

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: Monday, November 5, 1979 2:30 p.m.

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

PRAYERS

[Mr. Speaker in the Chair]

head: **PRESENTING REPORTS BY
STANDING AND SELECT COMMITTEES**

MR. PAYNE: Mr. Speaker, I am pleased to present to the Legislature today the annual report of the Select Standing Committee on The Alberta Heritage Savings Trust Fund Act.

In so doing, Mr. Speaker, I would like to take this opportunity to express my appreciation to the members of the committee from both sides of the House for the diligent and imaginative manner in which they approached their committee responsibilities these past several months. I would also like to express my appreciation to the hon. Premier and those cabinet ministers who appeared before the committee. Their responses, comments, and documentation proved most useful to the committee in its deliberations and in the development of the committee's recommendations regarding the Heritage Savings Trust Fund.

head: **INTRODUCTION OF BILLS**

**Bill 74
The Legislative Assembly
Amendment Act, 1979 (No.2)**

MR. CRAWFORD: Mr. Speaker, I would ask leave to introduce Bill 74, The Legislative Assembly Amendment Act, 1979 (No.2). The principle of this Bill is to implement the recommendations of the Miller commission in respect of salaries and allowances of members of this Assembly, the recommendations having recently been received and published.

Mr. Speaker, the proposals in the Bill being presented for hon. members' consideration follow the recommendations of the Miller commission. I think it might be in order to make two remarks in respect of that. One is that in accordance with the precedents in previous cases the commission, appointed by resolution of this Assembly, was constituted of a judge and two other members, the distinguished chairman being Mr. Justice Miller, and the two members being Mr. Coutts and Mr. McGregor, persons well known respectively in organized labor and management in the province.

The only other thing I would add, Mr. Speaker, is that the tradition of the commission, which is the third of its type to have been established, is being followed in this case, as in the previous ones: the recommendations of that commission are being presented in the form in which they were received.

[Leave granted; Bill 74 read a first time]

Bill 68

The Highway Traffic Amendment Act, 1979

MR. PAYNE: Mr. Speaker, I request leave to introduce Bill 68, The Highway Traffic Amendment Act, 1979.

The purpose of this amended legislation derives primarily from the fact that The Highway Traffic Act, 1975, does not reflect the updated requirements for vehicle equipment as set out by the Canada motor vehicle safety standards, and therefore requires updating. The largest number of individual amendments are related to converting to vehicle equipment safety standards.

A further significant area requiring amendment deals with the application of accessories and vehicle modifications, or customizing, which produces vehicles outside these acknowledged safety standards.

Finally, Mr. Speaker, changes are required in the Act to deal with inconsistencies in traffic operations legislation which have been causing concern to motorists and enforcement agencies alike.

MR. SPEAKER: Reserving for a moment the question of whether this may be a money Bill, I'll put the motion for first reading by the hon. Member for Calgary Fish Creek, who has moved that Bill 68, The Highway Traffic Amendment Act, 1979, be read a first time.

[Leave granted; Bill 68 read a first time]

MR. SPEAKER: I should explain to the Assembly that I had my numbers crossed. It's Bill 74 which raised the concern, not Bill 68.

MR. CRAWFORD: Thank you, Mr. Speaker. I move that Bill 68 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. NOTLEY: Mr. Speaker, this afternoon it's my pleasure to introduce two gentlemen in the members gallery: Mr. Walter Kruschel, vice-president of the Canadian Fire Fighters Association, and Mr. Greg Stemler, first vice-president of the Alberta Fire Fighters Association. The gentlemen are accompanied by other members of the Alberta Fire Fighters Association. I would ask them to stand to be recognized by members of the House.

MR. LITTLE: Mr. Speaker, it is my pleasure to introduce to you, and through you to members of this Assembly, 22 grade 5 students from Chris Akkerman elementary school situated in the Calgary McCall constituency. They're accompanied by teachers Mrs. Janet Graham and Mrs. Linda Flanagan and parent supervisors Mr. Albert Kaiser, Mrs. Julie Dekker, Mrs. Rosella Herman, Mr. Alban Morgan, and Mrs. Viola Flanagan. They are seated in the members gallery. I would request that they stand and receive the traditional welcome of the Assembly.

MR. GOGO: Mr. Speaker, I would like to introduce to you, and through you to members of the Assembly, a

distinguished gentleman in the members gallery, the mayor of the largest city in Alberta after Calgary and Edmonton, His Worship Mayor Anderson of the city of Lethbridge. I ask members of the Assembly to welcome him.

head: ORAL QUESTION PERIOD

Cold Lake Oil Development

MR. R. CLARK: Mr. Speaker, I'd like to direct the first question to either the Premier or the Minister of Energy and Natural Resources. It concerns the report of the ERCB on the Esso Resources application to develop the Cold Lake oil sands.

What timetable has the cabinet now worked out in dealing with the recommendations of the ERCB as far as the Cold Lake application is concerned?

MR. LEITCH: We do not have a timetable, Mr. Speaker. Now that we've received the report, of course, we will be giving it very careful consideration.

MR. R. CLARK: Mr. Speaker, a supplementary question with regard to that report. Esso Resources applied to use natural gas as a make-up fuel, but the ERCB recommended coal be used. Has the government reached a decision on that particular matter?

MR. LEITCH: Mr. Speaker, we haven't reached decisions on any aspects of the report or the recommendations from the Energy Resources Conservation Board.

MR. R. CLARK: Mr. Speaker, a further supplementary question to the Minister of Energy and Natural Resources. In the same report on the Esso Resources application, it was recommended by the ERCB that water not from Cold Lake but from the North Saskatchewan River be used. What procedure is the government now involved in, prior to making a decision on that particular recommendation?

MR. LEITCH: Well, Mr. Speaker, as is the usual procedure with matters such as this, we would have the views of all the departments affected and would take those views into consideration along with the recommendations and comments from the Energy Resources Conservation Board.

DR. BUCK: A supplementary question to the minister, Mr. Speaker. In light of the fact that 25 per cent of Cold Lake is in the province of Saskatchewan, can the minister indicate what discussions took place with the government of Saskatchewan, if there was a proposal to take water from that lake?

MR. LEITCH: Mr. Speaker, I'd have to do some checking to respond to that question. I will do that and respond later to the hon. member.

MR. R. CLARK: Mr. Speaker, a further supplementary question to the Minister of Energy and Natural Resources. Have discussions taken place with Esso Resources and the Alberta government since the government received the ERCB's recommendations as far as the Cold Lake project is concerned?

MR. LEITCH: Mr. Speaker, no discussions that I'm aware of have taken place since we received the report.

MR. R. CLARK: Mr. Speaker, to the minister. Has any direction gone from the minister to officials of the minister's department specifically to discuss with Esso Resources the questions of source of water, make-up fuel, and disposal of waste from the plant?

MR. LEITCH: No, Mr. Speaker.

DR. BUCK: Mr. Speaker, a supplementary question to the Minister of Transportation. Is the minister in a position to indicate if any tentative plans have been made to build heavy-duty roads into the proposed plant site in the Cold Lake area?

MR. KROEGER: Mr. Speaker, we are following the procedures there. A certain amount of work has been allocated for the area, and some of it is being done. But we certainly haven't completed the total plan.

MR. R. CLARK: Mr. Speaker, a further supplementary question to the Minister of Energy and Natural Resources. Will the minister assure the Assembly that there will be no departure from the ERCB's recommendations with regard to the three areas I mentioned — disposal of waste water, source of water, and make-up fuel — that there will be no deviation from those recommendations at least until an opportunity is provided to the public interest interveners for a reaction to any proposed changes?

MR. LEITCH: Mr. Speaker, as I indicated earlier, we have the report from the Energy Resources Conservation Board. That report follows extensive public hearings. But of course that is only one source of information which the government would be reviewing in attempting to arrive at a decision. We have the numerous and almost ongoing recommendations from Members of the Legislative Assembly in that area; they're always very valuable to us. We have meetings from time to time with people in the communities that will be affected by these reports.

So we have an ongoing method of receiving their views and recommendations, and certainly I would assure Members of the Legislative Assembly that that would continue. But I'm afraid I can't give the assurance the hon. Leader of the Opposition asks.

Firefighters and Policemen Legislation

MR. R. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Labour. Could the minister report to the Assembly on the discussions he had this morning with representatives of the firefighters, and can he assure the Assembly that the legislation will in fact stand on the Order Paper and not be dealt with at this session?

MR. YOUNG: Mr. Speaker, I cannot give the hon. Leader of the Opposition the assurance that the legislation will stand on the Order Paper and not proceed, because it is in fact my intention that the legislation should proceed. The discussions we had this morning — rather public discussions as it turned out — covered the usual matters we have been discussing: what gave

rise to the legislation, why it is proceeding, and the concerns in having it proceed.

DR. BUCK: Mr. Speaker, a supplementary question to the Minister of Labour. Can the minister indicate if he's had an opportunity to meet with his caucus advisory committee to further discuss Bill 44 before it is brought to the House for committee study?

MR. YOUNG: Mr. Speaker, if it is of interest to the House, I'm happy to advise that the caucus has had opportunity to review the matter on more than one occasion.

MR. R. SPEAKER: Mr. Speaker, a supplementary question, to the Minister of Labour. Could he indicate what problems, if any, would occur if Bill 44 were set over to the spring of 1980?

MR. YOUNG: Mr. Speaker, it seems to me we are now getting into the very debate we will have on third reading of the Bill.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Having had a number of Bills in this Legislature as precedent — the heritage fund Act and The Planning Act, to quote two examples that have been held over — has the government given any consideration to the impact of delaying the legislation and reintroducing it in the spring session?

MR. SPEAKER: With respect to the hon. member, it would appear that his remarks concerning the Bill, including the reference to precedents, would be very much suited to further debate of the Bill if and when it comes before the Assembly.

DR. BUCK: A supplementary question to the minister, Mr. Speaker. Is the minister in a position to indicate if he will be meeting with the firefighters' group before the Legislature gives the Bill third reading? Can the minister assure this Assembly that that will be done?

MR. YOUNG: Mr. Speaker, I am pleased to advise the Assembly that as of today I've had two more meetings than on the occasion when I was last able to advise the Assembly that I had had meetings. So a number of meetings have been held; I believe the count is now something in the order of nine.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Could the minister indicate whether there are legal implications with regard to the Bill that indicate that it can't be held till next spring?

MR. SPEAKER: Order please. Surely the hon. member knows that he's asking for legal advice which should be obtained outside the Assembly.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. It is a specific follow-up to the question by the Member for Clover Bar; that is, whether or not the Minister of Labour has any intention at this time of having a further meeting?

MR. SPEAKER: Order please. The hon. member is simply repeating a question which was raised previously.

MR. NOTLEY: He didn't answer the question, Mr. Speaker, and I'll put it again. The question is in order. If the minister wishes not to answer it, that's up to him. But the question is surely in . . .

MR. SPEAKER: The question was asked previously. If we're going to repeat questions which have been asked in the Assembly over and over again, we're certainly going to distort the purpose of question period.

DR. BUCK: On a point of order, in that the question was mine. I'd like to know, Mr. Speaker: will the minister give us an answer if he will have further meetings with the firefighters' group or not, before it goes to third reading? The hon. minister can either say he will not answer the question or give us an answer.

MR. NOTLEY: It's perfectly in order to ask the question.

MR. CRAWFORD: Mr. Speaker, the hon. Member for Clover Bar rose on a point of order and did not state one.

MR. NOTLEY: Mr. Speaker, on the point of order. I would like a ruling from the Chair on this particular question.

It seems to me perfectly in order to ask both the question the hon. Member for Clover Bar asked and the question I re-asked. If the minister chooses not to answer it, stands up and says, I refuse to answer the question, then fair enough. But it seems to me that the question of whether it is the intention of the minister to have a further meeting before we proceed with committee stage is perfectly in order.

MR. SPEAKER: The minister may wish to speak to the point of order, but really there is no point of order. The simple principle established for decades in parliamentary history is that the minister is not obliged to answer. He doesn't have to explain why he isn't answering; he doesn't even have to get up and say, I won't answer. The question was asked. It has been asked again. The point of order is completely not a point of order.

If, in view of the discussion that has taken place, the minister wishes to deal with it further, in fairness he should be allowed to do so.

MR. YOUNG: Mr. Speaker, perhaps I can repeat one more time. A meeting was held with the provincial association, and an understanding of the intended course of action was made. A commitment, which I have put in writing, followed. That commitment has been sent to the president of the Fire Fighters Association of the province and, as I indicated in the letter of commitment, I intend to table it when we reach committee study of the Bill.

MR. R. CLARK: Mr. Speaker, one further supplementary question. Has the minister instructed officials of his department to develop a contingency plan, so the Calgary legal agreement can continue to function, and the legislation could sit until next spring? Has a contingency plan been developed so that approach can be followed?

MR. SPEAKER: With great respect to the hon. member, this is a rather unique way of dealing with the committee study of a Bill, to explore in question period all its various aspects and combinations of various ideas. The question period is for the purpose of getting information and not, by means of questions, to debate a Bill. I'm sure there will be ample opportunity to ask the usual questions which are asked on committee study of a Bill, without asking them here during question period.

MR. R. CLARK: Mr. Speaker, with the greatest respect, sir, the question to the minister is: has a contingency plan been developed? Has the minister instructed his officials to develop a contingency plan so that if the Assembly chooses not to pass the Bill, can we get around the legal problems?

Now that's the question. If the minister won't answer it, fair ball. But that's the question and certainly, within my understanding of the rules, that's within the rules of the Assembly.

MR. SPEAKER: The question would ordinarily be quite in order if it were dealing with some step that the government might take or not take with regard to some other matter. What we're really doing here is pre-empting part of the function of committee study of the Bill. That's not proper.

I understood the hon. leader's question very well the first time and the second time, but it's still the same question.

DR. BUCK: Mr. Speaker, to the Minister of Labour, for clarification. Is the minister saying to this Legislature that the Bill will not be held at committee stage? I want that point clarified.

AN HON. MEMBER: Ask it in committee.

DR. BUCK: Mr. Speaker, if we ask it in committee it may be too late. I'm asking the government if it's considering holding the Bill over till the spring for proclamation. Can the minister give the Legislature that direction?

MR. SPEAKER: With great respect, we're still following the same path. These are all matters which should be dealt with when the Bill is in committee.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Minister of Labour. Could the minister clarify for the Assembly the reason for the urgency for the passage of this Bill at this sitting of the Legislature?

MR. SPEAKER: Order please. Surely the merits of the Bill, including its urgency or lack of urgency, are eminently suited for debate either on second reading or, if it's a matter of detail, on committee study; or, if it's a matter of principle, again on third reading. Those two opportunities are still before the Assembly, and it's not fair to try to pre-empt that kind of proceeding by using question period for it. [interjections]

Cold Lake Oil Development (continued)

MR. NOTLEY: Mr. Speaker, I'd like to direct this

question to the Premier. It follows up a question I asked last week with respect to a particular consulting firm.

Would the Premier outline to the Assembly what general instructions have been sent out, or policy developed, with respect to disclosing consulting reports to the citizens' advisory committee in the Cold Lake-Grand Centre-Bonnyville area?

MR. LOUGHEED: Mr. Speaker, I wouldn't have any information at hand on that matter, and would have 10 take it as notice. We deal with the question of consulting opinions in a different way in a variety of circumstances.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the Premier advising the Assembly, with respect to consulting reports as related to the area, that it will be determined on the basis of individual reports? Or will there be any commitment to share with the CAC the major consulting reports undertaken by the government of Alberta?

MR. LOUGHEED: Mr. Speaker, if I were in the corner of the House the hon. member speaks from, I'd have to interpret my first answer as giving him no advice. That's exactly what I did.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Municipal Affairs. Is the minister in a position to advise the Assembly what reports and studies have been commissioned by the department with respect to . . .

SOME HON. MEMBERS: Order Paper.

MR. NOTLEY: . . . the level of local government required in the area, and whether any specific studies have been commissioned?

MR. MOORE: The answer is no, Mr. Speaker.

Sovereignty Association

MR. D. ANDERSON: Mr. Speaker, my question is to the hon. Premier. Inasmuch as the Quebec white paper on the referendum debate has now been released and it deals further with a definition of sovereignty association, can the hon. Premier indicate if it is still the position of the Alberta government, in light of that definition, that we do not accept the concept of sovereignty association?

MR. LOUGHEED: Mr. Speaker, it's a difficult question to answer, because all I've had is an opportunity to have a cursory review of press reports, which would certainly indicate to me that our determination to resist sovereignty association is even stronger than in the past. I've asked for a report from the Minister of Federal and Intergovernmental Affairs with regard to the actual document, rather than a press report. Perhaps he could give us some idea of what the situation might be.

MR. JOHNSTON: Mr. Speaker, I received a copy of the Quebec government's white paper on sovereignty association just moments ago. Unfortunately, I can't report to the House because I've not had an opportuni-

ty to read it. I'd like to have some time to examine and weigh carefully the comments and positions taken.

MR. R. SPEAKER: A couple of weeks?

MR. JOHNSTON: It might take well into a week, because it's a very serious matter. To deal with it casually and in a cursory manner is not the rule of this government.

Snowmobile Legislation

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Transportation, with regard to the snowmobile Act and requested legislation. Has the minister any amendments or legislation that will be brought before the House during this assembly?

MR. KROEGER: Mr. Speaker, we will not be bringing in the snowmobile Act this fall.

Cold Lake Oil Development *(continued)*

MR. R. CLARK: Mr. Speaker, I'd like to direct a question to the Provincial Treasurer in his capacity as minister responsible for economic planning. When does the government plan to make an announcement with regard to a five-year program for infrastructure in the Cold Lake-Grand Centre area?

MR. HYNDMAN: Mr. Speaker, I'm not sure I accept the latter designation.

The matter, of course, would depend on the progress, and whether the plant in that area goes ahead. If and when that occurs, plans of the government will be made available at the appropriate time.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. Is it the government's intention, then, not to become involved in any firm commitment as far as infrastructure in the Cold Lake-Grand Centre area is concerned until an announcement is made with regard to the specific Cold Lake plant which is the subject of the recommendations from the ERCB to the cabinet?

MR. HYNDMAN: Mr. Speaker, there will be the usual government involvement with respect to formal planning in that area, if and when developments suggest that is necessary.

MR. R. CLARK: Mr. Speaker, to the hon. minister. The minister uses the terms "the usual government planning". Perish the thought.

Mr. Speaker, a supplementary question to the minister. Are we to take it that the government will not be involved in very extensive planning, and the recent announcement made by the Member for Bonnyville of multi-million dollars' worth of programs to build the necessary infrastructure to accommodate the anticipated growth — that in fact that is not going ahead?

MR. HYNDMAN: Certainly, Mr. Speaker, ongoing planning has been going ahead. I might say that it's the very competent advice of the Member for Bonnyville that has been taken into account in looking ahead towards that eventuality.

DR. BUCK: That's a debatable point, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, I'd like to come back to this question of infrastructure at Cold Lake-Bonnyville-Grand Centre and consulting reports, and ask either the Premier or the Provincial Treasurer if they could advise the Assembly whether any overall policy has been developed with respect to the engaging by the government of Alberta of consulting firms — those firms that have had contracts with the major proponent? Or is it the position of the government that the government essentially plays the issue by ear?

MR. LOUGHEED: Mr. Speaker, very important from our point of view we play issues by ear, because we think very much we ought to listen, which is useful as far as the hon. member is concerned.

DR. BUCK: Got any more jokes for today?

AN HON. MEMBER: Yeah, you.

AN HON. MEMBER: You could use any help, Walt.

AN HON. MEMBER: Ask the firefighters.

MR. LOUGHEED: Mr. Speaker, our position with regard to that is to use our best judgment in each situation as the circumstances arise.

MR. NOTLEY: Mr. Speaker, a supplementary question on the question of infrastructure. Is the Minister of Municipal Affairs able to assure the House today that there will be no move to introduce legislation similar to Bill 55, that the present system of delivering services can be accommodated within the present level of local governments, and that no overall umbrella legislation similar to the legislation establishing the commissioner of northeastern Alberta will in fact be required? Is the minister able to give that assurance to the Assembly today?

MR. MOORE: Mr. Speaker, I think it would not be in order for me to try to provide any assurance of that nature at all at this stage in the planning.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. Is the minister in a position to outline the specific steps taken by the Department of Municipal Affairs, particularly steps that involve meeting and consultation with local governments, so that it will not be necessary to move to the rather extraordinary legislative device of a Bill 55 for the Bonnyville-Cold Lake-Grand Centre area?

MR. MOORE: Mr. Speaker, I would have to give the same answer given moments ago by the Provincial Treasurer. A good deal of planning is going on involving various government departments in the anticipation that an agreement may be reached between the government and Esso Resources to go ahead in that area. That planning is being co-ordinated by the Provincial Treasurer as chairman of the economic planning committee of cabinet and by personnel from the Executive Council. That planning is continuing. When the government is in a position, reports will be provided.

MR. LOUGHEED: Mr. Speaker, if I could just supplement that answer and a few others here. There seems to be, at least the record might indicate, a misunderstanding. Although a great amount of planning is involved, the government has clearly made no decision with regard to this plant as to whether or not to reach a conclusion with regard to its terms and commercial terms and whether the plant will be delayed or in fact proceed at all.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Minister of Municipal Affairs. As I recall an answer the minister gave several minutes ago, there has not been any consulting work let by the Department of Municipal Affairs, if I understand the minister's answer.

Is it the position of the government, then, that all consulting work will be contracted by the economic affairs department as opposed to the individual departments of government?

MR. MOORE: First of all, Mr. Speaker, the hon. member is not correct in interpreting my answer a few moments ago as saying no consulting work is being undertaken.

I should advise the House as well that a considerable amount of work is being done by officials of the Department of Municipal Affairs, in the planning services division, which would have been carried on in that region without the expectation of a major oil sands or heavy oil development there. I should say to hon. members, Mr. Speaker, that that region of the province is not covered by a regional planning commission. The Planning Act, 1977, outlines a requirement for personnel in my department to proceed with a great deal of planning. Indeed, a lot of expertise is being sought to assist them in that planning work, but that is not directly related to the expectations that abound with respect to the development there.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister, so there's no misunderstanding. Is it a fact which the minister can confirm that consulting reports have been commissioned by the Department of Municipal Affairs concerning infrastructure in the region?

MR. MOORE: I didn't say that at all, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Minister of Municipal Affairs. Is the minister able to advise the Assembly whether any consulting reports have been commissioned by the government of Alberta concerning the infrastructure requirements of the region?

MR. MOORE: No, Mr. Speaker, I'm not able to advise the Assembly on that matter.

MR. PAHL: Mr. Speaker, a supplementary question to the hon. Premier, just so there's no misunderstanding. Would the Premier care to assure the House that it is the spirit and intent of the province of Alberta, in the interests of self-sufficiency in energy for the country, to support the development of the appropriate infrastructure if and when these agreements can be reached?

MR. LOUGHEED: Mr. Speaker, only if it is part of a fair energy package for Canada.

DR. BUCK: My, that was dramatic, Mr. Speaker.

SOME HON. MEMBERS: Agreed.

MR. LOUGHEED: Agreed.

DR. BUCK: Mr. Speaker, I would like to ask a supplementary question of the Minister of Municipal Affairs. Is the minister in a position to indicate if the present commissioner in the Fort McMurray area will stay on and act as the commissioner if and when the Alsands plant takes place? Can the minister indicate when the term of the commissioner for the Fort McMurray area is over?

MR. MOORE: Mr. Speaker, I have no information that I am able to provide to the House in that regard.

MR. R. CLARK: Mr. Speaker, I'd like to direct a further supplementary question to the Premier. It flows from the comment just made by the Premier in response to the question from the Member for Edmonton Mill Woods.

Is the holdup with regard to the Cold Lake plant, in fact, negotiations between Esso Resources and the Alberta government and problems related to those negotiations now that the ERCB recommendations are clear, or has the Alberta government made the approval of that plant subject to the federal/provincial negotiations which are undergoing at this time?

MR. LOUGHEED: Mr. Speaker, it's not a matter of a holdup. The actual document that dealt with the matter, as the Minister of Energy and Natural Resources has earlier answered in question period, has just been received by the government and has not yet been considered. But it should be clear that the government of Alberta is prepared to authorize the approval of the project only on, first of all, satisfaction with regard to the report of the Energy Resources Conservation Board; secondly, satisfaction with regard to a conclusion of discussions relative to commercial terms; and thirdly, that it is part of a fair energy package for Canada.

MR. NOTLEY: Mr. Speaker, a supplementary question to either the Premier or the Minister of Municipal Affairs. Has the government of Alberta been able to obtain any estimate of the necessary infrastructure costs?

MR. MOORE: Mr. Speaker, the hon. member is asking the same questions that have been asked a number of times. We're not in a position at this time to advise with respect to the matters that we've been considering with respect to that area. As I said, the matter is being co-ordinated by the hon. Provincial Treasurer, and when we are at a stage in all of this that we are able to provide further information to the House, we will.

Fort Chipewyan — Communications

MR. WEISS: Mr. Speaker, my question is directed to the Minister of Transportation. In view of the seriousness of the situation that occurred last week in the

isolated community of Fort Chipewyan, where there was no direct air service or link to that community, would the minister advise this Assembly if he was aware of the problem? And was there a contingency plan in place to ensure that the essential goods and services would continue for that community?

I'm talking about essential goods and services such as food. Thank you, sir.

MR. KROEGER: Yes, Mr. Speaker, we are aware of the problem. It relates, of course, to the shutdown of the operation of the radio operators, combined with some weather difficulties. Outside of the regular flights, which haven't been able to go in with PWA, a DC-3 went in with a load of mostly food on Saturday. PWA plans a flight later today as far as Fort Chipewyan, although they won't be able to make the full run.

Weather Modification

MR. L. CLARK: Thank you, Mr. Speaker. My question is to the Minister of Agriculture. Again, it has to do with weather modification.

As the hands of the Weather Modification Board are tied due to lack of funding for next year, and they can't seem to make any plans for fear of the discontinuation of the project, and due to the fact that at the forthcoming convention of the Alberta Association of Municipal Districts and Counties I believe a resolution will be coming out suggesting very strongly that they continue the program, I wonder if the minister would tell the Assembly whether this project will be continued in the next year.

MR. SCHMIDT: Mr. Speaker, the weather modification program came to an end this fall, and the reports have been submitted. Hopefully, before the end of this week the documents and the review to the end of the weather modification program will be available to members of the Assembly. The review is not complete, and of course that review has to take place to do any assessment in regard to the five years plus the one-year extension program. Then the decision would have to be made if it should continue and, if so, in what direction.

MR. L. CLARK: A supplementary, Mr. Speaker. Could the minister advise the Assembly whether some thought is going to be given to financing this as an ongoing program instead of an experimental one, which it has been in the past?

MR. SCHMIDT: Mr. Speaker, the program was carried out in the name of research, and looking at the total project of hail suppression and weather modification, it would remain in the area of research.

ORDERS OF THE DAY

MR. HYNDMAN: Mr. Speaker, I received a message from His Honour the Honourable the Lieutenant-Governor respecting the 1979-1980 estimates of the Alberta heritage foundation for medical research, which I now transmit to you.

SERGEANT-AT-ARMS: Order!

[Members of the House stood]

MR. SPEAKER: His Honour the Lieutenant-Governor transmits estimates of certain sums required from the Alberta Heritage Savings Trust Fund for the 12 months ending March 31, 1980, for the purpose of making investments pursuant to Section 6(1)(a) of The Alberta Heritage Savings Trust Fund Act in projects which will provide long-term economic or social benefits to the people of Alberta but which will not by their nature yield a return to the trust fund, and recommends the same to the Legislative Assembly.

Please be seated.

head: GOVERNMENT MOTIONS (Committee of Supply)

[Mr. Appleby in the Chair]

MR. CHAIRMAN: Will the Committee of Supply please come to order.

ALBERTA HERITAGE SAVINGS TRUST FUND CAPITAL PROJECTS DIVISION 1980-81 ESTIMATES OF PROPOSED INVESTMENTS

Department of Transportation

1 — Airport Terminal Buildings

MR. CHAIRMAN: Does the minister have any comments?

MR. KROEGER: Mr. Chairman, the amount referred to relates to upgrading of the transportation system in the air facilities area, specifically terminal buildings. I can give a list of the terminal buildings involved. They're included in the heritage trust fund capital projects division document. Would you like to have them read out?

SOME HON. MEMBERS: Agreed.

MR. KROEGER: Red Deer, Peace River, Medicine Hat, Medley, Rainbow Lake, Swan Hills, Manning, Camrose, Hanna, Lloydminster, High Prairie, Drumheller, and Brooks.

Some of these, of course, are in various stages of completion, Mr. Chairman.

MR. SINDLINGER: Mr. Chairman, to the minister. I would like to know if any origin/destination studies were carried out to determine the order of priority for airport development.

MR. KROEGER: Mr. Chairman, in view of the fact that almost all of these and the allocation of them took place some time ago, I can't really tell you what studies may have been involved. I'm sure that industrial development in these areas, the traffic counts, and potential development were taken into consideration. But as far as direct studies are concerned, I'm not aware of them.

MR. SINDLINGER: A supplementary, Mr. Chairman. Could the minister undertake to provide to the committee such documents as were used to determine the priority for airport development?

MR. KROEGER: Yes, Mr. Chairman, I could get them.

MR. GOGO: Thanks, Mr. Chairman. I just wanted to comment on the minister's vote of \$6 million. I think it's important for Albertans to recognize, and I think most members do, that Alberta is somewhat unique. If one of every five aircraft registered in Canada is in the province of Alberta, and with the fact that we've spent the money we have in runways around the province, I think it goes without saying that we should be doing everything we can in Alberta to provide those facilities so that we can encourage the continuation of diversification in this province. Obviously transportation is not only one of them, but air transportation is perhaps as important as or more important than any.

The question I wanted to ask the minister is whether he had any indication at this point, although we're dealing with '81, as to the trend in the cost of erecting these facilities. I understand that in the ones we've done to date, there have been some surprises in terms of cost. Could the minister indicate whether he anticipates any particular shortage of materials that would result in an excessive cost?

MR. KROEGER: Mr. Chairman, no, the bids have been coming pretty close to the estimates. We aren't encountering any particular difficulty in that regard.

Following up just slightly on the question from the Member for Calgary Buffalo, when I look at the list, such places as Red Deer, Peace River, Medicine Hat, Medley — I don't have to read the whole list — all of those are growth points, and in many of them resource development is a factor.

MR. WEISS: To the minister, I certainly wouldn't want it to go unrecognized that Fort McMurray is also a rapid growth area. We'd like you to keep that in mind for future consideration. In view of the fact that our terminal does have larger flights as far as air traffic into the area is concerned, we'd certainly like you to keep that in mind, sir.

MR. L. CLARK: A supplementary, Mr. Chairman: I'd like to ask the minister whether the building of these terminals means there will be some flights in and out of where they're building them. Is there going to be some scheduled air line service in these districts?

MR. KROEGER: Yes, Mr. Chairman, scheduled flights are planned as the completion of these terminals goes on.

MR. BORSTAD: Mr. Chairman, does the amount being voted complete the terminals at these locations, or is this just part of an ongoing . . .

MR. KROEGER: In many cases, Mr. Chairman, these terminal buildings are well advanced. Obviously you couldn't cover that many points for slightly over \$6 million, as indicated. The intent here is to deal with the completion of those that are partially done, and there

may be one or two new ones. I haven't really counted them out, but this does complete the program.

Agreed to:

1 — Airport Terminal Buildings	\$6,293,000
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MR. KROEGER: I would ask that the resolution be reported, Mr. Chairman.

[Motion carried]

MR. HORSMAN: Mr. Chairman, I move that the Committee of Supply rise, report progress, and beg leave to sit again.

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of Supply has had under consideration the following resolution, reports the same, and begs leave to sit again.

Resolved that from the Alberta Heritage Savings Trust Fund, sums not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 1981, for the purpose of making investments in the following projects to be administered by the Minister of Transportation: \$6,293,000 for the Airport Terminal Buildings project.

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

HON. MEMBERS: Agreed.

head: GOVERNMENT BILLS AND ORDERS (Second Reading)

Bill 47

The Mobile Equipment Licensing Repeal Act

MR. MOORE: Mr. Speaker, I move second reading of Bill No. 47, The Mobile Equipment Licensing Repeal Act.

Mr. Speaker, in doing a thorough review of matters involving municipal taxation and assessment, I also undertook during that time to review the operations of the mobile equipment licensing branch, which is the section of our department under which this Bill has operated. Mr. Speaker, the situation is this: during 1978, the last year for which we have complete figures, a total amount of \$3,433,000, in round figures, was collected by the Department of Municipal Affairs on behalf of some 340 municipalities throughout the province.

This type of taxation, Mr. Speaker, really takes the form of what I understand to be the old personal property tax concept. For all intents and purposes, it is really not licensing at all, in that no aspect of The Mobile Equipment Licensing Act purports to identify equipment or vehicles and keep track of them in the manner that cars are licensed or that some other equipment might be licensed. It is really a manner in which a property tax might be collected on mobile equipment.

In reviewing the benefits of the tax which is collected and where it comes from, as opposed to the cost of

collecting that tax — both the cost borne by the provincial government through the mobile equipment licensing branch and by individual contractors and equipment owners throughout the province — it was our conclusion that the cost/benefit ratio involved in collecting and distributing this tax, as opposed to what was received, was not really the best it could be. In fact, in my opinion, many other ways of collecting property taxes are much more efficient in terms of costs.

Within the department we have 26 man-years involved in this particular operation. I am advised that in order that we might more usefully ensure that the full terms of the present Act, are lived up to by mobile equipment owners, during 1980 it would take a staff of at least 10 more in our department to do a proper job. That, Mr. Speaker, would see us with some 36 man-years in the 1980-81 fiscal year.

In addition, while we don't have accurate figures there, Mr. Speaker, every single owner of mobile equipment is required to keep records of which municipality his mobile equipment may have been located in during each day of a calendar year, so that upon making a report to the provincial government, the licence fees can be divided in relation to the number of days that piece of mobile equipment spent in a particular municipality.

Payments have ranged from nothing in some municipalities to a fairly significant portion of municipal revenue in certain municipalities during certain years. Generally speaking, the total amount collected under The Mobile Equipment Licensing Act amounts to less than 0.5 per cent of total municipal revenue from property taxes. However, there are places like Improvement District No. 18 where in 1978 close to 16 per cent of the revenue was received from a combination of The Mobile Equipment Licensing Act and property taxes.

Indeed, in certain years some very small jurisdictions have received a fairly high percentage of their revenue from the mobile equipment licensing tax. But that has usually been in the case of one particular construction project in a municipality, small town, or village during one year, and the next year sees the revenue from this particular tax falling to pretty near nothing.

All things considered, Mr. Speaker, it was our view that it was necessary to make a decision to expand the staff involved here and carry on over a period of years with The Mobile Equipment Licensing Act in place; or to phase it out. It has been said that once government begins a program or gets into a program, it never gets out. I took the view that this was one situation where our manpower and the manpower being provided in this area in the private sector would be better utilized in other ways; that the loss of revenue to municipalities would not be onerous in any case, bearing in mind that we have been reasonably generous with unconditional municipal assistance grants and other programs of direct assistance to municipalities in a variety of ways, not to mention the \$1.031 billion we paid out under the municipal debt reduction program on August 1 this year; and that it would be an opportune time for us to phase out an old tax and use our manpower in other, more meaningful ways.

Before concluding my remarks on second reading, Mr. Speaker, I wanted to say that the decision to bring the repeal of this Act before the Legislature in no way reflects the ability and dedication to their jobs of these 26-odd people who have been involved in this branch.

Indeed, each and every one has performed well in carrying out their duties. I wanted to say as well that the matter of the continued employment of these people by government is being handled extremely well, in my view, by my staff and the Public Service Commissioner's office, in that we have assured employees of the branch that we will do everything possible to find alternative employment for them, either in the Department of Municipal Affairs or other government departments.

As late as last Friday, after the introduction of this legislation, I was advised by my deputy minister that a good number of personnel in this branch have already secured new employment for after January 1. Mr. Speaker, it would be our intention as well to have some continue after January 1 for the three months or so it may take to complete the returns, payments, collections, and so on, that will occur in winding up the mobile equipment licensing.

With those remarks, Mr. Speaker, I'd like to ask members of the Legislature, in making a decision on the support of this piece of legislation, to consider very carefully my remarks about the cost benefits that have occurred over a period of time, to consider as well the opportunity the municipalities have, through some very slight percentage increases in their municipal tax levy, to pick up, oftentimes from the same people, the dollars that might be lost here. I would recommend that all members support this particular move.

[Motion carried; Bill 47 read a second time]

Bill 57

The Oil and Gas Conservation Amendment Act, 1979

MR. LEITCH: Mr. Speaker, I move second reading of Bill 57, The Oil and Gas Conservation Amendment Act, 1979.

This Bill deals with two matters of principle. The first introduces the concept of making decisions with respect to development of the resources covered by The Oil and Gas Conservation Amendment Act, and having regard to "the public interest" in so doing. Mr. Speaker, the prime reason for making that amendment is that all other legislation of similar type that is dealt with by the Energy Resources Conservation Board does have that phraseology in it. Its absence here might leave the impression that we anticipated the board's following some different guidelines when dealing with applications under this Act than it does when dealing with applications under the other legislation. As that is not the case, it is my submission to the members of the Assembly that we ought to make this change.

The second principle dealt with in the Bill is to enable the board to make its decisions retroactive in their application when dealing with such matters as common carrier, common purchaser, and common processor orders. The principal purpose of that amendment, Mr. Speaker, is to give the Energy Resources Conservation Board the capacity to cure inequities that occasionally may occur under the present system. Under the current system the question of whether drainage is in fact occurring is very relevant on common purchaser applications. Of course, that necessarily means that some drainage from one person's property must in fact have occurred before the applica-

tion can be made for the common purchaser order, and that drainage goes on while the application is under consideration by the board and up to the time the board is able to make its order.

This proposed amendment would enable the board, where it considered it equitable to do so, to make its order retroactive to the date of the application. Mr. Speaker, my submission is that giving the board that capacity will enable it to relieve inequities that may occur on occasion under the current legislation.

For those reasons, Mr. Speaker, I urge members of the Assembly to support second reading of the Bill.

MR. R. CLARK: Mr. Speaker, in taking part in discussion on second reading of Bill 57, I have no problem with the first amendment. But, Mr. Minister, I become a bit concerned when we move into this whole area of retroactive legislation. Unless the operation of the ERCB has changed considerably, there would be at least some examples where the board would feel it didn't have the ability to make the decision it felt was most appropriate. I assume, then, that the board came to the government or the minister and recommended this retroactive recommendation.

My first question, Mr. Minister, is: is that the case? Has the board come to the government and asked for this retroactive capacity? Second, without trying to draw the names of any particular basins or programs into discussion here in the House, frankly I'd feel much more comfortable about the second principle if, either at the conclusion of second reading or in committee, we could become somewhat more specific with examples of why we need this retroactive legislation. As I say, it could be done either at the end of second reading or in committee, but those kind of examples would indeed be helpful, Mr. Minister.

MR. NOTLEY: Mr. Speaker, I really intend to be quite brief in the discussion of second reading, because we do have an opportunity to get into it in more detail at the committee stage. Quite frankly, with the exception of the concerns the Leader of the Opposition has already alluded to with the retroactive provision of the Act, when I read over both Bills 57 and 59, it struck me there was nothing terribly untoward about either of them, and I had intended to support them without any great concern — that is, until we heard the speech from the Premier on Monday of last week.

Mr. Speaker, the question I would put — and if the Minister of Energy and Natural Resources discussed this when he began his remarks, I apologize. I was out and came in just as he concluded his remarks. But for my own edification I would certainly like to draw from the minister the response to the precise question, relating to both Bills 57 and 59, as to whether either Bill is part and parcel of the strategy, if you like, outlined by the Premier in Vancouver last week.

I notice that we're dealing here with a change in The Oil and Gas Conservation Amendment Act. Subsection 5 is amended by adding the following after Clause (b): "to provide for the economic, orderly and efficient development in the public interest". It strikes me that there is a rather significant change there. If that is not the case, and it isn't related to the Premier's speech in Vancouver, and is essentially a technical, housekeeping matter, so be it. Similarly with Bill 59, Mr. Speaker.

If in fact we are looking at a way of implementing,

I suppose, the "or else" the Premier mentioned in Vancouver, then quite frankly, Mr. Speaker and Mr. Minister, I would want an opportunity for us to fully discuss that in the Legislature. If that opportunity is in committee stage of Bill 57 or Bill 59, it still offers us all the opportunity required to debate the matter.

So that is really the question I would put to the minister, Mr. Speaker. I suppose it really relates to both Bills 57 and 59. Looking over them in the initial research I did on both Bills, I didn't see any major problem. But if in fact we have the muscle here to bring into reality the "or else" that I think was implicit in the Premier's speech last week, then best we evaluate the issue carefully as a Legislature. I can't think of a better way of doing it than during committee stage, where we have the minister in a position where he has to answer questions, and we have an opportunity to challenge those observations we disagree with in unlimited debate.

MR. BRADLEY: Mr. Speaker, until the members opposite rose I hadn't intended to become involved in the debate today.

I would have thought the hon. Member for Spirit River-Fairview would be supporting quite strongly the provision in this Bill to provide the Energy Resources Conservation Board to take into consideration applications before it under this Act with regard to the public interest of Alberta. Surely that's a very sensible position to put forward, in terms of bringing this Act in line with other pieces of legislation under which the Energy Resources Conservation Board acts.

MR. NOTLEY: No problem there at all. It's just if there's anything else.

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

HON. MEMBERS: Agreed.

MR. LEITCH: Mr. Speaker, I don't need to respond to the comments of the hon. Member for Spirit River-Fairview about the purpose of the public interest amendment, because that has just been done in a very effective fashion.

I do wish to respond to the comments of the hon. Leader of the Opposition about this being retroactive legislation. In my submission, Mr. Speaker, it is not retroactive legislation. There's a very important difference between passing retroactive legislation and giving a body such as the Energy Resources Conservation Board the capacity to make its decision effective retroactively. Very important distinction. I just draw that to the attention of the hon. Leader of the Opposition. If we were passing legislation making it retroactive, we would of course be interfering with existing rights. As everyone knows, that matter has been debated at length on a number of occasions in this Assembly, and very properly so.

Mr. Speaker, what we're proposing in this amendment is merely to say that the Energy Resources Conservation Board may, when it considers it equitable, make its order retroactive to the date of the application for the order. An entirely different thing.

I see the hon. Leader of the Opposition nodding. I take it that I've explained the distinction. We're really not introducing retroactive legislation. With that, Mr.

Speaker, I conclude my comments on second reading of the Bill.

MR. R. CLARK: Mr. Speaker, I wonder if I might direct one further question to the Minister of Energy and Natural Resources? I did ask if, in fact, the recommendation came to the government from the ERCB.

MR. LEITCH: Yes, Mr. Speaker, I had intended to deal with that in my response. This was a recommendation from the Energy Resources Conservation Board. It arose from situations it has dealt with over the years, where it concluded that not being able to make its orders retroactive to the date of the application did result in significant inequities.

As I mentioned in moving second reading of the Bill, that occurs in particular, in the case of common purchaser orders which are designed to prevent drainage from another's land, when the evidence of drainage is relevant to that proceeding. Therefore the owner of the land who wishes to make the application has to wait until drainage has occurred before making the application. Of course, the person against whom it's made is quite content to wait until all that has occurred, knowing that it's going to occur and simply refusing to enter into common purchaser arrangements.

With this amendment, Mr. Speaker, the person who is doing the drainage will be aware that a retroactive order might be made, with the appropriate compensation, and so on. So there is no reason or motive for that person to wait until the evidence of drainage has accumulated and is capable of being placed before the board. So I think it really puts the drainer and the drainee — if I may use that terminology — in much more equal balance than they now are.

[Motion carried; Bill 57 read a second time]

Bill 59
The Petroleum Marketing
Amendment Act, 1979

MR. LEITCH: Mr. Speaker, I move second reading of Bill No. 59, The Petroleum Marketing Amendment Act, 1979.

Mr. Speaker, again essentially two groups of amendments are proposed by this Bill. The first would enable the Petroleum Marketing Commission to make certain deductions with respect to transportation costs from proceeds of the sale by the commission. That would enable the commission to effect the purchase of these resources at the wellhead, arrange for their transportation, and pay the transportation charge out of the proceeds at the time they are sold.*

I should explain to the Assembly that under existing legislation the Petroleum Marketing Commission is the agent for the provincial government with respect to the marketing of the Crown's royalty share of oil and natural gas that are produced from Crown leases, and is also, of course, the agent of the lessee in respect to its production of those resources.

The second amendments — and really, Mr. Speaker, the two are tied together — would enable the commission to select buyers by, in effect, making a sale directly to those buyers. This is really the final step of the marketing plan the government had in mind when it

initially introduced this legislation. Currently, the sales have been taking place at the wellhead, with the producers, in effect, making arrangements for the sale, although there is an actual transaction from the producer to the Petroleum Marketing Commission, and then the product is resold to the purchaser.* But this next step, and what I believe will be the final step in the plan, would give the Petroleum Marketing Commission legislative capacity, if it chose to do so, to actually sell to buyers of its choice.

With respect to the comments from the Member for Spirit River-Fairview on second reading of the preceding Bill, I'll look forward to his questions when we reach committee stage of this Bill.

MR. NOTLEY: Mr. Speaker, just so we have one question answered in second reading stage, when the minister closes debate would he outline to the Assembly whether there has been any request for outside constitutional advice on Bill 59, and whether the government is totally assured — considering this is the next step that was anticipated way back in 1973 — that we have obtained the constitutional advice on Bill 59 and that the minister is satisfied there is no serious possibility of Bill 59 being challenged in the courts and declared *ultra vires*.

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

HON. MEMBERS: Agreed.

MR. LEITCH: Mr. Speaker, with respect to the constitutional question, I'm sure all members of the Assembly are aware that one could get a wide variety of advice on constitutional matters. I'm not at all sure that any lawyers reviewing this legislation would give the hon. member the assurance he asked me to give him in closing the debate.

Certainly the question of constitutional validity of all legislation is considered before it is presented to the Assembly. It's only in those cases where the Attorney General's Department is satisfied that they are properly within the jurisdiction of the Assembly, that the matter is brought before the Assembly. But I think it very important to keep in mind that that doesn't mean the court may not reach a different conclusion. I can recall, Mr. Speaker, that the courts — somewhat misguided, I thought — on occasion reached conclusions contrary to the advice I'd given my clients.

[Motion carried; Bill 59 read a second time]

Bill 60
The Natural Gas Pricing
Agreement Amendment Act, 1979

MR. LEITCH: Mr. Speaker, I move second reading of Bill 60, The Natural Gas Pricing Agreement Amendment Act, 1979. Again, Mr. Speaker, with respect to this amendment there are really two principles that I wish to address myself to.

The first would involve a clarification of the Petroleum Marketing Commission's capacity to determine the costs of service, and includes some flexibility in the commission's capacity to make that determination. For members' assistance in this matter, I may say that the commission now determines the cost of delivering na-

*See page 1235, left column, paragraph 13

*See page 1235, left column, paragraph 13

tural gas from the wellhead to the Alberta border, which is a critical point in determining the price under our natural gas pricing agreements with the federal government. These proposed amendments would clarify the commission's authority in that area and remove some doubts and questions that have been raised from time to time.

The second principle, Mr. Speaker, and the one that I think is very important in this Bill, is contained in the provisions for a market development fund. That fund would be the mechanism through which we would implement the incentive natural gas pricing plan, which has been under consideration since the first ministers' meeting in November 1978. The concept was that we would sell to all consumers in Canada east of Alberta additional volumes of natural gas over what are now being consumed by those consumers, at a somewhat lower price than current volumes are being sold.

For example, we're now selling natural gas at 85 per cent of parity on a BTU basis with oil at the Toronto city gate. An incentive pricing plan would involve our selling additional, new, or added volumes of natural gas at something less than that 85 per cent over a specified time period. Should that proposal come about, should the negotiations and discussions we've been having with other provinces and the federal government be completed with an agreement on our part to provide additional volumes of natural gas at a reduced price, we would contemplate the scheme being administered by the Petroleum Marketing Commission through the marketing development fund referred to in this Bill.

Mr. Speaker, in closing my comments on the motion for second reading, I want to stress that we have not yet reached an agreement. What we're doing here is providing the capacity to implement the agreement, if and when one is reached.

MR. R. CLARK: Mr. Speaker, to the minister. On the conclusion of second reading or in committee, I'd appreciate if the minister would take time and elaborate to the Assembly what kind of volumes the government is looking at, and at what stage the negotiations are. And could we in rather general terms, Mr. Minister, deal with the target areas, if I could use that particular term? Because even though the minister says no agreement has been reached, and I don't question that, the legislation before us, as I understand it, in essence can have a very sizable impact on Alberta for a number of reasons, one being that it can open up additional markets for Alberta gas that is presently capped. That in turn has implications as far as the volumes we may have for export are concerned.

Mr. Speaker, the second area I'd be very interested in hearing the minister react to is what kind of targets we are looking at now. The minister used a figure of 85 per cent. I've heard figures bandied around outside the Assembly that the Alberta government is using 65 per cent as a target. Mr. Minister, if in fact that's the case, as an example, in the kinds of volumes that have been talked about as far as trying to get into the Quebec market is concerned, what kind of revenue impact — if I could use the term — can this have on the province? Now I know we have to ballpark it, but either in second reading or in committee I think that members should get some sort of information as to the financial impact — the financial contribution, if I can

use it that way — that Alberta is aiming at here, to encourage people east of Alberta to shift from some other source to natural gas. As I understand it, the discussions to date are aimed primarily at Ontario and Quebec.

The third point on which I'd like some indication: is the development or use of the concept in this legislation — the natural gas pricing agreement market development fund — contingent upon successful negotiations being reached with the federal government with regard to the question of oil pricing? From reading comments the Premier made, albeit outside the province, and comments the minister just made, it seems to me that this in fact now becomes somewhat stalled until an agreement is reached on the pricing question. As I understand the arrangement — and I'd be pleased to be straightened out here if I'm wrong — we have to have the oil pricing agreement in place first; whether we're looking at 65 per cent or 75 per cent or 80 per cent, that in fact has to be the basis. Mr. Speaker, to the minister: we'd certainly appreciate and expect that information either at the end of second reading or in committee. Because from the standpoint of legislation that is before the Assembly, what some might call a rather innocuous piece of legislation could in fact be one of the most important pieces of legislation we deal with this year at either the spring or fall session.

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

HON. MEMBERS: Agreed.

MR. LEITCH: Mr. Speaker, in light of the comments of the hon. Leader of the Opposition, I think it would be useful for me to go over the plan the government of Alberta has been considering. I want to stress that this is a plan or a proposal, and that the matter is under discussion and negotiation.

The essential purpose of reducing the price for added volumes of natural gas was to move out oil, to replace oil with natural gas. Really this has a Canadian security of supply objective, because the more oil we are able to push out with natural gas, the less vulnerable we are as a nation to interruptions in the world supply of oil. That's the fundamental purpose of the plan.

Mr. Speaker, we had proposed a reduction from 85 per cent to 75 per cent of parity with oil. The hon. Leader of the Opposition referred to 65 per cent. That was not part of our suggestion. We had also proposed that that reduced price be applicable to a block of gas determined by annual consumption for a period of five years, and that there be five such blocks. So the program would run for a total of nine years from the date of implementation until the date of its conclusion.

The question of the amount of the reduction — that is, whether it should go to 75 per cent or some lower figure — is still under consideration. The province of Quebec feels very strongly that a reduction from 85 per cent to 75 per cent would not push out oil in that province. They felt it needed a further reduction and submitted to us some material supporting their view. We have been assessing it and, frankly, have not reached a final decision on that point yet.

The fund, the difference between the 85 per cent and the reduced price, would be gathered or accumulated

or collected by the Petroleum Marketing Commission, paid to the distribution companies within the different provinces, and used by them in a variety of ways to increase the use of natural gas. Without exhausting the ways it might be so used, Mr. Speaker, one possible way would be to provide some incentives or payments to take care of part or all of the cost of going from crude oil to natural gas.

By handling the matter in this way, we would not be interfering with pricing regimes within various provinces with respect to natural gas. They would still control that in the way they do now, through their various public utilities boards. The province of Alberta wouldn't be involved in internal pricing mechanisms within other provinces.

Mr. Speaker, although perhaps "speculation" is too strong a word, it's certainly estimating — with larger than normal [quotation] marks around "estimating" — to predict the volume of oil we might push out by the price reductions that have been under consideration. It is very difficult to provide anything other than a very rough estimate of what the difference between the going price and the incentive price, if I might put it that way, might total over the term of the program. But if one were to think only of that difference in price and ignore any questions of transmission costs, which are a relevant factor and a somewhat different matter, certainly I would think that the total accumulated reduced price would be in excess of \$0.5 billion.

Mr. Speaker, I think that responds to the questions raised by the Leader of the Opposition, except that he asked at what stage the negotiations are now. As I've mentioned before, I've never been able to tell, when I'm in negotiations, at precisely what stage they are. We have had a number of discussions, and I expect we're going to have some further discussions. As to tying the discussions here to the overall energy discussions we have been having with the federal government, certainly there's a connection. Certainly they're tied together, because this relates to the price of natural gas, and historically we've related the price of natural gas to the price of oil.

Mr. Speaker, I believe that covers the questions raised by the hon. Leader of the Opposition, and I would simply conclude by urging all members to support second reading of the Bill.

[Motion carried; Bill 60 read a second time]

Bill 61

The Alberta Order of Excellence Act

MRS. LeMESSURIER: Mr. Speaker, I move second reading of Bill 61, The Alberta Order of Excellence Act. The purpose of this Bill is to create a society of honor to recognize Albertans whose contributions are singular and of high significance for and on behalf of the people of Alberta.

At the moment, under the present Alberta Achievement Awards program, which is a very good program, it is not possible to give recognition at this level. We feel that the criteria set for these awards are not really high enough, and that's why we would like to see implementation of this Bill. Membership in the order would be granted upon the recommendation of a special council established under the legislation, and in a given year a maximum of five persons could be granted membership in the order.

The Lieutenant-Governor would be the chancellor of the order. We were in touch with Mr. Steinhauer when he was in office, and he enthusiastically endorsed this Bill. We would also like to stress that we have been in touch with Mr. Butler in Rideau Hall, who is responsible for the Order of Canada, and he had some suggestions which we have put into this Bill.

DR. BUCK: Mr. Speaker, I don't really know what to say about this Bill. I'm having great difficulty. I've gone through the Bill several times, and I'm really at a great loss. [interjections] I'm trying to figure out what the minister is trying to do.

I can't see any great pressing need. I know there are people in this province who deserve recognition. We have the Agriculture Hall of Fame, that the hon. Minister of Agriculture and I and other members of the Assembly attended several weeks ago, and these people are certainly worthy of recognition. I'm sure many Albertans would fit into the category, but I wonder if it's not another example of bringing in legislation that — I don't know if it's going to accomplish anything. Mr. Speaker, I'll be looking forward to when we get into committee study of the Bill. Right now I'm just trying to decide in my own mind; I still haven't been convinced by the minister that the legislation is necessary.

I don't know if we're going to have these people inducted with great medals. It reminds me of a little story about the Lord Mayor of London who was visiting with the late Mayor of Ottawa, Charlotte Whitton. The Lord Mayor had his great chains of office dangling round his neck, and he was trying to be quite funny to the Mayor of Ottawa. He leaned over to the late Charlotte Whitton and said, "Madam, if I kiss your cheek, will you blush?" She came back with, "If I pull your chain, will you flush?" I thought that was rather quick repartee. But in this induction, are we going to have a medal struck? Or are we going to have a royal order of the garter or a royal order of merit of Canada? So, Mr. Speaker, when we get into committee study of this Bill, it will be quite interesting to see exactly what the Minister responsible for Culture is trying to bring before us.

[Motion carried; Bill 61 read a second time]

Bill 65

The Weed Control Act, 1979

MR. TOPOLNISKY: Mr. Speaker, I move second reading of Bill 65, The Weed Control Act, 1979.

The purpose of the Bill is threefold, Mr. Speaker: to protect the agriculture industry from weeds, to prevent the entry and spread of new weeds, and to protect landowners against damage or loss of property value because of negligence of others.

A common fallacy in viewing The Weed Control Act is that it is an Act to punish people who are not farming properly. In actuality, it exists to protect the farming industry. Most people who receive attention under the Act are speculators and hobbyists. Some of the reasons for changes in the Act are ease of enforcement, and there are some new definitions. For example, 'growing crop' means any plant growth, other than weeds, having a commercial value." Under the old definition "noxious weed" means a plant that is desig-

nated under the Act as a noxious weed, as listed in the Alberta regulations.

About 108 species of plants are classified as weeds. Many of these plants are native to the province and are widely distributed. This situation results in nearly all landowners being in violation of the Act. The new definition of noxious weed is, "a plant that is designated under the regulations or a by-law as a noxious weed and includes noxious weed seeds".

The proposed change deletes many species from the legislation and makes provision for categorizing the remaining species to recognize their differing degree of threat to agriculture. There would be three lists: the restricted weeds, that is, new weeds; noxious weeds, the very serious ones; and nuisance weeds, the less serious ones. Therefore, weed species listed are to be vastly reduced, from 108 to 58.

The simple existence of many common weeds will no longer constitute an offence on the part of the landowner. So many weeds are listed that everyone is guilty of violation if the inspector wishes to enforce the Act rigidly. At the same time, the penalties are so low that no one pays much attention. There will be more uniformity of enforcement between counties and between individual inspectors. They will deal with a smaller range of weeds. The powers of the inspector will be increased with respect to very serious weeds, and reduced with regard to nuisance weeds. Prohibit to seed is extended to enable prohibition of certain crops rather than all crops. Land is being wasted needlessly. Prohibit to seed expires after one year rather than staying in force indefinitely. Inspectors' powers are increased to deal with individuals who do not challenge notices but simply disregard them.

There are a number of significant benefits of the proposed changes, Mr. Speaker. To the inspector: priorities are better defined, the Act clarifies certain definitions, powers are enhanced on certain important species, and responsibility to take action on minor weeds, based on complaints, is removed.

To the violator: there are fewer situations which constitute violation, serving notice is clarified, prohibit to seed expires after one year, there's a time limit of 30 days on the local authority's decision on the appeal — previously this was open — and the inspectors must carry and present proper identification.

To the farmer: in most cases he is no longer in technical violation and therefore subject to enforcement at the discretion of the inspector. He receives enhanced protection from serious weeds; 72 per cent of farmers surveyed want more enforcement.

To the local government: since they employ inspectors, all advantages to inspectors also accrue to local government, and local autonomy has been retained by their right to vary the Act through local by-laws.

Mr. Speaker, I urge hon. members to support the Bill.

MR. MANDEVILLE: Mr. Speaker, in making a few comments on Bill 65, The Weed Control Act, 1979, I want to compliment the hon. member who is piloting the Bill. I think he's done a really good job of putting the Bill together. I like the table of contents and the definitions; it's easy to follow the Bill. I certainly agree with the purpose of the Bill; I think it's good, and we need such a Bill.

However, I think it is putting quite a workload on the minister. I look at the first page and the defini-

tions, and I see minister may delegate power to an employee, the minister may exempt land from the Act, the minister may appoint inspectors to act in municipality, the Minister of Municipal Affairs may delegate his function under the Act. To the hon. member, I see the minister being overloaded, almost right down to the inspector . . .

A concern I have, Mr. Speaker, is the minister appointing inspectors or giving someone the authority. As the hon. member who is piloting the Bill mentioned, the inspectors are getting the powers. However, where we're delegating powers to inspectors, I think we should be leaving this with local authorities. We have the agricultural service boards in all the municipalities and counties, and I think they're doing a good job of taking care of weed control as far as the municipalities are concerned. I certainly think that the agricultural service board and the inspectors they appoint would be much more knowledgeable of the area they're working in than inspectors that could be appointed by the minister.

On the rights of the inspector, Mr. Speaker, I think it is good that he can enter a farmer's land and inspect it. However, I have my reservations when they are able to go into the buildings and inspect grain in the buildings. In many cases, a rancher or feedlot operator or farmer will clean their grain and use the screenings for feed. I don't think it should be up to an inspector to indicate to that individual whether he should be able to keep those screenings in bins on a farm. If they're kept under good control, I don't think it should really be up to an inspector to tell the farmer or rancher. I've seen many cases where a farmer wasn't successful in farming, so what does he do? He gets a job with an agricultural service board, and then he's going out telling successful farmers what they should be doing with their screenings. I really don't think I can agree with that part of it, Mr. Speaker.

As far as appeals are concerned, I appreciate the fact that a farmer is, able to appeal. But I really don't think the farmer should have to pay \$50 in order to appeal a decision by an inspector which might not be right. In some cases they could have a \$50 appeal, but as I read the Act there's a \$50 appeal for anyone convicted under the Act, or even charged under the Act whether convicted or not.

Just an example of what happened this spring, Mr. Speaker. I had to get hold of the Minister of Environment. It was on weed spray; it was some powers that were given to someone in the department. The Eastern Irrigation District had been spraying with airplanes. They have one sprayer that's been spraying for 25 years. Two people came down from the department this spring and said, if that airplane goes out and sprays in the Eastern Irrigation District, you're going to lose your licence. The law has changed; you can't spray. Well, Mr. Speaker, they've been spraying down there for 25 years, causing no harm, polluting no streams, doing no harm at all in the 25 years. I got in touch with the minister. He sent word down there that they were to let this gentleman go ahead and spray the ditches in the Eastern Irrigation District.

I would like the mover to take a good look, possibly in Committee of the Whole, at some of these powers. I'm sure the minister doesn't want to be burdened with many powers that are delegated to him in this Act. However, I am going to support the motion, because I think the purpose is good.

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

HON. MEMBERS: Agreed.

MR. TOPOLNISKY: Mr. Speaker, I welcome the comments and concerns of the hon. Member for Bow Valley. The minister may wish to consider some of the suggestions expressed by the hon. member.

[Motion carried; Bill 65 read a second time]

Bill 66

The Planning Amendment Act, 1979

MR. MOORE: MR. Speaker, I move second reading of Bill 66, The Planning Amendment Act, 1979. I want to make some comments relating to the reasons for these amendments being before the Legislature again, and the government thinking behind the proposed amendments.

I'll begin by saying that when we passed The Planning Act in 1977, members will recall a number of extensive amendments between the introduction of the Bill in the spring and its passage in the fall. During that period, a study was undertaken. We did make a commitment to municipal governments, planning authorities, and to others who were involved throughout the province, to undertake over the next couple of years or so to hear their recommendations and submissions on the effectiveness of the new legislation, which was brought into place by my colleague who was then Minister of Municipal Affairs.

During the course of the time from the fall of 1977 until now, we've been receiving extensive representations from planning authorities, from those involved in the housing and development business, and municipal governments including their two associations, the Urban Municipalities Association and the Association of MDs and Counties. Staff in my department collected all these proposed changes, various parts of the Act, and concerns that were expressed about how the Act was operating, and compiled them into a list of recommendations which were forwarded to me during May of this year.

Since that time I've had the opportunity to go carefully over a great many more proposed amendments than you see before you, in order to determine what sections of the legislation should be altered. During the course of that review I kept one very important thing in mind, and that was the cost of housing in this province and the cost of developed and serviced residential lots.

I think it's fair to say, Mr. Speaker, that when the members read this legislation they will see that, with possibly one or two exceptions, generally speaking in respect of these amendments we have tried to ensure that we did not add anything to the cost of a serviced residential lot and that rather than slowing down, we speeded up the subdivision process; and we have used the concept that we should try to create a situation where extraordinary kinds of municipal expenditures, like the provision of rapid transit in our two major cities, are not municipal provisions that are provided for by a charge on developers developing new residential lots, which is ultimately passed on to the purchaser, but rather that those kinds of services be provided from the general municipal tax revenues, provincial grants,

and user charges.

Mr. Speaker, a difficult matter to deal with involved the right of an individual who might have land adjoining a proposed subdivision to be heard; a matter that was dealt with fairly extensively through the courts. There appeared to be some directive to us to ensure there was an opportunity for an affected individual or an adjoining landowner to be able to make representation in some form or another with regard to his views on a particular subdivision application. We provided for that by amendments, which actually appear throughout the Act, that effectively allow an individual who may be an adjoining landowner to make his representation on an appeal to the subdivision appeal board and a further appeal to the Provincial Planning Board.

We have chosen that route rather than creating a situation where every adjoining landowner would need to be notified in some form or another upon the initial application for a subdivision approval, because we think that would place a great strain on the time frame we now have, and extend it even further than it is. Indeed, literally hundreds of subdivisions are approved each day in this province where no one would in fact want to resist the particular application and not see it approved.

Mr. Speaker, there are a number of different sections in the legislation. Some have fairly important policy matters attached to them. Others are in fact routine in nature and are meant to clarify the original intent of the legislation.

Mr. Speaker, I think I could conclude with the comments I've made, with the expectation that I would be able to answer during committee study any particular concerns there are on various sections of the Bill.

[Motion carried; Bill 66 read a second time]

Bill 67

The Real Estate Agents' Licensing Amendment Act, 1979

MR. KOZIAK: Mr. Speaker, in moving second reading of Bill 67, The Real Estate Agents' Licensing Amendment Act, 1979, I would like to draw the attention of hon. members to a couple of areas we're dealing with in the Act. There may be others of interest. Perhaps if those I leave out would be raised by hon. members, I would be prepared to deal with them in my summation just prior to the question's being put.

But the ones I would like to bring to the attention of hon. members at this point, Mr. Speaker, are: first, the amendment dealing with the situation where a licensed agent unfortunately passes away before his time, and the problem that leaves with the widow, or the association that agent has with salesmen in a firm, with others who are relying on him as a result of listing agreements. As hon. members are aware, the licence would expire with the death of the agent. What we are doing here is giving the superintendent the authority to provide a temporary licence to either the spouse, an executor, or an administrator of the agent to cover that hiatus immediately following the death, the time required to wind up satisfactorily the affairs of the estate of the deceased. In the hopefully rare cases where this is needed, I think it will avert additional tragedy and difficulties during a difficult time.

I would also like to bring the attention of hon.

members to the fact that further amendments to the Act would permit agents under the Act the opportunity to deal with a credit union in the same way they might with a bank, trust company, or treasury branch, as is now permitted by the Act. So amendments are provided to permit agents to maintain their trust accounts with credit unions in the province of Alberta; very useful amendments, Mr. Speaker, having regard to the type of growth, development, and progress the credit union movement is enjoying in this province, to the benefit of the movement and of the hundreds of thousands of members who share in the ownership of credit unions in this province.

I would also like to bring to the attention of hon. members a change with respect to the sections of the Act dealing with what I might call the relationship of an agent to the principal. What we're dealing with here is a very important relationship, Mr. Speaker, in which there needs to be a great deal of trust and reliance upon parties to that arrangement. Presently in Section 26.1, we have a certain requirement for disclosure by real estate agents when they are acquiring an interest in property as described in Section 26.

Perhaps I should specifically bring to the attention of hon. members the wording which appears on page 4 of the Bill, which has been distributed to all members:

26.1 A licensed person shall not trade in real estate

- ...
(b) on behalf of himself or another person without disclosing to the parties he is dealing with that he is licensed under this Act.

So, Mr. Speaker, when a licensed person appears at your door and wants to acquire your property, the law presently requires a disclosure that that licensed person is in fact an agent under this Act, but it doesn't require that disclosure to be in writing.

As I had indicated and expressed a view in the course of debate in this House earlier this year during second reading of the new Landlord and Tenant Act, putting something in writing does avoid subsequent evidentiary and other difficulties. Right now there is a requirement on agents to make that disclosure. But what can happen a month or two or three after the transaction has been completed, and somebody's not satisfied with what turned out? A poor memory can result in a lot of confusion and a lot of unnecessary judicial process.

By including the words "in writing" we can assure that agents under the Act know their responsibility. They must disclose in writing to the owner of the property that they are in fact licensed agents, and of course the owner will receive that. That document in writing should avoid future problems, at least in my opinion, and I am sure that that opinion is shared by many members of this Assembly.

Another important section of the Act is Section 29, Mr. Speaker. That is the disclosure section, which requires an agent, before acquiring an interest in real estate, to disclose to the owner any negotiations then in progress for the sale of that property to another person. Here again, the disclosure requirements are not in writing. First of all, the amendment to Section 29 would require that that disclosure be in writing, so that the owner of the property who has been approached by an agent knows before he enters into an agreement for its sale that that agent has entered into negotiations for its resale, and the nature of those

negotiations.

Further, the present section imposes that obligation only on the listing agent. The amendment to the section expands that obligation to cover the selling agent as well. So both the listing and the selling agent will have the responsibility, under Section 29, of disclosing in writing the negotiations then under way for the sale of that property to another person.

A third amendment to this important section. The section presently indicates that that disclosure is with respect to real estate listed with him for sale. We're now talking about an interest in real estate, whether listed or not. So it expands the concept from just real estate to an interest in real estate, which has a broader connotation than real estate by itself.

Those are the highlights of the Bill that I thought I would share with hon. members during the course of second reading, Mr. Speaker. I would be pleased to provide any further elucidation that may be necessary as a result of debate that other members may want to involve themselves in. If not, I would urge all hon. members to support the amendments to The Real Estate Agents' Licensing Act by voting in favor of Bill 67.

[Motion carried; Bill 67 read a second time]

Bill 69

The Motor Transport Amendment Act, 1979

MR. KROEGER: Mr. Speaker, The Motor Transport Act came into force in late '77. It has now had an opportunity to operate for a little over a year, and there are some requirements for changes. The changes aren't major. I'll give you a couple of examples to clarify.

For instance, the reference in weights and dimensions doesn't seem to apply to private carriers. So licensed carriers have to meet specifications, but if you are hauling your own goods, it would appear that the law doesn't apply to you. A new section is designed to ensure that loading regulations are uniform and consistent across various municipalities. We have a clarification on the prohibition against renting or leasing a licence. In other words, there are people who can't get a public service vehicle licence on their own and attempt to lease. This precludes that practice. It makes it possible to react rapidly to changing conditions in the spring, when road bans are a problem. We have a clarification on the control of highway gross vehicle weights, as they relate to bridge crossings and so on. We've lost time with the operators of weigh scales having to appear in court to substantiate evidence; they now can do that by certification. The last one is to ensure that fines now collected in municipalities will go to those jurisdictions in which they were imposed.

MR. SPEAKER: Having heard the motion by the hon. minister for second reading of Bill 69, The Motor Transport Amendment Act, 1979, would all those in favor please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed please say no. The motion is carried.

[Bill 69 read a second time]

Bill 70

**The Department of Social Services
and Community Health Amendment Act, 1979**

MR. BOGLE: Mr. Speaker, I move second reading of Bill No. 70, The Department of Social Services and Community Health Amendment Act, 1979.

Mr. Speaker, this amendment will allow the minister to authorize funds for the purchase of supplies and services that an advisory committee or board needs in exercising its responsibility to perform its duties. At present, under Section 5 of the Act, we have the ability to authorize the establishment of such committees. Any supplies and services for that committee are provided through the department. It's our feeling that this greater flexibility will assist certain committees appointed by the minister to exercise their responsibilities in a more expeditious manner.

[Motion carried; Bill 70 read a second time]

Bill 71

**The Occupational Health and Safety
Amendment Act, 1979**

MR. LITTLE: Mr. Speaker, I move second reading of Bill No. 71, The Occupational Health and Safety Amendment Act, 1979.

The problem of job safety in Canada is extremely serious and very costly. Indeed, four times as many persons in Canada are injured at the jobsite as on the highways, and many of these workers are maimed or mangled for life as a result of these accidents. The number of workers who have been permanently injured has risen by one third in the past decade.

In response to this most serious problem, in 1973 the government commissioned the Gale inquiry, and in 1975 that committee submitted its report. Part of the report was the recommendation that an occupational health and safety branch be constructed by the provincial government. Part of their recommendations at that time were that the legislation and regulations of both the mines safety division and the quarries Act be incorporated into the Act. In fact, a further recommendation was the transfer of the mines safety inspection staff from the Energy Resources Conservation Board to this division of the new department, in order that a new, unified approach to safety inspection might be achieved.

Therefore, Mr. Speaker, the purposes of this Act are: first of all, to incorporate all the legislation and regulations of the mines safety branch and the quarries Act to occupational health and safety; also to make possible a number of administrative changes that have been found necessary after three years' operation of this highly successful division; thirdly, to clarify and make additional provisions for the protection of workers from the effects of hazardous substances and products.

Therefore, I urge the support of all members on second reading of The Occupational Health and Safety Amendment Act, 1979.

MR. NOTLEY: Mr. Speaker, in rising to make a few comments on Bill 71, certainly over the last several years the occupational health and safety branch has done quite a useful job, in my view. On several occa-

sions, we have debated changes that might be made, particularly with respect to on-site committees, a matter which continues to be a subject of debate. I would argue that we probably have to move somewhat faster than we have in the area of on-site committees.

Mr. Speaker, that really wasn't the reason I rose to take part in this debate. I would like either the member sponsoring the Bill or the minister to comment on some of the concerns brought to my attention by miners, particularly in Grande Cache, with respect to the transfer of mining inspectors to occupational health and safety.

Mr. Speaker, there really isn't much doubt that there's some advantage in having one Occupational Health and Safety Act that brings together those people entrusted with the responsibility of safeguarding occupational health and safety standards, whether in mines, quarries, factories, or whatever the case may be. I would suspect there's a certain amount of administrative wisdom in bringing all these various branches under the umbrella of occupational health and safety. As I understood the Gale commission report of several years ago, that was one of their recommendations. The hon. member has made reference to the Gale commission report.

Mr. Member and members of the Assembly, the concern that I have had brought to my attention by miners, however, is that the standards of mine inspection will not be as stringent if we move in this direction. I would particularly like to ask the member or the minister to give us some assurance that in no way, shape, or form will there be any qualification of the stringency and regularity of inspections in the mines — we're really looking at one major underground mine in the province of Alberta — because at this juncture those people in the labor movement who have had an opportunity to review the Act are concerned. They may be concerned over nothing; I don't know.

As I read the Act, at first I wasn't particularly troubled. But when people who have to go down in the mine every day call me and say: just a minute; in passing a Bill you people may be attempting to bring in legislation which will synchronize the administration, but the bottom line from our point of view is that the degree, quality, and stringency of inspection will be modified if this legislation is passed.

I would have to say, Mr. Speaker, that while I don't think anyone can object to the general principles contained in the Bill, I would want some assurance from either the minister or the member that, in fact, we're not going to be qualifying the inspections and the safety inspections in the mines.

MR. DIACHUK: Mr. Speaker, if I may make just a few comments on Bill 71, particularly with regard to the questions asked by the hon. Member for Spirit River-Fairview. I can quite assuredly stand here and advise that the inspectorate staff transferred from the other department to my division are the same inspectors, most of them continuing in that inspectorate. We've had some changes. One of the inspectors with a great record of work in mine inspection has left for a foreign country to do a two-year job. He resigned from the service, so at present we are recruiting. I'm assured that these types of qualified people are available.

We believe, Mr. Speaker, that in co-operation with some of the other specialists available in occupational health and safety, particularly in the engineering sec-

tion, this will strengthen the inspectorate in the division that will be inspecting the mines. But the main thing is that they will not only be concentrating on the underground mine; they will be working with the industry overall when they're there. Till now, the mine people would be involved only in the underground phase of inspection, and in the days of workers' compensation and the preventive program, other people had to come in to do the other inspection. In this way, there could be some concern that this may not give the emphasis on underground safety. But I would like to assure the hon. member and the members of the Assembly that the intent is to bring about a stronger inspectorate throughout the province, and that they would then be qualified and capable of looking at all phases of the industry.

Grande Cache is a good example. They have a large trucking industry that hauls all the coal from the open and closed pits. There are other related industries in that area, and one inspectorate will then be qualified enough to do all. He or she will then be able to consult with other members of the staff when problems are unusual. Till now, they had to resolve some of the problems through the interdepartmental relationship.

Thank you, Mr. Speaker.

MRS. CHICHAK: Mr. Speaker, I just wish to make a very few brief remarks with respect to this Bill for the hon. minister to take into consideration. Perhaps at another time or in committee study of the Bill, he may address himself to a couple of areas. Although the Bill primarily directs itself to the inclusion of that part of legislation to do with mine safety, I would like to make a few remarks with regard to on-site committees and the training programs being provided by the department.

When I served on the minister's advisory committee in 1977-78, I recall that a good deal of discussion had taken place. I think some concern was visible that in the training programs, the seminars provided on safety in preparation for a proper organization and effectiveness of functioning of on-site safety committees were arranged on numerous occasions, after a good deal of time and expense, and participation in these seminars was somewhat lacking. I personally was rather unhappy to have heard such reports, because it seemed to me that the workers as well as the employers were keen on a clear development of these seminars, and real progress to be made with respect to the training and an effective and orderly implementation of safety committees, and that this should in fact assist the workers or improve the vehicle of information to workers for a safety consciousness on the worksite.

The fact that there was some disappointment in the lack of attendance on the part of those workers who were perhaps being designated from the various industries to attend left something to be desired. I'm not sure whether that situation has improved to any degree, or whether in fact we are continuing with the nature of the safety training seminars that were originally set up, in mining or any other industry. Wherever there is a work place and workers are likely to be open to any nature of accident or mishap, I think it is certainly very important that there be a real, full consciousness and recognition of the responsibility that lies not only on the part of the employer but the employee.

I don't think we can blame one party more than the

other. In some instances, I think we will find the worker is perhaps more negligent or not recognizing the full responsibility that he or she carries. On the other hand, we will find instances where it is the employer who leaves in place some impediments for the worker to properly apprise himself or herself of the training programs, and to be effective in being sure that the possibility or susceptibility for accident is minimized to the degree possible.

In another area as well, Mr. Speaker, I had felt over a long period of time, not only in discussions from my previous committee involvement but in discussions with various workers who, over employment in some hazardous areas, had contracted an occupational disease, whether it was a lung disease or one of a different nature, that there was some difficulty in having it recognized as an occupational disease. When medical examinations were being carried out for consideration by the Workers' Compensation Board to consider whether any pension was payable as a result of a deterioration in health, there was some difficulty, whether that was partly because of the unclarity of definition or the nature of research being carried out in recognizing or being able to determine whether in fact the deterioration of health of a worker was a result of the conditions of long years of employment in a certain occupation. I know the hon. minister has been working very hard in that regard, but perhaps he might consider bringing us up to date on that area when we are in committee study of this Bill.

Thank you, Mr. Speaker.

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

HON. MEMBERS: Agreed.

MR. LITTLE: Thank you, Mr. Speaker. I've made note of the comments of the members, and certainly appreciate their participation.

I would therefore now move second reading of Bill 71.

[Motion carried; Bill 71 read a second time]

[On motion, the Assembly resolved itself into Committee of the Whole]

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

[Mr. Appleby in the Chair]

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

Bill 37 **The Social Development** **Amendment Act, 1979 (No. 2)**

MR. CHAIRMAN: We have an amendment to Bill 37. I believe copies have been circulated to all members. Bill 37 was introduced by the Minister of Social Services and Community Health. Are there any questions or comments with regard to the amendment?

[Motion on amendment carried]

MR. BOGLE: Mr. Chairman, there was one matter during second reading relating to the comparison of benefits and support provided by various provinces across the land. I indicated I would attempt to get further clarification on that matter.

Each year National Health and Welfare provides a comparison of the basic support, fuel and utilities, shelter, and so on. The results I have are based on information released in September 1978. I'm told the next comparison should be ready within a month to several weeks. I'd be pleased to provide a copy of this information to any hon. members who wish to have it.

The one difficulty with it, Mr. Chairman, is that you quickly note, after seeing the information — and I'm looking at last year's information — that a variety of standards are used by different provinces. For instance, some provinces include family allowance payments as part of income when determining support for children; some do not. In looking at the question of employable or unemployable, in terms of an individual, some include that; some do not. Again, with regard to age categories, one province gives certain benefits to those residents within its boundaries between the ages of 55 and 59.

As I've indicated, I'll either provide the information, which is now a year old, to any members who would like it or, once the new information is available, I'd be pleased to do that as well.

MR. R. SPEAKER: Mr. Chairman, I think I discussed this earlier with the minister. With regard to paying not only social allowance but the handicapped benefit, in the administration of that plan would there be a duplication of administration in that area? Have you got it streamlined so the social worker can look at both benefits and cut down red tape as much as possible?

MR. BOGLE: That's a very good question, Mr. Chairman. We are using the same offices for the administration of the program. Social workers are handling social assistance cases as well as cases that would be under the assured income for the severely handicapped. That was done for the very reason you've mentioned: to cut back on the amount of red tape as much as possible.

There is one thing I should be very clear on. We're using a completely different base for the assured income for the severely handicapped program vis-a-vis social assistance. As the hon. member is aware, in social assistance there is a needs test as well as an asset and an income test, whereas in this particular program we don't have the needs or the asset test; only the income test is applied. So a slightly different set of criteria is used, but the same personnel are used. We did add to that to accommodate the increased workload. We anticipate approximately 14,000 Albertans will be covered by the program. So an additional staff component was made to the program.

I might also add that with the exception of Edmonton and Calgary, where there are separate appeal boards for the assured income for the severely handicapped, the appeal boards in other parts of the province that deal with social allowance concerns are being used, with one person added, a person who, hopefully, will have some particular interest and expertise with

people with disabilities. So that function may be provided by boards which are now in operation.

[Title and preamble agreed to]

MR. BOGLE: Mr. Chairman, I move Bill 37, The Social Development Amendment Act, 1979 (No. 2) be reported.

[Motion carried]

Bill 38

The Alcoholism and Drug Abuse Amendment Act, 1979

MR. CHAIRMAN: Are there any comments, questions, or amendments with respect to Bill 38?

DR. PAPROSKI: Recognizing the very great importance of this particular item dealing with alcohol and drug abuse in our society, and recognizing that the alcoholic problem is such a very prevalent entity resulting in illness and death to individuals, the morbidity and mortality as a result of motor vehicle accidents — I understand it's to the degree that in per cent of all accidents on the highways or roads, alcohol plays a role — the dislocation and difficulties with families, and the horrendous costs in medical care, I wonder if the hon. member who is piloting this Bill through the House would indicate to the House how these amendments will affect what we have now? Does the number of road accidents have any effect in the Bill *per se*? I'd like to hear some comments on that.

MR. GOGO: Mr. Chairman, I think what's particularly important in the Bill is as a result of problems encountered in the past. As a matter of fact, the recommendation for the amendment has come from the Attorney General's office.

The whole purpose of The Alcoholism and Drug Abuse Act relates not only to the education but the prevention aspect of abuse of both alcohol and drugs. In the past it's been difficult to follow through, as a result of a fatality, portions of The Fatality Inquiries Act. The chief medical examiner has had some difficulty relating certain information to the judge of the court, who conducts these inquiries.

Section 8 of the Act is really the reason for the amendment. That's where people involved with AADAC may be allowed to divulge information — which, as I'm sure we all appreciate, is of a very confidential nature — relating to anybody who is a client or under treatment by the Alcoholism and Drug Abuse Commission. Because that information presently cannot be released, I think prevention measures that should rightly be carried out as a result of a recommendation of a medical examiner's office through The Fatality Inquiries Act during an inquiry held by a judge — undoubtedly recommendations that would ensue from the inquiry really can't be carried out.

The member is so right. I notice that he is a professional, and deals to a great extent with people who fall within the category not only of abuse of both alcohol and drugs, but what I think would really be the key note; that is, the fatalities experienced on our highways. As many of us know, at the moment the number one cause of death for the 16 to 24 age group is traffic fatality. As a member estimated, conservatively I think.

about half involve abuse of either alcohol or drugs. I would suggest to hon. members that it's probably closer to 70 per cent.

To answer the member's question more specifically: yes, part of the motivation for the change in the Act is to authorize the commission, AADAC for short, to release information concerning clients. It's a delicate area, because we're dealing with people's lives. I think it should be remembered that The Fatality Inquiries Act is never really involved unless there's a deceased person. In some way, this would protect the families, in that that information would only be held in a closed session of the court.

MRS. CHICHAK: Mr. Chairman, I wish to make a few brief remarks with respect to the whole matter of alcoholism and drug abuse. I think it is relevant, to some extent, to the legislation before us. The hon. member who is piloting the Bill may wish to make some comments at this time, or perhaps take under consideration some of the remarks I wish to make.

I think it is very important to recognize — if we are going to make any headway in decreasing the number of young people, particularly, who become involved with drugs and alcohol, and the ultimate results of their addiction to one or the other — the importance of trying to get the message through to act as a preventive measure. In other words, if there were some way of communicating an educational program, perhaps at a younger age, that would influence young people against accepting so readily our societal habits which are perhaps not quite so desirable. Perhaps I'm referring now to younger people, because after we reach a certain level in our society, there seems to be a real difficulty in encouraging a turnaround. Perhaps the majority of us are guilty in this regard, some to a greater and some to a lesser degree, in our societal habits of what we might call entertainment and enjoyment.

Has the hon. member, or perhaps the minister under whose jurisdiction this legislation falls, had some dialogue, discussion, or thinking on the commission perhaps being able to move into the educational institutions, particularly in the elementary grades, to start affecting the thinking and direction of our very young people? I suppose one approach might be through the school boards, and the development of some sort of course within the curriculum that might be effectively communicated in a way that young people would be attracted to the message and understand it in a way other than "another dry subject".

As well, I wonder to what extent the commission is developing or has developed a role that this whole area can play in the problem that exists in industry. I'm sure that a lot of time lost, and perhaps a good percentage of accidents in the workplace, are as a result of problems that individual citizens have, whether related to difficulties on the worksite or personal problems which are carried over into one's performance or ability in the workplace. Is there a good degree of co-operation from industry to put forward some effective kind of treatment program, without an employee having fear of being disclosed and having his or her position in employment jeopardized?

The other area I would like to bring to the hon. member's attention is a problem that exists to some degree in senior citizens' homes, nursing homes, and auxiliary hospitals, particularly insofar as alcoholism is

concerned. I think the matter of drugs is perhaps not as great a problem, because the prescriptions provided to the citizens in these facilities are more controlled by the medical profession and the doctors. But the matter of alcoholism is becoming a little more prevalent. As we visit the various institutions across the province, we are finding that it is very difficult for an institution to cope with even one citizen in the facility if alcoholism is a problem. We are finding that this is becoming more prevalent.

I wonder if the commission, in its direction of the entire program, might not address itself to taking into consideration communicating in some way to all the health facilities the service available, and that they should perhaps make more use of the service that is there.

Thank you, Mr. Chairman.

MR. GOGO: Mr. Chairman, because of his profession, I believe the Member for Edmonton Kingsway is acutely aware of the magnitude of this problem, not only in the city or province in which we reside but in the country.

I welcome the opportunity to respond to the points raised by the Member for Edmonton Norwood, first of all by indicating the sheer magnitude of what I believe to be an illness — and alcoholism has been described as an illness by many people for 45 years. Yet I suggest that society, not the least of which is Alberta, has continually in some way really neglected to address itself to the problem. I've made statements previously that in one of our hospitals in this city maybe 40 per cent of the beds are occupied by problems of alcoholism.

Last Saturday evening I had the opportunity and privilege of speaking in Calgary to a group 1,500 strong called Alcoholics Anonymous. Let there be no mistake, Mr. Chairman, that we in Alberta should be so indebted to the members of that fellowship who go that extra mile in looking after their fellow man and helping with problems of addiction, particularly alcoholism. The fear I have, and I suggest the fear most of us as legislators should have, is that Alcoholics Anonymous, for all they do — and they certainly do a tremendous amount; the 'guesstimate' is that there are now 60,000 people in Alberta afflicted with the problem of alcoholism — it's all after the fact. That's why I'm so keenly interested in the comments from the Member for Edmonton Norwood. Why is it that we have to wait until after the fact to address ourselves to the problems of alcoholism and drug abuse? [interjection] With respect to the Member for Calgary McKnight, I think there is a little difference between smokers and alcoholics, because we don't have the same number occupying the beds in the province of Alberta.

Very quickly, Mr. Chairman, I'd like to respond to the points raised by the Member for Edmonton Norwood. As many of you know, AADAC in Alberta really has three roles to play to carry out its mandate; that is, the treatment side. I suggest that treatment is really a losing proposition because it's always after the fact. We look at the indicators such as death from cirrhosis of the liver, and we get uptight about cancer and heart that are increasing at a rate of about 8 per cent a year. Death from cirrhosis of the liver, which is primarily concerned with consumption of alcohol, is growing 100 per cent higher a year for the 35 to 50 age group. Very few of us are aware of it, and I suggest very few

of us are really prepared to direct our energies toward the solution of the problem.

I suggest we must direct our attention to the next generation. I'm not saying we should write off the present one, but I think we must direct our energies to the next generation. And here's where the Member for Edmonton Norwood is right on. If we can influence the attitudes and behavior of young people today, perhaps there's some hope in the future in Alberta. Members recall, I think, that last year in Alberta — for those who are familiar with hopper cars — we sold 21 miles of hopper cars full of booze in this province. That's a fair amount. Do we want our young people to double and quadruple that? Well, obviously not. So what can we do?

The member has hit on one that's of primary importance: the use of media. When one looks at the country today and sees the politicians who are elected through television, I suggest television can accomplish anything. Perhaps we should address our efforts and attentions to the role of television. I'm very pleased with the comments of the Member for Edmonton Norwood, because we at the alcohol commission are now trying to develop for the priorities committee of cabinet some experimental project where we hope we can have some influence.

Certainly it goes without saying — when you look at publications like *Maclean's* magazine. As a country we kicked out *Reader's Digest* and *Time* and brought in the national magazine. I don't have a copy of *Maclean's* here, but you know there are 10 to 20 pages of booze advertising at \$10,000 a page. I suggest that's an area we should look at in terms of life style advertising.

The member mentioned schools. What are we doing in schools? I think you must remember that the role of AADAC is that of a voluntary organization; it's a facilitator. We may have the odd preacher around too, but basically the commission has a mandate for prevention, education, and treatment. I'm happy to say we now have some programs actively going into schools on a co-operative basis. On one hand, we have the Punker-pine Puppets, a puppet show which relates to grades 2, 3, and 4. They're very exciting. Then we have the Catalyst Theatre, which travels around the province and is also exciting.

I want to comment very briefly, if I can, Mr. Chairman, with regard to an area that very little attention has been addressed to until this year; that is, the work place. About six of every 100 people employed in Alberta have a problem with alcohol, and until now it's been one mass cover-up by colleagues within the work place. I'm happy to see that the Canadian Labour Congress has addressed itself to that problem, saying we must get involved early, we must intervene, and we must remove the myth that alcoholism is not an illness. In other words, we have to make it, shall we say, not honorable, but nothing to be ashamed of. I think great strides are being made that way. It's interesting to note that last year in Canada three quarters of a million employed people in Canada, and we only have 10 million employed, lost all or part of a week, and the major cause of that was alcoholism.

Finally, the member is very perceptive that one of the great problems with alcoholism today is with the senior citizens. People who are living on their own suffer from loneliness. They've had access to Valium, and they're riding a new high today; the next day they

get involved with alcohol. To this time we really haven't had any social agency that can relate to them. I'm happy to say to the member that it's an area the commission has been studying for some time now. With the co-operation of other senior citizen groups in Alberta and the Minister of Social Services and Community Health, I think we're going to come up with something that's somewhat encouraging and exciting.

So I would offer a ray of hope, if that's a suitable term, for the future. But I would also encourage my colleagues within this House to be cognizant of the fact that you only get cirrhosis of the liver only from booze. I would also make note of the fact that the price of booze relative to income has gone down 45 per cent since 1968, and that a litre of beer in Alberta, no matter where you live, is 97 cents and milk at Rainbow Lake is \$1.80. I think we should think about things like that if we are seriously concerned about the future of our young people and addiction in the province of Alberta.

Thanks very much.

DR. BUCK: Mr. Chairman, would the hon. member who just spoke permit a question?

MR. NOTLEY: How could you be so bold as to ask?

DR. BUCK: Mr. Chairman, is the hon. member who just spoke in a position to indicate when the regulation was changed by cabinet to allow advertising of liquor, beer, and wine on the electronic media?

MR. GOGO: Mr. Chairman, I don't want to respond too quickly. I will point out . . . [interjection] Now, come on, be fair. I'm kind of new at this too. I should point out that the Alberta Liquor Control Board has exclusive authority within the province of Alberta as to the advertising of alcoholic beverages. I would also point out that we in Alberta, with 8 per cent of its people, are a captive audience of certain national programs, and we don't have the facility of clipping out certain commercials.

If the member would allow it, I would like to take the question as notice to find out if the cabinet of this government has ever said anything about that. I'm really not aware at this point.

DR. BUCK: Mr. Chairman, it was after the new government took place, for the member's elucidation. Maybe he can check that regulation.

MR. HORSMAN: Mr. Chairman, I move that the committee now adjourn, report progress, and beg leave to sit again.

MR. R. CLARK: Mr. Chairman, just before we put the question, I'd like to ask the Acting Government House Leader if he could give some indication to the committee as to when we'd likely deal with Bill 44?

MR. HORSMAN: Yes, Mr. Chairman, it was proposed to move through the Bills in order. On the next government day, which would be Wednesday afternoon, we expect we will be dealing with the Bills in committee at that time.

MR. R. CLARK: When the Government House Leader says Bills at that time, he would include Bill 44 in that group?

MR. HORSMAN: Yes, that's true, Mr. Chairman.

MR. NOTLEY: Certainly wouldn't want to miss that.

MR. CHAIRMAN: Having heard the motion by the hon. Government House Leader, are you all agreed?

HON. MEMBERS: Agreed.

[Mr. Speaker in the Chair]
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MR. APPLEBY: Mr. Speaker, the Committee of the Whole has had under consideration Bill 37 and reports the same with some amendments; and reports progress on Bill 38.

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

HON. MEMBERS: Agreed.

[At 5:30 p.m., on motion, the House adjourned to Tuesday at 2:30 p.m.]