a family, I think these things need to be recognized. So the fact is the headlines in so many papers suddenly state here, and particularly in The Edmonton Journal, that women are now moving into mining businesses. You know, I just have to look at the reporting in the headline and ask, what was the motivation behind that particular kind of headline? Was it really to get a message, a fair message across? Or is it to incite more contradiction and a defensive position on the part of either men or women or whatever? Or is it to lure a little more extremism - to try to bring a little bit of equality insofar as recognition of capability is concerned? Very often I think we need to look at the headlines and really question the psychology behind those headlines. I don't agree with that particular headline at all. I think it's necessary to recognize that there are certain jobs that women can be recognized as capable in doing. They do not need to be of the nature of hard labour, [jobs] that don't require a man, and it should be very well accepted that a woman is capable. If she has to have the kind of income in order to provide for her family and so on, then certainly I say it's time that many of those taboos were put out of the way.

MR. CHAIFMAN:

Mr. Drain. May I only beg the members to make it relevant to the amendment. I notice that the debate is getting far afield.

MR. DRAIN:

Speaking to the amendment, first I want to congratulate the hon. Member for Edmonton Norwood on her very meaningful remarks. I can assure her that if I were looking for someone to go down in a coal mine with, I would put her first on the list.

However, Mr. Speaker, having said that, some obstacles are presented. And that is in the development of a coal mine. If you were hiring - now first we've got to categorize mines. First you have your hardrock mines. There is a very active recruitment program presently going on for the Rouyn Mine which is operated by Sheritt Gordon. The simple fact is that we, in Canada, have suffered from a labour shortage for the last ten years, because the friendly politicians now pay people not to work. Therefore, why should people work? This is one of the reasons.

However, I am not going into economics at this particular time. I am not specifically aiming some vile and reprehensible legislation in a derogatory manner which in any way would offend or could be construed as an infringement on the rights of the women of our country, bless them all.

What I want to point out is that in a hardrock mine you have a very sophisticated condition. You have a high degree of mechanization. You have a reasonable amount of uniformity of seams. For this reason you have the ability to utilize more mechanization than you can in a coal mine.

Another thing that does occur in a coal mine, regretfully, is that the accident rate which is in excess of any other industry in North America, results in a large number of people being crippled. So any mine which has a continuity of operation develops people who are crippled, who are unable to do the hard work. These people are already there. It came up very clearly, as the hon. chairman of this committee is aware, during the hearings on Workers' Compensation, that the problem relating to rehabilitating underground people was the fact that there was not sufficient light work and therefore people become redundant before they should.

Another thing is the simple fact that there is a union organization in mines. You can't get away from it. For this reason jobs are allocated on a seniority basis. Further, the men who actively cut the coal at the working face have to be young, strong and capable. Age, attrition, arthritis, miner's lung, all of these things occur - crippling accidents. Therefore, in order to work out their time until they can get a miner's pension, their jobs are given in the area of light work. And as I said before, there is not that much light work.

There was an article in the paper about two women who were working in a mine in Virginia. One was running a shuttle car. Fine, I can see a woman running a shuttle car. But I can't see a woman working on a working face, on a 40 degree pitch. She has the responsibility not only to herself, but to her partner; and the manager of that mine has the responsibility not only to the company he represents, but also to the operation of the mine itself. And if some woman in her desire to count coup chooses to jeopardize someone else, I hold that in question. I definitely do.

Now there is no tradition to my knowledge, although it was mentioned, about women being a sort of Jonah in underground operations. They had the privilege of working in mines for 300 years in England. Strangely enough a gentleman by the name of Ashley Cooper - not the Ashley Cooper on this side of the Legislature - but Lord Shaftesbury, Anthony Ashley Cooper, 1801 to 1885, one of the greatest reformers of England, had to his credit some very significant pieces of legislation. One, the Lunacy Act, which for the first time considered lunatics, not as social outcasts, but "persons of unsound mind". This was one of the highlights. Another highlight of this very famous gentleman's social endeavours - and if it will cheer any of the hon. members, Mr. Chairman, he was a Conservative member of the House of Lords, however, he changed that as he went along - he was also a man who put forward and passed into law the Factory Act which made 10 hours a day the maximum that women and children could work.

Brought before his attention was the situation that women were facing when they were working underground in coal mines. The result of his urgings was the Royal Commission of 1840. Some of the things that came out in the report of this Royal Commission are quite tragic reading. I'll read just a brief thing from it.

... reported to Parliament on the employment of children and women underground. Their report revealed that children of both sexes - some as young as five and six years of age - were habitually employed in the mines. Girls of 16 and 17 were working at the

coal face with naked colliers; children were kept underground as much as 16 hours a day dragging loaded tubs along roadways 30 in. ... in height.

Public conscience was finally stirred, and ...

Despite opposition in the House of Lords, employment underground of females of all ages and boys under 10 was provided for. This was passed into law in 1850.

Just to read the statement of one woman:

A Lancashire woman declared in evidence: "I have a belt round my waist, and a chain passing between my legs, and I go on my hands and feet. ... The pit is very wet where I work, and the water comes over our clog-tops always, and I have seen it up to my thighs: ... I have drawn till I have had the skin off me; the belt and chain is worse when we are in the family way."

This is part of what was women's liberation - this is what you are talking about. I'm not suggesting we're in our present century with this, but any woman who works in a mine with bumps will crawl on her guts again. You can walk through a gangway that is 12 feet high; come back four hours later and it's six or eight inches - I've seen it happen.

I think anyone who works underground has the responsibility to have the strength to render security to anyone they work with. With all my respect for women - and I assure you I have great respect for them - this resolution does not prohibit women from working underground in mines. But this question was raised and it's construed this is the implication of the minister's remarks, that this is the intent. The simple fact is that I do not see any guards on the Edmonton Eskimos line who are women. Why is that?

DR. HOHOL:

Scme play like it.

MR. DRAIN:

A friend of mine who spent three years in the work camps of Russia where half the crew was women and half was men said that no matter how big they were, there was no way they could stand up with a man in physical strength.

These are some of the things we're talking about in this particular amendment. I would be naive to think that you fellows were not so political - you're too politically oriented to accept this thing. You're going to put your heads under the desk, vote on political expediency and go home and fight with your conscience. But I'm not, Mr. Chairman, because I think this is wrong.

If you're starting a new mine tomorrow, okay. I'd said you could allocate half the jobs of light work. You could hire women for them. It would fit in. But when you're talking about a mine that is operating, when you're talking about a mine that has already had 30 per cent who have been industrial casualties, people who haven't got the ability to do anything other than light work, and you're now telling the management that they're supposed to make special conditions, that they can be taken before the Alberta Human Rights Commission, what will happen as the empire of the Human Rights Commission proceeds to grow and enlarge? More and more the role the Alberta Human Rights Commission is going to assume is going to be that of the familiars of the Inquisition - [you're] wrong before you go there. Wrong! The responsibility that resides in any man who runs a mine, the responsibility for 200 or 300 or 400 men underground, is the most paramount responsibility of them all.

I certainly urge - and as I say this amendment will fall, not on its merits, not on the fact that it's a proper amendment, not on the fact that it discriminates against women, which it does not; this amendment will fall on the basis of what is politically suitable for the hon. members on your right, [Mr. Chairman].

SOME HON. MEMBERS:

Question, question.

MR. CHAIRMAN:

The question has been called. All those in favour of the amendment as moved by Mr. Drain, say aye.

HON. MEMBERS:

Aye.

MR. CHAIRMAN:

Those opposed, say no.

HON. MEMBERS:

No.

AN HON. MEMBER:

Who has it?

AN HON. MEMBER:

Who won?

MR. CHAIRMAN:

Would those in favour of the amendment please rise to be counted. Thank you. Those opposed please rise.

Thank you. The amendment is defeated, 11 to 29.

[The amendment was defeated.]

MR. DRAIN:

Fine, we have another amendment.

What I thought was going to be a very fast passage of this bill is now going to start another production.

MR. FOSTER:

Mr. Chairman, on a point of order. What was the vote again. Eleven?

MR. CHAIRMAN:

Eleven to 29 against the amendment.

MR. FOSTER:

It was my impression that there were 12. I think the hon. Member for Spirit River-Fairview stood up at the very last second to vote with the amendment. Is that correct?

AN HON. MEMBER:

That's a half a vote.

AN HON. MEMBER:

Is that important?

MR. FOSTER:

Yes, I think it's important.

MR. CHAIRMAN:

Very well, we shall record it 12 to 29.

Go ahead, Mr. Drain.

MR. DRAIN:

What for? This is like Don Quixote jousting with windmills - or bone-heads, Mr. Chairman. If some of you fellows had worked in a mine and were aware of the situation, I don't think you would have voted that way.

MR. CHAIRMAN:

Mr. Drain, please.

MR. DRAIN:

I'm going to move another amendment, Mr. Chairman.

MR. CHAIRMAN:

Please proceed. This amendment has been dealt with.

MR. DRAIN:

I am proceeding as expeditiously as you will allow me, Mr. Chairman. The only bottleneck in the assembly line is the interruptions I'm getting at this particular time.

I'm losing my train of thought. My emotions are overcoming me, Mr. Chairman. If some of these guys had worked seven years underground, as I have, and would wish this fate on any woman or on their wives, their daughters or their sisters, well ...

SOME HON. MEMBERS:

Agreed.

MR. DRAIN:

However, we come to Section 58. Having regard for the negative process of thinking that I see in this Legislature this afternoon, I am very, very despondent. However, I pose this particular amendment to Section 58:

A prosecution for an offence under this Act or the regulations or an order or direction made under this Act or the regulations may be commenced within 18 months from the time when the matter of such a prosecution arose, but not thereafter.

I propose, Mr. Chairman, that in reality there is not the sophistication required to find a person guilty that the Minister of the Environment expounded when you have to identify over two years the results of pollution and so on. Hence, I think it would be reasonable, having regard for the fact of the length of time, to reduce the 18 months to 12 months.

Hence, I move this particular resolution. Their resolution is amended by deleting "18 months" and adding "12 months".

MR. DICKIE:

Mr. Chairman, just speaking briefly on this, I would urge the hon. members to reject the 12 months suggestion in place of the 18. I think the hon. member raised a good point. There is not that much difference between 12 and 18 months. However, I would like to suggest to the hon. members that this act, as it was drafted with the 18 months in it, was discussed at great length with representatives of industry and with representatives of the labour unions. I think the thought was, after all those discussions, that 18 months was the proper time in case there was a violation of the act. I therefore suggest that having gone through that procedure, we accept the 18 months.

MR. CHAIRMAN:

The question has been called. Moved by Mr. Drain that Section 58 be amended by deleting the words "18 months" and adding "12 months".

[The amendment was lost.]

[All sections, the title and preamble were agreed to.]

MR. DICKIE:

Mr. Chairman, I move that Bill No. 48, The Coal Mines Safety Act, be reported.

[The motion was carried.]

MR. BUCKWELL:

Mr. Chairman, I believe the bill should be reported as amended. I believe we did accept one amendment.

MR. CHAIRMAN:

Is it agreed that Bill No. 45 be reported as amended?

HON. MEMBERS:

Agreed.

Bill No. 48 The Improvement Districts Amendment Act, 1974

MR. STROM:

Mr. Chairman, I want to ask a question on it. I have a note here. I see the Minister of Municipal Affairs is out. I was wondering if the minister has given any consideration to providing terms under which IDs can transfer to municipal districts?

MR. MOORE:

Mr. Chairman, I don't believe that's directly related to the bill, but there are provisions presently in existence by which an improvement district can revert to municipal status by the course of a plebiscite in the improvement district. I know the minister has under consideration other aspects with regard to the administration of an improvement district and the amount of input by local citizens into their own affairs, but as far as I'm aware, no action has been taken in that regard as yet.

MR. STROM:

Mr. Chairman, the reason I raised the question, and I have raised it on various occasions, is that every time we improve the situation regarding the administration of an ID making it more like a municipal district, we are removing the incentive for the member to make the transfer because they can get the same benefit out of remaining as an improvement district as they would if they transferred to municipal status. I think that is something the department should be giving some attention to.

Originally the improvement districts had very little to say about the operation of their districts. I've certainly supported at all times that they should be given permission to have input. By making the change we are today, we are, in fact, going another step toward providing them with all the opportunity that a municipal district would get. This is really what I had in mind. Has the minister given any thought as to where the line would be drawn as to whether further benefits would be given to a local improvement district? Let me make it very clear, Mr. Chairman, I'm not against them having it. I'm simply saying there must be a point at which they should be advised that they should seek municipal status rather than remaining as an improvement district.

MR. MOORE:

Mr. Chairman, what I could say on that matter is that discussions are under way at the present time with regard to improving the role of the advisory boards within improvement districts. Officials of the Department of Municipal Affairs were in Manitoba last week and this week in Saskatchewan studying the administration of similar areas in those two provinces and how, in fact, the local residents have an input into the spending of their tax dollar. I know it is the intention of the minister, through his department, to improve the situation wherein the local improvement district advisory board members, local citizens, have more responsibility in the spending of the property tax dollars and the carrying out of the work within an improvement district.

MR. STROM:

Mr. Chairman, one more question then. Does the mover of the bill feel that there is a point at which an improvement district should be made a municipal district? Under The Improvement Districts Act there are some benefits they receive that municipal districts are not receiving, such as sharing of their administration costs - in fact, I'm sure there is input from the department in this area that municipal districts are not able to enjoy. I think it's a matter of equity to all areas that we are looking at.

My question then to the member is, do you not feel that there is a point at which, if they want further benefits, they should seek municipal status?

MR. MOORE:

Mr. Chairman, I speak only as the mover of the bill and certainly not for the minister, but it would be my view that we are in a situation where we should encourage every improvement district which has a sufficient population to become a municipal district. I think government has to move a little faster than we have in providing them with the tools to do that. One of the things that has happened over the last few years, and it happened when indeed the Leader of the Opposition was Premier, was that some of the smaller IDs were amalgamated to make much larger improvement districts. As you are well aware, that gives them a financial base which is adequate in many cases to take care of their needs without the requirement of various government grants.

On the other hand, however, it also gives them a land area which would be impractical insofar as forming a county or a municipal district. Let's take, for example, IDs 16 or 17 in the north of the province which cover distances of from Whitecourt almost, to High

Prairie and over into the Edson-Grande Cache area - a vast amount of forest resource land which would not be suitably included in a municipal district or a county.

So in the event that a municipal district or a county is formed in some of those areas, it would have to be, in my view, a much smaller area than is presently encompassed by the improvement district boundaries. That, of course, would require a good deal of consideration about the assessment that is available there and the kind of assistance they might receive through our normal grants to municipal districts and counties. If, in fact, there is sufficient assessment and a sufficient degree of interest among the people to form a municipal district or county, certainly we should be doing everything we can to encourage more input into their own local affairs.

[All sections, the title and preamble were agreed to.]

MR. MOORE:

Mr. Chairman, I move Bill No. 48, The Improvement Districts Amendment Act, 1974 be reported.

[The motion was carried.]

Bill No. 49

The Electric Power and Pipe Line Assessment Amendment Act, 1974

MR. CHAIRMAN:

There are some amendments circulated.

[All sections, the title and the preamble were agreed to.]

MR. ZANDER:

Mr. Chairman, I move Bill No. 49, The Electric Power and Pipeline Assessment Amendment Act, [be reported] as amended.

[The motion was carried.]

Bill No. 50 The Municipal Statutes Amendment Act, 1974

[All sections, the title and preamble were agreed to.]

MR. DOAN:

Mr. Chairman, I move The Municipal Statutes Amendment Act, 1974 be reported.

[The motion was carried.]

Bill No. 53 The Municipal Government Amendment Act, 1974

MR. CHAIRMAN:

There are some amendments.

[All sections, the title and preamble were agreed to.]

MR. STROMBERG:

Mr. Chairman, I move that Bill No. 53, The Municipal Government Amendment Act, 1974 be reported as amended.

[The motion was carried.]

Bill No. 58 The Department of Agriculture Amendment Act, 1974

[All sections, the title and preamble were agreed to.]

MR. FOSTER:

Mr. Chairman, I move Bill No. 58 be reported.

[The motion was carried.]

Bill No. 60 The Forests Amendment Act, 1974

[All sections, the title and preamble were agreed to.]

DR. WARRACK:

Mr. Chairman, I move that Bill No. 60, The Forests Amendment Act, 1974, be reported.

[The motion was carried.]

Bill No. 61 The Department of Public Works Amendment Act, 1974

[All sections, the title and preamble were agreed to.]

MR. FOSTER:

Mr. Chairman, I move that Bill No. 61 be reported.

[The motion was carried.]

Bill No. 51 The Government Land Purchases Act

MR. RUSTE:

Mr. Chairman, I see the minister isn't here, but I was just wondering whether or not the purchases involved here would go into such usages as future provincial parks and so on, probably highways as well?

AN HON. MEMBER:

Where is the minister?

DR. WARRACK:

Mr. Chairman, in the interim I can shed some light on the question posed by the hon. Member for Wainwright relative to provincial parks. I have already answered that question posed previously by the hon. Member for Wainwright. I believe it was during the Lands and Forests estimates that he asked me that very question. My response was, as he will recall, that this would be one of the possibilities in the event that this was a more satisfactory way to handle land acquisition for parks purposes. It might lead to a better kind of budgeting arrangement and provide for future land and recreation space in the province of Alberta, if the provincial parks expansions of the future were contemplated as partly, at least, being able to come under the provisions of Bill No. 51.

That's not to say that this would be by any extent the only way that this would occur. The hon. member will recall that during the past times, including, I think, his responsibility in the Department of Lands and Forests, the majority of parks were established and could be established on the basis of land that was already Crown. In the future this might be done as well.

So what I'm saying, Mr. Chairman, is that while the answer is indeed yes, there's the possibility of acquiring provincial parkland for the future under the provisions of this bill. At the same time, this would not be exclusive in the sense that any future provincial parks would be established only through this method.

MR. RUSTE:

Mr. Chairman, I take it then that this fund isn't going to be the central agency used by government to purchase land for public needs in the future? There are others, as has



been indicated by the minister who just spoke. As provincial parks in his Department of Lands and Forests, he will be able to acquire land as well.

I understand then that if it's true in this department, in how many other departments would it be true where purchases would be made outside of this legislation?

DR. WARRACK:

No, Mr. Chairman, I'm afraid the hon. member did not understand my reply. I did not say that provincial parks would, as an entity of the Department of Lands and Forests, necessarily be buying land also.

The hon. member I think will recall that land purchases for those purposes at the present time are done through the land assembly program which is handled by the Department of the Environment. We would continue to contemplate some of those kinds of acquisitions through the land assembly program, rather than necessarily shifting to direct land purchase by the Parks Division within the Department of Lands and Forests.

MR. RUSTE:

That was the point. It is clear then. There is this fund and there is, within other departments, a possibility of funds for purchasing land.

MR. LUDWIG:

Mr. Chairman, I was concerned about this point myself that if we are going to establish a central funding of land purchases, what is the purpose in having several other land purchasing departments, for instance, the Department of Public Works or any other department? What is the advantage, except the funding of it, that this bill sets up The Government Land Purchases Act? Is there any trend towards centralizing land purchases so that the right hand knows what the left hand is doing, as it were? There are times - at least I have had the experience - when there has been a conflict, where the DPW is interested in buying land and someone else lets out the fact that they must have it. Then you have a problem with price.

So the only advantage I see in this - and I would support this bill if this was going to be the government land purchasing agent so that everybody has to go through this and not proliferate the land holdings and land purchases. Will this also be the landholding agency? If, for instance, this land purchasing act would authorize the government to buy land through an agent, I suppose the agent could be the minister of the Crown, the minister on the right of the Crown, say the Minister of Public Works, the Minister of Lands and Forests, or the Minister of the Environment as the case may be.

If this is only a funding, then I think we are not really doing what some hon. members believe we are. I got the impression that this is going to be a trend towards centralization and making uniform the procedure in which any type of land, or most land, is acquired for the provincial government or the departments.

DR. WARRACK:

Mr. Chairman, a couple of very valid points are made. I expect there has been in history, perhaps even recent history, some instances where there might have been two arms of government, if you like, involved with some interest in the same land. That may very well have occurred. The need for that kind of coordination is certainly there at all times and would be even more needed, I think - the point the hon. member makes would be even more needed in the instance of implementing Bill No. 51. The government has recognized this as a very important need, is concerned about it and intends to rule out even more systematically the kind of a situation which the hon. member brings forward.

With respect to the question of how the land would be handled and managed once it has already been acquired, it would be the intent that the land would be handled in the same manner as it is at the present time, that is to say, it would be primarily handled by the Department of Lands and Forests as the public land management agency of the Government of Alberta.

MR. LUDWIG:

Mr. Chairman, I have one other concern. In the event that the government should be advancing into a policy where they would buy land in advance, I could see the advantage of this to the government. But, for instance, if the government decided it needed 10,000 acres near a city for some park which they might be contemplating five years from now, is this not going to create a problem in the already tight land purchasing problem that we experience in the vicinity of urban areas?

For instance, there is no way you can keep secret a purchase by government of some property. If they bought land in advance - the time to buy land is perhaps when the

market is down and load up with what you can or what you think you might need. But is there not going to be - when you look at \$100 million worth - I'm not saying that this will happen but the possibility is there. Even a purchase by the province of, say, 2,000 acres in the vicinity of Calgary must have some impact on the cost of land available for other matters. Even though we don't want to recognize this, there is going to be some escalation at a time when it's so easy to escalate anything. How tight is this going to be? How tight will this policy be in its implementation?

When you are looking at a tremendously large sum of money - the areas of Edmonton, Lethbridge, Red Deer and Calgary particularly, perhaps Medicine Hat - any block of land purchased by government in anticipation of future need can have an adverse effect on the needs and perhaps the plans and hopes of municipal governments, that is the urban municipal governments.

I'm just concerned about this, whether we could not create situations which might help us. As a consequence of our action, we might have to turn around and give the city more money so that it can also do its own thing because of the land purchase we made, Mr. Chairman.

DR. WARRACK:

Yes, Mr. Chairman, I think that's a point very well made with respect to the fact that Bill No. 51 contemplates a new increment of government policy, if you like. As with any new increment of policy there are those implementation considerations which have to be handled very carefully in order not to create some possible adverse reaction which might not have been intended nor contemplated. I think that is a very useful caution put forward by the hon. member and one with which I can certainly express some concurrence of concern.

I would like to say, as far as my part in the implementation of Bill No. 51 might be concerned, that would be one which I would address with renewed vigour noting the comments and concerns expressed by the hon. member.

MR. STROM:

Mr. Chairman, I'd like to ask, what would happen when the government wants to sell land? Will that be handled under this same procedure so that the moneys received from land sold will go into the revolving fund that will be used for ...

AN HON. MEMBER:

General revenue, I think.

MR. MINIELY:

That's correct. Basically the advance of \$20 million which, I think, is provided in this year's budget under loans and advances, is actually a revolving fund which in the first instance would be to acquire the land and in the second instance, as it's determined that land held over a period of time is no longer required for the purpose for which the minister requesting same originally intended it. Then it must go through cabinet, as indicated in the section of the act under sales. The funds would go back into the government land purchase fund.

You will also note that over a period of time, where the assessment may be that the amount in the fund is more than is necessary for the fund in terms of cash, there is provision for returning it to general revenue.

MR. STROM:

And land which is purchased prior to the act coming into effect, will it be handled by individual departments as previously, or will it have to come under the Provincial Treasurer's purview? I'm thinking, for example, of lands held by Environment. For example, maybe land purchased some years ago that could be sold at a very nice profit today, if it's no longer needed, is the government prepared to sell it? I'm thinking of land on the Pembina dam.

MR. MINIELY:

I suppose to make that clear, Mr. Chairman, there is no intent at the present time, although there is nothing precluding the same from happening in the act, for the land purchase fund to acquire land that is presently held by departments - the Department of Lands and Forests or the Department of the Environment.

The prime intent of the act is to provide a fund for large amounts of land assembly that it is felt desirable at the present time, [to have] in terms of future needs in Alberta - either around our metropolitan centres of Edmonton and Calgary in the case of

a speculated ring road, even though that ring road may not proceed. What is interesting to me is that frequently what can happen, if we don't have such a vehicle as we have now in this item, is that while investigation and planning is perhaps going on, events themselves may do one of two things - either preclude that from proceeding by virtue of obtaining the land becoming very difficult, or, in fact, escalate the cost substantially.

The intent of the act is for that kind of purpose, as well as to tie in, as you know, a decentralization of industrial activity and perhaps, in small communities, being able to assemble industrial land. Existing land in departments which has been bought up until the present time is not the prime purpose of the act, although it could be used for that. But our present intention is not to do so.

You are asking, will the land purchase fund, in effect, buy land held by the Department of the Environment for five, six or seven years or land held by the Department of Lands and Forests? What it will do, which I think is very valuable, is, in addition to providing the vehicle for the purposes which I've stated, I think for the first time it will provide us with a central registry, if you like, of land held by various government departments. We hope to achieve this, then, on a regularized basis, to almost maintain an inventory of land, if you like. We can - I mean the Treasury and the administration of this; I think it will be a very small administration, maybe a couple of people - ask questions of the land department saying, you know you bought this land four years ago. At that time it was for such and such a purpose. Now it's not being utilized. What's the situation? If there is a satisfactory answer well, of course, nothing will happen. But it is sort of an automatic check on land that has been held historically for years. If it's no longer required then a sale of the land, only if that land is held in that fund and was initially acquired in that fund, could take place through an order in council and approval by cabinet.

MR. STROM:

Mr. Chairman, the minister left me with the impression that there could be some long-range planning that would require purchases quite a long time in advance. Could you give me some example - using the words of the hon. Minister of the Environment - a concrete example, so I can really understand what it is you are talking about?

MR. MINIFLY:

I think the most prime example, if you like, is the possibility - and I use the word possibility - that a ring road around the city of Edmonton and the city of Calgary is desirable.

Now at the present time, as you know, discussion is going on between both the metropolitan centres of Edmonton and Calgary and the province as to whether perhaps a ring road should be built. It is felt desirable at this point that perhaps this should be done. But no final policy decision has been made as to whether, in fact, it will be constructed. In the meantime, if we are even to have the alternative, we had better be acquiring some rights of way as the Crown and as the Province of Alberta in order to even protect the possibility that we can do so. So, in fact, we are able to plan this kind of fairly large item and preserve the possibility of this happening as opposed to it simply being precluded by events. That is what I was meaning earlier.

There are many other applications which, as I say, have given rise to this. As an example, the possibility of locating larger industry outside the centres of Edmonton and Calgary where industrial land is short, and where the province can play an assisting role with a local municipality in terms of acquiring land and facilitating the actual development of industry outside our metropolitan centres.

Large land assembly might be necessary for a large park. As an example, if we had had this bill a year or two ago, we could have assembled the land for Fish Creek Park until the actual development of that park. It would have been held in the fund while the land was being assembled. Then at the time my honourable colleague wished to develop this into a provincial park, he would then provide for it in his appropriation and acquire it back from the fund.

MR. STROM:

Mr. Chairman, on the point made by the minister that the government is thinking in terms of purchasing land in regions outside the two urban centres that could be used for industrial development, this would be a matter of real concern to me because I recognize government can get involved in creating an incentive for industry to go outside the two urban centres. But I would say that if you are going to start purchasing land and then try to direct industry to go to a specific area, you are then opening yourself to a great deal of criticism from other areas which would feel that they ought to have equal opportunity to get it.

I would suggest that if you are thinking in terms of doing what you expressed you want to do, then I say I would take a very dim view of it simply because it is creating a situation where you show preference of one area over another.

MR. MINIELY:

Mr. Chairman, I don't agree with that at all. Perhaps it's a miscommunication in the way that it might happen. Basically, if it is a fairly large industry, as a matter of government policy we do not want to locate it in the cities of Edmonton and Calgary. The industry has land - it's at a stage where they have land or land is available in Edmonton and Calgary and it's a fair amount of land that is required.

As you know, by this time we have already decided that it's either this small community - or small town if you like - that we would like to see this industry go into as a matter of government policy, because other things tie in such as availability of water and these kinds of things. But if there is no industrial land there, where there is a problem around land, then I can see this bill being used as a means of facilitating the decentralization of industry in that kind of example. Many of our smaller rural communities simply do not have the land available for the kind of development such as a large petrochemical plant might need - just as an example.

MR. LUDWIG:

Mr. Chairman, one thought came to my mind with regard to purchase of land by the government. Does the hon. minister anticipate that this can perhaps be used as a means of shifting the emphasis of rapid growth from the best cities in Canada, namely Calgary and Edmonton, in view of the fact that the figures are showing that these two cities are in the forefront of rapid growth? It seems to me that somewhere down the line we are going to have problems of the cities sort of overtaking themselves in this rapid expansion.

MR. MINIELY:

Mr. Chairman, I don't think I would put it exactly the way the hon. Member for Calgary Mountain View has. But it does give us a vehicle whereby we can at least ensure that we have green belts around our cities as they are growing, in other words, Edmonton and Calgary - I might as well take them. I would go back to the possibility that a green belt with ring roads is desirable for the province in order to not just end up with a city of two million people which has just simply all grown together without any green belts or restricted development area. In order to do that we have to have the capacity now to be acquiring some of the land to even preserve the possibility that that can happen.

One thing, as you know, about which many of our citizens become concerned and I hope, although it's not a realistic hope, that citizens would not become concerned simply because government is studying something or is considering the desirability of something like this. In the meantime, as you know - having been a former Minister of Public Works - if we don't acquire the right of way and the land now, we can lose simply by events and by subdivision and development even the possibility of accomplishing exactly what you say.

MR. LUDWIG:

Another question, Mr. Chairman. In this attitude of buying land by the government, is there any trend in the thinking of the government toward buying up some areas within cities? There has certainly been a sort of a default in common sense in the planning field where they've socked in solid cement jungles right now. The trend and the wishes of the people to have little green areas within the cities has somehow gone by default. It appears that no one seems to be able to either want to do it, or can do anything about it, and I think it is displaying a very poor sense of values. I had attempted a little bit of effort in that regard but somehow the city has the autonomy and they scream about a shortage of land which simply is not true.

The good life in the cities is far from what it could be if we placed more emphasis on little green areas within the city proper. Not so much in the residential areas, I think we're not doing too badly there. But can anything be done to reverse the trend, even though it might take decades? Eventually I think these huge highrises, these huge offices, if they had some green areas surrounding them they would be worth considerably more in the future, more than the cost of the land would be to preserve little 'mini-parks', et cetera. Is there any thinking along those lines to attempt to reverse the trend?

We are living in an affluent age and if we can't do it now we can never do it. Those of you who have travelled in Europe where land is at a tremendous premium have seen that they have managed successfully to have parks all over the place.

MR. MINIFELY:

Mr. Chairman, I think that's an excellent point. I refer to one of the reasons I gave for this kind of bill and why I thought we should have this in modern government in Alberta. This was exactly the reason mentioned by the hon. member.

There is a wide variety of things in terms of valid and important public policy in Alberta today that need this kind of vehicle. Certainly [there is] the kind of instance you're talking about, where you abide by normal, local municipality regulations and zoning, but you can actually, in fact, as was done in the Fish Creek Park case, assemble some land and say that's going to be preserved for a green area and a park for the enjoyment of citizens. There's no way that the city is going to grow into that particular area.

There's a wide variety of things for which this bill could be utilized. I just think of an example, like the hon. Minister of the Environment - strictly outside of Edmonton and Calgary, in terms of an area that he wishes to preserve totally for environmental purposes, as a strictly natural area, that he might wish to acquire as the Minister of the Environment.

I think of the hon. Minister of Culture, Youth and Recreation and his historic sites preservation where the land is owned privately and it comes on [the market]. We need a vehicle initially to be able to acquire that kind of site or property for historical preservation purposes - some in Edmonton and Calgary and some in our smaller rural communities. Hon. members, many of you are aware of these kinds of things.

If this is going to be done, I think we'll have much more success in terms of accomplishing this kind of thing, because ministers up until now have basically had to finance these kinds of things through special warrant. The Legislature has control of the total amount of funds that are in the bill, and as I say, \$20 million is what's in the current budget. Then there will be an annual report provided to the members of the Assembly.

The only thing I would like all hon. members to understand is that basically all land or all property acquired under the act would be reported to the members on an annual basis. The one thing is, of course, if we were in the process of assembling land, and the assembly had not been completed and the identity of the Crown - in this case there was a fairly large assembly and you wanted to preserve the identity of the Crown or you didn't want it to be public because of escalating prices and the effect that would have on them - you also wouldn't want to put that in the annual report but it would show as advances to people who are acting as the Crown's agents.

I think the hon. member has put his finger on a lot of the desirable things we think could be accomplished through the bill.

MR. BUCKWELL:

Mr. Chairman, some of the points raised by the hon. minister are to some extent rather intriguing and give a sense of concern. He talked about a ring road, as an example, and green belts around the city. Now, a city the size of Calgary or Edmonton - it would take a tremendous amount of land, to have a green belt a mile wide around the city. You are looking at thousands and thousands of acres of land. You are also extending out from the city. You could say it would be a value judgment, today, how far we should have the green belt extend from the present boundaries of the city. So you are now extending real estate values out, say, another five miles completely around the city. They are going to have a tremendous jump in price.

Are we going to be in the same situation that we had with the Mill Woods assembly of land? You know, you wake up some morning and find the government has bought this land for what purpose, for what reason? I quite acknowledge the fact, as you have stated, that this almost has to be in secret. Then the members find out certain land is bought for obvious reasons.

I am a little concerned that throughout the province we have all the various planning regions that have a composite plan for a region. Suddenly they wake up one morning and find that two sections of land in a certain area have been bought for an industrial park. For example, if I were a man in the petrochemical industry and you had bought land 20 miles out from Edmonton for an industrial park, it's logical for the worker to say, well if the wind is westerly we will build west of the plant. We want to subdivide, we want to live there.

People have the attitude today, particularly within the city, that if you have a packing plant and you work there, you've got to be 10 miles away from it. There are many people today, particularly working people, who would be quite happy - maybe not a packing plant but a manufacturing industry - quite happy to be, say, two blocks away so

they don't have to have two cars - the attitude that you could have another Sherwood Park beyond Sherwood Park, if you had an industrial park.

I realize the problem we are getting into, but are we making problems for ourselves? I don't know whether we can turn around and say, well, I realize what the government is trying to do, that we're trying not to repeat the mistakes of the past but we also are trying to direct industry where we think it should go in the acquisition of land.

But I'm a little concerned with - I don't mind the ring road idea because you could buy ...

AN HON. MEMBER:

Or parks.

MR. BUCKWELL:

... but then we - or parks - or something like that, but you get a ring road and then we find the city grows to the ring road. This is the boundary and they are now on either side of the ring road and we don't need the ring road anymore. It is like the Blackfoot Trail in Calgary. It was supposed to be a fast thoroughfare through Calgary. It now is one of the busiest thoroughfares in the city at certain times of the day.

I'd just like to bring up these concerns when we're thinking of green belts. I've always been concerned with The Planning Act, who defines - the people who have that land can't do one thing or the other with it - it's sort of, well, it's a green belt and we've got to leave it there and the person who owns the property is between a rock and a hard place, at times.

MR. MINIELY:

On the first part of your comment. I think a person has to judge and this is, of course, why I say that even to retain the opportunity, if you like, to keep our metropolitan centres beautiful and not simply, you know, to have sufficient green areas. I should say that a more descriptive word for what road or, if you like, green belt might be around Edmonton would be a parkway, because the possibility that's being looked at is a fairly green area combined with a highway that could put traffic right around the cities.

You're right that there's a substantial amount of land and, of course, a substantial amount would be necessary. This kind of assembly is another thing you're dead on about. When you're dealing for the land, first of all the route and secondly the acquisition of the land, it would be desirable for the identity of the Crown not to be identified on each individual purchase.

With respect to utilizing this act, there's nothing in it in any manner which says that the government can go ahead and acquire things and ignore the local municipalities. It would be our intent to work with the local authorities in terms of these kinds of desirable objectives and to have the vehicle whereby, in consultation with the local authorities, whether it's a parkway around Edmonton or around Calgary, a provincial park in Edmonton or Calgary that requires the province to acquire a substantial amount of land, a smaller community in Alberta that we have already had consultation with that would very much like to have a petrochemical plant in their community but do not have sufficient land, it's privately held, it's privately owned. In this kind of situation this vehicle can be very important in Alberta's total industrial development strategy but certainly not without consultation and cooperation with local authorities. There is nothing in the act that would say otherwise about that.

MR. BUCKWELL:

The only problem, Mr. Chairman, is on the matter of, say, what you read in the paper on the Mill Woods investigation. There were only one or two who knew what was going on in the acquisition of this land, for obvious reasons, between the city and the government. Now you go into an area where you consult with a local council, you consult with the planning and you might just as well shout from the housetops that we're buying land.

This is the thing I'm concerned about because you're going to have - if you buy the wrong piece of land, for obvious reasons, it's what happened at Airdrie. I don't say that the land the government bought at Airdrie wasn't fair and just and it's what they wanted. But the fellow right next could have said, well, he could have taken my land. You end up with all kinds of political or non-political considerations and it becomes a hassle for no reason at all. What I'm concerned about is that so many get to know about it.

MR. MINIELY:

I don't dispute that. Certainly, as hon. members know, there is provision in the bill for the Provincial Treasurer to be able to appoint an agent to act on land acquisition on

behalf of the Crown. But I think all hon. members would agree that the best we can do is the best we can do.

This kind of situation is to try to acquire the land at the most advantageous and the best price we can when we feel it's something that is desirable for the province or for an area within the province, and to do our best in that regard. I don't think that's anything new. That's something that has existed in terms of government acquiring land since time began.

MR. RUSTE:

Mr. Chairman, to the minister. This may not tie in with the bill, but let's assume there's a lot of public funds involved in backing of land and so on. There are foreclosures and then the land becomes part of the Crown. Would that enter here at all at any time? Or would that be dealt with separately?

MR. MINIELY:

This act would be used where there is perhaps a desirable public policy to assemble a substantial amount of land or a small amount of land for provincial purposes such as we mentioned, perhaps parkways around Edmonton and Calgary, provincial parks land assembly, historical sites land assembly, and large assemblies for the Department of Highways and Transport.

But I think the hon. member is referring to something which now might be a foreclosure and maybe the Crown takes over the land. That's not the purpose of this bill. The bill is solely for the purpose of acquiring land for desirable public purposes. I think you're talking about the kind of situation where the Crown simply takes over land because of a foreclosure or something like that. That's not the intent of the act.

MR. RUSTE:

Mr. Chairman, just further to that then. In government programs, there is the providing of land, we'll say for farming. Now there's no thought of having any of that in here at all then?

Under a government program, there is a provision of land for, we'll say the family farm and expansion of the family farm. There's no thought of any provision of buying land for that purpose here under this bill?

MR. MINIELY:

I hope all hon. members are aware, if they've read the bill, that I as Treasurer am not going to go out and buy land, that one of my colleagues who is pursuing important or desirable public policy in his department - and that includes the Minister of Agriculture - needs land acquired which he is not going to use perhaps for some few years, or some two, three or four years. He would come to me and say, I'd like you to acquire this land because three or four or five years down the road, we're going to have a really important use for this land. So I acquire it being satisfied with this request under the fund. It could involve the kind of thing you're talking about. That isn't precluded at all, as well as other things I've mentioned that many other ministers might have a valid purpose.

MR. BUCKWELL:

... [Inaudible] ... a public need then, say, of possible storage sites, storage sites for water, like on rivers, or something of that nature?

MR. MINIELY:

Well, yes. Its got no restriction in terms of, as I say, the ministers until now. If they've needed this kind of thing, it was valid and important public policy. They have not had a vehicle whereby they could do this, other than bringing through perhaps 30 special warrants to the cabinet over a period of time, and then those just subsequently being ratified by the Legislature. I'm sure members of the Legislature would say that in terms of retroactive or subsequent ratification of special warrants, that's less desirable than having a fund to deal with these kinds of things, receiving an annual report and having a convenient vehicle to accomplish all these things that might arise.

MR. DIXON:

Mr. Chairman, I would like to issue a word of warning on Bill No. 51. It's something that I'm not too enthusiastic about because I think it's fraught with a lot of pitfalls. I think that any time a government, or even a company for that matter, tries to forecast the future in the use of land, they tie themselves in a position so that they can't be too flexible. The best position you can be in is in a flexible position because when people

are pressuring you for price. You can say, well, we don't have to go that way, we can go this way. But if you're locked in a position where you have already bought the land, that is really a lovely day for the speculator. He's right away. As the hon. Member for Macleod has said it doesn't matter; you can try as hard as you want to keep land purchases secret, but there's no way you can do it. They've tried that for the last 50 years in this province and it has never worked.

All we have to do is look at Mill Woods. We were sold on the fact that the lots would be cheaper. Edmonton would be able to take advantage of this. The lots are not cheaper and yet the government had all the money invested. The investigation is not over yet, but I'm sure it will be proven that the land was bought at probably a greater price than was necessary because people knew right away, as soon as the first option was taken out, that there was something going on in the area. And the price went up automatically.

I think this \$100 million is just going to be a real field day for people who want to take advantage of the government. What does the average person think if he can take advantage of the income tax or the government? That's not the same as taking advantage of his neighbour.

It really scares me when we start talking that we're going to buy acquisition of land to put in petrochemical plants in some other areas outside our two major cities. That really scares me because I think you put the company in a very bad position. If a company says, we don't like that site, we want to go elsewhere, they're going to argue that well, we went here because the government is involved. I think the further the government stays out of a situation like that, the better.

Maybe the Minister of the Environment could enlighten me on this: when you freeze land, similar to what was done in Fish Creek in Calgary and in Edmonton, that has an effect, really, of jacking up the price and yet working a hardship on people who have to by-pass the area to service the area beyond it. What I mean by that is the developers.

In Calgary we've got a no man's land now that is going to cost money to cross so we can develop further south in the city. We can say well, we've talked to the aldermen. But do we really get down to talk to the people who are more directly involved, [and to] the planners? As I have heard from the different planners, both in Calgary and Edmonton, they've been a little concerned that they weren't really in the picture when the decision was made. I'm only using the two parks as an example of government getting into the land purchasing business.

I can't be enthusiastic, Mr. Chairman, on a bill providing for land other than maybe for a right of way where the engineers in the highways department say, well, in four years time we are going to need that piece of land. That's a thing you might be able to sell me on. But we have a bill here that if some farmer went broke we could use the idea that well, we can salvage him by buying his land and using some excuse to pick it up. The government's going to do it. There is nothing here to prevent that.

MR. MINIELY:

No, no.

MR. DIXON:

That's right.

I can't see anything on historical sites. We've been able to purchase historical sites over the years prior to this act.

Just as a word of warning to the government, Mr. Chairman, I really am concerned that you are just heading down the trail for trouble. I shouldn't worry, maybe, as a member of the Opposition. But in fairness, I'm concerned because it's taxpayers' money whether I am on that side of the House or this. I think we're just going to open wide the door, first for an automatic increase in price when the government looks at this in this light. Also it's going to be awfully difficult to prevent people from taking advantage of the situation.

Usually what happens, and we find it in Mill Woods and everywhere else, [is that] somebody gets tipped off. They go and get an option and the poor fellow who originally owned the land is not getting the original price because there has been a fellow in between who has taken advantage of the situation. This is what is going to happen here just as sure as we're speaking on this bill today.

I'd like to say, Mr. Chairman, that I'm concerned about this type of legislation, except for the purchasing of highway property or something close to that category. But when we start talking about going out to some town and buying something - I think it's questionable whether we as a government should, for example, go to Airdrie and buy a section of land and start putting government buildings on it. To me that's not the



government's prerogative. I think if they want to buy a piece of land for their own building, fine. But where they buy land and say, well, we're going to build here so we're going to invite everybody else to come in; to me, that's working against private enterprise. This is what is going to happen with this bill. To me there is just no end to what the government can do as far as purchasing land [is concerned].

I hope the minister can allay my fears, but I'm sure history will be repeated, and you can go over the history of every government in Canada. Ontario, I noticed just as recently as last week, was forced to buy land for a green area where a man had taken an option in between as soon as he found out. Now they are paying him a lot more money than he had to pay the original landowner. And who are they mad at? Not at the man who got the option. They are mad at the government for getting themselves into that kind of situation.

MR. HENDERSON:

Mr. Chairman, I'd just like to rise and say a word or two in support of the bill. I think there is a substantial difference in the question of land purchase within the vicinity of our major urban centres [and in rural areas]. There are developers and so on who are interested in doing this type of thing full-time when it comes to industrial development. But out in the rural areas it isn't. In the rural areas in many cases it is a problem of somebody who is interested in putting up a development, trying to get the land together to do it. I can't see anything wrong with the proposal at all.

Secondly, I haven't heard of anybody in this country who has lost a nickel buying land in the last 30 years. I can't see where the government is going to lose any money even if they buy land that they end up with and can't use. I think experience is showing it's all escalating in value anyhow. It seems to me it could be a good place to tie up some of the surplus cash the province is going to have.

I think if the province is going to have a meaningful rural industrial development policy in the rural areas, in the smaller communities throughout the province, that program and policy is not going to be meaningful without these types of supportive services forthcoming from government. I don't see how the government is going to lose 5 cents on the money unless we have a major depression, and then I think the fact that we spent money on land is going to be pretty academic anyhow.

MR. LUDWIG:

Mr. Chairman, I don't disagree with this bill. I think it has the potential for doing a lot of good. But the concerns expressed by some hon. members on this side are valid. It also has the potential, if it isn't very carefully handled, of leading into all sorts of grief. We are merely expressing some of the things that we would be concerned about. I think perhaps that is our responsibility.

Properly handled, this thing can be a great benefit. But, for instance, if we made a couple of bad moves, and some of the best investments can go sour, we could get into positions of being accused of influencing one industry over another similar industry. These are the things we are concerned about.

But I don't disagree with the hon. member who just spoke. The bill has tremendous potential and perhaps [is] a necessity. But care has to be recognized and exercised in that we don't run afoul of the very things that have happened elsewhere. That's about the extent of my remarks on this bill, Mr. Chairman.

MR. BENOIT:

Mr. Chairman, just a small question on Section 3 in the methods that can be used for acquiring land by purchase or by trade for Crown land or by a composition of the two. The question I'm raising is: does the bill at any place prohibit acquiring land through expropriation or using expropriation methods for acquiring land? And is it the government's intention, if that were necessary, to use that method of acquiring some?

HON. MEMBERS:

Question, question.

MR. CHAIRMAN:

The question has been called.

MR. MINIELY:

Mr. Chairman, I was just going to answer if I could.

I would just like to say first that all the concerns that have been expressed by hon. members are concerns that also concerned me with respect to the bill. I think it was a matter that there was an obvious need, in my view, for a vehicle like this in Alberta today with the things that are happening in Alberta today, with the growth of our metropolitan centres, with the need to diversify industry. I certainly appreciate the comments of the hon. Member for Wetaskiwin-Leduc, because in terms of including this kind of thing he hit the nail right on the head as far as what the problems can be when you are trying to diversify industry, particularly in any fairly large potential development.

Certainly I shared the concerns, and it was my view in examining land purchasing policy of the government since 1905, if you like, or since the total period in history, that there is nothing different here in terms of the way land would be acquired except a vehicle that if anything would provide a double check on land acquisition. The practice until now has been for a line department, if they wished to acquire land, in effect to come to cabinet. The minister of that line department received cabinet's approval and then passed a special warrant if the funds were not provided in the budget.

The other thing I might say is that the identity of the Crown is much more specific in that kind of system than it is in this bill. In my view, one of the beauties of this bill is that it can be utilized for a wide variety of purposes. Therefore, if anything, the identity of the Crown and the specific use, or the specific location if you like, is less a problem than it has been historically in the manner in which land purchases have been handled.

But I don't discount, nor would I want any hon. member to leave this bill with the feeling that in land purchasing there aren't problems. There have been problems until now, and I think nothing in this bill is going to alter that. In my view, it would probably improve it. It doesn't mean there isn't going to be speculation by people if they assume or if they hear from someone through the grapevine that the Crown is going to acquire land, but no more so than we've had until now.

With respect to expropriation, I might ask the hon. Member for Strathcona to comment. My feeling would be that that does not come under the bill. We would have to proceed under other expropriation powers. There is no power in this bill to expropriate. There is power to acquire land and to dispose of land, but not to expropriate. So if, for some reason, there was an expropriation procedure involved in the acquisition, the land could be acquired but the actual expropriation procedure would have to take place under the authority of some other act.

SOME HON. MEMBERS:

Question, question.

MR. DIXON:

Mr. Chairman, just before closing, I always get amused at the hon. Member for Wetaskiwin-Leduc. He seems to have lost his zeal as a private enterpriser and everything that goes with government purchase. Anyway, Mr. Chairman, far be it from me to worry about the hon. Member for Wetaskiwin-Leduc. He can look after himself.

[Interjections]

If he wants to go along and play cozy with the government, that's fine with me. I have no objection.

What I'm trying to point out is that I wonder if the government would give some consideration - I'd like to see the private sector take some part in the development of this province. We're getting carried away because we think we've got \$900 million and we don't know what to do with it. What we've got to have in this province is to try to get the private sector to see what they can do. I don't mean, when I'm talking about this, buying rights of way for roads. I've tried to make myself clear on that. But when we start talking about buying land to put a private enterprise development on, I think we're just heading down the road for trouble.

What I'm trying to point out is that we should have an in-depth study. We heard so much when we were on the other side of the House, about these in-depth studies and cost-benefit analyses. Before 5 cents is spent by the government for acquiring land other than for rights of way for roads or for some other public purpose, I think there should be an in-depth study and a cost-benefit analysis and the encouragement of the private enterprise section in this province.

We're now just going through a very unstable feeling with the oil industry. We're just going another step now to the people who are in another field of development, that of building plants, or acquiring land or whatever it may be.

I'm serious, Mr. Chairman, when I say that as far as I'm concerned, I will fight every step of the way to keep government from getting into fields in which I feel it has no part to play. Acquiring land for a plant is where the government should stay out. That should be left to industry. Let's have some initiative from the towns themselves. If they feel they've got a good location for the plant and can prove it to the company, the company can go out and buy the land. The government doesn't have to go out ten years ahead of time and buy it for them and mollycoddle them along. Let's let people do something for themselves for a change.

AN HON. MEMBER:

Question.

MR. DIXON:

Sure you can call question. Sure we can all go home. But I'd like to be able to speak on behalf of a lot of people who still feel that the private, competitive enterprise system that built this great province should still be encouraged. They've done a good job in the past and they'll do a good job in the future.

MR. COOKSON:

Mr. Chairman, I would like to say a word or two in response to the Member for Calgary Millican. I think he seems to have some subtle concept in his mind that if we followed the philosophy of the former government and allowed two major cities in the province of Alberta to expand to the size they did while the rest of the province practically dried up, this is the philosophy that this government should follow.

No, he doesn't want to talk about this point. It's pretty obvious to me that [he would do] anything to encourage industry into the two major cities that are having great difficulties and have so expressed themselves in many cases. For example, the City of Calgary has continually stated the problems of overgrowth in the centre core of the city. Presumably the results of free enterprise and free choice of location are developing into one of the great problems they have today.

I think I heard the hon. member earlier talking about the problems of the centre core and I think the hon. Member for Calgary Mountain View talked about the possible purchase of green areas within the cities. When you give large cities power to develop within themselves without some control from government at the provincial or federal level, you have these kinds of problems.

I don't know whether the hon. member is in agreement. It sounds to me, Mr. Chairman, as if he is even in disagreement that the province should get involved in, for example, the Fish Creek Park at Calgary and the large purchase of land here in the city. Perhaps we should leave that to free enterprise too.

I think the hon. Member for Wetaskwin-Leduc summed it up by saying the real intent is to assist indirectly, I suppose, in the proper development of the whole province. The logic of his thought just escapes me. It was suggested that it really doesn't matter where you buy land. It has always, in the last number of years, been a paying proposition. It wouldn't matter what part of the province the land was purchased in.

I think, Mr. Chairman, I would like to go on record as saying that this government has made an honest and genuine attempt to stabilize growth throughout the whole province. In order to do this, we have, in some way or another, to get involved with land purchase so that we, in a quiet way, can direct industry one way or another into some of the other parts of the province that have dried up.

MR. LUDWIG:

Mr. Chairman, I believe the hon. member who just spoke has to realize that things are still moving ahead in this province rather rapidly. As for his concern about the rapid growth of Calgary and Edmonton in the past, he wants to read the present reports that Calgary is growing faster today on a percentage basis than any other centre in Canada.

I know the government can make all sorts of nice expressions that they would like to reverse the trend. In no place in Canada has the growth of cities been reversed, except that there was a slowdown in Regina for reasons beyond the control or influence of the government. You could make it look like you're doing something, while all the money we can spend will not make some small area a metropolis nor will it reverse the trend of growth. It's an economic factor. As long as you have a buoyant economy in an area that attracts people, we will continue to be that way.

I'm not at all happy that we should be proud of the fact that these cities are growing the fastest. But in no place can you stop the growth unless you post guards at the crossroads and say you can't come in or refuse to sell them a place to live.

I think the hon. member shouldn't be getting uptight about the fact that the province grew rapidly under the previous government. It will grow whether this government likes it or not. As long as we spend money to create a buoyant situation for investment we will grow more rapidly than perhaps we want to. I think that was hollow thinking on his part to feel that somehow we're going to stabilize all this. This issue can be stabilized entirely with circumstances and economic conditions outside Alberta. We could go into a slump that we can't do anything about and we can't create and we can't stop the boom.

I think the hon. Member for Lacombe may want someone to invest something in Lacombe. I would suggest that if they got a good active MLA down there, he might attract something. But for him to flip in midair because Calgary happens to be the fastest growing centre in North America right now, there is nothing this government can do or wants to do about it. If they can, nobody said it. I am in favour of the bill.

AN HON. MEMBER:

Question.

MR. LUDWIG:

I don't think we have to be attributing some sort of magic formula to this bill, that all of a sudden when we start buying land we're going to solve problems. We could solve some and we could create others.

Mr. Chairman, I thought that the hon. Member for Lacombe - even though he's now turned around and is pouting a little bit - he may turn his back on the House but I think he's sticking around just so he doesn't miss anything.

Mr. Chairman, I felt some obligation to give the hon. member a pointer. Perhaps he should meet with the Chamber of Commerce and see what he could promote in his town.

Thank you, Mr. Chairman.

SOME HON. MEMBERS:

Question, question.

MR. JAMISON:

Mr. Chairman, I'd like to go on record as saying I think this is one of the most important bills that is going through this session. I agree very much with the minister when he said the funds would be used to acquire green belts, ring roads and rights of way for industrial purposes; and the remarks made by the hon. Member for Lacombe - I back him 100 per cent. Thank you.

[All sections, the title and preamble were agreed to.]

MR. MINIELY:

Mr. Chairman, I move that Bill No. 51 be reported.

[The motion was carried.]

Bill No. 10 The Fuel Oil Tax Amendment Act, 1974

MR. CHAIRMAN:

There are some amendments.

MR. MINIELY:

Mr. Chairman, I would just like to make a very brief remark about Bill No. 10, The Fuel Oil Tax Amendment Act.

As members know, they have received an amendment which formalizes a 5 cent fuel oil tax reduction in the bill, as well as a 5 cent farm distribution allowance. I think at that time, when there was debate in the House as to whether or not the 5 cents should be in the legislation, I agreed to hold it pending some analysis of what might happen to prices at the pump. We're not in a position yet to make a final decision and I indicated at the time that I was prepared to bring in an amendment to actually have in the statute the 5 cent reduction.

As long as hon. members are aware and agree that if the session concludes and we feel it necessary to further reduce the gasoline tax, we would do so by regulation, pending the fall sitting of the Legislature.

MR. CLARK:

I thank the Provincial Treasurer for the comments he has made, and ask if he would give us some indication as to when the government hopes to be in a position to give further consideration to an additional reduction. I recognize that if the government can't finalize its position on this matter right now, we would like to see it go by regulation. Make, we would hope, at least a further 5 cent reduction, perhaps more, so that in fact Albertans would be in a position of not having to pay any increase at all as a result of the increase of the price of gas at the pumps. I think that would be the absolute minimum the government should do.

But with the commitment from the Provincial Treasurer that he will bring legislation in in the fall to then legislate into The Fuel Oil Tax Act the tax as it is at that particular time, certainly that's very acceptable.

MR. LUDWIG:

Mr. Chairman, I'm afraid it isn't often that I'm not 100 per cent with the hon. Leader of the Opposition, but I think we ought not to let the Provincial Treasurer get off as lightly as he is today.

In my opinion, the economic reasons for the complete removal of the gasoline tax are here. The conditions are present. The government can't say that they are not able to economically remove the tax. The government cannot stand up and say that part of their action was responsible for the increase in fuel costs, at least part, because they had made it quite plain that they were going to take more from the fuel industry.

I'm not blaming them. But neither the hon. minister nor anyone else on the other side of the House can indicate that the producers and the refineries do not pass on the tax they have to pay to the consumer. So between the concerted efforts of the federal government, and aided and abetted by this one, we have a situation where fuel prices in this province have escalated in the last few days by as high as 20 per cent.

There is no economic reason whatsoever why we have to let the minister jockey around with this kind of bill and say, well, we'll think about it. There is nothing to think about. You are not going to get more money, Mr. Chairman, than the circumstances indicate right now. Nor is there any indication that some vendor, some retailer or wholesaler is going to be magnanimous and say, we feel the public isn't happy with the increase and we are going to drop it. They are not going to reduce the price.

The only people who ought to reduce the price are those who are able to do it. That is this government. The government take from the petroleum industry has increased tremendously, but the consumer is paying some portion of it. The consumer is picking up part of the tab and this government can alleviate that position by a very minor amendment to this bill, just so insignificant that it shouldn't even stir up a debate. That is, when you look at the note ...

MR. FOSTER:

... [Inaudible] ... things to stir up a debate about ...

MR. LUDWIG:

Instead of 5 cents per gallon - I believe the tax is 15 cents per gallon - there is no justification for having to continue that tax when the province picked up so much additional revenue by its policy in the last few months. So I say we can solve this problem and quit politicking about it by changing that 5 [cents] to 15 cents. Nobody will be short of any money and the people will get the fair treatment.

It's all right for the hon. minister to stand up here and say well, we have to be the lowest and we have to wait for the prices to sort of stabilize throughout the country. This is nonsense. We don't have to be compared in our prices of gasoline with other provinces because some of them haven't got any petroleum industry. Most of them are not getting the revenues we are. We picked up a bundle. We picked up a windfall, far above anything anyone in this House anticipated even a few months ago. We got an unexpected windfall, but we took part of it from the people, from the consumer.

I believe the hon. minister can state that economically we have no fear that this is going to jeopardize our economic position. We have no fear that the public might condemn us for our action, that we do not compare in any way with any other province on this issue of gasoline prices because we got it here. We're getting the most money and we are the only province that can justifiably, without being accused of being political or of

reducing the tax entirely - after all, if circumstances changed to where it was not possible to carry on with no gasoline tax in this province, certainly the hon. members of this House would see the situation and they can then reintroduce a tax. But right now is the time to take the gasoline tax off entirely.

I think a lot of hon. members on that other side would agree with me that this comparison by the Provincial Treasurer, that we have to wait and see what other provinces do, just doesn't hold water in this province. You can't compare Nova Scotia's position. You can't even compare Saskatchewan's position, because although they got some increase in their income in the revenue from the petroleum industry, they got a fraction of what we did. There is no other territory in Canada, perhaps in North America, that was so blessed with a windfall, and a very welcome one. Some of it, as I stated, Mr. Chairman - I may be repetitive, but I want to emphasize the fact - some of our action and some of our government decisions led to a greater take of money from the oil industry, from the petroleum industry, from the refineries. Therefore we helped push the prices up.

On the other hand, he might say, well, it's inflationary now. The situation is very inflationary. We have to be careful. I say that the more inflationary the economy becomes, the greater number of dollars we get from almost every tax source, without exception. I think that as far as government revenues are concerned, inflation has a tendency to increase the take. I'm not saying it increases what we can purchase for that money, but there is no justification whatsoever for not reducing that figure to 15 per cent - 15 cents per gallon, I beg your pardon, Mr. Chairman. I said per cent. I wish to correct that. I'm saying that we ought to reduce the gasoline tax by 15 cents per gallon and we ought to do it today.

Thank you, Mr. Chairman.

MR. MINIELY:

Mr. Chairman, all I can say to the comments from the other side is - and I take it that the hon. Member for Calgary Mountain View, sitting on the other side, being a member of the party, is voicing some of the official thinking on the other side - that is one of the differences between sitting on that side and sitting on this side.

When you talk about wiping out a tax, I think someone who doesn't have to be responsible for government can say that kind of thing. When you have to be responsible in terms of government finances and public policy one can hardly get up, when you have responsibility for government, and speak in those terms. I think that's merely the difference between sitting on one side of the House and [sitting] on the other side of the House.

I think there is a need also to remember the historical facts that occurred. I was surprised that the hon. Member for Calgary Mountain View indicated that, as I recall, all members in this House supported higher crude oil prices for the province of Alberta. What you are saying today is not indicative of the fact that you, on that side, in fact did support higher crude oil prices for Alberta ...

[Interjections]

... will recall last fall that the federal government put a freeze on crude oil prices which I think every hon. member of this Legislature, as I recall, objected to, thought it was not in the best interests of Alberta, and supported our policy in fighting for higher crude oil prices where 90 per cent of our resources are shipped outside of the province, and where, in fact, the net benefit to the citizens of Alberta through higher crude oil prices is far more substantial and extensive than the amount of fuel oil tax reduction that the hon. Member for Calgary Mountain View is talking about.

I'd like to make it clear, Mr. Chairman, that this government fought for higher crude oil prices because of the substantial benefits which accrued to all Albertans and the substantial additional revenues that accrued to this province to provide more and better services which could be spread amongst all citizens, not just those who own automobiles. We also recognize the fact that there was some need to recognize that higher gasoline prices would result for Albertans, and that they would feel that accomplishment, as well as preserving the lowest gasoline prices at the pump, was something which Albertans would support and stand behind. It was something which was responsible. It was something which provided benefits to all Albertans on both sides of that equation.

But when someone stands up and tells me that we should simply wipe out a tax - why don't we wipe out income tax?

[Interjections]

I think an opposition member can get up and say that. But I think a responsible government can't. Mr. Chairman, I think it's just that simple.

MR. LUDWIG:

Mr. Chairman, when we talk about responsibility, I think I ought to point out a couple of things to the hon. minister.

The other day in answer to a question he said that we are monitoring prices in other areas so that we're the lowest. If that isn't a mark of irresponsibility, I've never heard one.

Secondly, all of a sudden it's irresponsible to advocate a reduction of the gasoline tax. I made the point that this government's policy - and I supported it - to get more money out of the petroleum industry was a good one. On the other hand, that same action contributed, partly, to the increase in gasoline prices.

I'm saying that this government got revenue which it did not anticipate nine months or a year ago - far beyond its expectations. The reason we put taxes on was not to make the public appreciate what it is getting. It is because we needed that revenue. We had to have that revenue because we had to buy this or that, and we felt that our priorities were such that we had to take some money from the consumer to spend it elsewhere. I supported that.

Much as we had balanced budgets for many years, the taxation which brought in the revenue was part of the reason we balanced the budget. That is no longer a valid argument. You're going to maintain, Mr. Chairman, a tax on the books and the minister said, well it's irresponsible for anyone to stand up in this House and advocate the complete abolition of a tax when fuel went up as high as 10 cents a gallon in many parts of this province. That would be irresponsible.

But the fact [is] that this government has some responsibility, through its actions, of the price being a little higher. Nobody will argue and tell me we've got millions of dollars more from the petroleum industry, but we are not responsible for the prices going up. If that is the case, I would listen. But when you need money, you impose taxes because you have to have them.

It's no use saying well, why don't you advocate the abolition of the income tax? I'm dealing with this tax, Mr. Chairman. You can stretch any argument to absurdity and say, well let's abolish taxes. I'm not saying that. I'm saying that this government can, and intends to reduce taxes more than they have now. But he says, oh no, it is irresponsible to bring it in the Legislature. Give us the power and when it is expedient, I'll do it myself. That might be a little more irresponsible.

But I'm thinking it ill-behooves an honourable minister to point the finger and say, well when you haven't got the responsibility of government, it is easy to advocate tax reduction. Tax reductions have been advocated by all parties in all positions, whether they are on the government side or the opposite side, without having to risk being irresponsible.

If I felt that I was advocating more spending in education, more spending in health, more spending on roads and the government hasn't got it, I could be accused of being irresponsible. Some parties do that in Ottawa. They are forcing the government to spend more and more and more with their policy. Then they turn around and say, we'd cut taxes. That is irresponsibility.

But when this government has come into money that is not provided for in the budget but has it, it is not wasting money to reduce taxes for those people who are actually paying them. You might say, we are helping them in other ways. That is appreciated and clearly understood. But this government cannot make a case right now on why it has to continue to tax people to raise money from the oil industry when it got virtually hundreds of millions of dollars more of unexpected revenue. That's a point I make and I have no hesitation in standing beside this. If the hon. minister might feel I am being political, that is his privilege.

I am saying that when the hon. minister says I want to reduce the tax two months from now by an order in council, that is being political. He is standing up here, Mr. Chairman, and advocating a reduction, a complete reduction of the gasoline tax in every aspect. It could not be rebutted by the government that they can't do it. The only reason they don't do it is that they want to do it when it's expedient for them to do so.

Thank you, Mr. Chairman.

MR. COOKSON:

Mr. Chairman, could we have the name of the broken record on the other side of the House?

MR. NOTLEY:

A question to the minister. When the minister undertook his first monitoring of the 5 cent reduction, he indicated to the House that approximately 8 per cent of the people who replied hadn't passed on the 5 cent reduction. Is that correct?

I am wondering, in the monitoring, if this 8 per cent was uniform throughout the province, or whether you tended to find a concentration in certain areas? For example, where you've got a community with one service station and there isn't any competition, whether or not that 8 per cent was represented by communities like those as opposed to larger centres where you might have 30, 40 or 50 service stations?

MR. MINIELY:

Mr. Chairman, in reply to the question from the hon. Member for Spirit River-Fairview, nothing came to my attention that would indicate any kind of pattern as far as the 8 per cent that did not pull off, and would not pass off the full 5 cent reduction.

I assume as well that hon. MLAs would have brought to my attention any particular problems in their constituencies. I didn't receive any so I assume there was no real pattern in terms of one locality or one community. Otherwise MLAs on both sides of the House, I am sure, would have brought it to my attention.

I would just like to repeat that the achievement of higher crude oil prices by this government, coupled with the fact of our commitment to ensure that Albertans will receive the lowest priced gasoline of any citizens in Canada - if not North America - I think is valid and desirable public policy. Of course, on our final assessment when we make this decision, that will be our objective.

My comments earlier were related to a policy which I think is not consistent with that objective of ensuring that Albertans have the lowest prices at the pump, but one in which members of the Opposition can very easily advocate in terms of the utilization of extra funds. We will also be interested to see what side of the fence hon. members are on when we are talking about these extra revenues and whether they should be used for operating requirements, or should be set aside for longer term benefits for Albertans.

MR. NOTLEY:

Mr. Chairman, just to follow that up, I am not going to get into the argument of semantics over the question of how we spend the windfall in the future. The reason I raised the question in the first place is because it seems to me that in a larger centre where you have a number of service stations, there may be some competitive role at the service station level. I would question whether there really is at the wholesale level, but at the service station level the multitude of service stations in Edmonton or Calgary - and even some of the smaller centres - will probably mean that that 5 cents will be, in effect, passed on.

The point I would just like to clarify is that there is nothing in this legislation at the moment though, is there, other than moral suasion to, in effect, force that reduction to be passed on at the gas pump level. If Joe Blow has a service station in Gopher Gulch and he's the only service station within 50 miles, if he decides he is just keeping that 5 cents there is nothing in this legislation or anything else that would force him to pass it on to the consumer, is there?

MR. MINIELY:

In case it isn't clear, Mr. Chairman, I'd like to make clear what happens when a fuel oil tax reduction is undertaken and this, of course, is what happened in the case of the first 5 cent reduction. The tax is collected by the oil companies. They collect the tax and have historically collected the tax on behalf of the province. But when it was 15 cents the oil company would bill the local retail dealer or the independent service station he sold to, the 15 cent provincial tax and then remit that tax to the province. So immediately when the 5 cent reduction took effect the amount billed the retail dealer was 10 cents, if you like, instead of 15 cents. So the oil companies are simply a collecting agent and that is passed on.

But to go further than that for the hon. member, in other words, I, the independent service station, am paying 5 cents less for my gas including provincial gasoline tax. Now how I set my price at the pump is a competitive, free market situation? To go further than that, other than ensuring that the tax collected is now only 10 cents is to advocate price control at the pump.

But I would like to repeat that there was no pattern that came to my attention in a particular area. If you had one service station in one town, that one service station may not have passed off the full benefit. But nothing indicated that those five or six neighbouring towns didn't all do it. There was no pattern that came to my attention.



MR. NOTLEY:

So in actual fact what happened then, if I can just pursue this, is that in the case of those 8 per cent who didn't pass it on, in effect, they got their gasoline that much cheaper from the oil companies who were acting as the collecting agency. Then instead of passing that on, they moved in themselves for 1, 2, 4 or 5 cents, whatever the case would be? Is that correct?

Just before I sit down then, does the government have in mind any way at the moment, especially if we're looking at a more substantial reduction to the rumoured 10 cents or what have you, of insisting that that in fact, be passed on?

MR. MINIELY:

Mr. Chairman, not in the manner that I think the hon. member would indicate. I would say again, in a competitive, free enterprise situation that achieves 92 per cent passing off the full amount of the 5 cent reduction, another 3 to 4 per cent passing off between 4 and 3 cents of the reduction, where the consumer has some choice of where he acquires his gasoline at the pump is [a situation] in which, I think, there was a substantial achievement and a successful achievement.

Certainly I would say if there were no tax reduction, an independent service station operator could still increase his price at the pump. He takes the risk of losing some sales because some of his customers buy at other service stations. You can do that whether there is a fuel oil tax reduction or there isn't a fuel oil tax reduction.

MR. NOTLEY:

Mr. Chairman, the point here is that there is a difference between a service station operator in a very remote community who has a captive clientele, if you like. They can't go anywhere else from an economic point of view because it would cost them more to travel 50 miles down the road to save 2 or 3 cents. There's a difference between him taking a chance of increasing it 5 or 10 cents as I know he theoretically could, and on the other hand being in a position because of his location to in effect gobble up the full tax reduction. This is the thing that I think is of some concern. I would hope the government would at least give some consideration to the special problems of remote areas.

MR. MINIELY:

I'll just make a quick comment and then, I guess, we'll adjourn. I indicated earlier that it's two months since we reduced the gasoline tax 5 cents. No hon. member, including the hon. Member for Spirit River-Fairview, has come to me giving me any specific examples of the kind of situation we were talking about. Certainly, one of two things happened. Either they just wanted to raise it in the House where they could try to make it look like it was something, or else they weren't representing their constituencies very well.

SOME HON. MEMBERS:

Oh. Oh.

MR. HYNDMAN:

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

[Mr. Diachuk left the Chair.]

\* \* \* \* \*

[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bills: Bills No. 48, 50, 51, 58, 60 and 61, and begs to report same.

Also, the committee has had under consideration Bills No. 45, 49 and 53, and begs to report same with some amendments.

Finally, the Committee of the Whole Assembly has had under consideration Bill No. 10, begs to report progress and asks leave to sit again.

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

MR. SPEAKER:

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

[Mr. Speaker left the Chair at 5:39 o'clock.]