

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Thursday, November 4, 1976 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS**

Bill 242
An Act to Amend
The Juvenile Court Act

MR. KUSHNER: Mr. Speaker, I beg leave to introduce a bill, an amendment to The Juvenile Court Act. The purpose of this bill is to give a judge in the juvenile court the power to order a juvenile offender to work for the benefit of any person who has suffered from acts of delinquency, or for the benefit of the community, as the judge thinks appropriate.

[Leave granted; Bill 242 introduced and read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. JOHNSTON: Mr. Speaker, I'd like to table the annual report of the Department of Municipal Affairs for the year ended March 31, 1976.

MR. CRAWFORD: Mr. Speaker, I'd like to table copies of the annual report of the Alberta Human Rights Commission for the period ending March 31, 1976.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. LOUGHEED: I am pleased again this year to introduce a class, Mr. Speaker, through you to the Legislative Assembly. They came from Ernest Manning High School in my constituency of Calgary West. The group numbers 55 and is accompanied by their teachers Hazel Brown, John Dyck, and Dave Dack. We've just finished a very interesting session of questions, only about half of which I was able to answer effectively. I'm delighted they're here. They show a spirit of interest in what we're doing in the Legislative Assembly. They are in the public gallery, and I would ask if they would rise and be welcomed by the members of the Assembly.

MR. YURKO: Mr. Speaker, it's my pleasure to introduce to you, and through you to the House today, a senior citizen from the neighboring province of Saskatchewan who is interested in what we do for senior citizens in Alberta. He happens to be the son of an early pioneer in western Canada. His name is William Kachman. He is here with the Rev. Darling of McLaurin Baptist Church. I would ask that they both stand and be recognized by the House.

MR. TRYNCHY: Mr. Speaker, it's my pleasure today to introduce two groups to you. The first, on behalf of the hon. Member for Drayton Valley, Mr. Zander, who is not able to be with us today, is 16 students with their teacher Mr. Matthews from the Frank Maddock High School in Drayton Valley. They are in the members gallery, and I would ask them to rise and be recognized by the House.

The second group, Mr. Speaker, is from my constituency. They are 16 Grade 12 students from the Evansburg Grand Trunk High School. The teacher accompanying them is Mr. Sparks. They are also in the members gallery. I would ask them to rise and be recognized by the House.

MR. STEWART: Mr. Speaker, it is my pleasure to introduce to you, and through you to the members of the Assembly, eight students from Wainwright attending Lakeland College in Vermilion. They are accompanied by Hazel Mikesh and their bus driver Nick Hanasyk. I would ask them to rise and receive the welcome of the Assembly.

head: **ORAL QUESTION PERIOD**

Meeting with U.S. Ambassador

MR. CLARK: Mr. Speaker, I would like to direct the first question to the Premier. Can the Premier report to the Assembly on the meeting he had with the U.S. Ambassador who was in town this week?

MR. LOUGHEED: Mr. Speaker, on this occasion I did not meet with the Ambassador from the United States to Canada. I met with him some weeks ago — I can't recall the exact date — when he was here on a previous occasion.

Metropolitan Boundaries

MR. CLARK: Mr. Speaker, I'd like to address the second question to the Minister of Municipal Affairs. It flows from the announcement the minister made this morning with regard to the city of St. Albert. The question is: can the minister indicate to the Assembly the present status of the submission the city of Edmonton had made to the government with regard to the metropolitan boundaries of the city of Edmonton?

MR. JOHNSTON: Mr. Speaker, the question of urban form in Alberta is one which is continuously dynamic and changing. We recognize in Alberta that the metropolitan areas of Edmonton and Calgary are

experiencing growth, but at the same time are very different in their boundary and municipal form. What I can say is that I believe the identity or the urban form in Edmonton has now been described, roughly as it stands, with unique entities with character and personality growing around them, such as Sherwood Park and St. Albert. I believe the identity which has been given to St. Albert by its recognition as a city perhaps underscores that today.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. What is the intention of the government for the future of the rather sizable hamlet of Sherwood Park? Does the government see any change in the status of Sherwood Park?

MR. JOHNSTON: Mr. Speaker, as a result of a meeting I had some time this spring with the county and residents of Sherwood Park, my department is in the process of completing a study on the form of that entity: whether it would stay in the county form, or whether it would have some special recognition within the county, both in terms of its identity and in terms of its electoral responsibility within the county.

Regional Air Service

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Deputy Premier in charge of transportation. With regard to the minister's announcement re third-level air transportation for small centres in the province, do any of these have air service at this time?

DR. HORNER: No, Mr. Speaker. I might just say that we have been disappointed in the kind of response from the third-level carriers and take some responsibility for that kind of response. We're trying to redirect our thinking as to a better approach to ensure that we can get it off the ground. One of the roadblocks at the moment is the failure of the federal government to announce any third-level carrier policy. That should be the first step.

MR. GOGO: Supplementary, Mr. Speaker. Would part of the reason be the condition of airstrips in rural Alberta?

DR. HORNER: Well, not really, Mr. Speaker. We have an ongoing program of airstrip construction. Indeed by the time it's finished in the next three years, Alberta will have the best system of airports throughout the province and will be able to handle all third-level carriers.

MR. MANDEVILLE: One supplementary question, Mr. Speaker. Can the Deputy Premier indicate what time period Brooks is looking at before getting an air service?

DR. HORNER: Well, first of all I hope the hon. member isn't thinking the government should institute that air service. Secondly, that will depend upon the third-level carriers in Alberta having the expertise to finance and the aircraft to institute such a service under federal MoT safety regulations.

Treasury Branches

MR. TAYLOR: Mr. Speaker, my question is to the hon. Provincial Treasurer. Is the government giving consideration to applying to the federal government for a bank charter for the treasury branches?

MR. LEITCH: Mr. Speaker, that is not under consideration at this time.

MR. TAYLOR: A supplementary. Has the government carried out any studies which show the advantages of being a chartered bank against the disadvantages?

MR. LEITCH: No formal studies have been carried out, Mr. Speaker.

Petrochemical Opportunities Conference

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of Business Development and Tourism and ask whether the Government of Alberta had an observer at the petrochemical opportunities conference held last month in Sarnia.

MR. DOWLING: No, not from our department, but we do have other means of receiving information as a result of that type of conference. Yesterday we had a meeting with some of the principals involved in petrochemical development in Alberta, and they gave us a report of some of the things that transpired at that meeting.

Petrochemical Market

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Has the government commissioned a study to assess the accuracy of statements made at this conference in Sarnia that there is a serious oversupply situation not in the Canadian market, which has been discussed in this House, but rather in the American market?

MR. DOWLING: Mr. Speaker, would the hon. member please clarify? An oversupply of what?

MR. NOTLEY: An oversupply of ethylene.

MR. DOWLING: No, we haven't undertaken any study of that nature, Mr. Speaker. However, we do know that of the plants of a petrochemical nature that are moving forward at this time, the one now proposed and under way really in Alberta, if it comes on stream as scheduled in 1978-79, will be in a fairly substantially good position. The companies involved in it would be in a very good position relative to market.

MR. NOTLEY: Mr. Speaker, a further supplementary question. Has any study been prepared by or for the Government of Alberta which has assessed the supply situation as it relates to ethylene or the supply situation generally in the American market?

MR. DOWLING: One that may have been undertaken by the government has not been made available to me. In other words, I do not know of one. But I'm certain that those companies now involving themselves in the development of a petrochemical industry would have undertaken that kind of study in order to make the kind of investment they are making in Alberta, and in that investment are really indicating a confidence in Alberta's economy.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier. During the tour the hon. Premier took of northwestern United States and meeting with officials in the United States, was the Government in a position to assess the impact of expansion of the American petrochemical industry on the possibility of markets in the United States for the Alberta petrochemical industry?

MR. LOUGHEED: Mr. Speaker, as I am sure the hon. member can appreciate, within the large United States market a very broad and different regional situation exists. We are looking toward the regional market of the northwestern United States and the California area. That was the area to which we directed our attention because we felt our transportation component would be less.

There's mixed information as to the future overall American situation, but the general view we have is that if we had a fair tariff policy and no trade barriers that were difficult to overcome, we would be in a good competitive position in that market. We feel, of course, that when we make these general statements vis-a-vis petrochemicals, we need to deal with it in some further detail relative to the various aspects of upgrading. It's not our view, of course, that we're going to be content with just the ethylene manufacture. As much as possible we want to see the diversity and upgrading of petrochemical resources in the province.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. Premier. Was there any discussion during the Premier's tour of the United States of the impact of expansion of the American petrochemical industry on American domestic policies, that is, the obvious interests of the American government to ensure that its own petrochemical industry was operating at full capacity, and that that might in fact mean shifting patterns within the American market?

MR. LOUGHEED: Mr. Speaker, again the information on that score is rather conflicting. Two points of view are expressed: one, that they are going into a short-term oversupply situation in certain parts of the United States, and with the difficult tariff barrier we would have some problems. However, if we can improve our tariff and trade position in the northwest and California area, we feel that market is there and we can compete. So as I say, it's a complex question and involves regional differentials, conflicting information, and the nature of the product involved.

MR. NOTLEY: Mr. Speaker, one final supplementary question to the hon. Premier. In light of the limited market position in Canada the Premier described, has there been any discussion or any thought given to a possible market-sharing formula between Ontario

and Alberta vis-a-vis future petrochemical expansion in both provinces?

MR. LOUGHEED: Mr. Speaker, from Alberta's point of view, it's certainly something that was discussed at the time we attempted to stall the Petrosar project, which as hon. members are aware was financed to a very considerable degree by the federal government. Our recent information indicates a high degree of federal taxpayer subsidy, as well as subsidy by people in the province of Ontario, which we should keep in mind. The nature of the competitive situation and different companies involved in the free market economy would preclude such a situation. It certainly would be advantageous to us, and of course Dow is taking the lead in attempting to assure as much as we practically can, that we have access to the basic ethylene market over a short-term period. But what we are looking for is jobs for young Albertans, and that means jobs in terms of further upgrading upstream.

Nursing Home Medication

DR. BUCK: Mr. Speaker, I'd like to address my question to the Minister of Social Services and Community Health. My question arises from a problem in a neighboring jurisdiction where there's been a charge of oversaturation of nursing home patients. My question to the minister is: has she received any representation or complaints from the dependants of people in nursing homes that there has been oversaturation of patients, making them dependant and remain in nursing homes in the province?

MISS HUNLEY: No, Mr. Speaker, I personally have not, but I think I should also refer that to my colleague the hon. Minister of Hospitals and Medical Care. If there were such a thing, it could have been directed to him.

MR. MINIELY: Mr. Speaker, the answer is no. I have not received any such communication.

DR. BUCK: Mr. Speaker, a supplementary question to the minister. Does the minister or anybody in his department have a monitoring process to keep track of the amounts of drugs used to make sure there is no abuse or misuse of sedating drugs in our nursing homes?

MR. MINIELY: Mr. Speaker, on advice from officials of the Alberta Hospital Services Commission, my understanding is that drug dosage is a controlled process and all these kinds of things have been worked out by the College of Physicians and Surgeons with pharmacists so it is controlled. We have not experienced difficulty in this area in Alberta to this point.

Com-Serv Project

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Social Services and Community Health. I

wonder if the minister could advise me of the present status of financial support for the Com-Serv program in southern Alberta.

MISS HUNLEY: Com-Serv in southern Alberta is an interesting experimental project that's received considerable financial support from the government. I can't tell the hon. member the exact dollars that have been contributed towards it. How the concept and the mandate they are working out in conjunction with my department will be resolved and decided is for the future, after we've received the mandate.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. In the discussion that is proceeding at the present time, is there consideration to provide a \$200,000 grant over the next three years for the Com-Serv project?

MISS HUNLEY: Funding is one of the areas being discussed. Because funding is, of course, one of the critical areas, I think it should be clearly understood what the mandate and the operation will be. So of course we do talk about how many dollars it will require. That's a budgetary matter.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Will the Com-Serv project receive a clear commitment or no commitment by the time the budget is presented in the spring?

MISS HUNLEY: I would anticipate so, but I can't guarantee that because I can't speak for 23 other members of Executive Council. I can only speak for myself.

CNIB Workshops

MR. KUSHNER: Mr. Speaker, I wish to direct my question to the hon. Minister of Labour. This is the result of the question I asked the other day. I wonder if the minister could inform this House or give us a progress report in regard to the situation at the CNIB workshops in Calgary.

MR. CRAWFORD: Mr. Speaker, when the hon. member asked that question a couple of days ago, I understood the reason it was directed to me was because of the interest the occupational health and safety branch of the department would have in the matter of safe operation of equipment on the premises.

In the meantime, I have been able to obtain some figures on the total number of accidents over the last one- or two-year period, and they were not such as to indicate an extraordinary situation there. But beyond that, as to the detailed type of report that would be needed to assess equipment and the like, I have no up-to-date information to add.

MR. KUSHNER: A supplementary question to the minister. Is it true that they had four accidents last month in that shop?

MR. CRAWFORD: Mr. Speaker, I said to the hon. member that I had obtained figures. I wish I had brought them to the Chamber with me in order that I

could check whether his statement is accurate. But I haven't, and I'd be glad to follow it up in the way I've indicated.

MR. KUSHNER: A supplementary question to the minister. Did you have any indication at all that equipment such as cut-off saws used by partially blind people — I would say it's quite dangerous equipment for that type of person to use.

MR. CRAWFORD: Mr. Speaker, I think for any observer who doesn't actually see the way in which work is carried out on those premises — and I would have to say that in my visits to Calgary I have not seen that particular work site — the thought of saws and blind people in a workshop certainly raises some automatic concerns.

But I think the answer to the hon. member's question still is that the type of actual detailed checking of the premises in respect to equipment used, safeguards in training, and the sort of thing that would be involved in the accident record, requires somewhat more investigation than I've been able to give it since he first raised it.

Housing Costs

MR. GOGO: Mr. Speaker, my question is to the Minister of Housing and Public Works. Is it the intention of the minister to make a submission to the new Minister of State for Urban Affairs at Ottawa about the high cost of housing?

MR. YURKO: Mr. Speaker, about a year and a half ago when I first became the Minister of Housing and Public Works, I wrote to the then Minister of State for Urban Affairs indicating the need for examination in certain areas. One of the areas was with respect to an attempt to lower the high interest rates now prevalent in the housing area. The second was to investigate the possibility of some form of deductibility of interest paid for income tax purposes. The third was an extension of the capital cost allowance principle with respect to rental accommodation.

It is my intention to make a similar submission to the new minister at the earliest opportunity to see if I can't persuade him not only to study this area but indeed move in an appropriate direction in the near future. It is quite obvious that very high interests rates coupled with very high house prices are some of the most regressive forms of taxation in our society.

Heritage Fund Investments

MR. JAMISON: Mr. Speaker, I'd like to address a question to the Provincial Treasurer. It stems from my fear of paper money in today's climate. I'd like to ask the minister: is the Alberta government through the heritage trust fund presently investing in gold or in U.S. dollars? Or is the government planning to do so? If so, which investment would you prefer?

MR. LEITCH: No is the answer to the first two questions, Mr. Speaker. In light of that I don't think the third needs answering.

Gas Prices

MR. CLARK: Mr. Speaker, my question is to either the Minister of Business Development and Tourism or the Minister of Utilities and Telephones. It flows from the problem of the frozen price of natural gas and the problems a number of private producers are having in and around the Edmonton area.

My question to the Minister of Business Development and Tourism: has the minister met with some of the individuals affected by the legislation which came down last spring? I'm thinking in terms of investors or the people who find themselves in the position of having to consider shutting wells in.

MR. DOWLING: Mr. Speaker, I personally have not, although my office is open to any who would like to visit me at any time. However, departmental officials including the deputy minister have made contact with some of these individuals from time to time.

MR. GETTY: Mr. Speaker, perhaps I could assist the hon. Leader of the Opposition by advising that I've had an opportunity to meet with several of the producers he is referring to.

MR. CLARK: Perhaps, Mr. Speaker, I might direct the question to the Minister of Energy and Natural Resources and ask if he or any of his officials met with representatives of Celanese Canada prior to the government bringing in the legislation last spring?

MR. GETTY: No, Mr. Speaker, not in that time frame. I have had meetings with Celanese Canada and with producers within the last 60 days regarding the problems of low — in some people's minds — prices for natural gas. There is a matter of contract between two parties and the parties, I assume, are going to either live up to their contracts or change them.

MR. CLARK: Mr. Speaker, perhaps I might pose the question to the Minister of Utilities and Telephones and ask if he met with representatives of Celanese Canada prior to the government making the decision to bring the legislation in last spring, in light of the fact that the Public Utilities Board hearings at that time were looking at this whole matter.

DR. WARRACK: Mr. Speaker, the answer is no, I did not have the meeting the hon. member is referring to. To the second part of what the Leader of the Opposition said, applications had been filed for future hearings but I'm not sure, subject to checking, whether those hearings were going on at that time. It may be that some of them were, but a number were involved and I'm sure that not all of them were under way at the time.

MR. CLARK: Mr. Speaker, perhaps I'll direct a question to the Premier. Did the representatives of Celanese Canada put the proposition to the Alberta government that if the cost of their gas were to go up comparable to other natural gas in the province, they'd have to seriously consider closing their plant just outside the city of Edmonton?

MR. LOUGHEED: Mr. Speaker, I'd refer the question to the chairman of the energy committee of cabinet, the Minister of Energy and Natural Resources.

MR. GETTY: Mr. Speaker, I think it would be fair to say that those who have entered into a contract for natural gas to sell it at a price which now seems a little low to them are saying certain things they hope will cause themselves to be in a good negotiating position to get a higher price. Those purchasers who have entered into contracts that provide gas at prices lower than some might want to sell it to them for are saying things to put themselves in as good a negotiating position as possible. So the two who are actually now negotiating, and have a contract to perhaps renegotiate, are attempting to be in the best position possible to end up with the result they would be most happy with.

MR. CLARK: Mr. Speaker, then I'd put the question to the minister more directly. Did Celanese Canada indicate to the Alberta government that unless the government passed legislation which would protect them from a possible decision by the Public Utilities Board, they'd close down their operation outside Edmonton, and there would be a loss of 700 jobs?

MR. GETTY: No, Mr. Speaker.

MR. R. SPEAKER: Supplementary to the minister. What is the calculated or potential loss in royalty to the taxpayers from the present low price?

MR. GETTY: I don't know how anybody could estimate that, Mr. Speaker, because I don't know what the hon. member would suggest would be the potential other costs, as compared to the costs of a lower royalty.

Cypress Hills Park

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Recreation, Parks and Wildlife. Is it the intent of the parks department to reduce the number of cattle that ranchers can put for grazing in Cypress park near Medicine Hat?

MR. ADAIR: Mr. Speaker, you're referring to the Cypress Hills Provincial Park south of Medicine Hat. No, although I should say that that is one of the recommendations that has been provided to us in the ongoing discussions we are having with the people of the area relative to developing a master plan for the Cypress Hills Provincial Park.

MR. MANDEVILLE: Supplementary question, Mr. Speaker. Has there been any move afoot to set Cypress park up as a grazing reserve?

MR. ADAIR: No, Mr. Speaker, although it is one of the points being discussed presently. When I say no, I say it's not my particular prerogative at this point to do that, although that is one of the discussion points in that master planning we're doing.

Extended Care Facilities

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Hospitals and Medical Care. Have the minister's studies indicated a need for more nursing homes and nursing home beds in the province?

MR. MINIELY: Mr. Speaker, as a matter of fact I think I indicated to the House very early in the portfolio that the priority for construction of beds would be in the auxiliary hospital and nursing home care area. I am sure hon. members are aware that auxiliary hospitals are longer term care, so we frequently use the term extended care beds to describe longer term care beds of both the auxiliary hospital and nursing home nature.

Throughout Alberta in the nursing home field we have priority on contracts because these are contracted for operation to a private operator, a district board, or a voluntary group such as any religious denomination, and we are placing high priority on this area.

As well, we have under way, particularly in Edmonton and Calgary, several projects with respect to auxiliary hospital beds, because this will meet the need in years to come with the de-emphasis on requirement in the acute care bed area.

MR. TAYLOR: Supplementary to the hon. minister. Are some extended home buildings or beds being considered for the smaller centres, as well as Calgary and Edmonton?

MR. MINIELY: Certainly, Mr. Speaker, a lot of them are. Although we are still in the process of developing policy — as I have indicated to members of the Assembly, particularly in my remarks last week — our preliminary view is that in provincial public policy terms it's certainly valid in looking at the new nursing home finance plan, which I'm working on now and hopefully will be in a position to present to my cabinet colleagues and ultimately to the Legislature, that we should recognize that one area where we should put priority on beds in rural Alberta would certainly be in the extended care area, both auxiliary hospitals and nursing homes, in order to allow citizens who have lived in communities in Alberta all their lives to stay in that community if that's their desire, rather than moving to a metropolitan centre or other city.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Could the minister indicate whether a decision has been made with regard to increased extended care facilities for the town of Taber?

MR. MINIELY: Mr. Speaker, I can't be specific on that. Perhaps if it were put on the Order Paper or if the hon. member wanted to check with my office specifically, I could give him that information.

Retirement Report

DR. BUCK: Mr. Speaker, I'd like to address my question to the Minister of Advanced Education and Manpower. On September 17 the minister released a report on retirement in Alberta. I would like to know,

and people have asked me, when the minister can make this report available to the people who supplied some of the input to it.

DR. HOHOL: To the best of my knowledge, Mr. Speaker, the document is a public one.

DR. BUCK: Mr. Speaker, it's public, but there aren't any copies printed. This is the problem.

MR. NOTLEY: Pass a special warrant.

DR. BUCK: Supplementary, Mr. Speaker. Can the minister indicate if some more copies will be turned off the printing presses?

DR. HOHOL: Surely, if it's a best seller and the interest is of that kind, we'll be happy to publish more.

DR. BUCK: Mr. Speaker, to the hon. minister. Just to jog his memory, he promised these people the report would be available.

Mr. Speaker, I have a further supplementary question to the minister. Can the minister indicate when some of the recommendations in this report will be implemented?

DR. HOHOL: Well, like any major report it will have to get major study and review. In the fullness of time certain recommendations will be put into effect; others will not. Some that are not in the report also will be effected.

Pipeline Proposals

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to either the hon. Premier or the hon. Minister of Energy and Natural Resources. It flows from two conferences in the city the last several days. Has the government taken any position with respect to the preliminary report prepared for the Berger Commission which suggests that the pipeline should be delayed for 10 to 15 years?

MR. LOUGHEED: Mr. Speaker, I appreciate the hon. member's persistence in attempting to have the Alberta government respond in that area. We're fairly determined about the view that when we deal with Alberta resources such as the oil sands that they're not the Canadian oil sands. When we deal with a matter that quite obviously stems from federal jurisdiction, we should leave it for federal jurisdiction to determine.

MR. NOTLEY: Supplementary question to the hon. Premier. Is the government studying the potential impact of the suggestion contained in the proposal that the Alaska Highway route should be followed, inasmuch as that gas pipeline would in no way, shape, or form pass through the province of Alberta?

MR. LOUGHEED: Mr. Speaker, I would be interested in referring that question to the Minister of Energy and Natural Resources.

MR. GETTY: Mr. Speaker, there are a variety of implications from the many pipeline proposals now surfacing and being discussed publicly. In the course of keeping a watching brief on these matters, the Department of Energy and Natural Resources is carrying out certain evaluations of the impact they will have on Alberta.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Energy and Natural Resources. Has the watching brief evaluated the Alaska Highway route, and has the impact of such a route been evaluated by the minister?

MR. GETTY: Yes, and no.

MR. NOTLEY: Mr. Speaker, supplementary question to the hon. minister. Is the minister in a position to advise the Assembly when we will have an assessment on this matter and whether the Government of Alberta considers that the routing of the pipeline, whether it goes through Alberta or bypasses the province, is an important and crucial issue?

MR. GETTY: Well, Mr. Speaker, in answering his previous question I said yes and no. Yes, there was an assessment. No, the minister hadn't had a chance to look at it.

MR. TAYLOR: Supplementary to the hon. minister. Does the hon. minister believe that the Berger report will be completed within the next 15 years?

Gas Prices (continued)

MR. CLARK: Mr. Speaker, I'd like to go back to the Minister of Energy and Natural Resources or the Minister of Utilities and Telephones once again. It deals with the legislation that came in last spring and the representation to the government by Celanese Canada. The question is simply this: did the representation by Celanese Canada have any influence on the government bringing in that legislation at the spring session?

MR. GETTY: I believe that's the same question as earlier, Mr. Speaker, and I said no.

MR. CLARK: I'd like to direct the question again to the minister to see if we get the same answer once again to the question posed earlier. The question, very specifically, is this: did the Alberta government and Celanese Canada have any discussions prior to that legislation coming in, and in the course of those discussions did Celanese indicate that they would close down their plant if the government didn't bring in legislation to protect them?

MR. GETTY: To the best of my knowledge, no.

MR. CLARK: Good.

Halloween Crime

MR. TAYLOR: My question is to the hon. Solicitor General. Does the hon. minister have any information on whether charges were laid following Halloween under the Criminal Code for persons who did put razor blades in apples, et cetera?

MR. FARRAN: Mr. Speaker, I'm sorry I didn't get the last part of the question.

MR. TAYLOR: Does the hon. minister have any information on the number of charges laid against people who put razors in apples, et cetera?

MR. FARRAN: No, I haven't Mr. Speaker, but I'll get the information for the benefit of the hon. member.

Cow-Calf Program

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Agriculture. Has the minister had any reports from district agricultural offices in the province in regard to the number of applications made under the cow-calf assistance program?

MR. MOORE: No, not a statistical report from each area, Mr. Speaker. My understanding is a good number of cow-calf producers are applying. But as to the total numbers or getting any trend this early, I'm not able to provide that.

Occupational Safety Payments

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Labour. Has the takeover of the safety section of the Workers' Compensation Board by the Department of Labour now been completed?

MR. CRAWFORD: Yes, Mr. Speaker.

MR. TAYLOR: A supplementary. Is any change in the assessment on employers being contemplated to cover the cost of the safety work formerly carried on by the Workers' Compensation Board?

MR. CRAWFORD: Mr. Speaker, a fairly simple formula was adopted so that the fact the Workers' Compensation Board has a statutory right to assess but the money is now being spent by a government department wouldn't end up in conflict. The board assesses an amount equivalent to what they assessed in the past for their program and pays that to the general revenue fund.

Budget Guidelines

MR. CLARK: Mr. Speaker, I'd like to direct a question to the Provincial Treasurer. It's a very straightforward question. I'd like to ask if he could indicate to the Assembly whether the expenditure guidelines that have gone to the various governmental departments indicate that where there's going to be no expansion in the program the department should expect no increase in the budget over what they had last year.

MR. LEITCH: Mr. Speaker, the expenditure guidelines we have been talking of in the Assembly have not gone to departments.

MR. CLARK: Mr. Speaker, to the minister. I'm not talking about those guidelines. I'm asking about the guidelines that have gone from Treasury to the various governmental departments. Is the minister in a position to indicate to the House that the direction that has gone to the departments from the Provincial Treasurer or from the cabinet priority committee is in fact that departments should expect no increase in their budget over last year, unless there's going to be an increase in program area or staff?

MR. LEITCH: Well, Mr. Speaker, guidelines have gone from the budget bureau or from the Deputy Provincial Treasurer to departments asking them to prepare preliminary budgets for the upcoming year. But what the hon. Leader of the Opposition is requesting, as I followed it, was what did those guidelines say. Mr. Speaker, I would take the position that that's an internal budgetary preparation matter.

MR. CLARK: Mr. Speaker, I have one further supplementary question. Would the Provincial Treasurer like to take this opportunity to indicate that that's not the guideline that has gone to the departments? [interjections]

Water Well Drilling — Joffre

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of the Environment. Is the minister in a position to advise whether permission has been given to Alberta Gas Ethylene or its parent companies to undertake water well drilling near the proposed plant at Joffre?

MR. RUSSELL: Yes, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Has the minister had an opportunity to evaluate complaints from farmers in the vicinity that this could in fact mean that their water supply would be finished?

MR. RUSSELL: Yes, Mr. Speaker. I won't say that's a fairly common complaint, but it is one which is often heard when a drilling program of any kind is undertaken in a region in the province, and we did receive some concerned complaints from residents in the area. The department and the company are working with the residents in order to ascertain the validity of their concerns.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Is the minister in a position to assure the House that his department will insist that any loss as a result of this drilling program or any financial loss as a result of water being used will be made up to the farmers in the area?

MR. RUSSELL: Mr. Speaker, I don't have enough information at hand yet to give that undertaking.

Red Deer River Flow

MR. COOKSON: Mr. Speaker, a supplementary question to the minister. Could the minister indicate whether some concern is being expressed by Gas Ethylene because of the lowness of the Red Deer River and the possible delay in dam control?

MR. RUSSELL: Mr. Speaker, we are starting to receive a number of submissions from users along the Red Deer River that the government should proceed with some kind of flow regulation. I understand the flow in the river has been exceptionally low this year. For example the Mayor of Red Deer is making strong comments that we should get on with it.

ORDERS OF THE DAY

MR. HYNDMAN: Mr. Speaker, I request that you do now leave the Chair and the Assembly resolve itself into Committee of the Whole to consider five bills in the Order Paper.

MR. SPEAKER: Is it the intention of the Assembly to forego Motions for Returns this afternoon?

MR. HYNDMAN: Mr. Speaker, if the Assembly wishes to move to Motions we have no objection to doing that first, I believe there are three on the Order Paper, then government business thereafter.

MR. SPEAKER: I'm not making a suggestion that it be done. I'm simply asking.

head: MOTIONS FOR RETURNS

MR. FOSTER: Mr. Speaker, I move that Motions for Returns 228 and 229 stand.

[Motion carried]

230. Mr. Taylor proposed the following motion to the Assembly:

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

- (1) the number of abortions in Alberta that were paid for by medicare:
 - (a) during the year 1975,
 - (b) during the first six months of 1976;
- (2) the names of the hospitals in Alberta where abortions were performed;
- (3) the number of married women aborted:
 - (a) under 16 years of age,
 - (b) over 16 and under 18,
 - (c) over 18 and under 25,
 - (d) over 25 and under 35,
 - (e) over 35 years of age;
- (4) the number of single women aborted in the same age groups as in Item (3).

MR. MINIELY: Mr. Speaker, the question is basically acceptable. I'd like to move an amendment around the years of age. Item (3) of Motion 230 reads:

- (a) under 16 years of age,
- (b) over 16 and under 18,
- (c) over 18 and under 25,
- (d) over 25 and under 35,
- (e) over 35 years of age.

I would like that altered, Mr. Speaker, and I have given you and the Leader of the Opposition a copy, to:

- (a) under 15 years of age,
- (b) 15 years and under 20,
- (c) 20 years and under 25,
- (d) 25 years and under 30,
- (e) 30 years and under 35,
- (f) 35 years and over,

to facilitate the manner in which the data is kept by the Hospital Services Commission and the Alberta Health Care Insurance Commission.

[Motion carried]

MR. HYNDMAN: Mr. Speaker, I move you do now leave the Chair and the Assembly resolve itself into Committee of the Whole to consider 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 87
The Oil Sands Technology
and Research Authority
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. GETTY: Mr. Chairman, I move that Bill No. 87 be reported.

[Motion carried]

Bill 88
The Universities
Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to

any sections of this bill?

[Title and preamble agreed to]

DR. HOHOL: Mr. Chairman, I move that Bill No. 88 be reported.

[Motion carried]

Bill 89
The Radiological
Technicians 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. CRAWFORD: Mr. Chairman, I move that Bill No. 89, The Radiological Technicians Amendment Act, 1976, be reported.

[Motion carried]

Bill 90
The Temporary Rent Regulation
Measures Amendment Act, 1976 (No. 2)

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

MR. MANDEVILLE: Mr. Chairman, I would just like to direct one question to the minister. I think this is a good amendment; however, I do have some concern that on June 30 there is a possibility that we will no longer have the temporary rent regulations. I wonder if it would be the intent of the minister to put this legislation in The Landlord and Tenant Act.

MR. HARLE: Mr. Chairman, as I've said on a number of occasions, I hope we would have the report of the institute before us in time to be able to look at suitable amendments to The Landlord and Tenant Act. I would anticipate that there will be recommendations from the institute covering the area of security for tenure, to which this really relates.

[Title and preamble agreed to]

MR. HARLE: Mr. Chairman, I move that Bill 90, The Temporary Rent Regulation Measures Amendment Act, 1976 (No. 2), be reported.

[Motion carried]

MR. HYNDMAN: Mr. Chairman, we'll come back to Bill 81. I would now move that 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 87, 88, 89, and 90, begs to report the 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.

head: **GOVERNMENT BILLS AND ORDERS**
(Third Reading)

[It was moved by the members indicated that the following bills be read a third time, and the motions were carried]

No.	Name	Moved by
4	The Social Development Amendment Act, 1976	Paproski
24	The Attorney General Statutes Amendment Act, 1976	Foster
53	The Corrections Act, 1976	Gogo
59	The Dependent Adults Act	Hunley
60	The Fatality Inquiries Act, 1976	Foster
61	The Vital Statistics Amendment Act, 1976	Wolstenholme
62	The Change of Name Amendment Act, 1976	Hyland
63	The Students Finance Act, 1976	Hohol
64	The Cancer Treatment and Prevention Amendment Act, 1976	Kroeger
65	The Lloydminster Hospital Amendment Act, 1976	Miller
66	The Attorney General Statutes Amendment Act, 1976 (No. 2)	Foster
67	The Statutes Repeal Act, 1976 (No. 2)	Webber
68	The Ombudsman Amendment Act, 1976	Hyndman
69	The Alberta Labour Amendment Act, 1976	Crawford
70	The Provincial Parks Amendment Act, 1976	Adair
71	The Surface Rights Amendment Act, 1976	McCrae
72	The Hospital Services Commission Amendment Act, 1976	Miniey

Bill 73
The Environment Statutes
Amendment Act, 1976

MR. HYNDMAN: Mr. Speaker, on behalf of the hon.

member Mr. Bradley, I move that Bill No. 73, The Environment Statutes Amendment Act, 1976, be read a third time.

MR. NOTLEY: Not being present last week, due to meetings of the Boundaries Commission, I wasn't able to take part in either second reading or committee stage debate of this particular bill.

Mr. Speaker, in looking at Bill 73, there are a number of concerns that I must stand in my place and point out. There is no doubt, Mr. Speaker, that we have very stringent legislation in The Clean Air Act and The Clean Water Act in this province, and we can be justly proud of the very high standards set out by those two acts of this Legislature. However, Mr. Speaker, what concerns me is the core of this bill, which allows the minister to issue a certificate of variance. Now, Mr. Speaker, this means vary the terms of permit issued under either The Clean Air Act or The Clean Water Act.

Mr. Speaker, as I look at the way this legislation is drafted, the first thing that concerns me is the vagueness of the language. We're giving the minister very broad powers here. In Section 4.8(1)(a) we're saying:

... plant, structure or thing is operating or is likely to operate in contravention of a term, condition or requirement of a permit or licence or a requirement of the regulations as a result of factors beyond the control of the applicant ...

Mr. Speaker, whether or not those factors were beyond the control of the applicant is a very subjective assessment. Then in (b), "the variation is not likely ...". But what is "not likely"?

In Ontario today there is widespread understanding and concern over mercury poisoning in northwestern Ontario. Fifteen or 20 years ago if a company in northwestern Ontario had gone to the minister of that province and they'd had legislation in force such as our Clean Air Act and Clean Water Act, the company could very legitimately have argued that it was "not likely" to cause any problem. But as the horizons of science and medicine are pushed further back, it becomes obvious that concerns and problems are understood. As we understand them we realize that very serious environmental mistakes have sometimes been made, even though at the time the problem did not appear very great or was "not likely" to result in pollution or a detrimental impact on the environment.

I notice the last clause, Mr. Speaker, that the law "would result in serious hardship to the applicant without an offsetting benefit for others". In other words, it's a trade-off of environmental standards against economic benefits. Mr. Speaker, I can understand that there may be times and occasions when a government will have to make that sort of decision. But it seems to me that is the kind of decision that should be made by the members of the Legislature. It should be debated. It should come as a result of proper public hearings.

But in fact what we are doing in this legislation, Mr. Speaker, is empowering the minister to issue important variations which may seriously erode the impact of that stringent legislation which this Legislature passed in former years. Mr. Speaker, I submit that a move to provide that kind of authorization to the minister — and I know they like to talk about flexibility across the way — would be extremely

regrettable and unfortunate for us as a Legislature.

I note as well that in both acts there is no provision that the minister should have to publicize the orders. What concerns me is that we may very well find certificates of variation passed under these two acts — the amendment we have chosen to support today — and then not even have the information made public.

Mr. Speaker, I don't believe we can short-cut proper environmental standards. But it seems to me that if the case is so overwhelming, at the very least it should be made in this Legislature and all members of the House should be forced, if you like, to make those amendments or changes and be responsible not only in the immediate short run but 10, 20, or 30 years down the road.

I just conclude my remarks, Mr. Speaker, by saying it is rather ironic indeed that we have just passed Bill No. 4, which tightens up the regulations as they apply to welfare recipients; yet in Bill 73 we seem to be allowing the minister from time to time at his discretion, when it can be demonstrated in his opinion and according to very vague and general criteria, without coming back to the Legislature, to loosen environmental standards. I believe that's wrong, Mr. Speaker, and for that reason I intend to oppose this bill.

MR. RUSSELL: Mr. Speaker, I recognize that the hon. member wasn't here during the debate of this bill at second reading and in committee. But I would have hoped he would have read the *Hansard* transcript, because most of the points he has raised were brought up and discussed at that time. But I'll very quickly try to go over them again and repeat what I said at that time.

This in effect legalizes the current practice. We are doing this now, except we do not have the authority to issue the certificate of variance. But in a case where an industry or business is found to be exceeding permissible limits under our legislation or regulations, we issue an emission control order and say, you have until date X to rectify that situation, then it will be reviewed. Legally, the plant should not be in operation while the emission control order is in effect. But it just doesn't make sense, however you look at it, to close it down. So the certificate of variance issued by the minister, and not by the director of standards or pollution control, has been proposed in this legislation.

I think the hon. member interpreted only part of the section as it suited him, and ignored some other important clauses. He tended to point out to the House that perhaps this could be harmful in the opinion of the industry, et cetera, et cetera. That's not what the act says at all. It says it's in the opinion of the minister, and that's a very serious responsibility for any member of the Executive Council to take on. If he had read the subclauses following he'd see the important conditions attached to that certificate.

We also said at that time, in answer to a question from the hon. Leader of the Opposition, that we think it would be realistic to file a report each year showing the number of these that have been issued in the current year. Based on present experience, I don't think it would be very many, perhaps five or six. But it would be impractical to call the Legislature into session or hold public hearings to determine whether

or not an industry should in fact be allowed to operate under an emission control order and with a certificate of variance at any time of the year when an infraction is discovered. So I think the legislation is eminently logical.

[Motion carried; Bill 73 read a third time]

[It was moved by the members indicated that the following bills be read a third time, and the motions were carried]

No.	Name	Moved by
74	The Statute Law Correction Act, 1976	Hyndman (for Little)
75	The Improvement Districts Amendment Act, 1976	Johnston
76	The Municipal Taxation Amendment Act, 1976	Johnston
77	The Consumer and Corporate Affairs Statutes Amendment Act, 1976	Harle

Bill 78

The Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1976

MR. LEITCH: Mr. Speaker, I move third reading of Bill No. 78, The Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1976.

MR. CLARK: Mr. Speaker, rather than any comments I'd like simply to pose a question to the Provincial Treasurer. Is the government in a position to indicate how they will establish the legislative committee to review the first year's operation of the fund? If my recollection of the legislation is accurate, a committee of the House is to be set up in the spring session. At that time the committee will deal with the report itself. My question to the minister is: has the government got to the point yet where they can outline to us the procedure they will be doing this with? Will it be a committee of both sides of the House? Will the report of the Auditor be available at that time? Basically what kind of information will be available to the committee from the fund itself? Secondly, will the members of the committee have the opportunity to get outside consulting or financial advice in looking at the report of the fund?

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

HON. MEMBERS: Agreed.

MR. LEITCH: Mr. Speaker, I'm not in a position today to give the hon. Leader of the Opposition and members of the Assembly that information. Those are matters which will be considered in the course of the coming months. I assume, without having checked the legislation, that the actual procedure for the establishment of the committee will be by resolution debated in the House.

[Motion carried; Bill 78 read a third time]

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

[It was moved by the members indicated that the following bills be read a third time, and the motions were carried]

[Dr. McCrimmon in the Chair]

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

No.	Name	Moved by
79	The Mental Health Amendment Act, 1976	Backus
80	The Municipal Government Amendment Act, 1976	Musgreave
83	The Police Amendment Act, 1976	Farran
84	The Education Statutes Amendment Act, 1976	Koziak
85	The Treasury Branches Amendment Act, 1976	Leitch
86	The Fuel Oil Tax Amendment Act, 1976	Leitch

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, following the discussion we had on this yesterday, I had occasion to review the various points that were raised with people from the department and the hon. Member for Drumheller.

I think the member raised a very important point of principle; that is, we're rounding off and we're rationalizing in terms of some measurements, but we're not utilizing this omnibus bill to change a measurement that the department would otherwise wish changed. In other words, if a department wished to change a speed limit, that should be done by the department, obviously under a separate bill of that department, so the principle may be considered and debated by members of this Assembly. I think we're certainly agreed that that's a very important point of principle.

With that in mind we checked it over item by item and I think we are now agreed that that principle is not violated in any way. In terms of rounding off, I mentioned some of the reasons yesterday. For example, the span of a beam when rounded to metric would be lowered slightly to the nearest round number to preserve an even better safety factor, whereas one wouldn't wish to cut by however small a margin the mileage rate that a civil servant may charge for driving his car. Therefore the rounding off would be upwards.

There's rationalization in terms of legality. Rather than go into detail on all the questions raised by the hon. member yesterday, if members would agree, I could just cite one example. Section 20(2)(a), deals with headlamp aim for an unloaded motor vehicle. The present law defines the aim as not greater than a distance of 5 inches below the level of the centre of the lamp at a distance of 25 feet out. If you consider the ratio of the vertical offset to the measurement point as 5 inches over 25 feet, that gives the ratio number of 0.0167. As I mentioned, when converting to metric every attempt is made to define the metric dimension in the most convenient whole numbers.

But paramount in this process is to ensure that any vehicles presently accepted by law will continue with that status after metric conversion. In other words, we don't want to be in the position of now changing a measurement to metric that will make a vehicle that was legal suddenly illegal at the point the act comes into force. Thus a distance of 10 m was chosen to replace the 25 feet and 165 mm to replace the 5 inches. This means that the ratio is now 0.0165, compared to 0.0167, which slightly increases the

MR. HYNDMAN: Mr. Speaker, I would ask for the unanimous leave of the Assembly to move from committee stage at second reading to third reading stage.

HON. MEMBERS: Agreed.

[It was moved by the members indicated that the following bills be read a third time, and the motions were carried]

No.	Name	Moved by
87	The Oil Sands Technology and Research Authority Amendment Act, 1976	Getty
88	The Universities Amendment Act, 1976	Hohol
89	The Radiological Technicians Amendment Act, 1976	Crawford
90	The Temporary Rent Regulation Measures Amendment Act, 1976 (No. 2)	Harle

MR. HYNDMAN: Mr. Speaker, I move you do now leave the Chair and the Assembly resolve itself into Committee of the Whole to consider Bill 81.

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

HON. MEMBERS: Agreed.

[Mr. Speaker left the Chair]

allowable limit. Although at first glance it appeared there was a fair change, it really is consistent with the basic principle that we don't want to change the legal status of a vehicle, for example, by the metric conversion bill. I think that offers a reasonable example of the type of rationalization used in arriving at the numbers.

Having discussed this at some length with the hon. Member for Drumheller, I think that might be sufficient detail to cover at this point. If the hon. member has any further items he would like to discuss, or any other member for that matter, I would be happy to pursue it further.

MR. TAYLOR: Mr. Chairman, I just have one or two comments. I have to admit that I was misled by the title of the bill, The Metric Conversion Statutes Amendment Act. I understood that it was an actual conversion from the present system to the metric system. Consequently, when I and the researcher in the office started to convert, we were astounded at the arithmetic because it just didn't work out. When I find out that it's a rationalization and conversion, then of course it puts on a different picture entirely. I had some concern about sending the bill to some schools where the teachers and the principal would start converting and find that the figures were different.

I think the point given by the hon. member a moment or so ago about the height lights is a very excellent example. The actual conversion comes out to 125, but when it's rationalized in a geometrical ratio it becomes 165. This is the part that was not explained in the bill. As a matter of fact the bill doesn't give that type of information. I would feel an awful lot better if the bill was titled The Metric Rationalization and Conversion Statutes. I think it would be more accurate. Possibly there would be some way of sending out explanations with this bill so that people will not expect the conversions to be equivalents, because actually they are not equivalents.

One of the other points I didn't know before and that I think is very important — and I do appreciate the efforts of the hon. minister and the hon. member to let me have the information I needed — was in regard to The Highway Traffic Act. I didn't know that some kind of agreement had been reached among the provinces that each province would use round figures in kilometres and that would be a standard right across the country. I think that's a very splendid thing.

Of course there's nothing in The Highway Traffic Act that says it has to be 60 or 75 miles an hour. Some discretion is given to the hon. minister to make those changes. Consequently no change is being made in a backdoor way, as the hon. member just dealt with. It is simply a conversion and a rationalization to round figures, and it goes right through each of the other items.

One of the other points raised that I think has some significance too is that there is agreement that [in] world conversion to metric there should be a rounding off of these figures in order that there be something rational about the conversion throughout the world that is not presently on metric. I think that is important.

There's only one other point I raised and that was

the matter of packaging, which is not contained in the bill but is in the same principle. Housewives have already complained about the conversion to metric. They are given less goods and the same price is being charged. But I have learned from the men and women who have been discussing this with me that that is something entirely under federal statutes and not under provincial statutes. There it needs to be corrected.

So, Mr. Chairman, I'm satisfied with the explanations. I do hope, however, that word will get spread around somewhere that these are not equivalents, not actual strict arithmetical conversions, but conversions, rationalizations, and rounded off figures in order to get as close as possible to the same ratio we have in the present system.

MR. CHAMBERS: Mr. Chairman, I think the hon. Member for Drumheller offered some good advice when he suggested it would be advisable if we could distribute some explanatory data with this bill when it is distributed around the province. Therefore we will endeavor to do that.

[Title and preamble agreed to]

MR. CHAMBERS: Mr. Chairman, I move that Bill 81 be reported.

[Motion carried]

MR. HYNDMAN: Mr. Chairman, I move the committee rise and report.

[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 Bill 81 and begs to report the same.

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

HON. MEMBERS: Agreed.

head: **GOVERNMENT BILLS AND ORDERS**
(Third Reading)
(reversion)

Bill 81
The Metric Conversion
Statutes Amendment Act, 1976

MR. CHAMBERS: Mr. Speaker, I move that Bill 81, The Metric Conversion Statutes Amendment Act, 1976, be read a third time.

[Motion carried; Bill 81 read a third time]

head: **GOVERNMENT MOTIONS**

3. Moved by Mr. Loughheed:

Be it resolved that the Legislative Assembly of Alberta, while supporting the objective of patriation of the Canadian Constitution, reaffirm the fundamental principle of Confederation that all provinces have equal rights within Confederation and hence direct the government that it should not agree to any revised amending formula for the Constitution which could allow any existing rights, proprietary interests, or jurisdiction to be taken away from any province without the specific concurrence of that province, and that it should refuse to give its support to any patriation prior to obtaining the unanimous consent of all provinces for a proper amending formula.

[Adjourned debate: Mr. Russell]

MR. RUSSELL: Mr. Speaker, I consider it a very real privilege to stand in the Assembly in the closing minutes of this session and take part in what has been an extremely interesting and very important debate.

I must confess that since my days as a school boy in Calgary, I hadn't really paid much attention to the details of the Constitution, other than when government business made sure that we did check that certain things were within our constitutional jurisdiction. I am aware that there have been attempts to patriate or revise or come up with an amending formula to the British North America Act prior to the time I was born, and we still haven't reached agreement. For those reasons I find it extremely — well it makes me feel kind of humble that I'm here talking about the act that makes me a Canadian citizen.

In his opening remarks our Premier said that insofar as the business of our government was concerned some time ago, this was considered probably an item of low priority. Looking at the issues that face the nation today and the issues that face our province today, I think that is true. There did not appear to be any burning priority with respect to bringing the British North America Act back to Canada. Certainly it's a thing we'd all like to see happen. I know my constituents, out of sheer patriotism, would like to see the act resting in Canada. But until the last few days I haven't had any pressure on me to take a stand with respect to the amendment.

Certainly the very excellent outline the hon. Premier gave with respect to a way that the provinces have looked to amend the act, and documents he tabled, show very clearly the path and consideration and the evolution of thought that has gone into this by a variety of bodies. First, one formula was proposed; several years later, another one. Several years later that formula was reviewed and comments were made. As the summer months went by and views were exchanged with other provinces and a more detailed look at it was taken, it gradually became apparent which direction Alberta ought to take.

About 10 days ago I was at a meeting of some 300 Albertans. They were from all parts of Alberta. When this issue was raised and the situation described to them and their opinion was asked, there was a very resounding and a very heart-warming response to the direction the Legislature is now being asked to take with respect to this issue. I think the

points that previous speakers in the debate have brought up cover every possible aspect of the motion and of the British North America Act — what's involved, et cetera.

I'm pleased, Mr. Speaker, that if this motion is passed our Premier will be able to meet with the other premiers and with the Prime Minister with a very strong motion because it's been composed by both sides of the Alberta Legislature, both the government and the opposition, and I believe that strengthens the motion and strengthens Alberta's stand when they meet with their counterparts. As I said earlier, I believe my constituents would want me to support this motion in that it directs the government to do two things; that is to support "the objective of patriation" and, secondly, "to reaffirm the fundamental principle of Confederation," and I won't read the rest.

But I want to talk for a moment about that fundamental principle of Confederation. In looking for a place to start I opened my passport, and page 1, line 1 says, "The bearer of this passport is a Canadian citizen." With that document I think it's recognized and accepted that when Canadian citizens from whatever part of our country travel throughout the world, they are accepted and recognized on an absolutely equal basis with no veto power nor special recognition because of a particular region in the country that they might live in. I think that's important when you bring that principle and that line of thinking back into Canada and ask yourself, well, what is [the] Canada that issued this passport?

It's a federation. It took many years to grow. It was born in 1867 and was still growing in 1949 when Newfoundland entered. But I believe it was based on the belief by a number of jurisdictions that if they joined together, the whole would and should be stronger than the separate parts. But that doesn't mean that the separate parts were abrogating or giving away any of their rights either among or between each other. So in 1976 you have 10 jurisdictions, five east of the national capital and five west of the national capital. They've joined together to form something they believe is very strong, yet in so doing have not lost their own particular identities.

Traditionally, Mr. Speaker, I believe the rights and privileges the provinces had and that accrued through Confederation have always been recognized notwithstanding the time the province entered Confederation, notwithstanding its geographic location in Confederation, notwithstanding its size and population nor its particular natural wealth. To use some examples, we recognize that the province of Prince Edward Island can undertake legislation dealing with its land and we would respect that. The province of Saskatchewan can undertake legislation dealing with its potash and the rest of the country recognizes that. The province of Ontario can do things with its timber resources and we recognize that, and the province of British Columbia can do things with its coal and we recognize that. Notwithstanding time or geography or size or the relative wealth, we recognize the rights of the provinces to do those kinds of things with their resources. I used a set of examples that deals with resources, Mr. Speaker, but I could have used the matter of education and the argument would have applied just as well.

Some people now believe that that concept ought

to be changed. In looking for a way to change it, we've come up with what we call the Victoria formula. I think it's a bad formula, Mr. Speaker, bad for two reasons. One, it creates two classes of provinces within Confederation by implying that they would have a veto depending either on their size of their location within the country. I think that's wrong. Any national charter that creates two classes of members within the charter is basically bad.

The other thing that disturbs me about the Victoria formula is that it creates the possibility by means of the implied veto with respect to numbers that, under certain circumstances, if the proper collection of provinces agreed to do something, you could have six provinces doing something to the other four that perhaps they didn't want done to them. And that's bad. It would be bad if it happened to us, and conversely I would feel bad if I were one of the six doing it to one of the four. I don't think we can take pride in supporting that kind of stance.

I mentioned the six-on-four situation, Mr. Speaker, but to me an even worse situation would be nine on one. The one that's always singled out somehow is Prince Edward Island because of its small size and population. I'd like to speak on behalf of Prince Edward Island for a couple of moments. They were the first ones to get interested in the idea of Confederation. In 1864 they were the ones who proposed a union of the maritime provinces and set up the first meeting and conference, to which other delegates from Canada then came to try to talk them into entering a larger union. Those of you who have visited the parliament buildings in Charlottetown can still see that very room where those first Fathers of Confederation met. In 1964, 100 years later, the Fathers of Confederation building was built by the Canadian people to commemorate that very important meeting.

People seem to forget that Prince Edward Island, although it was the initiator of the first maritime conference, was a very reluctant member insofar as Canadian confederation was concerned. It wasn't until 1873 that they joined. I think it would be very bad and against the spirit of Confederation if now, because of population, we accept the argument that, well, you don't want to really hold things up if Prince Edward Island doesn't agree. I was very disappointed, in the editorial in this morning's *Albertan*, to see that paper make that very argument. The editorial says:

It would mean that a government representing some 200,000 Prince Edward Islanders could block a change desired by the Legislatures of all the other nine provinces and approved by the nation's Parliament.

Mr. Speaker, that's not at all what this motion in front of us is about. We're talking about 200,000 Canadians living in the province of Prince Edward Island having their rights taken away by a particular combination of votes of the other governments. That's bad, and that's why we've got to support this particular motion.

In conclusion, I just want to talk for a few moments about Alberta and its role in Confederation. We're a very young province. There are still many native Albertans who have "Northwest Territories" stamped on their birth certificates. Really, I guess it's a decision that could have gone either way whether the

border between Saskatchewan and Alberta was drawn in an east-west or a north-south direction. In any event the line was drawn, and in 1905 we became a part of Canada.

Mr. Speaker, I think Albertans are good Canadians. That's not the message coming through in some parts of Canada. I think it behooves us all to speak very proudly of our love of our country and our belief in the rights of our part of the country, our province of Alberta.

I referred to one editorial; I must mention the *Calgary Herald* editorial of October 29, which didn't mention any political parties or any particular motion. But it was a very strong editorial on behalf of the province of Alberta. I think those of us who read it were very pleased to see that line of argument so well put.

I must say I was disappointed this morning to hear the radio reports of the comments of the Prime Minister of Canada with respect to Alberta. If that's what he believes of this province, he's misreading our people and misreading them very badly. We're good Canadians and we want to be a strong and an equal part of Canada.

As Albertans in this Legislature, I think we've all recognized and respected the equality of constituencies and people representing those constituencies, notwithstanding the differences there might be. That's the kind of principle that ought to be taken to the table when we discuss Confederation or amendments to the British North America Act.

Again as Canadians, Mr. Speaker, I'm sure at times we've all experienced those very magic moments that just give you an incredible pride in your country. Many, many Canadians, of course, still talk about the experiences that that magic something that happened during 1967 when we celebrated Expo. It comes time and time again, whether it's at the Olympics or when Team Canada wins or at some other moment when you see that Canadian flag flying up there and you just feel proud about it, and under it you feel equal to Canadians from any other part of the country.

The hon. Member for Drumheller referred to Confederation as a chain being only as strong as its weakest link. That's true, Mr. Speaker, it is. In terms of size, Prince Edward Island is the small link. I think we ought to take steps to make sure that that link is protected. In doing that, the entire chain is kept intact.

Therefore we should very carefully consider any change that would disrupt or alter that fundamental principle built into the British North America Act. I think history has proved, Mr. Speaker, that those things which endure are those things which change slowly. All of us are members of the British Commonwealth Parliamentary Association. When we've had the opportunity to visit London, I'm sure most of us have visited the Mother of Parliaments, Westminster. You know, it kind of gets to you when you stand there on the same stone steps that Oliver Cromwell stood on, and that Winston Churchill stood on several hundred years later to rally the nation behind him during World War II, and then you stand on them as part of the same tradition and parliamentary system and recognition of equality that has been developed over many hundreds of years. That's what this debate is all about.

We've got a good motion here. It should be supported unanimously. The message contained in it should be spread to other parts of the country, because this is important not only for Alberta but for this great country of ours.

Thank you, Mr. Speaker.

MR. JAMISON: Mr. Speaker, before getting into my remarks on the resolution, I would like to make a brief comment on the opening of this debate last Monday. Watching the young people in the gallery, students from Delburne and Ponoka, I noticed how intently they were listening to their Premier, and I thought how lucky they were to be present that day in the Legislature.

Later on, Mr. Speaker, watching the supper-time and the late evening TV news broadcasts with some of my colleagues, I saw that thoughtful and historic address by Premier Lougheed reduced to a brief flash-by on the tube. I thought again of the students who watch television far more than they read newspapers. What did the young people learn from that TV coverage of the Premier's talk on constitutional concerns, the very people who will be most affected by changes that will be made in the BNA Act? I would hope, Mr. Speaker, the local television station would broadcast the whole of Premier Lougheed's address. I would think that they should advertise it in advance so they could get the full audience of our young people. I think this was one of the greatest addresses I've heard since I've been in this Legislature.

Mr. Speaker, we are debating constitutional matters in this Assembly today only because the Prime Minister has chosen to make an issue out of bringing home the BNA Act. Government members in all provinces are focussing their attention on this subject. I would add, Mr. Speaker, that the Canadian people as a whole should be giving careful thought to the implications of patriating their constitution.

The 10 provinces come under the BNA Act, but surely Canadians in the Northwest Territories and the Yukon also have a very large stake in any and all constitutional amendments that may come up for Canadians when the BNA Act is "brought home" — as our Prime Minister fondly refers to this action.

Northern Canadians do not have at present even the minimized voice of western or maritime provinces. As we legislators debate the question of patriation of the Constitution this week, the Northern Development Conference is also in progress, and the counter conference as well — both meeting, Mr. Speaker, in the city of Edmonton. These two groups of differing opinions on northern development are considering much more immediate concerns in the north than constitutional matters. So does the Alberta government have to come to grips with much more immediate problems than constitutional questions, important as they are. As for Canada as a whole, the Constitution is not the most pressing problem right now. Economic problems which must take into account regional problems — those are the problems which are crying out for action now.

I would suggest to the hon. members of this Assembly, Mr. Speaker, that valuable time is being lost on our most important concerns because the Prime Minister of our country has seized on what he knows is an emotional issue to throw a smoke screen

over the fundamental practical issues he is facing in the last quarter of this year. For Mr. Trudeau the major problem right now is that the federal Liberal Party is in deep trouble. All the public opinion polls will show you that. And the philosopher king, leader of Canada, does not intend to go down in history as a bungler. This leader with an exceptionally fine mind has so little understanding of the aspirations of the common people that he has failed miserably.

To draw attention away from federal government bungling of domestic issues, the Prime Minister would focus attention on bringing home to Ottawa a document from London. This should make the chest of every Canadian swell with pride — perhaps. I would suggest, Mr. Speaker, that glow of pride may be short-lived for the many Canadians who live outside Ontario and Quebec, when Mr. Trudeau and whatever members of his cabinet are still left get down to suggesting amendments. For the major issue at stake on amending the Constitution after patriation is where the power lies, Mr. Speaker.

At present, the provinces face a federal government dedicated to a powerful centralized form of government. The maritimes and western provinces, eight out of 10, face the stark reality that the other two provinces, Ontario and Quebec, have between them enough seats in the federal government to elect the party that forms the government, regardless of how the other eight provinces vote. Mr. Speaker, those same two provinces also have veto power over any amendment to our constitution. It is easy to see where the power lies, Mr. Speaker. Therefore, the rest of us, the maritimes and the west, are strapped in a two-pronged strait jacket pending a mutual agreement, an agreement more or less demanded by the Prime Minister, the alternative being acceptance of his own unilateral action.

As for the people in the Yukon and the Northwest Territories, they presently have no say whatsoever on amending their constitution. Those northern citizens are at the complete mercy of an Ottawa government, a government presently dedicated to powerful, centralized control far away from northwestern Canada. The four western provinces and the maritimes are in a somewhat better position than the Territories under the BNA Act. But given the veto provisions for Ontario and Quebec, it leaves provinces like Alberta at the mercy of Ottawa and central Canada unless Alberta can get the blessing of B.C. or the two other western provinces. Apparently the three maritime provinces are so leery of federal government retaliation that they feel they cannot stand up for their rightful position in a federation of provinces because they cannot survive without substantial federal government aid.

The two NDP western provinces have a different reason. Their socialist philosophy supports a powerful centralized federal government which can plan the lives of its citizens to the last detail. The philosopher king is no dummy. Mr. Trudeau weighed the situation with care and took three calculated risks: first, despite their fierce pride and desire for equal rights under the Constitution, the maritimes would be forced by economic necessity to support Mr. Trudeau's position on the lopsided veto position; secondly, Mr. Trudeau is very well informed on the socialist philosophy of the NDP; and thirdly, a calculated benefit I believe, the blow the Prime Minister could

strike at the Conservative government of Alberta which has energy resources making it more of a force to be reckoned with than suited him. In my assessment, the maritime provinces dared not support Premier Lougheed's position that all provinces should be treated equally.

To what stature has our federal government been reduced in this matter, Mr. Speaker? I can only speak as one member of this honorable Assembly, as only one western-born Canadian who believes in the domestic and global potential of Canada: first as a strong united country with eventually 12 provinces all in a sound economic position; secondly, as a respected voice in world councils — respected not as a powerful voice, but as a voice of reason.

To realize its potential in the global community, Mr. Speaker, Canada must, I believe, first become a federation of provinces which are united and working together towards that objective. This will require a stable economic climate in all regions of Canada. I believe the Alberta Premier will have an important contribution to make in this area as constitutional amendments come under discussion. But if the federal government, which should rightly speak for all Canadians, will stoop to bringing our poor provinces into line by control of the purse strings, then I suggest, Mr. Speaker, that present federal centralist policies are in fact working against developing Canada's potential for greatness.

Through Mr. Trudeau's travels, we may be getting strong leadership abroad. I for one was far from impressed with his trip to Cuba. But leadership begins at home, and how Canada handles amendments to the Constitution will have major implications for all Canadians. Therefore, every province should participate on an equal basis. That is why, Mr. Speaker, as one Canadian and one member of the Alberta government, I am both proud and grateful that one premier, Alberta's Premier, has the courage to stand against any constitutional move to make some parts of Canada and some citizens of Canada less important than others. With this stand he emerges as a Canadian statesman.

If we look back and review the events leading up to Confederation, Mr. Speaker, beginning with the Act of Union in 1840, which brought together Upper and Lower Canada — roughly translated, Ontario and Quebec — it is surprising to trace the similarities both in attitudes and difficulties faced by the Fathers of Confederation to the situation we look at 109 years later. This, despite the fact that the land lying west of the Great Lakes to the Rockies was an unsettled wilderness at the time of Confederation. The threads of reason and of practicality that wove the web of Confederation in 1867 are the same threads that will have to be woven together when legislators meet to make amendments to the Constitution after it is brought back home to Ottawa. Cool, clear heads will be needed, Mr. Speaker, unclouded by emotional feelings that can confuse the real issues at stake.

I believe the real constitutional issues today are economic issues. The same was true for the Fathers of Confederation, that brought together such unlikely partners as the Protestant Scot, George Brown, Toronto-based Liberal and editor of the *Globe*, and George Etienne Cartier, Catholic French-Canadian and Conservative member for Montreal East. They could suppress their deeply divided views on matters

of culture and religion to work together for the economic advantages each could see in Confederation. But these men were suspicious of Alexander Galt, Member for Sherbrooke, who championed the plan for Confederation, ensuring that the French position in 1867 would remain secure. John A. Macdonald felt Galt was pointing to a republican government, which he could not accept. Macdonald was also an enemy of Brown. Yet all were forced to find a way to confederation. For the Prime Minister, the pressure was political with the final fall of the Macdonald-Cartier coalition government as the Quebec conference met.

The issues now at stake in amending the BNA Act remain economic and practical issues, and these may, once again, form surprising partnerships when amendments to the Constitution are debated.

John A. Macdonald was practical enough to see that his aim of one central legislative body would not work, even for Upper and Lower Canada, let alone the long-established maritime provinces and the yet-to-be-developed vast lands to the west. So he agreed to provincial legislatures within Confederation. But he safeguarded his position with provisions in the BNA Act which enabled the federal government to disallow acts passed by provinces.

We have a similar situation today, Mr. Speaker, with the Ontario and Quebec veto powers. The maritime provinces were leery of granting too much control in 1867 to a centralized government, so the federal government enlisted the help of the British government. Britain was a major importer of maritime fish and timber, and when the British government advised the maritimes to join Confederation, it was in the nature of an economic threat, even though the argument the British used was that Confederation should be supported in the interests of defence.

Again today, Mr. Speaker, the maritimes face economic pressures as the Constitution is patriated. Sectional or regional differences troubled the Fathers of Confederation, and in 1864 George Brown was proud of measures he took that day. I'd like to quote: "... have possibly settled the sectional problems of Canada forever." However regional differences remain troublesome for those who would amend our Constitution in the year 1976.

It is also interesting to note, Mr. Speaker, that even while Ontario and Quebec were strongly resentful of British colonial interference in their affairs at the time of Confederation, both those provinces looked on the entire area west of the lakes as their personal colonial territory to supply eastern Canada with raw materials on the one hand and a market on the other. It seems inconceivable that none of the Fathers of Confederation foresaw the strong reaction to this colonial attitude which was certain to develop in western Canada. Even more inconceivable is the fact that eastern Canada today still does not understand that the west is far more than a reservoir of materials and a market place for the east.

Canada, at Confederation, chose to grant the federal government all powers except those specifically given to the provinces. The United States Constitution gave all powers to the states except those especially granted to the federal government. Canadians should carefully observe what is now happening under the American arrangement. At a meeting this year of western state governors, a serious

concern was expressed as to how state governments could prevent interference by federal regulations having detrimental effects on their economies. We in Alberta, Mr. Speaker, must be alert also to the powers of federal regulations which can be detrimental to our goals, regulations which, unlike laws, do not come under constitutional protection.

In closing, after taking a look back, Mr. Speaker, may I take a few minutes to look ahead. First, while economic matters dominated at the time of Confederation and are still dominant at the time of patriation, there is an even more serious threat for Canadians today than that posed by economic problems. Yet the two are related. Moral decay must be arrested or our own country and the whole of the western world face serious decline which would lead to collapse.

Secondly, since I will never have the opportunity of proposing an amendment to the Constitution, I would like to suggest one to this Assembly. Let it be a requirement under the Constitution of Canada that the federal government and every provincial government must in each annual Speech from the Throne tell the people the precise amount of the total debt, and how legislation contained in the Throne speeches will increase or decrease that debt.

In my opinion, Mr. Speaker, increasing public debt in the countries of the industrial world is rivalled in the seriousness of its consequences only by the seriousness of moral decay.

Thank you, Mr. Speaker.

MR. KING: Mr. Speaker, I very much appreciate the opportunity this afternoon to enter briefly into what I think is one of the most important debates that has taken place in this Legislature. I would suggest that it is important not only to the people of Alberta and to the members of this Legislature, but to our fellow citizens in every other province and to our fellow representatives in every other Legislature. It is probably the only debate on which I can feel that my responsibilities as a Canadian citizen and as a member of this provincial Legislature are completely compatible. It is probably the only debate in which I can feel that whatever I might say in one capacity is in no sense an abdication of my responsibilities in the other.

The thing with which we deal on a daily basis, the letter of the law, is the thing which rules our society. The written law is the form that is given to society. But society is given its life and its animation and its vitality through the operation of unwritten conventions. And those unwritten conventions are important aspects of our life to which we too frequently pay attention. As opposed to the letter of the law, the form of society, convention is the substance of society. The letter of the law, Mr. Speaker, in spite of its importance, is the refuge of people who do not understand, or who understand and seek to thwart the spirit of the law. The letter of the law is the refuge of small-minded people.

The fundamental question for this province and this country is not whether the federal government has the legal power to unilaterally patriate the Constitution, to unilaterally impose an amending formula, or indeed to unilaterally amend the British North America Act. Those questions are certainly arguable, and they are important, but they are not the fundamental question before us now. And to settle this issue on

the question of what is technically legal would be the greatest abdication of responsibility by politicians that I [could] ever be witness to.

The fundamental question, Mr. Speaker, is whether or not the federal government has the moral authority to impose its constitutional position on any province or group of provinces.

Mr. Speaker, I think the remarks of my colleagues have illustrated quite clearly that unilateral action by the federal government, indeed any action respecting patriation of the Constitution that occurs without the unanimous concurrence of the provinces, is fundamentally contrary to the established convention of this country. It may be legal in the narrow sense. That case is still arguable. But unilateral action by the federal government will be a fundamental violation of the convention which has given this Confederation life for 109 years.

I think that the endangered convention is simply stated. It is that Canada is a decentralized confederation whose very existence and vitality depend on the capacity of its individual regions to respond selectively to issues that have unique variations from region to region and from province to province. The proponents of this convention are not un-Canadian. I do not seek a Canada that is going to be so dismembered that it must die, but I do not seek a Canada that is going to be so bound up that it must die. We are all Canadians, Albertans included, who believe that the survival of the country we love depends on our capacity to accommodate and to foster variety.

In contrast, I think it is fair to argue that the opponents of this proposition believe that a centralized administration has the capacity to understand accurately regional variety, and in conjunction with centralized control of resources can impose conformity and uniformity which are thought to be desirable social ends. It's only logical, therefore, that the proponents of centralization support the right of the centralized authority to control the Constitution. That is the issue before us here. If there is an established convention to the contrary which, they might acknowledge, has existed to this point, then time and changing circumstances demand that that convention be repudiated, which they propose to do.

A vote against this resolution, Mr. Speaker, is I think quite simply a vote in favor of centralization. A vote against this resolution is an affirmation of faith in the equitable concern of the present federal government for all parts and provinces of Canada. And I believe neither of those things. I do not favor centralization. It is an idea whose time has come and gone, and as it disappears behind us it carries with it the pre-eminent presumptions of Toronto, Ottawa, the Liberal party, and the NDP.

The current thinking, Mr. Speaker, in biology, in engineering, in business administration, in politics, and in social organization, all advocates a decentralized model as the most effective model by which to operate in today's society.

I also don't have confidence in the equitable concern of the present federal government toward all parts and provinces of Canada. I regret very much that I feel I have to stand and make that statement, yet it is a fact. It's a reflection on the incumbents, not on the system itself. Nothing, Mr. Speaker, demonstrates more clearly the inability of the federal government to understand the aspirations and the

positions of different parts and provinces of Canada than a speech made by Mr. Trudeau yesterday and reported in the media today.

By this proposal — that is, the proposal of the federal government — the provinces will sit hereafter at the table that is set by the federal government, and there will be a sword of Damocles over not one head, but over seven, or eight, or ten. By this proposal, Ontario, Quebec, and possibly British Columbia, might have an absolute defence against any change in their status, their rights, or their opportunities. By this proposal, seven or eight other provinces would be absolutely indefensible.

Mr. Speaker, in this issue we are, relatively speaking, better off than some other provinces. Having come late to Confederation, the rights which we enjoy are the common rights of all provinces, and with the one exception of declaring works for the public advantage of Canada, none of our rights is going to be affected, except by affecting the rights of other provinces. By this proposal, Mr. Speaker, the provinces of Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, and British Columbia should rightly be far more concerned than this Legislature, because having come early to Confederation they each have unique rights which are contained in the British North America Act in sections other than 91, 92, 93, or 109.

Why don't we amend Section 7 of the British North America Act to change the boundaries of New Brunswick and Nova Scotia? By the federal proposal we can do it with the consent of neither province. Why don't we amend Section 22(3) to reduce or eliminate entirely Prince Edward Island's representation in the Senate? By the federal proposal we do not need the consent of P.E.I. Let's amend the act to terminate the rights which Newfoundland secured upon entering Confederation. We don't need their consent.

Mr. Speaker, only two of the 10 provinces of Confederation had no choice respecting their entry into Confederation: Alberta and Saskatchewan. All of the others had some pre-existing status. They had some choice as to whether they would remain as they were or enter into this new thing called Canada. They knew the terms by which they were entering, and they knew that the terms as they affected them could not be changed without their consent.

If some of the people who have earlier been mentioned in this House, Mr. Tupper, Mr. Howe, Mr. Brown, or Mr. Douglas, had had the prescience to visualize the debate that is taking place in this country in 1976, we wouldn't be having the debate. There would not be a Confederation as we know it because those provinces would not have entered Confederation. They would not have entered a contract had they known that at any future time the terms of that contract, as it affected them, could be changed without their concurrence.

Mr. Speaker, the propositions are two-fold and they are simple. The first is whether or not any government, regardless of its legal authority, has the moral right to fly in the face of the convention by which this Confederation has existed for 109 years.

The second is simple as well. It is not a question of Alberta's right to impose her beliefs or aspirations or feelings on the people of Ontario any more than on the people of Prince Edward Island. It is a question of

our equal right — each province of Confederation to know that what it has on this day in this country is not going to be taken away from it without its own concurrence. That, Mr. Speaker, I support as a member of this Legislature, as an Albertan, and as a citizen of Canada.

Thank you very much.

MR. BOGLE: Mr. Speaker, it's a privilege and honor to rise today and attempt to express the views of the electors of the Taber-Warner constituency on this most important resolution, a resolution which basically says that all provinces are equal in Confederation and that we should not accept any amending formula which would change or alter that position.

Mr. Speaker, about five months ago this question wasn't very important in my mind. And I don't think it was important in the minds of most Albertans at that time. But a lot of things have happened over the past five months.

About three months ago, I had a very moving experience. An elderly gentleman approached me on the sidewalk in Coaldale — a man about 76 years of age. He has been in Canada for some 40 years now. He urged me to speak on this issue — it was not a resolution at that time of course — but to speak on it and urge my colleagues in this Assembly not to allow any of the privileges and rights we now enjoy to slip away. Because the country he comes from is no longer free.

About six weeks ago, I had a pre-session meeting in my constituency. It was in the Taber area. To my surprise, several people from that community raised the issue. It was again raised at our annual meeting recently.

The fundamental principle taken by the Government of Alberta is that all provinces are equal, that Confederation itself was an agreement by equal partners; therefore the provinces and not the regions should have equal input into any future alterations in existing property, rights and jurisdiction. It's important to reinforce the point, Mr. Speaker, that we are not — I repeat we are not — advocating a blanket veto for every province for every issue.

Alberta's position is that other parts of the Constitution may be changed without the same degree of input, because those amendments would not alter the basic character of our federal system. Canada is a union of provinces, not regions; therefore the rights, the interests and the jurisdiction of the provinces should be protected by them, not by the regions they happen to be located in.

I think it might be important, Mr. Speaker, to give very briefly a bit of historical background to the events that led up to Confederation. I've very much appreciated the comments made by some of my colleagues in this Assembly to that effect.

The meeting that took place in Charlottetown in 1864, which was originally envisioned to be a meeting to discuss the union of the three maritime provinces and later expanded to include representatives from Canada west and Canada east, was attended by 23 delegates, eight from Canada and five from the other three provinces. A great deal of headway was made at this particular conference. In part, the events that were taking place in the United States at that time, namely the Civil War, had a bearing on it. There were also trade factors.

But it was important that this conference was followed up by a conference later that year in Quebec City, attended by 33 delegates. Two more colonies sent representation. Now Canada's delegation was expanded to 12, and by Canada I refer to what is today Ontario and Quebec. New Brunswick sent seven delegates as did Prince Edward Island. Nova Scotia sent its original five, and Newfoundland sent two. The London conference which followed two years later in 1866 was attended by the eminent Fathers of Confederation, the leaders being Sir John A. Macdonald, Sir George Cartier, George Brown, all three of those representing the Canadas; Sir Alexander Galt from New Brunswick; and Sir Charles Tupper from Nova Scotia.

I want to emphasize one point, Mr. Speaker, and that is that the fundamental principle accepted at Charlottetown and reinforced at Quebec City was that the new government should be a federal state rather than a unitary government. To quote George Brown from the Confederation debates of 1865:

We had either to take a federal union or drop the negotiation. Not only were our friends from Lower Canada against it, but so were most of the delegates from the Maritime Provinces. There was but one choice open to us — federal union or nothing.

It is also important to note, Mr. Speaker, the union that did take place in 1867 was a union between four colonies. Two of the colonies that had participated in the debates decided not to enter. They were of course Prince Edward Island and Newfoundland. The colonies were equal at that time. They made a choice as to whether or not they wanted to enter Confederation.

I think it might be interesting, Mr. Speaker, to look at two other nations and see how they amend their constitutions. Much has been said about ours and about how unworkable the present formula is. I felt it important then to look at the United States because of its proximity to us, because of its influence on us, in part because of the influence it had on our own British North America Act; and also a sister Commonwealth country, Australia.

If we were to look at the Constitution of the United States, we find the amending formula in Article 5. It states that in order to amend the Constitution of the United States, you need two-thirds of the members of the House of Representatives along with two-thirds of the members of the Senate, and three-quarters of the states regardless of size — so that's 38 states. You might now ask how many amendments have gone through since that Constitution was first adopted in 1789. I have to admit that the figure surprised me. Twenty-four amendments have been worked out, and have been successfully put through the House of Representatives, the Senate, and three-quarters of the states in the United States.

Briefly looking at Australia, we find that their amending formula is embodied in Section 128 of the Constitution. Their amending formula is even more difficult than that of the United States. You need a simple majority of both the House of Representatives and the Senate. You need two-thirds of the states; and in Australia there are six states so that's four out of the six. But along with that there must be a referendum and you must have at least 50 per cent of the total population. Even in Australia we find that

amendments have gone through in 1906, 1910, 1928, and 1946. Their constitution was first introduced in 1900.

There is a clause in the Australian constitution which I believe is quite significant. It falls at the very end of Section 128. That there should be:

... no alteration diminishing the proportionate representation of any state in either House of the Parliament or the minimum number of representatives of a state in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the state, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of electors voting in that state approve the proposed law.

In other words, each state has a veto with respect to its own representation so far as recommended changes would alter that state's position in relation to other states.

It might be interesting at this moment, Mr. Speaker, to give some population statistics in both these nations. We're often told, why should a province as small as Prince Edward Island have equal clout with one as large as Ontario? In the United States, the largest state by population is California with 20,656,000; the smallest state by population is Alaska with 330,336. Those are 1973 statistics. In Australia the smallest state is Tasmania with 399,100; the largest state according to population is New South Wales with 4,738,000. Again, 1973 statistics.

The resolution before this House addresses itself to any revised amending formula. I think a great misconception exists in the minds of a number of Albertans and Canadians that there is no amending formula today. Well that's nonsense. I'd like to reaffirm the point that the British North America Act has been amended through consultation and co-operation — consultation and co-operation of the federal government and the 10 provincial governments. Mr. Speaker, amendments, as has been pointed out earlier, have been made in 1940 respecting unemployment insurance, in 1951 with regard to old age pensions, in 1960 regarding the retirement of judges, and in 1964 on old age pensions. Unanimous approval by the 10 provinces and the federal government was received. That's because they worked together.

One hon. member of this Assembly has suggested that we need a strong, effective federal government. The hon. member went on to infer that the worst thing that could happen to us would be to have a weak, ineffective central government, that we would have balkanization of the nation.

Mr. Speaker, I ask the hon. Member for Spirit River-Fairview to read the resolution being debated. It does not suggest that we should weaken the federal government. It does not suggest that we should take anything away from any other part of Canada. It does state that no existing right, property, or jurisdiction should be taken away from any province — and I repeat, any province — without that province's concurrence. The hon. member went on to say that he does not apologize in saying that, and that he would say it in Milk River. Well, Mr. Speaker, Milk River is in the constituency I represent, Taber-Warner. Moreover it's my home town, and if the hon.

member is saying that he would like to debate the issue respecting our two points of view in Milk River, I accept.

Mr. Speaker, the two nations that I used as examples, the United States and Australia, each have lower houses which are elected on a representation by population basis. Their upper houses are represented by equal representation from all states. We do not have that check in this country. Therefore, I think it's vitally important that we recognize the integral interests not only of our province but of all provinces. Thinking back on the comments made by other speakers in this debate who spoke of various interests in particular provinces, it is vitally important that if Canada is to work as a nation, as has been pointed out by the hon. Member for Drumheller, it must work together because we are only as strong as our weakest link.

I'm proud to be a Canadian citizen and equally proud to be a resident of Alberta. To suggest that in supporting a strong Alberta we are somewhat less Canadian is ludicrous. Canada is a union of equal partners. Alberta is no less a province than is Ontario, and we are no less equal parts of Confederation.

MR. HYNDMAN: I move that we stop the clock.

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, I'm pleased to get involved in this debate. I confess some interest in the topic, and I've had more than a passing acquaintance with the subject over the course of the last 18 months.

First, though, I want to congratulate those who have made speeches with regard to the resolution. I think all of us have to be impressed with the high quality of the speeches that were made by so many of the MLAs in this Assembly. It's clear that they spent significant time, effort, and study in preparing their remarks. That, Mr. Speaker, I think is properly so, when we consider how crucial this resolution is to Alberta but also to Canada.

I want to highlight briefly some of the key aspects of the principle contained in the resolution. But before I do so, I would like to deal briefly with a few of the matters raised by members opposite. There was some concern expressed by some with regard to the effect of the resolution as amended. I think it should be clearly understood, Mr. Speaker, that the amendment, of course, has the same spirit involved in it as the main motion. It doesn't preclude or limit the government's options any more than the resolution does.

The amendment essentially contains two elements. First, the government should refuse to support patriation without unanimous consent, and that is essentially a restatement of the resolution and the telex of April 7 of this year from the Premier to the Prime Minister. The telex asserts the principle of provincial equality and that is in the resolution. The amendment also uses the words "for a proper amending formula". Of course, one proper amending formula in our view is the formula which we propose, a two-way process involving unanimity with respect to the preservation of basic rights, and some other form of amendment for other matters in the constitution.

But of course, Mr. Speaker, another proper formula for amendment is the formula of unanimity, the one which is traditional, the one which has been used in this country for at least 40 years. So the amendment in no way precludes the government accepting option one.

It might be useful, Mr. Speaker, just to review the key sentence in the Prime Minister's letter with regard to that subject. This is his letter to the Premier of March 31, 1976. He says on page 7:

To meet this deficiency, one could provide in the address to the Queen that amendment of those parts of the constitution not now amendable in Canada could be made on unanimous consent of Parliament and the legislatures until a permanent formula is found and established.

So it's important to remember that there is an existing amending formula: unanimity. The Prime Minister's option one is essentially patriation and no amendments without the agreement of all 11 provinces with regard to matters relating to the provinces. So option one essentially provides a means to amend the Constitution. A formula is there: it is unanimity.

To sum up on this point, Mr. Speaker, our position is based firmly on the assumption of provincial equality, which therefore requires unanimity. Patriation without guarantees to reflect that would of course be unacceptable to us. But patriation along the lines of option one with guarantees would be acceptable, because there would be the kind of protection we seek which reaffirms provincial equality. So, Mr. Speaker, the amendment does not in any way close the door for Alberta with regard to option one. It wouldn't bar Alberta from that route in future.

Another question was posed, Mr. Speaker, by the Member for Little Bow. He asked for clarification with regard to the question of the rights of the provinces. He asked: under the British North America Act, do all the provinces have equal rights? He suggested there were differences which could be found in the Constitution with regard to certain named provinces. Well of course, Mr. Speaker, yes there are a number of sections in the act which relate to specific aspects of each province as it entered Confederation. There are a number of consequential aspects and sections in the BNA Act which relate very directly to the time, the timing, and the issues of the day. And that melding process when a province joined Confederation, necessarily required some differences. Of course, as a province we seek to underscore the fact that we value the differences in Canada. We are seeking to preserve and protect the diversity of the provinces in this country, because it is that diversity which gives us the strength of this country and has made Canada what it is, and must be preserved in future decades.

So there are these differences, Mr. Speaker, but of course we would say that provinces do have and must have equal rights with regard to three specific and crucial sections: Section 92, Section 109 — those are clearly matters in which all provinces have equal rights — and Section 93. Now the matter of education in Section 93 does have some differences, but I suggest it's really quibbling to say Section 93 does not relate directly to equal rights of the provinces.

Mr. Speaker, whether a province is in the eastern or western part of the country, whether it's large or

small, whether it's an original member or one of the recent joiners of Confederation, in our view all are entitled as a basic right to the protection of their existing rights, privileges, and assets. They cannot and should not be taken away without the consent of those provinces.

Mr. Speaker, I'd like to comment briefly on one other matter raised, I believe, by the Leader of the Opposition, and that is the matter of the development of this policy of the government which is reflected in the resolution. He referred to the letter of February 10, 1976, to the Prime Minister from the Premier and suggested there was no mention of our position today in that letter. That is exactly the case, Mr. Speaker. It's no secret. Policy was developing. The letter itself uses such words as: "further discussions are necessary". The preliminary nature of the correspondence and of the issue at that time is referred to. The suggestion that further meetings will be required is very clearly set forth in the letter.

So at that time, in February of this year, matters were on a preliminary, tentative, and exploratory basis. Of course it should be remembered that that date was some seven weeks prior to the details which were found for the first time in the letter of March 31, 1976, to the Prime Minister.

Therefore, our position was different on August 17 of this year. The larger scope of the issue was known for the first time. It's no secret. The matter and the issue evolved during the course of this year and it gelled, as the hon. Premier has said, on August 17.

The position is very firm right now. That's what the resolution says. I suggest that is the proper way to move to a decision of this nature. It's a wise and considered method of conducting the business of government making decisions.

I'd like to summarize very briefly, Mr. Speaker, what I would see as some of the key principles that have been debated and which reinforce the resolution.

First, Canada in my view began in 1867 with the clear principle of equal partnership. That principle is as correct now as it was then. It is crucial to our future.

Secondly, the Victoria meetings and the Victoria formula — Alberta wasn't there. We as a government are not bound by them. We don't agree with them. In the Victoria formula we see a clear and present danger in terms of the possible and dangerous erosion of the provincial rights of at least eight provinces.

Thirdly, this is the right time to take this stand on principle, Mr. Speaker, because it should be clearly remembered that there is and will be no possible direct appeal to the Queen and the United Kingdom with regard to the possible unilateral patriation of the Constitution.

Fourthly, Mr. Speaker, we agree with the objective of patriation but certainly not at all costs. Unilateral patriation without guarantees would be wrong.

Fifthly, in our view the principle in the resolution before us is not a new one. It is consistent with the experience, the practice, the history, and the conventions of this country for 109 years.

Sixthly, Mr. Speaker, it's important to note that in this resolution we are not asking for a veto. We point to the equality of provinces with regard to existing rights and their protection. We would take this same

posture if we were the government of Manitoba or New Brunswick or Saskatchewan or Newfoundland today.

Lastly, Mr. Speaker, I think it should be clearly underlined that we are not simply protecting the resources of Alberta. This resolution goes far beyond that. We are protecting, with regard to the rights of just this province, the privilege to decide in future in this Chamber the kind of educational system we want, the mix of health services we want, whether we will even have a heritage fund in this province in future. Those are the kinds of questions up for debate, the protection of which is crucial to the resolution.

So by this resolution, in our view, we are really fighting a battle for a number of other provinces. Our stand, though, Mr. Speaker, is not on the narrow ground of Alberta's self-interest. It's on the principle of the historic partnership of the federation, protecting these basic existing rights of all provinces in the country.

Now it's been pointed out that the odds are nine to one. In this province we've perhaps been faced with those odds before, and those are the odds, yes, today perhaps in this window of time, November 1976. Suggestions are made across the country that we're out of step, but I believe that future historians may well look back and say that Alberta was the only province in step in the country.

It may well be, Mr. Speaker, in future years that MLAs and citizens of at least seven other provinces will look back and reflect and say to themselves, you know, perhaps Alberta was right in the fall of 1976, perhaps they did understand what 109 years of Confederation is all about. Maybe they really did have the foresight to see the danger of stripping the minority population provinces of their rights. Maybe they really did appreciate the importance of preserving the differences and the diversity in this country. Maybe they had the right perception in seeing that there are no second-class provinces in this country.

In conclusion, Mr. Speaker, I suggest that this resolution is properly and reasonably a landmark in the history of this federation we call Canada, and by passing it we are taking a stand. We will be showing that we have the foresight and indeed the courage which will keep this unique Canadian partnership on the right track in the decades to come.

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

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

For the motion:

Adair	Hansen	Musgreave
Appleby	Harle	Paproski
Ashton	Hohol	Planche
Backus	Horner	Purdy
Batiuk	Hunley	Russell
Bogle	Hyland	Schmid
Buck	Hyndman	Schmidt
Butler	Jamison	Shaben
Chambers	Johnston	Stewart
Chichak	Kidd	Taylor

Clark	King	Tesolin
Cookson	Koziak	Thompson
Crawford	Kroeger	Topolnisky
Diachuk	Kushner	Trynchy
Doan	Leitch	Walker
Donnelly	Little	Warrack
Dowling	Lougheed	Webber
Farran	Lysons	Wolstenholme
Fluker	Mandeville	Young
Foster	McCrae	Yurko
Getty	McCrimmon	Zander
Ghitter	Miller	
Gogo	Moore	

CLERK: Your Honour, the following are the titles of the bills to which Your Honour's assent is prayed.

[The Clerk read the titles of all bills to which third reading had earlier been given]

[The Lieutenant-Governor indicated his assent]

CLERK: In Her Majesty's name, His Honour the Honourable the Lieutenant-Governor doth assent to these bills.

HIS HONOUR: Mr. Speaker, Members of the Legislative Assembly of Alberta, in bringing to a close this Second Session of the 18th Legislative Assembly, I desire to express my appreciation of the earnest and diligent manner in which you have applied yourselves to your public duties. It is with great satisfaction that I have noted the careful attention you have given to the consideration of the various important measures which have come before you, and your steadfast zeal for the promotion of the welfare of our province.

I thank you for the provision you have made to meet the needs of the public service. The sum of money you have thus provided will be expended by my ministers in accordance with the principles of efficient and economic administration.

In relieving you of your duties and declaring the Assembly prorogued, I pray that under Divine Providence our province will achieve an increasing measure of prosperity and happiness, and that an even greater future is assured for all the peoples of this nation.

SERGEANT-AT-ARMS: Order!

[The Lieutenant-Governor left the House]

MR. FOSTER: It is His Honour's will and pleasure that the Legislative Assembly be now prorogued, and this Assembly is accordingly prorogued.

[The House prorogued at 5:57 p.m.]

Against the motion:

Notley

Totals: Ayes - 67 Noes - 1

MR. HYNDMAN: Mr. Speaker, His Honour the Honourable the Lieutenant-Governor will now attend upon the Assembly.

[Mr. Speaker left the Chair]

head: **ROYAL ASSENT**

SERGEANT-AT-ARMS: Order! His Honour the Lieutenant-Governor.

[His Honour the Lieutenant-Governor entered the House and took his place upon the Throne]

HIS HONOUR: Be seated, please.

MR. SPEAKER: May it please Your Honour, the Legislative Assembly has, at its present sitting, passed certain bills to which, and in the name of the Legislative Assembly, I respectfully request Your Honour's assent.

