

**LEGISLATIVE ASSEMBLY OF ALBERTA**Title: **Tuesday, May 18, 1976 2:30 p.m.**

[The House met at 2:30 p.m.]

**PRAYERS**

[Mr. Speaker in the Chair]

**head: INTRODUCTION OF VISITORS**

MR. CLARK: Mr. Speaker, it is indeed a privilege for me this afternoon to introduce to you, and through you to the members of the Assembly, a lady who has given 40 years of public service to this province. I refer to Miss Dorothy Hope, who is in your gallery, Mr. Speaker, and who is accompanied today by her mother.

Miss Hope commenced employment with the Government of Alberta in June 1936. In 1939 she became the personal secretary to the premier of the province, the late William Aberhart. From 1939 until 1971 she was the personal secretary to the three Social Credit premiers, Premier Aberhart, Premier Manning, and Premier Strom. Since August 1971, she has been the personal secretary to the three leaders of the opposition whom this Assembly has seen during that time.

I'm extremely pleased to have the opportunity today to say to members of the Assembly, and through you, Mr. Speaker, a very genuine and a very sincere thank you to Miss Dorothy Hope for 40 years of very dedicated and very genuine service to the people of this province. I suppose it would be facetious for me to say that I think Miss Hope in fact has shared a great deal of hope with people across this province in the way she has managed the affairs during the time she was personal secretary to the three premiers.

Oddly enough, she was personal secretary to the three premiers for some 32 years. When you consider that the province of Alberta is 71 years old, that's indeed a mark that I doubt we will ever see again.

Miss Hope, if you would rise, I'm sure the members of the Assembly would like to join me in paying our respects to you.

MR. LOUGHEED: Mr. Speaker, on behalf of the members of the government, if I could join in this occasion with the Leader of the Opposition to also pay our respects to Miss Hope, our appreciation to her for her kindness and courtesy.

As a new leader of the opposition in the latter part of 1967, one of my first experiences in this building as an elected person was being directed, if I could use that word, by the Clerk of the Legislative Assembly to go down to have a discussion with the then Premier Manning. I approached the office with considerable trepidation. I opened the door. I was greeted with very pleasant surprise, recognition and a pleasant response. I have remembered that as a start of a very friendly and delightful relationship for me and for the colleagues who were with me during those times,

and latterly as well.

We on the government side are very pleased to join the Leader of the Opposition in our best wishes to Miss Dorothy Hope. Thank you very much.

MR. TAYLOR: Mr. Speaker, I would like to pay my respects to Miss Hope, as well. She has served her province exceptionally well throughout the years. Perhaps I should finish by giving a quote from the late Dave Ure: "Is there any hope for Taylor?"

MR. DOAN: Mr. Speaker, on behalf of my colleague for the Red Deer constituency, I would like to introduce to you, and through you to the members of the Assembly, 50 senior citizens from the Red Deer Recreation Department. They are accompanied by Mrs. Isla Wagers, who sponsors senior citizens in Red Deer. They are seated in the public gallery. I would ask them to stand and be welcomed by the Assembly.

MR. HARLE: Mr. Speaker, today we also have an opportunity to pay our respects to another long-time public servant of this province. She is Miss Donald Campbell, who until recently was a cashier in the companies branch. She was originally hired by the government in the motor vehicles branch at \$700 a year. That's \$2.25 a day. She has served this province for 47 years. She is accompanied in the gallery by her old boss, Jimmie Warr, the retired registrar of companies, who incidentally had 43 years of service. I would ask Miss Campbell to please rise and be recognized by the Assembly.

DR. WARRACK: Mr. Speaker, I'm very pleased today to have the opportunity to introduce to you and to members of the Legislature the Grade 10 social studies class from Trochu High School in my constituency. They are in the members gallery, accompanied by their teacher, Mr. Glen Holmes, and their bus driver, Mr. Grant Hastie. If they would rise, I would ask all members to join me in welcoming them in the traditional way.

MR. TAYLOR: Mr. Speaker, it is my pleasure today to introduce to you, and through you to the hon. members of the Legislature, three great grunt and groan artists. A great Interfaith wrestling match will be staged at Victoria Pavilion in Calgary on May 25. We have three of the star wrestlers here with us today.

I would like to introduce them to you. First, we have the "Wrestling Rabbi". I would ask him to stand. Then we have "Tiger" Joe Tomasso. I would ask him to stand; and last of all, "Killer Kush", in that corner. I'm sure the people of Calgary will be entertained royally.

I would like to use this opportunity to do something I've wanted to do for a long time; that is, to commend Rabbi Ginsburg of Calgary for the tremendous work he does. Every worthy project, irrespective of faith, he's in there to help in every way he can. The proceeds of this wrestling match in Calgary will go to the Interfaith. I'm sure every hon. member will welcome these three great grunt and groan artists with us today.

MR. GHITTER: Mr. Speaker, on a point of order, might I say that I'm betting on the rabbi.  
[laughter]

head: **TABLING RETURNS AND REPORTS**

DR. HORNER: Mr. Speaker, I'd like to table a return to Motion for a Return 187.

MR. LEITCH: Mr. Speaker, I'd like to table responses to Motions for a Return 157 and 170.

MR. YURKO: Mr. Speaker, I'd like to table the replies to Motions for a Return 186, 189, and 193.

MR. HARLE: Mr. Speaker, I'd like to file with the Legislative Library the annual report of the Alberta Automobile Insurance Board, and *The IBC "Veriplan" Proposal*, the study done by the board on the no-fault proposal.

MR. MOORE: Mr. Speaker, I would like to file three copies of the 1975 annual report of the Farmers' Advocate. Reports will be made available today to individual members.

MR. MINIELY: Mr. Speaker, I'd like to table a reply to Motion for a Return No. 180.

MR. HYNDMAN: Mr. Speaker, I wish to table four copies of the second annual report, 1974-75, of the Department of Federal and Intergovernmental Affairs.

MR. SCHMID: Mr. Speaker, I would like to table replies to Motions for a Return 128, 142, 154, 193, and 218. As well, I'd like to file the interim report of the Department of Culture, Youth and Recreation from January 1, 1975 to March 31, 1975.

MR. DOWLING: Mr. Speaker, I'd like to table the response to Motion for a Return No. 137, and I'd like to file copies of the 1974-75 annual review of Travel Alberta. Copies will be made available for every member.

MR. ADAIR: Mr. Speaker, I'd like to table the responses to Motions for a Return 114 and 150.

MR. FARRAN: Mr. Speaker, I wonder if I could revert to Introduction of Visitors.

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF VISITORS**  
(reversion)

MR. FARRAN: Mr. Speaker, I'd like to introduce to you, and through you to the House, a group of 40 senior citizens from Calgary who have arrived here on a bus chartered from Ambassador Charter. They were a little late arriving in the House. They're here as representatives of the finest citizens in Calgary. Would they please rise now and be recognized by the House.

head: **ORAL QUESTION PERIOD**

**Oil Pricing**

MR. CLARK: Mr. Speaker, I'd like to direct the first question to the Minister of Energy and ask if negotiations on the quest for a new oil price are continuing between Alberta and the oil-producing provinces.

MR. GETTY: Mr. Speaker, the negotiations are still proceeding. They are now proceeding between the Prime Minister and the Premier. Perhaps I should refer the question to the Premier.

MR. LOUGHEED: Mr. Speaker, the negotiations are in their final stages. I hope to be able to say more to the Legislature about the matter later today, probably this evening.

MR. CLARK: Mr. Speaker, a supplementary question to the Premier, in light of the comment made by the Premier. Does that indicate that in all likelihood the announcement to be made at 6 o'clock Alberta time by, I believe, the hon. Mr. Gillespie will set the price for Alberta crude oil?

MR. LOUGHEED: Mr. Speaker, in no way is that accurate. If a statement is in fact made at 6 o'clock tonight Edmonton time by the federal government through the Minister of Energy, as discussed between the Prime Minister and myself, it will be in the nature of the negotiations between the producing provinces and the federal government. Our response and participation in those negotiations will therefore follow, presuming the negotiations are then completed, in this House this evening when we reconvene at 8 p.m.

MR. CLARK: Mr. Speaker, a further supplementary question to the Premier. Is it then the intention of the federal government and the province that should negotiations from 6 o'clock on go successfully, the Premier hopes to be in a position this evening to announce the new price?

MR. LOUGHEED: Yes, Mr. Speaker, that's accurate, presuming there's no last minute hitch in the negotiations as far as other producing provinces are involved, and discussions are still ongoing. It would be my intention to make a statement in the Legislative Assembly tonight at 8:00 p.m. with regard to the negotiations of energy prices.

**Gasoline Retailing**

MR. CLARK: Mr. Speaker, I'd like to direct my second question to the Minister of Business Development and Tourism. Is he in a position to indicate what response he's given to the Alberta Automotive Retailers, following their most recent brief to the government and their meeting with the Conservative caucus members concerned with consumer affairs?

MR. DOWLING: Yes, Mr. Speaker, we did respond to the Automotive Retailers' Association late yesterday afternoon, indicating that at this time we cannot contemplate introducing legislation to do as they wish; that is, remove the integrated companies from the retail area. Primarily, Mr. Speaker, what they

were asking us to do was to react in a legislative way against 60 company-owned and operated salary stations, when their problem is really the private branders, which are something like 350 in number.

The second issue they wanted us to deal with was to legislate the price of gasoline to the retailer. We cannot do this because of cost savings reflected to the private branders because they are not confronted with having the credit card system, the advertising campaign, the station flag, and so on. We felt this was necessary because the companies have responded very vigorously and in a proper direction to everything we've asked them to do.

One of those things is to move out of the retail area as quickly as they can. The second is to have the cost of gasoline reflect cost savings to the companies. In other words, a retailer who is not a flag carrier would obviously not be charged for trucking if he has his own truck, or credit cards, or advertising, if he didn't participate in those things.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Are you in a position to give us some sort of time frame dealing with that portion of your response that talked about the companies moving out of retail areas? What kind of time frame have the companies and your department agreed upon?

MR. SPEAKER: Will the hon. member please use the ordinary form of Parliamentary usage.

MR. CLARK: What kind of time frame have the companies and the minister's department agreed upon? Also, how many companies have moved out of the retail area to date?

MR. DOWLING: Mr. Speaker, of the normal retail stations, there are now some 60 remaining company-operated stations which are company salaried operations. In the self-serve area, some 45 are still salaried operations. The companies are continuing to move out, if they can find a lessee to take over some of those stations.

I can't give you a time frame, but they are moving as quickly as possible.

MR. CLARK: Mr. Speaker, a further supplementary question to the hon. minister. Is he in a position to table with the Assembly the report done for the minister by the caucus committee headed by the hon. member Mr. Ghitter in response to the presentations made by the ARA? Is the minister prepared to make that report available to members of the Assembly?

MR. DOWLING: Mr. Speaker, that was an in-house report. I had a meeting with the consumer affairs committee, at which they transmitted their views regarding the ARA position. On the basis of their views, my own, and those of the department, the letter to the ARA was made yesterday.

I should also say we have written to each of the major companies asking them to make some adjustments in severance should the market place — which is reacting in a major way to the demands of the consuming public to offer gasoline at a lesser price. We've asked them to make certain that, if severances are required because of this change in the market place, they will act in a completely fair manner.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Perhaps the minister didn't understand the question. My question is: is the minister prepared to make the report of the consumer affairs committee headed by Mr. Ghitter available to members of the Assembly?

MR. DOWLING: Mr. Speaker, no, there is no report as such. Rather, it was verbal communication with the committee members as a result of their earlier meeting with the ARA.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister with respect to his comments concerning better termination and remuneration agreements for service station operators going out of the business. Is it the government's intention to do anything beyond requesting the major oil companies to consider this? For example, will there be consideration of legislation if voluntary compliance with the letter is not followed up?

MR. DOWLING: Mr. Speaker, the oil companies have changed their position in a major way over the last four years since the government of the day first started to meet with the ARA and the companies. Two of the major firms have substantial severance clauses in their agreement. They've gone beyond that severance clause to offer up to 100 per cent of the net profit for the previous year as severance in addition to the normal things that would transpire — purchase of equipment and stock, et cetera.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. Is the government considering any contingency plans with respect to what action might be taken if the other companies do not follow the suit of the two that have already made some provisions?

MR. DOWLING: Mr. Speaker, we are not in a position to discuss contingency plans at the moment because the companies have, in the main, reacted very positively to our earlier suggestions, reflecting cost savings on gasoline pricing, severance, and a number of other things.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. Is it the minister's intention or the government's intention to discuss with the appropriate officials in the B.C. government the plans recently announced by British Columbia to bring in a form of functional divorcement?

MR. DOWLING: We have attempted to keep in touch with the market place relative to gasoline marketing in all the provinces of Canada. I mentioned earlier the Isbister commission in Ontario. We are aware of an indication that something would be done in B.C. in a legislative way, or some such measure. However, we have no factual indication that that is going to transpire. But we are keeping abreast of what is happening.

MR. CLARK: Mr. Speaker, just one more supplementary question, so I don't misunderstand the minister's position. Is it the position of the government that if the companies beef up their severance clauses, the

matters raised by the ARA will not command any more of the minister's attention?

MR. DOWLING: Mr. Speaker, we've always held the view that if someone in the business community who wants assistance — whether it's guidance with regard to management or anything — comes to the department for assistance in that regard, we would be more than willing to help them. We did make that offer some time ago, and have responded in a positive way to half a dozen requests for assistance in individual cases.

I should say again, I have no indication that the companies will not respond in a positive way. Until that happens — which I don't expect — I'm not in a position to indicate what we'll do.

MR. CLARK: Mr. Speaker, I wonder if I might ask one further question.

MR. SPEAKER: Perhaps we should leave that as the final supplementary, and then if there's time at the end, the hon. leader may wish to come back to this topic.

#### Natural Resources

MR. HORSMAN: Mr. Speaker, my question is for the Premier. In light of the debate in the Ontario Legislature in which the government there may request the federal government to take over Alberta's natural resources, is the Premier prepared to advise the Assembly as to the position of this government on any such proposals?

MR. LOUGHEED: I wouldn't think it's very funny. Mr. Speaker, our office has been besieged with comments with regard to the reports from the Ontario Legislature — if accurately reported — and we're deeply concerned. I think Albertans share that concern.

We feel very clearly that it's the right of the province owning the resources to decide how to sell those resources. Mr. Speaker, we feel that Confederation to date has benefited central Canada and that, because of the resources, Alberta now has an opportunity to reach its full potential. We've tried as the Government of Alberta, as Canadians, to work these matters out in a spirit of compromise and give and take. We will continue to do our best to do that, recognizing that there has to be a balance between ownership of provincial resources and the national economy as a whole, of which we are a part.

Perhaps at some future time, Mr. Speaker, we will conclude that the federal position with regard to resources is unfair. We'll face that if and when we come to it. But we give notice to the Ontario Legislature that my colleagues and I, and I believe the people of Alberta, simply will not accept a federal government attempting to expropriate resources owned by Albertans for the benefit of central Canada. A federal government that attempts to do so would not be a government that could call itself federal, nor sadly would the nation we perceive be the nation that we want it to be and want to be a significant part of.

So the Ontario Legislature had better face the realities. For decades, Mr. Speaker, with regard to the national tariff policy, this province and the west

have been forced to buy from them. Entrepreneurship and government policy past and present have changed the nature of Canada's economic leverage. They've got many options in Ontario. Reduction of the gasoline tax is one of them.

Mr. Speaker, I feel pretty strongly about this. We would not accept such a move of expropriation of our resources. Ontario is not Canada, but a stronger west would be a stronger Canada.  
[applause]

MR. CLARK: Mr. Speaker, I'd like to ask the Premier a supplementary question. In doing that, I'd like to say that the official opposition shares the view that has been expressed by the Premier.

Mr. Speaker, my question to the Premier very directly is this: is it the intention of the Premier to communicate to the Premier of Ontario either by wire or written letter, expressing our views about the very, very unfortunate comments attributed to the Premier of Ontario with regard to this question of resource development in Alberta?

MR. LOUGHEED: Mr. Speaker, I've already made that communication. But I think to be fair, one would note that my answer referred not simply to the views expressed by the Premier of Ontario, but to the Ontario Legislature in general.

MR. BATIUK: A supplementary, Mr. Speaker, to the hon. Premier. Could the Premier advise why this attitude from central Canada was never expressed sooner? Is it because they were used to getting the resources for very little cost?

MR. LOUGHEED: Mr. Speaker, I couldn't respond to that. I think what I've tried to say — and I think the Leader of the Opposition has responded, too — is that this is a matter that I think extends across the province and all points of view. We're in this position, as I mention, because of government policy both past and present and entrepreneurship in this province.

Fine for people to take the view that we were fortunate the resources were here, but the resources had to be discovered. The resources were discovered by risk-taking by Albertans. They were discovered by the effort and energy of Albertans, and they were discovered with sound policy. I think it's very important that in our time in Confederation we protect our ownership rights in these resources.

#### OSP Grants

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of Government Services also responsible for Culture. It's with respect to the minister's statement yesterday that some nine-tenths of the March 1975 grant cheques from the department were withheld until after the election.

Mr. Speaker, can the minister advise whether the persons, groups, or organizations which were to receive those cheques were advised by mail prior to the election that these cheques were forthcoming?

MR. SCHMID: Mr. Speaker, the greatest portion of these cheques referred to Project Co-operation. The people of the municipalities or individual groups

applied for grants under the Project Co-operation program, the community hall program, and the cemeteries program. Applications were sent in and had to be processed before the end of the fiscal year.

Naturally if someone applies for a grant, especially on an approved government program, he probably was expecting a cheque to be sent to him. But in order to avoid implication, we held these cheques until on or after the election date.

MR. NOTLEY: Supplementary question for clarification. My question did not relate to the sending of the cheque, but whether or not there was a letter advising that a grant allocation in fact had been made.

MR. SCHMID: Mr. Speaker, it's very possible that some letters may have gone out to some of the groups telling them their applications had been approved. We do this at all times, stating that an application has or has not been approved and that a cheque would be forthcoming in due time.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Can the minister advise the Assembly whether the office of special programs or the department acquired one or more Redactron automatic typewriters from Kellam Business Systems during the course of March 1975, in order to see that the letters concerning the cheques were sent out?

MR. SPEAKER: Should it happen that the minister might have that kind of detail in his memory, I suppose he might answer the question briefly, but I think the hon. member will himself agree that the question is supereminently qualified for the Order Paper.

MR. SCHMID: Mr. Speaker, I can reply very shortly to that. I recall that the community hall cheques, which were held until on or after the election date, were prepared by the Redactrons. This is probably one of the letters that the hon. member of the opposition refers to.

MR. NOTLEY: Mr. Speaker, a supplementary question if I may. If it's too detailed then I can put it on the Order Paper. Does the minister recall whether or not one or more Redactron typewriters were leased during that period of time from the company in question?

MR. SCHMID: Mr. Speaker, I would not be able to state exactly when the Redactrons were leased. Therefore, I would ask to have the question put on the Order Paper if necessary.

#### **Life Insurance Underwriters**

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Consumer and Corporate Affairs. Has the minister or his department received any complaints relating to life insurance underwriters not being able to be licensed by more than one company?

MR. HARLE: Mr. Speaker, as I understand the situation, the present system is one of single representation by a life insurance agent of a sponsoring

company. There have been requests made by some of the organizations involved in the life underwriting business, particularly the Life Underwriters Association. At one time this was objected to by the representatives of the companies. However, since then, there has been some modification of their point of view. Because of the request from the life underwriters, I understand the superintendent presently has that matter under review and will, no doubt, be making recommendations to me in due course.

I might say that where a life underwriter finds he has to deal with a client for whom his own sponsoring company cannot provide the type of insurance that he wants, he can obtain permission — by arrangement with his company, of course — to handle the type of insurance that might satisfy the need of his particular client.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Is the minister considering legislation which would allow underwriters to be licensed by more than one company?

MR. HARLE: As I understand it, it probably would require some change in the legislation, and we will consider that.

MR. MANDEVILLE: One final supplementary question, Mr. Speaker. Could the minister indicate the department's policy regarding the same party being both a life insurance underwriter and a real estate salesman or agent?

MR. HARLE: Mr. Speaker, I understand there is a practice in the cities of Edmonton and Calgary that you shouldn't be both a life insurance agent and a real estate agent. That's not true in rural Alberta. Lots of people have the dual capacity. Of course, I suppose there was a long historic reason for that, because of a lack of people, a lack of trained people, and a lack of an opportunity to make a reasonable livelihood from the one occupation.

I'm sure that the life insurance agents and the real estate agents would take some objection to what they would consider the backward step of having an individual licensed under both. I think it was probably stretching things to [allow] a dual capacity in the rural areas. Probably there should be a look at and update of that because of the general improvement of the professional capacities of both occupations.

#### **Wage and Price Controls**

MR. R. SPEAKER: Mr. Speaker, my question to the Premier is for information. It's with regard to the discussion of the Canadian Labour Congress relative to a strike because of their concern about the wage and price control program.

Was the matter of Canadian labor's attitude towards wage and price control discussed at the Western Premiers' Conference or the first ministers' conference? If it was discussed, was any particular position or attitude taken at that time?

MR. LOUGHEED: Mr. Speaker, no, it was not discussed either at the Western Premiers' Conference or the meeting of first ministers on May 6.

**Russian Aircraft**

MR. LYSONS: Mr. Speaker, I'd like to direct my question to the Attorney General. I wonder if he was aware that a Russian jet aircraft circled the Wabamun power plant this morning, then landed at the Vegreville airport, and took off immediately.

MR. FOSTER: Mr. Speaker, that sounds like the kind of question that should probably be directed to the Minister of Transportation.

DR. HORNER: Mr. Speaker, so nobody gets the wrong idea, a Russian Yak jet was in Alberta today on a demonstration flight on which it took a number of members of the Legislature. It did indeed land and take off at Vegreville.

DR. WALKER: Mr. Speaker, supplementary to the Minister of Transportation. Because of the jet landing at Vegreville, is the minister considering changing the Vegreville airport to international status?

MR. TAYLOR: Mr. Speaker, supplementary to the hon. Minister of Transportation. Are you sure the plane wasn't from Ontario?

DR. HORNER: You can be sure.

MR. CLARK: Mr. Speaker, if I might be permitted this comment. If it were from Ontario, it wouldn't have been allowed to get off the ground.

**Gasoline Retailing**  
(continued)

MR. CLARK: My question, Mr. Speaker, on a serious note, is to the Minister of Business Development and Tourism. It refers to the matter I raised initially in question period with regard to the ARA and its brief.

Is the government's only concern at this time flowing from the ARA's brief to the minister dealing with the question of the severance clause — or, to put it this way, if the severance clause matter is straightened up to the minister's satisfaction, is it the position of the government that they will take no immediate action as far as the ARA brief is concerned?

MR. DOWLING: Mr. Speaker, from the standpoint of the companies, what we want to assure ourselves is that they are treating those people they have under lease with all fairness. One thing that is so abundantly obvious to us after having spent some three and a half to four years on the subject in one capacity or another is that the problem for the members of the ARA is a change in the market place and a demand by the consumer for a lower-priced product. The competition is really not from the line companies carrying the same flag. The line company's service station is operated under salary. That competition is not the concern. The concern really should be with the private branders, the co-ops, all these companies which are able to purchase gasoline at a lower price than the flag-carrying lessee. The reasons for that are very obvious.

The problem is that the companies manufacturing the gasoline are required by federal statute to sell to

those private branders, so they are a part of the market place and always will be. Therefore, that competition must be recognized by the members of the ARA. They simply must react to the market place and provide service and the kind of product at the price they can offer to the public, because those are the demands of the market place of the day.

MR. CLARK: Mr. Speaker, then a further supplementary to the minister. In light of the action the government hasn't taken in this area, is the minister in a position to give us an indication of what the government expects to happen to the automotive retailers? Is it the expectation of the government that operations will continue to fall by the wayside?

MR. DOWLING: Mr. Speaker, not at all. If those private operators who are in a position to react to the market place and choose to stay in the business of retailing gasoline react properly to the market place and recognize what is going on, they will realize they cannot make a living selling only gasoline, and therefore must get into the business of offering service, using their bays, and selling TBA — tires, batteries, and accessories. This is where the profit is in the operation. That surely should be recognized.

MR. CLARK: Mr. Speaker, just one last supplementary question to the minister. Mr. Minister, is your department in any position to indicate to the House the number of private operators in Alberta who have gone out of business since the first of the year?

MR. DOWLING: Mr. Speaker, we are not. But we have conflicting reports from some of the private operators, one of whom said he was going broke. We reacted rather violently to this and made an investigation. We found that was not true. He decided to change the operation he was in with the same company, and is now making substantial profit in the same kind of operation.

MR. CLARK: Mr. Speaker, to the minister. Can the minister give us any sort of figure . . .

MR. SPEAKER: We're starting to run a little short of time. I believe the hon. leader labelled his previous supplementary as being the last. Perhaps we might see if there's further time to come back to this.

MR. CLARK: The minister doesn't have any answers.

MR. SPEAKER: In that event I have to allow the hon. leader to judge whether he wants to place supplementaries or further questions.

MR. GOGO: Mr. Speaker, a supplementary to the minister. What percentage of the total service station dealers in Alberta does the ARA represent?

MR. DOWLING: Mr. Speaker, as I understand it, it's a substantial percentage in the two major urban areas of Edmonton and Calgary. I think it's on the order of 85 per cent. But in total, over the entire province they represent about 25 per cent of the dealers.

MR. NOTLEY: Mr. Speaker, my supplementary relates to the charges lessees are asked to bear for

such company-operated services as advertising, credit card facilities, and the like. Mr. Speaker, to the minister: does the Government of Alberta have any mechanism, or is it the intention of the government, to systematically monitor these charges? If so, how will that be done?

MR. DOWLING: Mr. Speaker, I'm not sure that we should be in the position of monitoring contracts between two private-sector operators. We of course are appraised, just in a general way, by the company and the operators what the contractual arrangements are. But I think it must be borne in mind that, when a contract is signed by a lessee, it should surely be signed with him having full knowledge of what that contract contains. On that basis, we have examined the contract and see virtually nothing wrong with it, providing the operator who is going to operate the station believes he can make a profit with that contract.

#### **Automobile Insurance**

MR. TAYLOR: Mr. Speaker, my question is to either the hon. Minister of Federal and Intergovernmental Affairs or the Minister of Consumer Affairs. In view of the fact that the federal government has now brought insurance premiums within the guidelines, is the provincial government taking steps to monitor insurance premiums in this province?

MR. HARLE: Well, Mr. Speaker, I'd perhaps answer the question this way: there is no change in the function and the duties of the Alberta Automobile Insurance Board. The fact that the federal government is monitoring the profit position of the insurance companies and, I believe, has almost swept most of them into the anti-inflationary net doesn't change the position of the Alberta Automobile Insurance Board.

MR. TAYLOR: A supplementary. Is the Alberta Automobile Insurance Board monitoring all premiums or just those for compulsory insurance?

MR. HARLE: Just the compulsory portion of the automobile package.

#### **MLAs' Coverage**

MR. KUSHNER: Mr. Speaker, I wish to direct this question to the Minister of Labour. I just don't know how to phrase this thing. It's in a line of duty that's going to take place on May 25. Whatever side the accident should occur, is a member of the Legislature covered by the compensation act?

MR. SPEAKER: With great respect to the hon. member, perhaps the details of the risk could be added to the question on another occasion and the suitable opinion sought from the minister or one of his officials.

#### **Agricultural Leases**

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Energy and Natural Resources. Has a decision been made whether Crown grazing

leases and agricultural Crown leases are going to be transferred from the Department of Energy and Natural Resources to the Department of Agriculture?

MR. GETTY: No, Mr. Speaker, a final decision on that matter has not been made. On a temporary basis, there has been perhaps greater input from the Department of Agriculture in the administration of the leasing arrangements. However, the final decision will be postsession.

#### **Russian Jet (continued)**

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Transportation. It's with regard to the Yak jet that was mentioned just a few moments ago. The minister mentioned that it was on a demonstration tour of the province.

I was wondering if the minister could outline the purpose. Is it for purchase by PWA, or is there going to be a purchase by Executive Council for faster action?

DR. HORNER: Mr. Speaker, for the hon. member's information, the jet is here on the basis that an Alberta company, as I understand it, is being formed with the Russian interest to promote the marketing of the Yak 40. To the best of my knowledge, neither the government nor Pacific Western Airlines is in the market for such an aircraft.

#### **Gas Pricing**

DR. WARRACK: Mr. Speaker, yesterday the Leader of the Opposition asked, and an undertaking was given to see if some letters had been written by my predecessor with respect to the matter under review in Bill 57.

My staff has searched the files and come up with one letter that might be related. I'm prepared to table it by way of response, adding this comment: the letter involved is dated January 1974 and is to Great Northern Gas Utilities Ltd. This is the company that owns Plains Western, which serves gas utilities in Alberta. That letter refers to utilities questions. I would certainly comment that all matters by a utility-regulated company pertaining to their supply circumstances would be reasonable items for them to discuss with the Public Utilities Board at any time.

Secondly, and related to it, was the request that consideration be given to see if there were other items of correspondence that might have advised the applicants in question to the Public Utilities Board that the legislative review would be undertaken that is now before the House. I think this matter was dealt with in second reading last night, when I referred to a letter that I guess the hon. Leader of the Opposition now has and that the Minister of Energy and Natural Resources agreed to table. This has been done.

I believe that takes care of the undertaking that was given.

MR. CLARK: Mr. Speaker, I wonder if I might direct a supplementary question for clarification to the Minister of Utilities and Telephones. Were there any discussions between the companies going to the

Public Utilities Board, the seven companies that just finished their hearing there? Were there any discussions between those companies and the Minister of Utilities and Telephones or one of his cabinet colleagues prior to the government arriving at a decision to go the legislative route through the bill that came in just last week?

DR. WARRACK: Mr. Speaker, none with me. Now, in terms of other discussions, verbal or otherwise, by other cabinet colleagues, it's pretty difficult for me as one member to know all of that. This may very well have occurred. As one of the members mentioned last night, those discussions had taken place between members of the Legislature and some of the parties involved.

To be specific and clear on the answer with respect to myself, Mr. Speaker, the answer is no.

MR. CLARK: Mr. Speaker, perhaps I might pose a supplementary question to the minister then. Does the minister know of any discussions that took place between any members of Executive Council and officials of the seven companies who made the application to the Public Utilities Board, advising them of the government decision?

DR. WARRACK: Advising them of the government decision to proceed with Bill 57 — not to my knowledge. As for earlier discussions of the situation, I understand from the copy of the letter I received this morning that was written to the government that there is a suggestion that at some period in the past there had been some discussions of the matter. But specifically to the question, not to my knowledge.

### ORDERS OF THE DAY

MR. SPEAKER: May the hon. Member for Athabasca revert to Introduction of Visitors?

HON. MEMBERS: Agreed.

#### head: INTRODUCTION OF VISITORS (reversion)

MR. APPLEBY: Thank you, Mr. Speaker. I would also like to thank the Assembly and yourself for this special privilege.

Today it's a real pleasure to introduce to the members of the Assembly two of the latest immigrants to this province. Mr. Speaker, seated in your gallery are Mr. and Mrs. Jefferson. I think they're just trying to leave. Mr. Speaker, these are the parents of Mrs. Marg Pratt, the assistant administrator in the government members' office. They have heard such glowing accounts of the province of Alberta that they decided to come and make their home here. They're settled in Redwater. I'd like them to receive a warm welcome from the House.

#### head: WRITTEN QUESTIONS

198. Mr. Notley asked the government the following

question:

- (1) Did the Alberta representative on the Syncrude board of directors and/or management committee approve distribution of a publication entitled *Syncrude Progress Review, Spring 1976*?
- (2) If so, how many copies were distributed, where were they distributed, and what was the total cost?

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

- (1) Has Mr. Murray Rasmussen recently been appointed to a position under the jurisdiction of the Minister of Housing and Public Works?
- (2) If so, what is the effective date of appointment, the job title, the job description, and the annual salary of that position?
- (3) How many applications were received for the above position?
- (4) When and where was this position advertised?
- (5) What was Mr. Rasmussen's former job title and annual salary?

MR. YURKO: Mr. Speaker, I'd like to table the answer to Question 199.

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

- (1) Has Mr. Peter Jenner recently been appointed to a position under the jurisdiction of the Attorney General?
- (2) If so, what is the effective date of appointment, the job title, the job description, and the annual salary of that position?
- (3) How many applications were received for the above position?
- (4) When and where was this position advertised?
- (5) What was Mr. Jenner's former job title and annual salary?

#### head: MOTIONS FOR RETURNS

MR. FOSTER: Mr. Speaker, I move that the following motions for returns stand and retain their places on the Order Paper: 197, 204, 206, and 207.

[Motion carried]

190. Mr. R. Speaker proposed the following motion to the Assembly:

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

- (1) the names of the firms who submitted tenders to undertake the design and development of the Alberta mental health services computerized information system and the amounts of these tenders;
- (2) the name of the firm which was awarded the contract in (1), and the amount and the terms of the contract;
- (3) the total amount of money that has been expended in the development and design of the Alberta mental health services computerized

information system and the specific service for which each sum of money was paid.

MISS HUNLEY: Mr. Speaker, I wish to move an amendment to Motion for a Return 190. The amendment deletes the words "and the specific service for which each sum of money was paid" at the end of subsection (3). This will enable us to answer the motion clearly and specifically to the satisfaction of the hon. member.

MR. R. SPEAKER: Mr. Speaker, I would agree to that amendment.

[Motion carried]

195. Mr. Clark proposed the following motion to the Assembly:  
That an order of the Assembly do issue for a return showing:  
The sources of revenue and the amount of money received by ACCESS from each source over \$1,000 during the fiscal year 1975-1976.

[Motion carried]

196. Mr. Clark proposed the following motion to the Assembly:  
That an order of the Assembly do issue for a return showing:  
The number of feet of film processed for ACCESS, the names of all laboratories in which such film was processed, and the number of feet of film that was processed in each laboratory during the fiscal year 1975-1976.

[Motion carried]

201. Mr. Mandeville proposed the following motion to the Assembly:  
That an order of the Assembly do issue for a return showing:  
The details of each trip to Japan by any employee of the Government of Alberta or any person acting on behalf of the Government of Alberta during the fiscal year 1975-1976, including:  
(1) the date of each trip,  
(2) the total cost of each trip,  
(3) the purpose of trip,  
(4) the name of each person on each trip,  
(5) the relationship to the Government of Alberta of each person referred to in (4).

MR. HYNDMAN: Mr. Speaker, I move an amendment for clarification of the motion: that after the words "the details of" the following words be added: "public expenditures for". I sent a copy of the proposed amendment to the member moving the motion, and he has no objection to it.

[Motion carried]

202. Mr. Mandeville proposed the following motion to the Assembly:  
That an order of the Assembly do issue for a return showing:  
A detailed statement of all expenditures, both capital and operational, of each regional office of the

Department of Federal and Intergovernmental Affairs in Ottawa, Los Angeles, London, and Tokyo during the fiscal year 1975-1976.

MR. HYNDMAN: Mr. Speaker, I wish to clarify this motion with a short amendment deleting the word "operational" and substituting the word "income" and, further, deleting the word "regional". I've sent a copy of the amendment to the hon. member proposing the motion.

[Motion carried]

203. Mr. Mandeville proposed the following motion to the Assembly:  
That an order of the Assembly do issue for a return showing:  
An itemized statement of the cost of the preparation of the report entitled *The Alberta Task Force on Nursing Education: September 1975*, prepared for the Minister of Advanced Education and Manpower.

[Motion carried]

205. Mr. Clark proposed the following motion to the Assembly:  
That an order of the Assembly do issue for a return showing:  
The total number of full-time salaried employees for each government department and for Alberta Government Telephones as at March 31, 1976.

[Motion carried]

head: **GOVERNMENT DESIGNATED BUSINESS**

head: **GOVERNMENT BILLS AND ORDERS**

(Second Reading)

Bill 49

**The Natural Gas Pricing  
Agreement Amendment Act, 1976**

MR. GETTY: Mr. Speaker, I beg leave to move second reading of Bill 49, The Natural Gas Pricing Agreement Amendment Act, 1976.

Mr. Speaker, as I explained on first reading of the bill, this legislation is really to incorporate some administrative changes that now appear to be wise in light of the government having been in the natural gas pricing agreement legislation since November 1975. There is really an attempt in the legislation to improve the efficiency and operation of natural gas pricing through the Alberta Petroleum Marketing Commission and to ensure that Alberta producers receive their fair share of the export flowback which was negotiated with the federal government.

[Motion carried; Bill 49 read a second time]

**Bill 55**  
**The Mines and Minerals**  
**Amendment Act, 1976**

MR. GETTY: Mr. Speaker, I beg leave to move second reading of Bill 55, The Mines and Minerals Amendment Act, 1976.

Mr. Speaker, the principle of this legislation and the changes contained in this bill are to accelerate the rate of exploration and development drilling and lease turnover in the province. It is to be done in a variety of ways. I've distributed to the members a summary of the present situation, the proposed changes, and what we hope to achieve.

I'd just like to say on second reading, Mr. Speaker, that much that is contained in Bill 55 is the result of work that really was carried on by the previous Minister of Mines and Minerals, Mr. Dickie. During the royalty hearings held in the Legislature in 1972, Mr. Dickie recognized that there appeared to be not only a restructuring of royalty arrangements, but many of the briefs pointed out that there was a need to encourage a greater level of exploration and development activity and petroleum and natural gas lease turnover in the province.

Then for some time Mr. Dickie worked with the broad spectrum of companies that make up the oil and gas industry to try to work out how that might be done in a manner that best suited the people of Alberta and the ability of the industry to adapt to the changes.

Mr. Speaker, I request that hon. members review the summary which has been distributed. Note that the new tenure system essentially has six major aspects: first, that there would be one form of exploration agreement which would supersede the present five; that new petroleum and natural gas leases will have initial terms of five years. Leases in the past have been 21 years, and in 1963 were shortened to 10 years. There is also a provision in the bill for allowing extension of a lease from year to year should a lessee provide adequate security in return for conducting drilling. The present 10-year petroleum and natural gas leases will be subjected to drilling requirements, and the holders of those leases will be served with notices to drill on a phased-in basis.

One other feature of bill is that the holders of the present 10- and 21-year petroleum and natural gas leases will be required to sever the rights below the deepest production at the end of the terms of those leases, and in that way return to the Crown or explore rights that traditionally have been held by production in the past and then had attention paid to them near the late years of their productive life. We trust that by the new proposals these deeper rights will be subject to active exploration, and hopefully development, much sooner.

MR. NOTLEY: Mr. Speaker, in rising to make a few comments, I certainly intend to support the principle of Bill 55 on second reading. It was interesting — I was looking back to some of the briefs presented during the royalty hearings in 1972, Mr. Speaker. The Canadian Association of Oilwell Drilling Contractors presented a brief. Among the points they made at the time was that there has to be a faster turnover. I recall listening to that presentation. While not being

overly sympathetic to the representatives of the industry, I thought that here was a group of people in the practical end of the drilling part of the business, and the brief they made — particularly as it related to modification of our whole leasing system — was really a very good one. So I intend to support the principle of Bill 55.

However, I would raise two or three points and ask the minister to respond. Quite obviously, Bill 55 represents the other side of ALPEP. I suppose one could classify ALPEP as the carrot. To a certain extent, Bill 55 represents the stick. Clearly, it has been interpreted that way, to the extent that we are saying to companies, get busy and drill, or else. It seems to me that's fair enough.

However, the questions I want to raise with the minister relate first of all to the very broad powers the minister has in this act. The minister gives a very nice introduction, a very quiet soft sell not to upset anybody here. But if we read the bill, Mr. Speaker, we are authorizing the minister now to have powers which before he would have shared with Executive Council. I realize if you're going to make this kind of system work, the minister has to have some flexibility, to borrow an expression we hear quite often in this Legislature. But, Mr. Speaker, without getting into the clause-by-clause study of the bill during second reading, I'm sure the minister would agree that in Bill 55 we are voting him rather wide powers. I would simply ask the minister when he concludes debate on this legislation to advance the reasons, in the judgment of the government, that the rather substantial additional powers have to be granted to the minister.

I realize this is something that could perhaps be raised during committee stage, but I'm concerned enough about one specific part of this bill as a matter of principle that I'd like to raise it now, and urge the minister to respond. It deals with Section 112. A company can obtain a new petroleum and natural gas lease by tender, going through the normal approach we've seen in this province, but — and the "but" is this — where "the Minister considers the granting of the lease warranted in the circumstances". Mr. Speaker, I would really ask the minister to respond and advise the House exactly what that means, what kind of powers we are going to be giving the minister that are not presently held. If this were widely used, it seems to me we could in fact be circumventing the public auction system which has developed over the years. I realize that doesn't apply to natural gas, but as I understand it, it has at least applied to petroleum leases.

The other question I would ask the minister to advise us on is the business of earning. As things stand right now, as I look over the explanation sheet, companies can earn up to 50 per cent. That will now be changed to up to 100 per cent of the lease geography. I would ask the minister to tell the Assembly the reasons for that change, because it does seem — to me, anyway — to be a rather important departure from existing policy of the government, both this government and the former administration.

I would conclude my remarks by saying that by and large I think the provisions of Bill 55 are useful. They will arm the government with sufficient muscle to ensure that companies plough back a reasonable

portion of their profits in exploration and development in Alberta. When I look over the statistics the minister tabled during subcommittee estimates, I don't think anyone can be sanguine about the fact that a very large part of the after-tax profits are being used for things other than exploration and development in Alberta. As a matter of fact, there has been very little change — in percentage terms anyway, Mr. Speaker — between 1973, before the great windfall in petroleum prices, and the present. Pretty obviously, some kind of action has to be taken. But again, in taking that action, Mr. Speaker, however well-motivated the government may be — and for that matter, however much I may agree with the objective behind the move — I think it is incumbent upon the Assembly to be very careful before we broaden the base of power of any minister. We have to know, as a result of carefully reasoned arguments, why the course the government is suggesting is necessary.

Again I look through the bill, and without getting involved in the detailed sections, in place after place and provision after provision we are arming the minister with rather substantial additional authority. Mr. Speaker, in my judgment it's incumbent on the minister, when he concludes debate, to make the case for that additional authority.

MR. CLARK: Mr. Speaker, I'd like to make three very brief comments. The first one is that generally I think the amendments are a step in the right direction. I suppose it would be fair to summarize the kind of reaction I've got: those people in the smaller companies have been more enthusiastic than the larger, more integrated companies. That is likely a fairly reasoned response.

I must say that I had to slip out for a moment or two; perhaps in his opening remarks the minister touched on the kind of consultation that went on between the industry and the government. I am well aware that this has been a matter of some concern to some sections of the industry for an extended period of time.

The second comment I'd like to make deals with Section 121. I raise it now so that perhaps the minister will comment later on, in committee perhaps tonight or tomorrow. It deals with this question of application re continuation of lease. My question to the minister is: what kind of criteria other than the criteria included in the bill is it the minister's intention to use? Perhaps we can get into that during committee study.

The third point I want to raise is a question of similar nature to that of the Member for Spirit River-Fairview, and that's the question of giving the minister a considerable amount of power to act with ministerial prerogative as opposed to having to act through order in council previously. As I see the order in council route, frankly the big advantage is that there's the opportunity for the orders in council to be made public. I suppose there's also the advantage of some other input. My question really is: Mr. Minister, what was the government's reasoning for feeling that it wouldn't go the order in council route, as opposed to leaving an increasing number of matters to the discretion of the minister?

MR. SPEAKER: May the hon. minister conclude the debate?

HON. MEMBERS: Agreed.

MR. GETTY: Mr. Speaker, I appreciate the comments from the two members who have discussed the bill in second reading.

Actually, I guess the common question was the discretionary powers that may be increased by this legislation. I must say that I had some concerns, as did the government, in considering additional discretionary powers. But I should point out to the hon. members that if they review the second part of the summary which I distributed, much of the discretionary powers are existing legislation now being repeated, because parts of the bill must be repeated to take care of those leases and exploration agreements that are still in existence. For instance, the very one the hon. Member for Spirit River-Fairview mentioned, 112, is just a repeat of an existing piece of legislation. It is one that industry and the government have lived with for some time, and it has worked out well.

But there are other discretionary matters. It just seemed to me, in recommending to my cabinet colleagues in caucus, that certain matters are unforeseeable, and you can't get them into legislation. Some of them, in fact, were tried. The legislation was becoming virtually unworkable. I find that the present bill is and will be confusing to a lot of people who are not familiar with the original legislation, and that's one of the reasons for the summary.

But I just want to point out that there's very little new discretionary power in the act. The majority of it was already in the act, in existing legislation, and is now being repeated. Some is, and it's because it's so difficult to foresee the variety of circumstances that will face a lessee, with weather, with the depth of drilling that will be necessary, with the new features of the legislation which involve the severing of deep rights. It was very difficult to foresee all the circumstances that would face companies, to try to capture all those circumstances within legislation. Indeed, you will notice we have provided considerable scope for regulations. Even to capture them by regulation, I think, would be virtually impossible. Therefore, in many cases now a company or an individual comes in with a set of circumstances and says, look, here is my problem: a bridge is out, my lease runs out, I can't get on the location. The circumstances can hardly be described in legislation or regulations, and discretionary rights for the minister appear to be the only way to deal with those circumstances.

So I can only say that it has been kept to a minimum. I'd be interested in the hon. members' pointing out to me in committee study of the bill areas in which they feel it could be in some way dangerous or too broad. I'd be happy to look at each of them.

Mr. Speaker, there was also a question regarding the new theory that you can earn 100 per cent of a drilling licence by drilling, whereas in past cases and some circumstances you could only earn 50 per cent. I guess the philosophy now is that the industry in Alberta has matured to the point that we want drilling, and for drilling we're prepared to have additional rights earned. The previous thinking, or one part of the previous thinking, was that you would have only 50 per cent earned. Fifty per cent would revert to the Crown; it would then be posted for a Crown lease sale and increase dollars that way. In the early

development years quite a bit of money has been brought into the Provincial Treasury through lease sales. However, as I pointed out, our belief now is that drilling is the answer; that for more drilling we're prepared to have more land earned, and the size of the earning is controlled by the amount of drilling; and the belief that there are only so many dollars to be spent, and if they're going to be spent either on drilling or on purchasing leases, we again prefer that those dollars be spent on drilling, so that we find the remaining reserves within the province.

The hon. Leader of the Opposition raised the question of consultation. While he was out I pointed out that right after the royalty hearings held in 1972, much of the work that went on, leading to this legislation, was the result of hard work by the previous Minister of Mines and Minerals. He carried on consultation and had his staff carry on consultation, starting shortly after those royalty hearings, because many of the briefs pointed out that royalty was one of the things that needed to be reassessed; but the lease turnover, the ability to sit on leases for a long period of time and go to other parts of the world or Canada to explore, was not in the best interests of Alberta.

Therefore, over a period of two and a half to three years, Mr. Dickie carried out a considerable amount of consultation with the broad spectrum of industry — that is, from individuals to small companies to large companies which were in other resource developments as well as oil and gas — and tried to work out a new lease tenure system to which they could adapt and which was in the best interests of the province. So it has been a long period of consultation. At some stage, you finally have to stop consulting and make some decisions, but I'd say it's certainly been adequate.

These amendments would probably have been brought in by the previous Minister of Mines and Minerals, except his attention was diverted from this area by the upheaval in energy policy matters that has occurred and did occur with the export tax, many of the legislative and jurisdictional policy problems with the federal government, and the dramatic increases in the Middle East and world oil and gas prices. If there hadn't been a diversion of attention, I think these lease tenure changes would probably have been in the House under the jurisdiction of the previous minister.

Under 121, I think it is best that we get into that during committee study of the legislation.

As for the question about orders in council, again I would like to have it pointed out to me where we've moved from order in council to ministerial right. Again during committee study I'd be pleased to consider those.

Other than that, Mr. Speaker, I'd ask the House to support second reading of Bill 55.

[Motion carried; Bill 55 read a second time]

**Bill 58**  
**The Natural Gas Price**  
**Administration Amendment Act, 1976**

MR. GETTY: Mr. Speaker, I move second reading of Bill 58, The Natural Gas Price Administration Amendment Act, 1976.

As I pointed out in first reading of this legislation, it really is the sister legislation, or duplicate in fact, of The Natural Gas Pricing Agreement Amendment Act. The original Natural Gas Price Administration Act has not been proclaimed, nor would we see it being proclaimed unless the Government of Alberta is unable to enter into an agreement with the federal government on natural gas pricing in Canada. However, obviously the changes inherent in Bill 49 need also to be made for Bill 58. In the event that we're unable to enter into an agreement with the federal government, we would require a natural gas price administration act to fall back on in order to have the ability to control prices of Alberta's natural gas. They are administrative changes for greater efficiency, and they duplicate Bill 49. I ask members to support second reading of the bill.

[Motion carried; Bill 58 read a second time]

**Bill 2**  
**The Appropriation Act, 1976**

MR. LEITCH: Mr. Speaker, I move second reading of Bill 2, The Appropriation Act, 1976.

Speaking on the principle of the bill, Mr. Speaker, it will provide the funds that have been approved by the Committee of Supply.

[Motion carried; Bill 2 read a second time]

**Bill 24**  
**The Attorney General**  
**Statutes Amendment Act, 1976**

MR. FOSTER: Mr. Speaker, I move second reading of Bill 24, The Attorney General Statutes Amendment Act, 1976.

It would be my intention, Mr. Speaker, to hold this bill in committee to receive some comment on one or two of the bills that are amended by this act.

This is an omnibus bill. It amends several acts of this Legislature. The first is The Alberta Evidence Act. That amendment is to implement a recommendation of the Institute of Law Research and Reform to deal with the matter of the admissibility of certain evidence; that is, the evidence of the conviction of any person for an offence. There is a general rule of evidence that evidence of a criminal conviction is not admissible in subsequent civil proceedings to prove the facts in which the conviction is founded, where those facts are an issue in the civil proceedings. This amendment would change that.

The second amendment is a minor amendment to The Expropriation Act, to clarify the original intent. There are some minor changes. We're making uniform certain notice provisions with respect to unoccupied and occupied lands concerning notice of possession.

The third is an amendment to The Garagemen's Lien Act. Here it's intended to allow garagemen's liens to be filed against farm vehicles which are not self-propelled, to allow them to be filed for the repair or supply of motor vehicle parts, to allow liens where the garageman performs repairs away from the premises of the garageman, to shorten the time in which a lien may be registered, and to allow a time within which a lien must be filed to run, subject to

the rights of third parties accrued to that period. It is on latter point that we may be proposing an amendment. I'd like to receive some public comment on that. For that reason, I would be proposing to hold this particular bill.

Next is an amendment to The Pension Benefits Act, which is to strike out a redundant section.

The next is an amendment to The Trustee Act, which will allow the holder of a registered retirement savings plan to designate a beneficiary by simple execution of an appropriate form, just as is done with life insurance and for employee benefit plans. Here again, there may be comment from those affected.

Finally, Mr. Speaker, an amendment to The Wills Act would permit Canada, on behalf of Alberta, to enter into an international convention providing for a uniform law with respect to the form of an international will. It sets up a registry in the province, and the contracting states will be recognized by a form of validity or by formal arrangement between the nation states. The will will be recognized internationally, if it's drawn and attested according to the rules set out in the convention, which are a part of this bill.

[Motion carried; Bill 24 read a second time]

**Bill 52**  
**The Manpower**  
**Development Act**

DR. HOHOL: Mr. Speaker, in the introduction of the bill, I pointed out that it does three things in particular. I should like to expand on them briefly with one intent only, and that's to assist all hon. members to discuss, show alternatives, and assist me, the government, and the department in any way possible to put in place the most effective possible program of training people in Alberta. The three major parts are the following.

The first is the manpower programs and services. This outlines those programs and services for which the portfolio has responsibility, in particular the following: as far as possible, to ensure a comprehensive range of manpower programs and services in the areas of training; to assist employers to obtain and develop employees; and to attempt to develop and maintain a balance in labor supply and demand. That, sir, has to do with Part 1.

Part 2 has to do with trade training and certification. In this area we have an amalgamation of three previous bills: The Apprenticeship Act, The Tradesmen's Qualification Act, and The Welding Act. In part, this intended statute combines the three. There are historical reasons why they are different, but the evolution of trade training — apprenticeship in particular, but other programs as well — leads to the conclusion that one statute better meets the intent of the programs and services than do three.

Mr. Speaker, in addition to the amalgamation of the three statutes, it specifically provides for apprenticeship training and introduces new provisions for prerequisite training for apprenticeship, upgrading of tradesmen, and updating of qualified tradesmen. There is a significant difference between upgrading and updating. The statute provides for the requirement of both, with the particular intent of assuring performance standards and safety. Mr. Speaker, it

also provides for certification. This can be either voluntary on the part of people deemed to be in an occupation, or compulsory if the proficiency level requires that kind of certification — again, relating to safety and standards of performance.

The third section provides a unique advisory council to the ministry. Mr. Speaker, this advisory council will advise the minister on all such matters as may relate to the notion and the concept and the fact of manpower. Part 2 retains the apprenticeship board and the tradesmen's qualifications board, but it now combines them as a proper consequence of placing these statutes into one piece of legislation. We will now have one board, which will be the Alberta apprenticeship and trade certification board.

If I could conclude, then, by stating that Part 2, which has to do in particular with the training of apprentices and the qualification requirements and certification of journeymen, is in three divisions. Mr. Speaker, the first division designates the trades for those trades where designation is deemed appropriate. Division 2 establishes standards for the trades. Division 3 articulates the nature of the certificates of qualification, which would show that a particular candidate who has met those requirements be so certified.

Mr. Speaker and members of the House, I'll be pleased to discuss this bill on second reading.

DR. BUCK: I'd like to say a word or two on this bill, and indicate to the minister some concerns I have in areas that are sort of similar. I'd like to say to the minister I'm pleased to see that these sections are coming in under The Manpower Development Act.

The point I'd like to make to the minister is that the constituency I represent has highly intensified dairy farming and some of the small farming areas. Mr. Minister, for many years now there's been a request that we go into a straight apprenticeship program, similar to what we have in some of the other trades, for training farm workers. I think maybe the hon. minister will remember a man by the name of Mr. Reeve from the Josephburg area, who made an excellent presentation in relation to this at the Jubilee Auditorium. It seems we're really getting to the point when our farmers are retiring and getting to be close to the age of retirement that we can provide financial means and services through the district agriculturist. But we have to provide some type of training for young farmers. Many, many young men would aspire to be farmers who just do not have the expertise. Maybe they've been raised in the cities. They've possibly taken some short courses.

I would suggest to the minister that we could possibly look at a regular apprenticeship program with some type of relationship between government and the farming community as it is now.

At the same time, it has been suggested to me many times by the dairy farmers in my constituency that they are running a \$100,000 or \$200,000 operation and just can't get qualified help. The suggestion from those people was that you could also go into some type of apprenticeship program — very similar, again, to welders, electricians, and so on — so they can have direct training, and come up with some type of certificate that would indicate Mr. John Doe is a qualified dairyman. It's a business in which you can't just turn a \$100,000 or \$200,000 operation

over to anybody and expect these cows to produce the way they should. These are some of the areas of concern, Mr. Minister.

Along this vein, sort of beside this legislation, I would also like to know how we're making out with the training of heavy equipment operators and people in the oil businesses. I know a program was in effect at one time. I'd like to know if these two programs are still in effect. A friend of mine who is a graduate engineer working in one of the large chemical plants in the Fort Saskatchewan area said to me, "If my son came to me and asked, 'Dad, what should I do?', the first thing I'd tell him is, 'Don't go into engineering or any of the professions. Go into the trades.'" With the large developments we now have in Alberta, that's the way to go.

Anybody who has had a house built lately or had any industrial wiring or any plumbing done will know it sure beats teaching school or even fixing teeth or taking out appendixes. But it's certainly a fact of life that the trades have been elevated to the position that I believe they rightfully hold. So I say to the minister, these are some of the areas of concern I have. I'm certainly supporting the bill in its present context.

MR. R. SPEAKER: Mr. Speaker, in speaking to the bill in general, I certainly approve the bill in principle. Certainly the whole trade practice and apprenticeship bill over a period of time has been very beneficial to many individuals in the province.

However, there is one concern I'd like to raise with the minister. It's more with regard to the administration of the act and the apprenticeship program rather than the legislation itself. As I understand it, a person who enters into the apprenticeship program must do two things to qualify for his papers. First of all he must pass a written exam and, secondly, he must pass his practical.

Just very quickly looking back at some of my notes of a case I dealt with in my constituency in December 1975, at that time I became very concerned with the implementation of the policy. In solving the problem, at that time I talked to officials in Edmonton, the director in Edmonton, two or three people in Calgary. I went back and forth two or three times and finally put my finger on who was to make the decision and had made what at that time I felt [was] the right decision, and I found that it could be made.

What concerned me very much — and I should give a little background to the minister so he understands the case. This young fellow from my constituency was taking apprenticeship training in sheet-metal welding in Calgary. At the time of calling me, he had passed his examination with a mark of around 75 per cent, which qualifies him. He had spent a number of hours in training.

At the time he was employed as a sort of interim apprentice — I'm not sure what the terminology is at that point — with a private company. The private company said, you're doing a great job, we want to hire you full time and give you full wages, but you haven't got your papers. So the young fellow made a number of attempts through the department in Calgary to get his papers, appealed to them, discussed the matter with them, and certainly at one point it got a little heated. At that point I sort of interceded — and I did it by telephone — and said now, come on, let's look at this thing rationally.

I asked two questions of the people in Calgary. One, has he successfully completed his examination? Yes, he has. Has he successfully worked at his practical and shown to you that he has done an adequate job? Yes, he has. Then I said, well, what is the problem? Why doesn't he get his papers? Well, the problem lies in the fact that we feel that X number of hours are necessary in practical training. A number of people have done this. Other apprentices have gone through this process. We feel that X number of hours . . .

So at that point I said, okay, I don't agree with you. Well, we spent about half an hour on the telephone discussing the philosophy of X number of hours of training after a guy has proven he can do the job. At that point I said, well, you make a recommendation to your superior, and I'll talk to your superior. If it has to go from there, we'll go to the minister. Well, at that point we got to the nub of the decision, and the decision was made to give the young fellow his papers.

What concerned me — and I indicated to these employees that what I understand is that you really haven't got the clearance or assurance in the policy directive that you can give or provide the papers for a person once he has (a) written his exam and (b) shown that he is capable of doing work. I said, it's just not clear, as I understand it. I said, I'd like to follow the matter up and discuss it with either the minister or the director.

I felt that since the opportunity was here, I wanted to raise the matter at this time. The point just doesn't follow with me that once a person reaches qualifications, a time factor has nothing to do with his capability in the field.

The second thing is that I'm sure that if this young fellow — I don't take any credit myself — hadn't, say, phoned me or had the aggressiveness to, say, phone the minister, he would have had to wait two to three months before he would have gotten his papers. During that time he would have lost a lot of money to support his family and his livelihood, and most likely would have somewhat jeopardized his position with the firm he was working with.

If that continues to be or is a matter of concern within the department and the minister is receiving letters, I feel he should clarify that matter. Certainly it will be of great benefit to the program itself.

MRS. CHICHAK: Mr. Speaker, in considering The Manpower Development Act and the area of manpower development, there is always a need to look to the future. We must try to anticipate the technological changes that will occur and prepare ourselves for them, for there is always a lead time between the planning and initiation of a program and the actual results that such a program is designed to achieve.

A few days ago in the House, I indicated that statistics or projections or predictions would lead one to believe that by 2015 some 50 per cent of Albertans would be employed in jobs that have not yet been created. But as well, in the future the average person may have three or four different careers. Employment areas will frequently be phased out and replaced by new areas that will require the workers to develop new skills. Training and retraining will become a constant process. Thus our manpower of today must serve two vital needs if we are to

prepared for tomorrow.

One, research must continue so Albertans can be provided with sufficient information on employment trends and opportunities and receive expert career counselling. Reliable occupational forecasts would also allow government and industry the time to plan programs to meet labor shortages and provide incentives to attract people to such fields. There must be a flexibility in training and education programs to allow for a maximum of transferability between occupations.

The importance of these ideas is already evident in such projects as Syncrude. Much special expertise currently is, and in the future will be, required. Some of that expertise is being imported from other provinces and other countries, because we have not been able to induce enough Albertans to enter these fields, for whatever reason.

As the project goes through its various stages, there may no longer be a need for some of the workers in specific jobs. They may require retraining before they can move on to further employment. It would be a waste of training facilities and of the worker's time and capabilities if the worker had to go back to square one for his training. Here there is a need for a mechanism to assess how the worker's previous training and experience could be applied as credit toward the requirements of the new employment area. This could help remove some of the rigidities and artificial barriers to employment that presently exist in some fields.

This might be seen as constructing a career ladder, providing Albertans with the means to benefit from the changing nature of our society and encouraging them to strive for the optimum in their employment field and in their personal development.

The need to plan for, adjust to, and accept change is very real in a province such as Alberta, with its rapid growth rate and its increasingly broadening and complex economic structure. I feel our manpower policy reflects this need. Our educational institutions must respond accordingly. I believe Bill 52 provides a mechanism for responding in the area of trades and certain other occupations. I certainly support this bill, Mr. Speaker.

DR. HOHOL: Mr. Speaker, I should like very briefly to comment on the points made by the hon. members. I appreciate the comments from the Member for Clover Bar and the support for the statute that he reflected. With respect to the farm apprenticeship program, I wish to say to him that I in my former portfolio and the Deputy Premier in his previous portfolio as Minister of Agriculture put together a program called the green certificate that's now pursued, much more devoutly than it had been initially, by the present Minister of Agriculture. While in the end result it's not exactly like a welding journeyman, the notion and the quality servicing and supervision experience and some of the relationships of government and employee are modelled on the apprenticeship model.

I'm familiar with the situation in the dairy industry, mostly because I visit some friends who own them, and I know the problem. It's a matter of getting people who will want to work in that enterprise. If we can get them, we have the wherewithal in terms of legislation and support in other ways to train these people.

To comment on the heavy-duty equipment operators, this is one of our most significant training programs in Alberta today, as is the oil rig training program with the base program on the south side of Edmonton.

I have no difficulty appreciating the problems outlined by the hon. Member for Little Bow. He gives me proper direction in terms of the administration, and I will certainly look to that. I should mention two significant changes in the statute, Mr. Speaker. One is that an appeal procedure is written into the statute. The appeal in matters like those will be from the decision of the director to the apprenticeship board. The second change is that the chairman of the apprenticeship board, or in this case apprenticeship and tradesmen's qualification board, will be a citizen from somewhere in Alberta, in contrast to the director being the chairman. This is simply a reflection of what we and others believe to be an effective way of doing it, rather than having a civil servant as a chairman of the board.

I certainly appreciate the comments of the Member for Edmonton Norwood, who in large measure reflected the attitude and the intent of this piece of legislation. I simply make the commitment that we will continue to expand the programs, make the institutions and the worksite and workshop training places sensitive to the needs of Albertans and make this piece of legislation a significant one in terms of responding to Alberta in the years to come, in the way the hon. Member for Clover Bar indicated; which places the tradesmen in a very significant and important role in Alberta today.

[Motion carried; Bill 52 read a second time]

MR. HYNDMAN: Mr. Speaker, I move we call it 4:28.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

#### head: **MOTIONS OTHER THAN GOVERNMENT MOTIONS**

1. Mr. Horsman proposed the following motion to the Assembly:

Be it resolved that a select committee of the Assembly be established to recommend on:

- (1) the use of ordinary language in legislation and legal documents as opposed to formal legal language;
- (2) whether the best balance between public understanding of the law and legal correctness is established by the current use of formal legal language;
- (3) changes in specific methods of drafting;
- (4) the better use of introductory notes during the passage of bills through the Legislature;
- (5) how to increase public understanding of new laws by the use of white papers or draft laws.

[Adjourned debate: Mr. Taylor]

MR. TAYLOR: Mr. Speaker, I'm not going to delay the House very long on this motion. I support the resolution. I would like to see it followed in the legislation in this Legislature, particularly in regard to explanatory notes and setting out on the opposite page the

section that is being amended. Sometimes this is done, sometimes it isn't. When it isn't done, it takes a great deal of extra time to dig out the statutes, to find the proper section, et cetera.

The better use of introductory notes is a very excellent thing. A general statement at the beginning of bills saying the object of the bill, what we want it to do, again saves a great deal of time, and immediately you know whether or not you're interested in the details of the bill.

I'm speaking more on behalf of the people outside the Legislature than on behalf of those inside the Legislature. Like most members, I send bills out to various people in the constituency. Many of them tell me that many of the bills are meaningless to them, because it says it's amending some section and the section is not even noted in the bill. They don't have a set of statutes and so on. For the benefit of the people outside, I think we should make a definite practice of including the section being amended, even though it's a reasonably long section; also to put an introductory note saying what we expect the bill to do, in a general way. Then people outside can read the bill and know whether or not they want to labor through the details of particular clauses.

When we talk about the use of ordinary language, I think that's something everybody supports. It's easier said than done though, because it's important to get the precise shade of meaning to the greatest degree when laws are being written. If we don't do that, we simply leave the door open for several meanings from the same word. One of our difficulties in the English language is that one word can mean a number of things. Take the word "love" in the English language. We use the same word with several connotations. Love can be a love between a mother and her child. It can be love between a husband and his wife. It can be love between a brother and his brother. It can be love between a young man and a young woman. All different connotations. I've never studied Greek, but I was told by a person who did study Greek language that there are three words denoting the precise meaning: one the love between a man and a woman, one the love between a mother and a child, and one the love between sister and brother. In the English language, where we have one word that denotes all three — and there are many, many words like this — it behooves us to try to be precise when we are setting out the words in a statute that's going to involve somebody's property or somebody's concern.

Many times these words are spelt exactly the same. Sometimes they sound the same, but they're not spelt the same. I remember, when teaching in a rural school several years ago, you had to prepare a great deal of seat work to make sure the grades that weren't receiving instruction at the moment were advancing and doing something worth while. In one Grade 3 class where we had learned all the words involved, I said draw a line. That's l-i-n-e. I went over and I said to John, "You haven't finished yet?" He said, "No, it's pretty hard." I said, "It's not very hard. You try to get it done before I finish the next class." When I got back the next time he had something that looked like a dog. I said, "What's that?" He said, "That's a lion." He had misunderstood l-i-n-e for l-i-o-n. This isn't common just in school classes. This is very, very definite from people who come into this country from other countries. They

note it far more than we do. I don't know whether anybody has ever endeavored to teach a young Chinese immigrant a few things about the English language. It's sometimes very, very amusing. They sense right away the wrong meaning of a word that sounds the same and sometimes is even spelled the same.

So I believe the hon. Member for Medicine Hat-Redcliff has done a real service in bringing this resolution to the attention of the legislators of this province. I hope the legislative counsels will pay attention to it too, because that is where much of the actual good of this resolution can be put into practice. I support the resolution.

MR. LITTLE: Mr. Speaker, today we are presented with an opportunity to assess the total integrated mobility of a synchronized, incremental concept relating to functional management options in a parallel monitored projection.

AN HON. MEMBER: Hear, hear. What does that mean?

MR. LITTLE: Needless to say, a balanced third-generation time phase will affect total reciprocal programming. It is my hope that a compatible, transitional contingency can be developed. [interjections]

Mr. Speaker, in the event that you do not perceive these few words to be sagacious, I hope that they do not invoke your discountenance, for they are intended merely to achieve bewilderment.

Mr. Speaker, it is a privilege to speak today on Motion No. 1 on the Order Paper. I will confine myself to the first portion of the motion by the hon. Member for Medicine Hat-Redcliff:

Be it resolved that a select committee of this Assembly be established to recommend on:

- (1) the use of ordinary language in legislation and legal documents as opposed to formal legal language.

Mr. Speaker, there is an often-quoted rule of law that ignorance of the law is no excuse. However, it would require many, many excuses to adhere to that rule. In addition to the 600-odd statutes that are contained in the Criminal Code of Canada, every province in this country has its own laws and regulations, each province its own vehicle and highway traffic act, or highway traffic act, whatever they care to call it. We have countless municipal by-laws. In the United States, it is estimated that there are over 30,000 criminal statutes, and there appears to be a major problem understanding them.

Indeed, Mr. Speaker, during the last two days I have been attempting to read a judgment by the Supreme Court of Nova Scotia on an appeal. In order to get through this judgment, I had the dictionary at my elbow, a list of Latin legal terms, and made numerous calls to the Law Clerk. I'm still not convinced that I understand that judgment.

Not only is it difficult to know of the existence of a law, but having once crossed that hurdle the average citizen then comes to the problem of attempting to understand the law. All professionals have their own vocabulary or jargon, possibly to guard against intrusion by the less knowledgeable of the public. Lawyers are no exception. Possibly, they are the worst offenders.

Mr. Speaker, let me read you a list of Latin legal phrases that are in common use today. Let me challenge you, does the average citizen understand them: *prima facie*, *sub judice*, *mutatis mutandis*, *ex officio*, *inter vivos*, *per autre vie*, *ex parte*.

AN HON. MEMBER: The lawyers don't know either.

MR. GHITTER: Not the way he pronounces them.

MR. LITTLE: I checked the pronunciations with the Law Clerk, Mr. Speaker.

It is quite noteworthy, Mr. Speaker, that when newspaper articles concerning court procedures are published, they usually place a definition of the Latin term in brackets following it, and often this definition is none too precise. I therefore would suggest the mere necessity of providing a definition indicates that they recognize the lack of knowledge by the general public.

I believe, Mr. Speaker, that there is a very serious responsibility to be placed on lawmakers to make certain that the law is understood by all persons. For example, in the well-known case of statements, we have a trial within a trial. During that trial within the trial, it is incumbent upon the law, or incumbent upon the prosecutor, to convince the court that not only did the person so charged hear the statutory warning, but that he must understand the statutory warning, and the presiding judge takes a great deal of care to make absolutely certain that he understands the statutory warning. But possibly the poor soul didn't understand the charge before he even arrived at the statutory warning.

However, Mr. Speaker, I appreciate that the proposition of placing legal documents in ordinary language poses certain problems. Generally legal terms are precise in their meanings while ordinary language frequently has many meanings. Mr. Speaker, don't think I'm trying to steal the thunder of the hon. Member for Drumheller, but I did look up one particular word today, the word "strike". In the Webster dictionary, as an intransitive verb, it has 18 interpretations; as a transitive verb, 24 interpretations; and as a noun, 11 interpretations. Just think of the problems to a person attempting to learn our language.

There are over a million entries in the Oxford dictionary, and it is believed that they have an average of 3.5 meanings and many of them as many as 11. Indeed, Mr. Speaker, communication or the lack of same is recognized as one of the major problems in our modern society. Although in the Oxford dictionary there are over one million entries, with three to five meanings, which equals 3 to 5 million words, the average person possesses a vocabulary of 5,000 words, and it is believed that he uses less than 500. A very eminent student of language, Dr. Krotke, estimates that the average citizen has a mere 800 words in his vocabulary.

By making legal documents easier to read and easier to comprehend, are we therefore encouraging illiteracy? Why do we have the one million entries in our dictionary if we're not going to use them?

Mr. Speaker, we have had a number of debates in this Legislature expressing some dismay at the inability of our university entrants to communicate effectively, especially by way of the written word. In our efforts to make the legal terms more easily under-

stood, I hope that we don't further erode our ability to communicate. By attempting to make the language more simple, more usable, are we catering to the lowest common denominator in our society, or the slowest ship in the convoy?

I think it is most important, Mr. Speaker, that we attempt to make the law understandable to all. However, the law not only must read but must mean the same 10 years, 20 years, or 30 years from today as it does today. Contemporary colloquialisms are just not acceptable in legal documents. I feel this is a most important motion, and I congratulate the hon. Member for Medicine Hat-Redcliff for bringing this problem to the attention of the Legislature. Therefore, Mr. Speaker, I enthusiastically support this motion.

MR. KIDD: Mr. Speaker, whereas the hon. Member for Medicine Hat-Redcliff may have been seen to and indeed has duly made representation to this Assembly concerning certain matters related to the clarity and/or lack of clarity related to the use of the English language, therefore removing all obfuscation thereof, it may be stated that I, in view of all that has been said to the present, state that this resolution is supported without equivocation. Or, in the immortal words of the Member for Calgary Millican, you betcha, I agree.

MR. HYLAND: Mr. Speaker, as I rise to take part in this debate, I'm surely not going to start with the many big words that the hon. Member for Calgary — I've got to look at my note, I forget where he's from — Calgary McCall did.

Last year the statutes of Alberta were increased by about 850 pages. Presumably this increase will make the statutes far more easily understood and plug some of the loopholes that exist. I can recall a few years ago, when I was on town council, many times you'd be in question about how far you could go with by-laws and such. You'd look in the statutes and you'd think, well, there should be an answer there. After you'd looked for a while, sometimes you weren't too sure. Sometimes you were sure you had gone a little too far. But it was never really totally clear because it's printed in a language probably most easily understood by someone who has trained his mind in this kind of language for a number of years.

I think one example came up in this session in amendments to Bill 54, as presented on May 17. For someone like me who is not a trained lawyer, the amendment reads:

Section 28(b) of the bill is amended by striking out the words "subsections 4 and 5" and by substituting therefor the words "subsection 4 and part (b)" by renumbering the proposed subsection 5 of Section 99 of the act as subsection 4.1.

Mr. Speaker, I looked at the section in question, and I don't see the difference of numbering it from Section 5 to Section 4(1). As I say, maybe the legal minds — or as the slang term has been tossed around here, the legal beagles — have a good reason for it. Maybe some of them don't totally agree either. My honorable friend from Calgary Buffalo says, certainly they do.

I think another came up in the House a short while ago, Mr. Speaker, when the hon. Attorney General

was asked a question. He said he was terribly busy with the legislative review committee. Just think, if this motion was passed, accepted, and put in ordinary language we could all understand, some of these people who have an extreme workload could turn that job over to some of us and let that much more time go so they could spend it in their departments. I'm sure they would be quite happy to have that much more time to spend.

Mr. Speaker, they often say that to mix religion and politics is a bad thing and can get you into a lot of trouble. That's true, because I have gotten into a lot of trouble arguing religion and politics. But I think one of the things that can really show that language can be changed is that the churches have changed from their old formal language to the modern language. I believe, Mr. Speaker, this kind of language was buried even deeper in their beliefs than legal language is buried in the beliefs of parliamentary procedure.

In summation, Mr. Speaker, I'd like to read a couple of verses out of two different Bibles, one the King James Version and one the *New English Bible* published in, I believe, 1961. It reads:

Let no man deceive you with vain words for because of these things cometh the wrath of God upon the children of disobedience.

How many arguments could you get on what that meant? So, we read in the new version:

Let no one deceive you with shallow arguments. It is for these things that God's dreadful judgment is coming upon his rebel subjects.

Considerably more simple than the previous language. Just one more short one:

See that ye walk circumspectfully, not as fools but as wise.

Be most careful then how you conduct yourselves, like sensible men, not simpletons.

How much more plainly, Mr. Speaker, could it be put than in the ordinary everyday language?

I would like to commend the hon. member for bringing this motion forward. I fully support it. I hope all members in turn support it so that we totally understand all the ramifications of the legislation we're working on, that it's understandable by all, and, moreover even than that, that it's understandable to the people of the province when they read it and try to figure out what they can do, what they can't do, and what they're doing wrong.

Thank you.

MR. GHITTER: Mr. Speaker, this has been a very unusual motion presented to the House. We have had a number of instant experts trying to practise law in here this past day and on March 23 when the hon. Member for Medicine Hat-Redcliff introduced his resolution on ground nuts and gave us a number of definitions how he regarded the English language should be utilized. I'll explain that in more detail.

Aside from the discussion on ground nuts in this resolution, we've had the hon. Member for Drumheller tell us about love and the various definitions of love, but he neglected to refer to the most popular definition of love. That is zero in tennis, but you ignored that entirely. I just wanted to explain to you that there are other meanings for love. We have also had the ex-policeman of 36 years, the hon. member

from Calgary, speak to us in Latin — which was very interesting — mispronouncing all of the Latin phrases many of us hold so dear to our heart and spent many years trying to understand and deal with. They're just dealt with flippantly like they were meaningless little gems to be ridiculed like some mathematical equation, Mr. Speaker. We heard the hon. Member for Banff, who came in with a little bit of slang and a little bit of basic terminology that none of us can understand, but that's another simplification of the English language for us to all enjoy.

And yet, at the base of what everyone is endeavoring to say here, Mr. Speaker, in their subtle criticisms of the legal profession, they're very basically trying to tell us all that the English language doesn't work, that the English language is imprecise, that the English language is ambiguous, that the English language is illusory, that the English language just doesn't make sense. And who do they blame it on, Mr. Speaker? The lawyers. Always the lawyers. When in doubt, blame the lawyers. Look at them all, you see. There they are, standing, just applauding like parrots. Going at it, Mr. Speaker.

Now I can understand many of the hon. members criticizing the lawyers. I can understand, for example, the medical people who have their own jargon. Have you ever gone to a doctor, Mr. Speaker, and tried to find out what was wrong with you? Have you ever tried to read one of their prescriptions? Have you ever talked to a pharmacist and said, what is this drug I have to have, and why am I taking it? Have you ever talked to any of them, Mr. Speaker, about what they do? Do you ever hear the doctors being blamed for anything, Mr. Speaker?

DR. PAPROSKI: Mr. Speaker, on a point of order, I'd like to request that you ask the hon. member to restrain his comments on the legal profession.

MR. GHITTER: Mr. Speaker, I don't propose to stand here and defend Her Majesty's finest profession. I was merely trying to bring to the attention of the members that I can understand why the hon. Member for Edmonton Kingsway is so sensitive when anyone attacks the language he tries to use. When you have a sore finger, you've got a metacarpus and all these other things that nobody understands.

But do we criticize? Do you ever hear a lawyer criticizing a member of the medical profession? Of course not. An engineer, here right beside me, an engineer. Do you hear him at any time coming forward, Mr. Speaker, to criticize the legal profession? Every day I see him. But do I criticize engineering? Of course not. I don't understand his jargon. Engineers don't have to speak English, Mr. Speaker, so they're never criticized. Lawyers do. The tool of a lawyer's trade is the English language, and it's an imprecise, unaffected type of language.

Mr. Speaker, I can understand the lack of understanding in other members. But the thing that bothers me most about this resolution is for the hon. Member for Medicine Hat-Redcliff to stand on his feet to present a resolution of this nature — a man trained in the law, a man who, in his speech, talks in terms of not understanding the difference between a grantor and a grantee, a mortgager or a mortgagee — not to understand those and say they're ambiguous, and suggest that we should change the terminology of the

legal profession, to get rid of these terrible problems so that now transferer and transferee are no longer to be applicable, instead they're going to be buyer and seller, if that solves anything. Mr. Speaker, I can take it from the rest of the members, but from a man legally trained in the language . . . Mr. Speaker, I am sending a letter to the Law Society of Alberta to explain what happens in this Legislature.

Mr. Speaker, the solution, what do we have . . .

DR. BUCK: [Inaudible]

MR. GHITTER: You can get up and speak later, if you wish. Mr. Speaker, no one's inhibiting the Member for Clover Bar from coming forward in this debate and standing up. He's just tired. He doesn't want to stand up.

DR. BUCK: [Inaudible]

MR. GHITTER: I'm sorry, Mr. Speaker. I cannot hear the hon. member.

Mr. Speaker, what quotes do we have from the hon. Member for Medicine Hat-Redcliff to encourage his case or to present his argument? He states, from *The Guinness Book of Records*, the most inexplicable statute that deals with the law of ground nuts, Mr. Speaker. Then to carry forward further, to really drive home his argument, to really bring to our attention that there's a real problem in matters of law, he quotes and circulates page 12 of *Time* magazine of September 22, 1975, with a precedent of a promissory note, and suggests that we would be better off if we used a different terminology with our promissory notes. Instead of saying: "I promise to pay on demand the sum of \$20 plus interest to John Doe", the hon. Member for Medicine Hat-Redcliff suggests in his address that we should be saying: "If I don't pay an instalment on time, I am in default". Mr. Speaker, those of us who are lawyers know that you could drive a truck through that promissory note with respect to the loopholes that are there.

I think truly, Mr. Speaker, all the Member for Medicine Hat-Redcliff is really endeavoring to do is to confuse the issue to such an extent that the legal profession will make more money than they're making right now.

SOME HON. MEMBERS: Hurray!

MR. GHITTER: What the hon. member is really trying to do, and what he is really saying, if he would be honest, is that we've made as much money as we can from the present language that's evolved over the past centuries, let's change it all around, let's start all over again, and then let's start a whole new jurisprudence on the law of promissory notes so lawyers can go back to the courts. Mr. Speaker, that is not really the problem, as I understand what the hon. member is trying to deal with today. I think we really should leave bones to the doctors, we should leave bridges to the engineers, we should leave upper plates to the dentists, and we should leave the money to the farmers. That's really what it's all about.

It seems to me, Mr. Speaker, the real problem we are facing is merely the fact that, whether some in our society like it or not, when it comes to framing legislation, framing laws, framing contracts, or fram-

ing what have you, unfortunately a very serious responsibility is built within that structure of the law and contract. And to deal in terms of imprecise terminology just really isn't good enough.

We probably have one of the finest Legislative Counsels in this land. We have an individual and a staff who, when they sit down and try to translate our ambiguous policies into words — that is not an easy thing to do — do a superior job of that. But that takes training. That takes years and years of experience. That takes an understanding of interpretation of statute. That takes a feeling for the law that only comes with a training and an expertise that comes with years and years of understanding.

Mr. Speaker, it's not easy taking the thoughts of this Legislature, or this government, or any government, and putting them into words. That is a very difficult task. You have to find out what the politician wants, and that's not so easy. Once you determine that, you must try to put it into words so that it will work. Those who suggest it's an easy matter to come forward to use ordinary language, whatever that means, to get it into statute, Mr. Speaker — I think that is really something I have certain reservations about.

Let me give you an example. I reached into my drawer and I picked out a bill, any bill. It happened to be The Stray Animals Act, the favorite bill of the Member for Hanna-Oyen. Just a pure coincidence. I opened to any page, and the page happened to be page 5. The section is Section 13. I'm sure the Member for Hanna-Oyen knows it by heart, but I'll read it just for the other hon. members. Section 13 says:

Where an inspector impounds livestock, he shall:

- (a) where he knows or is able to determine the owner or the last person in possession of the livestock,
- (i) notify one or both of them of the impoundment of the livestock, and
- (ii) by notice in writing warn the owner or the last person in possession of the livestock or both, that unless the expenses referred to in Section 5 clause (b) are paid to the inspector within 14 days . . . the livestock will be sold by . . . auction . . .

Very simple. I'm sure all the hon. members understand that. Mr. Speaker, let's assume we wanted to simplify the language. By using the ordinary language referred to in the resolution by the Member for Medicine Hat-Redcliff, how would we go about doing it? I'll try to do it. It would go something like this:

Where an inspector grabs pigs, he shall try to locate the owner, or the last person who had the pig, call them and tell them that he'd better pay the expenses or he's gonna lose the pig.

Mr. Speaker, how can we, as a Legislature, use that type of language from the point of view of trying to present to the people that we are intelligent individuals, individuals who are elected because hopefully we understand the English language, and individuals who want to speak in terms of slang or language of the street? There's no such thing as ordinary language any more, Mr. Speaker. The English language is too complicated. The matters we are dealing with in this Legislature are too complex. The concerns we have and the ways we wish to

express them, Mr. Speaker, are matters that can't be dealt with in the ordinary language of the street. If we are going to reduce our language to the language of the street, I think we would be better to take the suggestion from the hon. member Mr. Little, who suggested that we should try to raise the standards of understanding, not lower our standards, assuming we have them, to deal in terms of a less than ordinary situation.

Mr. Speaker, I have a number of reservations about this motion. I think it was well intended. I think the real motivation behind the mover was other than it appears to be. I think that the legal work in Medicine Hat may not be quite what it used to be. A few more things need to happen down there. But I'd suggest to the hon. Member for Medicine Hat that there's lots of work in the legal profession. Medicine Hat is growing. We're passing 80 bills every session. That's 80 chances you have to describe to your clients, and charge them more money. It's not that difficult. But the solution is what intrigues me, Mr. Speaker, the solution as to what we're going to do if there is this problem.

From the various speakers who have presented a point of view, I assume it is recognized that the language we are using is too complicated, that it can only be understood by lawyers. But the suggestion within the resolution is something to the effect that we establish a select committee of this Assembly to understand that. In other words, 17 men and women, well and true, of this Assembly are going to sit down and try to understand what the Legislative Counsel was interpreting or meaning to say, when well within the debate was the very fact that we can't understand the language. Mr. Speaker, possibly I could better have understood the situation had we said that a special group of individuals who had expertise, like the hon. Member for Medicine Hat, could come forward, deal with it, and try to simplify matters. That would be a little more understandable. But those who have confused will be the ones who will try to overcome the confusion. Mr. Speaker, I don't know that that really works.

Mr. Speaker, notwithstanding the comments made to this point, frankly I intend to support the motion, because I truly think there is a little confusion in the law. I think things are slowing down in the office in Calgary, as well as in Medicine Hat. I think it would be a good idea. On that basis, I commend the Member for Medicine Hat for raising a very interesting resolution. I'll be happy to vote in favor of it.

MR. GOGO: As I rise in my place, Mr. Speaker, I too am not sure whether I am the confuser or the confusee. I deem it a real honor to be able to sit with the law society here and hear the debate among the members about who should be spelling out the language that should go in the legislation. I think of a comment made recently with regard to the overexpenditure at the Olympic site: in view of the fact that the economists projected the costs, if all the economists were laid end to end, they would never reach a conclusion. Now I'm beginning to wonder if all the lawyers were laid end to end, perhaps it would be a good thing.

I have a reputation within the Assembly of being a friend of those members of the legal profession, except when I have to pay them. The Member for

Calgary Buffalo has twice made reference to making money. I don't know whether he is aware that the Member for Medicine Hat-Redcliff is having a difficult time of it, but that's not the motivation behind his sponsoring the bill or moving the resolution.

I was reminded of a story concerning a lawyer the other day. Percy Foreman, the famous American lawyer, who has defended over 1,200 people at murder trials, was accused by William Kunstler — out of Chicago, who defended the Chicago Seven — that Mr. Foreman was fine, except he charged outrageous fees. Mr. Foreman responded, "I never yet charged a man more than he had." I don't think that would fall upon either the Member for Calgary Buffalo or the Member for Medicine Hat-Redcliff.

I'm somewhat intrigued by the resolution, because I happen to be one of those of lower intellect who understands the words "simple" and "formal". I prefer the word "simple" to "formal". I think the Member for Medicine Hat-Redcliff makes a lot of sense, as he's simply saying to us lay people that as we are the lawmakers in the land, we should be the ones who simplify it, and not leave it to the lawyers.

I'm sure other members of the House have heard many times the number of words used in some of the most famous quotations in history — the number of words in the Lord's Prayer, the number of words in the Gettysburg Address. When we look at some of the bills we debate in this Assembly, we wonder if our Legislative Counsel is not on piecework. I don't mean to infer that if we simplify the language used in the House and in legislation, we'll put them out of work. I'm not nearly as knowledgeable when it comes to the fine points of the law as other learned people here. However, I must say that I would find it much easier to do some studying on proposed legislation if some of the language were simplified.

Some of the terms that have been used here — and I've learned a lot of them today — [are] about the lessor and the lessee, and the mortgager and the mortgagee. I don't even know the meaning of those words now. A member down the row from me slipped me a question: do you know what the term "daywear" means? I didn't know what the term "daywear" means. It turns out it's the amount of land that could be planned in one day, from 150 years ago. Perhaps that should stay in. I don't know. Obviously, it's used in different places.

In conclusion, I'd simply like to say I admire the fortitude of the hon. Member for Medicine Hat-Redcliff in moving a resolution like this, because he knew he would spark interest and particularly debate from the Member for Calgary Buffalo. I like the logic of the Member for Calgary Buffalo. All the way through his address on the resolution, there's no doubt he was supporting it all the time. I don't know how he concluded, because he lost me half way through.

Mr. Speaker, in summary I would simply like to say I would like to hear other members of the Assembly make comments on the resolution. I certainly support it. Indeed, it would be a wise thing for Alberta to simplify its legislation.

Thanks very much.

MR. KING: Mr. Speaker, I think the debate on the resolution has been an interesting example of exactly the point the hon. Member for Medicine Hat-Redcliff

must have had in mind when he framed the resolution. We've seen the results of the application of logic by different members of the Legislative Assembly. I have been interested to hear the members of the legal profession speak this afternoon, particularly the hon. Member for Calgary Buffalo. The point at which he and I diverge is that after speaking against the resolution this afternoon, I'm going to conclude by saying that I am opposed to it.

AN HON. MEMBER: You're going to throw us.

MR. KING: The hon. Member for Spirit River-Fairview has been speaking at some length about the cabinet, about ministerial responsibility and collective responsibility. I was very interested in this and so picked up a book by Richard Crossman, entitled *Inside View*. Richard Crossman, for those of you who don't know him, is a prominent member of the radical left wing of the British Labour Party, and was for some time a member of the British Labour cabinet. He also happens to be a political science scholar, and before being elected to the House of Commons he was for some years a political science professor at Oxford University. I would have thought that in many respects his view on ministerial responsibility, cabinet responsibility, the law, Parliament, et cetera, would have been compatible with that of the hon. Member for Spirit River-Fairview. It was interesting that every time he got up to speak yesterday afternoon, I was on a different page of the book. Mr. Crossman was taking exactly the opposite point of view to that of the hon. Member for Spirit River-Fairview on almost every occasion.

One of the things Mr. Crossman says in his book, which I would like to quote from briefly, is about the value of myth. That certainly relates to the attitude of the legal profession. The particular myth he is talking about is the myth that surrounds the monarchy, but you can generalize from his comments.

"I think it is true most members ... accept the myth ...". Does it make a difference that they accept the myth? "Yes, I think it does." If people really accept the myth and accept the role of the myth and have a relationship to the myth, "undoubtedly that strengthens the standing"; that is, of everything related to the myth. What difference does it make? "It greatly stabilizes the system." Of course we pay a price for the myth. "But in terms of siphoning off dangerous emotions," the myth has enormous value, if you consider it. One of the other myths to which he had earlier referred at some length was the myth of ministerial responsibility, which he said didn't exist in the British parliamentary tradition and never had, and was greatly misunderstood, mostly by members of the opposition who wanted to make hay.

The word "myth" is misunderstood — 'mythunders-tood' — in society today. For a lot of people, that's not of particular concern. But it concerns me that my colleagues in the Conservative party misunderstand the word "myth", because I think that for us it's particularly important. The King James Version was referred to just a few moments ago. The King James Version was the everyday language of 300 years ago. In fact, at the time it was first published some people, particularly in the Church, were outraged that the King James Version used such common language. They thought that the language of the King James

Version was unacceptably low for a theological work, for a translation of the Bible. Today, we have become extremely rigid in our understanding of acceptable theological vocabulary. There are many people in the world today who don't think that you can talk to God unless you use the words "Thee" or "Thou", because they are printed in a work first produced 300 years ago.

I would have to agree with the hon. Member for Calgary Buffalo that the primary reason for the push to reform legal terminology, not necessarily by the hon. Member for Medicine Hat-Redcliff but by others in the field, is simply to provide the opportunity for lawyers and judges to spend another 150 years and the time and money of their clients redefining and thereby making extremely rigid what he in his resolution refers to as "simple language". I'm certainly a layman, but I don't think anyone could expect that the process of the law would exist for very long unless the lawyers and judges could narrow down and define with extreme precision whatever words they were using. If they choose to change the words, that's fine. But inevitably, when they have changed the words, they must start the process of definition and specification all over again.

The hon. Member for Calgary Buffalo said something else that I wanted to reply to, but I can't remember what it was.

MR. CLARK: Then don't reply.

MR. KING: I'm not going to be able to.

The point on which I wanted to conclude was I think Richard Crossman's: that we depend, in our society, on all kinds of myths for the maintenance of our social order. Among the myths which are important to us are the myths associated with the legal and the judicial process. I for one would have serious reservations about 'demythologizing' the judicial process, our system of justice, in the same way that I am concerned about changes in the rules of the House, changes in our attitude toward the monarchy, changes in our attitude toward cabinet responsibility, which have the effect of 'demythologizing' our process of government, making it seem more common, making it seem less significant, making it seem that it is the plaything of anyone who, with little preparation or little regard, should choose to play with it.

Thank you very much.

MR. COOKSON: Mr. Speaker, I have trouble trying to locate another speaker. I wonder if I might have your permission to adjourn the debate.

MR. SPEAKER: Perhaps the permission of the Assembly would be more important. Does the Assembly agree that the hon. member may adjourn the debate?

HON. MEMBERS: Agreed.

MR. HYNDMAN: I move we call it 5:30, Mr. Speaker.

MR. SPEAKER: Does the Assembly agree with the very welcome suggestion by the hon. Government House Leader?

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until 8 o'clock this evening.

[The House adjourned at 5:20 p.m.]

[The House met 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. ZANDER: Mr. Speaker, I have a statement to make on a matter of personal privilege.

MR. SPEAKER: In view of the intention of the hon. member, perhaps we could delay putting the motion.

HON. MEMBERS: Agreed.

MR. ZANDER: Thank you, Mr. Speaker.

Mr. Speaker, I have a statement to make on a matter of personal privilege regarding some errors appearing on page 750 of *Hansard*, April 14, after checking the handwritten notes brought to my attention. Mr. Speaker, soon after the debate last April 14, I had returned to my constituency, and returned the following afternoon without checking *Hansard*. It was an error on my part, and I accept it.

In the first paragraph on page 750 it should have read "\$20,000" and "\$24,000" where it appears as "\$24,000" and "\$26,000", and the same in paragraph two: "\$70,000 to \$100,000" where it reads "\$700,000". In paragraph three it should read "4.5 mills to eventually lead to 8.5 mills". In paragraph four, "\$12,000" where it appears "\$16,000". In the second column, instead of "80" it should read "50".

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

HON. MEMBERS: Agreed.

[Mr. Speaker left the Chair]

head: **GOVERNMENT BILLS AND ORDERS**  
(Committee of the Whole)

[Dr. McCrimmon in the Chair]

MR. HYNDMAN: Mr. Chairman, for the information of the committee, the Premier will be delayed just a few minutes. When he comes, it is our intention to move to Bill 49 in committee, The Natural Gas Pricing Agreement Amendment Act, 1976, which will give an opportunity for discussion of the matter of energy pricing which is current today.

Until he arrives, which should not be very long, I would suggest the committee proceed with the bills listed under Committee of the Whole, beginning with No. 29, The Financial Administration Amendment Act, 1976, followed by Bill 30, The Department of Education Amendment Act, 1976, and Bill 32, The Department of Advanced Education and Manpower

Amendment Act, 1976. When the Premier arrives, we'll move directly to No. 49.

HON. MEMBERS: Agreed.

**Bill 29**  
**The Financial**  
**Administration Amendment Act, 1976**

MR. LEITCH: Mr. Chairman, I believe an amendment has been circulated to all members.

MR. CHAIRMAN: The Committee of the Whole Assembly will now come to order. Mr. Minister, do you have some remarks?

MR. LEITCH: Now that we're at order, Mr. Chairman, I'll again call attention to the fact that there is an amendment.

The amendment, Mr. Chairman, increases the proposed increase in the Auditor's salary from \$2,000 to \$2,500, effective August 1, 1975. The prime reason is that historically the Auditor's salary has been at the same level as the Deputy Provincial Treasurer's, and his is now at \$46,000 per year.

In anticipation, Mr. Chairman, I should perhaps comment on the fact that that appears to be and is \$100 over the \$2,400 limit under the anti-inflation guidelines. However, first of all, in our view the Auditor is not covered by those guidelines. In addition to that, because of this historical relationship that I have spoken of, I think he would be one of the exceptions to the guidelines. He might well be considered one of the group of senior government employees whose salary levels are set pursuant to an OC. Within that group there can be increases above \$2,400 if, within the same group, there are offsetting increases of less than \$2,400.

I want to call the members' attention to one other item. We propose to provide an automobile for the Auditor on the same terms and conditions as we are providing automobiles for certain senior members of the government service. It was my thought that there might well be merit to the argument that the provision of that kind of benefit to the Auditor ought to be specifically spelled out in legislation rather than being done by the government.

We provide a number of things to the Auditor — other benefits if you like — that aren't spelled out in the legislation, such as a pension and the necessities of his office. But I didn't want to proceed with this bill without calling the members' attention to that. I would add, Mr. Chairman, if any member of the committee has any reservations, I'd be happy to have the bill held in committee and then prepare an amendment specifically providing for the automobile on the same terms and conditions as the other senior members of the civil service.

One of the other reasons I did not include it in the proposed amendments is that we're contemplating, in accordance with announcements I've made earlier, entirely new legislation in the immediate future dealing with the office of Auditor General. I thought at that time it would be appropriate, since we'll be introducing new legislation, to deal with the whole question of compensation and added benefits for the Auditor.

In closing, I'd simply like to reiterate what I said

earlier. If any member of the committee wishes to have the provisions specifically authorized in the legislation, I'd be happy to have the bill held and would prepare an additional amendment.

MR. CLARK: Mr. Chairman, as far as we're concerned, in light of the fact that new legislation will be coming in this area — I believe the Treasurer has indicated, though not committed himself to, the fall session — I think perhaps we could live with the situation.

I want to ask the Treasurer a question though. Is the car being provided to the Auditor on an either/or situation, the same as for deputy ministers and senior chairmen of government boards and agencies? It's my understanding they get either the increase or a car. Is it the same kind of situation with the Auditor?

MR. LEITCH: Yes. As I understand it, the Auditor has already indicated he'll take the car, so there's no problem.

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. LEITCH: Mr. Chairman, I move that Bill 29 be reported as amended.

[Motion carried]

**Bill 49**  
**The Natural Gas Pricing**  
**Agreement Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

MR. LOUGHEED: Mr. Chairman, I wonder if the hon. members would agree, because of the nature of this bill and because of other events that are occurring, if we could deal in committee with the whole question of oil and gas energy pricing. If that is agreed, I would like to make an opening statement, answer any questions, and proceed with the bill.

HON. MEMBERS: Agreed.

MR. LOUGHEED: Mr. Chairman, hon. members will recall that the matter of energy pricing in Canada has been the subject of frequent negotiations between the producing provinces who own the crude oil and natural gas — being essentially Alberta, Saskatchewan, and British Columbia — and the federal government with its jurisdiction over interprovincial trade and commerce.

This has been a difficult process of negotiation, but it has avoided, at least to this point, a constitutional confrontation which could seriously damage Confederation. The results of these negotiations have been beneficial to Alberta in a number of ways.

First, we have maintained Alberta's jurisdiction over our depleting resources. Secondly, the federal government has accepted the Alberta point of view

for the need to move over a period of years toward international prices for crude oil to provide incentives to find new supplies and to fairly compensate Alberta citizens who own the resources.

Thirdly, we have negotiated an undertaking that natural gas would increase to 85 per cent of parity with crude oil. Fourthly, we have successfully avoided a federal export tax on natural gas and further have developed an arrangement whereby the entire export price differential leaving Canada of Alberta natural gas flows back as revenues to the Government of Alberta and to explorers and producers in this province.

As a result of these various effective negotiations, the price of natural gas in the province has risen from an average price in early 1973 of 16 cents per MCF at the wellhead to 97 cents per MCF at the wellhead today, to the enormous benefit of Alberta and its economy. We have cushioned Alberta consumers substantially from this increased cost with our natural gas rebate plan, and our current year's appropriation requires some \$70 million to flow back to the Alberta consumers to reduce the cost of heating homes in our province.

Since we came to office we have also been very successful in successively moving up the wellhead price of crude oil from an average price per barrel of \$2.85 to \$3.80 in 1973; to \$6.50 in 1974; and last year, by a further increase of \$1.50, to \$8 per barrel.

This, of course, has been a substantial benefit again to the Alberta people and its economy, but a benefit that is justified on the basis of the depleting nature of our conventional crude oil reserves. In order to protect the consumers of Alberta, we have maintained by far the lowest gasoline tax in Canada. In addition, we have provided a farm fuel transportation allowance of 8 cents a gallon, assisting in reducing the cost to our farm producers.

Mr. Chairman, during all these difficult negotiations, we have established a system of royalties and incentives for the petroleum industry in our province which has encouraged exploration. Recent reports indicate near record levels of drilling and exploration activity. Petroleum company budgets for Alberta have never been higher. Our lease bonus sales are at substantially increased levels. In short, Mr. Chairman, the petroleum industry in Alberta is in a very strong and expansionary position.

Hon. members, the current understanding with regard to crude oil and natural gas pricing is due to expire at the end of June this year. Last year's increase, which was agreed upon between the producing provinces and the federal government, was almost frustrated by some consuming provinces imposing a price freeze at the pump. This precluded the distributors from passing on the increased well-head prices to the consumers. Thus the response of the consuming provinces remains a significant factor in these negotiations, despite the fact they have no jurisdiction over the resources.

During the course of the past few months, the Minister of Energy and Natural Resources from Alberta and the Minister of Federal and Intergovernmental Affairs from Alberta have been involved in extensive negotiations. They have faced a determined national effort by the province of Ontario to prevent any increase whatsoever in crude oil or natural gas pricing this year, relying in part on the national

anti-inflation program as a reason. As a result of Ontario's determined efforts as the largest consuming province, it was necessary for Alberta to adopt a strong negotiating stance as the principal producing province, and we accordingly set a public target for an increase of \$2 a barrel this coming year.

Mr. Chairman, I now want to confirm the results of my negotiations with the Prime Minister and announce the Alberta pricing position. We are prepared, subject to an important condition, to agree with the federal government for a crude oil pricing arrangement that would increase prices by \$1.75 per barrel over the forthcoming year. In the interests of reducing the impact of such increases upon inflation in Canada, we are prepared to agree to the increases coming in two stages; that is, \$1.05 per barrel on July 1, 1976, and a further 70 cents a barrel over the year on January 1, 1977. The agreement will expire again at the end of June 1977.

We are also prepared, since natural gas prices will be increasing significantly with these oil price increases, in the interests of reducing the inflationary impact upon the Canadian economy — of which we are a part — to maintain natural gas prices at 85 per cent of parity with crude oil for the coming year. The resultant increases in natural gas prices at the wellhead in Alberta, though, over the year will be increased by approximately 25 cents per MCF.

Our agreement is predicated on the understanding that the consuming provinces will respect a maximum period of 60 days for inventory utilization and hence, the impact at the pump will be deferred for such 60-day period.

Mr. Chairman, the export price for Alberta natural gas has been an important part of our negotiation. The federal government, in their statement earlier this evening, said that they think they can get agreement with Alberta but will have to await our response. On behalf of the government, I now make that response, Mr. Chairman.

We are prepared to proceed on this basis and in agreement with the federal government, provided that on or before July 1, 1976, the federal government authorizes the necessary order in council to increase the border price of Canadian natural gas sold in the United States from \$1.60 per MCF to approximately \$2 per MCF — after reasonable notice to the United States, but in any event, before the end of 1976.

Mr. Chairman, Alberta provides 80 per cent of the natural gas being exported to the United States, and such an increase in the border price is a very significant benefit to explorers in Alberta by markedly improving their return and funds available for exploration. In addition, this would provide substantial extra revenues to the Alberta government for the sale of its depleting resources.

Mr. Chairman, I believe very strongly that, on balance, these lengthy and difficult negotiations, which were culminated in extensive discussions directly between the Prime Minister and myself, are in both the Canadian and the Alberta public interest, and mark a further very important step forward for the future of this province.

[applause]

MR. CLARK: Mr. Chairman, in responding to the comments made by the hon. Premier, I'd like to make four comments.

First of all to say that the comments made by the hon. Minister of Energy and Natural Resources on March 8 when he said: "I [don't] feel it would be reasonable to ask Alberta to accept less than \$2 . . . per barrel [of oil] at this stage . . ." — I think it was made clear, Mr. Chairman, that that position had a great deal of support from this side of the House.

Commenting on that, I would caution hon. members in their enthusiasm for accepting the federal government's point, that this is really \$1.75. This agreement, as I understand it, is for one year. It isn't \$1.75 for one year; it's closer to \$1.40 for the one year.

Members will recall that about two weeks ago the federal Minister of Energy, Mr. Gillespie, talked in terms of \$1.35. As it turns out, he's 5 cents out. The \$1.05 and the 70 cents at the first of the year, going to next July, comes out to \$1.40 as far as the increased price is concerned.

The third point I would like to make is that I recognize that the 60-day freeze, as far as these prices being passed along to the consumer are concerned, at least from this standpoint will hit consumers on September 1 rather than during the heavy holiday period.

I would say in conclusion, on the question of the authorization of the natural gas price increase from \$1.60 to the vicinity of \$2, that I'd be interested in hearing from the Premier, in the course of his response, the stage of negotiations in that area with the federal government; and pretty candidly, Mr. Premier, what likelihood there is of the federal government agreeing with that particular portion of the proposal you put forward this evening.

The third point I'd like to make flows from *Hansard* on May 3, when once again we asked the hon. Premier [about] oil pricing. The Premier indicated at that time that we must look at the negotiations totally. I quote from *Hansard*, page 1016:

[This] will involve not just the price of crude oil, but parity regarding natural gas, the overall timing situation, any involvement in terms of economic development in the west, and the long-term situation in this province, having regard to the constitutional situation.

Once again, Mr. Premier, I would be very interested in your comments there. In the course of your comment this evening, I think you touched upon the price of crude oil and the parity question. I would be very interested in looking at the total negotiations, what kinds of gains you feel the Government of Alberta has made in regard to involvement in terms of economic development in the west. Then I'd be interested in any comments with regard to the constitutional situation.

The last comment I want to make is simply to say this: hon. members in this House a year ago will recall when the federal budget came down and the way in which that budget was received by members in this Assembly, that this was in fact a tremendous breakthrough as far as the federal government in their budget saying, we were moving to a world price. I was critical of our great enthusiasm on that evening.

I simply say to the members once again that the OPEC nations will be negotiating around September

1, as I understand the situation, and the world price in all likelihood is going to go up. A year ago, the federal government said that it would take five years for us to get to the world price. One year is virtually gone. If the OPEC price goes up something like \$1.50 — and there is talk of a \$1.50 plus increase — if that's the situation, we will find that one of the five years has gone, we're virtually no closer to the world price, and a tremendous amount of our crude oil in this province has been used during that time.

I conclude with this rather sobering thought, and I think it would be good for our colleagues especially in central Canada to keep this in mind: at this time in the development of this country no people or no province is making a greater contribution to keeping Canada viable than the people of the province of Alberta. Regardless of how we cut it, we're getting close to two-thirds of the world price for our crude oil. That's a mighty big contribution from 1.6 or 1.7 million people, when we remember that's a non-renewable natural resource. The people in central Canada would do well to keep that contribution in mind.

MR. NOTLEY: Mr. Chairman, just a few comments on the Premier's announcement today. Let me begin where the Leader of the Opposition left off.

I think it's well that we put in perspective the extent of the price the people of Alberta are paying for Canadian restraint: the difference between the world price and the new price of \$9.05 a barrel as of July 1, and \$9.75 as of January 1. If one computes that over a year, the extent of the cushioning of the rest of Canada by this province would be in the neighborhood of \$1.5 billion. As the Leader of the Opposition has pointed out, when one considers that we will produce almost half a billion barrels of oil, of non-renewable resources, that \$1.5 billion contribution to restraint in Canada is simply enormous.

Mr. Chairman, it also brings to my mind anyway the question of just how long we can be expected, in the absence of a trade-off on other matters — the Leader of the Opposition mentioned the Premier's statement several days ago where he talked about looking at this question in the context of more than oil, natural gas. He included the term "western Canadian development". It seems to me, Mr. Chairman, that the people of Alberta cannot be expected over four or five years to make an annual subsidy to the rest of Canada in the absence of trade-offs in other areas.

I know this government has taken the position that it did not want to seek a *quid pro quo*. But the fact of the matter is, Mr. Chairman, that when one sees the extent of the difference between the world price and the price that Alberta will be receiving, I think a pretty strong argument can be made for some action on some of those historical grievances where, quite frankly, notwithstanding the best efforts of all three prairie provinces and, for that matter, the province of British Columbia, we have not made any really significant progress to date on freight rates or tariffs. I would say that the question of energy pricing has to be related to the overall issue of some of the historical grievances in western Canada.

The second point I'd like to make, Mr. Chairman, deals with the domestic price of natural gas being at a continued 85 per cent parity with oil in BTU terms.

From the agreement last year, my understanding is that we would quickly be moving to full parity for natural gas vis-a-vis oil. It would appear that for a period of at least one more year we are going to accept 85 per cent as being adequate.

Mr. Chairman, I would, however, congratulate the government on the position it is taking on the export price of natural gas to the United States. I think the \$2 figure is reasonable. I trust that the federal government will see the merit of that particular argument, and will move accordingly. I express that as a hope.

The Leader of the Opposition has already pointed out — he expressed it as a question — perhaps the Premier could give us some indication as to whether or not — and I thought I read this into his statement tonight — the entire package is contingent on the acceptance by Ottawa of \$2 per MCF export of natural gas. I think that is a question I would like clarified, Mr. Premier. But as far as I'm concerned, I would certainly support the \$2 figure for export gas to the United States.

The third comment I would like to make — and this is an issue where I differ from the other members of the House — if we are going to pay more for natural gas and oil, I think it's quite clear that if we are going to uncover new reserves in this country, and in this province for that matter, higher energy prices are required. But I simply suggest that we need to develop some kind of national energy security fund co-ordinated between the producing provinces and the federal government, as suggested by Mr. Blakeney at the energy conference a year ago, so that additional money paid out by Canadians for oil and natural gas in fact finds its way back into exploration for additional reserves in this country.

My final point, Mr. Chairman, is that I would like to make it crystal clear that as far as I am concerned as an individual member, however critical I have been of this government on certain aspects of its oil policy, I believe that any suggestion that the natural resources of Alberta should be declared "works for the general advantage of Canada" must be resisted by every Albertan, regardless of their political perspective.

I say that because I don't believe there is any justification — frankly, I don't think any federal government in its right mind would embark upon the dangerous and irresponsible course suggested by the leader of the Liberal Party of Ontario. I notice, too, that the Premier of Ontario threw this out as an option. I frankly was surprised that the Premier of Ontario would in fact make that kind of irresponsible suggestion, even as an option, because were we as a country to see this happen, in my judgment, the entire fabric of Confederation would be seriously eroded.

Mr. Chairman, I know there are two precedents for the federal government moving in this area. One is the legislation which established the Canadian Wheat Board, and the second is, of course, uranium. But there are important differences. In the case of the Canadian Wheat Board, the federal government moved under the section as a result of consensus among the provinces. In the case of uranium, it was during World War II.

There is quite a difference between those two examples of the federal government moving to declare a resource "works for the general advantage

of Canada" and even the suggestion that a federal government would move in a case where you have differences within a country. From the perspective of being one of the most vocal critics of this government's energy policy, I say that if any federal government were unwise enough to move in this area, I'm sure this government would be able to count on the support of every member in defending provincial jurisdiction in this area at least.

MR. TAYLOR: Mr. Chairman, I'd like to make three comments. As I have said in the House before, I favor a three-price system for oil and gas. Dealing with oil, that would be the lowest price possible for the people of Alberta, a reasonably higher price for the people of Canada, and the world price for the export market. I think there's a lot of merit in a scheme like that. We are Canadians, and I think we have to remember the impact a sudden rise to world price would have on other Canadians and the effect it would have on Confederation, particularly on the lives of the common people in other provinces.

We could simply say, well, we don't care about anybody else, and we'll shove the price up to world price immediately. But as a partner in Confederation I think that would be wrong. I don't think it is wrong, however, to expect countries who buy our oil and gas to pay the world price. There's no reason they should get a bargain from the people of Canada. I do think they should be required to pay the world price, and I don't think they should have any gripe about that.

I want to emphasize, however, that I think it would be unwise to levy the world price on the people of Canada in one fell swoop. I certainly think there's justification for increased price, and gradual progressive increased price, as rapidly as people of the other provinces can stand it, without creating hardships on fellow Canadians who are actually our brother Canadians. I don't think we should forget that point. By the same token, I certainly think the people of Alberta who own the resource are entitled to the lowest price possible.

The only other point I want to make is that I disagree with those who think we should use our resources to buy equity or a fair deal in Confederation. I just don't think that is sound. I don't think it's right. Surely as a member of Confederation we're entitled to a fair deal, to equity on freight rates and equity on everything else, without buying it with our resources. Surely we're not asking the people to get into the black market to trade off our resources for something to which we are entitled. Surely the people of this province are entitled to equity on freight rates. I disagree with those who say we should use our natural resources as a lever to buy equity. I think there must surely be better ways of getting equity in Confederation without buying that equity which comes properly to other provinces, without buying it with their resources.

In summary, Mr. Chairman, I think the people of Canada should realize the people of Alberta and the Government of Alberta are endeavoring to give them a fair break as Canadians without making it unduly hard for them to meet the cost of living and the rising cost of living. I think the outside world should realize we have no responsibility to give them oil or gas at a price lower than they can get from other countries. Certainly the people of Alberta should properly expect

to get the lowest price possible for a resource they themselves own.

MR. LOUGHEED: Mr. Chairman, I'd like to respond to some of the comments made by members of the opposition on this important subject.

First of all, I was just thinking as I was sitting here that I was very interested in the debate, and I wonder what debate is going on in the Ontario Legislature right now. I can just hear it, and I can hear the opposition. The Premier there said they wouldn't agree to anything that was zero and it's ended up at \$1.75. We said \$2 and cut down to \$1.75. I think that's a pretty effective position as far as I'm concerned.

The Member for Spirit River-Fairview and the Leader of the Opposition, as they have on two or three other occasions, find it very convenient of course — I suppose it's their attitude toward opposition. It was a strange thing when I was in opposition; one thing I didn't like about it was the very role they are undertaking tonight. It was one of the reasons I tried very hard to get from that side of the table to this side of the table. The very thought of sitting there and expecting to go through this routine: up stands the government after a very difficult negotiation, and then there's the automatic 'knee-jerk' criticism, the implication they could do better, knowing deep in their hearts they darn well couldn't. That's the sort of thing I see. You know, we see it on a number of occasions.

MR. CLARK: Why don't you just answer the questions.

MR. LOUGHEED: I see it on a number of occasions. I had to respond with regard to the Member for Spirit River-Fairview today when you heard him speak on these matters. With respect, those of us who were in the 17th Alberta Legislature recall him sitting over there. And he was speaking over there time and time again about the fact that here we were, what were we being so difficult about that we should argue against this export tax for oil? I mean, why did we take that position? Yet we took an extremely strong position with regard to the export tax of oil and, as a result of that, we don't have an export tax for natural gas and we're in the position of negotiating today as we are; where because we took that position, that tremendous flowback is going to come not just to the revenues of the people of Alberta, but out there in this province in thousands and thousands of jobs.

I've read through *Hansard*, and I recall that throughout the whole 17th Alberta Legislature, every time we had one of these discussions and somebody would say something that made them a little nervous over there, the then official opposition — it seems to be growing smaller — at that particular time I recall them saying: now look, you must sit down and negotiate with the Prime Minister. You can't be doing that. You can't be entering into this confrontation.

Well, they want it both ways. That, hon. members, is really what it is. They want it both ways. They want to be able to take that negative criticism regardless of the result.

I'll tell you something, Mr. Chairman. This was an extremely difficult year to negotiate. Anybody knows that. It was an anti-inflation year. It was a year

where there was tremendous pressure on us. We had the Government of Ontario — the largest consuming province — and the position they took. We certainly didn't have the sort of support from Quebec that one might perhaps have hoped for in provincial rights because they suffered through the difficulty of this price freeze situation by the Government of Ontario. We had a difficult time of negotiation, even with our good friends from Newfoundland. As the Premier of Newfoundland said to me: Peter, I'm sorry; this is a tough year for us, as much as we believe in resources.

Well, it was a tough year for us. But it was a year in which we took a position where we shifted, a very important position. We strove very hard with regard to crude oil and I think we've come up with a fair, balanced situation; a situation that is very, very close to our \$2 target. And I'd hate to think what it would have been if the Minister of Energy and Natural Resources hadn't taken that strong position. If he'd taken a weaker position, I know where we would have been today and what we would have been announcing today. So I feel it was very important. We made the decision.

The hon. Leader of the Opposition referred to my answer on May 10, and [that] I was referring to the total situation of the package without disclosing it. We were referring essentially to the border price, to the export price. That was the sort of package we were looking at and referring to; that, and the relationship to the constitution. We wanted to be in a position, as we have said, of maintaining Alberta's jurisdiction over its depleting resources. But we also wanted to rely on this year, where it would not affect the consumers either in Alberta or in the rest of Canada. This is the year to go hard on the border price. This is the year where we should be getting as much as we can relative to the border price in the United States, with fairness to them.

So that was our strategy position, and I think it has worked. I have to answer the specific question from the Member for Spirit River-Fairview, so I can be clear: yes, our position is conditional. We are not prepared to accept the pricing arrangements that have been otherwise discussed. They are part of a package, but our position with regard to that negotiation is [that] we're prepared on a basis of the prices I have mentioned in this statement, subject to the condition that on or before July 1, 1976, the federal government goes along with a very substantial increase in the border price of natural gas. And remember, we sell 80 per cent of it to the United States, 80 per cent of the Canadian sales. I think it's a very important one for us. I am not certain — I cannot be certain — whether or not the federal government will accept that condition. I have a reasonable belief they will. But they may not. And we will have to face that question if and when it occurs.

The hon. members on the other side, of course, are talking with regard to the prices. I have to go to these meetings and face the views that are expressed to me, and I'm prepared to face them. I'm delighted, because I want to make sure we all remember that there seems to be one constant view in this Legislative Assembly; that we at least can say now, finally, we're making a very important contribution to the rest of Canada — and that seems to be one that is a full

accord of all 75 members in the Legislative Assembly.

But the fact of the matter is that in these discussions I'm faced with these sorts of questions, Mr. Chairman. They say to me: Mr. Premier of Alberta, you talk about international prices, and that's selling outside the country. Will you say what they are selling within that country? What is the United States selling their own domestic oil to themselves [for]? The argument that's put to me on that basis: the average price of old oil and new oil in the United States is \$8 a barrel. They say to me, what's the situation in Venezuela? What are they selling to the people of Venezuela [for]?

Certainly on the export price, selling outside their country, these countries are selling at those prices. We think we should be moving toward international prices. On the balance of the situation in Canada today, we think this is the appropriate approach for us to take. Because I look not at the short term; I look at the longer term. In the seat that I have, I have to look at the longer term. I have to look, as I said in my statement, [at] where we've come from.

We've come through all these problems and all these difficult negotiations without getting ourselves into a constitutional hassle before a court that's essentially appointed by the federal government. We've done all that and maintained a very key and basic industry in this province in as strong and viable a position as it's ever been in. We've constantly moved the prices up. We've got the prospects for the future. And we've got here a document by the federal government that I didn't write, that Mr. Getty didn't write, but you would think he did. What we've been able to do is establish, I think, some extremely effective negotiation for the people of this province that they will long remember, and I step back from it not one iota.

MR. CLARK: Mr. Premier, I take it from your remarks that contingent upon Alberta agreeing with the federal announcement tonight is that the federal government indicate to Alberta that they're prepared to authorize natural gas exports to the United States at \$2. Is that basically the situation?

MR. LOUGHEED: Yes, Mr. Chairman. I think it's extremely important that hon. members understand the position. I have to correct the point of view of the "announcement". We do not accept it as an announcement. It can hardly be an announcement when the federal government in its statement says, in conclusion — the basic comment they make is that, for the three producing provinces we think we can get agreement. We have to await their response.

That's not an announcement. It's part of a negotiation, a very extensive and a very difficult one. We've taken the position, and I took it with the Prime Minister this morning and made it clear, that as far as we're concerned, on balance \$1.75 in the two stages, 85 per cent provided there is the 60-day inventory, subject to an important condition. That condition is that before July 1, 1976, the federal government pass an order in council, which is entirely within their jurisdiction, to increase the border price from the present \$1.60 per MCF to approximately \$2 per MCF.

There is a question, and I think it's a fair and proper one, of [an] understanding with the United States, relative to notice and relative to timing. Our specific

condition in our statement is that within this calendar year it must be at the \$2 border price. We hope it will be ahead of that time, but we do recognize, having regard to trade relations with the United States, that there has to be a reasonable notice period.

MR. CLARK: Following that up then, Mr. Premier, what we're saying is that the order in council must be approved by the federal cabinet within 45 days basically, or [by] the last day of June, and that it must reach \$2 by the end of this calendar year. My question to you is: what kind of contingency plan does the Alberta government have?

MR. LOUGHEED: Mr. Chairman, that obviously is a reasonable question. But equally reasonable, I think, is that in this very delicate situation involving something that is really unique in Canadian history — the situation of the dual jurisdiction between the provincial governments owning resources, primarily Alberta, and the federal government — I don't see how it serves the public interest for us to outline in any particular way the approaches we would take in the event it doesn't occur. We simply say we won't agree to an arrangement that has been negotiated; that this is a condition to our providing on July 1, through our Alberta Petroleum Marketing Commission, for an increase of \$1.05 and only \$1.05 on crude oil at the wellhead.

MR. CLARK: Mr. Chairman, I ask the Premier pretty bluntly: at this time, what's your assessment of the likelihood of the federal government agreeing?

MR. LOUGHEED: Well, that's a very difficult question. I tried to answer it before. I think there are reasonable prospects, but I can't be sure. The matter has not gone before the federal cabinet, and that is all I can say.

MR. NOTLEY: Mr. Chairman, just to follow that up. I assume the Premier has discussed this specific matter with the Prime Minister, and that the Prime Minister has given an indication that he would generally favor a price increase at the border. Would that be correct?

MR. LOUGHEED: Well, Mr. Chairman, I think it's unfair for me to put words in the Prime Minister's mouth. In the course of our discussion, he said it's a matter upon which they had not yet made a decision. As I understand it, they have a general recommendation from the National Energy Board in this area, but they have not made a decision. He was not prepared to make the decision before our announcement tonight. I said, if you're not prepared to make the decision before the announcement tonight, our agreement is conditional upon your making it. I can't say anything more than that.

MR. NOTLEY: Mr. Chairman, on page 4 of the Premier's announcement. You make the point, Mr. Premier, "reducing the inflationary impact upon the Canadian economy — of which we are a part — to maintain natural gas prices at 85 per cent of parity with crude oil."

My question to you, Mr. Premier, is: how long a period of time do you see for the 85 per cent parity

remaining in place? Would it be just for the duration of this one-year agreement from July 1 until July 1, 1977, or do you see this being a somewhat longer commitment before we move up to 100 per cent parity with oil?

MR. LOUGHEED: Well, Mr. Chairman, that's an important question. I think the general understanding that we had a year ago, before the anti-inflation program was announced, was that we would try to be moving to parity in a two- to four-year period. We made — and it's easy to forget the past important moves and steps forward — a very, very large step forward in getting to 85 per cent of parity with crude oil. I can't say; I would hope it would only be a year, but again it's a matter of negotiation.

But I do want to underline this aspect that we've discussed in this House: if I can use the expression, Mr. Chairman, we wear a number of hats. One of the hats we wear in this Legislature is part of the Canadian economic scene. We're part of an anti-inflation program. I'd like to see us get out of that anti-inflation program on March 31, 1977. I hope we can. But our success in getting out of that program is going to depend on whether it's successful nationally.

The point that is made to me by the consuming provinces is that a \$1 increase in a barrel of crude oil is 0.4 per cent in the consumer price index. The objective, obviously, in terms of the public, considering that there has been some sort of progress in anti-inflation and that all the people are going to be affected . . . Everything we do in this House is going to be affected by the national success of the anti-inflation program. In fact, the way in which we receive funds — and if we receive more funds and then spend them in a highly inflated economy, there's some question about that. So we have something at stake this year in seeing that this anti-inflation program works. We have to make our give and take, too.

As far as I'm concerned, it has to be a balanced judgment. I think the matter of going on the 85 per cent of parity, when we moved a way up to get to 85 per cent, was a reasonable step; and the other step was to take the crude oil increases in two stages. We balanced that with the increase in the export tax. When you look at the total package, frankly, I think that's an extremely good negotiation not just in the negotiating sense, but in terms of the overall impact on Canada, of which we're a part.

MR. NOTLEY: Mr. Chairman, also on page 4, the other condition is:

Our agreement is predicated on the understanding that the consuming provinces will respect a maximum period of 60 days for inventory utilization and hence, the impact at the pump will be deferred for such 60-day period.

My question, Mr. Premier, is: at what point has this condition been communicated to the other provinces? I assume it was discussed at the first ministers' meeting. Without breaking the confidences of the meeting, is the Premier in a position to give us some indication of where matters stand on this matter of the 60-day period I'm talking about?

MR. LOUGHEED: Yes, Mr. Chairman, it's an important matter. The Minister of Energy, Mr. Gillespie, in

his announcement tonight made this statement in the federal House of Commons:

In making this announcement I would like to confirm that despite differing views among the provinces as to the ideal freeze period, all have accepted a 60-day period. It will now be adopted in connection with the coming increases.

Now, I can't speak for the federal government or the other provinces. I hope that's right. I hope it will not be frustrated, as it was last year. I have talked to a number of provincial premiers. I guess I've had now, my secretary tells me, 14 phone calls with premiers over the past seven days. I hope it will work out that way. I guess we'd better be frank and say that it's probably the Government of Ontario or the Legislature of Ontario that will be the key, but it's certainly not within our control.

MR. R. SPEAKER: Mr. Chairman, to the Premier. Has the Premier had discussions with the premiers of the other producing provinces with regard to the position he outlined here this evening?

MR. LOUGHEED: Mr. Chairman, yes I have, with the Premier of British Columbia; but in the absence of the Premier of Saskatchewan, with the Acting Premier, Mr. Romanow, who is the Attorney General of that province.

MR. R. SPEAKER: Mr. Chairman, to the Premier. Was there an indication of support for the Alberta position at the present time?

MR. LOUGHEED: I would have to say the recognition was the same that we had. As with any set of negotiations, we always would have wanted more. The Saskatchewan government would have preferred the \$2 a barrel increase, but they also realized that in this anti-inflation year it was going to be very difficult for us to do [so]. I'm in a difficult position going further than that, because I've just had the discussion. No doubt Mr. Romanow, acting on behalf of the Government of Saskatchewan, was making his own comments tonight, as I'm sure the Premier of British Columbia will be in about 10 minutes from now.

MR. CLARK: Mr. Chairman, one further question to the Premier. Mr. Premier, what portion of the \$1.05 will end up in the federal and provincial government coffers, and what portion do you expect will end up in the hands of the industry?

MR. GETTY: Mr. Chairman, the Alberta government royalty will be 50 per cent of the \$1.05. Some portion of that will flow back to industry through our ALPEP, and it's almost impossible to determine, because that will be a part of activity.

The portion the federal government will take is probably equally difficult to establish, because a company which merely sold their crude oil and did not participate in any further exploration or development within the country would suffer fairly heavy tax costs. However, if they expended dollars on additional exploration and development, they could dramatically reduce their federal income tax and have a larger amount of the increase flow to them. So it is difficult to judge, and it would depend on activity.

MR. CLARK: Mr. Chairman, to the minister. Mr. Minister, how do you respond to the comments by senior people in the industry that for every dollar increase in the price of crude oil per barrel, the industry will end up with between 25 and 30 cents, and the governments will end up with in the vicinity of 70 to 75 cents? Is that ballpark as far as you're concerned?

MR. GETTY: Again, it depends on activity, Mr. Chairman. In some cases it can be quite a bit more; in other cases it can be less.

The Premier has drawn to my attention the document tabled by the federal government several weeks ago in which they work out a series of the 'netbacks' to industry. They show that industry will have an increase of \$1 in crude oil pricing. If they do not carry out any increased exploration or development, it looks like they would roughly get about 30 per cent of the dollar. However, if they reinvest heavily in Canada, they could get in excess of 50 per cent.

[Title and preamble agreed to]

MR. GETTY: Mr. Chairman, I move that Bill 49 be reported.

[Motion carried]

#### **Bill 30**

#### **The Department of Education Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. KOZIAK: Mr. Chairman, I move that Bill 30 be reported.

[Motion carried]

#### **Bill 32**

#### **The Department of Advanced Education and Manpower Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

DR. HOHOL: Mr. Chairman, I move that Bill 32, The Department of Advanced Education and Manpower Amendment Act, 1976, be reported.

[Motion carried]

#### **Bill 34**

#### **The Pharmaceutical Association Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MISS HUNLEY: Mr. Chairman, I move that Bill 34 be reported.

[Motion carried]

**Bill 36**  
**The Department of Housing**  
**and Public Works Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

DR. WEBBER: Mr. Chairman, I move that Bill 36 be reported.

[Motion carried]

**Bill 37**  
**The Public Works**  
**Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. SHABEN: Mr. Chairman, I move that Bill 37 be reported.

[Motion carried]

**Bill 38**  
**The Highway Traffic**  
**Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

DR. HORNER: Mr. Chairman, there is a small amendment. An additional section under Section 101.2 would allow the release of an impounded vehicle on the judge's discretion relative to taking some security therefor.

MR. TAYLOR: Mr. Chairman, the amendment certainly makes this section better.

I'm always a little leery about this confiscation of the car for the reason mentioned by the hon. Solicitor General the other day. A car is a family vehicle. Because one member of the family makes a mistake, all members are punished when the vehicle is impounded or seized. I rather think there are better ways of punishing the person breaking the law other than seizing the car, except in very extreme cases. I hope that if this becomes law the police forces, who generally use good ordinary horse sense, will certainly do it in this particular case.

Under 101.1 they could seize the car for any speeding — speeding could be very serious or simply nominal; for failing to stop for an officer — certainly I

think that's a very important and serious offence; for driving without due care and attention. It appears to me that in many cases our police forces use "due care and attention" to cover almost every sin you can make that they can't pinpoint somewhere else in the act. Driving without due care and attention is sometimes a very, unfair charge for what could be quite a minor offence.

The other item, a bet or wager, is a serious offence. Certainly people shouldn't be racing on the highway on wagers.

One that bothers me is "tampering with a motor vehicle". Whose vehicle is going to be seized? If somebody is caught tampering with my motor vehicle it worries me a little, because it says in the act that they "may seize and detain any motor vehicle in respect of which the offence has been committed". I hope that doesn't mean they are going to seize my car because somebody is tampering with it. That wouldn't make sense. I recognize that, and yet the wording would tend to make you think that's the way it is.

I think defacement of signs is a serious offence, because a person could lose his life. As a matter of fact, people in this province have lost their lives. Somebody thought it was fun to move a sign showing a bridge was out, and another person drove into the coulee and was killed. Maybe it has happened several times.

Then "relating to a pedestrian giving his name to a peace officer". It seems to me we've got a couple of items in there for which the seizure of a car would not be appropriate or even reasonable. I wish some further guidelines would indicate to the police forces, and maybe this can be done by regulation, that cars are to be seized only in very serious offences under some of these items. If ordinary horse sense is used, I think it could be an effective deterrent to people carrying out this type of offence.

I say this type of legislation has to be watched very carefully or we'll find we may be punishing the wrong people.

DR. HORNER: In essence I agree with the hon. member. The attempt in the amendment is to lessen that effect, but at the same time to retain some of the effect that will hopefully improve the operations on our roads. I can only say to the hon. member, we'll be watching it carefully. If in due course there's a need for additional amendments or changes, we won't hesitate in bringing them forward.

[Title and preamble agreed to]

DR. HORNER: Mr. Chairman, I move Bill 38 be reported as amended.

[Motion carried]

**Bill 39**  
**The Occupational**  
**Health and Safety Act**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

MR. NOTLEY: I have some amendments, but I believe Mr. Speaker has some general comments, so I defer to general comments.

MR. R. SPEAKER: Mr. Chairman, I gave notice to the Assembly a few days ago that I felt very concerned about this bill and wanted to speak against it and certainly make a case for holding it, I think, until further examination by the general public.

Mr. Chairman, there are three reasons why I feel this act is certainly not beneficial to the people of Alberta and is one I cannot support: first of all, because of the philosophic base or attitude on which the act is built; secondly, because of the report itself. I believe the report is built on the basis of a directive from government that some kind of government program had to be initiated in the province to co-ordinate, and on that basis the committee has made its recommendations.

The third reason I am concerned about this particular act is with regard to statistics, results, and indicators from the United States which indicate that an act of this type, an implementation of this kind of program, certainly isn't a solution to the problem at this time. Those are the three points I would like to cover in just a few moments, Mr. Chairman.

First of all, I'd like to cover the reason with regard to the philosophic base. I feel the philosophy behind this bill is that private business firms are not believed to be acting responsibly in the best interests of their workers. This view argues implicitly that private enterprise, left to itself in this important area, will fail to act voluntarily in a responsible way in the workers' interests.

In my judgment, this view lacks credibility and an understanding of the mechanics of our competitive free enterprise system. This view that affirms a need for government intervention fails to recognize that it is critical for the entrepreneur who desires to realize a return on his resources to have all his workers on the job in good health. Simply stated, Mr. Chairman, the entrepreneur in Alberta will always act to provide his employees with safe working conditions, because it is in his economic self-interest to do so.

The Alberta employer, businessman, entrepreneur has usually invested a great deal of money in his employees in training costs, and to have these trained employees off work deprives him of the greatest productivity available from his enterprise in meeting the desire of Alberta consumers. The damage to his business from employees off work may very well deprive his enterprise of any profits which are his return on investment risk capital. Economic facts of life in Alberta are such that unsafe working conditions or an unhealthy working climate are automatically corrected by the Alberta businessman, who needs — not wants, but needs — safe working conditions and a healthy working climate to give that business the best shot at earning a return for the investors.

This, then, demonstrates clearly why government intervention in this particular bill will not make the present situation any better for the Alberta worker than it is at the present time. In fact, Mr. Chairman, by passing this bill, maybe government intervention of this type will make the situation even worse. Herein lie very convincing reasons, I believe, why this legislation should be held, or maybe even withdrawn

from the Legislature.

Government interference, by creating these standards, will undoubtedly result in a situation where business enterprises work to the law, work toward the minimum to satisfy the requirements of the government. Government assumes new powers of inspection, and the power of the courts to fine or imprison will be used as a threat to meet the minimum requirement that would have been met anyway under other circumstances. Except now, a new legion of civil servants will be hired and dispatched throughout the province to get in the way of the productive wealth-generating process in Alberta.

That's the employer group. At the same time, however, when we examine the unions themselves in the province and their responsibility, we recognize that over the last few years, economic determination has been their thrust. In the report and in this legislation, there is no request to the unions or the employers that they should up their standards and work for better conditions in the employer/employee environment. There's no thrust of that kind at all. The total thrust of this legislation, the total thrust of the report based on the directive given by the former minister, was that we have to bring in government as a third party to investigate and to bring about better working conditions. To me, Mr. Chairman, that premise is completely false and certainly doesn't make this legislation acceptable to me as a member of this Legislature.

As I observed, Mr. Chairman, the Alberta government is going to expand the Department of Labour by a few civil servants at first, and if experience is any teacher, escalating to many hundreds, all with offices, secretaries, forms in triplicate, office furnishings, travel budgets — benefits to do what? I feel at this point to do an unnecessary task, and most likely one without benefits.

A great number of training programs will be initiated to train these people. That was the experience in the United States. From what I'll quote later, you'll see that that's what they think they have to do at the present time. They can't find trained people. Trained to do what? With the attendant hierarchy, to administer its execution, to write the expected justification for existence. And following that, Mr. Chairman, would just be an annual report.

My fourth comment is a summation of my views regarding the bill, and more reference to the Gale report. The report has some merit in that an examination of the current health and safety environment in Alberta may have been required. Let's consider that recommendation, the frame of reference of the report which brought about the conclusion which was foregone before the report was even started.

As I've already indicated, Mr. Chairman, before that report was written, before the committee was struck, the government indicated they wanted inspectors, wanted government to interfere as the co-ordinating body. Mr. Chairman, I feel that that certainly should not have been what the report came out with. The report should have touched on the responsibilities of the employer and of the union, and given them the opportunity to clean up the situation, which may be necessary through the province.

The report gives some examples of things that should have been done. What about the unions and

the employer getting at those things? What about entering into the negotiation process? The report doesn't allow for that opportunity to take place.

Mr. Chairman, as my third point I mentioned some of the facts from the American program, which is very similar to this one and supportive of the fact that I can't support this legislation. I'd like to quote from an article in the *Time* magazine, May 3, 1976. The program in the United States is called the occupational safety and health administration program. I'd like to quote one of the initial paragraphs. It says this:

Each year literally millions of U.S. workers are killed or crippled by job-related injury or disease. Six years ago, Congress created the Occupational Safety and Health Administration to solve this pressing industrial problem. But progress has been slow, if measurable at all. Last year 12,400 workers were killed in industrial accidents, not a very significant improvement over the 13,700 who died in 1971, OSHA's first year; another 2.1 million suffered disabling injuries. The Public Health Service in 1973 estimated that there were 390,000 new cases of occupational disease in the U.S. every year, and as many as 100,000 deaths; it believes that the figures are no better today.

Justifiably, OSHA is widely regarded as one of the biggest debacles in Washington. It draws fire from businessmen, union chiefs, lawyers, Ralph Nader and an assortment of politicians, including President Ford, who attacks OSHA for "unnecessary and unjustified harassment of citizens." The most serious charge is that OSHA has got snarled up in enforcement of petty rules to the neglect of more important matters.

Then the article goes on in to talk about director Corn's attitude toward the program in the United States:

Corn is moving to hire 250 new inspectors and expand the agency's training program to focus more on worker health.

There are already 1,200 inspectors, and they feel they are untrained. It goes on to say:

But Corn is under no illusion that his task will be easy. Already bills are piling up in Congress that would weaken the original OSHA act. One would essentially exempt from regulation businesses employing 25 or fewer workers.

As we recognize, this report talks about all workers and all people being included unless the government, through mechanisms, excludes them.

Now, Mr. Chairman, those are three very significant reasons why in my mind as a member of this Legislature I feel the act is wrong. I certainly have a concern for the employee who may endanger his health and safety. I've no problem with that. But I think that the way the act is written, the way the report was presented to this House, the former minister who gave the directive certainly didn't give directions to look at options or alternatives, outside of government legislation or a large bureaucratic set-up. That's the concern I have.

The minister can most likely get up and say, oh, it's not going to be many employees. That's a bunch of hogwash. The many, many industries in the province of Alberta will have — when you have an inspectorate, it will grow and grow and grow, and we're going

to have a large mass of expenditure in the province of Alberta.

Mr. Chairman, because of those reasons, I feel I certainly can't support the bill. Most likely there will be groups that will criticize that point of view. But I feel industry itself — and I haven't heard too much from industry with regard to the bill. Maybe they don't even know about it and haven't been consulted at this time. Maybe they haven't even read the report. If industry feels concern such as I do — because it's going to cost them more money. I notice the amendments that were brought into the bill today indicate that the employer group or industry has to shell out some more money. Is that correct, Mr. Minister?

So I think we certainly should be concerned about it. At least I am.

DR. PAPROSKI: Mr. Chairman, as I rise to make a few comments on the comments by the hon. Member for Little Bow, I would quickly say I find his comments not only unacceptable but amazing, in view of the type of legislation we have before us.

Mr. Chairman, I think the hon. members on the government side who participated in the formation of this legislation, and most of us did, will agree very readily and very quickly that this is a pacesetter. Mr. Chairman, I just can't understand how the hon. Member for Little Bow can arrive at those conclusions he has just enunciated and which are documented well in *Hansard*. I'm sure the minister will have some comments to make about those.

But first, Mr. Chairman, the philosophy is very simple and the hon. member obviously has difficulty understanding the philosophy of the bill. Frankly, Mr. Chairman, it is simply that the health of the workers in our modern, evolving society — not only dealing with health in industry, Mr. Chairman, but dealing with health hazards, unknown and yet unknown. Recognizing that there is a rapidly evolving industrial base in Alberta and across the country, I suggest that this type of legislation will be looked upon by other provinces and probably hailed in the not too distant future.

The other point, Mr. Chairman, is a comment about co-ordination. The essential thing is that this bill will indeed bring about co-ordination in that it brings the two separate areas of industrial health and safety into one bill under the Workers' Compensation Board. Mr. Chairman, I don't think anybody in this House could deny the essential desire of having co-ordination of one well-known area, that is health and safety. It has got to work better if it's co-ordinated, rather than not co-ordinated and working in separate departments and areas where essentially the people are doing the same thing.

The other comment, Mr. Chairman, is about government bringing in legislation. I think it should be stated here again — it has been stated in second reading — that not only government is bringing in this legislation. I understand government workers and management participated very vigorously in the formation, the comments on this legislation, and in fact in general have agreed with it.

Mr. Chairman, finally, if ever there was an ideal way of bringing in legislation, this has got to be it; that is, to assure that workers and management participate in the formation of this type of legislation

and indeed continue their participation. I suggest, Mr. Chairman — and I'm sure the minister will have some comments to make on that too — that each one not only has done a good job up to this time in the province of Alberta but as time goes on will have an increased opportunity within the framework of this legislation to bring about better changes for the health and safety of the ordinary worker who may not necessarily understand the health hazards and the problems he's facing, or is about to face, now or in the near future.

Mr. Chairman, let me conclude by saying I feel very strongly that this legislation is not only necessary but essential. It's a pacesetter, if properly applied, and I'm sure it will be properly applied. Like any legislation it's necessary to have that application. I'm sure the minister will assure that it will be carried out this way. It will resolve the problems of not only health but the safety of workers across the province. I'm sure the minister will keep that in mind when he solicits and mobilizes more health and safety officers to assure that this legislation is carried out.

MR. COOKSON: I'd like to say a word or two. I apologize to the minister in that — our times conflicted I guess — I didn't get an opportunity for a little input into Bill 39, The Occupational Health and Safety Act. Just glancing through it, I'm not sure whether I share the enthusiasm of the Member for Edmonton Kingsway. I respect the importance of the employees' health and protection. I think we all share this.

One of the problems is trying to write some kind of legislation that is applicable to different categories of employers. I watch some of the great developments going on; for example, in the city between here and the Mayfair. I watch these men working at some of the construction jobs and see the risk of accidents and a totally impersonal approach with regard to safety. The employer may be a major corporation, perhaps with shareholders in the United States. They in turn delegate someone to be chairman of the company, who in turn delegates and so on down the line. The basic intent, of course, is to do the construction and make a profit, and so on. There is an impersonal thing about that kind of construction or work for a factory or whatever.

Then you have the situation where there is the small employer who says, well, boys or girls — whichever it is — shut her down, we're going for coffee. While they're discussing the problems of the world over coffee, someone decides: Harry, I think I should have an increase in a month or two, or I'm going to quit. Harry says, well that's fine, quit. Or he says, by golly, we'd better have a look at that; they're getting increases all the way around. Then you don't have any union representation. You simply have that two-way communication between people who work together, both employer and employee.

Then you have a situation in the agricultural industry where, for example, Workers' Compensation fears to tread except, as I understand it, on a voluntary basis. Probably the fishermen work on the same basis. So I suppose what we're trying to do as a government is pass some legislation which mostly tends to take into account the situation in the large impersonal development, whether it's a factory, industry, construction, or whatever. I find that very difficult to do.

Going through Bill 39, Mr. Minister, a number of questions crossed my mind. I'll review these quickly, and perhaps you could cover them in your summation. One thing that worries me in Section 1(e), which defines an employer, [is that] it doesn't spell out that you're not including farmers under this act. Now the question specifically is: are or could farmers be included?

My suggestion here is that if you are including farmers, you'd better write another bill to protect the safety of those inspectors who go out on that farm. For example, I have a neighbor, and when he purchases a new machine, the very first thing he does is to take off all the shields and guards and chuck them in the bush, because he can't service the machine properly. He can't get at certain parts, and he's prepared to take his chances. I'd hate to see us interfering in any way whatsoever with any kind of legislation that might invade these rights.

On the other side of the coin, if we write legislation that does invade these rights, I hope the consumers are prepared for about a tripling in the price of their food products, because essentially that's what will happen. You know, you'll shut down that combine at 5 o'clock, and the consequences of weather, et cetera . . . I also take into cognizance, of course, the amount of injury that happens on farms. But unless you have strong representation from farm groups to the degree that they want this kind of legislation, I suggest we'd better not include that particular category.

In Section 3(1) and (2), I just shudder to think of the kind of staff that is going to be required to administer this. I'm not sure just how you'll get a collar on that sort of thing, but I leave that question to the minister as to what we're looking at down the road. I think the minister knows as well as the rest of us what happens whenever we pass legislation that requires a number of staff to administer it.

Section 4(1) makes provision for an occupational health and safety council. I ask the question whether there is any guarantee at all here that employers will be on this council. It doesn't spell it out. It simply says there will be 12 persons. I wouldn't want to see, for example, all the members of a labor union on this council. Perhaps the terms of reference with regard to the council should have been spelled out in that section. Conversely, of course, I wouldn't want all employers on the council either.

Section 7(1) says:

Where the Director of Inspection or an officer is of the opinion that work is being carried out in a manner which is unhealthy or unsafe to the workers engaged . . . the Director or the officer may in writing order the person responsible for the work being carried out to stop the work which is specified in the order . . .

In all these sections we seem to be concerned with the danger to the employee on the site or working in the occupation. But I can assure the minister that in many situations the employees themselves create their own hazards.

Not long ago I discussed this very thing with an employer. His Workers' Compensation rates were up to something like 15 per cent, and no onus on the part of the employee. Yet he knows that in many instances these people were turning up on the job tired or after a night on the town. I sometimes think we're a little tough on our employers. When they're

starting to pay something like 15 per cent of a pay cheque towards Workers' Compensation, it seems to me we'd better have a little closer look at some of the people working with this equipment.

In Section 9(1), again I ask the question, is there no consultation with the employer? I'd like the minister's comment. I think that's important. I would hate to think we're passing legislation permitting someone to walk onto a site and start throwing his weight around without some consultation with the employer somewhere along the way. I don't know whether it makes that clear. I ask the same question on 10(1): whether there is consultation with the employer.

In 13(1) with regard to accidents — I know there are amendments in that. But in general, because of the way it's worded, I just wonder whether there was notification to Workers' Compensation. I'm not clear in my own mind how the two are going to work together, or whether there's going to be a duplication or overlapping of services here.

In 16(1) and (2), it suggests that a medical examination be carried out "during the hours of employment of the worker being examined". I ask the question: is there no time limit? For example, it could be two days before this person could see a physician. It may be a minor injury of some type. It's conceivable he may go home and decide that tomorrow is soon enough. But as I interpret it, you're asking the employer to pay the wages during that time, I think maybe there should be some consideration of a reasonable time limit. I'm not sure what it would be, but there should be consideration.

Then in Section 25(5): "A joint work site health and safety committee shall hold its meetings and carry out its duties and functions during normal working hours." Presuming these are employees, if my assumption is correct, I again ask the question: does the employer pay for this time? I think it's important, because gosh, this could go on for days. They might have a whole raft of problems they'd like to sort out. It's a lot easier than working in the hot sun and the cold weather.

I'm getting a lot of notes, Mr. Minister, but that's fine. We're getting along all right here.

It would appear that you might be able to designate farms under Section 31(1).

I want to assure those who are passing the notes that it's far safer to delay the House and discuss these in the Legislature than to go home and find out that it's passed, and we're all in trouble. So just hold her a minute.

And finally Section 31 again, all the subsection (1), all the (2), (3), (4), (5), and so on, right on down — I again ask whether there are any employer consultations. I can assure the minister I'm not always on the side of the employer. But after all, if it wasn't for employers, we wouldn't have any employees.

Thank you.

MR. CRAWFORD: Mr. Speaker, I welcome yet another opportunity to extol the outstanding provisions of this bill for the appreciation of most hon. members and the edification of a few.

I know the hon. Member for Little Bow made his remarks, as he always does, with an abundance of good faith and good intent, and a wealth of misinformation that I think would leave him embarrassed if he knew the full extent to which he had gone in his

remarks and the implications in the various statements he made. He reminds me, Mr. Chairman, in that old reference, of a steamboat: he makes the most noise when he doesn't know where he is going.

Starting with the reference to the basic philosophy of the act, the basic philosophy, of course, is straightforward. I don't think he meant to take any exception to that, and I'm sure he didn't. But it's based on the belief that in the workplaces of the province there are things that can be done better and safer. It's just as simple as that.

It's based on the assumption that whatever good work is already being done by groups of employers and employees working together, or by enlightened employers taking the initiative — and there are some, many perhaps — or by enlightened employees taking the initiative and bringing changes about, all those efforts will be assisted by the interest and encouragement of government and by the interest and encouragement of enlightened legislation.

I think as a Legislature we have no desire to regulate anyone for the sake of regulation. The only purpose is if some good will come as a result of it, and the legislation has been carefully gone over page by page — I assure hon. members, line by line — with that in mind. It wasn't produced in a vacuum. There's a background against which legislation like this can be conceived.

We have the history of the Workers' Compensation Board. We have the history of the industrial health division of the Department of Health. And that was one of the contradictions that early lurched to the surface of my honorable friend's remarks. For a number of years he was a member of a government that I think, as long as he was there, supported the sort of work the Workers' Compensation Board did, including accident prevention, the public information programs, the inspection services, and the various systems of review of accidents, and the like, that the Workers' Compensation Board carried out during those years.

This legislation tries to say that all that had been achieved in that field hadn't yet been achieved, that's all; and that there's more to be done and more can be done with the proper approach. In a moment, I'll go just once again into that and briefly summarize the philosophy from where I see it.

But I want to dwell for just a moment on the role of the industrial health services division of what was the Department of Health and later the Department of Health and Social Development. My honorable friend from Little Bow was the first Minister of Health and Social Development in the history of Alberta. I believe he had faith at that time in the people who were carrying out the duties in his department, and were doing scientific work in the province of Alberta that was aimed at assessing what causes workers to suffer from injuries and illnesses that occur to them, sometimes invisibly, sometimes secretly, over many, many years in a type of occupation that's dangerous but hasn't been recognized as dangerous. Those insidious diseases that can creep up on some person — why should it be him? Why should it be that worker who pays the price of accumulated damage to his hearing, eyesight, or lungs? Of course nobody here is speaking in favor of allowing that to happen.

So all we're saying is that all that could be achieved in the area of industrial health hasn't yet been

achieved, that there's more to be done, and that we as a government wanted some guidance as to how that might be done. So for those of us here who were concerned that business didn't have the sort of input they should have, it is rarely the case in any government in the free world in the 20th century that the business community isn't heard from if legislation may affect it. And it's to their credit that they were heard from.

This is only the beginning of their input. The chairman was the vice-president and general manager of Calgary Power. One of the other members, Mr. McCagherty, was director of industrial relations and safety for Poole Construction. It's true there were three other members who were not businessmen. No one would ever accuse Dr. Varvis, as a professional man . . . I speak as a lawyer, and I know that usually lawyers and doctors aren't great in the field of business. But he was a member. Then, representing labor, Mr. Reimer and Mr. Nessel. Mr. Lawrence, the manager of the Alberta Safety Council, who made an outstanding contribution, and Mr. Cuthbert, the senior safety supervisor for Imperial Oil, were also on [the Gale Commission]. It seems to me that the business community was indeed well represented at all stages and had their input, which I acknowledge to have been essential and certainly valuable.

The suggestion so carelessly made, I suggest, by the hon. Member for Little Bow, that the terms of reference were in fact a direction to the Gale commission to make a certain type of finding that would bring about government involvement can be assessed just by looking at the order in council — which, from the language he used, I know he had just done — in which the industrial health and safety commission was appointed:

. . . to conduct a broad comprehensive study and survey of all existing policies and programs and to recommend alternative plans which will provide a total co-ordinated program of occupational health and safety functions.

Surely the reference to the need for the program being co-ordinated is in no sense a limiting factor on the commission. Throughout everything they did, they went far and wide to survey policies and programs, made many, many recommendations, and were at no time limited in the areas they were to concern themselves with.

I have the same fear some hon. members have: that whatever is done in regard to programs of this type, there may not be any sudden or particularly encouraging result in the sense of diminishing accidents and fatalities. That's one of the things you face with any program that's so broadly directed.

It is indeed a monumental struggle to try to use the various methods proposed that can be conceived by any legislature and put forward in the sense of public education, in the sense of where in the training level of the work force you should inject education or re-education, what safety devices are most suitable for particular types of employment, and how you get people to use them, because some won't. Most will. So, surely the fact that most will underlines the importance of having and providing the proper types of safety devices. All those things are challenges. All are among the difficulties to be met. In the short term, they can frustrate the desire to see an immediate improvement.

I think the almost 100,000 accidents a year reported by the Workers' Compensation Board of Alberta are themselves a sufficient indication of need. We wouldn't even need to know the number. All we need to know is some of the circumstances and the manner in which people are unnecessarily killed and unnecessarily injured.

My understanding of some of the work that's been done in the United States isn't based on *Time* magazine. The results in the United States are variable. What else would one expect? There they have a federal/state type of system where the overriding program is federal and the states participate in various ways. With 50 states, a wide variety of factors or degrees of success would be shown. I do know that in some of the states — one state, because I only recall the specific conversation with a gentleman from that state — they were concerned that they had come down too hard in the sense of early penalties, citations, summonses, requirements, notices, orders, and this and that.

Prior to that time, we had already made the determination that — and this is the philosophy of the act that I said I would restate briefly, and in my opinion I am restating it briefly, Mr. Chairman — the philosophy of this act was that nothing is done that changes the useful things that have been done to this point. For example, in the bill as it's put before the House, one of the reasons we have chosen not to make it mandatory that all employers go at once to joint work site committees is that certain types of safety committees are already functioning in the province of Alberta. We recognize that. Our feeling is that there is so much work to be done, so many areas where no safety program has made any intrusion or had any impact whatever, that we as a government will have our hands full over the next several years catching up, filling in, closing gaps, and bringing programs to where they should be in both the accident prevention and the work environment health-related areas.

So some of the strict stereotypes that might have been written into legislation like this, and which have been written into some legislation in other jurisdictions, won't be found here. That's a philosophy that received the support of the workshop I have referred to on previous occasions when remarking on this bill.

But I would just like to refer to this one specifically, because in March of this year — talk about input — the fourth annual health and safety conference, sponsored by the Alberta Federation of Labour, was held in Calgary in co-operation with the Alberta Chamber of Commerce. I know I've told hon. members before that this was an outstanding occasion. Two days of discussions took place in six or eight workshops utilizing some 200 participants. The meetings were chaired by a member of the Gale commission, co-chaired by a representative of organized labor and a representative of the Alberta Chamber of Commerce at the same table. These workshops were very well attended, many of them with 50, 60, or 70 people, all representing various manufacturing industries in the province of Alberta, or various locals of trade unions in the province of Alberta, and said so many things.

One of the things that workshop No. 1 said was this — I'm quoting from the minutes:

Existing safety programs where they are effec-

tive should be continued undisturbed. Legislation, while necessary, should be flexible enough that it will not destroy nor adversely affect a workable and working system.

That's the basic essence and philosophy of our starting point, and where as a result of that the direction in which we should go is shown to us.

The workshop made reference to the one-window approach, the whole essence of the idea of co-ordination, and lauded it, as the statement said, on account of the reduced time and effort required.

A very, very important reference was made in regard to education. These are the areas where you can go to an employer — presumably the employers who don't have systems in place yet. I was talking to an employer last week in this respect. He volunteered it right off the bat. He said, we have some 800 employees. The first thing we do with the employee when he comes through the door is give him a safety orientation course. I wonder how many large and small employers in Alberta are failing to do that today, that one, simple thing; deaths have occurred as a result of that.

There isn't any question about it; a person not given the proper training in the handling of a dangerous piece of equipment or a dangerous machine can be fatally injured. Those things have occurred. One of the ways to stop it is to have a safety indoctrination course in the first day or so, up to a week or so, of the employees' employment. And for goodness' sake, it's to the employers' benefit too. As some hon. members have noted, that is a good enough reason for them to do it. The workshop has noted that as well. Their phrasing is "safety is part of doing business".

I use only one more anecdote, and it didn't occur in the province of Alberta. It occurred in the province of British Columbia in the logging industry, where the reputation today is [that it is] probably the safest woodland type of operation in the country, perhaps in much of North America; where the record for many a year was that of fatality after fatality, with the dangerous things a logger has to do, using saws, chains, stationary and mobile types of engines, and risking, of course, the logs and trees themselves in the process. So injuries have been frequent.

On that occasion, the union approached management with this argument: don't you think that if you have a trained work force that works well and works safely and you're not, to put it crudely, dragging dead bodies out so often, it will be better for the operation as a whole, and you will be able to carry on your work better? On that basis, the union was able to sell management in the first instance — and this goes back a couple of decades now — on the concept of safety.

They did the simplest things: first-aid training; putting in telephones along the routes where the trees were being hauled out, so that a person in a pick-up truck with an injured person a few yards away knew immediately that all he had to do was go to the next fork in the trail and he could get hold of a telephone that would alert the people back at the base that there was an injured person coming in. Things like that began to save lives. They reduced the number of injuries that resulted in permanent injury. The high safety record and the suitable arrangements that now exist in that industry were a result of that.

I can assure hon. members that the practices in Alberta, of course, are not behind in that respect. I just wanted to use that as an example, because it was told to me by one of the persons involved in that fight some years ago.

Mr. Chairman, I want to remark on a few things the hon. Member for Lacombe said. He was concerned first about the definition of "employer". It need not be and wasn't intended to be the same as an employer under The Workers' Compensation Act. These are two different statutes. "Employer" means just what it says. Under this act, it has nothing to do with assessments for compensation or anything of the sort. The way a person becomes an employer under The Workers' Compensation Act is of course pursuant to the provisions of that act, and then assessments and the like become relevant.

Both the hon. Member for Lacombe and the hon. Member for Little Bow were concerned about the number of employees who might be involved. We're conscious of and try to be sensitive to that concern. One of the recommendations of the Gale commission, of course, was that the joint work site committees would be involved in inspection on the site. So the number of occasions when an inspector had to come and try to catch the work force or the employer in an unsafe situation, in the worst possible example that hon. members sometimes like to conjure up, I think out of fear of the unknown in regard to the purpose of an inspection service . . . The feeling is that somebody is sort of sneaking around seeing things he shouldn't see; people are honestly doing their work, and by golly there's an inspector and he's pestering the living daylights out of them.

Well, everybody is sensitive to the question of unnecessary inspection or overinspection, or of a public servant who may carry out his duties in that respect badly or discourteously or inefficiently. But those are the things that, in the management of the inspection force, it's our job to tune up and make operate to the best of our ability. We want to reduce that to the greatest extent possible, based on the recommendations of self-inspection. That's critical, and it can work, in my submission.

Therefore, the actual growth we see in civil servants will be slow at first. We'll add a number in the coming fiscal year who will be primarily technical people required . . .

AN HON. MEMBER: How many?

MR. CRAWFORD: It would be in the neighborhood of 25 this year. They will be primarily technical people who will do tests, assessments, and monitoring of various types of situations.

Now, the hon. Member for Lacombe asked a couple of questions about consultation. I hope I've in part answered the degree to which consultation has already occurred in the drawing up of the legislation. The assurance certainly is given that the requests we have had [for] further and even more detailed consultation in the drawing up of regulations is something we will do. I think that is the intention of all the parties. Since the bill was introduced, we have had many discussions with people who wanted to get in touch with us about the bill. Departmental officials have had those discussions, and in some cases I've spoken directly to people who had concerns.

The hon. Member for Lacombe had a question under Section 13. With regard to notification to the director of inspection, the hon. member wondered if there was an overlap in the sense that the Workers' Compensation Board would also have to be notified. The Workers' Compensation Board wouldn't have to be notified in the sense of the previous notification required for the accident prevention branch, because inspectors in the Department of Labour will now be doing that work.

It is true that it is certainly still necessary for the workman or the employer to notify the Workers' Compensation Board, but that is for a different purpose. That is for the purpose of setting in motion the machinery that is required to assess the degree of injury, and set compensation if there is going to be compensation. So that's not an overlap, because the two notifications are for different purposes.

The hon. member also had a question in regard to Section 16, medical examinations on company time. You will note that I will be proposing an amendment that deals with that. The purpose is that if the medical inspection goes after the worker's normal working time, he is then on his own time.

We wanted to make it clear that if he goes for a medical, say, at 4 o'clock in the afternoon and his normal quitting time is 4:30, but he doesn't get out of the doctor's office till 6, the employer is responsible for the half hour at regular time. The labor people feel that's fair. That change is being made because of concern the hon. member probably had, that so long as you're on the medical, you might still be on the payroll even if it took the rest of the night.

The joint committee meeting on company time: this is really quite standard for any industrial, manufacturing, or construction site. Where the employees have a committee for any purpose that is proper and agreed to between the employer and employee, as these would be, those meetings in fact do take place on company time. That's been well established for many, many years.

I think, Mr. Chairman, subject to any questions there might be, or on the proposed short amendment of only four and a half pages, those are all my remarks for now.

MR. R. SPEAKER: Mr. Chairman, I would just make one or two comments to the minister. With regard to my remarks, and the reference that I haven't read the report or looked at the bill, I certainly have.

The points within the intent are: one, the programs that were here before certainly were good programs. But the intent behind the programs, workmen's compensation, the health program of the department, was certainly to try to work with the employer, to give out the best kind of information, and to recognize responsibility out in the field. I think one of the points I was attempting to make is that we're saying, the employer, the unions have failed, so we enter into this third dimension with greater gusto.

The comment of the minister was that all hadn't been achieved, and we've got to do more through this government expansionary trend. Well, I suppose that's all right if you have that frame of reference, but I feel that certainly we have to do everything we can toward encouraging the unions and the employer to take responsibility, because that's the end result anyway. I'm not sure hiring 20 more civil servants

next year or 20 in the following year is going to solve that. I haven't seen that kind of valid information. I think I'll certainly be looking forward to those kinds of results in the next two or three years, if that's the direction the government wants to go.

I think, Mr. Chairman, that's the main point I wanted to make.

MR. NOTLEY: I can certainly say this of the minister: when he gives a comprehensive address it is certainly thoroughly comprehensive. So much so, as a matter of fact, that I had intended to move seven amendments. But in view of the fact that I see a certain amount of restlessness among the backbenchers, Mr. Chairman, I think I will put to the minister essentially seven questions which comprise the amendments, and ask him to respond. From that point, I may or may not move the amendments as the case may be.

Mr. Chairman, moving first of all to Section 4(1), the government calls for "the 'Occupational and Health and Safety Council' which shall consist of not more than 12 persons appointed by the Lieutenant Governor in Council". My question to you, Mr. Minister, would be: why was there not some commitment set out in the legislation which would specify the number of people from both labor and management? It seems to me that if we're going to talk about the whole philosophy of this act — which is seeing health and safety as a joint responsibility — there has to be joint representation from the health and safety council down to the committee in the plant or on the construction site. My first question is: why not a specific commitment in the legislation to set out the numbers of people?

While the minister is answering that question, I would also like to know whether he has in his own mind at this time what an appropriate number from both management and labor would be. Would it be six and six; or four from labor, four from management, and four from government; or how does he see the council being established? That's the substance of amendment number one. We'll wait and see how the minister responds on that one.

Moving to page 5, Section 8 deals with the dangers to persons on a work site. My question here is whether there would be any provision that would order payment by the principal contractor or the employer of ordinary wages which may be lost by the employees consequential to Section 8(1)? In other words, where a stop order is made, will there be a commitment that during the time of the stop order the ordinary wages paid to the employees would in fact be paid?

The next question, Mr. Chairman, deals with Section 11(7) and (8). Would that delete the discretionary right of the chairman or vice-chairman to let the firm commence working while the appeal is being heard? In other words, what is the purport of that particular provision, while the appeal is taking place? The point I raise is that while this matter is under appeal, is there not some danger with in fact taking risks with the worker's health or physical well-being until such time as the inspector's report has been assessed, proven either right or wrong? In other words, this is during the time of the appeal that I'm raising.

The second part of that amendment, as well, would be that any decision by the director of inspection or

an officer may be appealed to the council. This is under Section 11. The reason I raise that, Mr. Minister, is that while an employer can appeal a decision of the director of inspection, is there any provision for the employees to appeal the decision? Suppose the inspector comes on the site, looks over the site, and concludes that there is no hazard. Is there or will there be any provision in the act so that employees who are not satisfied would be able to appeal?

The next question, Mr. Chairman, relates to Section 20 of the act and whether we would have a new addition: where a joint health and safety committee exists, require the committee to carry out the inspection and report to the principal contractor or employer recommending appropriate action; in other words, a mandatory assignment under Section 20 giving direction to existing joint committees to carry out periodic inspections. As I understand it now, it's essentially just up to the committee. But is there not some argument for inserting in the legislation the assignment that periodic inspections would be undertaken?

The next amendment, Mr. Chairman, is on page 12. It deals with Section 25, the question of whether the health and safety committee should accompany the director of inspection or an inspection officer during the inspection of the work site itself. Is there any provision for that? In other words, when an inspector comes in to identify situations which may be unhealthy or unsafe, what will the policy be with respect to the local committee accompanying the inspector during the process of inspection?

Finally, Mr. Chairman, the last amendment which came to my mind was on page 13, Section 26. That is, the director of inspection or an officer shall provide a copy to the joint work site health and safety committee of all reports and decisions made affecting the work site; in other words, a mandatory provision that there will be a report to the health and safety committee on the work site. It seems to me if we're going to make this whole principle work, this philosophy of the joint approach, there has to be adequate communication.

Mr. Chairman, that is the substance of seven specific amendments that came to my mind. Depending on how the minister responds, I may or may not move them.

MR. CRAWFORD: Mr. Chairman, I'll try to go through them as quickly as I can.

On the council, the reason we proposed a maximum of 12 without any breakdown is that consideration is still being given as to whether it should be a three-party council, and if so, whether the third-party representatives should be identifiable as government representatives or members of the public. No question that it's intended to have labor and management representatives in the same number. I'm satisfied it would not be less than four from each, so it could conceivably be four, four, and four. But I think it's still an option that maybe it would be five of each. My real preference, as of now, is to have four of each.

MR. NOTLEY: When will that be decided?

MR. CRAWFORD: That would be decided during the same time period that the regulations would be

drawn up and promulgated. I would think that during next month we would have a firm idea of the make-up, and might well be contacting people to ask them if they're interested in serving on that particular council. It's a very important council.

I think Section 8 is a little more difficult. I wouldn't anticipate that wages would be paid except in the ordinary requirements either of the agreement that related to that employer and employee, or if there were no agreement, then pursuant to labor standards. A stop order may in effect cause a temporary layoff. Rules come into play that cover that.

We really think, from experience the Workers' Compensation Board has had, that the cases over the stop order — the actual shutting down of a process — where there was any difficulty, would be rare. Probably that is because of the right the employer has to reassign the person to other work and the desire of the employer to maintain as much of his operation going as possible and only shut down what's necessary. I think every member would know the practice of the inspectors is to work along with the employer for some while, in an attempt to get things changed and properly upgraded before any stop order is issued.

On the third point the hon. member raised. My interpretation, and certainly I have no doubt that this is the intention, is that the order stands pending the appeal. It's just as simple as that. The filing of a notice of appeal doesn't cause the order to collapse until it's resolved by the council or by the court.

A point that offers a little more difficulty — and I acknowledge this — is the question of the right of the employer to appeal, as opposed to the right of the employee, in regard to an order of the director. I look at it this way: the employer is normally the person who has the process in order and is the one to whom economic damage, other than wages and salary, is being done. When he's told to shut down, obviously he is going to appeal.

The worker's real interest is in having a third party who can intervene on his behalf in an impartial way. That is what the department provides. The hon. member then says: but suppose, in effect, the inspector is wrong? Suppose the inspector says, let the process continue, suppose he has made a mistake?

Well, I discussed that problem with the people in the department, and we thought that rather than introducing an automatic appeal procedure, we would like to work it this way. First of all, we would plan on having within the department an administrative requirement that an inspector who, after a complaint, concluded that in fact nothing was wrong, would have to report to the director. He would have to say, I have gone out and, in effect, haven't been able to help the complainer. So I'm reporting that to the director.

If it were, say, a long-term type of process where maybe in certain types of plants the concern is that something has been building up over a period of time, but after all it's the sort of danger you expect to live with in that type of work, and the inspector feels that way about it and feels it's an occupational hazard which workers should expect to assume, then you're into a policy area and an assessment area that is important enough that the director should review it. That's not an actual appeal in the same sense. But administratively we believe it will be a workable type

of arrangement. That would be automatic, and we don't have to put that in the act. We could just tell the people who work for the department that that is their procedure and it must be followed.

I would say if that doesn't appear to do the trick — it sounded okay to me — I think that's one area where we would look at an amendment a little way down the line.

Section 20: I think the key thing to notice there is that this doesn't relate primarily to accidents. It relates primarily to industrial health problems, and health hazards in particular. So in some cases, despite what the joint work site committee may be doing, and despite its jurisdiction, the director may want to require an employer to do the inspection as well. The reason for that is the employer may have technicians in the place, and equipment that is really part of his operation that readings have to be taken from, and you may want the readings to be taken by an engineer, or someone like this who may or may not be on the committee. We thought that if, through the director, we were in a position to prescribe the procedure, we could get from the employer a concise report on the operation of any process.

That information — I think the hon. member's question was: having got that, would the work site committee be entitled to have it too? My answer to that would be yes. The work site committee is intended to operate on the plant site. And if it's important enough for the department to look into as a potentially dangerous process, it's clear to me that the joint work site committee should have the same information. I don't know how they could do their work unless they did.

Now the policy that would be given out in regard to the joint committee accompanying an inspector when he arrives and is going to check out a particular thing, certainly, once again it's meant to be a co-operative approach. The employer and employee presumably find it in their joint interest to work together in resolving safety problems, and where safety programs exist, that is shown to be the case. The level of co-operation sometimes takes a while. In many instances the level of co-operation can actually be achieved and raised to quite a high level. Once again, it just wouldn't be showing the type of confidence between the parties and frankness between the employer and employee if the inspector arrived and the employees and the joint committee weren't entitled to be represented on any inspection he makes. So that would be done.

Now the last question the hon. member had. I will admit I have noted that in Section 26 I wasn't clear what the question was. I didn't really relate the remarks he made to that section. Maybe he could just clarify that for me.

MR. NOTLEY: You probably did cover it in the sense of answering another question. That was that any inspection report would in fact be provided to the work site health and safety committee.

MR. CRAWFORD: Yes.

MR. NOTLEY: Mr. Chairman, the only comment I would make is that the minister's answers have allayed in part some of my concerns. I would still register a caveat in several areas, particularly with

respect to the right of employees to appeal. However, I will wait and see how that works.

I think the appointment of the overall council is going to be crucial. I'm not really convinced that the argument for four, four, and four is as sound as one where the weighting is more clearly on workers and employers. I really have some doubt as to how much merit there is in just having equal government representation on the overall council. So I would urge the minister to weight it as closely as possible to an even division between workers and employers.

The only other comment I would make, Mr. Chairman, is that the minister has been sufficiently comprehensive in his response to convince me not to move any amendments — although I must confess I am constrained by the fact there are 69 Tories in the Legislature; if not that many in the House tonight, certainly more than enough to defeat the amendments anyway. So we will take pity on the members.

I just conclude my remarks by saying to the members of the committee that I strongly support the basic principle of this legislation. While there may be concern on the part of some members, this kind of initiative is absolutely crucial. It's also worth while from the employer's point of view if we can reduce hazards and accidents on the job. Over the long run that will be just as beneficial to the employer as to the employee. Whether you look at Workers' Compensation rates or at the whole question of satisfaction on the job, the fact is that the development of safety consciousness on the part of employees in Alberta — firms or those working for contractors in this province — is important not only to the employee, but indeed to the employers and to Albertans as a whole.

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move Bill 39 be reported as amended.

[Motion carried]

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

[Motion carried]

[Dr. McCrimmon left the Chair]

[Mr. Speaker in the Chair]

DR. MCCRIMMON: Mr. Speaker, the Committee of the Whole Assembly has had under consideration Bills 49, 30, 32, 34, 36, and 37, and begs to report same.

Mr. Speaker, the Committee of the Whole Assembly has had under consideration Bills 29, 38, and 39, begs to report same with some amendments, and asks leave to sit again.

MR. SPEAKER: Having heard the report, do you all agree?

HON. MEMBERS: Agreed.

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

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until tomorrow afternoon at half past 2.

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

[The House rose at 10:32 p.m.]