

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Wednesday, November 3, 1976 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF VISITORS

MR. SPEAKER: I would like to draw the attention of hon. members to the presence in the Speaker's gallery of a very distinguished Canadian, Colonel the Hon. Douglas Harkness, who was a member of the House of Commons from 1945 until 1972. He has served both as an elected member and as a servant of the Crown and of Canada, having held during his tenure in the House of Commons three portfolios, including the Ministry of National Defence. I would ask Col. Harkness if he would rise to receive your welcome.

head: TABLING RETURNS AND REPORTS

MR. LOUGHEED: Mr. Speaker, I have the answer to Motion for a Return No. 227 to table in the Assembly.

MR. CRAWFORD: Mr. Speaker, I would like to table copies of the rules and regulations pursuant to The Electrical Protection Act, required to be tabled by statute.

head: INTRODUCTION OF SPECIAL GUESTS

MR. HYNDMAN: Mr. Speaker, a little over a year ago the Government of Alberta sent an important mission to Europe. At that time, as a tangible memento of that mission, the government established as a gift to the countries of the United Kingdom, France, Germany, and Belgium four two-year postgraduate scholarships, tenable at the University of Alberta and University of Calgary for candidates selected by those governments. We have here today three of those four scholarship winners. They are studying in Alberta. They tell me they are enjoying their studies and Alberta hospitality, and are looking forward to the winter.

They are in the members gallery, Mr. Speaker, and they are: Mr. Phillippe Golaz from France, in the Department of Mineral Engineering, University of Alberta; Miss Sylvia Drucker from Germany, in the Faculty of Environmental Design at the University of Calgary; Mr. Richard Hallum of Great Britain, in the

Department of Mineral Engineering at the University of Alberta. I would ask the Assembly at this time to welcome these guests and have them stand and receive the welcome of the Assembly.

MR. FLUKER: Mr. Speaker, I am honored this afternoon to introduce to you, and through you to this Assembly, some 120 Grades 8 and 9 students from the Glen Avon school in St. Paul. They are accompanied by their teachers and principal Mr. Maurice Depledge, Mr. Tony Pacholek, Mr. Bill Cullhan, and Mr. Jerry Petruk. They are seated in the members gallery and in the public gallery. I would ask that they rise and receive the recognition of this House.

MR. TAYLOR: Mr. Speaker, I would like to introduce to you, and through you to the hon. members of the Legislature, someone they all know, Mr. Tom Cox, a former page of the Legislature who is sitting in the public gallery.

head: MINISTERIAL STATEMENTS**Department of Labour**

MR. CRAWFORD: Mr. Speaker, I would like to make a statement in respect to recent developments in the field of occupational health and safety in Alberta. I would recall to the Legislature the passing of the act at the spring sittings this year and the number of developments that were forecast at that time in respect to this matter.

Seventeen new positions in the occupational health and safety branch of the Department of Labour have been filled, and competitions are in progress or soon will be for the remainder. Many of these positions are of a specialized nature for which few qualified candidates are available. It has been possible to appoint a director of medical services Dr. R. J. Fish, and the director of research and education Mr. L. K. Smith, representing two of the major new thrusts in the program. As well, two occupational hygienists, a technologist, and a clinical biochemist are among the specialists who will strengthen the capability of dealing with occupational health programs.

The result is that the occupational hygiene branch, which has taken much time and effort to develop, is probably one of the most competent and active units of its kind in Canada. The division staff now includes three industrial hygienists certified by the American Board of Industrial Hygiene. People with these qualifications actually fall into the "one in a million" group in Canada.

A list of known occupational health care personnel in Alberta has been compiled and a start has been made on a project to register asbestos workers. There are some problems with that particular project, but solutions are being explored with employers and worker representatives in the industry.

In Calgary an office for the radiation health branch was opened in May, and offices for medical services and occupational hygiene will be opened in the near future.

New thrusts in research and education have been

initiated. Education and training in accident prevention and first aid are progressing. A number of research projects have been started.

One very important research project will prepare proposals for the study of cancer incidence throughout the province to determine if there are any apparent relationships between cancer and industrial development. This research is being conducted through the provincial cancer hospitals board. At the University of Alberta, a project will further the development of a relatively simple and inexpensive predictive type of test of industrial chemicals to detect carcinogenic and mutagenic potential. A researcher from the University of Calgary will be the first in Alberta to undertake a study of accident statistics related specifically to the influence of such factors as smoking, alcohol intake, and medication on the incidence of industrial accidents.

Important work is still being carried on in respect to joint occupational health and safety committees at work sites. A committee within the Department of Labour is developing plans which will lead to the formal establishment of the first of such committees by mid-1977. The plans will establish priorities for selection of industries required to have joint committees, and a code of practice for defining the roles, functions, and operations of these committees is being drafted. They will be fully reviewed with representatives of employers and workers, and facilities are being developed to provide information and consultation to assist in the setting up and operation of these joint committees. Similarly, the officers responsible for inspection will receive training to assist them in providing liaison and effective working relationships with the committees.

You might note, Mr. Speaker, that The Occupational Health and Safety Act, by its provisions, is binding upon the Crown. Therefore, the occupational health and safety division has been working closely with the personnel administration office of the Alberta government in developing and establishing the employee health and safety program.

As well, I expect it will be possible to name the new occupational health and safety council this month.

The accident prevention regulations administered under The Workers' Compensation Act have been transformed into regulations which can be used under The Occupational Health and Safety Act. It will now be possible to proclaim the act, effective probably December 1 of this year.

In closing, I would not want to fail to acknowledge the contribution of the Workers' Compensation Board. Transfer of the accident prevention program to the Department of Labour required extensive reorganization within the Board and involved Board staff in additional work before and since the time of transfer. The co-operation and assistance rendered by the chairman, Mr. Jamha, and the commissioners and staff of the Board have been most helpful.

head: ORAL QUESTION PERIOD

Budget Restraints

MR. CLARK: Mr. Speaker, I'd like to direct the first

question to the Provincial Treasurer and ask if the government has arrived at a decision yet with regard to the continuation of the restraint program for next year. I raise the question in light of comments by a number of the minister's colleagues about the possibility of the restraint program being lifted in 1977.

MR. LEITCH: Mr. Speaker, yes, the government has made a decision in the sense that we have decided there should be a continuation of budgetary restraints that were in place last year.

MR. CLARK: Mr. Speaker, I'd like to ask a supplementary question of the minister. Has the government made the same decision to continue budgetary restraints for 1977 as far as the government's capital budget is concerned?

MR. LEITCH: Well, I'm not sure, Mr. Speaker, what the hon. Leader of the Opposition means by the "same decision" or the same "restraints". If we're talking about the same percentages, the answer is no. I answered in a general way because the decision has been made in a general way that there would be a continuation of a restraint program.

MR. CLARK: Mr. Speaker, a supplementary question to the Provincial Treasurer. Is it the intention of the government to call together the representatives of the two municipal organizations, the Hospital Association and the Alberta School Trustees' Association similar, I believe, to what the government did last year prior to making its announcement of Alberta's involvement in the anti-inflation program? I think the meeting was held shortly after the 11 per cent spending guidelines were announced.

MR. LEITCH: Mr. Speaker, we have such a meeting under consideration, but whether it would occur before or after the announcement — I'm not sure if the hon. Leader of the Opposition is asking whether we're going to meet before the announcement. We haven't made a decision as to the time.

MR. CLARK: Then a supplementary question to the minister. When does the government expect to make an announcement with regard to expenditure guidelines for local governments in this province, similar to the 11 per cent announcement made sometime in September last year?

MR. LEITCH: Mr. Speaker, it would be soon, within a matter of weeks.

MR. CLARK: Mr. Speaker, I'd like to direct one more question to the Provincial Treasurer and ask if the government now has under active consideration the concept of using capital funds from the Alberta heritage savings trust fund for the specific purpose of university capital construction.

MR. LEITCH: Mr. Speaker, that is not now under consideration.

MR. CLARK: Mr. Speaker, I'd like to direct a supplementary question to the Minister of Advanced Education and Manpower and ask if he would elaborate somewhat on the statements he made that he

expects the restraint program to end as far as the University of Lethbridge capital projects are concerned in 1977.

DR. HOHOL: Well, Mr. Speaker, it would be extremely difficult to elaborate on a statement I didn't make. I suspect reading from the media, and with all due respect to the media, I didn't make that statement.

MR. CLARK: Mr. Speaker, then I'd be pleased to give the minister an opportunity to clarify the situation. The question to the Minister of Advanced Education is simply this: did the minister indicate to officials of the University of Lethbridge that in all likelihood restraint would, to use the term, probably ease somewhat next year as far as university construction is concerned?

DR. HOHOL: That might come just a bit closer to what I did say, as I recall, on a day that included five meetings and a press conference. What I did suggest, without indicating any notion or expectation of approval of any projects the University of Lethbridge has before the department, was that they could proceed to conclusions of planning with respect to a particular project and move into the drawing stage. As all hon. members know, Mr. Speaker, capital projects of any consequence come in three stages: planning, drawings, then the approval for actual construction. So that may be somewhat closer. But if it were horseshoes, I think the hon. leader would still be behind.

MR. CLARK: It isn't horseshoes, it's commitments to the University of Lethbridge we're worried about.

Mr. Speaker, a supplementary question. Has the minister given any inkling to the University of Calgary or the University of Alberta that restraints will be lifted somewhat in 1977? What project design projects has he allowed them to go ahead on?

DR. HOHOL: "Inkling" is not the usual way of letting institutions know how the budget proceeds. When the budget conclusions are determined, as they will be in the weeks ahead, a full report will be made to all institutions, the media, the public, and of course the House. But as you visit a particular institution, you have some discussions in general terms about the nature of its particular circumstance. That's what I did at Lethbridge.

MR. CLARK: Mr. Speaker, one further supplementary question to the Provincial Treasurer. I'd like to ask the Treasurer if he is prepared to give the Assembly a commitment that before the government finalizes its decision with regard to expenditure guidelines to municipalities, school boards, and hospital boards, the government or a cabinet committee will meet with representatives of those four organizations.

MR. LEITCH: No, Mr. Speaker, I wouldn't be prepared to give that commitment. I know that a number of my colleagues have held a series of meetings or discussions in this area over the past year. What meetings will be held and when they will be held are still under consideration. Because it's still under consideration, I wouldn't be in a position to give any such commitment.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Provincial Treasurer. Is it the government's intention to announce the restraint program for the next budgetary year at the same time an announcement is made with respect to whether or not the government proposes to extend the anti-inflation program as it applies to Alberta?

MR. LEITCH: That's a possibility, Mr. Speaker, but both matters are still under consideration.

Public Service Labor Relations Report

MR. NOTLEY: Mr. Speaker, I would like to direct this question to the hon. Provincial Treasurer. It flows from the task force report that took almost two years to complete. This deals with those conclusions that both sides of the task force were able to agree upon. My first question to the Provincial Treasurer, Mr. Speaker, is: does the government view favorably the recommendation of both government and labor representatives that all public employees in Alberta should be covered by the same legislation?

MR. LEITCH: Mr. Speaker, as I believe I indicated when I filed it in the Legislature yesterday, that report reached our hands at 9:00 yesterday morning. This government acts quickly, as the hon. Member for Spirit River-Fairview knows, but I wouldn't think even he would expect us to have had time to assess the report and make our views known by today.

MR. NOTLEY: Mr. Speaker, I'm not asking for a specific response. I'm asking for a general view of an issue that has been raised a number of times. The matter was first raised three or four years ago in the Legislature. That is, Mr. Speaker — and I put it to the hon. Provincial Treasurer again — whether or not the government accepts the general principle that all employees should be covered by the same legislation.

MR. LEITCH: Mr. Speaker, I don't really know how the hon. member differentiates between the various views one might have. I've simply said to him we have the report. The government will be considering it and will make its views known after it has completed its consideration.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In light of the report taking almost two years to be completed, is the minister in a position, considering the importance of this matter, to give the Legislature some indication as to when a decision will be made on how far the government is prepared to go in accepting those recommendations submitted jointly by both sides of the task force?

MR. LEITCH: Mr. Speaker, I wouldn't be able to give a firm commitment on time. I can assure the hon. member and other members of the Assembly that the government regards this as a report on a very important matter. It will certainly have very high priority on the number of things the government will be considering in the immediate future.

Co-op Housing

MRS. CHICHAK: Mr. Speaker, my question is directed to the Minister of Housing and Public Works with regard to the non-profit co-operative housing program. I wonder if the minister could advise whether, on behalf of the Government of Alberta, he has yet signed an agreement with the federal government regarding Section 44(1)(b) under the NHA with regard to funding this program.

MR. YURKO: Mr. Speaker, the Alberta Housing Corporation and the Department of Housing and Public Works have given the matter of co-operative housing programs very serious consideration during the last year. Several weeks ago the Housing Corporation administrative officers, as well as the two government ministers involved, did in fact sign the agreement with the federal government under Section 44(1)(b), but the agreement as yet has not been signed by the Central Mortgage and Housing Corporation.

MR. GOGO: A supplementary question, Mr. Speaker, to the Minister of Housing and Public Works. Does the minister view the change in the federal cabinet with respect to his counterpart for urban development as a setback to the discussions they've been having on housing problems in Canada?

MR. SPEAKER: Possibly the hon. minister and the hon. member might exchange their views on that controversial question.

Gas Rebate Plan

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Utilities and Telephones. Could the minister indicate whether a decision has been made with regard to continuation of the natural gas rebate plan?

DR. WARRACK: Mr. Speaker, the short answer is no. All members will recall the debate on this matter, particularly the outline of events by the hon. Member for Stony Plain in that debate. I indicated during the course of our discussion of this matter at Public Accounts that I was hopeful that by late this month I would be able to report a decision of the government on whether to recommit the natural gas rebate plan, because that timing would be important relative to the Federation of Gas Co-ops convention in Edmonton later this month.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Could the minister indicate whether the article in the October 29 issue of *Energy Analysts*, which indicates the program will continue for two years, is accurate and that this information was provided by government officials?

DR. WARRACK: I don't recall having read that article, Mr. Speaker. But if the article says that, it is indeed inaccurate.

MR. PURDY: Mr. Speaker, a supplementary question to the minister. I wonder if the minister could indicate to this Assembly if he's had representation

from any groups in the province other than the Federation of Gas Co-ops for the continuation of the rebate plan.

DR. WARRACK: Mr. Speaker, I certainly have. A number of MLAs, not only rural MLAs, are concerned about the development of rural gas programs, which by the way reached the target of 30,000 new users at the end of October under the rural gas program in rural Alberta. As I said, a number of urban as well as rural MLAs have made their views known on this matter, largely suggesting favorable consideration of recommitment of the rebate plan. In addition, reference has been made to the Federation of Gas Co-ops brief. I've also had representation from the city of Edmonton on this matter.

MR. PURDY: Supplementary question, Mr. Speaker, to the minister. Has the minister received briefs from any of the large industrial gas users of the province, using over one billion cubic feet as in the policy?

DR. WARRACK: Not directly, Mr. Speaker, because the way the wording stands, those representations would be made to the Minister of Business Development and Tourism. There would be ensuing discussions, and there have been some from time to time as a result of those representations. But those applications and representations go to my colleague rather than to me.

Gas Prices

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Energy and Natural Resources. Has the government been advised that two gas wells north of Edmonton will be shutting in, allegedly because of the low price of gas?

MR. GETTY: Mr. Speaker, I don't believe I could say I've been advised formally that that might happen. As I understand the situation the hon. member is referring to, certain gas producers have entered contracts which require them to sell gas at a certain price to a purchaser. When they exceed the amount they are required to sell under that contract, they are no longer obligated to continue to sell. If they feel the price to which they agreed is no longer satisfactory over and above their contract amount, I imagine they could shut the wells in and sell only the amount they had contracted for. That's the information I have on the matter I believe the hon. member is referring to.

MR. TAYLOR: Supplementary to the hon. minister. Are the contracts the hon. minister mentions of various lengths, or are they all one-year or two-year terms?

MR. GETTY: Mr. Speaker, they are of various lengths and terminate, I believe, any time over the next two to six years.

MR. ZANDER: Supplementary question to the hon. Minister of Energy and Natural Resources. Has the committee that was studying the question of low gas prices reported to the minister yet? That was long-

term contracts that were negotiated on 11 cents per MCF. Has that report been received?

MR. GETTY: Mr. Speaker, the committee was an interdepartmental committee or task force which has reported to the energy committee of cabinet. The energy committee of cabinet required additional information, is now assessing the total matter, and will be making a recommendation to cabinet, hopefully in the near future.

Native Housing — Faust

MR. CLARK: Mr. Speaker, I'd like to direct my question to the minister responsible for native affairs and ask him the status of the housing problem at Faust, specifically with regard to native houses built there for Metis people by the Alberta Housing Corporation and which had the problems with being unfinished.

MR. BOGLE: Mr. Speaker, I'd be more than happy to respond to the hon. Leader of the Opposition on what we in the Native Secretariat are attempting to do in the area of native housing. If he has a specific question as to delivery, which falls under the responsibility of the Minister of Housing and Public Works, that question should more appropriately be asked of that minister.

MR. CLARK: Mr. Speaker, I'd direct a question to the minister responsible for native affairs. Has the minister been advised of the comments made by the president of the Metis Association: something to the extent that perhaps the Minister of Housing and Public Works should take the houses back? What role has the minister played in attempting to resolve this very unfortunate situation in Faust?

MR. BOGLE: That's very interesting that the Leader of the Opposition should bring up the president of the Metis Association, Mr. Speaker. At a recent meeting between the Minister of Housing and Public Works, the president of the Metis Association, and me the Metis Association president expressed his general concurrence with the way houses were being delivered and expressed a willingness to work in conjunction with the said minister and me on future plans and delivery.

MR. CLARK: A further supplementary to the minister so there's no misunderstanding about the question involved. The question is specifically with regard to housing which Alberta Housing Corporation has built at Faust. In light of his comment my question to the minister is: is he telling us that the president of the Metis Association is saying he's satisfied with the houses built last winter at Faust and still not finished, six of which people still aren't living in?

MR. BOGLE: Mr. Speaker, I also read the *Edmonton Journal* and can see that there are some problems with some specific projects. Faust is an example. The Minister of Housing and Public Works has admitted that. It was a problem with the specific contractor. That problem is being worked out by the department. If there are some specific questions as to the minister's involvement or how his department

is handling it, those questions should more appropriately be put to the minister.

But if you're asking about this government's involvement with the Metis Association, I can respond that we have a good working relationship with that association, and I've no reason to believe that we can't work out any difficulties.

MR. CLARK: Mr. Speaker, in light of the fact that we can both read the *Edmonton Journal*, my question to the minister is: has the minister been to Faust and seen the situation there where six families still aren't living in the houses built last winter?

MR. BOGLE: I think what's more important, Mr. Speaker, is what we're doing about correcting problems that exist. As an example, in the very near future if you were to go to communities like Sandy Lake where we're trying some innovative things with native people, a self-help approach, a program that's going to use a maximum amount of effort on the part of the native person to build his own house, you would find what this government is trying to do to assist native people to help themselves.

MR. CLARK: Just one more supplementary question to the minister, Mr. Speaker. In light of the fact that we've now established that the minister has not visited Faust to look at this situation which was brought to his attention several months ago, I ask the minister very specifically: what has the minister or his secretariat done to resolve the question of the six houses no one is living in that are still sitting in Faust at this time?

MR. BOGLE: Mr. Speaker, as I've already indicated, there was a problem between a contractor and the department. If you'd like some further explanation on that, that question should more appropriately be directed to the minister involved. I've already said that the contractor is working on the problem — so is the department — to get the houses in a state acceptable to the people who have asked for them.

Radar Detectors

DR. BUCK: Mr. Speaker, I'd like to address my question to the hon. Deputy Premier, the Minister of Transportation. This question comes from an article in the paper today advertising radar detectors.

MR. SPEAKER: Could I just make some comment on a practice which I think has been growing in the last few weeks concerning asking ministers for comments on newspaper articles. Undoubtedly these articles are often a source of interesting questions, but the member is responsible for any facts that he adduces out of those articles. It is well recognized in parliamentary practice that a minister should not be asked to comment on a newspaper article, in the question period that is. If the member wants information, he may get at it by a direct question without reference to the article.

DR. BUCK: Mr. Speaker, with all due respect, I think you prejudged what I was going to say before I said it. [interjections]

Mr. Speaker, to the hon. minister. It's an ad in the paper which is advertising the selling of radar detectors. I would like to know if it's still illegal in this province for a person to use radar detectors in a car to detect police radar.

MR. SPEAKER: Order please. Out of due respect for those who are practising law and medicine, neither legal nor medical opinions should be sought in this Assembly.

DR. BUCK: Mr. Speaker, a question to the hon. Deputy Premier. Have there been any changes in legislation to make radar detectors legal in this province?

DR. HORNER: Mr. Speaker, I'm sure the hon. member, while not being here all the time, is here long enough that he should have read any bills and would know that himself.

DR. BUCK: I'm out as often as the Premier is. We're probably out together.

Seriously, Mr. Speaker, supplementary to the Deputy Premier. Have there been any prosecutions under the act which does not permit people to have radar detectors?

DR. HORNER: Mr. Speaker, I don't believe that particular section is under my jurisdiction in any case, but my honorable friend might like to try the Solicitor General.

AN HON. MEMBER: You only get two more chances.

DR. BUCK: Mr. Speaker, I'd like to ask the Solicitor General if there have been any prosecutions under the act in relation to radar detectors.

MR. FARRAN: Mr. Speaker, the police enforce the law. Prosecutions come under the Attorney General.

MR. NOTLEY: Inform the Deputy Premier.

MR. CLARK: The cabinet's got too big for the Deputy Premier.

DR. BUCK: Mr. Speaker, really it's quite consistent with this government's never wanting to answer anything.

MR. NOTLEY: And the Attorney General is reading a newspaper.

DR. BUCK: Mr. Speaker, to the Attorney General. Can the Attorney General indicate to the Legislature if there have been any prosecutions for the illegal use of radar detectors?

MR. FOSTER: Mr. Speaker, while I was practising law, I lost very few cases. But the very first case I ever had and lost was a prosecution by the Crown against somebody who had a radar device. So I can say to you with authority that there was a law in Alberta several years ago. I've had no experience on the subject since that time, but I'll check if you like.

DR. BUCK: Mr. Speaker, for the information of all the people, you can buy these things in Edmonton for \$78.88.

Syncrude Native Labor Agreement

MR. NOTLEY: Mr. Speaker, that's an extremely hard act to follow, but I'd like to put a question to the hon. Minister of Labour in charge of the Human Rights Commission. It arises from concern in some quarters relating to the Indian Association/Indian Affairs/Syncrude agreement, in that there is some feeling that this may constitute discrimination against people of Metis origin.

My question to the hon. minister is: has the minister had an opportunity to review the impact of this agreement as it relates to The Individual's Rights Protection Act?

MR. CRAWFORD: Mr. Speaker, throughout the negotiation and arriving at of that agreement the provincial government took the view that it was a matter between the federal Indian Affairs Department, Syncrude, and the representatives of the treaty Indians of Alberta, because of course treaty Indians are constitutionally the responsibility of the federal government. Speaking for myself in any event, we have not had a direct expression of concern from the Metis Association.

I don't mind adding that I understood at the time the Syncrude agreement was entered into that the Metis of Alberta were certainly interested in the fact that the agreement had been consummated and that they might raise the matter. To my knowledge it hasn't officially come to my attention yet.

MR. NOTLEY: Mr. Speaker, a supplementary question to either the hon. Minister of Labour or perhaps the hon. Minister of Energy and Natural Resources. In light of the minister's answer and the concern expressed about the impact of this agreement as it relates to possible discrimination against people of Metis origin, has there been any effort on the part of the Alberta government to encourage a second agreement between the Metis Association of Alberta and Syncrude which would parallel the Indian Association/Syncrude agreement?

MR. CRAWFORD: Mr. Speaker, as I indicated — and I don't think the hon. Minister of Energy and Natural Resources would have any different information on the subject — I expected at the time the agreement was entered into that that issue would present itself, if it did, as a result of a submission through the Metis Association. Wherever else the concern may have been expressed or whether it has been expressed to the government in an informal way, it hasn't come directly to me.

MR. NOTLEY: Mr. Speaker, a further supplementary question for clarification. It would not be the view of the government then that any action should be taken by Alberta at this point in time, unless and until a formal submission or representation were made by the Metis Association of Alberta?

MR. CRAWFORD: Mr. Speaker, I think it would be natural that the interests of the Metis people would be represented by the association to a significant extent. Discussions I have had on occasion with representatives of the association in regard to the prospects for employment at the Syncrude site for natives who are not treaty Indians have always been productive and I think have always got us quite a long way toward answering the concern about employment opportunities for non-treaty natives in that area.

I think it might be useful to add the amount of actual progress and the degree of co-operation by all government departments relative to both the principal contractor and the trade unions, who have been most co-operative in working out joint plans through Native Outreach and some of the other agencies. The fact of the matter is that a very encouraging degree of native employment has been possible on the site, running to hundreds as is well known, and is creating opportunities we're very pleased with. We're very proud that both the trade unions and the private sector of contractors in the province have responded in the way they have. It's growing, and it's getting better.

MR. NOTLEY: Mr. Speaker, just one final supplementary question to either the hon. Minister of Labour or the hon. Minister Without Portfolio in charge of native affairs. Has the government received any complaints or expressions of concern, either formally or informally, from people in Native Outreach that in fact disagreement between the Indian Association and Syncrude makes it difficult for Native Outreach to fulfil its total mandate, which is not only to look at Indian employment but Metis employment as well?

MR. CRAWFORD: Well, Mr. Speaker, I hesitate sometimes to rely fully on my memory, and I have tried to convey that when I said that to my knowledge no formal presentation has come to me. It is certainly true that in discussions with one or more representatives of Native Outreach, when the issue has come up it has come up in the context of native employment opportunities.

I may have had a peripheral type of discussion on the effect of the agreement the hon. member has referred to. I have no memory today of the specifics of any such discussion, and would simply add that we're always able to strike a positive enough note in discussions like this so what really is discussed is the extent of significant progress. That's not to say there haven't been some problems — there have been — in respect to working out certain types of employment programs. But mainly what's happened is that when identified, it's been possible to react to those problems either as a result of government initiatives or of the parties. Without saying more couldn't be done, because more certainly could be done, the employment situation is still an encouraging picture at the present time.

MR. BOGLE: I might supplement that, Mr. Speaker. With regard to the role played by Native Outreach in the Syncrude area, I think it's very significant and should be pointed out to the hon. Member for Spirit River-Fairview that last year Native Outreach issued the first of a series of awards. They honored Mr. Jack Dyck, a labor leader well respected by labor and management in the province of Alberta, by naming

him citizen of the year. This year the award went to Canadian Bechtel Limited. That in itself speaks for the high degree of respect the Native Outreach organization holds for the company.

Senior Citizen Housing Report

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Housing and Public Works. Has the minister received the Brooker report with regard to senior citizens yet? He indicated earlier that it would be about two weeks.

MR. YURKO: Mr. Speaker, the Alberta Housing Corporation board of directors has received the Brooker report. The board met on Monday and reviewed, amongst other things, the manner in which it would address itself to the Brooker report.

I should indicate at this time, Mr. Speaker, that the matter of fees between Mr. Brooker and the Alberta Housing Corporation is yet to be settled. On the basis of opinion received by the solicitors of the Corporation, the report is still to be maintained in confidence until the matter of Mr. Brooker's fees is dispensed with.

Alberta Game Farm

DR. PAPROSKI: Mr. Speaker, a question to the Minister of Recreation, Parks and Wildlife regarding the Alberta Game Farm. I wonder if the minister would advise the House if he has any reports to indicate progress regarding government participation in the purchase of the Alberta Game Farm with either an Edmonton or an Alberta citizen foundation.

MR. ADAIR: Mr. Speaker, if I follow the intent of the question, it was whether I can give you any progress as to where we are. Yes, as a matter of fact in response to a question posed earlier through the Chair, we have received some additional information from a group. We are now reviewing that particular information. I am hoping that within the next couple of weeks I will be able to have a response to that group's proposal to us, relative to our position.

DR. PAPROSKI: A supplementary, Mr. Speaker. Would the minister indicate to the House whether he has encountered any substantive difficulties in negotiation with this group?

MR. ADAIR: No, Mr. Speaker. We got the original proposal from them. We reviewed it. We asked them for some additional information. It took them some time to get that back to us, and we're now reviewing that.

DR. PAPROSKI: A final supplementary, Mr. Speaker, on the same topic. I wonder if the minister would indicate to the House whether he has any contingency plan if that negotiation falls down.

MR. ADAIR: Mr. Speaker, if I could just relate to all members of the House again that we as a government indicated to Dr. Oeming and any particular

group in Alberta, whoever they may be, that should they wish to get involved in the purchase of the Alberta Game Farm as a non-profit organization, as a foundation, or whatever, we entertain any proposal from any particular group. As far as a contingency plan, that is still open to each and every group, foundation, or other people in Alberta who are interested.

Correctional Officers

DR. BUCK: Mr. Speaker, I'd like to address my question to the hon. Solicitor General. Mr. Minister, can you indicate if your department is doing any review on the matter of danger pay to correctional officers or people on staff in correctional institutes who may have their lives endangered in respect to the position they're serving at the jails?

MR. FARRAN: Mr. Speaker, the pay modifiers generally exist through the correctional institution. Any alteration in regard to who should receive the so-called pay modifier will be part of the master contract under negotiation between the Provincial Treasurer and CUPE.

DR. BUCK: A supplementary to the hon. minister in respect to the correctional institute at Fort Saskatchewan. Is the minister in a position to indicate the status of the female correctional officer working in the male section who was fired last Friday?

MR. FARRAN: Mr. Speaker, I haven't heard of any female correctional officer who was fired last Saturday. One female correctional officer at Fort Saskatchewan was off sick at the last time of reporting.

DR. BUCK: Mr. Speaker, can the hon. minister indicate to the Legislature if it was not a direction by people in the minister's department that that officer be asked to take off sick?

MR. FARRAN: No, Mr. Speaker, I don't believe that anybody in my department asked anyone to be sick.

DR. BUCK: Mr. Speaker, can the minister indicate if there was any directive from any people in his department to relieve the person of her duties at the Fort Saskatchewan Correctional Institute?

MR. FARRAN: No, Mr. Speaker.

DR. BUCK: Then I'd advise the minister to check again.

Radar Detectors (continued)

DR. HORNER: I wonder if I could just supplement the answer to the hon. Member for Clover Bar relative to the question of radar detection devices and advise him through you, sir, that the firms in question have been advised to remove the devices from sale to the public because it is illegal.

Gas Rebate Plan (continued)

MR. PURDY: Mr. Speaker, I'd like to pose a question to the Minister of Business Development and Tourism. It's a follow-up to the questions posed to the hon. Minister of Utilities and Telephones. Has the department received any representation on continuation of the rebate plan from industrial users of over one billion cubic feet of natural gas a year?

MR. DOWLING: Mr. Speaker, we've had two applications relative to that part of the act. I don't suspect they could be called industrial users in the normal sense. One was from Foothills Hospital and the other was from the University of Alberta.

MR. PURDY: A supplementary question to the minister. Has the department received any direct representation from the city of Edmonton, one of the largest natural gas users in the province?

MR. DOWLING: No, Mr. Speaker. To my knowledge we have not to this date.

DR. WARRACK: Mr. Speaker, I can probably supplement the answer on one point. The hon. member may be inquiring about the use of natural gas in generating electricity by Edmonton Power. The \$1 billion maximum does not apply in that instance.

Crown Lands — Green Zone

MR. ZANDER: Mr. Speaker, my question is addressed to the Associate Minister of Energy and Natural Resources and relates to a study relating to Crown lands done by a task force some three years ago. Is the minister prepared at this time or at some time in the near future to implement some or part of the recommendations of the task force relating to Crown lands now lying in the green zone that were recommended and classified as suitable for agriculture?

MR. SCHMIDT: Mr. Speaker, in response to the hon. member's question, we would certainly be pleased to review the lands that lie within the green areas that have a productive capacity. I would say that the outcome of the land, whether it lies within or withdrawn from the green area, would be on a flexible basis and would certainly be dealt with on an individual basis.

MR. ZANDER: A supplementary, Mr. Speaker. Is the minister aware that that study is available, or have you seen it?

MR. SCHMIDT: Mr. Speaker, I have seen many studies. I'm not too sure I have seen the one the hon. member relates to, but you can rest assured I'll find it and will read it.

Aviation Hall of Fame Banquet

MRS. CHICHAK: Mr. Speaker, my question is directed to the hon. Minister of Government Services and Culture. In view of the fact that the committee organizing Canada's Aviation Hall of Fame banquet for November 18 specified in invitations that gentlemen only would be admitted, is the government providing financial assistance from public funds for this banquet?

DR. BUCK: Ask Hugh.

MR. SCHMID: Mr. Speaker, the invitations sent out by the Aviation Hall of Fame are obviously indicating that it is a fund-raising event, because the invitation says: "I will attend and enclose a donation of \$50 which is deductible". I therefore know, Mr. Speaker, that they are trying to raise funds for the operation of the Aviation Hall of Fame here in the city of Edmonton. As all honorable gentlemen and ladies would probably know, Toronto tried to get this Aviation Hall of Fame, and they had a most successful dinner there.

MRS. CHICHAK: Mr. Speaker, a supplementary. Is the hon. minister of the view that the ladies of our Alberta public could not be approached to raise funds?

MR. SPEAKER: Order please. We are again getting into the area of asking hon. ministers for their opinions, which perhaps could be done outside the question period unless those opinions can somehow be related to government policy.

MRS. CHICHAK: Well, Mr. Speaker, I think what I'm approaching the hon. minister on is: is it the government's view that this matter is or is not discriminatory? Is it a matter we should have under consideration?

MR. SCHMID: Mr. Speaker, again I know from information I have that there will be at least one lady at the head table at this banquet. As well, I understand, about 20 other ladies have indicated they would attend the banquet.

Former Export Agency Employees

MR. CLARK: Mr. Speaker, I'd like to direct my question to the Minister of Business Development and Tourism and ask if he can indicate to the House whether or not the dismantling of the Export Agency and the placing of the former employees in government departments has been finished.

MR. DOWLING: Mr. Speaker, no it has not. It's under ongoing review. As a matter of fact I believe this afternoon there is a further meeting with officials of the Departments of Agriculture and of Business Development and Tourism to perhaps further resolve the matter. Over the next several weeks or months it

will be further resolved, I'm certain to the benefit of all potential exporters in Alberta.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. What is the status of the former employees of the Export Agency? Are they all still on the government pay roll?

MR. DOWLING: Mr. Speaker, they are not. There are some who, of their own volition or otherwise, are not now employed by government, on contract or otherwise. Some have been transferred to the Department of Agriculture and some to the Department of Business Development and Tourism.

MR. CLARK: Mr. Speaker, one further question to the minister. Were any former employees of the Export Agency asked to leave the public service, or the government chose not to continue their contract?

MR. DOWLING: Yes, Mr. Speaker.

MR. CLARK: Mr. Speaker, who were those employees?

MR. DOWLING: The ones I can recall at the moment are Mr. Mathew and Mr. Presber, who were under contract. Those contracts were not renewed.

ORDERS OF THE DAY

MR. SPEAKER: May the hon. Minister of Education revert to Introduction of Visitors?

HON. MEMBERS: Agreed.

head: INTRODUCTION OF VISITORS (reversion)

MR. KOZIAK: Thank you. Mr. Speaker, it is with a great sense of personal humility that I'm honored in this House, where the Alberta Bill of Rights and The Individual's Rights Protection Act are valued and enshrined as legislation having primacy over all legislation, to introduce a very special visitor. The 18 years' imprisonment in Soviet prison labor camps endured by this great man for refusing to renounce his faith gives sustenance to all of us, irrespective of creed, in our personal convictions and in the tasks which face us here in this Assembly. His release 13 years ago, as a result of the efforts of leaders in the free world, attests to the effectiveness of properly directed expressions of humanitarianism. And here, in this Assembly, ever vigilant as all members are in protecting the rights and freedoms of Albertans, we must not forget that freedom has been secured for us only when it is enjoyed by all citizens of God's earth.

Mr. Speaker, this is the second occasion on which this Assembly has been graced with the visit of His Eminence Cardinal Josyf Slipyj, Archbishop-Major of the Ukrainian Catholic Church.

Vashe Blazhenstov: Z tsiyeji nahody Ja maju velyku chest' I pryjemnist' prystavyty vas chlenam Legislatury. Vas serdechno vitajut' vsi posly — mizh

nymy myrjany nashoji tserkvy: Pani Chichak ta Ivan Batiuk, Vasyi Diachuk, Ivan Kushnir, Doktor Paproski i ja. A teper, Vashe Blazhenstvo, bud' laska, jak shcho mozhetе ustan'te i prjmit' oplesky na vashu poshanu.
[as submitted]

Accompanying His Eminence are Bishop Neil Savaryn, Bishop Dmetrius Greschuk, Doctor Fr. Dacko, and Dr. Melety Snihurovich. Mr. Speaker, I ask all hon. members to welcome His Eminence and those accompanying him.

head: **GOVERNMENT DESIGNATED BUSINESS**

head: **GOVERNMENT MOTIONS**

4. Mr. Hyndman proposed the following motion to the Assembly:

Be it resolved that the Assembly adopt the following amendment to Standing Orders:

1. Standing Order 8(3) is struck out and the following substituted therefor:

(3) On Thursday at 4:30 p.m. Public Bills and Orders other than Government Bills and Orders shall be called and debate thereon shall be governed by the standing orders that are applicable to private members' motions.

2. Standing Order 8(5) is struck out and the following substituted therefor:

(5) If a motion is made after 5:10 p.m. on a Thursday for second reading of a public bill other than a government bill and the motion is not voted upon during the same day, the bill shall retain its place on the Order Paper until the next Tuesday and, if that item of business is not then reached, until the next Thursday.

3. Standing Order 76(2) is struck out and the following is substituted therefor:

(2) The fees and documents listed in Standing Order 76(1) shall all be delivered to the Clerk of the Assembly by the 15th day following the opening day of the session.

MR. HYNDMAN: I don't believe, Mr. Speaker, that this resolution requires any elaboration. It relates simply to housekeeping and clarification matters, not matters of substance. With regard to subparagraph 3, the recommendation is made by the Private Bills Committee. The change there is simply to have the delivery of the fees and documents moved to 15 days following the opening of the session rather than 10 days before.

[Motion carried]

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

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

HON. MEMBERS: Agreed.

[Mr. Speaker left the Chair]

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

[Dr. McCrimmon in the Chair]

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

Bill 4
The Social Development
Amendment Act, 1976

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

MR. R. SPEAKER: Mr. Chairman, at the conclusion of second reading, the minister started to explain section that is going to restrict the number of training programs available to welfare recipients. She was also defining what the hon. member termed "luxury-class programs". I wonder if the minister could define that a little more clearly at this time for better understanding.

MISS HUNLEY: Yes, Mr. Chairman, I'm pleased to do that for the hon. member. I did refer to one specific instance which caused some concern to us and to those responsible for interpreting policy at the field level. I appreciated the hon. member's remarks about their concerns. Actually, this entire bill reflects concerns they've expressed to us in which the act is not clear and the appeal boards often overturn decisions at a local level. This is one of those occasions, and the intent of it is to spell out in legislation which courses are approved.

Also, we're attempting to tie in more closely with the Department of Advanced Education and Manpower the various training programs they have, so there isn't available a student loan, welfare, and numerous other things the average individual does not have access to, and generally make it fairer so all those who have to struggle and make some effort to obtain their own education are treated fairly.

MR. R. SPEAKER: Mr. Chairman, to the minister. Are you saying that at the present time there are some situations where welfare recipients are not treated fairly, that they haven't access to certain programs, or that having too much access is unfair treatment? Is this what you're saying? I'm not quite clear.

The other question I raise — I think the hon. member in a television or radio statement or something indicated to the general public that university programs would no longer be available to welfare recipients. From what you said now, you're not really saying that. Is that correct?

DR. PAPROSKI: Mr. Chairman, I wonder if I might clarify that particular remark. As I recall it, it's the

luxury-class training programs we're talking about. I made reference to university only in the context that university need not be funded by the department itself, but those who wish to go to university or some advanced program that may not be specified under the regulations, as I understand them — and the minister will clarify that — are still eligible to attend university by the usual pathway of getting student finance loans through the Department of Advanced Education and Manpower. Nobody would prohibit that.

MR. NOTLEY: Mr. Chairman, when I listened to the minister, I sort of got the impression there wasn't going to be a basic change. Then I listened to the member who introduced the bill, and I'm not sure.

I had assumed that we were not dealing with a prohibition against university but the rather unusual situation where you might send someone off to Paris for painting, or to Brazil to learn water-skiing, or some really rather questionable postsecondary pursuit of one kind or another. But I didn't think that in any way it would apply to university training.

For example, a married woman whose husband has left might want to go to university to become a teacher. It would seem to me our whole program should encourage that sort of thing. That's one way that person might be able to come back into the labor force. Or physically handicapped individuals might very well fit a commerce course so they could become business administrators, something where they wouldn't need to worry about their physical handicap.

So I'm really at a bit of a loss. Are we in fact going to say there will no longer be any assistance and if people want to go to university — that married woman who has three or four children will then have to go and apply for student loans, and there would be no assistance from the department for her family while she's there? If we're saying that, it seems to me that is something different than I understood the minister to imply.

MISS HUNLEY: I was attempting to clarify what the act actually says; that is, we will spell out what training programs are acceptable and thus avoid the appeal boards overturning decisions made by local social workers who have approved training programs for them.

By and large, we do not encourage university training. But that does not necessarily mean it will be excluded forever, and excluded for specific areas of concern. We feel that actually two-year programs are probably the most useful, and we encourage them to undertake training there. But I think it's extremely important that co-ordination take place between all the funding agencies, so it doesn't give some people a very decided edge on others when they're attempting to go to university or whatever their advanced training is.

MR. R. SPEAKER: For further clarification. What the minister is saying is that the regulations that come out at an early date will indicate that people on public assistance will not qualify for public assistance to go to university. If they want to go, they may receive public assistance for their living expenses, food, clothing, and shelter. However, if they need extra money

or want to go to university, they can take a loan, possibly from the loan facilities.

MISS HUNLEY: I don't think I should try to forecast exactly everything that's going to be in the regulations. I have not had the opportunity to read the present regulations that apply; rather, it's interpretation. We have not encouraged people to attend university while on welfare unless some other arrangements are made whereby they make use of other facilities such as student loans.

MR. R. SPEAKER: Mr. Chairman, a further question. The minister indicated they were concerned about the number of turnovers by the community level committees. Is the minister saying that at this point in time, people at the community level are not making good judgments relative to the expenditure of money in some cases?

MISS HUNLEY: Well, you have now added "some cases", and that changes your whole question, Mr. Chairman. By and large the appeal committees are very effective, and I take the opportunity to read their reports regularly. But it does cause some concern, and concerns have been expressed by them too, because they go by the act and not by policy guidelines, contrary to what the hon. Member for Little Bow was expressing yesterday.

The appeal committees feel they are bound by the act rather than by the policy, and on several occasions in various areas they have overturned decisions made by local workers. As a result, we felt we should clearly spell out what we mean, what the act intends, and what we feel is acceptable and desirable to help those who need help, and encourage those who really don't need help to get on and earn their living in the best possible way.

MR. R. SPEAKER: Mr. Chairman, to the minister. Under the section with regard to work, what kind of work programs has the minister in mind in that area? Will there be make-work types of programs for welfare recipients? If the job isn't out in the labor market somewhere, what do you do with an individual then?

MISS HUNLEY: We deal now specifically with those whom we consider employable. We think they should be actually out seeking employment. We know that in Alberta we get more complaints from employers that they can't fill vacancies. Vacancies are there, and we believe that people who are employable should be seeking employment.

Those who are not employable or who have a problem will get all the help this department, other departments in this government, or the public at large can give in order to help them retain their dignity and become self-employed if it's possible. There's no question about that. But we feel strongly that it's not enough for someone to sit and wait for the social worker to say, look, here's a job, why don't you try to get it — though they will do that. But we want to put a little more strength in it and say, get out and look for it, there's lots of work to be had.

MR. R. SPEAKER: Mr. Chairman, I was hopeful that that was the policy all along within the social work

group, and also the policy of the department. It's difficult for me to see this new amendment — just to add the words "to seek" — really change the policy or strengthen it.

I'm wondering what type of follow-up directives the minister has for the social workers that are different from those of the past 10 years or so, because that was the understanding. The act as before would allow for that type of thing, would allow the same type of discretion by a social worker: if you haven't gone out to get work, you can't get public assistance. That could have been done. I wonder what added strength this really gives to the act. It just adds a few words, but what will happen after that in directives to the social workers?

MISS HUNLEY: In most cases I feel that social workers are extremely concerned and very anxious to do a good job on behalf of the public. I get very upset at the occasional comment that they encourage idleness and sloth because I don't believe this is so. I think they need in the act the direction to those who like to rip off the system that they must not only take work if it's offered, but they must actually seek work. That is a direction and supportive action for the people in the field who are trying to carry out policies.

[Title and preamble agreed to]

DR. PAPROSKI: Mr. Chairman, I move Bill 4, The Social Development Amendment Act, 1976, be reported.

[Motion carried]

Bill 53
The Corrections Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill? As you will see there are some amendments to the bill. Are you all familiar with them?

MR. ZANDER: Mr. Chairman, I have just a few comments to make on the comments made yesterday by the hon. Member for Lethbridge West pertaining to the bill, to establish a type of work force in the institution, and the minimum wage that would be paid. I wonder if the hon. member would recommend that deductions also be made for union dues, or a savings program implemented whereby they would be prepared to return to society with a sizable amount of money to re-establish them in society?

MR. FARRAN: Could I answer that question, Mr. Chairman?

MR. CHAIRMAN: Yes, Mr. Minister.

MR. FARRAN: The clause refers to work where facilities are available and if the inmate is physically fit. Employment covers many different types of work, and the definition is deliberately broad.

At the present time, incentive pay is paid in three main ways: 70 cents a day pocket money, so to speak, to allow the inmate to buy tobacco and this

sort of thing, which is paid to those who are doing the common chores in the institution of housekeeping and keeping the premises clean. There is \$2 a day incentive pay which is paid to those working in bush camps or in specific projects for minimum security offenders. Then there is employment outside the institution with the private sector, when they can be paid the full going wage. If they do that, and this all has to be approved by the classification committee of the director and the department, the first call on the funds is to pay the room and board at the institution if the inmate is still incarcerated; \$25 dollars a week is deducted for that purpose. The balance is put in a trust account from which the director may make payments to support dependants of the inmate at his request, but it is held in trust and the money is paid to the inmate at the time of his release. Any interest from the trust fund goes into a general account for the benefit of all inmates in the institution. Those are the general procedures, Mr. Chairman.

MR. ZANDER: Just one further question to the minister. You mentioned the going rate. Is that the minimum wage rate, or is there some other rate?

MR. FARRAN: No, Mr. Chairman, it is the going rate, whatever that employer pays. You have two sides of the coin here. You want to make sure that an offender who has been punished by the law doesn't get some special benefit which a law-abiding citizen outside wouldn't get. On the other hand, you want to make certain that the employer doesn't get a special benefit by using underpaid labor at the expense of citizens outside. So the rate that is determined is not an arbitrary low rate unless it's his custom to pay the minimum wage. He pays the going rate for that type of employee.

MR. TAYLOR: Mr. Chairman, I'd like to make just three comments on the bill. The first is on the point just mentioned by the hon. member and the hon. minister in regard to working while in prison. I think this is a very fine idea as long as the last point raised by the hon. minister is carried out. I don't think employers should be using prison labor to save money that they would otherwise have to spend for ordinary labor in that community. This simply builds up enmity between the prisoners and the people in a community.

We saw this happen in the vicinity of Drumheller penitentiary when some employers took advantage of prison labor to have work done while people out of prison who were available for work could not secure employment, or could not even become apprenticed because prisoners were being apprenticed. I think the point raised by the hon. Solicitor General that we don't give special advantages to those who happen to be in prison over those who have obeyed the law is a very, very important feature.

The second point I'd like to mention is this matter of restitution which the hon. member dealt with. I would like to see our courts put more emphasis on restitution rather than fines or jail terms. The person who uses paint to ruin a person's premises — the best lesson he could get would be to have him remove all that paint with his own elbow grease. Making him pay a fine or sending him to jail in my view is not solving the problem. Especially with

young offenders, if they have to undo by restitution the evil they have done, I think it's going to be the best lesson in the world for them, and they'll likely become better citizens of the country than if they simply go to jail and live at the taxpayers' expense. Many of them are not criminals, they are vandals, and I think restitution should become a very important feature. I would like to see it become one of the main features in the courts in this province, particularly with young offenders but really with all.

The third point I'd like to commend the hon. member and the hon. Solicitor General on is the establishment of a provincial parole board. I have been asking questions about this now for three or four years and before I even came to this side of the House. It seems to me that the National Parole Board has enough to do without dealing with prisoners who are the responsibility of the province.

I think a provincial parole board is more likely to reflect the thinking of the provincial government in regard to parole than is a national parole board. I'm not making any detrimental comments about the National Parole Board.

Two of the features I like in this particular bill are that once parole is given, it isn't going to be forever. If he breaks that parole, the conditions that are laid down, he's put right back where he was before. When a prisoner knows that, he is more apt to live up to the conditions of that parole.

I think the provincial parole system is going to have some very important effects on justice and rehabilitation in the province. A parole board can do a great deal, particularly with first offenders. First offenders make a mistake. If we were all shoved into prison on the first mistake we made, many of us would have been in prison. But understanding people have enabled most of us to overcome those things that might have caused prison terms in the early days.

When a young person gets into prison I think the understanding and attempt to rehabilitate him, are very splendid. A parole board can probably do that better or as well as anybody else or, in conjunction with others, show him that he is not going to be blackballed forever because he made one mistake.

I'm looking forward to the work of this provincial parole board and I commend the government for making this good step forward.

MR. FARRAN: Mr. Chairman, if I could just respond to those very constructive remarks from the hon. Member for Drumheller. The first one on restitution. The Alberta pilot restitution project is now in its second year in Calgary. It's a three-year program jointly funded by the Solicitor General for Canada and the provincial government. It's had a reasonable degree of success. It has consummated a substantial number of restitution contracts. It has exposed some technical difficulties which are still being ironed out with the court. This is in regard to an offender who may renege on his restitution agreement with a victim. We still have to improve this.

I wouldn't want to mislead the hon. member in regard to the provincial parole board. The provisions and powers to set up a parole board in this act are identical to the powers in the old act. At the present time we still intend to continue, by agreement, to waive those powers to the National Parole Board, which has promised a much better service than in the

past. It has established a western headquarters in Saskatoon and is coming through with much prompter service to the provincial institutions than before.

However, so far as minor offenders are concerned, we are dealing with the very principle of what the hon. member refers to, although we don't call it parole. We call it temporary absence, the power to release inmates on a strictly controlled basis. These are five-day tickets of leave and are much stricter than parole in many respects. They can be cancelled at short notice and there is much greater surveillance of people on temporary absence than on general parole. At the present time, we have some 60 inmates on temporary absence in the province.

DR. BUCK: Mr. Chairman, I'd just like to make one or two comments. I will not regurgitate the speech I made 18 months ago on my opinion of what we should do in corrections. But I would like to compliment the member presenting the bill, because I think he's done his homework and I think he's done a good job. I wouldn't want to ask the Solicitor General too many questions. He seems to be a little touchy these days. But I do want to make one or two comments.

I would like to reinforce the point made by the hon. Member for Drayton Valley. When these people leave our institutions and we send them back out on the streets with nothing in their pockets, you can almost bet your bottom dollar that within 10 days they are going to be back in there. It's just as inevitable as nightfall following afternoon. So I think there certainly is a place for these work programs.

I would also like to say to the committee that there is some advantage to having changes in government. Because the new government finds out what the old government forgot 15 years ago. This philosophy of making prisoners work is not new. I'd like to say that you gentlemen have not discovered something new. But what I think we should all try to discover is what happened over the last 15 years that we have scrapped the programs.

Somehow it has just evolved from — using Fort Saskatchewan as an example, we were self-sufficient in dairy, in food. It was a completely integrated farm situation. I would say the next thing that is probably going to happen at Fort Saskatchewan is that we will be hiring catering services to feed the place. It's almost become that ridiculous. So I would say to the Solicitor General, Colonel, get at it and make that place self-sufficient.

The area that concerns me very greatly in our correctional institutes is the young people who get put in there. When I toured the Fort Saskatchewan Correctional Institute last year, a young man was in there mopping floors. You know, he looked like he could be any one of our sons. I said to the fellow who was giving me the tour, what the Sam Hill is that kid doing here? He said, that's what I'd like to know. As a matter of fact we've arranged a day parole for him and he's going to be out working on somebody's farm and coming back in at night.

You know, we have to move into the twentieth century and get these people out. There is great potential manpower in there and I think a lot of it can be salvaged. But the way we are going now is just: in one day, out, and then back in in 10 days. As the Solicitor General says, it's pretty hard to retrain

anybody when the average stay is about 60 days. So I think the young offender is an area we should certainly look into.

The question raised by the hon. Member for Drumheller about restitution is one that is not only politically palatable, but it's one that the taxpayer can understand too. I would just like to ask the Solicitor General if the Fort Saskatchewan citizen who had his car stolen and wrecked has had restitution. Because he was one unhappy citizen, Mr. Solicitor General.

If we're going to use "punishment", the citizen who has suffered from the act should certainly have some restitution. I think in that way, the person who is doing the work to retribute where he has gone wrong may open his eyes to the fact that maybe there is a better way than where he has been going. So I certainly say fair game to the Solicitor General, and I wish you well in this program.

There's one area in which I'm not so happy with the government, Mr. Chairman. That is the complete lack of opposition that this provincial government showed to the federal penitentiary going into the Horse Hills area. I know if I were the Solicitor General and a member of the government, I wouldn't want to oppose that either. We need some place to put some of our prisoners from Fort Saskatchewan who should be in the federal pen. I still say to the MLA in that area and to the Solicitor General that this government did not do its job in supporting the people in that area when they were fighting the federal government. But as I say, I can understand. I know a little bit about politics. At least if I don't, I'm trying to learn.

So, Mr. Chairman, as I say, I will not regurgitate my former speech, but I would just like to say that I think the member presenting the bill has done his homework and I wish the Solicitor General well on his new program.

MR. FARRAN: Mr. Chairman, thanks for the good wishes. I would just like to correct the record over the federal penitentiary at Sharpe farm. This was a local decision. It went through the local authority, the federal government got a local development permit, and then there was a late petition. After they'd been through the whole bureaucracy and got their development permit, it was too late to close the stable door after the horse had bolted. They have a perfect right to develop there. They bought the land, they got all their permits, and really it was no business of the provincial government to interfere with local autonomy.

DR. BUCK: Mr. Chairman and hon. Solicitor General, I'm quite aware of that, but I also know the power the Solicitor General has if he wishes to have it. If he had wanted to enter into meaningful discussion with the federal minister, I'm sure that site could have been changed. That's all I'd like to say.

MR. JAMISON: Mr. Chairman, if I could set the record straight, the permit issued by the council of the MD of Sturgeon was for a medium security jail or a penitentiary. They then changed their plans to a maximum security. At that time they did not receive a permit from the MD of Sturgeon, and they will act on their own, which they can do.

MR. GOGO: Mr. Chairman, as I was the mover of the bill, I wonder if I could have the opportunity to respond both to the Member for Drayton Valley and the member from Fort Saskatchewan.

HON. MEMBERS: Agreed.

MR. GOGO: I don't think we as members should lose sight of the fact that, as quoted by the Solicitor General of Canada, a correctional system as we know it has not worked. In Bill 53, the new Corrections Act, I think the government is very innovative and is using its imagination to attack the problem where it's important. The important part of the problem is that we should not, if possible, put people in institutions. For that reason Section 2(f) has been introduced, an entirely new section where we now have some provision before the judge does his sentencing, where there are alternatives. It's been covered adequately by the Solicitor General in two areas, both with respect to restitution to the offended party, and work in lieu of fine.

One area that has to be mentioned again because we've talked primarily about young people is the community service program that's had a year's trial run. I suggest it's been very successful.

The other area, and much reference has been made to it, is the work program. I think the point about an inmate coming out with some dollars in his pocket is very important. Of additional importance is the responsibility of the Minister of Social Services and Community Health whose overall responsibility is to keep people in this province healthy, and surely a work program is conducive to good health in an institution. So I would suggest those are two important areas that members shouldn't lose sight of.

[Title and preamble agreed to]

MR. GOGO: Mr. Chairman, I move that Bill 53 as amended be reported.

[Motion carried]

Bill 71 The Surface Rights Amendment Act, 1976

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

MR. R. SPEAKER: Mr. Chairman [inaudible] on Section 9 just to try to clarify the remarks we had in second reading and also to ask for possible assistance.

At the time of discussion I indicated to the minister that a transmission line was proposed between Calgary and Lethbridge, and the hearings are to be at Vulcan on November 18, 1976. They were in Calgary, but because a number of the briefs are from the Vulcan area they have changed the location. The question I raised at that time was about location of the line, hoping it would be down the section line, and we discussed that.

A more important question I think at this point in time is with regard to Section 9 which talks about

rental rates. They come up for review every five years. In my discussion with a number of farmers who are facing this problem of the power line going at an angle through their line or along the edge of their land, not one of them raised ... I said, well can't you make a rental agreement? The farmers indicated to me that that had never been raised with them and they knew of no possibility. I said I thought there was a possibility, but I would raise it in the Assembly and see if that exists.

Now the minister and the Minister of Agriculture indicated that this particular act doesn't relate to the kind of hearing for the transmission line I'm referring to, because that hearing is under the Energy Resources Conservation Board. The question I'm asking is: is it possible for those farmers to arrange for a rental agreement with Calgary Power on this particular transmission line?

MR. McCRAE: Mr. Chairman, if I might respond to that question by saying there's always the capability between two contracting parties to agree to almost anything. I would say there is an ability on the part of the landowner to make an agreement with Calgary Power that would provide for an annual rental.

What this bill does, Mr. Chairman, in this particular area is to bring power transmission lines under the procedures outlined in The Surface Rights Act, and in the act is an ability on the part of the board in its discretion to award — I've forgotten the exact wording but this would be a rough translation — such other payments or considerations as it may in its discretion determine. That would give the board the opportunity, when it's holding a hearing where there is no private agreement, to determine that there should be an annual rental payment. While it could apply to a situation such as you are outlining, I would hope the board in its discretion would restrict itself, in its determination of annual rentals, to situations where there is an above ground structure, which may well apply to the Calgary Power situation.

MR. R. SPEAKER: Mr. Chairman, for clarification from the minister. Then I would be right to advise these farmers that in their negotiations, individually or collectively, with regard to this agreement and Calgary Power, and also in their submissions to the Energy Resources Conservation Board, they could request an annual rental with the particular company. Now I know the farmers I have talked to have already signed agreements with Calgary Power. I said, did you look at a rental rate? They said, nobody ever mentioned it, the fellow who came to talk to us never raised the concept of a rental rate. I would have been more pleased with a rental rate. But that's the situation. So at this point in time I could advise them to go that route, and that legal structures prevail where a decision like that is possible when they present themselves before the Conservation Board. Is that correct?

MR. McCRAE: Mr. Chairman, two cautions to the Member for Little Bow on that form of advice. Number one, the act does not come into force, even when passed, until January 1, 1977. So coming into force on that date would not upset existing agreements, and if those people have in fact signed contracts I would think it would continue to be

binding on those persons.

The other aspect, Mr. Chairman, is the question of whether or not you could advise them to ask the Energy Resources Conservation Board to determine or declare an annual payment. I understand the Energy Resources Conservation Board is holding a hearing on the route rather than the question of compensation. What you're talking about is compensation, which will come under the Surface Rights Board after January 1, 1977.

MR. ZANDER: Mr. Chairman, perhaps this question should have been raised in second reading of this bill. I certainly hope you will allow me a little leeway, Mr. Chairman, as I was not in the House at that time.

Dealing with Section 37 of the act, the right of any person to enter onto anybody's land is laid out basically in The Surface Rights Act of 1972. But basically there is a problem and there is conflicting thought among the owners of the land on whether we deal through The Surface Rights Act or through The Surface Reclamation Act.

Mr. Chairman, since we have come to an amendment of The Surface Rights Act and we have opened the act, I had hoped consideration would have been given to including or taking parts from The Surface Reclamation Act. If you'll bear with me, Mr. Chairman, I refer you to Section 17 of The [Land] Surface [Conservation and] Reclamation Act whereby the minister or anybody authorized by the minister has the right to grant entry onto any land.

To describe best the problem that exists in the rural areas of this province — I know it happens occasionally; in my case it happened not too long ago this year. There was no oil or gas at this site and a reclamation order was issued under the reclamation act. The farmer was satisfied with the job done on the site. He then proceeded to go out and reclaim the land himself. He hauled on some fertilizer, some manure, some straw, and thereby tried to reclaim the soil himself for future agricultural purposes. Then a bulldozer and a ripper were unloaded at the site, and he refused the right of entry of any equipment on his land. He said, "I'm satisfied. Will you take the machines off my land?" He said, "I can't because a right of entry has been issued on this site."

Of course this is where I came into the picture. I found that there are two types of right of entry. The 1973 part of the legislation lists who can enter the land under Part 2, Delegation of Administration. In Section 23, it lays out for what purpose you can enter the land, and then the approval under Section 24.

Now it seems, Mr. Chairman, that nobody thought incidents like that would ever happen. But they do happen from time to time — very disturbing to the landowner and very disturbing to most people.

Now let me go back and refer to Section 37 of The Surface Rights Act. The act shall not come into force, and this section of the act shall not come into force until January 1, 1977. Mr. Chairman, it would have been only proper to be consistent with The Surface Rights Act at that time to say that all the surface disturbance whether it is a well site or an above ground structure should be subject to Section 37(5). What I mean, Mr. Chairman, is simply that in 1972 a five-year review clause was brought into the act. Why did this section not come under that at this time? I talked to the hon. minister and he said it meant

going back a number of years. But I want to remind the hon. minister that I think consistency in legislation can only be achieved if this had been a part of Section 37(5).

I cannot agree with the hon. Member for Little Bow, who is dealing now on a power line — and I have a similar thing happening right now — that we will have to wait. We're going to pass legislation now which is going to be effective on January 1, 1977. Shall these landowners who are now negotiating say, we won't negotiate with you for the high line that is going south. It is a discriminatory factor between the oil industry and the above ground structures. We're saying to them, you had a review clause going in in 1972 but we are not going to start the above ground structures until 1977. I don't know for what reason we did not make the act consistent with The Surface Rights Act.

Of course there's another problem which is not covered either by The Surface Rights Act or the reclamation act. We all know that surveyors can enter your land to take surveys; it's legal. But who on earth has given these people power to take bulldozers and power saws, and enter your land without permission? This is occurring too often. I think legislation, is now in effect that they are responsible for the damage that occurs while they are doing the survey. But I would say, Mr. Chairman, that the ordinary landowner, the ordinary farmer, is not in a position to spend \$1,500 or \$2,000 in order to collect \$900. It's silly, silly as can be.

I think it's time we take notice of what is happening in the rural areas. I could take the hon. minister out today or tomorrow, if he wishes, where this has actually occurred: while the landowner was not at home a seismic crew entered with a survey crew and dozed his windbreak for half a mile. Sure, they said, we'll pay you in court. When you have to pay a lawyer \$150 an hour, I wonder how much of that money the farmer is going to have left to pay for the windbreak he has to re-establish. It's just plain and simple. I think it's time we as a government take the bull by the horns and try to correct some of these inequities that are completely needling the landowner from day to day. If we don't, I think we are going to have problems. To come in with an amendment at this time that I feel is out of place—Section 37 as comes in the amendment right now should have been in Section 3(5) of the 1932 surface rights act.

I wonder how many of us who have grown hedges around our farmsteads would like a survey crew to enter their land while they were away and cut a hole in the hedge they had nurtured for 20 years. This is what's happening. Then of course they say, well sue us, you can take us to court and collect.

But we know and all hon. members know the conditions on the farm are not too healthy now, especially in areas where there are cattle operations. I ask you, how can a farmer pay out \$1,500, \$2,000, or \$3,000 in order to recover \$1,000 or \$2,000 damage? It's virtually impossible. So the farmer throws his hands up and says, what am I going to do. Nothing. He has the damage; the other people have the free right to go on his land. I wonder how many urban people, or the minister himself, would like a surveyor to go on his lot in the city of Calgary and cut a hole in his hedge. Maybe he'd be in a position to take action, but those farmers haven't got the money.

You say, well you can have free legal advice, you can go to see the lawyers. They come there, and of course they say, well, I've directed a number of them to him. They say, oh yeah, but you own too much property so you can't get any help from this legal fraternity. You're going to have to hire yourself a lawyer, and we want a deposit of \$1,000 before we take the case.

I think we have to have a complete rethinking. If all people were honest, we wouldn't need this. But 1 or 2 per cent of the industry are not quite honest with the landlord, and there lies the problem. Or we should put it under The Surface Rights Act, whole and total, and let one board deal with all surface disturbance. Then we would know where we were going.

MR. COOKSON: Mr. Chairman, perhaps I could expound a little, too, on a similar problem that has recently occurred in my area. Because it's becoming a growth area, thanks to this government, I guess I'm getting some of the problems everybody else has had in the province for some time.

I think the Member for Drayton Valley probably touches on an inconsistency in that we make provision by law, as I understand it, to permit surveyors to go on property and do whatever is necessary in order to accomplish what they have to do. That's by law, so we write the legislation that makes this a legal entity. Now, I don't have any quarrel with that. I think it's probably necessary. In the case of absentee ownership of land and all the problems that are required in order to get permission to go on private property, I think we have to have this type of provision. I think the majority of reasonable, thinking people would accept this.

The procedure is laid out in The Surface Rights Act under Section 14. Anyone who wishes to enter on the land "shall make a reasonable attempt to give notice . . . to [those] in possession . . . before entering . . .". This section also lays out, and I presume in this case we're also referring to a surveyor, that "the operator is liable to the owner or the occupant of the land, as the case may be, for any damage caused by him or that other person . . .".

The big problem that occurs, as the Member for Drayton Valley has pointed out, is that the surveyor goes in to survey a line and finds obstacles and so on in his way, so he proceeds to remove them. In this particular instance, a large number of trees were removed. Subsequently the line was changed and adjusted, and you have this kind of damage which perhaps may not seem like damage to a surveyor. But to a person who owns that property and who has maybe nurtured trees for a long period of time, it is of considerable concern.

In this particular instance, the owner of the property approached the people involved in the survey, and yes, they would make a settlement. So they proposed a settlement which was a very insignificant amount. It was really disturbing to the landowner to find that under right-of-entry law he's permitted this surveyor to go in, assumed he was doing the right thing, incurred considerable damage on his property, and finds out that the surveyor in this case has suggested a settlement which is inconsequential. Therefore, the owner has the recourse, I presume, to go through a court of law and try to get an equitable settlement. I

think that's unfair. If I understand and interpret this correctly, I think it's bad legislation.

I don't know whether or not we can do anything at this stage of the legislation, but I think we should have another look at this. My suggestion is that possibly the board itself could arbitrate or negotiate a settlement. Give the power to the board to deal in these particular instances. Surely because we've made it legal for them to enter on the property, we don't have to revert to a court of law in order to get a settlement where we have abuse.

MR. McCRAE: Mr. Chairman, the hon. Members for Drayton Valley and Lacombe raised a number of very interesting points. I'll try to deal with them all. I may miss a couple of high spots, but I'm sure they'll remind me and re-ask the questions.

Dealing first with the reclamation act, which I don't think has any direct relevance to the particular amendments we are talking about today — in any event the reclamation act deals by and large, through my understanding anyway, with reclaiming land that may have been despoiled or put into disrepair some years back, and provides that in certain instances the government can order restoration or reclamation out of the public purse or at some other particular person's expense. Beyond that, with respect to right-of-entry orders and what have you, it provides that no right of entry can be surrendered to the landowner without a reclamation certificate. I'm not sure I understood the hon. member's point in that particular area.

Dealing with the question of dealings, expropriation proceedings, or negotiations that are presently undertaken, I would think the companies involved would have regard to the fact that legislation is coming on stream January 1, 1977, that may provide additional opportunities for payments such as annual rentals, and that the negotiators would bear that in mind in concluding their negotiations. Of course, if they don't conclude a satisfactory negotiation the landowner has the opportunity of taking that to the Surface Rights Board subsequent to January 1, 1977.

Dealing with the question of the effective date in Section 37 and the fact that the five-year review period relative to pipelines, transmission lines, and telephone lines will only come into play after January 1, 1977, I should advise the hon. member that that is a five-year review clause. As it presently stands in The Surface Rights Act, any agreement or order subsequent to January 1, 1972, is subject to a five-year review according to the procedures set out there. Now the things we are talking about today are acquisitions of power line, pipeline, and transmission line rights of way subsequent to January 1, 1977. That is the take-off date for the five-year review. In other words, five years from then the annual rental payments that may be provided in right-of-entry Board orders or in private agreements will be subject to renegotiation or review by the Surface Rights Board.

The hon. members got into the question of surveyors and the damage they may do. Checking The Surveys Act, I can assure them that a surveyor is only given permission to go on the property and conduct a survey. There is no way he's entitled to go on there and cause destruction to the property. If you look at Section 73 of The Surveys Act, quoting from the last

two lines, the words are, "but shall do no actual damage to the property of such person." If the surveyor, his agent, or someone else does damage to the property of a landowner under the guise of conducting a survey, he would be liable before the courts in damages, I am sure, for a trespass.

The hon. members have also complained about the high legal bills when they hire a lawyer to conduct their cases. I think you mentioned \$150 a day for the legal fees.

MR. ZANDER: An hour.

MR. McCRAE: An hour, was it? That does sound a wee bit high. But bear in mind that in most legal cases, costs follow the award or the event, so the so-called winner of the litigation will probably have his reasonable costs passed on to the other side, the loser in the litigation. In any event, if you have constituents who are without funds and cannot hire a lawyer, there is a legal aid provision that they can go to the legal aid officer and apply for assistance. It is usually given in a case where there is need.

There has been a suggestion that the Surface Rights Board might be accorded the jurisdiction to handle trespass cases such as you were talking about, surveyors and damages, seismic crews, and so on, where there has been a trespass, an actual loss or destruction of property. Frankly I don't think the Surface Rights Board would have the capacity to handle that kind of thing.

My personal experience was some years back when a client of mine, an employer, through an agent, a contractor, committed a trespass on some farmland. We attempted to negotiate a settlement. We offered what we thought was quite a substantial amount. The other side, the landowner, obviously did not think it was, took it to court, and we were stuck with something like \$5,000 exemplary damages.

In that particular case the chap had bought the land some 10 or 15 years back for about \$1,000 or \$2,000. Our agent had run a bulldozer across a corner of his property, knocked down a number of very small poplar trees, but had committed a trespass. In my recollection the actual damage was something like \$150; that is, the special damages to the property. The court awarded something in excess of \$5,000 as exemplary damages for the insult to the landowner.

So I don't think that's the kind of thing the Surface Rights Board should or would have the capacity to handle. I think the hon. member's constituents who suffer injury in that area are probably much better off taking their chances with the court where they will be dealt with much more expertly in the area of special and exemplary damages.

MR. ZANDER: I just want to make two observations on what the minister said just now. The basic fact that remains is: if any farmer walks into a law office today, he basically has to have \$500 or \$1,000 to take the case. It's pretty hard for a farmer who has a \$50,000 loan outstanding to try to get another \$500 or \$1,000 from the bank for a court action that he presumes to enter. These are the problems.

On the other part, I would also direct the minister's attention to Section 17 of The Land Surface Conservation and Reclamation Act and to Section 12 of The

Surface Rights Act, which are two distinct purposes of rights of entry. As I outlined in my example, I believe that if recurrence has to happen for a re-entry, I think it should be dealt [with] through The Surface Rights Act rather than through the reclamation act.

Basically, as you had suggested, most courts find in favor of the landowner. I think landowners are sometimes unreasonable, but sometimes they're reasonable. To simply say to the farmer, guarantee a law office \$500 or more in advance is pretty hard for one of the people in the cow-calf operation today. He has a hard time finding \$100, let alone \$500. I think we have to have a look at that.

Mr. Chairman, I'm only referring to maybe 1 per cent of the total industry. The 99 per cent are absolutely honest people. But there is the 1 per cent who challenge the right of the landowner and simply will not talk to him. They'll say, take us to court. That is where the problem lies. I think it can be embodied in The Surface Rights Act. I think this is something we'll have to address ourselves to because it's beginning to be a problem for those people engaged in the industry, maybe not intentionally.

I have gone to the surveyors to try to clear the matter up, and they say the farmer is unreasonable. He has destroyed a hedge that the farmer had nurtured for 20 years. Maybe if he had had the \$1,000 required, he could have collected \$5,000. I don't know. But the problem is the landowner is in no financial position to argue with the company he's going to take to court. There's the whole problem.

MR. MOORE: Mr. Chairman, as the minister responsible for the administration of The Surface Rights Act, I recognize that there always has been and probably always will be some difficulties between the owners of the surface of land and those who want to gain access for a particular reason. That's the very reason the new Surface Rights Act was brought into being in 1972; the reason as well that the new Expropriation Act was introduced into this Legislature some two years ago. We recognize that those pieces of legislation went a long way to solve some of the problems that did exist. But there still are some out there.

I'm certainly prepared to consider the representations made by the hon. Member for Drayton Valley and the hon. Member for Lacombe, to see if there isn't some way that it's possible to further improve the situation in relations between the owner of the surface of land and those who want to gain access. I look forward to having that review, and it may be that we could make some improvements.

MR. McCRAE: Mr. Chairman, might I just supplement that answer a wee bit and say I think it's already quite clear from the act that if there is a right-of-entry order, within the limitations outlined in the act the board has the jurisdiction to handle damage situations. In my perception, what the hon. member opposite is talking about . . .

MR. ZANDER: I'm not opposite.

MR. McCRAE: . . . is a clear case of trespass. We have dozens of different types of trespass. We have trespass by hunters, trespass by this group, picnickers, you name it. I appreciate and sympathize with

the concern and distress of any landowner in a situation like that. I'm simply saying that when it happens — and we hope it won't happen very often in Alberta — it's probably no different than any other tortious conduct by a person, and generally that type of conduct is better handled in the courts than by any appointed board. It may well be there is merit in extending the jurisdiction of the board beyond the \$2,000 limit where in fact there is an agreement or a right-of-entry board. But in other situations of general tortious acts, I would think we would be much better off to leave it to the courts. However, we do accept your arguments as being very well presented.

MR. ZANDER: Might I make one last comment and one plea to the minister and to the Minister of Agriculture. I think it is not very difficult to make an amendment to the existing Surface Rights Act and say that if the surveyor enters upon any land and causes damage to that land, that damage should be subjected to the purview of the Surface Rights Board. That's all. It would solve the problem, at least help to solve the problem, which would be under \$2,000.

MR. CLARK: I wonder if I might ask one question of the minister putting through the bill, or perhaps the Minister of Agriculture. It may have been raised by one of my colleagues. If it has, I'd appreciate your saying so. It deals with the report that I believe was done some two years ago by the surface rights people, the public hearings they had on a variety of areas. One of the areas touched on in those hearings was the question of annual compensation for farmers who had power towers on their agricultural land. I think I've raised it on one or two occasions in the question period.

My question to the minister now is: has the government arrived at some sort of determination on what it's going to do with the recommendations or with the report it received from the Surface Rights Board? What is the government's attitude? Can we expect legislation in this area in the spring session, or does the government intend not to move on that particular question, Mr. Minister?

MR. MOORE: Mr. Chairman, in actual fact you now have before the Assembly the legislation that came as a result of that report. The submissions I have seen in that regard and the summary of the submissions were that farmers were interested in having some type of arrangement whereby they could receive annual compensation, particularly for above ground structures such as power lines. The only way it was possible to do that, while the administration was under the Surface Rights Board, was to move the right of access or the right to erect power lines from The Expropriation Act, where they were getting a fee simple, to The Surface Rights Act. Effective January 1, 1977, all right of access for the construction of power lines and pipelines will be under The Surface Rights Act and the board then will have the option to award either a lump sum or annual compensation.

In regard to power lines which have been in existence for some time, to my way of thinking at least, there were no substantial recommendations that we should go back and review those. Indeed I think it's fair to say we have rejected the concept that there would be any retroactivity with regard to an

agreement that was entered into between a landowner and a power company or a pipeline company or whatever with respect to an agreement that had been made either voluntarily or through The Expropriation Act some years before.

As well, we've rejected the proposition that there should be a review every five years of surface rights agreements entered into prior to January 1, 1972. We didn't reject that without first having considerable discussions with the oil industry in particular, and our associations, relative to a voluntary upgrading. It was our view that rather than making retroactive legislation that would break contracts freely entered into, we should try the route of voluntary upgrading. I'm pleased to say that aside from some few companies, that voluntary upgrading is going on now. Most of the new agreements have within them a five-year review clause so farmers can be assured that their compensation, even though the agreement may have been entered into prior to 1972, will be upgraded on a five-year basis.

That isn't to say we don't have problems with some companies in some areas. We're working as hard as we can to try to resolve them by way of mutual agreement between the industry, the landowner, and ourselves that they will do it on a voluntary basis. We want to try to keep to that voluntary basis, and I'm hopeful it will work out.

MR. CLARK: Mr. Chairman, to summarize the minister's answer, it's the position of the government that when this legislation is approved, for any new power lines that are built from here on the option will at least be open to the Surface Rights Board to award either a lump sum or in fact a yearly kind of compensation, depending upon the decision of the board.

MR. MOORE: That's true in general terms, Mr. Chairman, but one should recognize that actions that may have been started under The Expropriation Act prior to January 1, 1977, would carry on under that act. So we would have to be general about that, in that any new action with respect to the location of a power line or the purchase of the right of access to that land would have the option in terms of the Surface Rights Board granting either a lump sum or an annual compensation.

I think it's fair to say, although I'm not prejudging the determination of the Surface Rights Board in these matters, when it can be shown that the erection of a power line across good agricultural land does cause an annual convenience, I think there would be a strong case for them to award annual compensation.

[Title and preamble agreed to]

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

MR. CHAIRMAN: Hon. minister, there is no amendment to this bill.

MR. McCRAE: I am sorry, Mr. Chairman. An amendment was passed out yesterday during the sitting of the House, four sections of amendment to

the bill. I hope all hon. members had an opportunity of reviewing the amendment.

[Motion carried]

Bill 74
The Statute Law
Correction 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. LITTLE: Mr. Chairman, I move that Bill No. 74, The Statute Law Correction Act, 1976, be reported.

[Motion carried]

Bill 76
The Municipal Taxation
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. JOHNSTON: Mr. Chairman, I move that Bill 76, The Municipal Taxation Amendment Act, 1976, be reported.

[Motion carried]

Bill 77
The Consumer and Corporate Affairs
Statutes Amendment Act, 1976

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

There is an amendment to this bill. Are you all familiar with it?

MR. HARLE: Mr. Chairman, in response to questions that were asked by the hon. Member for Drumheller, I'd just like to point out that while we wish to eliminate the Proprietary or Patent Medicine Act reference in the bill, it was felt necessary to provide that any bread prescribed in regulations could be at a weight which varied from the weights set out in the act itself. Hon. members should be aware that breads which fit under the definitions contained in the legislation must of course meet the weight requirements.

The hon. Member for Drumheller also asked me about reinsurance of business loans in the case of credit unions. I would point out that the principal protection for a credit union is the Stabilization Corporation. This corporation of course was created by amendments to the legislation, I believe a year ago.

One of the provisions of those amendments was

that the corporation would be able to negotiate an agreement with the Canada Deposit Insurance Corporation. This agreement, which is presently in the drafting process, has received verbal approval and will likely be signed by Christmas. I might also say that large credit unions with mortgage portfolios also take out a form of mortgage insurance with an insurance company based in Toronto so that if mortgages prove uncollectible, there is insurance coverage for that type of security.

[Title and preamble agreed to]

MR. HARLE: Mr. Chairman, I move the bill as amended be reported.

[Motion carried]

Bill 78
The Appropriation (Alberta
Heritage Savings Trust Fund,
Capital Projects Division) 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. LEITCH: Mr. Chairman, I move that Bill 78 be reported.

[Motion carried]

Bill 79
The Mental Health
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. BACKUS: Mr. Chairman, I move that Bill 79 be reported.

[Motion carried]

Bill 80
The Municipal Government
Amendment Act, 1976

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

MR. TAYLOR: Mr. Chairman, I would just like to thank the minister for bringing in the amendment making it possible for villages to have five councillors where there's an adequate population and where they wish to do so. Many villages with three councillors have found it very, very difficult to get a quorum in busy seasons of the year because councillors are very busy. They are able men, and they have

businesses of their own. This will certainly be a real help to village councils in the future.

[Title and preamble agreed to]

MR. MUSGREAVE: Mr. Chairman, I move that Bill 80, The Municipal Government Amendment Act, 1976, be reported.

[Motion carried]

Bill 81
The Metric Conversion
Statutes Amendment Act, 1976

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

MR. CHAMBERS: Mr. Chairman, if you will recall, we had gone through Bill 81 in committee and asked that it be held pending the possibility of the need for an amendment. We have since had a chance to look at it and have concluded that no amendments are necessary.

I would, though, take this opportunity to distribute a slide rule on metric conversion to the members and suggest that in the event sufficient members are interested in attending a seminar on metric conversion, that could be arranged through the department, whether it be a one-day or half-day seminar.

MR. TAYLOR: Mr. Chairman, I don't know whether or not it's a good idea for the hon. member to pass out the metric slide rules, et cetera, because the ones he passed out created a lot of doubt in my mind when I started using them. For instance, on page 4 of the bill I notice that 60 miles an hour is 100 km per hour, and correspondingly 30 miles an hour is 50 km per hour, but 15 miles per hour is 20 km per hour. When I work it out, the 15 miles per hour should be 25 km per hour, not 20. I find inaccuracies like this throughout the bill and I'm going to deal with a few of them, certainly not with all of them. If this metric system is designed to be more accurate, I'm afraid we're creating inaccuracies with the conversion that are going to cause difficulties in the years ahead.

In ordinary arithmetic, if 60 is right and 30 is right, then half of 30 is certainly 15 and half of 50 should be 25. The conversion comes to 24 if you are dealing with actual figures. Why it is rounded off to 20 is very difficult for me to follow, because it is creating quite an inaccuracy there.

Then I come to page 5 of the bill: "25 feet" is struck out and "10 metres" is substituted; "five inches" is struck out and the words "165 millimetres" are substituted. It works out to be 125 using the conversion factor and the information given.

I'm wondering why we put it in as 165. That's very inaccurate. If that's a typographical or steno's error it certainly should be corrected, because it doesn't come to 165, it comes to 125. If that is left it's going to create inaccuracies.

On page 6, "72 inches" is struck out and the words "1850 millimetres" are substituted. Actually the conversion, inches times 25, gives you 1800. I'm wondering why we put 1850, when the conversion actually comes to 1800. The hon. member may have

some explanations for these. But if we're simply rounding off with such a big figure of 50, I don't think the metric conversion system is going to be very accurate for those using these items.

I'm not going to go through every page but on page 7 — "60 miles an hour" and "100 kilometres per hour" — actually converts to 96.54. There's some explanation given that speedometers don't have figures such as 96, but it would be more accurate if it were 95. Otherwise we're actually going to increase the speed limit by making this conversion factor, which personally I have no objection to but I think it should be understood that we are doing that.

By the same token a number of housewives have noticed that the conversions of packaged goods are actually rounded off and the consumer is being cheated out of some — she's not getting the same weight she got in the present system. I certainly don't think we should use the metric system to give consumers less than they were getting, particularly when the same price is being charged.

I could go over a number of others. When it comes to hectares — 240 hectares actually comes to 242. This may not seem like very much on the book, but if we're converting actual land there's either going to be land not accounted for or somebody's going to get extra land or less land when that conversion is not accurate.

So I would just like to suggest to the hon. member who is sponsoring the bill that unless there is some explanation for these, they certainly should be checked and made accurate even if we have the consent of this committee that they be rechecked and made accurate in conversion. Otherwise I think we are creating difficulty down the road for the metric system.

MR. CHAMBERS: Mr. Chairman, there was no real attempt to make so-called hard conversions, in other words, to convert footage or inches to the exact metric equivalents. Rather the conversions tend to be done to arrive at a more useful or meaningful rounded off number.

Of course some logic was applied. For example, if we're talking about mileage costs, the cents per mile the civil servant would get, obviously the rounding would be upward rather than downward so he would not be getting less than before.

On the other hand, when we look at highway speeds the rounding tends to be to the nearest number. The member mentioned 15 miles per hour on page 4. The conversion there is 24, so the rounding would be to 20 because that's closer to the literal equivalent than 30. The highway signs will have speeds limits in even numbers; in other words, 80, 90, whatever, the odd numbers being reserved for advisory speed limits such as the speed one should approach a curve at.

Possibly there could be an error here. I went through these a couple of weeks ago and checked various conversions with a slide rule or calculator. I didn't find any errors. Again the philosophy of conversion was to arrive at useful round numbers, the rounding being done either up or down, whichever is closer, with the exception philosophically of certain items I have mentioned.

Another example that comes to mind is an architectural measurement, the length of a beam that might

be used as a span. The rounding there was down, the reason being that a slight rounding down rather than up increases the safety factor. So logic was applied in meaningful circumstances like that.

Other than that, there was no attempt at adjustment. In other words, it was felt — and I think this is the general philosophy on metric conversion in the country — that if there is a need to change a figure in statute, that ought to be done by the department with respect to its own act, not through an omnibus bill such as this, which is intended to provide the legality of the conversion to metric.

I found only one minor exception here. I haven't located it offhand, but I think it's with regard to the distance a survey peg sticks up above the ground. It was, let's say, not too important a number and was rounded up slightly more than would be the norm. Other than that, Mr. Chairman, in my view the rounding off has been done in a logical fashion. If you want to go through them item by item, I'm certainly prepared to do that. I would like to have five minutes to go up and get my calculating machine though, because I think it would speed things up. I'm easy on the subject, Mr. Chairman.

MR. TAYLOR: Mr. Chairman, I don't want to hold up the debate and so on, but just look at page 5. The conversion from inches to mm is inches times 25, is that not correct? That's the conversion factor. Here we're converting five inches. It should be 125 mm, not 165 as in the bill. I can't figure out how you get 165.

All I want is for the committee to give some approval that obvious mistakes can be corrected, so they don't come out in the bill and then you have to bring the bill back to get it corrected. I personally don't like this idea of rounding off too much. I can see some of it is necessary, but a lot of the rounding off is going to create problems in the future. I just can't follow some of the things in here at all. This one on the third line of page 5 is very obvious. The conversion comes to 125, and we say they're going to use 165 mm.

I think there should be some type of motion that would give you the authority to correct an obvious error which may have been a stenographic error.

MR. CHAMBERS: Mr. Chairman, there may well be an error in that one. It's been a while since I've looked at this and it's true that if one uses the normal conversion you wouldn't arrive at 165. As I recall, that's The Highway Traffic Act. I don't have it in front of me, but looking at some notes I do have, I think that relates to the aimed high-intensity portion of headlights and the height of the beam at any given distance from the automobile. I believe there was an attempt to do a straight calculated conversion in those.

Mr. Chairman, if the hon. Member for Drumheller has any more of these, I'd like to suggest that he give them to me. I will take them and check them out, and if amendments are desired we could bring them in.

MR. TAYLOR: I can do that, Mr. Chairman, or I'd be prepared to make a motion that the committee give the departments the authority to correct any obvious errors in arithmetic rather than going through each one. I think it's going to be a tedious kind of job to go

through it all. If the Chairman will accept a motion like that, I would be prepared to make it. Then wherever there is an obvious error in arithmetic it can be corrected without coming back to the Legislature.

MR. CLARK: I appreciate the point the hon. member has raised. I wonder whether it would be possible simply to hold the bill in committee, and the hon. member who has done the work would be able to get together with the member and perhaps bring it back tomorrow afternoon with the necessary corrections. I think that's a much . . .

AN HON. MEMBER: Agreed.

MR. CLARK: Before I change anyone's mind I'll just sit down and say I agree too.

MR. TAYLOR: That'll be satisfactory.

MR. CHAIRMAN: Would the mover of the bill like to hold this over until tomorrow and bring in the amendments?

MR. CHAMBERS: Mr. Chairman, I think that is a good idea. If the hon. Member for Drumheller would give me the corrections he thinks are required, or if any other member for that matter should think or suspect there is an error, I'd appreciate getting those and we'll check them and look at them tomorrow.

MR. CHAIRMAN: We'll leave this over until tomorrow then. Are you agreed?

HON. MEMBERS: Agreed.

Bill 83

The Police 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. FARRAN: Mr. Chairman, I move that Bill 83, The Police Amendment Act, 1976, be reported.

[Motion carried]

Bill 84

The Education Statutes Amendment Act, 1976

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

There is an amendment to this bill. Do you all have the amendment, and are you aware of the change?

MR. CLARK: Mr. Chairman, with regard to the amendment to Section 65 I've had the view expressed to me that this may make school boards liable for accidents that occur on school buses, and that the school boards may very well end up being liable as the result not of actual accidents between two vehi-

cles but an accident which may take place on a bus in the course of perhaps rough play or something like that. I simply ask the minister if that's the interpretation and, secondly, is it the intention?

MR. KOZIAK: Mr. Chairman, the responsibility that boards would have in regard to school buses would extend no further than the responsibilities they might have with respect to school buildings and dormitories which are under their control. If any responsibility would exist there it would be in relation to the laws of negligence and other laws that would exist in the province. The requirement for making rules would extend to school buses so as to permit the board to take action against students who might break certain rules of the board in relation to conduct on school buses. At the moment there is some doubt as to whether or not the board's authority extends to school buses while they're in operation.

Insofar as the question posed by the hon. Leader of the Opposition, I'm not in a position to be able to outline the areas of liability for which school boards might be responsible either in connection with school buildings, dormitories, or school buses. But I'm sure school boards throughout the province can provide for coverage of any liability they might have here with their appropriate insurance agents.

MR. CLARK: Following that up then, I'd like to ask the minister to give us a bit of background with regard to the changes in 97, 98, and 99 which really deal with the regulations for tender, building contracts. I suppose it's fair to summarize this by saying this will remove the regulatory authority from the cabinet and leave the responsibility completely with the minister.

MR. KOZIAK: Well, Mr. Speaker, the matter is dealt with in Section 97, because sections 97, 98, and 99 as presently found in The School Act are being repealed and replaced by Section 97 which will clarify the areas in which regulations can be made so as to provide a better information system to school boards throughout the province in regard to the matter of tendering.

MR. CLARK: Maybe I didn't make the point clear to the minister. Mr. Minister, then why is it in the old sections 97, 98, 99 that the Lieutenant Governor in Council may make regulations with regard to tendering and so on? What's the thinking of the government in new 97? As I understand it the government is making the decision that rather than having a tendering procedure set up by order in council, it would really be done by ministerial order. What the reason for the change here?

MR. KOZIAK: Mr. Chairman, the provisions there would be fairly consistent with other provisions in both The School Act and The Department of Education Act, which provide for ministerial authority to make regulations in areas that affect school boards on a day to day basis. This is where this particular section would fall. There are other sections in which the authority rests with the Lieutenant Governor in Council. The one in Bill 84 that I should probably bring to the attention of hon. members deals with The School Buildings Act. The Lieutenant Governor in Council is authorized by the legislation to make

regulations with respect to the provision of the school facilities. There, we're involved with funds secured by debenture, issued by the Alberta Municipal Finance Corporation and to a substantial degree repayable by the provincial government. In those areas the Lieutenant Governor in Council will be making the regulations. The area of tenders, which is procedural rather than in the area of provision of funds, is left with the Minister of Education.

MR. CLARK: I follow the minister's logic partially, but to put the question to you very directly: as a result of the change here so the minister will make regulations as far as tendering is concerned, has this resulted from any specific situation that has developed across the province, or in fact is it simply what is sometimes referred to as a tidying up of the act? I ask, very frankly: where does this initiate? Has it come from the department itself, or has it come as the result of a situation that developed? I ask the question because I know the minister is aware that where you have a tender come in, there may be some problems with it and the minister then finds himself in the position: is the department prepared to accept the low tender or isn't it, in light of some irregularities involved. So I ask, pretty frankly: where does the initiation for this come from, and what is the background for it?

MR. KOZIAK: There are no specific situations that come to mind. What we are attempting to do is provide a system whereby school boards throughout the province will be able to recognize properly the procedure to be followed. At the same time, as the hon. Leader of the Opposition is now aware, the approval of tenders is in fact a ministerial function which the Deputy Minister of Education shares. To a large extent the three sections as now worded provide some heavy reading. With the reduction of the matters dealt with in tendering to the one section, followed up by properly completed regulations which would then be available to school boards, it is hoped that the whole area of tendering could operate much more smoothly than it does now.

[Title and preamble agreed to]

MR. KOZIAK: Mr. Chairman, I move that Bill 84 be reported as amended.

[Motion carried]

Bill 85
The Treasury Branches
Amendment Act, 1976

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

There is an amendment to this bill. Are you all familiar with the amendment?

[Title and preamble agreed to]

MR. LEITCH: Mr. Chairman, I move that Bill 85 as amended be reported.

[Motion carried]

Bill 86
The Fuel Oil Tax
Amendment Act, 1976

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

MR. R. SPEAKER: Mr. Chairman, to the Provincial Treasurer, my colleague raised some questions in second reading. Just for clarification, what this is saying is that the commercial operators hauling hay from the field to the processing plant would not be able to use purple gas unless they have F plates. Is that what it's saying? But within the field area they can use purple gas.

I think the machine my hon. colleague was talking about was the type of machine that will load up the bales in the field and then take them to the processing plant. Will they have to have two tanks, or just how will the law deal with that type of situation? They'll use purple in the field, and then going down the road they're to use orange gas. How will we deal with that kind of situation?

MR. CLARK: Farran's troopers will be after them.

MR. LEITCH: Mr. Chairman, there are a lot of gray areas in the enforcement of this legislation; not orange or purple, just plain gray. In a number of them I think the amount involved is so small that it doesn't mean anything significant to the user.

The hon. member raised the question if, when they're gathering the produce in the field as a preparatory step to moving it to market, they can use purple gas. On my understanding of the legislation they could, as that would be part of this production. But I would think there would be very few instances where it was any significant factor.

MR. PLANCHE: I would like to express my own concern about the personal use of a truck owned by a farmer being eligible for purple gas. With all due respect to my rural friends and colleagues, it seems to me that when I'm finished work — I agree with the farm gate problem in keeping prices competitive and so on — but when they're finished work at the farm why are they different from anybody else who has finished work for the day?

AN HON. MEMBER: Oh come on, that's not fair.

MR. PLANCHE: Incidentally, while I'm on that subject, Mr. Chairman, in Alberta there are 150,000 trucks with F plates.

DR. BUCK: Most farmers now have at least two farm trucks and they have F plates, so 60 times two is 120,000. The hon. city member from Glenmore had better find out what's going on in the rural areas.

MR. LEITCH: Mr. Chairman, I wouldn't attempt to define the difference for the hon. member, but I'll take note of his representation.

MR. R. SPEAKER: I raise the concern because the minister has said there will be few instances like that and, as sure as [I'm] sitting here, along the line within a year or two I'll be making representations saying: look, this guy got a ticket and really didn't deserve it. I think it's a little unfortunate that we make legislation with that type of gray area in it to try to get at some people.

I'm not sure whether the department has looked at other approaches and they're saying, well, hopefully nobody will abuse the law. But I know once there's purple in that tank, they're going to say, ah, I'm not going to change it, I'm in a hurry. And down the road they go. Some day when the Solicitor General's men are in a difficult mood, they're going to pick up that guy.

MR. LEITCH: Mr. Chairman, I just want to call this fact to the attention of the hon. member. The definition we've operated with for a long time has not been changed. Of necessity, like all legal definitions, the definition contains some gray areas. It said, "farming operations" means . . . the production of livestock, grain . . ." We had those gray areas with that definition we've lived with for years, and [we] solved those administrative problems without much difficulty. This change just adds "the production or any step in the production". Those few additional words make it clear that if someone comes in and takes part on the land in one step of the production, while they're working in that production they're entitled to be exempt from the tax.

I don't think this adds to the gray areas that have existed for a long time and really exist in nearly all legislation and with which we haven't had all that many problems.

[Title and preamble agreed to]

MR. LEITCH: Mr. Chairman, I move that Bill 86 be reported.

[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 53, 71, 77, 84, and 85, and begs to report same with some amendments.

Mr. Speaker, the Committee of the Whole Assembly has had under consideration bills 4, 74, 76, 78, 79, 80, 83, and 86, begs to report same, and asks leave to sit again.

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, as to business tomorrow, the members of the opposition have agreed to relinquish the private members' afternoon, with the exception of returns and questions, for the conduct of government business. So after Orders of the Day tomorrow, we would see proceeding first with the completion of those bills at committee stage, then on to third readings and, with leave, to third readings of those still at committee stage yesterday and, following that, a return to and completion of Government Motion No. 3 in either the late afternoon or evening tomorrow.

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

[The House rose at 5:32 p.m.]