

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Friday, October 21, 1977 10:00 a.m.**

[The House met at 10 a.m.]

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF VISITORS**

DR. HOHOL: Mr. Speaker, this morning I have the very real pleasure to introduce [five] outstanding Albertans. You will recall, sir, and members of the Assembly, that we have six advisory committees to the Minister of Advanced Education and Manpower. On each committee sit 13 people, a cross section of significant Albertans who advise me on matters in postsecondary education. Once a year the chairmen meet in a place in Alberta to discuss the affairs of education in postsecondary institutions. They are doing this today in Edmonton.

It is my very real pleasure to introduce to you, sir, and through you to the Assembly, five chairmen. One is away today. In your gallery, Mr. Speaker, are: Dr. Neville Matthews, who is the chairman of the college affairs advisory committee and president of Canadian Union College, College Heights; Mr. Ron Scrimshaw, chairman of the native peoples education advisory committee and director of Old Sun College at Gleichen; Dr. A.G. Scott, chairman of the student affairs advisory committee, from Glenrose Hospital in Edmonton; Dr. Duncan Currie, from the Alberta Research Council in Edmonton, who is chairman of the technical and vocational education advisory committee, and chairman of the chairmen; and Mr. T.W. (Bill) Snowdon, the chairman of the university affairs advisory committee, who is a solicitor from the city of Calgary.

As I said, they are seated in your gallery. I ask the House to greet them in the usual way.

MR. CLARK: Are you going to let them make some decisions, Bert?

head: **PRESENTING PETITIONS**

MR. CLARK: Mr. Speaker, I'd like to table with the Assembly a copy of a petition from people in the Wetaskiwin/Leduc area, with regard to their request that Bill 15 not move ahead.

MR. R. SPEAKER: Mr. Speaker, I would also like to present to the Assembly a petition signed by a number of people from Calgary opposing Bill 15, The Planning Act, alleging it is detrimental to the rights of property owners and that it should be withdrawn.

Mr. Speaker, the petition includes some very interesting family names like Dowling, Johnston, Moore.

MR. NOTLEY: Any Homers on there?

MR. MANDEVILLE: Mr. Speaker, I'd also like to present to this Assembly a petition on behalf of the people of Alberta. It's a petition signed by 54 people who are opposing Bill 15, The Planning Act. They are alleging that this is detrimental to the rights of property owners and should be withdrawn. These are people from Mannville, Mr. Speaker.

DR. BUCK: Mr. Speaker, I would also like to present a very large petition from the people in the Viking/Kinsella area, opposing Bill 15 and asking that it be withdrawn.

head: **INTRODUCTION OF BILLS****Bill 73****The Motor Transport Act**

DR. HORNER: Mr. Speaker, I beg leave to introduce Bill No. 73, The Motor Transport Act. This being a money bill, His Honour the Lieutenant-Governor, having been informed of the contents of this bill, recommends the same to this Assembly.

The Motor Transport Act in essence is a rewrite and modernizing of The Public Service Vehicles Act, which has not been looked at for a great number of years. It modernizes the affairs of the Motor Transport Board. In addition, Mr. Speaker, the bill will implement substantially all the recommendations of the legislative committee on trucking that have not already been implemented by regulation. This bill will in essence adopt the recommendations of that committee, as well as modernize the old Public Service Vehicles Act.

[Leave granted; Bill 73 read a first time]

Bill 249**An Act to Amend The Jury Act**

MR. TAYLOR: Mr. Speaker, I beg leave to introduce Bill No. 249, An Act to Amend The Jury Act. The purpose of this bill is the removal of an archaic notion from the statutes of Alberta, generally the idea that blind people are not allowed to function as normal human beings, and specifically to allow blind people to exercise the right and privilege of sitting on a jury to hear the evidence of a case.

[Leave granted; Bill 249 read a first time]

Bill 77**The Natural Gas Price Administration Amendment Act, 1977**

MR. GETTY: Mr. Speaker, I beg leave to introduce Bill No. 77, The Natural Gas Price Administration Amendment Act, 1977. This being a money bill, His Honour the Honourable the Lieutenant-Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Mr. Speaker, this is the bill that would provide for pricing of natural gas by Alberta if we were unable to agree each year with the federal government on the pricing of gas under The Natural Gas Pricing Agree-

ment Act. Up to now we haven't had to proclaim the bill. The amendments I am proposing in this legislation today are to bring this bill up to date with the amendments we made to The Natural Gas Pricing Agreement Act in the spring.

[Leave granted; Bill 77 read a first time]

Bill 81
The Department of the Environment
Amendment Act, 1977 (No. 2)

MR. RUSSELL: Mr. Speaker, I beg leave to introduce Bill No. 81, The Department of the Environment Amendment Act, 1977 (No. 2). The main purpose of this act is to incorporate decisions recently handed down by the court with respect to restricted development areas.

DR. BUCK: The executioner's at it again.

MR. SPEAKER: Order please.

[Leave granted; Bill 81 read a first time]

Bill 78
The Attorney General Statutes
Amendment Act, 1977 (No. 2)

MR. HORSMAN: Mr. Speaker, I request leave to introduce Bill No. 78, The Attorney General Statutes Amendment Act, 1977 (No. 2). This act will amend 12 acts of our Legislature. Some are minor, but all are designed to improve and streamline the administration of justice in Alberta.

[Leave granted; Bill 78 read a first time]

Bill 83
The Social Services and Community
Health Statutes Amendment Act, 1977

MR. STEWART: Mr. Speaker, I beg leave to introduce Bill 83, The Social Services and Community Health Statutes Amendment Act, 1977. This bill will amend five acts within this department: The Change of Name Act, 1973; The Dependent Adults Act; The Maintenance and Recovery Act; The Mental Health Act, 1972; and The Preventive Social Services Act. These amendments are designed to help the people of Alberta in receiving the justice and the assistance of this department.

[Leave granted; Bill 83 read a first time]

MR. FOSTER: Mr. Speaker, I move that Bill 78, The Attorney General Statutes Amendment Act, 1977 (No.2), and Bill 83, The Social Services and Community Health Statutes Amendment Act, 1977, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: TABLING RETURNS AND REPORTS

MR. LEITCH: Mr. Speaker, I wish to table the annual

report of Alberta Treasury for the year ended March 31, 1977.

MR. MINIELY: Mr. Speaker, I wish to table three reports which were referred to during the course of my remarks on second reading of Bill 66. The first is a filing of correspondence on a study done by the Medical Services Research Foundation and the national accounting firm Ernst & Ernst on the organizational aspects of the hospital commission. The second is a summary of the responses to the policy questionnaires that were widely distributed throughout the province. The third is a copy of the terms of reference of the pilot project hospital study being done co-operatively by the province and the Edmonton General Hospital on cost efficiency and organization of the hospital.

head: INTRODUCTION OF SPECIAL GUESTS

MR. MANDEVILLE: Mr. Speaker, I'd like to introduce to you, and through you to the members of the Legislature, some dedicated people who drove to Edmonton yesterday to attend the induction of the late Norma Jean Gray to the Agricultural Hall of Fame. I'd like to start out by introducing Frank and Gloria Charlton, Mr. and Mrs. Jens Block, Jack Anderson, Dorothy and Harold Stackhouse, Carl and Lee Anderson — and I just might say, Mr. Speaker, that Mr. Carl Anderson is also in the Hall of Fame — Archie Boyce and his good wife who are always known in the cattle circles, Betty Sewell, Linda Henderson, Margaret Brown, and Lillian Hogg. Mr. Speaker, I've also got a chairman with that. I've got my Fred Jr. I'd like him to stand too and be recognized by the House.

MR. TAYLOR: Mr. Speaker, I've great pleasure in introducing to you, and through you to the hon. members of the Legislature, some 80 to 90 beautiful girls and handsome boys from the Drumheller Composite High School. This group left Drumheller early this morning and is visiting Edmonton to look over the legislative process.

The students are accompanied by two teachers Mr. Howard Rasmussen and Mr. Pat Connor. They are also accompanied by two bus drivers Mr. Peter Ludwig and Mr. Peter Gruber. I would ask this fine group to stand and be recognized, and I ask the House to give them a hearty welcome.

head: MINISTERIAL STATEMENTS

Department of
Housing and Public Works

MR. YURKO: Mr. Speaker, as advised yesterday by the Premier, I am pleased to inform the House formally that the old courthouse in Calgary, which was designated a provincial historic site earlier this year, will be restored and renovated to serve as Government House South, and will be a natural extension of the provincial government to citizens of southern Alberta. Funding for the restoration will be allocated from the capital projects division of the heritage savings trust fund . . .

MR. NOTLEY: Where else?

MR. YURKO: . . . by way of legislation to be duly appropriated by this Legislature.

Government House South will contain facilities that will afford the Premier, ministers of the Crown, and all Members of the Legislative Assembly the opportunity to gain greater access to citizens living in the southern half of the province. The building will also contain permanent offices for the Lieutenant-Governor of Alberta and the Ombudsman. This will provide a formal presence for these two official positions in the southern part of the province.

The old courthouse on 7 Avenue and 5 Street S.W. was completed in 1915 to supplement the original courthouse built in 1888, which occupied the same site the new courthouse is located on. The sandstone building served as Calgary's courthouse until 1962, when the new courthouse was opened. Two years later, in 1964, the Glenbow-Alberta Institute moved in and operated a museum, until vacating it in the summer of 1975. The building was occupied again in 1976 when its original occupants the Supreme Court, the Clerk, sheriff's offices, and court reporters moved in while renovations to the new courthouse were under way.

In order to provide public input to the restoration and renovation as well as the future use of the historic building, a citizens' advisory committee will be established, and will initially consist of the southern Alberta directors of the Government House Foundation.

Government House South will be used for official government receptions and dinners for visiting dignitaries to the Calgary area, and for those ceremonial functions required by the Lieutenant-Governor and the government of Alberta. It will also be used extensively as a government meeting centre, in much the same way as the existing Government House in Edmonton.

A public information room and a Travel Alberta office will provide the public with direct access to all government programs and recreation facilities available throughout Alberta. The minipark which surrounds the old courthouse will be retained, as it has proven to be a popular place for Calgary citizens to enjoy during the noon hour, amongst trees and colorful flower beds. Surveys have indicated that as many as 15,000 pedestrians use this park daily.

The exterior of the building will be restored, and its architectural character enhanced by the addition of a two-storey balcony/portico on the north elevation. Inside, the intent is not only to preserve but to enhance the architectural style, reminiscent of buildings constructed in Alberta's sandstone era. The terrazzo and marble floors are still serviceable, and will be reconditioned somewhat to bring them back to their original character.

The entire restoration and renovation program is estimated to cost \$4 million and will be under the direction of Alberta Housing and Public Works. Construction is expected to commence in the late spring of 1978, and work may be completed as early as the summer of 1979.

Mr. Speaker, I would like to file with the House four copies of a brochure on Government House South, as well as four copies of the ministerial statement I presented.

MR. SPEAKER: Unless there is some statutory requirement for this tabling it would come under Standing Order 35(3), which would mean there should be copies for all members.

MR. CLARK: Mr. Speaker, in responding to the confirmation of the announcement made in the Assembly yesterday, I would have to say that from the point of view of the Lieutenant-Governor's use of the facilities, that seems to be acceptable.

Mr. Speaker, I would point out to members of the Assembly that Government House South, which I suppose some people would consider comparable to the western White House in California, is adjacent to the Bowlen Building, where the Premier's office is on the mezzanine floor. I'm sure cabinet ministers, the Premier, and Members of the Legislative Assembly on the government side of the House have been able to make ample use of the facilities there.

Mr. Speaker, it seems to me that in this announcement this morning the government is going to spend \$4 million, albeit from the heritage savings slush fund, during a period when we haven't had time to get the psychiatric ward at the Calgary General Hospital operational, during a period when the southern Alberta cancer centre hasn't been able to get off the ground — it was announced a year ago in this Assembly; at the same time we've got a freeze on hospital construction in Alberta. It seems to me, Mr. Speaker, that we'd be far wiser to give priority to hospital construction for health care for people in this province rather than the Minister of Housing and Public Works and his colleagues spending time on refurbishing the old courthouse in Calgary.

Mr. Speaker, if it's the government's view that the old courthouse in Calgary needs to be refurbished, one of the priorities they might well have put on it was a suggestion that was made to me yesterday; that is, an Alberta provincial library in Calgary, or facilities for senior citizens in the downtown area of Calgary. Mr. Speaker, those propositions would seem to me more in keeping with some of the things the ordinary people in Calgary would benefit from a great deal more than Government House South which, despite what the minister says, will really end up being a facility for the elite.

MR. GHITTER: Mr. Speaker, with permission of the House I would like to make one comment. It's just been stated by the Leader of the Opposition . . .

AN HON. MEMBER: No.

MR. NOTLEY: You don't have any right to do that.

MR. SPEAKER: Order please.

MR. NOTLEY: Read your rules, Ron.

head: **ORAL QUESTION PERIOD**

Laycraft Inquiry

MR. CLARK: Mr. Speaker, I'd like to direct the first question to the Attorney General. It flows from the Laycraft inquiry, which the Attorney General announced in the spring session. My question is: what

is the situation with regard to Crown counsel, in light of the decision by the former counsel to step down?

MR. FOSTER: I'm not sure what the hon. leader means when he asks what the position is with respect to Crown counsel. Mr. Berger decided, for reasons which have already been made public, that he should not continue as commission counsel. Mr. Justice Laycraft accepted his resignation about a week ago. Shortly before that took place I discussed the appointment of commission counsel Ian Baker, and recommended to the commissioner that he be accepted as commission counsel. Mr. Justice Laycraft has accepted Mr. Baker.

The commission has been adjourned until November 14, I believe, which is about a one-month adjournment, to give Mr. Baker sufficient time to adequately prepare himself to conduct the inquiry, recognizing that he was brought in on very short notice. The inquiry will continue on November 14. I don't anticipate that difficulties Mr. Berger has encountered will be experienced again.

MR. CLARK: Mr. Speaker, a supplementary question to the Attorney General. Was the Attorney General aware, to use his term, of the possible difficulties which Crown counsel Mr. Berger found himself in, prior to the Attorney General making the initial appointment of Crown counsel?

MR. FOSTER: Mr. Speaker, I think Mr. Berger dealt adequately with that subject when he replied on the matter in a letter to Mr. Justice Laycraft, which Mr. Justice Laycraft read into the record on the adjournment about a week ago. My memory is that Mr. Berger made remarks something to the following: that prior to embarking upon the commission last spring, Mr. Berger canvassed very carefully with a number of persons — clearly with myself as well — the possible conflict, if any, between the role of commission counsel and the role of special prosecutor. He was satisfied there was no conflict in that area whatsoever. Indeed there is some law on the subject which suggests that the roles of both counsel are very compatible, and there is no conflict there.

At that point we also canvassed the question whether or not Mr. Berger might be called as a witness in the inquiry, and were satisfied at the outset that he would not. It now turns out that he may be called as a witness. Those circumstances were not anticipated, and in my judgment could not have been anticipated, at the outset of the inquiry.

However, because we were concerned that there may have been an application to ascertain the propriety of Mr. Berger's status, we engaged Mr. Ian Baker before the commission commenced last spring. Mr. Baker has been in a stand-by position, as it were, for this eventuality.

I don't want to comment on the reasons Mr. Berger may now be called as a witness. Those reasons are known best to those who allege that he may, and I don't think I should comment on it. Suffice it to say, Mr. Speaker, that having been given notice that he might be called as a witness, Mr. Berger felt as a matter of propriety and ethics that he should not continue in that capacity, and has chosen to resign. I certainly cannot take issue with that decision, nor indeed does the commissioner, Mr. Justice Laycraft.

I don't want to leave any suggestion, Mr. Speaker, if there is any, that in some way the departure of Mr. Berger or his decision to resign is in any way improper or in any sense could have been anticipated. Mr. Berger was commission counsel; he did certainly participate in a number of activities, certainly at my direction and others', as special prosecutor. But we were not in a position to anticipate he might be called as a witness. Again, I don't want to debate that point. I'll be quite happy to debate that, if necessary, once the commission has concluded its work and we have Mr. Justice Laycraft's report.

MR. CLARK: Mr. Speaker, a supplementary question to the Attorney General. Is the Attorney General in a position to indicate to the Assembly who plans to call Mr. Berger as a witness?

MR. FOSTER: Mr. Speaker, I believe Mr. Berger's letter indicated that counsel for two of the parties before the inquiry have so indicated. I have no personal knowledge of that indication. I have not been privy to any discussions involving those parties whatsoever, so I am not in a position to say that I know first-hand who may be calling him as a witness. Certainly Mr. Berger never intended to call himself as a witness while he was commission counsel. But two parties have indicated, and there may be more.

MR. CLARK: Mr. Speaker, a further supplementary question to the Attorney General. Since the Attorney General appointed Mr. Berger as the Crown counsel for the inquiry, has new information come to the attention of the Attorney General which has caused Mr. Berger now to step down — new information from the point of view of a conflict of interest?

MR. FOSTER: Mr. Speaker, first of all Mr. Berger was not Crown counsel, he was commission counsel. That may be simply a nice distinction. Let me assure the House that I am not in receipt of any information which suggests that Mr. Berger was in a position of conflict occasioning his resignation. His resignation, as far as I am concerned and am aware, was based solely on the fact that he felt that it would be improper for him to continue in a circumstance where he might be called as a witness, and where parties to the inquiry had so indicated.

Clearly that's a practice that indeed is most proper in the courts, where counsel for either party, once it's clear that that counsel may be called as a witness — it is simply unethical for that witness to continue at a certain point. Where that point begins and ends is of course largely a judgment for each counsel to call. In this case Mr. Berger has made that decision and Mr. Justice Laycraft has accepted it. But I don't want to leave any suggestion that I am aware of anything that gives rise to Mr. Berger's departure, other than the witness question.

MR. CLARK: Mr. Speaker, one last supplementary question to the Attorney General. What kind of time line is the Attorney General looking at from the standpoint of receiving the report from Mr. Justice Laycraft, and when might the report be public?

MR. FOSTER: Mr. Speaker, the Laycraft inquiry is an investigatory inquiry; that is, the commissioner is

charged with the responsibility pursuant to the order in council to inquire into certain matters and report thereon. It is not for me to say how long Mr. Justice Laycraft indeed might pursue his mandate. The course and scope of the inquiry are in the hands of Mr. Justice Laycraft.

Clearly I am aware of a good deal of information that's available to the commission, and perhaps can do my own 'guesstimating', but I don't think that the public interest would be served by me speculating in the House as to how long Mr. Justice Laycraft might take. It's in his hands and, quite properly I suppose, you may wish to present that question to him. But I doubt that he could give you a reply at this point. As the inquiry unfolds it's really his option as to how far he goes down certain roads, whether he goes down certain roads at all, whether he conducts the investigation in one of several ways. I think it would be a little presumptuous of me to try to ballpark how long he might be taking. Let's recognize it's a very serious endeavor. I have no doubt Mr. Justice Laycraft will do a thorough and diligent job.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Attorney General. Can the Attorney General assure the House that the agreement uncovered during the inquiry between the RCMP and the tax department is no longer operative?

MR. FOSTER: Mr. Speaker, I am really not in a position to indicate the state of operativeness, if you will, of agreements, whatever agreements, between a federal Department of government and the federal Solicitor General's department, or the Royal Canadian Mounted Police, represented at the federal level by the Solicitor General or by the commissioner of the RCMP. The particular agreement referred to has been presented to the commission, and no doubt the commissioner will have comments to make with respect to it. I will simply have to await the outcome of the inquiry and the commissioner's report. I really can't pursue it any further than that at the moment.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Attorney General. In light of several inquiries, including the Laycraft inquiry in Alberta, have any discussions been held among provincial attorneys general and the federal Solicitor General concerning the operating procedures of the RCMP?

MR. FOSTER: Mr. Speaker, the attorneys general of Canada met last spring, at a time of course when this inquiry was under way, and I think Quebec's inquiry was under way as well, but just prior to the announcement by the federal government that their inquiry was under way. Yes, certainly the provincial and federal attorneys general couldn't come together in this country and not at least raise the subject. So of course there were discussions. I don't know that anything useful would be served by my indicating the tenor or range of those discussions.

Needless to say, the provincial attorneys general will be meeting next week as well — only the provincial attorneys general. Undoubtedly yours truly will be making some observations and comments to my provincial counterparts on the matter. Again, I doubt very much that comment on the inquiry at this point serves any useful purpose. You may be sure, howev-

er, that provincial attorneys general and the federal Attorney General will exercise a good deal of caution in reviewing reports, not only from Alberta but from other commissions of inquiry as they may exist in Canada, and settle upon courses of action either individually or collectively.

MR. NOTLEY: A final supplementary question to the hon. Attorney General. Have there been any preliminary discussions, assessments, or studies with respect to the establishment of a provincial police force in Alberta?

MR. SPEAKER: I have a little difficulty connecting that so-called final supplementary with what has gone before.

MR. NOTLEY: In light of the Laycraft report.

MR. SPEAKER: The hon. member's lights may dazzle the minister, but I don't know whether they connect the question with what has gone before.

MR. NOTLEY: Mr. Speaker, in view of the concern expressed as a result of this operating agreement, has there been any study, assessment, or consideration of a provincial police force?

MR. FOSTER: Mr. Speaker, I don't want to get into a debate about the inquiry and its probable or possible consequences, other than to say that the RCMP are the provincial police force in Alberta, and generally speaking are a very able police force and have served this province well, current difficulties notwithstanding.

I think it would be inappropriate for me to speculate or comment on the future. Indeed, my colleague the Solicitor General would be very much a part of such a consideration, if in fact there were such a consideration. Let me leave the issue on this point: I am not part of any initiative to see the RCMP replaced in Alberta or elsewhere in Canada as a provincial police force.

MR. TAYLOR: Mr. Speaker, a supplementary to the hon. Attorney General. Is it the intention to reappoint Mr. Berger as commission counsel if the material coming out of his function as a witness is not of substantial import and is irrelevant?

MR. FOSTER: Mr. Speaker, when a counsel steps down from a case because he may be called as a witness, he has a continuing responsibility to ensure that the counsel who takes over his function is fully and adequately briefed and prepared to carry on. In fact that responsibility, in my judgment, continues for a period of time, certainly even after the commission in this case, for example, has recommenced on November 14.

So Mr. Berger has a continuing responsibility to ensure that Mr. Baker is prepared and adequately informed as to what has gone on before. However, Mr. Berger will not perform in any sense the role of commission counsel, other than the role of ensuring that Mr. Baker is briefed and prepared. I cannot anticipate that Mr. Berger would return to the commission in any other capacity whatsoever.

Government House South

MR. GHITTER: Mr. Speaker, I have a number of questions with respect to the announcement of the hon. Minister of Housing and Public Works this morning to grace Calgary Buffalo with a very fine building and improvement.

My first question, Mr. Minister, is: is there in the city of Calgary a facility comparable to Government House, in use and owned by the province?

MR. YURKO: Mr. Speaker, with regard to the use of Government House South, there is no structure in Calgary today that can be used for functions comparable to what Government House is used for in Edmonton.

MR. GHITTER: Mr. Speaker, a supplementary question to the minister. Will there be facilities for hearings with respect to government bodies like the Public Utilities Board, and the like, which presently do not have adequate facilities for their hearings in the city of Calgary?

MR. YURKO: Mr. Speaker, in planning the floor space in Government House, some conference rooms were specifically arranged for hearings of the nature and type the member has alluded to.

MR. GHITTER: A supplementary, Mr. Speaker. I'm wondering if there will be space in this building for opposition members of the Legislature, if any are left.

MR. YURKO: Mr. Speaker, provision for that function has also been made.

MR. FOSTER: Although it's a small space.

MR. GHITTER: Mr. Speaker, a supplementary to the hon. Minister of Business Development and Tourism. I'm wondering if there are any facilities in downtown Calgary, from the point of view of Travel Alberta, which would make it easier for visitors to the city of Calgary to get information with respect to the tourist benefits of this province.

MR. SPEAKER: I have some question whether that's a supplementary.

MR. GHITTER: With the greatest respect, Mr. Speaker, it all relates to the announcement of the hon. minister. And I'm sure Albertans would be very interested to have the answers to these important questions, inasmuch as the Leader of the Opposition doesn't wish any discussion on the matter this morning.

DR. BUCK: No, just the rules.

MR. R. SPEAKER: Mr. Speaker . . .

MR. DOWLING: We have facilities in Calgary at the moment . . .

MR. SPEAKER: Order please. Is the hon. member up on a point of order?

MR. R. SPEAKER: I wanted to ask a supplementary, Mr. Speaker. Is the minister going to say something?

MR. SPEAKER: Let's have one supplementary at a time.

MR. R. SPEAKER: Mr. Speaker, the minister was going to say something, and that was rather unusual, and . . .

MR. CLARK: Go ahead.

MR. NOTLEY: It's true; silent Bill.

MR. DOWLING: Mr. Speaker, we do have minimal facilities in Calgary, very close to the Palliser Hotel, as I recall. But when Government House South is opened, it is our hope that Travel Alberta will be one of the entities located in that building and will therefore better serve Calgary and visitors to that community.

MR. GHITTER: A final supplementary, if I may, to the Minister of Social Services and Community Health. With respect to the comment made relating to the lack of facilities for senior citizens in downtown Calgary, I'm wondering whether the Kerby Centre in Calgary is actually located two or three blocks from [Government House] South, [interjections]

MR. SPEAKER: Order please, order please. The hon. member has successfully made his announcement.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Minister of Housing and Public Works. I was wondering if the minister, in his normal consultative manner, consulted the opposition as to whether they really wanted space in this palace that's going to be located in downtown Calgary.

MR. YURKO: Mr. Speaker, there are times when the opposition, in their confusion, find it somewhat difficult to arrive at a proper conclusion with regard to the space that requires, [interjections]

MR. R. SPEAKER: The minister is not answering the question, Mr. Speaker. My question was very specific: did any consultation take place with the Leader of the Opposition with regard to space in this new palace in Calgary? All I want is a yes or a no. [interjections]

MR. CLARK: Mr. Speaker, in light of the Minister of Housing and Public Works being tongue-tied, the answer is no, there was none, [interjections]

MR. SPEAKER: Order please.

MR. TAYLOR: A supplementary to the hon. minister. A very short explanation is required first. From time to time, I am asked to meet constituents in the city of Calgary, and it's very awkward meeting them in hotel lobbies and hotel rooms. Will space be provided in this building to meet constituents during the day and evening of the working week?

MR. YURKO: Yes, Mr. Speaker. Space will be provided for that sort of activity for any Member of the Legislative Assembly.

DR. PAPROSKI: Mr. Speaker, a supplementary to the minister. I wonder if the minister would confirm if the conference room in Government House South will be similar to the conference room we have in Government House here.

DR. BUCK: With a \$60,000 rug.

MR. YURKO: Mr. Speaker, I'm not sure I know what conference room the hon. member is referring to. There are a number of conference rooms in Government House South, as there are in Calgary House North.

AN HON. MEMBER: Calgary House North?

MR. YURKO: I mean Government House North. I'd better watch my answers, Mr. Speaker.

There is one particularly large conference room which can be used for public hearings, and it will be similar in size and able to accommodate as many people during the course of a conference as the one in Government House in Edmonton. The arrangement of the seating and the facilities may be somewhat different.

Gas Installation — Tax Rebates

MR. PURDY: Mr. Speaker, I'd like to ask a question of the Minister of Utilities and Telephones. It's a follow-up to the question asked by my colleague from Macleod on Tuesday. A preamble is needed, Mr. Speaker.

Some time ago the Provincial Treasurer made representation to the federal Minister of Finance requesting that members of natural gas co-ops be allowed to deduct the cost incurred for natural gas services. Has the minister any further information on this request?

DR. WARRACK: Mr. Speaker, that important information has been forthcoming, through the hard efforts of Unifarm in particular, and with the assistance of the Federation of Gas Co-ops. A favorable ruling has now been made by Revenue Canada on this matter that would help over 40,000 farmers in Alberta to date, and more in the future.

This is a very important matter, and an example where co-operation between the organized people in the farming community in Alberta and their government has paid off successfully.

DR. BUCK: They're organizing, Al.

MR. PURDY: Supplementary, Mr. Speaker. Can the minister inform this Assembly if deductibility will include membership costs, plus cost of transfer to service?

DR. WARRACK: The indications that I have through the assistance of Unifarm on that matter do not contain that detailed information, so I cannot be sure of that. Also I guess it would be helpful to say that in addition to the ruling by the director of the rulings

division, legislative branch of Revenue Canada, it would be helpful to have a follow-up by the Provincial Treasurer to the Minister of Finance, and perhaps include those detailed matters the hon. member brings forward.

MR. PURDY: Further supplementary to the minister, Mr. Speaker. Is any information forthcoming in regard to the amount of savings to the Alberta taxpayer because of the deductibility clause?

DR. WARRACK: Unifarm's estimate, which I am sure is based on sufficient analysis, is that it would be more than \$1 million. That would be retroactive so far in the program, and would mount to a considerably larger figure as the program is completed throughout the province, [interjections]

MR. SPEAKER: Order, please.

MR. GOGO: Supplementary, Mr. Speaker, to the hon. minister. Could the minister indicate if there is a substantial number of rural gas users in the Little Bow constituency?

DR. WARRACK: The answer is yes.

MR. MANDEVILLE: Supplementary question to the minister. Could the minister indicate — he mentioned "retroactive" — how far back is it going to be retroactive, that a person can use the installations as tax deductible?

DR. WARRACK: The information I have suggests it would be covering the period 1972 through 1977. That's information provided by Unifarm as a result of their representations on this matter.

DR. WALKER: Supplementary to the minister. Were the costs of the legal action by Unifarm in any way supplemented by the Alberta government?

DR. WARRACK: Mr. Speaker, yes. Perhaps my colleague the Minister of Agriculture might like to add a comment on this matter. Unifarm had initiated those representations in co-operation with the Federation of Gas Co-ops, along with the Alberta government. I don't think I need repeat the history on this to members of the Legislature, particularly those from rural Alberta. But there was initially a favorable regional ruling. Then this was reversed in Ottawa and the appeal went forward, financially supported in part by the Alberta government. Perhaps my colleague the Minister of Agriculture, through whom this was done, would like to add a comment.

MR. MOORE: Mr. Speaker, I should just say that the costs of the legal action undertaken by Unifarm are not yet known. There is an agreement between Unifarm, the Alberta Department of Agriculture represented by my office, and the Federation of Alberta Gas Co-ops to share in the cost. No moneys have yet been paid, but we expect we would know those amounts very shortly.

Grazing Leases

MR. MANDEVILLE: Mr. Speaker, my question is to the

hon. Associate Minister of Energy and Natural Resources. Could the minister inform the Assembly whether grazing permits in the Kananaskis area will be renewed, or if existing permits will be cancelled as a result of the proposed park?

MR. SCHMIDT: Mr. Speaker, it wasn't the intent of the eastern slopes policy to stop existing land uses. Those uses will continue, some to their entirety and some to the end of the term of the lease. Before a lease is renewed, certainly, study will take place for those areas that are in conflict with the zoning concept within the eastern slopes. Either a portion will be deducted from the lease itself — and in the aspect of grazing, hopefully alternative sites can be provided. With that, coupled with range improvement, we hope to maintain the total grazing capacity in the head that are now using the slopes for grazing purposes.

So those leases that exist at the present time will continue. Those present land uses will continue. The review will be done at the expiry of the present lease.

MR. MANDEVILLE: Supplementary question, Mr. Speaker. The minister has answered the question in part, but has he arranged for alternative sites for any ranches that are going to be moved as a result of the park?

MR. SCHMIDT: Mr. Speaker, at the present time I'm not aware of the park displacing any individuals to that extent. The announcement of the park and Kananaskis country is an ongoing use, and if any are in the position of being displaced or replaced we will certainly give it every consideration.

Trades Training Facilities

MR. CHAMBERS: Mr. Speaker, my question is for the Minister of Advanced Education and Manpower. If I might be permitted a brief preamble by way of explanation, it's come to my attention that a number of our trade apprentices are incurring delays in their advancement because of a shortage of school training facilities, at NAIT specifically. Therefore it takes them longer to achieve journeyman status, and they lose some income. In view of the importance of our trades program to the development of Alberta, I wonder if the minister would indicate if he has plans for the expansion of trades training facilities?

DR. HOHOL: Mr. Speaker, I should say that the general import of the hon. member's statement is accurate. We have, and it's a fortunate thing that we do in these times in Alberta, a great pressure on facilities and instructional capability in the area of trades training. Accordingly, we received approval two years ago to build a comprehensive addition to NAIT. The major use of this additional space will be in the trades area. Indeed, at NAIT and at SAIT the majority of additional space has been designed for this kind of use.

I should say too, Mr. Speaker, that at NAIT and SAIT we have gone to night classes, to Saturday classes, and to double-shifting to do everything possible to provide assistance for apprentices to pursue their work. I might comment on two other ways which are important. One is to expand the training of

apprentices to public colleges, to other provincially administered institutions which traditionally have not done this kind of work.

The other is the commitment we have made as a department that for those students who have to defer their entry into an apprenticeship program for some time, it would be met during the course of the school year. In other words, if someone cannot get into a class in September or January, he would in June. But certainly in the school year 1977-1978, we have made the commitment that the apprentice will be able to meet his aspirations somewhere in the system.

ANDCO Management

MR. NOTLEY: Mr. Speaker, I'd like to direct my question to the hon. Minister Without Portfolio responsible for native affairs. The question is: can the minister inform the Assembly why he did not agree to the proposal made, I believe, on September 6 by the president of the Metis Association of Alberta and the president of the Indian Association of Alberta that an independent audit and management evaluation of ANDCO be made by a firm agreeable to both associations as well as the province of Alberta.

MR. SPEAKER: The Chair has some doubts about the propriety of that question. It seems to be an obvious invitation to debate. Presumably the hon. member would want an opportunity for rebuttal. If it can be answered in a short, factual way, the hon. minister will have to decide that. In that event, we might allow the question.

MR. NOTLEY: Mr. Speaker, can the minister advise the Assembly of the reasons the government did not feel that the proposal of Mr. Dion, and president of the Metis Association Mr. Daniels, would be acceptable?

MR. BOGLE: Mr. Speaker, with permission of the Assembly, I would have to give some background information, and a rather lengthy answer might be required.

MR. SPEAKER: Under the circumstances, there are a number of members who still have not asked their first question, which is perhaps the fault of the Chair for the number of supplementaries we have had so far. But if the hon. members, including those who have not yet asked their first questions, wish to agree unanimously that the hon. minister give a fairly lengthy answer at this time, that might be done. My own preference would be that it might be done through the Order Paper.

Oil Development

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Energy and Natural Resources. I was going to refer it to the Premier. The minister indicated to the Assembly that he had information with regard to a major new oil deposit a short time ago. I was wondering if the minister has any further information with regard to that.

MR. GETTY: Mr. Speaker, I am glad the hon. member raised that matter, because I think there has been some misunderstanding regarding it.

While I was meeting with the Alberta heritage savings trust fund committee, I mentioned there were lots of prospects for conventional oil development in Alberta, and that we really were not now restricted to developing just heavy oil and the oil sands. I said there had been significant drilling results in our province which lead me to believe there will be a lot of activity in conventional oil development in the province. There was no announcement of a major discovery or anything like that. I am pleased the hon. member has raised the issue. I wouldn't want members of the House to be as confused as the leader of the Alberta Liberal Party.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. In light of the effect that rather misunderstood or offhand comment had with regard to the stock market, has the minister taken any steps to correct that, or made any other public announcements in that regard?

MR. GETTY: It wasn't an offhand comment, Mr. Speaker. I feel a responsibility when speaking to members of the House, whether it be in the full Assembly or in committee, to be as frank as possible with them, and made that effort then. So there's nothing offhand about it. I wanted to give them as much information as I could, to answer questions they had directed to me, and still respect certain other confidential matters.

MR. CLARK: If you hadn't gone outside and told the press more than you told us, we wouldn't have . . .

MR. SPEAKER: Order please.

Petrochemical Research

MR. MILLER: Mr. Speaker, I also direct my question to the Minister of Energy and Natural Resources. How extensive is the research into using Lloydminster heavy crude oil as feedstock for the petrochemical industry?

MR. GETTY: Mr. Speaker, I'm aware that a variety of private companies are carrying on research in this regard. The government is not. Therefore I'm unable to give any detailed results as to the accomplishments of that research.

Weather Modification

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Agriculture. For some years we've been carrying out a program of weather modification and hail suppression in central Alberta. Have any advances been made in that research during the immediate season?

MR. MOORE: Mr. Speaker, we began a five-year program of practical work, accompanied by a research function, scheduled to end in 1978 under the direction of the Alberta Weather Modification Board with assistance, of course, from the Research Council of Alberta.

Advances certainly have been made in a variety of areas in terms of the method in which clouds are seeded. Advances have been made as well in a variety of areas with respect to the gathering of technical data on the results of hail suppression efforts.

But the final analysis that we think will determine whether that program should be continued on a permanent basis and expanded will not be complete until mid-1979 at the very earliest. The 1978 operational results will have to be looked at in conjunction with the four-year period before that. It will likely be, as I say, Mr. Speaker, mid-1979 before we would have a complete report of the five-year operation of the Weather Modification Board in the area they're working.

MR. TAYLOR: A supplementary to the hon. minister. By that date in '79, is it expected that a decision can be made that hail suppression is effective, and in such a way that it will be accepted by the technical people of the world?

MR. MOORE: Mr. Speaker, that in fact is what the report I expect to receive in mid-1979 will tell us. I guess it would be premature for me to suggest in what direction it's going to lean.

But certainly there is no question that the function of hail suppression is one that can, with present science, be carried out. It's largely a matter of the cost benefit, the methods used, and the continuing concern that does need to be expressed about modification of the weather and the problems that might occur to others who don't want the weather modified.

Laycraft Inquiry (continued)

DR. WALKER: Mr. Speaker, my question is to the hon. Attorney General. During the investigation of Royal American Shows, what conclusions did the RCMP come to during the time they had the Attorney General under surveillance? What did they think of his conduct?

MR. SPEAKER: With great respect to the hon. member, I would have some doubt as to whether that question would qualify while the inquiry is under way.

Calgary Civic/Provincial Meetings

MR. MUSGREAVE: Mr. Speaker, I'd like to address my question to the Minister Without Portfolio responsible for Calgary affairs.

DR. BUCK: He will be the prince in the palace.

MR. MUSGREAVE: I'm glad to see the opposition's awake, Mr. Speaker.

As the citizens of Calgary have just elected a new mayor and seven members of council, I'd like the hon. minister to advise if he will be reorganizing the meetings between Calgary MLAs and the Calgary city council as he has in the past.

MR. McCRAE: Mr. Speaker, the hon. member is referring to some very important meetings we had with the members of the city council in Calgary over the

past couple of years. I thought they were tremendously successful meetings. They were a reflection of our ability as a government to listen, to communicate, and a reflection of our respect for their local autonomy.

MR. SPEAKER: With great respect to the hon. minister, I did not understand the question as inviting the praises of the government's policy.

MR. McCRAE: Mr. Speaker, to try to answer the question, it would shortly be my intention to extend an invitation to the mayor and the council to meet with the Calgary MLAs to further the communication and dialogue that exists between the Calgary MLAs, and indeed the whole government with municipal government at all levels.

MR. CLARK: Why do you centralize?

MR. MUSGREAVE: A supplementary, Mr. Speaker. I agree with the minister that the meetings were successful, but I think they could have been far more successful if the mayor had attended. I'd like to know if the minister intends to hold these meetings if the new mayor indicates he's not going to be present.

MR. McCRAE: Mr. Speaker, I would regard that question as hypothetical. I would think the new mayor would be more than happy to meet with the MLAs at any time to keep open the avenues of communication.

While I'm on my feet, might I say what a great deal of pleasure all of us in southern Alberta experienced with the announcement this morning of the plans for an opening of government . . . [interjections]

MR. SPEAKER. Order please.

DR. BUCK: Did you know about it?

MR. SPEAKER: Order please.

Professionals' Upgrading

MR. PLANCHE: Mr. Speaker, my question is for the Minister of Advanced Education and Manpower. I wonder if any provision is being considered at Mount Royal College in Calgary to offer occupational health and safety courses to upgrade nursing skills in that area.

DR. HOHOL: Mr. Speaker there has been a recognized need for more people in several areas, nursing and allied competencies, with respect to industrial health and occupational safety. We have been in touch with the college through the department. The usual procedure for any institution that aspires for a new program would be to present to the division of program services a proposal, which the division would look at and recommend to the department to approve or to deny.

I should mention that there is a program of this kind — modest and not large in number, but high in quality — at Grant MacEwan College. They may get a proposal of this kind from Mount Royal College to the department.

MR. PLANCHE: A supplementary, Mr. Speaker, if I may. In that most of the nurses are presently working and would need to upgrade their skills in the evenings or in their spare time, I am wondering what advantage it has afforded the Edmonton nurses. Could you give me some kind of time frame as to when we might expect a definitive response for the nurses in the Calgary area?

DR. HOHOL: Overwhelming this particular question is the whole notion we are dealing with in professions and occupations as to the responsibility of a professional person to upgrade himself or herself once they have a degree, diploma, or certificate, and what kind of responsibility the province may have with this kind of assistance. The program at Grant MacEwan involves people in the nursing program for the first time. If Mount Royal College wants this kind of program it would have to present this program proposal.

The second question, that of the upgrading of nurses who already have certification in one field and may want to update or get into a new field entirely, is one we are looking at, and looking at with some favor.

MR. CLARK: The answer is no, you can't do that.

La Crete Ferry

MR. ZANDER: Mr. Speaker, my question is directed to the Minister of Transportation, the Deputy Premier. It relates to his answer last Wednesday to the question asked by the hon. Member for Lethbridge West regarding the hovercraft at La Crete, that the evaluation is going to take two years. Mr. Minister, will all major river crossings in the province be frozen until that evaluation has taken place? [interjection]

DR. HORNER: I could say, Mr. Speaker, that maybe it will depend on the weather.

No, we are continuing to use conventional ferry crossings, and on certain occasions, where traffic warrants it, bridges are going ahead. I would indicate to the House that at the same time the experimental one was put on the Peace River at La Crete, an additional conventional ferry was commissioned at Tangent in the Peace River country to provide an additional crossing in that area.

ORDERS OF THE DAY

head: GOVERNMENT BILLS AND ORDERS (Second Reading)

Bill 75

The Energy Resources Conservation Amendment Act, 1977

MR. McCRAE: Mr. Speaker, it is my pleasure this morning to move second reading of Bill No. 75, The Energy Resources Conservation Amendment Act, 1977.

Mr. Speaker, the bill is rather modest in size, but it is very important. I would urge all members to give it the support it deserves. It is a recognition of and response to the dramatic increase in the responsibili-

ties of the much-respected Energy Resources Conservation Board. You will all be aware that in the efforts they made to hold hearings into the variety of matters that come before them, there has been a tremendous increase in the volume and complexity of those proceedings. The bill, therefore, provides for an increase, by Lieutenant Governor in Council, in the membership of the board from five to seven full-time members; and permits the chairman of the board to designate one or more divisions of the board, consisting of three or more members, to hold inquiries, hearings, or investigations on any matter on which the board itself might hold hearings, investigations, or inquiries.

Mr. Speaker, it is simply a response to the need to recognize the increasing responsibilities of the Energy Resources Conservation Board, and to assist them in facilitating their responsibilities to the government. I would urge all members to support the amendment.

MR. NOTLEY: Mr. Speaker, I intend to support the amendment, the gist of which is to expand the membership of the board. In doing so, however, I would just like to make one observation and express a word of caution. That word of caution comes from the Environment Conservation Authority's review of coal exploration programs in the eastern slopes of Alberta. Of course, after what happened last night, the butcher of Edmonton has finished off the effectiveness of the authority.

But, Mr. Speaker, on page 70 of the report they made, I think, a rather good point, and it relates to this bill:

The Government has been encouraged to adopt what is called a "One window to industry" approach in respect of coal exploration and development. The Energy Resources Conservation Board is the one window. The concept assumes communications to be improved if all contacts between industry and the government are done through the Board. There are two difficulties with the concept as it relates to coal exploration. In a general way, one window to industry [means] no window to anyone else.

It goes on to say:

It is also, in the Authority's view, an inefficient way for industry itself to approach government.

Then it goes on to suggest

Perhaps a better slogan would be "Some windows for everyone" so that industry and the public can establish better relations with the government and with one another.

As I say, I intend to support this bill. But I would be rather happier supporting it if it were done in the context of a strong, effective Environment Conservation Authority so we are not getting ourselves into, if you like, a de facto one-window situation. We may have a theoretical environment council of Alberta, but it's a de facto one-window situation, exactly the warning the ECA gave us in this particular report.

Notwithstanding that, I happen to think that in terms of dealing with the technical questions, the ERCB has done an excellent job. I think it's a credit to the farsightedness of policy-makers a number of years ago that an oil and gas conservation board was set up. This province was far ahead of other jurisdictions in terms of having a clear idea of what our reserves were — the inventory, if you like, of reserves

— as a result of the work of the old Oil and Gas Conservation Board, now the Energy Resources Conservation Board.

By and large I think they do a good job, and because this is not an amendment of major consequence but largely, in a sense, a housekeeping amendment that enlarges the ERCB, I do intend to support it. But I issue the caution that it would have been much better if this change had been looked at in the context of still having a vital, active Environment Conservation Authority.

[Motion carried; Bill 75 read a second time]

Bill 51

The Wildlife Amendment Act, 1977

MR. ADAIR: Mr. Speaker, Bill 51, The Wildlife Amendment Act, has a number of amendments in it that I feel will improve the ability to understand the act. I think that is very important indeed, because we've had some difficulty at the local level with the individuals trying to read just what in fact it does mean. We feel we can avoid a lot of the problems we've experienced in the past by making the changes that are recommended in the act, also by including in the act the provision to acquire land for wildlife purposes. I should indicate that that's not new. That was in the Lands and Forests Act, and when we made The Department of Recreation, Parks and Wildlife Act, we did not put that in The Wildlife Act or the parks act. We put it in the parks act a year ago, and are now putting it back into The Wildlife Act. That will allow us of course to assemble some lands for critical wildlife areas, wintering areas, camping grounds, and staging areas.

Also, we have attempted to further clarify and modify the definitions of "wildlife", to assure protection for all types of wildlife. That includes not just wildlife itself but also the eggs of the various birds, even the eggshells.

I'm also pleased to recommend the removal of approximately 30 offences from the mandatory licence ineligibility provisions of the act. The offences covered were of a nature that suspension was simply unrealistic in relation to the offence. To clarify that I'll give you a few of the ones in that particular area: failing to show a licence or a permit to an officer — what I'm saying is that they are chargeable and fineable but would not, in the minds of both myself and some of the officials of the department, require the mandatory suspension of your hunting privileges for a year. Another one is failure to carry proper bills of lading relative to a common carrier. Under the act, if a person driving a particular vehicle were found carrying illegal meat, he could lose his hunting privileges for a year. We feel that's a little bit out. The same applies to one other section in the act relative to restaurants serving game without a permit. The cook may be liable to lose his hunting privileges for a year. Another one is failing to register a kill within 30 days. We certainly say that's chargeable and fineable, but not necessarily that you would lose your hunting privileges for a year, because sometimes you run into situations that cause some problems for the hunter. We're well aware of one where a chap came back from a hunting expedition, put the jaws of his kill in the garage, and headed for Toronto for a

business meeting. His family cleaned out the garage and out went the jaws. He wasn't able to register them within 30 days and of course was eventually charged. That was a couple of years ago. We are trying to overcome that kind of thing by saying the chargeable offence is there but not necessarily that you'd be suspended for one year.

So with those comments, Mr. Speaker, I move second reading of Bill 51, The Wildlife Amendment Act, 1977.

MR. MANDEVILLE: Mr. Speaker, just a few comments on second reading of this bill. I certainly agree with the minister in regards to purchasing some land. I think we did mention at one time having a 4-H program that would work out really well, having 4-H plots they could incorporate right into their programs; for example, as far as our pheasants are concerned. I would like to say that if we had some type of program like this program that the minister is mentioning, purchasing land — also to pay our farmers. In a lot of cases, and I'm thinking of some of the irrigated areas where our farmers provide the feed to feed our pheasants and game, their big concern is that they don't have any input to the regulations. They do have some input, but they don't have enough. I would like to see more input to the regulations, as far as hunting is concerned, by our farmers and the people who grow a lot of our wildlife, especially on the prairies.

Another area that gives me concern, and I know the minister did some considering in this area: as a result of the new hatchery we're going to have in Brooks, I think we have to be really careful when we're releasing these birds. So many times what they'll do is take these birds out and release them on the roads or just before hunting season starts. Well they're a very easy bird to harvest, and they don't get a chance to survive the winter. I think what should happen is that a portion of the birds should be released before the hunting season and another portion after hunting season, to help increase our pheasant population in the province of Alberta.

Another area I think some consideration should be given to: so many times our hunters want to lengthen our hunting seasons. I think some consideration should be given to shortening our hunting seasons, especially for some of our game and some of our birds. As far as the deer and antelope hunting season is concerned, every year we have a resolution that comes to the government from eastern irrigation district, from the county of Newell, to not have hunting in that particular area. I would certainly hope that at some point in time the minister would take a look at setting up a reserve. We have an eastern irrigation district that has boundaries. Possibly it would be a good place to set up a reserve for our deer and antelope.

MR. MILLER: Mr. Speaker, if I might be permitted one question. Perhaps I didn't hear it right, Mr. Minister, but did you state that the act was to provide for the protection of the birds or animals, the eggs, and also the eggshells? I feel that after the bird is out of the egg, the shell would be superfluous.

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

DR. BUCK: Mr. Speaker, I'd like to say a word or two. I thought the minister . . .

MR. SPEAKER: Possibly then, the hon. minister might wish to answer that last question, if it was a question. I'm not sure it had a question mark at the end of it.

MR. ADAIR: If I may, Mr. Speaker. It is important, because it's not so much the egg that the actual bird comes out of as the eggs that may be laid in the nest and are then picked up by collectors. What has been happening in some cases, where they are taking eggs of fairly rare birds, is that to circumvent — if I can use that term — the fact that they are collectors of an egg, they are blowing the egg, cleaning it out, and it is now a part of the egg, and not an egg. So we are covering the parts thereof.

DR. BUCK: Mr. Speaker, I'd like to say that I welcome the minister's amendments. I certainly support the acquisition of land for wintering, for staging, for tagging.

I was always under the assumption that this Buck for Wildlife — for which I take a little credit, just by coincidence — was supposed to place a certain emphasis on increasing of habitat. I am sure all of us can relate stories of how at one time we used to go down to southern Alberta, in the Brooks area, and some of the areas that were just marginal — a lot of willow, a lot of weeds, some of the legume crops — provided sufficient habitat to carry a large number of upland game birds. But as that marginal habitat has been put into production, the game birds have decreased in drastic numbers.

I would like to say to the minister that we seem to have funds out of the heritage trust fund when it happens to suit a specific purpose. I think the hunters of this province and the people of this province are entitled to use some of those funds to increase habitat for our game birds and animals. I would like to say to the hon. minister that if he can get his hand into the cookie jar, with a great big hand like he's got, I think the hunters of this province would certainly appreciate that.

The point that was brought up by my hon. colleague Mr. Mandeville, about the release of pheasants and game birds: I'd like just to inform the minister — and, Mr. Speaker, when we are talking about habitat, this relates to it directly — that in the area immediately surrounding Edmonton, 15, 20, 25 years ago, the pheasants in this area were practically as plentiful as they were in southern Alberta, per unit area. That may be hard to believe now, but just shortly after the Second World War there were literally thousands and thousands of pheasants in this area. Now I know some of the eggheads — my apologies, I mean the experts — said they couldn't survive up here. But nobody told the pheasants this. Because of the increasing pressure of population, the loss of habitat in this area, and a few difficult winters, the pheasant population has diminished to practically nil.

So I would like to say to the hon. minister that I would like to see an extensive program of replacing birds in this area. Now that we are becoming more conservation conscious, and there are many acreages in this area, I think there would be sufficient care, feed, and protection for a large number of these birds

to survive in this area. So let's try to acquire more habitat so these animals can flourish, and let's try to do a replanting project in this area.

Thank you, Mr. Speaker.

MR. R. SPEAKER: Mr. Speaker, I would like to make some remarks about duck damage, rather than pheasants, and the farmers across the province. This matter has been brought to my attention a number of times, in particular during this rainy weather, because a lot of crops are out in the fields, and ducks have created a tremendous amount of damage in farm fields.

The criticism that comes from the farmers is that the present \$25 per acre allowable limit for duck damage in no way covers the damage that takes place. Even if we raised it to \$100 an acre, it still isn't going to cover the damage. But it would get closer to compensation for the loss. Possibly the minister could review this particular policy, with regard to the wildlife damage fund, and consider increasing the amount of payment that could be made. There are a number of reasons for it. The farmers say they don't mind picking up some of the loss, but the present payment isn't even enough to have the inspectors or the claim officers come out to the farm. It's practically just a waste of time. After they found out how much they were going to get paid, many of them said, go away, don't even process it, we'll accept the damage. If we have a program, I think it might as well be meaningful.

MR. KIDD: Mr. Speaker, I don't think I can let this opportunity go by without saying a few words about my good friend the coyote.

I see again that the cattlemen — and there's one sitting next to the hon. Member for Clover Bar. The animal that is really happy about the laws we have on coyotes is the gopher, because we're protecting the gopher, I think. I see there is now some clarification in this act. Formerly it wasn't quite certain what would happen, but it looked like it was okay that if I saw dogs running coyotes across my property, I could shoot those dogs. That's clarified now: I can't.

Aside from the fact, and there is some validity to it, that the coyote may be considered a predator with regard to sheep — I have some in my area — I believe the good he does in keeping down vermin far exceeds any damage he may do. In an area of pure cattle, I think most cattlemen will support the coyote. In the country, we like to see the coyote. I like to go out on a cold night with the moon shining, and listen to the coyote howling. And by golly, we're almost clearing them out of this country.

AN HON. MEMBER: Let's hear it for them.

MR. KIDD: Somebody has to defend them.

I would like the hon. Minister of Recreation, Parks and Wildlife to have some of his experts make a real analysis of whether this animal is a predator or a benefactor, because I think we're just going along on musty old thoughts that he's a predator. I don't believe he is anymore.

I speak for the coyote, and I'm pleased to do so. Thank you, Mr. Speaker.

MR. TAYLOR: Mr. Speaker, I also want to take part in second reading of this bill, and I want to deal with a number of the principles involved in it.

The first one is the principle of safety. It doesn't matter which rural district I go to in my constituency, I have people who are concerned about the random shooting of some of our hunters. Most of the hunters in this province are careful, considerate, they get permission from the farmer, they make sure they know where their bullet is going to finish up. But there is a minority that just doesn't seem to care. I can't suggest any particular method of dealing with this minority, except to throw the book at them when they are apprehended.

One lady in an area not far from Strathmore told me the other day that she's almost afraid to go out of her house during the hunting season. Some people are shooting ducks and pheasants with .22s. It's not sportsmanlike at all. Those .22 shells can ricochet on water and kill a man a mile away. A .22-long shell could easily kill a man a mile away, if it should hit him. When you shoot through an area where you can't see the background, it could well kill someone in a farmyard, where they have every right to be. As a matter of fact, nothing with hair or feathers is safe [from] some hunters. It just isn't right. I can understand the concern of many of our citizens.

I would like to see this safety aspect really emphasized by the department. Really throw the book at those who, for instance, are shooting from road allowances. People get out on the road allowance and are too lazy even to walk into the field. They shoot right from the road allowance, endangering the lives of other people.

The program where we're now training hunters — I hope that eventually all of us who hunt will be required to know something about the rifle or gun we're using, also safety precautions and so on. I know it's going to take some time to get to the point where everyone will have some type of course and training. Those who served in the armed forces were taught not only the danger but the value of the firearm. Many people didn't serve in the armed forces. Many of our young people were perhaps not even born then. But I want to commend the department for starting these courses. I hope they will expand so that eventually, before anyone gets a hunting licence, he will have to show that he has some knowledge of the danger of the firearm, of the instrument of death he is using.

Today it's more dangerous for a man to go out with a rifle than it is to go out with a car. A car is bad enough. You can kill people, but at least you have to see them. They have to get in the way of the vehicle. But the rifle can kill people who aren't even visible to the hunter. I want to emphasize that, because more and more of my constituents are becoming concerned. I would like to see a real program of safety started, and a program of punishment, if you like, but certainly a deterrent to those who do not care about the lives or property of other people.

I don't know how much it costs the utility companies. We're complaining about the utility rates going up and up. Yet I'm just astounded when I see the damage done to some of their property by people who have to pay the bill. This is a complete waste. The same with highway signs. The hon. minister has started a program of giving away signs. I know the

point. Many times people, particularly our American friends, want the signs as souvenirs. They want to take a road sign home and put it in their rumpus room. I like the program the department and the minister are offering. If you want a sign, write in, and the department will send you one free. You can have it in your rumpus room. You don't have to steal it off the road.

There is a danger, and I don't know if it's a real danger or not. It has been brought to my attention by one of my constituents. He thinks some people may misuse the signs being sent out, put them in places they shouldn't be to stop traffic, causing a danger on the highway. This may happen, but I think the possibilities are few and far between. It's something the department should watch very carefully.

The amount of public money spent by municipalities, the provincial government, all governments, in replacing signs is just tremendous. The money is bad enough, but I always think of the vandals who, a few years ago as a prank, removed a sign in the south. They thought it a lot of fun to take away the sign that said, bridge out. So they took it off the road entirely. The next car that came along drove headlong into the gully. For people who think that way, it may be a strange and queer sort of fun. When they are apprehended the book should be thrown at them, because they're not thinking or taking any regard for human life at all.

I want to deal for a moment or so with the killing of animals. I like hunting. I like hunting duck, pheasant, deer, and moose. But I do not like to go hunting for ducks with anyone who will not give the duck a chance. I find it embarrassing and inhuman to sneak up to a pond and shoot the duck when it's sitting completely helpless on the water. That's one of the sportsmanlike things most of us should learn in our own homes. But some people want to take a duck home so badly that they don't give the duck a chance at all. I'd rather go home a hundred times without anything in the bag than to get a bird that way. I think the thrill of shooting a duck is to get it while it's flying. Then the bird at least has a chance.

I'd also like the minister to comment on some of the methods used for catching animals. In some types of leg traps the animal is caught, and its leg broken. The animal may lie there in pain and agony for many, many hours, sometimes days, before the person who put the trap there goes back to pick the animal up. I don't think we enhance our society by using inhuman methods of trapping. I would like to have the comments of the minister on exactly what we're doing to try to encourage, almost entice, people to use humane methods in capturing animals.

There's one other point I'd like to mention. There are so many in this bill, but I don't want to delay the House. But one other point that concerns me a great deal is the matter of pheasants. We have many pheasants in our Rosebud/Rockyford country. It's almost impossible to drive those roads without seeing either a cock or hen pheasant along the road. I was happy when the department stopped the shooting of hen pheasants. I think that was brought in on the recommendations of experts, but many of us did not approve the shooting of hen pheasants. I still don't. At times it may be done accidentally. That's a different matter entirely from going out to get a bag of hen pheasants. But it is very important to have the

proper ratio between the number of cocks and hens. That ratio, if not worked out carefully from a game management point of view, is going to be a very important factor in whether or not we have pheasants.

The weather, as the hon. members have mentioned, is an important item. Many things affect the number of pheasants we have. But I don't think there's any item as important as having the proper ratio, which has been worked out and found out through the years, of cock and hen pheasants. If the ratio of cocks to hens is too high, it almost becomes a life of misery for the hens, and certainly doesn't enhance the population of pheasants in this province. I know the minister has experts in regard to this. I think they will support the idea that we just have to work at getting the proper ratio between cocks and hens. I think we can do that by setting bag limits and so on, and establishing how many cocks and hens there are in any particular district.

Altogether, I like features of the bill. I think some of the items are long overdue — the features now set out, that the hunting and trapping of wildlife cannot be done in a manner dangerous to other persons nor agonizing to the animal itself. Hunting is something I think many people take sides on. They're for it or against it. Many farmers are against it because of the inconsiderate hunter who doesn't have any compunction about cutting his fence, leaving gates open, shooting a good animal or calf, and walking away as if it means nothing. I can particularly understand our farmers who find that someone has put a shot through their combine or tractor. These things cost money. There is also the chance that a stray bullet will kill one of the children or the people on that farm. On the other hand, hunting is a real sport, and hundreds of people get their fun out of hunting. It's good for the country to have good hunters.

I know there seems to be a brick wall between the two groups at times. But I've never yet gone to a farmer and asked for permission to hunt and it wasn't given. All they ask is that you close the gates, that you look where the bullet is going to end up if it misses the animal. When people are considerate, the farmers co-operate too.

I think we have to work on that — not only the government, not only the department, but all of us — endeavoring to make sure that hunting does remain a sport, and that we look upon game as a conservation measure. As we many times say, game is a crop. There is a time for harvesting, and there is a time for seeding or breeding.

I hope we'll never get to [what] I experienced when I was with the air force in England, stationed in the Hereford area, the only Canadian with the RAF in that particular section at that time. A chap said to me, you can come and hunt and fish on my land, but nobody else is going to fish. Only because I was Canadian, that was all. The English, Irish, Welsh, and Scots lads who were in that squadron didn't envy me the right to fish, but they said, it's terrible, hunting in this country has become a rich man's sport, the normal person can't go out and enjoy a hunt anymore.

I never want to see that situation in Canada. Let's make sure that we always have the right. And the only way we can do that is to protect the rights of those who own the land and those whose lives may be in danger on that land when hunting takes place.

There's room for hunting in this vast province. I want to say that this bill is a move forward, and I think it will help build better relations between those who like hunting and those who oppose it only because it's a danger.

MR. WOLSTENHOLME: Mr. Speaker, I'd like to make a few remarks about Bill 51. I had intended to make a few remarks about safety and coyotes, but the two previous speakers have covered that quite adequately. I'd like to commend the minister on these amendments. I think it's a big improvement.

However, I would like to see him make provisions for more wildlife officers for the enforcement and the safety not only of animals and wildlife but of the human species as well, and in general to protect our environment. I'd like to see that take place. Other than that, I think it's a good bill.

Thank you.

MR. BATIUK: Mr. Speaker, I'd also like to express a few concerns. I agree with the bill. However, in the area I represent, which is close to a real big lake, many of my constituents over the past years have brought to my attention that the day before the hunting season opens there are jets and airplanes flying very low over the lake to scare the birds away. There can't be any other reason. I've watched that, because I live not too far from the lake. This happens.

I was just wondering — I had brought that to the minister's attention one time — about the real purpose of this, and whether or not he has any control over that. The minister did suggest that maybe they should get the number of the plane. But you know, when the number is on the top of the plane, it's pretty hard to get it at a distance. That is one concern.

Another concern — and I may well agree with it — is that you may not shoot within half a mile of the water's edge. This may be all right. However, many owners have land that is less than half a mile from the water's edge. This is where I think there is quite a bit of injustice. They all have to pay the same licence fee, yet the farmer has that privilege of selecting who is going to shoot. Maybe it makes it quite unfair to some of them. As I say, the half-mile range may be all right. But if one person is allowed to go on this particular land, why shouldn't the others? I think this may be an injustice, and maybe the minister would like to respond.

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

HON. MEMBERS: Agreed.

MR. ADAIR: Mr. Speaker, I appreciate very much the comments made by various members who spoke on Bill 51. I would prefer, if I may, to reserve full comment until we get into committee, and I'll come back with some of the answers and the actual statistics for the hon. member, relating to just what our present position is in negotiations with the federal government on crop damage, as well as some figures relative to coyote populations, and certainly the federal/provincial committee on humane trapping. I have the figures, but I would rather not use those presently in my mind, because I'm not sure they're right. I'll come back with the actual figures on the

number of traps presented for review by that board as inventions for a better trapping system. There are quite a number; it's quite encouraging that quite a number, particularly trappers, are working toward a better invention as well.

I think there was one other mention of pheasants in the Edmonton area, and I think I should comment — and the hon. member is just coming back into the House now — on the Buck for Wildlife. I think we've been restricted to a degree by the number of pheasants being produced in the hatchery. With the new hatchery coming on stream, hopefully for next spring, and we get a much larger production, we will be moving into other areas, particularly the north-central areas of the province, and possibly even further north, with initial put-and-take plans for pheasants and then obviously stocking them with the idea that hopefully they will be able to survive and come back. We are faced with the problems of winter conditions and habitat for protection. We have the habitat generally for protection, but we do have a problem with severe winter conditions and sometimes the spring conditions.

With those remarks, Mr. Speaker, I move second reading of the bill.

[Motion carried; Bill 51 read a second time]

Bill 15

The Planning Act, 1977

MR. JOHNSTON: Mr. Speaker, I'm pleased to move second reading of Bill 15, The Planning Act, 1977. Approximately seven months ago, in March, we introduced The Planning Act. Since that period approximately 5,000 or 6,000 copies of the act have been distributed throughout the province. We've received a substantial number of recommendations, criticisms, and proposals for amendments to that bill. We think that we have weighed those considerably and given a lot of attention to the very well thought out recommendations which we have received. To those people who have taken the time to participate and to show active interest in this legislation — since it affects all Albertans — I want to express my thanks and my appreciation for your time and comments.

Naturally there was, perhaps, some misdirected criticism, some misunderstanding of a very complex bill and a very complex system. A misunderstanding, of course, should not necessarily negate the principles and the very positive aspects of a piece of legislation that does affect land use in our province.

As well, we have been criticized for taking a substantial number of months, perhaps years, to bring this legislation to the stage it is at now, second reading. But, as we indicated, it was a very thorough process, going back to my previous colleague at that time, who introduced the horizons to the "red book", and put out some very contentious and debatable aspects of planning, gleaned and collected from other jurisdictions throughout North America for that very purpose: to elicit debate and to elicit response so that we could weigh against the planning legislation we now have in the province certain proposals and certain adjustments which may be considered by this Assembly.

Since that time a tremendous amount of work has actually gone into the legislation. I have to commend

as well the time spent by my colleagues in legislative review committee for the line-by-line, sentence-by-sentence, and comma-by-comma study of that legislation. As well, I certainly have to express my deep appreciation to my own department and to a member of Legislative Counsel, Mr. David Elliott, for his assistance.

The bill itself, Mr. Speaker, is outlined in six major parts. The existing legislation has been reorganized in some respects to make it more understandable and more readable, and to provide a flow from macroconcepts into microconcepts.

Parts 1 and 2 describe the Alberta Planning Board, the provincial, regional, and municipal planning authorities. Parts 3 and 4 establish and set out the implementation of the very important statutory plans which are the fundamental law for implementation at the municipal level. Part 5 deals with the subdivision of land, which is the process whereby parcels are delivered in their final form.

I think it's important as well, Mr. Speaker, that we weigh some of the broad goals and objectives which we attempted to meet in dealing first with the broad, contentious issues, and then to use as a guide for some of the more fundamental and perhaps more narrow decisions which are reflected in the bill.

First of all, we attempted to establish a workable system of land-use planning and control, capable of being understood by all Albertans. Secondly, we attempted to preserve local autonomy, particularly over land-use development within the municipalities' jurisdiction, by providing a broad framework and authority in which their own independently determined goals and objectives could be expressed and in fact realized.

Thirdly, we wanted to review and, wherever possible, increase and smooth the process of land subdivision in the province for obvious reasons: to assist in the delivery of homes to the expanding population and economy of this province. Fourthly, to maintain and encourage regional planning within the province, to ensure that local policy control by local representatives of regional planning commissions, to ensure each region can develop its own set of land-use regulations and plans, and to recognize the unique economic, social, and demographic imperatives of each planning region. Fifthly, Mr. Speaker, to provide adequately for public participation in the land-use statutory plan decision-making process.

Mr. Speaker, the debate on planning can of course range over a wide set of issues on a philosophical basis: from why have any planning at all, to those who propose no planning, to those who propose total planning. Of course, some place in between, legislators here have to make decisions as to what degree of planning is necessary for our society, given our understanding of the concepts, given our understanding of the needs of the people and, of course, recognizing the very important land resource is not an increasing commodity, but one which is fixed and not necessarily decreasing over the period.

Mr. Speaker, under our system of property rights we have provided considerable freedom of choice to private landowners as they might decide how to use or abuse their land resource. Property rights of these owners are exclusive but not absolute; that is, society must retain an interest in the manner in which this resource, which is fixed in quantity and geographic

location, is used and maintained. The interests of society must be protected to prevent or discourage unwise or wasteful practices which may be injurious to the owner, to his neighbor, or to the community as a whole. I won't mention the right of imminent domain which the Legislature has, but that of course is one of those requisites which suggests that an owner's right is not absolute on his property.

In Alberta we are moving into a period of growing competition for land resources. This is generated by an expanding population, increased per capita demand for land resources and for land itself. The need for public action to direct land use is not as important where there is an abundance of land which is distributed throughout our broad area, and where the demand is not all that substantial.

However, we must now determine our direction for planning in this province to satisfy some broad goals designed to promote orderly development, to minimize certain problems and conflicts associated with private land ownership, and to encourage optimum development for land in this province. Planning, in the context of this act, can be seen as a method of organizing our available information and experiences to provide a set of strategies or alternatives for the future, by which we can apply finite resources to achieve these ends.

Mr. Speaker, what about the rights of the individual and the role of planning and the role of the municipality? Again, land resource planning is one of the most essential responsibilities that elected officials can have assumed. There is a varying amount of criticism and perhaps fearful speculation that once you get into any kind of planning that planning will grow incrementally if not exponentially and that eventually we will get into a totally planned economy as described by Frederick Hugel or more recently by George Orwell. I don't think that is the kind of planning we are talking about here, the controlled economy idea.

There is, however, as I have expressed above, perhaps a nominal infringement of an individual's human rights, just to the extent that the rights of the people at large, the community as a whole, are concerned. Any type of public action, I suppose, can be regarded as an infringement or a threat to an individual's freedom. For example, you can't jaywalk, or you have certain restrictions as to other people's property. By some definitions those could be deemed restrictions of an individual's freedom. However, through secure and predictable expectations of the behavior of government, other people, or other groups, an individual's freedom is secure against adverse activity by other members of our society. This certainly must strengthen and provide for the protection of the rights of the individual, and this is the intention of this legislation.

Mr. Speaker, it's important to note that the planning process itself is neutral. The municipality is the custodian of the land resource within its jurisdiction, and is responsible for the developments therein. Through the development of various plans, the goals and objectives of the people within a municipality are expressed, debated, resolved, changed, and eventually reflected in plans and through respective by-laws. The degree of infringement or curtailment of rights is a function of the goals and guidelines established jointly by the citizens and the elected representatives of a community themselves. This legislation provides

for a process to ensure planning and to ensure public participation in the planning process.

Mr. Speaker, there is no question that there are some enforcement procedures in the legislation. There are two obvious ones we could talk about very quickly, and I know that when we get into some of the broader debate, and certainly during committee study, these perhaps will be focussed on. However, we do have the two important ones: the subdivision process, and the municipal use by-law.

In the province of Alberta we have had various mechanisms or attempts designed to implement official plans. In fact since 1932 we have had in Alberta something called a zoning scheme, which has been followed by most municipalities throughout the province to stabilize land-use patterns throughout their jurisdiction by spelling out certain fundamental points. For example, they would establish specific districts within the entity, establishing the kinds of densities which may be found there, prohibiting certain kinds of development but, importantly, ensuring the rights of those individuals who are not in conformity with the zone, and providing for appeal processes. Zoning has been generally accepted in this province to prevent chaotic development and to prevent decisions not based on the fundamental goals and objectives of a municipality.

Mr. Speaker, the land-use control by-law in this legislation draws together the best features of existing and perhaps diverse Alberta processes to control land use and development. It's a blend of somewhat predictable rigidity, as found in total zoning, with the flexibility and dynamics, described as development control, used in some municipalities.

The question of subdivision controls is the one area in which much of the criticism and much of the focus of planning has been directed, because it is through this process that the individual deals more directly with the land-use control people, the municipality, or the subdivision approving authority. However, the subdivision process, as described in Part 5 of Bill 15, assists the municipality in carrying out its general plan or its area structure plan, setting out the time sequence and the kinds of development which might be within that subdivision area. The manner in which subdivisions are designed and created has major short- and long-term implications as to the municipality's budget, because of obvious infrastructure costs, maintenance costs, and even perhaps preventing blighted development. The interest of the land developer is protected over the long term from declining property values caused by *ad hoc* neighborhood^A development and unforeseen traffic flows.

Mr. Speaker, I want to move to some sections in the legislation, talking perhaps more fundamentally about the broad planning process, and about the concerns that have been expressed with respect to interference with local autonomy in the province. The legislation describes four important and fundamental statutory plans. We have talked about some of them briefly, but I would like to outline them for you, because it is through this that public input and participation, and goals and objectives of the community and the municipality, are expressed. As well, this is the fundamental by-law document for a municipality.

The first one is the regional plan. This is the broadest plan possible in the province of Alberta, and

the one which presents land use and development for a region, often affecting more than one municipality and smaller urban communities within an area. Generally these regional plans follow from the work of a regional planning commission, and must set out again, land use criteria, development areas, and provide some specific and general goals with respect to the kinds of activity and development which might take place within that jurisdiction.

Mr. Speaker, within an urban municipality, and in some cases rural municipalities, the broad plan is the general plan. Many municipalities have gone through that process. For example, the city of Calgary has just completed a proposed general plan for its jurisdiction. That was a long, extended process, looking at all the various implications and possibilities. A very full debate was provided on land use within the area.

In our legislation the general plan must describe the land use proposed, the timing of development within a municipality as it affects various sectors of the city, and the manner in which future developments will be carried out. Any urban municipality with a population of more than 1,000, or a rural population of 10,000, must expect to have a general plan, because certain other processes within The Planning Act, such as the land-use by-law, turn on the general plan.

Without making a specific reference, Mr. Speaker, Section 59 very broadly describes what should be included in a general plan. We have been criticized for not being overly specific in the kinds of proposals which we think should take place. We have decided not to be prescriptive, Mr. Speaker. We think that the process of planning is so fundamentally the responsibility of the local municipalities that it should be up to them to develop their own theme and their own policies. All we have set out are three or four major points we'd like to see covered. But the drafting, the scheme, and the whole process itself is left to the municipality. This is much more a reflection of local jurisdiction than provincial direction.

Mr. Speaker, going from the macroconcept — the regional, the general — to a microconcept, we have two more microconcepts within the legislation itself. Both of these as well are statutory plans. First we have the area structure plan and, secondly, the area redevelopment plan.

The area structure plan, Mr. Speaker, takes into consideration a large tract of land — focusses perhaps on a quadrant of a community, a quadrant of a city — but doesn't necessarily deal with the whole area. It would generally and broadly describe land-use patterns and development, spelling out commercial and highway developments, showing perhaps some broad transportation and utility corridors, and setting out, of course, areas reserved for schools or residential development. This process is full of public participation to show the use, inputs, and direction for goals that the municipality would like to accept and reflect in a land use by-law.

Similarly, an area redevelopment plan has the same function and deals with perhaps a smaller segment of a city. It generally deals, as the name suggests, with the redevelopment proposal in a downtown urban area. Again, a similar process would be available, and similar criteria as to the content of the plan would be established.

Mr. Speaker, the four plans are passed by the

municipality, by by-law, again after a substantial amount of debate both at the planning and by-law levels. That the by-law itself must have public input is new to the legislation, and provides further for a debate on the content of the legislation by the municipality. As well, the regional plan will receive ministerial ratification to ensure that the broad policies of the province are contained, reflected, or at least debated within the regional plan itself. I should add that these plans are somewhat rigid, that because the process is rigid establishing them, the process must also be somewhat rigid in the amendments. Therefore there is also ample opportunity for public participation and debate as to the changes which may be proposed. This is negative in the sense that it takes time, but of course it's positive in the sense that once the rationale is established for land use in that community it is very difficult to change. That adds predictability and certainty to the residents of the community.

Mr. Speaker, as I indicated earlier, one of the major innovative features of this legislation is the land-use control by-law, which brings the concepts of zoning and development control under one piece of legislation. I think [it] will provide more understanding for the people of Alberta as they move between jurisdictions, because this would be a more commonly applied piece of legislation and some of the criteria set out there will be more easily understood by the citizens of Alberta, as well as the citizens within each jurisdiction. There is, Mr. Speaker, an opportunity for more flexibility and discretion on behalf of the development control officer in interpreting conforming uses for proposed development permission.

As well, the legislation spells out something called direct control districts, which provide for direct control by the council until a zoning pattern or a more determined pattern of development can be specified. This is the flexibility that I suggested and I think the land use by-law is a very important aspect of implementation of planning by the municipality.

I might just comment on some of the specifics within the land-use by-law. It shall divide the municipality into sections. It shall describe the permitted uses of buildings and land, and it shall set out the development process, including applications, restrictions, timing, et cetera. There is ample opportunity for notification to affected land owners, and the process also spells out the way in which the land-use by-law should be implemented.

Mr. Speaker, I wanted to look at one of the broadly criticized aspects of the legislation: that there has been a substantial infringement on local autonomy in this legislation. I think when we have completed our debate in this House, including the clause-by-clause study, we will find the contrary is indeed the case. In fact we have moved responsibility into the hands of the local elected officials.

Fundamentally, Mr. Speaker, the existing legislation in Alberta allows that the development control process — the process of securing development to build or to improve an existing structure — shall rest with the local authority. Well, we looked at that and had some pretty valid and persuasive arguments to suggest the development control appeal process at least, should come back to the province. Well in reviewing the legislation we disagreed with that. We said, no, we think that even though you have those

arguments and we have weighed them, there should not be any provincial interference with development control within a city. So, effectively, we have not left that area vacant, we actually made a decision to pursue that and to pursue the principle that development control will rest with the municipality. I think that's important and it allows the municipality to control its land use and to have an implementation process not subject to provincial interference over a longer period of time.

As well, Mr. Speaker, in the case of appointing development appeal boards, we have again left this to the municipality. Not being in any way prescriptive, we have suggested that there shall be three members on that council, and we have left it to the municipality to name the people. They can be from a broad background or they can be council members. We've left it to the municipality to deal with the way in which the development appeal can, first of all, be set up and, secondly, the way in which the appeal process can be established.

We have also made provision in the legislation to allow some of the municipalities to move into the subdivision approval process. That is held at this point by the two cities of Calgary and Edmonton and by the Regional Planning Commissions, as people who have subdivision approval authority. We don't think there is any need to maintain that exclusivity. We think the municipality itself should have that right, and we have provided for that in the legislation, providing the municipality can meet certain criteria, such as expertise and perhaps funding ability.

As well, Mr. Speaker, we have provided that certain smaller adjustments are no longer necessary. It's no longer necessary for the provincial government to ratify or to sign subdivision [inaudible]. It's no longer necessary for the Regional Planning Commission to deal with land-zone resolution changes. We think we have recognized in a significant way the rights of the local elected people, and have preserved local autonomy in this legislation.

The question of subdivision of land is the one which, as I indicated, has received substantial comment. In the fall of 1975 we reviewed, with my colleague the Minister of Housing and Public Works, the process of subdivision and the way in which the process was operating. Our intention was to secure a more efficient use of subdivisions, and hopefully encourage and promote more development of housing in this province. We interviewed people in the planning areas and circulated certain questionnaires on the processes. We think we've made some dramatic changes in the subdivision transfer regulations. We have gone through the process again during this debate, Mr. Speaker, and we have found that given the time constraints, the subdivision process in this province is fairly effective. Not much more can be done to tighten up the controls, perhaps shorten the time, or improve the process at all if you want to have ample input and ample opportunity for checks and balances. We think we've made a decision on that and, notwithstanding a few smaller changes, we think the subdivision process is working fairly effectively. The time involved in subdivision itself is not really that dramatic in terms of the whole scope of things.

Perhaps there will be some general delays in subdivision of land through the interim period, when the

area structure plans are being set up. But I think once general and area structure plans are in place the subdivision process will lock into that debate, and provide an even more expeditious manner in which subdivisions can be brought on stream. I think it's important that when area structure plans are developed the debate will take place at the local level. I'm sure the subdivision operation and process will articulate with that debate on area structure plans, and will over the longer term — two or three years perhaps — assist somewhat in the whole process of moving to the subdivision of land.

I mentioned that we have made some adjustments, and perhaps added certainty to the reserve calculations, to ensure that dedication in subdivisions is specific. We have made some minor changes in the way reserves are actually calculated. It is important that we have specified that local authority must be recognized and that the rights of the school board and the municipality must be jointly expressed with respect to reserve calculations.

Finally, in my comments on the very broad issues before us in this legislation, I want to touch again on something called special planning areas, and to give an overview of what these concepts might include. There are certain occasions, generally infrequent, when land areas could be of special provincial concern. There must be a degree of uniformity of control, regarding for example land adjacent to airports, transportation and utility corridors, prospective new towns, et cetera. These lands involve or are located in more than one municipality, and there is a requirement for some measure of provincial control of development which complements — it is important to an individual municipality's control to remove any possible intermunicipal conflict. The concept is not new. We have existing legislation which sets out such things as airport vicinity protection areas. These are found in the current Planning Act. They prevent the infringement of airports into existing urban areas, and also prevent urban development from being infringed upon by noise from aircraft. These are in place and provide higher level provincial control for greater benefit.

We have the restricted development areas now provided for in The Department of the Environment Act, and these also have a certain higher level of provincial responsibility. The public works development areas and wilderness areas again set out certain requirements for overall provincial concern.

In this legislation, Mr. Speaker, it is intended, for planning purposes, that some of these special planning areas be established. I will merely enumerate the three or four areas I have outlined.

Number one is a means of implementing a general provincial government policy with respect to land around airports. Number two is a means of implementing provincial policy objectives related to the protection of major transportation or utility corridors. Number three, when an area in which urbanization of land is considered undesirable — for example, green belts around major transportation corridors back from the corridor itself — or as a means perhaps of establishing or protecting land for new town development.

Mr. Speaker, I've outlined for you some of the objectives and fundamental principles implicit in the legislation, and set out some of the concerns and questions which have been expressed to me over the

past six or seven months. I think this is a very complex piece of legislation. It's complex in the sense that it involves several agencies. Provincial, municipal, and board responsibilities are involved. It affects our lives on a daily basis as we move either to develop our bases, add a garage to our home, or develop a high-rise complex. But I think it does, Mr. Speaker, require close attention in this legislation and I think that we have given this legislation just that — very careful and deliberate examination as to the principles and the process. I think, Mr. Speaker, I would have to commend this bill to the Assembly.

Thank you very much.

MR. R. SPEAKER: Mr. Speaker, I would like to make some remarks with regard to Bill 15. First of all, I'd like to say to the minister that I appreciate his delivery and his ability to discuss the principle with regard to the bill. I was a little afraid we may get into discussion of clauses rather than the thrust he sees for the bill. As I summarize the minister's remarks, I feel that he focused his attention on two specific areas: the area of local involvement and the second area of public input. I'd like to address myself to those particular things, Mr. Speaker.

The principle as I examine the bill, Mr. Speaker, is that we certainly have planning as our object. But as I examine this particular bill I see the underlying feeling within the bill that the power for planning is to be centralized within the hands of the department and in the hands of the minister and the cabinet. How, Mr. Speaker, then do we relate that to local autonomy? The minister has indicated to us that the local boards will have certain powers with regard to planning and drawing up plans, putting them together, and that they will be able to listen to appeals on a local basis, they'll be able to make decisions — it may take a little longer to get the plan through — but there is still this overriding big government that has its hand on the whole process. What we must examine is the power that is really in the bill when we talk about local autonomy. In Bill 15, Mr. Speaker, when we relate to the section with regard to regulations it spells out very clearly that the minister through the Lieutenant-Governor can override any decisions that are made on a local basis. Mr. Speaker, when that type of trust is built into the legislation, the government can say anything they want about giving more power to local people, that local people can make decisions. But when they hold the ace in the hand in the legislation which says they can direct a council to amend its land-use by-law to include any prohibition or regulation in control of development, we wonder just how sincere the government is about local autonomy.

Mr. Speaker, it can't be that way. Either you trust local government, give them ability to work, or you don't give it to them. Under the approval of plans, it continually indicates in the legislation that they must come back to the department for approval. You ask me what kind of local autonomy that is. To me, Mr. Speaker, the minister has given us just window dressing about local autonomy, and local councils will feel their powers have been eroded once more with regard to their plans and ideals about their local districts. The ideals they will have to live with are the ideals of the minister. And I doubt if it will be the minister; it will be the high-priced planners and the

bureaucrats within the department who will run the structure of this particular province. Mr. Speaker, we can't live with that kind of thing. That certainly upsets me about the thrust in this bill.

The other thing that's talked about in the bill: the minister has related to the philosophic intent that individuals — and we can talk about individuals relative to being local authorities or owners of their own property. As we examine the philosophy which is spelled out on page 7 of the bill, I'd like to quote from that particular section, Mr. Speaker. The bill says that

The purpose of this Act and the regulations is to provide a means whereby plans and related measures may be prepared and adopted to . . .

and it goes on — there are sections (a) and (b) — to do certain things

without infringing on the rights of individuals except to the extent that is necessary for the greater public interest.

Mr. Speaker, where does the person with property who has worked so hard to own a farm, who has worked so hard to build a business, who has worked so hard to put something together for his family — where does he fit into that particular situation when the greater public interest is the one that's going to be assessed? Mr. Speaker, the philosophy of the bill certainly isn't that of a conservative party as I examine it philosophically under that particular thrust. I didn't really want to say that that possibly is more of a socialist approach . . .

DR. BUCK: Would you mean Marxist?

MR. R. SPEAKER: . . . but it's been related in the Assembly and that was certainly my intent in making that remark.

What else about the general principle of the bill? A planning bill should be one that talks about progress or development. What does this bill talk about? The bill talks about control, how we control, how we control the use of land, how we control individuals on their private property and buildings. The minister related to some type of building on a farm. That's the kind of thrust it is. The thrust within the bill is negative, not positive. And I think that is the underlying thing that upsets people in Alberta today. The people within the planning areas are not there to help people build an industry, develop a program, develop a plan; but they're usually there to control or negate some of the positive things that should happen, and slow them down.

I can think of example after example of people who want to start a business, an industry, a housing development, who have spent thousands of dollars in interest on money they have borrowed, waiting for the planners to make some decisions. Waiting, and waiting, and waiting, and waiting. Thousands of dollars. That's not a positive approach, that's a negative approach. The delay is because some planner wants to control rather than give incentive. Mr. Speaker, that is not built into that act. That should be the principle. That would be exciting and new and different to a whole planning act — incentive and development — but it's negative control. Mr. Speaker, that is not a principle that should support the idea of planning.

What about the concern of the grass roots with

regard to this bill? The minister inferred that possibly the grass roots haven't got all the information. I've heard this. Or that they haven't read the bill. But the people of Alberta have enough feeling for what is being said that their individual rights to property ownership, to development of that property, are being infringed upon by this act, and that consideration is not number one in the act as it stands. Mr. Speaker, who else should we be concerned about as elected officials but the individuals in this province?

Various quotes were passed on to me, some that I can't pass on in this Assembly, some even by the brother-in-law of the hon. minister. He said, pass this one on, and he put a few frills on it, but it basically said, the minister can't stop me building a Quonset on my land. The minister can add whatever he wants to that. Another fellow said to me, boy, the way they're going to control my property, and the way this government is ignoring my concern, the arrogance of Bill 15 is demeaning to me as an individual. That's the way the grass roots people of Alberta feel.

They're also saying to us, Mr. Speaker, when they feel this way — they may not know all the details and the sophisticated things the minister outlined to us today, but they're saying, we want some time to really think about this kind of control and restriction and infringement upon our freedom that is happening at the present time. We want to think about it. Maybe we weren't aware of it until the last two or three weeks, or a month ago, but we need some time now to think about it. They are asking about that across the province at the present time, Mr. Speaker, and we feel — I feel — it would be an insult to those many voters across the province if we didn't give them that time.

I thought that when I first came to the Assembly to this fall session. But then a few days ago, when we were presented with these anticipated amendments — we can only anticipate that they may be introduced in the Assembly — which are equal in weight and volume to the original act, I can even see greater concern of the people across Alberta about delaying the act maybe into the spring session, so they have more time over the winter months to consider the impact of this act. They have not had enough time at the present time. Nor has the minister or other ministers of this government made a concerted effort across the province to really sit down and describe the total act to the people. They've sent out thousands of copies, and you can say, sure that's fine, the people have read it, they've tried to study it, they've got into groups. But they haven't had time to give all their recommendations back to government. And here we have 96 more amendments that the people have not even had time to consider. This session may only last two or three weeks. How can we as MLAs, in that short period of time, receive the input that is necessary on these I hope very important amendments that will be before us?

To me there is no way, Mr. Speaker, and to impose that on us as MLAs as a responsibility, and, in turn, impose it as law on the people in this short a period of time, would be an irresponsible step and certainly not a responsible action by this government.

Mr. Speaker, I want to make our position very clear with regard to this act and the principles in it. We feel that up to the present time the principles and specific amendments have not received adequate

scrutiny by the public. Secondly, as I've just mentioned, the anticipated amendments need further public review. There must be problems not only with the original act and that bill when we get that many amendments, there must be a lot of problems, concerns, and a lot of things the minister missed in the original writing of the act.

Thirdly, we feel the act takes away freedoms and rights not only from the local board but from many individuals in this province. It has a thrust of control, not one of initiative. I don't think we can accept that.

Mr. Speaker, to me the bill should not be passed this session. I'd like to move an amendment to the motion before us which would read that the word "now" in the resolution be struck out and that the words "six months hence" be added to the end of the motion.

MR. GHITTER: Mr. Speaker, I will only address my remarks at the present time to the amendment as I understand it, relative to the six-month hoist.

It seems to me first of all, Mr. Speaker, that the hon. member has not been a part of the planning process that has gone on in this province with respect to the culmination of this bill. It has gone on, as I recall, for the last four years. The hon. member is confusing what is an acceptable, proper planning process in the nineteenth and twentieth centuries with a reversion to philosophies that sound very good, that sound like a lot of fun and are easy to sell in the boondocks, a philosophy which probably existed in the seventeenth century relating to the approach that he's taken in his look at this legislation.

We all accept the concept that planning legislation is never popular. I imagine that very few of us like to have Big Brother, be it municipal, provincial, or otherwise, come forward and tell us what we shall or shall not do with our land. But with the complexities of living in the twentieth century and the interrelationship of peoples in communities and districts as they try to live other than in chaos, there can be no conclusion other than that a fair and reasonable planning process, legislation, and control — much as we might not like it — are necessary if we're going to have an orderly, organized, involved process of development, particularly in our cities.

It may be all right to say that someone wishes the right to put his little shack on his acreage out in rural Alberta. But I would suggest that the hon. member should come forward and spend a little time in the cities of Edmonton, Calgary, Medicine Hat, Lethbridge, and elsewhere, so he would have an understanding which he has not shown today, as to what is required in order to develop the planning process.

Firstly, we are led to believe today by the hon. member's amendment that what this legislation does is take away control from the local authority and lumps it into Big Brother here in Edmonton. Mr. Speaker, to the contrary, I would suggest the planning legislation that we have, if it does anything, corrects the imbalance of the existing Planning Act passed by the past government, which was loaded with these controls, and in fact places more autonomy in the local authorities. I intend to give examples.

Possibly if the hon. member would sit down for a moment and compare the flow-through of planning approval processes, as to where the delays and the

controls really are, he would find there was a much stronger deterioration of local autonomy in the legislation we now have imposed upon us in this province than that which is recommended in the legislation before him.

Various examples. In a very broad perspective of the legislation the hon. minister has tried to describe it. But probably it hasn't been listened to by the other side. I wish to emphasize these various areas.

From the point of view of participation and control in the various statutory plans that the hon. minister described, all of those various procedures involve a maximum of public input and debate, an approval by the local municipality, and for the first time in our legislation, a binding effect whereby development appeal boards and provincial planning boards are bound by what that municipality does. That is not the case today. The case today is very simply on a subdivision process that the provincial planning board is not bound by what occurs at the local level. It is not bound by design briefs in the city of Calgary. It is not bound by regional plans. It is not bound by municipal plans. But now it is and now these plans must be taken into consideration. This is local autonomy. This is recognizing what the local desires really are. That is not the situation today.

For the first time we now have legislation where development appeal boards who are arms-length, independent, non-elected people other than the three councilmen who are put on it, whose decisions now must comply, must comply, with the public participation process that is in existence and is required by the legislation in the creation of these plans. Probably one of the fundamental and most important aspects of this legislation is that the public participation approval process now has some meaning, whereas before it was merely meaningless cosmetics, and boards like development appeal boards and provincial planning boards could run helter-skelter wherever they wanted and ignore the rights of individuals. Now they are bound by that process.

How in the world the hon. member can stand forward in this Legislature and suggest that there is a deterioration of local autonomy is beyond me. I would suggest you re-read it and read it with somebody who understands it.

The hon. member rises in his place, Mr. Speaker, and suggests as his second area for this delaying process that he wishes us to accept today that there's no public input. He didn't give us any reasons. But it was his second concept: there's no public input, we must have public input. This legislation has been 'public-inputted' to death, Mr. Speaker. This legislation has been debated, discussed, and moved around to such an extent, like no other legislation that this Legislature has seen since 1971. I ask the hon. member, where have you been? Combining on your farm. Maybe you should spend some time here for a moment.

DR. BUCK: Cheap shot. Cheap shot.

MR. GHITTER: Mr. Speaker, let us talk for a moment about public input in this legislation. There is public input within every statutory plan that must be approved by the municipality. Every development of a change of a land-use by-law must go before a city council for public input. Every subdivision plan must

go before a local planning commission and must then proceed through the local procedures and through a development appeal board.

In fact, in my mind the criticism of this bill, Mr. Speaker, is that there's too much public input. We are 'public-inputting' the situation to the point where that is the inherent delay in the approval process that the hon. member is concerned about. There is the concern, when we talk about moving through the approval process and getting land on-stream and getting affordable housing available. The criticism still lies within this legislation that it hasn't sped it up satisfactorily. Frankly, Mr. Speaker, I don't know how you can. I don't know how you can take in all the considerations that we must consider in this complex age, reduce the public input, and speed up the approval process. But it's the public input that the learned member suggests is not built into this act that is the very thing that in the end is going to slow the process to the point where there will not in fact be a satisfactory, rapidly moving, planning process.

Mr. Speaker, the reason for those amendments here today is the fact that the minister, since the presentation of the act last spring, has spent considerable hours meeting with local authorities. I have an excellent brief from the city of Calgary that had the approval of all the various southern Alberta planning regions and was presented to the minister. It was a brief presented in a very constructive, very intelligent, very positive way, talking in terms of the concerns the city of Calgary and the southern regions may have with respect to the wording of The Planning Act.

Mr. Speaker, it is because of this input from various regions of this province that these technical amendments — and that is what they are — have been brought forward by the minister today after many, many hours of dealing with the regards and concerns of the other members. Mr. Speaker, I suggest that what Albertans really want is an understanding of the basic philosophy of the act. When we get back to the principle of the bill, there are areas that I would like to suggest for the hon. minister to consider, from the point of view of moving it along.

But, Mr. Speaker, to suggest for a moment that the six-month hoist should be applied for more input to a philosophy and an ongoing procedure that we have lived with for the last four years, that has been discussed and rediscussed — where the basis of those suggestions is, as I understand it, a deterioration in local autonomy and no real input from the public — Mr. Speaker, I would suggest that those two grounds are certainly not argumentative from my point of view. If those are the only grounds upon which we are to accept the concept of postponing this for another six months, those grounds are unacceptable and should not be accepted by this Legislature.

MR. NOTLEY: Mr. Speaker, I rise to participate, not on the principle of the debate but with respect to the question of whether we should pursue the six-month hoist.

I must confess I was rather astonished listening to the hon. Member for Calgary Buffalo, big-city lawyer that he may be, refer to rural Alberta as "the boondocks". Mr. Speaker, I wonder if that represents the official view of the Conservative government on rural Alberta. In view of the tremendous applause the hon. member got when he sat down, I wonder whether

that particular descriptive phrase is the kind of phrase the hon. Member for Vegreville, the hon. Member for Wainwright, or the hon. Member for Smoky River would want to carry back to his constituency. Quite frankly, Mr. Speaker, I found that particular phrase abusive and completely inaccurate when one recognizes the work the Association of Municipal Districts and Counties has done on this particular matter. To suggest, Mr. Speaker, that back in the 'boonies' we can get away with anything is just nonsense. It's an offensive statement that has no place in this Legislative Assembly, [interjections]

DR. BUCK: Don't apologize, Ghitter . . .

MR. NOTLEY: Mr. Speaker, the question really is whether or not, with 97 amendments, 48 pages of amendments, we have a right to . . .

MR. SPEAKER: Possibly it is necessary to say that the amendments are not before the House.

MR. NOTLEY: Mr. Speaker, with the anticipated amendments, the question basically is whether there is a reason for a delay to allow more public input.

Now for a government that first started talking about The Planning Act in 1972 — it wasn't 1973, as the hon. Member for Calgary Buffalo cited; it was 1972. We were going to have The Planning Act in 1973. Then when 1973 came, it was to be the spring of '74. When the spring of '74 came, it was the fall of '74. Then it was 1975.

Mr. Speaker, for a planning act that has now been in the process of gestation for five years, to suggest that somehow the province is going to stop operating if we have a six-month delay in the light of very substantial amendments that will be introduced when we get into committee stage, in my view doesn't wash at all. I've met with municipal officials, both urban and rural, all over this province, and they've told me very clearly that while they liked some of the provisions in Bill 15 and didn't like others, the fact of the matter is that the majority of them really think the present Planning Act is just as good if not in many ways better than Bill 15. To suggest, Mr. Speaker, that if we delay discussion of this legislation for six months, or until the spring session of the House, or reintroduce it — we'll have to introduce it; it will die with this particular session — we went through that in 1975. Members will recall that the heritage fund legislation was introduced in the fall session of the 1975 Legislature. The Premier, with great fanfare, said, we're going to let it die on the Order Paper and reintroduce it in the spring session so there can be public input.

Mr. Speaker, there might not be an argument for that, had it not been for the fact that we anticipated very substantial amendments. Therefore, Mr. Speaker, I think it is not unreasonable that members of the Assembly have some opportunity to meet with local government officials on the amendments, to get some feedback from them on how they see the proposed changes, how these changes relate to the concerns that have been expressed to all of us. I am sure we have heard those concerns.

Mr. Speaker, I just fail to understand why, after five years of a snail's-pace progress, we are all of a sudden in such a rush. We've got to get the thing

through. Five years we've been dilly-dallying, but all of a sudden we just have to rush it through.

DR. BUCK: Because the people are finding out what's in it.

MR. NOTLEY: The hon. Member for Clover Bar says it's because people are finding out what's in it. That may be true. One wonders. The fact of the matter is, Mr. Speaker, the proposal for a six-month hoist is a reasonable one. I recognize it would mean that this bill would die on the Order Paper, but it would be exactly the same parallel as the government took in 1975 and 1976 with respect to the heritage fund.

MR. TAYLOR: Mr. Speaker, I just want to speak to the amendment. I gathered from the preamble of the hon. Member for Little Bow, prior to moving the amendment, that he wanted to delay the bill for further consideration. I suggest that the amendment as worded would not do that. The amendment as worded will defeat the bill. The six-month hoist has been known, and as far as I am aware, in *Beauchesne*, and throughout British parliaments, to defeat a bill. Whether or not the House happens to be sitting six months hence is irrelevant. Consequently, I think what we should point out is — and perhaps you would like to give a ruling, Mr. Speaker — in my view this amendment will defeat the bill. If that's what the hon. members want — but I gathered from the statement of the hon. mover that he wanted to delay the bill for further consideration.

If we want to delay the bill, that's one thing; but to defeat the bill outright by a motion like this, is something I couldn't support. I think there are many good things in the bill, and maybe some bad things, but I want to debate that when the regular debate comes back in. The point I am making now is that the motion as worded, in my view at least, would defeat the bill and it would no longer be on the Order Paper.

MR. SPEAKER: I certainly would be glad to be able to consider the matter a little longer, but in view of the situation I should say that it's my understanding that the motion for a six-month hoist — or as has been done in the United Kingdom, a three-month hoist — is intended to delay consideration of the bill to some time when the House is not sitting. If it achieves that purpose, of course it defeats the bill, because the bill would die on the Order Paper and would have to be reintroduced.

However, we have a somewhat hybrid situation here, in that it would appear from the remarks of the hon. Member for Little Bow in supporting his amendment that what he really had in mind was not necessarily a six-month hoist which would have the effect of defeating the bill if the House were not sitting six months hence, but rather a motion which would ask that the bill not be considered further now and be reintroduced at the spring sittings of the 1978 session.

It would be my understanding, subject to further consideration, that on that motion we might continue with the debate on the merits of the bill. I realize that our standing orders say that the debate should be confined to the subject of the amendment. However, the merits of the bill can determine the outcome of that motion. If the bill is considered to be meritorious

and worth while, that is a reason for dealing with it now. If it is considered not to be worth while, or a bill that the House ought to disagree with, that would be a reason for supporting the amendment.

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

[Three minutes having elapsed, the House divided]

For the motion:

| | | |
|------|--------|------------|
| Buck | Notley | R. Speaker |
|------|--------|------------|

Against the motion:

| | | |
|----------|-----------|--------------|
| Adair | Hohol | Paproski |
| Ashton | Horner | Peacock |
| Backus | Horsman | Planche |
| Batiuk | Hunley | Purdy |
| Bogle | Hyndman | Russell |
| Bradley | Jamison | Schmidt |
| Butler | Johnston | Shaben |
| Chambers | Kidd | Stewart |
| Chichak | King | Stromberg |
| Crawford | Koziak | Taylor |
| Doan | Kroeger | Tesolin |
| Dowling | Leitch | Thompson |
| Farran | Little | Walker |
| Fluker | Lougheed | Warrack |
| Foster | Lysons | Webber |
| Getty | McCrae | Wolstenholme |
| Ghitter | McCrimmon | Young |
| Gogo | Miller | Yurko |
| Hansen | Moore | Zander |
| Harle | Musgreave | |

| | | |
|---------|----------|-----------|
| Totals: | Ayes - 3 | Noes - 59 |
|---------|----------|-----------|

MR. NOTLEY: Mr. Speaker, I beg leave to adjourn debate.

HON. MEMBERS: Agreed.

MR. FOSTER: Mr. Speaker, may I have leave of the Assembly to revert to Introduction of Bills.

HON. MEMBERS: Agreed.

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

Bill 73
The Motor Transport Act

MR. FOSTER: Mr. Speaker, Bill 73, upon introduction, was referred to as being a money bill. I want to advise the House that it is not a money bill, and I would ask leave of the House to withdraw Bill 73 for its reintroduction.

HON. MEMBERS: Agreed.

MR. SPEAKER: It would appear that the hon. minister has unanimous consent.

DR. HORNER: Mr. Speaker, may I then reintroduce it as an ordinary bill and, without duplicating the

remarks I made originally, I move first reading of Bill 73, The Motor Transport Act.

MR. SPEAKER: The Assembly stands adjourned until Monday afternoon at half past two.

[Leave granted; Bill 73 read a first time]

[The House adjourned at 1 p.m.]