

LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday Evening, October 31, 1974

[Mr. Speaker resumed the Chair at 8 p.m.]

MR. HYNDMAN:

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

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

[Mr. Speaker left the Chair.]

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COMMITTEE OF THE WHOLE

[Mr. Diachuk in the Chair]

MR. CHAIRMAN:

The Committee of the Whole Assembly will come to order.

Bill No. 69 The Alberta Income Tax Amendment Act, 1974 (Cont.)

MR. CHAIRMAN:

Any further comments on the point of order?

MR. BENOIT:

Yes. I just wanted to say, Mr. Chairman, there are two or three things that concern me. I'm not going to say very much about it, but I think the government can only use the people's money that is made possible by the people. When we spend large quantities of money to give relief from one place or another, it has to come out of the public purse somewhere. Whether we do it by ...

MR. CHAIRMAN:

It's on the point of order, Mr. Benoit.

MR. BENOIT:

Oh, I beg your pardon.

MR. CHAIRMAN:

In view of the fact there are no further comments on the point of order. The Chair has had the opportunity overnight [to consider] the amendment put forward yesterday afternoon by the Honourable Leader of the Official Opposition. The amendment has been circulated to all members. It proposes the addition ...

[Interjections]

Was it not circulated? I thought the pages were distributing the amendment. If you look on your desks, I believe it was distributed to all the members.

MR. RUSTE:

We have an amendment here, but this is to The Land Titles Amendment Act.

MR. CHAIRMAN:

Very well, that's fine. I'm sorry. The Chair thought that amendment was being distributed. The amendment proposes the addition of a new section after Section 1 of the bill. I will just read again the amendment that was proposed:

The following section is added after section 1 of the Bill.

1.1 Section 4 is amended by striking out subsection (3) and by substituting therefor the following subsection:

(3) For the purposes of this section, the percentage of the tax payable under the federal Act to be used for computing the tax payable under this section is

- (a) 33 per cent in respect of the 1970 and the 1971 taxation years;
- (b) 36 per cent in respect of the 1972 and 1973 taxation years;
- (c) 28 per cent in respect of the 1974 and subsequent taxation years.

... the addition of a new clause after clause (1) of the Bill, the effect of which would be to amend a section of the parent Act not covered in the Bill (namely Section 4 of the Act), and therefore not before the Assembly. On these grounds, the Chair is of the opinion that this amendment puts forth a new principle beyond the scope of the Bill as read a second time. The following citations in Beauchesne's 4th Edition may be helpful to [this] Committee in this connection: 361(1), 402(2), 406 and 408.

The Chair therefore rules the amendment is not acceptable.

MR. CLARK:

Mr. Chairman, in light of your ruling, under Rule 52(5) of Standing Orders and Forms of Proceedings of the Alberta Assembly, I would like to appeal to the Assembly the ruling of the Chair.

[Mr. Diachuk left the Chair.]

* * * * *

[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration Bill 69. The amendment by the hon. Leader of the Opposition was proposed. The Chair ruled that the amendment was not acceptable for the following reason:

The amendment proposes the addition of a new clause after clause (1) of the Bill, the effect of which would be to amend a section of the parent Act not covered in the Bill (namely Section 4 of the Act), and therefore not before the Assembly. On these grounds, the Chair is of the opinion that this amendment puts forth a new principle beyond the scope of the Bill as read a second time.

The ruling of the Chair was appealed to the Assembly.

[Mr. Speaker declared the ruling upheld. Several members rose calling for a division. The division bell was rung.]

[Three minutes having elapsed, the House divided as follows:

For the motion:

Adair	Dowling	Hyndman	Peacock
Appleby	Farran	Koziak	Russell
Ashton	Fluker	Lee	Schmid
Backus	Getty	Leitch	Stromberg
Chambers	Ghitter	McCrae	Topolnisky
Cookson	Hansen	McCrimmon	Trynchy
Copithorne	Harle	Miller, J.	Warrack
Crawford	Hohol	Miniely	Young
Diachuk	Horner	Moore	Yurko
Dickie	Hunley	Paproski	Zander
Doan			

Against the motion:

Anderson	Clark	Henderson	Sorenson
Barton	Cooper	Ho Lem	Speaker, R.
Benoit	Dixon	Ludwig	Strom
Bouvier	Drain	Miller, D.	Taylor
Buck	French	Notley	Wilson
Buckwell	Gruenwald	Ruste	Wyse

Totals: Ayes - 41 Noes - 24]

MR. SPEAKER:

The ruling of the Chairman is upheld.

MR. HYNDMAN:

Mr. Speaker, I move you do again leave the Chair and the Assembly resolve itself into Committee of the Whole to consider certain bills.

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

[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. 69 The Alberta Income Tax Amendment Act, 1974 (Cont.)

MR. BENOIT:

Thanks, Mr. Chairman. I just wanted to say, if the government wanted to give some relief to the taxpayer and wanted to do it in a simpler fashion and for all the taxpayers, it would be much easier to take it off the income tax for those in the brackets who paid income tax, and just give straight assistance to those who didn't pay income tax - [as] is applied for on this form, where you get \$100 or \$200 depending on the category you fall in on your taxes.

It would save a great deal of bookwork, a great deal of frustration on the part of the taxpayer who is trying to fill out the forms and figure out what he has to put on the forms, this kind of thing. I know this is a result, very often, of the bureaucracy somewhere along the line in the department. It's characteristic of every government.

I can remember, when we were sitting on that side of the House, we used to have a very simple form for getting your refund on purple gas. You just didn't pay it in the first place. Then they figured out a complicated form that somebody talked some minister into, and you had to make an application for your refund. They said they got the idea from

Ontario; they had been doing in Ontario for years. I figured that was a good argument for not having implemented it in the first place.

I think there are people who just dream up these difficult and complicated things that get people like the Minister of Municipal Affairs into trouble because they can't get the tax rebates back in time on account of the complications that set in as a result of the bureaucratic suggestions.

I can remember another one. I hesitate to go back but - I know it's not always the ministers' or even the cabinet's fault, but they get talked into these things. We talked about some kind of formula for figuring out a ram that had a three-quarters curl. I don't understand mathematics so well but I remember that you had to have a slide rule to figure, after you found out the ram had curls, whether it had enough curl to allow it to be shot or whether you were going to break the law. The result was that when you got finished figuring it out, the animal was gone no matter which way it turned out. So it was probably one way of figuring out how you could save all the rams with horns regardless of how big a curl they had.

That's just what happens here. It would have been a simple thing to have taken off a few percentage points of the income tax and all of this complication of applying the .5 per cent would have been let go by the board.

The other thing I wanted to say, Mr. Chairman, was that if the government is going to give people money to increase the inflationary situation we have in society - and I'm not talking about the needy now. The needy need to be helped. I am talking about the people who have enough - that money has got to come out of the people's money somewhere. Whether it comes out of the resource revenues that would normally belong to the people, whether it comes out of their taxes somewhere else along the line, whether they are being deprived of something else the government should be giving them, it's a case of taking it away from one pocket and putting it into another.

There's no way we can justify these types of manipulations without informing the people what is actually being done. So I suggest that a lot of things in this particular bill could have been done in a more simple fashion, if they have to be done. I think we should look into that in the future, not create these problems that have to be changed from year to year in order to adjust. Do it the simple way and let the bureaucrats find a job somewhere else if their jobs depend on making these complicated situations.

MR. NOTLEY:

Mr. Chairman, I have several questions I would like the minister to answer, if he could, dealing with the formula for computing the renter assistance credit. First of all, I recognize that the 20 per cent of the rent paid is an improvement over the 5 per cent formerly.

However, the first thing I would like to ask the minister is: what was the reason for reducing the 1 per cent of the income tax to .5 per cent? I'd like the rationale for this move.

Mr. Chairman, I wonder if I could, you know, in order to ...

MR. CHAIRMAN:

Mr. Notley, would you like the answer now?

MR. NOTLEY:

There are several comments I would like to make but if the minister would ...

MR. MINIELY:

He can give me all his questions, then I'll answer them.

MR. NOTLEY:

The second question deals with the basic tax credit itself, which is \$90 plus 2 per cent of the total rental payments up to basic credit \$200. Formerly that was an aggregate of \$100 plus 2 per cent of the rent paid by an individual during the taxation year. I would like the Treasurer to advise us again what the reasons were for the reduction from \$100 to \$90.

Now just in general comment on this particular section of the bill, Mr. Chairman, I notice when we had second reading the member for Calgary Buffalo said, no, this was a real move toward making it more progressive because the \$100 was increased to \$200. But in actual fact I think it was the member from Calgary Millican who pointed out that in order to qualify for the maximum \$200 tax credit the renter would have to be paying \$460 a month rent and have no taxable income.

There are not too many renters in that category in the province of Alberta, Mr. Chairman, and I doubt there are many renters in the constituency of the member for Calgary Buffalo in that situation who could qualify for the maximum \$200 tax credit. If we're going to talk about a progressive tax system, you know, let's not just talk about it in vague abstract theoretical terms or in legal mumbo jumbo. It seems to me we have to look at what it means in dollars and cents terms.

The point I made in second reading, I think, still stands. When you reduce the 1 per cent figure to .5 per cent, you very definitely increase the threshold of people who will now qualify for assistance under this program from about \$15,000 a year up to \$30,000 a year. If that's what the government is going to do - add a large number of high income people to the program - fair enough. But let's say so, so we know that is what the program involves.

I think, rather than the reduction of 1 per cent .5 per cent, perhaps we should have stayed with 1 per cent. That would have meant additional moneys would be available for some kind of basic program at the lower end of the scale.

Having said that, I realize the first part of this clause - the 20 per cent as opposed to the 5 per cent - is an improvement, and I would acknowledge that. But it seems to me the other two shifts I've mentioned, Mr. Chairman, clearly bring into the program large numbers of high income people. In my view, if we're going to be providing tax relief at this stage of the game, especially when we're talking about a tax credit system, our objective should be to get it into the hands of low income people.

Those are the questions I'd like to pose to the Provincial Treasurer and ask him not only what the rationale is for those specific changes but whether any discussions were held with landlord-tenant boards in the two major cities.

MR. FRENCH:

Mr. Chairman, I thought the minister was probably going to answer the member who has just spoken.

I think, Mr. Chairman, that traditionally in Alberta we've been identified for quite a number of years with many progressive steps. It is true we have taken a very progressive step in this legislation before us with giving some assistance to the renters. But when I look back and listen to the applause I almost received from the members of government [side of the] House, I want to remind them that some years ago in this legislation we took the leadership in Canada [in] abolishing the estate tax.

AN HON. MEMBER:

Hear, hear.

MR. FRENCH:

At that particular time we had in mind a tax relief for the people of this province.

AN HON. MEMBER:

Hear, hear.

MR. FRENCH:

During the past two or three years - I think it's well to look at where we stand with income tax in Canada. Where do we stand? Are we the highest, are we the lowest or where are we?

In 1973, which is the current year, the two provinces in Canada with the lowest income tax were Ontario and British Columbia. They were both 30.5 per cent.

AN HON. MEMBER:

Shame, shame.

MR. FRENCH:

Incidentally, of the three provinces in Canada that are regarded as the 'have' provinces, it's generally conceded that this includes Alberta, Ontario and British Columbia, we are the province that has [the highest] income tax.

AN HON. MEMBER:

How about sales tax.

MR. FRENCH:

I'll come to sales tax after a while, if the Chairman will permit me. I would rather deal with the matter of income tax because we've already had one appeal on the subject matter. I would rather deal with income tax and then I'll come to sales tax if the Chairman will permit me to deal with that.

AN HON. MEMBER:

Continue.

MR. FRENCH:

The next three provinces, with respect to the level of income tax, include Alberta, Prince Edward Island and Newfoundland - all 36 per cent. So as far as income tax is concerned, we're grouped with those two little provinces way down east, Prince Edward Island and Newfoundland.

In the next category we find Nova Scotia at 38.5 per cent, Saskatchewan at 40 per cent, New Brunswick at 41.5 per cent and Manitoba at 42.5 per cent. This gives you some indication of the tax levels in the various provinces across Canada.

The present government has been in office now for some three years. I want to say that in 1971 the income tax in Alberta was 33 per cent of what we call our basic tax. There has been a change in the formula and I will recognize that change. But today it is 36 per cent of what is known as the basic federal tax. So during the time that the present government has been in office, some three years, we've had no relief whatsoever with respect to income tax.

There's another matter I think I would like to again bring to the attention of the House with respect to income tax. I have mentioned this before and I would like to mention it again. We still have a number of people in the province of Alberta who are

required to pay Alberta income tax but who are not required to pay federal income tax. The reason for that is simply that there's a reduced basic federal tax of \$100.

I realize, Mr. Chairman, that some of the members in the House are not too interested in some of the problems facing the people of this province. But I'm quite concerned with the level of income tax and the discrepancies we do have with respect to a number of our people in Alberta who are subject to Alberta income tax and are free from federal income tax. I again appeal to the government to give very serious consideration to this whole tax field because I feel we have many problems in the taxation field.

The Leader of the Opposition in his remarks yesterday, I believe it was, mentioned that if we could give some tax relief to some of our people, this might bring in additional workers from other areas of the province [to] pick up the slack. I know many people today feel they are not prepared to go out and do the work they are capable of doing on account of the taxation level.

We're in a very unique situation where we do have revenues accruing to the province today that we didn't enjoy a few years ago and I think this is a real time to look at the whole income tax field. I would certainly urge the Provincial Treasurer to give very serious consideration to some relief in the income tax field and at least bring it down to the level of some of the other provinces in Canada, such as I mentioned, Ontario and British Columbia. As far as I'm concerned, there's no reason why we shouldn't be able to do much better in this province of Alberta.

Thank you, Mr. Chairman.

MR. DIXON:

Mr. Chairman, there's a point I'd like to throw out to the hon. minister. I was wondering if he had done anything to work out an agreement with the federal government, income taxwise [on] the grants that we give to the agricultural people? I was thinking of where we give a grant for a flood disaster, where we give a grant to build buildings on the farm, that type of thing. Have we worked out any agreement? Would it be better if we gave it to them as a gift rather than a grant so they wouldn't have to pay income tax? Has there been any discussion on that? Because a lot of the farmers, there must be hundreds of them, will have to file on their T-4 slips the money they have received from the government. I wonder if there has been any discussion with the federal government as to whether that would be money received that they would have to declare with their income tax return.

MR. BENOIT:

Mr. Chairman, I was wondering if the government had in mind any length of time that this was going to exist. Will it continue more or less indefinitely or will it run only until the money from the resources runs out and then be retracted?

MR. MINIELY:

Mr. Chairman, perhaps answering the last question first, on the length of time that the renter income tax credit may be in. I cannot define the length of time that may be necessary as long as we have basically the tax system we now have, in terms of municipal taxes being levied against commercial and rental property and, if you like, the inability through one form of income tax to treat one group of citizens equally with another group of citizens. We would have to use different mechanisms for renters as opposed to home-owners to ensure that it gets into the hands of the people that you're hoping to benefit. For that reason there is no way, Mr. Chairman, that I could define for the hon. Member for Highwood any time period on what we proposed and are expanding during the current year.

The hon. Member for Spirit River-Fairview asked me a question about why we reduced the taxable income from 1 per cent to .5 per cent. The main reason we did is because we wanted to double the benefits. Generally, as an average, we wanted to double the maximum benefits.

I think too that I should illustrate again, because a few members in the course of debate on principle of the bill were asking some questions about the impact of the alteration in the formula. While we incorporated a minimum benefit, even though a person is in a higher income area, of \$50, if you took your pencil [in] calculating the deduction from the benefit that arises, if you are in a high taxable income, of course the .5 per cent deduction, as an example, from a citizen who has a taxable income of \$20,000, would result in a deduction from whatever the rental calculation benefit was of \$100, whereas a citizen with a taxable income of \$1,000 to \$2,000 would only have a deduction of \$5 or \$10.

Now because of the fact that there is a maximum benefit up the scale, we still end up with a situation where, if you work out all the alternatives which we have worked out in different income classes, you would find that the people with the average rental situation and the average taxable income situation are the ones whose benefits are improving under the new formula, as well as those who are in the extremely low areas.

I might say that with rents the way they are today, there are many people on very low incomes who are facing high rents. It doesn't necessarily mean that they get the \$200, but it means that they certainly end up in the \$150 or \$160 or \$170 area, whereas there is no way that a person who has an income over, basically, \$30,000-\$35,000 would get more than \$50.

I think the other question asked, during the course of the questions from the hon. Member for Spirit River-Fairview, was the reduction in the basic from \$100 to \$90. That was simply, when playing with the formula and a choice of different formulas, to work out

the one we thought would distribute the benefits the way we wanted to, in other words, progressive in relation to taxable income, and still provide the minimum benefit.

When we altered the rent paid and the .5 per cent deduction, we found that the formula would work much better if we started with a base of \$90 and added the higher percentage of rent cost than what we did in the old formula, because now there is a higher percentage of rent cost, as you notice, in the new formula added to the initial \$90 base; whereas formerly we started with a \$100 base and added a lower percentage of the rent cost into the formula.

The hon. Member for Hanna River ...

AN HON. MEMBER:
Oyen.

AN HON. MEMBER:
Nice town.

MR. MINIELY:

... Hanna-Oyen got up and went back into history. I think every once in a while, when we're considering what we're doing today, we should certainly review the history. It's right that when they were responsible for government, they did abolish estate tax. But during the course of the entire debate on The Alberta Income Tax Amendment Act, Mr. Chairman - if we are reviewing history I think I'd just like to take a couple of minutes to review the tax reductions this government in fact implemented in 1971, '72 and '73 ...

AN HON. MEMBER:
It will only take you a couple of minutes.

MR. MINIELY:

... or direct cost reductions. It's a long list, Mr. Chairman, if they want to listen to it.

First was the very substantial property tax reduction which was provided to all categories of home-owners in Alberta. Mr. Chairman and hon. members, that program alone resulted in \$100 million in direct cost and tax reductions for citizens in the province of Alberta.

We also had free medicare for senior citizens. For most of those people who are on fixed incomes it was a tremendous assistance. That was expanded, Mr. Chairman, into more than the normal medicare. It included dental [care] and glasses. I know senior citizens, in terms of the costs of looking after their health, are now finding that they have totally free and very extended and all-inclusive benefits for medicare.

Mr. Chairman, the Natural Gas Rebate Plan ensures that our citizens have the lowest price for natural gas of any citizens in Canada. I think we were estimating \$30 million to \$35 million, which, Mr. Chairman, is a direct cost reduction to our citizens in the province of Alberta. I think from the citizens' point of view, whether it's a cost reduction or a tax reduction is really irrelevant if it's \$50 or \$100 more in their pockets and is helping to offset the increase in the cost of living. I think that's what the citizens in Alberta are interested in. Of course the renters' tax credit which we have been debating during the course of this bill, which was introduced last year, and which is being expanded in the current bill that is under debate, provides substantial relief to renters in the province of Alberta.

But even that isn't all, Mr. Chairman. The fuel oil tax reduction that was made in the spring reduced the fuel oil tax in the province of Alberta to the lowest level of gasoline tax of any province in Canada. Coupled with that ... [Interjections] ... Well, I notice an hon. member made something here but he didn't do his research very often, because the last time I looked, the most recent survey showed we have the lowest average prices for gasoline of any province in Canada.

SOME HON. MEMBERS:
Hear, hear.

MR. MINIELY:

Coupled with the fuel oil tax reduction, Mr. Chairman, of course, was the farm fuel distribution allowance to assist our farmers in Alberta in terms of reduced costs for farm fuel.

So, briefly, Mr. Chairman, a great deal has been done in a very short period of time, two or three years, to reduce costs or to reduce a variety of forms of taxation for the citizens of Alberta. Nevertheless, Mr. Chairman, while I think the record is second to none of any government in Canada, I have indicated that this government does not intend to and will not stand still in this area. We will be continually reviewing the different alternatives available to us, in a variety of ways, to reduce the burden on all our citizens, or a group of our citizens, who are most seriously or adversely affected by rising costs of living in Canada. The government can respond in a way and a choice of methods that would help them to the greatest degree.

I think that was the main point the hon. Member for Hanna-Oyen made, I just thought we would like to outline and review what has been done, and to say, during the course of my response to the hon. Member for Hanna-Oyen, that I believe I have indicated several times in the Legislature the fact that, as a result of the temporary tax reduction the federal

government instituted in 1971, there is an anomaly created on the calculation of Alberta income tax; a situation where certain Alberta citizens, and most of them are in the lower income areas, end up in the calculation paying an Alberta income tax whereas they pay no federal income tax.

I have also indicated, I believe, to the hon. Member for Hanna-Oyen that there is no solution to this type of thing as long as we are in a federal-provincial tax collection agreement, unless we can convince the federal government to administer offset through their tax collection system on our behalf.

That's why I just have to say again, Mr. Chairman, in my view the responsible thing we have to do is look at the different things that perhaps should be done in terms of assisting those citizens who need it the most, and making the best choice of alternatives. And, of course, that is one of them.

I have had preliminary discussions with the Minister of Finance on whether or not it may be possible for them to do something in this area; of basically the federal government administering the program or the calculation in a way that if there was no federal tax payable, there would also be no Alberta income tax payable. As yet we have not come up with any definite conclusion or agreement with Ottawa as to how that might be administered.

I believe the hon. Member for Calgary Millican asked a question about the taxability of grants for two or three agricultural purposes, and whether or not we have worked any agreement with Ottawa on that. Mr. Chairman, generally speaking there is no such thing as making an agreement with Ottawa on the taxability or the nontaxability of programs that one provincial government may have. The income tax law prevails unless we are successful in convincing the federal Minister of Finance and the federal government that it should be changed.

We've had discussions over the last two or three years in many different areas of the Income Tax Act as it relates to programs Alberta is operating. I think the hon. members are well aware of the negotiations I had with the hon. Minister of Finance on the Syncrude arrangement and the nontaxability we successfully negotiated on that arrangement.

Nevertheless most of our programs are of such a nature that if it's a grant, a direct grant, they have to fit within the scope of the law in the Income Tax Act that exists. Certainly I know other provinces have same situation in terms of the federal Income Tax Act. Their programs and the taxability of their programs must come within the ambit of the income tax laws of Canada.

We have to conclude on that particular point, Mr. Chairman - we've had discussions with the Minister of Finance on a variety of Alberta incentive programs and the taxability thereof, on most of which we have not received a definite and final answer. One particular example is the exploratory drilling incentive system we have in Alberta.

I wanted to cover, Mr. Chairman, most of the questions that were asked, and I'm just reviewing my notes to see that I didn't miss any. The hon. Member for Hanna-Oyen indicated he thought it was a really good time to look at the whole income tax field. I think he just reiterated what I've been saying for the last several months: that we should really be taking a good look in the choice of alternatives available to ensure that what we do, and when we make a decision, we're creating the maximum benefit for the citizens of the province of Alberta, Mr. Chairman.

MR. FRENCH:

Mr. Chairman, I would just like to express my appreciation to the minister for his explanation. I want to draw the attention of the House to the fact that the present government has been in office for three years. We've made no appreciable difference in our income tax feature. I recognize the relief we've been given in other areas. But having the assurance of the minister that he's going to be looking at income tax in the next few months, I would look forward to something in the spring budget that might identify some of the things we've been talking about on this side of the House.

MR. RUSTE:

Mr. Chairman, I was rather interested in the hon. Provincial Treasurer reviewing a bit of history. I guess we could go back over a period of years. It seems that every once in a while something is mentioned or referred to on the other side of the House about thirty-some years [ago] or so. I just went back to the Budget of '36, where the Income Account was some \$18 million, and realized that the 'now' government, by a stroke of the pen in Executive Council, purchased an airline that has cost twice that much. I'd like to know, Mr. Chairman, what the Provincial Treasurer would be doing today if it hadn't been for the mid-East oil situation, if that just continued at the score it was before that. Or if the crop failures hadn't happened in Russia and some of these places, where would the Provincial Treasurer be standing today. Where would the government be with their policies of the income that is coming in.

AN HON. MEMBER:

Sock it to 'em.

MR. RUSTE:

I'd just like to remind the Provincial Treasurer that I'm fairly close to agriculture and I've sold grain this year that was produced back in '69 and '70. The expenses were paid then and now the Provincial Treasurer is saying to the federal government through the

tax rental agreement, I want some of that money, and he's getting it. So let's not just jump to conclusions that the 'great white father' did all this.

I'm reminded of an editorial I saw in a farm paper not long ago and it goes something like this, if I may be permitted, Mr. Chairman, just relate to it.

It says:

Downturn

The sudden downturn in the British Columbia Lumber market may teach Premier Dave Barrett that it is a foolish politician who attempts to take credit for a buoyant economy.

It goes on to say that the premier in British Columbia said it made more money than under the previous administration.

Mr. Barrett was correct; but the profits were due not to government policies but to a world-wide boom in lumber and wood products ...

Now, with a sudden change in the world situation ...

And it goes on and on. I submit, Mr. Chairman, we could see a change in the world situation that could make the Treasurer - and I was rather interested in the cautious remark he made about how long the rental rebate would continue. He was pretty cautious. He may have had a little omen of what may be coming.

So I would submit, Mr. Chairman, that before the Provincial Treasurer gets up and says, we did this or I did this or we did that, he'd better look at the basic reason they are able to do those things: that the natural resources of this province have been husbanded for the people of Alberta. I think it's the responsibility of the 'now' government to see that money is spent wisely, not thrown away in airlines and paid for red airlines and so on.

Now, Mr. Chairman, two more matters I would just like to mention at this time. One goes back to the matter of our senior citizens who are renting residences. I recall the Provincial Treasurer mentioned that the average of this new rental agreement, or the tax rental, whatever it is, is going to average about \$90. I would hate to see any one senior citizen receive a lesser amount than other people who are renting under this basis.

I feel there are a lot of our senior citizens who are living in reasonably good homes. They are not people who want to move because they may get something different. I'd hate to see them, and others who come under this, stuck with this \$100 ceiling and not able to get more. The low income under this program, I think the minister indicated, was somewhere in the \$150-\$160 bracket. I'd ask him to look at that.

While we're on the subject of the Income Tax Act - the Provincial Treasurer mentioned the negotiations with the federal government and so on - I would ask that he, in consultation with the federal government, look at the matter of the \$250 limit.

Say as a farmer you go out to hire somebody to help you part-time. You can go up to \$250. Once you get over that there has to be deductions for Canada Pension Plan, unemployment insurance and those other things. I would think, Mr. Chairman, in today's economy and today's wages, that that sum should be raised, maybe doubled. The federal government isn't going to lose anything on it because if I, as a farmer, hire a man for part-time help over that [amount], I report it. Certainly the income tax people will be aware of that amount of money and will collect their taxes on it.

I would like the minister to comment on that.

MR. MINIELY:

Mr. Chairman, I wonder if the hon. member would repeat the last question. I'm not sure I understand what he is talking about.

MR. RUSTE:

Mr. Chairman, this goes back to part-time help. I'm thinking of it from the farm end, and maybe not only the farm but many other places of employment. We are permitted to hire somebody for an amount of up to \$250 without deducting unemployment insurance or Canada Pension Plan payments. But once you get over \$250, you've got to go back and deduct those payments and remit them. I'm submitting, Mr. Chairman, that that \$250 figure is unrealistic today, when you get into harvest time where your wages can run up to \$50-\$60 a day or something like that. I would ask him to look at that with the federal government.

MR. MINIELY:

Mr. Chairman, I guess there are only two items the hon. member said that I would want to respond to. The first is with respect to senior citizens and those who are renting accommodation in the shelter allowance. I think at the time I announced the expansion of this program I also indicated we are continuously reviewing the circumstances of our senior citizens, looking at our programs. I know my honorable colleague, the Minister of Municipal Affairs, and my colleague, the Minister of Health and Social Development, are very aware and cognizant of this area. It's one we have been looking at, and in due course a decision will be made on that item.

On the second item, Mr. Chairman - when the hon. Member for Wainwright clarified more specifically what he was speaking about - perhaps for all hon. members I could say that, generally speaking, the federal government under the Income Tax Act requires deductions to be made and T-4 slips to be filed by employers for all people in [their] employ. All employers are required to do this by legislation and the regulations under the federal Income Tax Act.

They have historically provided a more simple situation for people in farming and fishing. I think the hon. member is referring to that situation. Historically they have

exempted casual labor in farming and fishing from deducting unemployment insurance or income tax if the amount [paid to] that one individual working for that farmer or that fisherman would not be more than \$250 in a calendar year.

I think the hon. member makes a point. That exemption up to \$250 has existed for two or three years and it's one that could perhaps be reviewed. I point out again, Mr. Chairman, that this is an item that in our federal-provincial system of income tax is defined by the laws of Canada in income tax and the regulations under the federal Income Tax Act. But it's certainly an item [on which] I'm happy to make a recommendation to the Minister of Finance for Canada.

MR. WYSE:

Mr. Chairman, I'd just like to say that the hon. Treasurer makes me laugh when he talks about responsibility. The fact is, I don't know how a government can call themselves responsible when they indulge in this kind of manipulation. And I do call it manipulation. Because the fact is that we pretty well know the government is going to lower the taxes, but the timing isn't right at the present time. The fact is that we've got the money and I think we should do it as soon as possible. A government should only impose taxes when they need the money. And so I call it manipulation. There's no way around it.

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

MR. MINIELY:

Mr. Chairman, I move the bill be reported.

[The motion was carried.]

Bill No. 63 The Land Titles Amendment Act, 1974 (Cont.)

MR. CHAIRMAN:

An amendment has been distributed. Questions or comments?

MR. CLARK:

I'd like to ask the Attorney General to enlighten us on why, when he made such an enlightened move as to take (3)(d) and (4) out, he didn't take (5) out also. Then we could be amazingly agreeable [to] this particular piece of legislation.

MR. LEITCH:

Three comments, Mr. Chairman. Number one, I would like to emphasize a point with respect to the citizenship provision in the bill. It has been overlooked.

A number of the hon. members on the other side who spoke in opposition to that, I believe, overlooked the fact that there's a very fundamental distinction between nationality and citizenship. They spoke of it as being discriminatory against any particular group of people. I simply want to stress, Mr. Chairman, that there is a very important distinction between nationality and citizenship. The two words should not be used synonymously. It may well be that someone, say, of Italian nationality, is an American citizen.

On the second point, Mr. Speaker, the purpose of the amendment is to make it clear that it would be used in the way I indicated earlier was the government's intention to use it, namely to exempt certain classes or areas of land from the operation of the bill, if it appeared that information as to the ownership of that land was not of any assistance in dealing with the problem that has led to the coming into force of the bill.

With respect to subsection (5), Mr. Chairman, it's hard to be sure how this is going to affect all the various entities that acquire ownership in land. As hon. members will notice, there's a penalty provision for failing to give the information, and there's a penalty for failing to give accurate information. So it's a bill that the people who are dealing in land will want to very careful [about] to ensure that they are doing it right.

There are a lot of organizations, such as charities and things of that nature, that may have a very difficult time complying with the statement regarding the information that's called for by the bill. It may be that in those circumstances they should be exempted. That's the simple way of solving their problem.

They may be national bodies or even international bodies of a charitable or religious nature. It's almost impossible for them to comply with the provisions of the bill. I'm not at all sure we could think of all the possibilities that might arise in order to particularize them in the bill. The reason for that section is to leave the discretion in the minister to exclude them from its operation.

It may also have other instances which I mentioned in earlier comments, where a company such as a pipeline company is acquiring a great number of very small pieces of land. It may be that rather than have them file a statement with respect to each transfer, we would simplify it by having them file a statement once a year, or for a great number of transfers.

Those are the reasons, Mr. Chairman, for retaining subsection (5) in the bill.

MR. LUDWIG:

Mr. Chairman, I've had to listen to the hon. Attorney General [say] that the situation is rather vague and there is not a specific purpose for that section. I'd be satisfied if he could give us something very specific as to what they have in mind. They're just putting these sections in with the possibility that they may run across something. I'm talking about (5). I'm talking about the section he just explained

In the amendment, "The Lieutenant Governor in Council may make regulations exempting any class of land." I'd like to know why we can't say that we will exempt all land a section in size or less. There's "class of land." It's a very vague term. Class of land. I don't think you're referring to the quality or type of land. You're referring to location, maybe even size of land. If we're going to exempt small purchases in cities, lots and plots, let's state that very definitely, so we don't go through a lot of nonsense because some person came in and bought a large house.

When you talk about class of land, are you talking about land that might be required for parks or the greenbelt or something? I don't think this is clear at all. It leaves it entirely to the minister's discretion. It leaves him open to someone coming in and lobbying him and saying, well we would like to be exempt, we don't want this to be known.

Also, I see the possibility of resentment: that you'll start building files of records on corporations. Maybe some of our good corporate citizens will find they have a dossier on them somewhere in the Attorney General's department so we can watch them just in case they run afoul of what some minister may think they ought not to do. So these vague terms - "any class of land" - could be specific. We could pin this right down to specifics, a class of land. Maybe you would say, we will exempt all house lots, we will exempt all acreages 40 acres and less, or we will exempt everything. No person who buys a quarter-section of land, no matter where he comes from, will be included in this bill.

The minister can't tell us, nobody can tell us, what's going to be done, but he will determine what will be done when the situation arises. If there are that many uncertainties about what we can do, let's state them now.

But the hon. Attorney General gave a very vague kind of reference to something that's rather remote, that may never arise. I don't think it's satisfactory.

We have ministers who get very incensed about some private member's bill if it isn't worded properly. They want accuracy. They want to know exactly what we're doing. That is rather insignificant when we're dealing with a public bill that may, in my opinion, encroach on human rights.

There is some opinion to support the fact that we may be ultra vires in asking people to declare their nationality or origin. We should be very clear. Maybe the minister or the government know exactly what they're doing, but I can assure them that nobody in this House is really clear what's happening with this bill.

So if we don't really know, if we're speculating, that we may run into problems or into an embarrassing situation and need this kind of out, let's say so. Let's state that we haven't thought this thing out, that we haven't got this thing really down where we want it. Let's send it back to the drawing board, as one minister said today, and let's come back with specifics.

If there are none, we are giving them a vague kind of power which now reads: "The Lieutenant Governor in Council may make regulations exempting any class of land, or land in any specified part of Alberta" Well, now we're giving the minister the right to waive any part of this Act at his own discretion. He recommends to council that we let some people we like buy a couple townships up north. He has that power. If he's not going to do it, what does he want this power for.

We're something like a Conservative politician. He wants to give a specific answer, but leave the back door open just in case; in case he didn't mean what he said at the time. This is what people think of politicians. They give them a definite answer but leave a sort of saving clause just in case you didn't know what you were talking about.

So I think if the hon. Attorney General feels that maybe I'm just skirting around the issue and don't know what it's all about, that isn't the problem. The problem is that I don't think he knows what it's all about. If he does, let him tell us.

I'm not satisfied that this is specific enough for any MLA on either side of the House to vote for. So, Mr. Attorney General, give us the whole truth, the whole picture, and maybe we might think it's a good bill. But right now the minister has not explained it to the satisfaction of the hon. members.

MR. NOTLEY:

Mr. Chairman, I'd like to go back to subsection (5) again and ask the minister - I listened to his explanation, but first of all, these decisions, the exemptions would be ministerial orders, not necessarily made public, I would assume. Am I right or wrong?

MR. LEITCH:

Ordinarily, Mr. Chairman, the ministerial order would not be made public in the way that Orders in Council are, because they would normally be published in The Alberta Gazette.

MR. NOTLEY:

Mr. Chairman, the concern I would express frankly with subsection (5) is that the one area where we're likely to have some pressure for exemption would be from corporations. Now the Attorney General, in arguing the case for subsection (5), cited some very legitimate cases that there would be no quarrel with or argument over.

On the other hand, the Member for Drumheller, when he was discussing the principle of this bill, cited other cases which, were they exempted, would destroy the total principle of this bill. The concern I would express is that the way the clause is worded at the moment, we are handing to the Attorney General the right to make exemptions through ministerial orders which would not be reported to this Legislature or made public unless there was a specific motion for a return.

No doubt that could be done. But I would think that in many ways, Mr. Chairman, that is a rather more dangerous power that we are authorizing by this legislation than the one in the old subsection (4), where at least it was a decision by order in council, Executive Council, that would be published and we would be able to make a judgment on whether it was a prudent or imprudent decision. I would just have to express a good deal of concern at this stage at the wording of subsection (5) and say that while I can understand that there may from time to time be exemptions that are required, Mr. Attorney General, at the very least there should be some provision that this be made public.

Perhaps this is one area where it should be the Lieutenant Governor in Council making that decision so that the exemptions are not the kinds of things which - and I'm not implying any dishonesty here but it seems to me that you are going to immediately face a number of requests for exemptions. Some of them will be completely proper and, as I said before, there would be no quarrel with them at all.

On the other hand you are going to be taking upon yourself the judgment as to whether or not an exemption is reasonable. There won't be any counterbalance. There won't be the counterbalance of that being made public so that we on this side of the House or people on that side of the House or the public generally can say, hold on here, what is the Attorney General doing exempting X corporation from the provisions of this law?

Therefore, I would have to say, Mr. Attorney General, that the government should reassess subsection (5), and at the very least make sure there is some proviso for publication of any exemptions that are made.

MR. HINMAN:

Those of us who have been studying the rules and regulations and their effects on government I think would find it difficult to justify this particular kind of regulating on any of the grounds which so far have made people accept regulation. I think the exemptions aren't the kind that are going to worry anybody. It has already been pointed out in this House that the Legislature meets twice a year. If some case came up which was not already covered, it seems to me that it would not be so urgent that it could not be handled at that time. If the Minister were to come in next spring or next fall with an amendment to this act which permitted him or the Executive Council to make regulations, we would require some justification. If it could be justified we would have no objection.

The people on the committee are also aware of the many proposals which have been made to make sure that regulations aren't unnecessarily made and enforced. One of these is that a regulation passed by order in council shall cease to be effective 10 days after the next sitting of the Legislature if it is not approved.

Now these are things that could be done. As I say, I don't regard this particular thing as important, because certainly the bill still has in it those necessities which would enable us to discover who owns the land.

But I would point out that there is something sinister in this act. There is no use trying to tell any of us, I think, that those who asked for this act do not have in the backs of their minds that some day we will control whether foreigners, if you want to call them that, are going to be able to own property in Alberta.

I sort of resent being asked to make it possible for such decisions to be made without some serious debate. I would hope the minister might see fit, if he wants to placate the House, to add to this amendment one which says that any regulation made under authority of this section of the act shall cease to be in force 10 days after the next sitting of the Legislature unless approved by the Legislature.

MR. TAYLOR:

Mr. Chairman, one of the primary purposes of the bill is to monitor the extent to which persons other than Canadian citizens are acquiring beneficial land in Alberta. I think that is a very worthy objective. I am not going to repeat what I said the other night, but I think this is most important. In my view, hundreds of our people are becoming very concerned about the sale of farm land and recreational areas to those who are not citizens of this country.

I think an example of recreational lands can be found on the Great Lakes where Americans have been able to purchase a great deal of Canadian land, and it is now virtually impossible for Canadians to find a place to land in their own country to enjoy that area. There has been such a tremendous sale to Americans and the American flag is rampant in that part of the area. Now I have nothing against Americans. I like them very much. But I don't want them to own Canada and I don't want them to own our recreational facilities. There are other corporations, too, that may well have ulterior motives in acquiring our farm land.

And by the same token, if a government is going to be able to administer an act well, there has to be some authority in the hands of the government to make sensible decisions. We just can't foresee all the things that are going to happen. No one can. Being in a position to legislate sensibly at all times is a very important item in administration. I don't think we should tie any government's hands so that they at times have to administer

an act in a way that just doesn't make sense. There has to be some authority given to any government if it is going to administer to the very best of its ability.

So in subsection (5), since the idea is to monitor sales of beneficial lands not sold to Canadians, I am wondering if the Attorney General would consider excluding foreign corporations and say, the Attorney General may exempt any Canadian corporation.

I am a little nervous if we are going to start exempting corporations that are not Canadian from supplying information, because the whole purpose of the bill is to get all information necessary from corporations or persons who are not Canadians. I would suggest to the hon. Attorney General that we consider placing "Canadian" before "corporation" and that gives them the option to exempt any Canadian corporation, but any corporation that is not Canadian would still have to supply all the information.

MR. BENOIT:

Just one word. The example the Attorney General gave us on subsection (5) helped me to understand some of the exceptions that might be there. I appreciated that. Whether I agreed with it or not is beside the point, but it did help me.

I was wondering if the Attorney General could give us some examples under subsection (3)(d) of: "... where the land .. is ... of a class or located in a part of Alberta exempted from operation" Could he give us an example or two of such a class of land or such a location?

MR. LEITCH:

Mr. Chairman, I should say in connection with the availability to the public of any exemptions that might be made under subsection (5) - what I said earlier in response to the Member for Spirit River-Fairview is accurate. However, that information would be available through the Land Titles Office and in that sense is public since land title records are public.

With respect to the suggestion that there be an exemption related to Canadian corporations, I am not entirely sure exactly what is meant by a Canadian corporation and would just draw to the attention of the hon. Member for Drumheller that any company that seeks to register land in Alberta must, I believe, become registered under the Alberta Companies Act or the Canadian Companies Act so it has a Canadian status, before it can become a registered owner.

With respect to the last question, Mr. Chairman, as to some examples of the land that might be excluded under subsection (3)(d), it now is, I mentioned those earlier. It may be an exemption of residential class land in the major population centres. As this bill now stands, it applies to all land. We may find, as we're putting this information-gathering system in place, that it's not going to be of any real assistance to us to know the ownership by citizenship of all the residential property in Calgary and Edmonton for example, and we may want to exclude that. But whether we want to exclude it in its entirety or part of it, whether we want to exclude only residential land in those areas, whether we want to exclude business land as well, are all questions that will need to be decided as we are putting the information-gathering system in place and monitoring the information that is coming out of it. That is the kind of thing we have in mind there, as I've explained a couple of times.

MR. LUDWIG:

Mr. Chairman, I'm quite convinced now that the government is not ready with this bill. They want the minister to have power to exempt any part of Alberta from the bill. This isn't what the Legislature is telling him. They're telling him to bring in this bill, and not that we're giving you power to nullify any part of it [at] your own discretion.

I've been reading some speeches of the hon. members who are now in the government when they were in the opposition, and I have paid particular attention to government by regulation and nullifying legislation. They were tremendously determined that this not be. They turned around when they got on that side and the hon. member, who was once upon a time a Liberal, was ready to fight government by regulation to [the] death. This went on and on and on [with] every bill. If there were any regulations at all, we were abdicating, we were taking away the rights of the Legislature to legislate. This went on and on.

I just read some very high sounding speeches by the hon. House Leader, [and] the hon. Premier. Government by regulation was a cardinal sin in politics. Then they got in there and said we didn't mean a darn word we said. Like many other things said, it's different now. We're in charge now, so those things don't count any more.

I'm looking at this thing and we're giving the minister, in this legislation, the right to repeal or to include or exclude anybody he wishes. There is no such thing as specifics or definition in the use of any of these words. I'm quite convinced now that he can state, anything north of the Highway No. 1 will be included in this bill and everything south will not be. He can say, everything east of Highway No. 2 will be excluded, everything in zone such and such will be excluded from this thing.

This is not what the Legislature is telling him. If we're going to do a job, let's do a job. Let's not say we're going to go in swimming, but just touch it with our toe a little in case the water is cold, give the minister a safety valve just in case we've made a mess of things, we don't know what it's all about.

The uncertainty of this whole thing is now couched in language that the minister may exempt anything he likes from the operation of this bill. We're saying we're going to legislate, but the minister doesn't have to live by it. We have no business giving any

minister that kind of power, particularly a government that has shown inclination to do that.

Why do they want this kind of power. We've had an hon. minister in this House stand up and say that some legislation was suspended by [this] unilateral action. He didn't even tell anybody. He announced in this House that this legislation is in abeyance. This is on record. Somebody might want to challenge it, but it is the man who is so concerned about government by regulation. So if you want to do it that way, don't have this bill. If you say the minister can include or exclude anything he likes, give the hon. Attorney General a blank cheque and say, do what you like, we rely on you, we trust you implicitly. I think the people are now learning more and more that to trust politicians is sometimes a very dangerous thing.

So I'm not at all satisfied that we're doing the right thing in this bill. I'm convinced that they are not happy. We've gone into this. We've got to do something because a report came in from the land committee. Let's do something. But let's not really do it, let's just put it in. The minister knows quite a bit about this stuff, he can fix it all up so it's all right with the people so nobody is troubled.

I'm concerned about one more section here, about exempting minerals ownership. The minerals ownership in many instances is worth so much more than all the land put together, so we're exempting that. Now there might be some very valid reasons we exempt the right of mineral ownership. It says:

This section does not apply with respect to any transfer of an estate in fee simple in minerals ... nor to any caveat relating to an agreement for the sale of minerals only.

There must be a good reason for that. Perhaps the minister explained it and maybe I didn't get it. If he has, I'll look it up. If he hasn't, I'd like the explanation. But we're doing things by halves here and we are afraid to go all out. We're afraid to back the committee and its recommendation, so we're going to take the chance on the minister rather than on the Legislature.

I for one don't want to be associated with this type of legislation. We have to oppose all of it. As I stated before, what we've seen with this government, to legislate to the minister power to repeal or declare any part of the legislation applicable to the "class of land" - whatever that means, "class of land." I don't think he can give us a definition of "class of land". And the explanation that perhaps some charitable institution might not be able to comply - well why don't we exempt charitable institutions right now instead of letting the minister decide he's going to exempt one charitable institution and perhaps not another.

So this bill is a sad reflection on the amount of legal talent they have on that other side, when they come up with a vague performance and then say, trust us. The people trusted them and they've been surprised a few times. I think they found out that politicians who speak with forked tongue are not to be trusted. They sent us here to make sure we don't give them a blank cheque, and that's exactly what we're doing.

So, Mr. Chairman, I'm not at all reluctant to declare that I don't want to be associated with this bill because there is trouble ahead with it. As far as I'm concerned, any reference to any ethnic [origin] or race or nationality of people buying land in this country is something - we don't want to go that way and we'd better stop it here.

Thank you, Mr. Chairman.

MR. DIXON:

Mr. Chairman, the hon. Member for Calgary Millican has said a lot that I was going to say, but there are one or two points he didn't touch on.

[Interjections]

I've been talking to myself so much lately, Mr. Chairman I guess ...

MR. CHAIRMAN:

The Chair did recognize Mr. Dixon.

MR. DIXON:

Anyway, the hon. Member for Calgary Mountain View certainly pointed out some of the weaknesses in this bill. I said from the start I wasn't too fussy about being associated with the bill, as he has said tonight. I don't want to go into a lot of the arguments I went into the other night, but I think that when a provincial government is seeking the nationality of a particular people within our province - our citizenship is ultra vires of provincial legislation. I believe the federal government can ask that because the federal government can either have an immigrant in this country or it can ask him to leave if he's a noncitizen. But we certainly can't do it as a province. I think we're just overstepping our mark.

But we'll run into the same problems as they ran into in B.C., with leases, because they didn't want to give them to Orientals. That was soon declared ultra vires. So it doesn't matter whether you're asking nationality or citizenship, it's the same thing as far as that's concerned because the only one that can allow a noncitizen to stay in this country if it wants to deport him is the federal government. And I don't think you could argue if the federal government asked what your nationality is.

When a provincial government asks what your nationality is, where is it going to stop? Is it going to go down now to the municipal government? Are they going to before you buy or rent this house you're going to have to say what your nationality or citizenship is.

AN HON. MEMBER:

You forgot something.

MR. DIXON:

But, as I get it, the idea of this bill, Mr. Chairman, is to monitor who is buying land in Alberta. If that is the case, there should be no exemptions for anyone if we're going to be treated equally.

I didn't like the first part of the bill where the cabinet could give exemptions. And the softening with the amendment hasn't changed my mind. I think this is the type of legislation where we're talking about equality. Let's treat everybody equally so if anybody wants to change land or buy land in Alberta, they have to comply with the act and nobody, a minister or anyone else, should exempt them without the authority of the Legislature.

Mr. Chairman, I do want to state once again that I am opposed to this type of bill for several reasons which I don't want to go into tonight. But the two main reasons are: I see no reason that we as a province are demanding what citizenship a person has. You can see no end to it. It will go right on down to the next level of government and goodness knows that you won't be able to do anything after awhile. We won't want to welcome anybody to this country that was built by noncitizens.

We were all noncitizens at one time except our native people. I like to stay away from the very fact ...

AN HON. MEMBER:

I'm a citizen.

MR. DIXON:

You are a citizen but probably your grandfather wasn't. You were maybe born here.

But that's not the point. The idea is if you are going to have legislation, especially legislation to do with people's rights, I think the less there is of exemption by cabinet order, or by any order other than the Legislature or the Parliament of Canada where it should be - I think we should stop right now before we get ourselves into trouble.

Thank you, Mr. Chairman.

MR. WILSON:

Mr. Chairman, I appreciate the fact that the hon. Attorney General tried to straighten out this bill a bit by bringing in a couple of amendments, but the basic point still stands. This bill is to set up an information-gathering system, a system to acquire statistics. Why do we need any exceptions whatsoever at this stage? For the life of me, Mr. Chairman, I cannot understand why the hon. Attorney General would leave himself in such a position for attack down the road.

The first time any Attorney General would make any exemption from this legislation on his own hook, [he would] leave himself wide open to criticism and suspicion. For whatever reasons he may publicly say, there will be all kinds of people wondering why he would make such an exemption. It leaves any Attorney General who would make an exemption open to charges of having been offered bribes or pay-offs, and there would be cries for judicial inquiries and things of that nature, Mr. Chairman.

I can't understand why the Attorney General would want to subject anybody in that position to the wide-open charges they would have, should they ever exempt any corporation. If a group of people was trying to acquire a very significant tract of land in Alberta, for example, they certainly wouldn't be buying it in their own name in any likelihood. And if they were foreign based or if the capital was foreign based and it was coming to Canada, they'd certainly form a Canadian or an Alberta corporation.

If, for example, they wanted to acquire most of the farm land in the Stettler constituency and they looked at this legislation - why, if there were rather unscrupulous people behind that foreign capital, it's quite easy to understand that they would approach the Attorney General under this section and perhaps offer bribes and things of that nature to have themselves exempted.

It doesn't seem reasonable at all that this subsection (5) would be left in this bill - particularly when the Attorney General has had a chance to look it over, and he's brought in a couple of other amendments - why he would leave subsection (5) the way it is. Perhaps the only exemption we could understand at this time would be Canadian Crown corporations. But I don't even see the need for such an exemption as that.

If we're going to have a complete information-gathering system that gives us a statistical record so that we know where the land is going, it seems ridiculous to me to be talking about exemptions that could throw the whole information-gathering system out of kilter, and on top of that bring disgrace, or charges of disgrace at least, on the government of the day, should any Attorney General be foolish enough to exempt any corporation from complying with the information-gathering system. I don't think we have had any arguments that support the need for this. At this stage I certainly cannot agree or understand why there would be a need to have subsection (5) in this bill, Mr. Chairman.

MR. CLARK:

Mr. Chairman, to go back to the suggestion made by my colleague, the Member for Cardston, when he asked the Attorney General if he would be prepared to consider dealing with subsection (5) of the act, so that any regulation there would cease to become effective some number of days after the next session of the Legislature starts, so that if there were exemptions made under subsection (5) - which I don't think there should be - either that regulation would cease to exist or the government would bring into the Legislature an amendment to The Land Titles Act as was presented at this session.

I believe, in the course of his response, we have had no indication from the Attorney General as to first, whether he feels this is reasonable or secondly, why he thinks this isn't practical.

We have a precedent for this. We have the precedent in that legislation dealing with northeastern Alberta. As bad as that legislation is, that's one of the few saving graces as far as that legislation is concerned. I wonder why we can't go the same route as far as this particular section is concerned.

MR. NOTLEY:

Mr. Chairman, I just want to make several comments again on subsection (5). I listened to the Attorney General when he said that in a sense it would be made public through the Land Titles Office. That, no doubt, is true, although that is a rather cumbersome approach to follow. While one can no doubt ascertain information that way, it is not nearly as readily available, I'm sure the Attorney General would agree, as it would be were there action taken by order in council and published accordingly in The Alberta Gazette, or alternatively, as suggested by the Member for Cardston and the Leader of the Opposition, that any regulations made be tabled in the Legislature and finally authorized by the Legislature.

It seems to me that the argument has not been made by the government, Mr. Chairman, as to why the Attorney General needs this enormous discretionary power in order to fulfill the normal functions of efficient government. I think we discussed the same principle on subsection (4), that with the Legislature meeting twice a year, surely there are not going to be that many occasions when it [will be] necessary to exempt an individual or a class of people, as it were, although it's now been amended in subsection (4), but in the case of subsection (5), exempt a corporation.

My concern again is that if the Attorney General uses this section, I shouldn't say improperly but unwisely, we could in fact undermine the very basic function of the act. The concern is to monitor the ownership of land and the pattern of land ownership in the province of Alberta. Now, Mr. Chairman, I really doubt that too many people, even the most militant nationalists on the subject, are overly concerned about individuals who are purchasing land. There may be certain examples, especially in the recreational field, but the major concern - this is where I agree with the Member for Drumheller - is as a result of corporate buying of land by non-Canadian companies. That is why it troubles me that we have subsection (5), which gives the Attorney General the latitude to say to a company, we will exempt you from the provisions of this act.

While somewhat down the road this information may come out if the investigative work is done, the fact of the matter is that it is not readily available to the public. And the fact of the matter is that the accountability and the checking which are, in my judgment, so necessary if the exemption section is not to be unwisely used - let me put it that way. It seems to me that that is the danger of subsection (5).

I can, in conclusion, recognize that there will be times and occasions and cases where exemptions are justified. But I don't think the case is made that the decision to exempt should be left up to one man.

I would suspect that the Attorney General is going to have to have the wisdom of Solomon in order to properly exercise his responsibilities under subsection (5). While I don't think any of us question his integrity, I'm not sure that we are all convinced that he has the wisdom of Solomon.

So, Mr. Chairman, I would suggest the government reconsider subsection (5) because, as I see it, it could very dangerously undermine the basic principle of the act, which is the monitoring system. Therefore, since that is the principle of the act and since the major thrust of concern is going to be the area of corporate development, especially foreign corporate development, let's make sure that some other device than the decision of an individual minister is the one we assign to determine whether or not an exemption will take place.

AN HON. MEMBER:

Agreed.

MR. CLARK:

I can ask the questions just as long as the Attorney General wants to sit there.

I asked earlier why the Attorney General felt the suggestion made by the Member for Cardston wasn't practical as far as saying the new regulations made under subsection (5) would virtually become inoperative after a certain number of days in the spring session. Now I don't think it's unreasonable that the Attorney General thinks that's a very poor suggestion. At least we can hear his "why," because if there isn't some response in that direction, and of course if we're not prepared to go that way, we have to go back and rather seriously consider deleting the sections again.

MR. LUDWIG:

Mr. Chairman, I think we've witnessed a lot of interesting things in this House. When the hon. Attorney General can sit there and sort of treat this whole thing with contempt, then I think we ought to put him on record, that he sits there with indifference.

This is an important bill. We're taking time and we're raising what we believe to be legitimate questions, and making statements, and he doesn't want to ... Just because the backbenchers on the other side are either indifferent or haven't got the courage to stand up, does not mean we have to shut down debate. If they are going to treat this with contempt and arrogance they don't need to bring this bill in. As I've stated, they've suspended legislation here before without telling anybody, and came up smiling. I'll remind the House that the hon. minister, Mr. Russell announced in the House that this legislation was in abeyance, suspended. Now if there ever was a case of contempt of the Legislature, of the democratic process, that was it.

And number two, this is it. The Attorney General doesn't have to answer questions. But he's got a job to do. I asked him a question earlier today, a legitimate question about his department. He treated it with indifference. The only thing to do with a minister who treats people and MLAs with indifference is - sooner or later people will find all this out. You can't hide this kind of stuff.

I'm really disappointed that some of the MPs for Alberta are not in this House. I can assure you they wouldn't be proud to sit over there. They would be on this side raising heck with this government, because they have established a record for fighting government secrecy, fighting government indifference, fighting government arrogance. One of the toughest and the best is Dr. Horner's brother. I think if he were here he would take our honorable Hugh on and he'd probably tell him that democracy still exists in this country

...

AN HON. MEMBER:

Hear, hear.

MR. LUDWIG:

... and I'm sure he knows it. The hon. minister, Dr. Horner - I happen to like the man because he fought for democracy tooth and nail when he was on this side.

AN HON. MEMBER:

How he changed.

MR. LUDWIG:

The fact that it is now expedient to forget what he said a couple of years ago is another matter, but they have done it. If anybody wants to challenge me, I'll bring a whole stack of speeches I looked at today just to find out how dishonest these men are. I read them and I blushed - reading how the hon. minister, Mr. Hyndman, opposed government by regulation, and the Premier was jumping up and down like he got a shot from the doctor. We're going to take the lid off, he is going to raise the roof in this House and open up all this secret government action. And what do they do? They go right in there and you couldn't pry their mouths loose with anything less than perhaps a stiff shot.

We are now confronted with the kind of thing that we on this side have to fight. It doesn't matter whether one or two or five or twenty-five fight it, we have to oppose the arrogance of the minister. I can state that when a minister listens to some hon. member's request he might not agree with him. Whatever people think of politicians they don't expect them to be correct all the time. But they are entitled to express their views here. To sit there with disdain and contempt at what a member says is not what we're here for, and a minister is ill advised to try that kind of thing.

So you might feel we are knocking, we're criticizing. One of the responsibilities of an opposition is to critically analyse what the government does, to criticize its attitude if it has contempt for the people and you don't. When you put an MLA down in this House or treat him with contempt, you are not treating an MLA with contempt, you are treating the people he represents. With all due respect to the hon. Premier's views of who has a mandate and who hasn't, every MLA here is properly elected and the government has a mandate to treat all the people the same, once it's in.

You're forcing us to stand here and take you on and to get after you, to try to pry you loose to do the right thing. That desire to be all things to all people, when they were on this side, has been lost all of a sudden. There was no greater group of champions of the people's causes in this province than when six or seven or ten of them sat on this side, and they remember every word they said. I kept those speeches. I was going to throw them out today because there is a lot of garbage in them, a lot more than they thought there was. But some of the gems of wisdom - the Premier stated in one speech, and I'll bring it here and I'll photocopy it and send it to all the MLAs there so they know who they have got ...

AN HON. MEMBER:

On this side too.

MR. LUDWIG:

He stated that when a government does that it is sowing the seeds of future defeat. You people might find you are riding pretty high right now. You have all the money you like, you're blowing it, you're spending it, and somebody on that side gets up and states, well,

we tell them to spend it on the one hand and we tell them to be careful on the other. That is not true. Spending and investing are two different things. They are spending money. We're telling them not to spend money. We're telling them to invest it in people and not to spend it on an airplane investment after a hard night's party.

AN HON. MEMBER:
Patio party.

MR. LUDWIG:
Mr. Chairman, what do we do to get the Attorney General to stand up and be counted. I'd like a picture of him right now because he reflects contempt, contempt of the people of this province. They may feel we're repeating it, yet every time it happens we should repeat it. Some of the hon. members at the back are sitting there all huddled and discussing whether some of them might get knocked out in nominations rather than elections - because that seems to be their worst fear now. Just look at that bunch over there. Just look at them. Talk about deadwood. We had some but we were in here for 36 years. How did you get all that much in one fell swoop? Do you know that if 15 of those fellows in that corner went home and got lost, nobody would ever know the difference.

MR. CHAIRMAN:
Order, Mr. Ludwig.

MR. HYNDMAN:
You're not fit to be an MLA.

MR. LUDWIG:
I'm not?

MR. HYNDMAN:
You're not.

MR. CHAIRMAN:
Order. Order please.

MR. LUDWIG:
And what are you going to do about it.

MR. CHAIRMAN:
Order, please.

MR. LUDWIG:
And you're not fit to be a minister if you talk that way, Mr. Hyndman. Any minister who tells me that I'm not fit to be an MLA is not fit to be a minister, Mr. Chairman.

MR. CHAIRMAN:
Order please.
Would the hon. Member for Calgary Mountain View continue to address the Chair, please. The rules still apply.

MR. LUDWIG:
Yes, Mr. Chairman, but I want to go on record that any minister who can stand up in this House and tell me I'm not fit to be a MLA - I can tell him that he's not fit to be a minister. Even if I am wrong, it is up to him to defend the decorum and the rules of this Legislature. If he doesn't like what I said, rule me out of order. But don't try to take me on. If I was wrong, he has a chairman here. But don't stand up and snap at me, you're not fit to be an MLA. That is unparliamentary, Mr. Chairman. ... [Interjections] ... Or is it parliamentary? If the hon. minister thinks it is parliamentary, I'll tell him I don't think he is fit to be a MLA because he reversed himself in a short period of time in this House. He is not fit to be a minister. I would tell the same thing to the hon. minister over there who is sneering, Warrack, but everybody knows that he is not fit to be one, so why should I say so.

AN HON. MEMBER:
He's turning on his own party.

AN HON. MEMBER:
You're embarrassing everybody over there.

MR. LUDWIG:
Yes, it might be embarrassing but I think you're no prize catch either, Mr. Minister.

AN HON. MEMBER:
It's your party it's embarrassing.

MR. LUDWIG:
Well, I think I'm doing a good job on you too, Mr. Minister.

AN HON. MEMBER:

I'll see you on the hustings, Albert.

MR. LUDWIG:

Yes, you'll see me on the hustings. You wouldn't have the nerve to run against me if you saw me on the hustings.

MR. CHAIRMAN:

Order, Mr. Ludwig, please. Would you address the Chair. Order

MR. LUDWIG:

You shut him up and I'll carry on.

MR. CHAIRMAN:

Mr. Ludwig, would you please continue with your presentation and address the Chair.

MR. LUDWIG:

Yes, I am trying to do my best, Mr. Chairman, but I've got more competition from you and the other side than I think I need at the present time.

But we still are going to hang tough and see if the hon. Attorney General will stand up and at least tell us, to heck with you fellows, I'm minister now, my side will give me the power I need and we don't need to listen to you. Because he may not say it, but his attitude reflects that that is exactly what he stands for. Talk about people being fit to sit in this House - when you're in contempt of the House on something you have to look at yourself. Nobody has to tell you anything.

Thank you, Mr. Chairman.

MR. TAYLOR:

Mr. Chairman, I wonder if the hon. Attorney General would enlarge on the answer he gave about Canadian corporations? I am not sure I understood him. I understood him to say that any foreign corporation coming into Alberta would have to become a Canadian corporation before it could buy land. Did I misunderstand you?

MR. LEITCH:

To some extent, Mr. Chairman.

What the hon. member had said in his earlier comments was whether there shouldn't be an amendment referring only to Canadian corporations. I said that I wasn't sure at this moment exactly what was encompassed by the phrase "Canadian corporation". For example, it is my memory that a corporation, before it can become registered as an owner of land in Alberta, has to become registered as an Alberta company. The thing that I am not sure about is whether that registration brings it within the phrase "Canadian corporation".

I know that there are statutes where "Canadian corporation" is defined as having certain shareholders and a certain percentage of Canadian citizens. But apart from such acts, where they are specifically defined that way, I am not sure what is meant by the general phrase, "Canadian corporation". For example, a corporation registered to do business in Canada may be a Canadian corporation, notwithstanding the foreign identity of the shareholders who own the corporation. So it is merely a question at this moment of not being sure what's meant by the phrase "Canadian corporation".

MR. TAYLOR:

That is my really major objection to subsection (5). If we are going to exempt corporations that are Canadian, without a majority of their owners being not Canadian, I can follow (5) along with (4) with the other amendments, because I think there is a case made for some exemptions. But when we put in any corporation even though we mean any Canadian corporation - or do we mean any corporation that may well have a majority of its shareholders of foreign extraction - then it becomes a little worrying, when we consider that the monitoring of the bill is for the purpose of finding out which ones are Canadian and which ones are not.

Mr. Chairman, in order to try to bring the matter to a head I would move that "Canadian" be inserted after the word "any" in the first line and it would then read: "The Attorney General may exempt any Canadian corporation"

MR. CHAIRMAN:

The Chair would appreciate having that in writing Mr. Taylor, please.

MR. TAYLOR:

Adding the words "Canadian-controlled corporation" rather than straight "Canadian" would improve it.

MR. CHAIRMAN:

While Mr. Taylor is drafting that, Mr. Speaker did you have some comment you wanted to make? Or did you want to wait for that amendment? Any comments on the amendment proposed by Mr. Taylor? Mr. Notley.

MR. NOTLEY:

Mr. Chairman, I would certainly rise to support the amendment although I would like to have seen the government go somewhat further. It still worries me that there is, as I've mentioned before, and this is ploughing ground that has already been well ploughed this evening, unnecessary and unjustifiable latitude in the hands of the minister.

However, laying aside that argument for a moment, at least the advantage, it seems to me, what the amendment gives us is that we do restrict the area of latitude on the part of the minister. We restrict it to Canadian-controlled corporations.

Now I suppose there can be some question about how you can define a Canadian-controlled corporation although one could use some of the federal statutes in this regard to find a definition. I don't think there would be any serious problem in the government determining how to define a Canadian-controlled corporation.

The main thrust of the amendment is to make sure there is no exemption for foreign-controlled companies dealing in land. That, of course, doesn't stop them purchasing land. We're just talking - and I think it's important from time to time in this long debate that we remind ourselves that the whole purpose of this legislation is just to insist on a monitoring process. We haven't even got to the point where we're restricting the right to buy. We may very well, as a result of the Land Use Forum, take some other course in the future. That's something which we'll await with interest, the final recommendations of the Land Use Forum.

But in order for that forum to have the widest possible information to make its judgments, in my view it would be clearly necessary that any exemption would not be of a foreign-controlled company, because you are defeating the purpose of the act. If you are going to exempt companies that are foreign-controlled, what in heaven's name is the purpose of having a monitoring process to deal with the question of foreign ownership of land in the first place. It just doesn't make any sense at all.

It seems to me that the amendment proposed by the hon. Member for Drumheller clarifies this section. It still, as I mentioned before, gives rather too much latitude to the minister but at least it's an improvement. It tightens up the legislation and I would hope, Mr. Chairman, that this really wouldn't become a partisan debate as such, but that the government would very seriously consider the amendment because, in so doing, I would argue that the amendment would improve the quality of this legislation.

MR. LEITCH:

Mr. Chairman, I appreciate the remarks of the member who introduced this amendment but the difficulty with it is this, and I go back to the reason for the clause in the first place. We have by this legislation, I think for good reason, for sound reason, imposed on the people an additional burden, the obligation of giving a factual statement as to citizenship. While that's not difficult for an individual, it can in many many cases with companies be a problem because it requires an identification of the citizenship of the shareholders. We endeavour to do this in such a way that we will get the information we need and at the same time inconvenience, to the minimum extent possible, the people of Alberta, whether they are corporations or otherwise.

Now the difficulty with saying Canadian control is this - and the kind of situation I envisage occurring under this section would be some religious or world organization that has an international membership. It's going to be very difficult to say to the person who is here, give a declaration, subject to penalty if it is wrong, as to the citizenship of the people who have an ownership interest in this. That's the kind of area - and they would not be Canadian, bearing in mind the difficulties I have with the meaning of "Canadian-controlled" corporation. They would fall outside of this, and they would still be faced with the kind of problem that led to this provision being here in the first place.

You do have international bodies with ownership in all parts of the world, in such work as charitable work, religious work, nonprofit work, things of that nature. You may well find there that it's difficult, indeed perhaps impossible, for them to meet the requirements of this legislation without a great deal of work. It's that kind of situation we hope to be able to cover by this section, and contemplated covering by this section, and you can't be sure that you're aware of all of them to particularize them in any piece of legislation.

As has been pointed out earlier in the debate, while these exemptions here - they exist in a great many statutes. The hon. members on the other side passed The Companies Act which has a similar kind of exemption exercised by the Attorney General, and there are others. There's no difficulty finding legislation that the hon. members on the other side passed with the same kind of exemption.

As to the capacity to hide this kind of thing, it has already been mentioned in the debate that all the exemptions that may be given under that can be brought before the Legislature on a motion for a return. So it is public, although as I said earlier, not so readily public as by notice in The Gazette through the Land Titles Office.

MR. NOTLEY:

Mr. Chairman, I would just like to make a brief comment about the suggestion of religious organizations and the difficulty we could put charitable organizations to which are foreign controlled. I find that a little difficult to follow. There may be, from time to time, religious organizations which purchase land, but if that is done by the local chapter of the congregation surely that congregation would be considered a Canadian church as such, and that would not be a problem. If, on the other hand, the purchase of land is done as a result of an overall move by a church, it seems to me that, first, if

we're talking about a religious sect that stretches across the border, they have the facilities to do whatever work has to be done to comply with this section. Secondly, if this kind of land acquisition is taking place, I for one would not think it terribly serious. Nevertheless it is the type of information which could well be useful to the Land [Use] Forum.

I think we have to make the point very carefully, Mr. Chairman, that we're not talking at this stage about prohibition of purchase. If it were a question of prohibiting purchase of land, I think the hon. Attorney General's remarks would be well taken. But it isn't. It's a case in this act of simply acquiring information. That being the case, I find it, with great respect to him, rather difficult to follow his line of reasoning. Therefore I come back to the main thrust of this amendment which I think is a reasonable one and one which would strengthen the bill.

MR. CLARK:

Mr. Chairman, just following along the comments that have already been made. I think the point of the amendment proposed by the Member for Drumheller goes some distance towards, for lack of a better term, working out some sort of compromise as far as subsection (5) is concerned. As has been mentioned by several members previously, I think our preference would be [that] this section wasn't in the act at all. But if we're going to make exemptions, at least let's tie these exemptions down in the manner that the hon. Member for Drumheller has indicated.

I go back to the real basis for this particular bill, as I understand it, from talking to people involved with the Land Use Forum. This came from the Land Use Forum with the view in mind that the information garnered as a result would certainly aid them and aid whatever mechanism they may recommend to be set up once the Land Use Forum has made its recommendations to the government. For some strange reason, on this question of exemptions we're going some distance to err on the side of not having all the information rather than being prepared to go some distance to guarantee we're going to have all the information. It seems to me that's the basic question.

If we find out in four months time - this being almost November in a couple of hours, November, December, January, let's say we're back here in February, March, that's four, five months - as a result of no exemptions or the result of the amendment being made by my colleague from Drumheller, that this is causing a very difficult hardship on some of the groups the Attorney General refers to, then I can assure the hon. Attorney General if he brings the situation into the House, he'll find the opposition cooperative. It seems to me we should be making the exemptions based on some experience, albeit that experience may be only four, five or six months. That seems to me to be an eminently wiser approach than to build in the exemptions from the outset.

MR. LEITCH:

Mr. Chairman, I would like to respond to the comments of the hon. Leader of the Opposition and point out why it's impractical. This provision provides you shall not register an interest in land. We can't hold people up from registering the interest in the land who are unable to comply with the provisions in the section for four or six months, or however long the period may be, until we get back to the House.

MR. CLARK:

In response to the Attorney General. I have yet to hear the Attorney General this evening, or the other evening, give us one concrete example ...

AN HON. MEMBER:

Right.

MR. CLARK:

... not one concrete example of a situation where they wouldn't be able to register. If we could get down to some concrete examples We have talked about pipelines. We have talked about religious denominations and charitable organizations. For the life of me, I can't understand why they can't register. Now let's get down to the concrete. Give us one or two or three examples why it would be impossible for them.

I'm saying bring back the concrete examples after you've had some sad experiences, unless you're going to give us some concrete examples here.

SOME HON. MEMBERS:

Question.

MR. CLARK:

We assume you don't have any concrete examples.

MR. CHAIRMAN:

Ready for the question? Question has been called on the amendment proposed ...

MR. CLARK:

So, Mr. Chairman, we can only presume that the Attorney General has no concrete examples he can put forward.

AN HON. MEMBER:
That's right.

SOME HON. MEMBERS:
Question.

[The amendment was defeated.]

MR. CLARK:

Mr. Chairman, I move the deletion of subsection (5) from Bill No. 63 and in moving the deletion, Mr. Chairman, I think the arguments have been well made and the arguments have certainly been highlighted here this evening, when the government has not been able to bring forward one concrete example, not one concrete example, why they would have to use subsection (5).

We have talked to a number of individuals since the House discussed this matter earlier this week. In the opinion of the people I spoke to, some of the legal fraternity and some others, they have clearly indicated that if we are going to have this kind of monitoring, it should be complete monitoring. We have given the Attorney General the opportunity this evening to show us one concrete example how that couldn't be done, one concrete example. He sat in his seat and hasn't been able to do that.

AN HON. MEMBER:
Question.

MR. NOTLEY:

I can support this particular amendment with a good deal more enthusiasm than the former one, as a matter of fact.

I think we have to recognize just what an important assignment the Alberta Land Use Forum has. There's no question that the work of the Forum will have very important implications for this province and I submit, Mr. Chairman, for all of Canada.

This particular piece of legislation, as I understand it and as someone said in the debate from the government side, came as a result of a request by the Land Use Forum to have a monitoring agency so that we could nail down the kind of information that is required in order for that Forum to be able to make recommendations based on fact.

During the course of this discussion, both in second reading and in committee stage, over and over again we have heard that part of the problem in determining whether or not there is a problem, is a lack of information. This was certainly one of the major recommendations the Select Committee on Foreign Investment made. When we reviewed the subject as a subcommittee, the one thing that I think united all of us was a recognition that there just wasn't the information available.

Now, Mr. Chairman, the purpose of a monitoring agency to obtain that information would, in my judgment, lend the Forum the information necessary to complete its work. To reduce the effectiveness of this bill, by having all sorts of ministerial exemptions of corporations ... You know the one area - this is repeating myself but it's a point well made - that concerns and troubles people most whether it's in the Peace River country, whether it's in Drumheller, whether it's adjacent to Calgary, whether it's in southern Alberta or the northeastern part of the province, is the problem of corporations moving into this area; not just corporations which are controlled in the United States. Quite frankly, it seems to me, if we are going to look at foreign ownership of land, I would be much more interested in the kind of investment patterns that the Arab states are going to be making now, because investment in land in North America is very prudent.

When I see the land values in the Peace River country and compare them with the land values in central and southern Alberta and then look at the corn belt in the United States, you know perfectly well that our land is underpriced. No question about that. It's going to be a good investment for people to get in and buy land, especially in some of the northern areas of the province, and adjacent to our major cities.

The concern is not with Molly Smith in Des Moines, Iowa who decides she wants to come north and buy a farm in the Peace River country. God bless her. If she wants to take out landed immigrant status and start it, fair enough.

But the problem is with the corporations. I think this amendment, by sweeping away the right of the Attorney General to make exemptions, would be fulfilling the basic purpose and principle of the act. And I would hope the government would accept it. If they don't accept it, I think we, on this side of the House, have the responsibility of hammering away at it until at least that point is well made to the people of Alberta.

SOME HON. MEMBERS:
Agreed.

MR. LUDWIG:

Mr. Chairman, I believe every hon. member here knows that a lot of study went into the background to prepare this bill, and I hope I can criticize the hon. Attorney General again without incurring the wrath of the rather sensitive [hon. Government] House Leader. But that is rather immaterial at this point in time.

I think we've made a case here that if the hon. Attorney General cannot give us information, if he is not informed, at least we'll be reasonable enough to say that he can take this thing back, think it over, and come back with some reasonable explanation.

We're not being unreasonable by saying that we want an explanation. And I'm quite convinced that if the chairman of the committee, the hon. member, Mr. Koziak, was there, he'd be only too glad to fill us in. Maybe we should invite him, because the Attorney General can't know the answer in this case. And if he doesn't know, if he doesn't have to know it, he can find out tomorrow, or can keep this bill until next week.

But I don't think we should let him get away with the fact that, I'm not going to tell you, it's tough if you want to know. You can go whistle in the dark. I'm the Attorney General and this is the bill. My caucus supports me and that's the end of it. Maybe I'm being extreme or emphasizing the situation a bit too much, but that's the way we see it.

We have pressed him to give us the reasons for not wanting to amend it to "Canadian-controlled". He talked that down, and I must say right now I'd prefer to see the whole section deleted. If we're going to do a job, let's do it; if we are afraid to do it, hold the legislation and convince us. If it's unreasonable to ask a minister to explain a section in his bill, I don't know what we are all doing here. I don't think we have ever run across this situation before. And certainly if they state, we haven't got the reasons, that is the best support we can get to defeat this section. If they haven't got a reason for a section to be in there, we don't want it.

We're not being unreasonable. We're not being miserable about it. We're being annoyed about it, because a minister can't just state, I have reasons but I'm not going to give them to you. And so anybody - it doesn't have to be the minister - who knows on that side, fill us in as to why we can't take that section out and we might listen.

On the other hand, if you just leave it this way, we'll have to keep raising it, raise it here, raise it on third reading of the bill, and continue. No MLA in this House ought to be satisfied with a section going into an act like this, an important section, a section that gives tremendous powers to one man, something that is not the way of doing things in the Legislature, something that's a bit foreign to a Legislature. We're going out of our way to give one man wide powers and he can't tell us what he needs them for.

If that's being unreasonable, that's our job. We'll continue to be unreasonable. But I think we should persist until we get it, not only here but, as someone said, on the hustings. The public doesn't, but ought to, know that ministers bring in legislation they can't explain.

Thank you, Mr. Chairman.

[The motion was defeated.]

[The amendment was carried.]

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

MR. LEITCH:

Mr. Chairman, I move that the bill be reported as amended.

[The motion was carried.]

MR. HYNDMAN:

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

MR. CHAIRMAN:

Is it agreed?

HON. MEMBERS:

Agreed.

[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 bill, Bill No. 69, and begs to report same. The Committee of the Whole Assembly has had under consideration Bill No. 63, begs to report same with some amendments and asks leave to sit again.

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, I move the Assembly do now adjourn until tomorrow morning at 10 a.m.

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The Assembly stands adjourned until tomorrow morning at 10:00 o'clock.

[The House rose at 10:20 p.m.]