

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Thursday, November 27, 1980 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **TABLING RETURNS AND REPORTS**

MR. CRAWFORD: Mr. Speaker, I'd like to table the copies of the return to motion no. 126.

MR. McCRAE: Mr. Speaker, I would like to table four copies of a return on motion 133.

DR. BUCK: Mr. Speaker, I'd like to table three copies of the photostat of the letter I received from the Premier March 7, re the Edmonton annexation application.

AN HON. MEMBER: On March 7, for the last day.

DR. BUCK: I didn't want Marvin to use this letter.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. PAHL: Mr. Speaker, it's my pleasure to introduce to you, and through you to the members of the Assembly, 66 grade 5 students from the Grace Martin school in the constituency of Edmonton Mill Woods. The three classes are studying government. They are accompanied by their teachers Miss. Melham, Mr. Glenesk, Mrs. Flamman, Mr. Tindall, and Mrs. Fisher. They are seated in the members gallery, and I would ask them to rise and receive the traditional greeting of the Assembly.

MR. STEVENS: Mr. Speaker, on behalf of my colleague the Member for Edmonton Centre, the Minister of Culture, I am very pleased to introduce to you, and through you to the members of the Assembly, a class of 22 grades 5 and 6 students from Queen Mary Park school in Edmonton Centre. They're in the public gallery, accompanied by their teacher Mr. Skirrow. I ask that they rise and receive the warm welcome of the Assembly.

DR. PAPROSKI: Mr. Speaker, I'd like to introduce to you, and through you to the members of the Assembly, 5 students from Coralwood Academy located in the well-known constituency of Edmonton Kingsway. They are accompanied by Mr. Anthony Reeves, and are located in the public gallery. I'd like to congratulate them for taking an interest in the politics of the day. I would ask them to rise and be recognized by the House.

head: **MINISTERIAL STATEMENTS**

Office of the Premier

MR. LOUGHEED: Mr. Speaker, in my telecast to the people of Alberta on October 30, in response to the

Ottawa government's proposed energy program, I stated:

... we want to enter into a campaign in co-operation with all those Canadians who are interested in oil supply and self-sufficiency for the longer term future of Canada, to convince the federal government that they have made a very serious mistake — that they should readjust their energy policies and encourage supply in Canada.

Mr. Speaker, we have undertaken a number of actions in this regard since October 30. We are working co-operatively with the various segments of the Canadian oil and gas industry to communicate to other Canadians that the consequences of the Ottawa energy proposals of October 28, if implemented, would result in abandoning any realistic possibility for Canada to become oil self-sufficient in the decade of the '80s. It will result as well in substantial negative consequences to the economy of not just Alberta but other parts of Canada.

As part of such a campaign, Mr. Speaker, it is essential that Alberta citizens become as fully aware as possible of the basic facts in order that, if they wish, they as citizens can communicate to other Canadians the strong case felt by most Albertans for the need for justice and fairness by Ottawa.

In this regard, Mr. Speaker, the government has produced as one part of this campaign a concise brochure that answers many of the basic questions asked by many Albertans on the important and interrelated energy and constitutional issues. This brochure, which today will be distributed to all members of the Assembly, will subsequently be given the widest possible distribution. I refer in particular to question 34 in the brochure, and the answer:

34. What can each of us do?

Albertans need to keep informed of the events which are occurring, because they are so vital to the future of our province . . .

We need to keep other Canadians aware of how we feel. They must realize that we do care for our country. While we are asking the Federal Government to be fair, we are also willing to make a very large contribution to Canada. We have already done so.

Mr. Speaker, in addition, it is intended that Members of Executive Council and the Legislative Assembly will, after adjournment, extend their efforts to communicate to both Albertans and other Canadians the basic fairness and equity of the Alberta position, through speeches, meetings, media opportunities, and in other ways.

As well, the Alberta government intends to work even more closely with the multitude of associations and organizations which share with us the concern of the negative consequences of the proposed Ottawa energy program. The objective should be to convince Canadians of the need for a positive, co-operative energy effort, and that different approaches are required than are now proposed by Ottawa in order to have constructive national energy policies.

Mr. Speaker, when the Legislature reconvenes at its spring session next year, I will report to the Assembly on behalf of the government that activities have occurred in this regard throughout the course of such period of adjournment.

Mr. Speaker, I hope all members will effectively use this brochure and transmit it to their constituents who request it.

Department of Culture

MR. DIACHUK: Mr. Speaker, in the absence of Mrs. LeMessurier, the Minister of Culture, as acting minister I wish to announce today that the Alberta government is advancing \$100,000 to the Italian earthquake relief fund, 1980. The funds will be administered by this committee in conjunction with Alberta Culture's branch for international aid.

In addition, in line with established international assistance policy, any moneys contributed in excess of \$100,000 by private citizens will be matched dollar for dollar by the Alberta government.

All Albertans are saddened by this terrible tragedy, and we will do everything possible to aid in the relief efforts.

head: ORAL QUESTION PERIOD

Energy Negotiations

MR. R. CLARK: Mr. Speaker, I'd like to direct the first question to the Minister of Energy and Natural Resources. It relates at least in part to the ministerial announcement the Premier made today. My initial question to the minister is: when will negotiations recommence, either at an official level or at the ministerial level, as a result — I understand there has been discussion between the federal Minister of Energy, Mines and Resources and the hon. Mr. Leitch. When and where is it expected those discussions will commence?

MR. LEITCH: Mr. Speaker, I anticipate that there will be exploratory discussions at the official level immediately, but I don't know if that answers the question of the hon. Leader of the Opposition, which was, when will negotiations begin?

I had responded to that earlier in the Assembly by pointing out that there is no point in sitting and talking and repeating the same arguments and views that have been expressed by either side on a number of occasions, but that we were anxious to resume negotiations and reach an agreement with the Ottawa government, but that before we could begin serious negotiations, we needed some indication that there would be significant movement on that government's part from the current energy program and budget. I obviously can't speculate on whether or when that will occur, Mr. Speaker.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. Then the discussions which will take place at the official level will be with regard to developing a clear understanding between Alberta officials and officials of the government of Canada regarding the various programs in and aspects of the budget. Is that the kind of discussions that will be commencing almost immediately?

MR. LEITCH: Yes, Mr. Speaker, there will certainly be those discussions.

MR. R. CLARK: Mr. Speaker, to the hon. minister. Has the Alberta government advised the federal government what Alberta regards as the necessary price for oil sands and heavy oil plants to be economically viable? I ask the question in light of the fact that if the federal government is to come back to Alberta with some meaningful changes in its position, and recognizing that they are 25 cents below the world price now, what has Alberta indicated to

Ottawa is a reasonable price as far as oil sands projects are concerned?

MR. LEITCH: Mr. Speaker, I should probably make a couple of points in response to that question. First, members of the Assembly will recall that the decision not to approve further oil sands plants was taken basically because of our view that the current energy program and budget were damaging employment opportunities or taking away jobs in the conventional industry in Alberta today, whereas the oil sands would, in the main, be providing employment for people who would have to come from outside Alberta.

To turn to the question of what price would make them viable. I'm not sure the question can be asked or answered in that way. Perhaps it would assist members of the Assembly if I briefly reviewed the position with respect to oil sands plants, the two being proposed and the Syncrude plant, and advise the Assembly that sometime subsequent to the completion of the Syncrude agreement, the federal government took the position that their possible return by way of profit taxes from the Syncrude plant was very, very minimal, certainly in situations where there would be relatively low profitability.

Essentially they took the position with the Alberta government that too tough a deal had been struck with Syncrude and that, in certain scenarios, very little profit would be available to be taxed by the federal government; their position being that in future plants, they should have a larger opportunity to tax company profits. We reviewed that and recognized that the federal government should have a significant opportunity to tax profits from any viable resource development. To implement their views, the federal government had of course changed the taxation rules applicable to future oil sands plants.

With that as a background, we then entered into negotiations with the two proposed plants. In order to provide sufficient revenues to the developers so that they would proceed and to enable the federal government to have significant taxation room, we discussed with them a lower royalty level than would be applicable to Syncrude.

But, Mr. Speaker, all that discussion took place on the assumption that the plants would attract international prices. So when we're talking about what price is sufficient for the projects to go ahead or what prices the Alberta government said would be sufficient for the projects to go ahead, we have to keep in mind the historical background I have just outlined. We were talking about a lower royalty level for the two proposed plants, based on the assumption that the plants would attract international prices. In effect, the federal government has now said, you have moved to a lower royalty level to provide additional taxation room for us. But they now want the second element; that is, the lower price. In effect, Alberta would be paying in two ways: by accepting less than the international price and by accepting a lower royalty rate.

So, Mr. Speaker, it really can't be dealt with in the way the hon. Leader of the Opposition asked the question, what price would be satisfactory? All our discussions and negotiations with both the project developers and the federal government have been carried on on the assumption that the plants would attract international prices.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. I put the question this way. Having regard for the fact that the price offered in the budget is 25 cents below the world price or very close to the world price today, is the position of the Alberta government

then, in an attempt to get negotiations going, that as far as oil sands plants are concerned, if a commitment is given to world price, that would meet the criteria the Alberta government was negotiating on with the possible participants prior to no agreement being worked out on an overall energy question?

MR. LEITCH: Mr. Speaker, in answering the question I don't want to leave the impression that an offer of world price would solve the problem. As the Assembly is aware, our position is that approvals of additional oil sands projects are contingent on our reaching an overall energy agreement. I thought I had answered the question of the hon. Leader of the Opposition in my earlier answer when I said all our discussions had been proceeding on the basis that the plants would attract the world price.

Mr. Speaker, I should add that the world price is not a question of \$38 today being the world price or close to it; it's a question of the price at the time oil begins to flow from the plants. Of course the current offer is \$38 plus an acceleration by the consumer price index, which may or may not bear any relationship to the international price.

MR. R. CLARK: Mr. Speaker, might I pose one additional supplementary question to the minister on this area. Now that we have the tar sands plants straightened away, which is basically world price from the year production starts and forward from there, what other specific changes in the national policy are required by Alberta?

MR. LEITCH: Mr. Speaker, I don't believe I can respond to that, for the reason that I have given in the Assembly on a number of occasions. I think the question really involves, what would we find acceptable? As we have discussed in the Assembly a number of times — and I think all are agreed — one really can't carry on negotiations in that way. For that reason I really can't respond to the question.

MR. R. CLARK: Mr. Speaker, let me put the supplementary question to the minister this way. I raise the question because today we're being asked on both sides of the House to communicate with our constituents. If we're going to do that, it isn't a matter of telling our constituents what we want out of the federal government from a negotiating point of view, but basically, are we being honest and fair with our constituents if we tell them that the federal government's moving to 75 per cent of what was the Chicago blended price and the oil sands plants' being at world price when they come into production are the two major criteria as far as Alberta is concerned?

MR. LEITCH: Mr. Speaker, I appreciate the reason for the hon. Leader of the Opposition asking the question. I would like to be more definitive, but I think the practical way to respond to the situation he's contemplating is to refer to our July 25 offer which, incidentally, is referred to in the brochure. That outlined the energy package we would have found acceptable.

Mr. Speaker, for me to go beyond that and say what changes we might find acceptable brings us into the area of negotiations, which I commented on earlier.

MR. PAHL: Mr. Speaker, my supplementary question is to the Minister of Energy and Natural Resources. I wonder if he could clarify for this Assembly whether what are generally called infrastructure costs for an oil sands plant, the roads, houses, bridges, and what not, are

funded not from the sources of revenue from the plants but from general revenues. If I understand the process correctly, there is no clear distinction between the flow of revenues accruing from the oil sands plants and the commitment to those plants. It's more a problem of the general revenue of the province.

MR. LEITCH: Mr. Speaker, infrastructure costs, such as for roads, schools, hospitals, and that kind of thing, would of course be funded in the ordinary way through the operating budget of the provincial government. With respect to other infrastructures, such as housing, certainly a large amount of that funding has historically been advanced from the Alberta Heritage Savings Trust Fund through loans to the Alberta Home Mortgage Corporation and the Alberta Housing Corporation.

MR. NOTLEY: A supplementary question, if I may, for clarification, Mr. Speaker. The minister indicated that the two components were access to international prices and the question of a royalty structure that would allow the federal government some opportunity, yet the developer an opportunity to make money so federal taxes could be paid.

Mr. Speaker, setting aside the question of international prices, was there ever any agreement on what an appropriate royalty or profit-sharing schedule should be and what an appropriate level of return for the federal government should be, given the access to international prices?

MR. LEITCH: No, Mr. Speaker, that wasn't precisely defined. It was discussed in general terms, and I don't know that one could define it with precision, because both would vary, depending on particular economic circumstances applicable at the plant.

MR. WEISS: A supplementary, Mr. Speaker. Would the minister indicate to the Assembly whether the Ottawa government has indicated its willingness to participate in the infrastructure costs?

MR. LEITCH: That, Mr. Speaker, hasn't been a matter of discussion.

DR. BUCK: Mr. Speaker, a supplementary question to the minister. I guess if we talk about the Ottawa government, we could just talk about the PC Legislature. Last time I looked, it still was the Canadian government we had in Ottawa.

MR. LOUGHEED: The national government.

MR. JOHNSTON: Representing who?

DR. BUCK: Well, it was a Canadian government the last time I looked, Mr. Premier. It's still a Canadian government; it's the government of Canada. Even though we don't like the outcome, that's the way the votes ended up.

Mr. Speaker, the question to the hon. Minister of Energy and Natural Resources is: in Section 2 of the brochure, we talk about \$33,000 to be lost to each Albertan. Can the minister indicate if this is the total revenue that will be lost to Albertans, or does this include the portion that will belong to the oil companies?

MR. LEITCH: Mr. Speaker, I know the hon. member hasn't had the brochure very long, but I would recom-

mend he read the second sentence: "This includes major losses for the Alberta government, as well as the costs to producers in our province."

MR. NOTLEY: Now we know.

MR. R. CLARK: Now we know.

DR. BUCK: Keep changing the figures, Merv.

Health Conditions — Northern Schools

MR. R. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Social Services and Community Health and the Minister of Education. I'd like to ask the Minister of Social Services and Community Health what action his department has taken on the matter raised on Monday with regard to the Northland School Division at Cadotte Lake?

MR. BOGLE: Mr. Speaker, through the Peace River health unit, which is responsible for local community health matters in that particular part of the province, an inspection did take place on Tuesday, November 25, the day after the concerns were raised through the media.

At that time, there was no evidence of a sewage problem in front of or near the school, as had been reported. There was a concern with regard to one of the outhouses near the school which is used in emergency situations. A letter either has been or is being prepared by the Peace River health unit to the board of the Northland School Division to ensure that those health-related concerns are properly addressed.

MR. R. CLARK: Mr. Speaker, to the minister. In the course of discussion between the minister's office and the Peace River health unit, did the health unit indicate there had been inspections as regular as is reasonable in that community, and in fact had the Peace River health unit previously raised concerns that the Northland division had not acted upon?

MR. BOGLE: Mr. Speaker, I am advised that the public health inspector from the Peace River health unit has visited the school on a regular basis to take water samples, and no problems related to sewage or the outhouses were brought to his attention by the administration of the school.

MR. R. CLARK: Did the Peace River health unit officials bring any other matters of concern to the officials of the Northland School Division that were not dealt with?

MR. BOGLE: I don't believe so, Mr. Speaker. I might mention that approximately two to three months ago there was a sewage problem at the school, which was the result of a pump that normally pumps the sewage from the school to the lagoon, but the pump was unplugged. That matter was corrected by work through the Department of Environment. The ground, which had been covered by sewage as a result of the malfunction, was chlorinated to prevent a health hazard from being sustained. Certain tests were taken after that, and no contamination of the water was found to occur.

MR. R. CLARK: Mr. Speaker, a supplementary question to the Minister of Education. Monday the minister indicated he would move with dispatch with regard to dealing

with the points raised by individuals at Cadotte Lake. What action has the minister taken since then, and can he assure us that the investigation his department will be involved in will be made public?

MR. KING: Mr. Speaker, by ministerial order which I signed today, pursuant to sections 9 and 10 of The Department of Education Act, I have appointed a committee of three people to review certain circumstances in and relating to the Northland School Division. Dr. Harold A. MacNeil of Edmonton, former superintendent of schools for the Edmonton Separate School Board, will be chairman of the committee. He will be assisted by Mr. Halvor Jonson of Ponoka, who is immediate past president of the Alberta Teachers' Association and principal of the Ponoka composite high school; and by Mrs. Evelyn Norberg of Slave Lake, chairman of the board of the Slave Lake General Hospital and a member of the Alberta Human Rights Commission.

MR. R. CLARK: Mr. Speaker, to the minister. Do we have the minister's assurance, following the announcement of that ministerial order, that in fact there will be an opportunity for individuals who want to meet with the committee to do so publicly? I'm sure it was simply an accident that the minister didn't respond to the question of the report's being made public.

MR. KING: I'm sorry, Mr. Speaker, that was an accident. It would be my intention to make the report public.

Perhaps I should add that while I have not had an opportunity to meet personally with any of these people, on Monday morning I intend to meet with Dr. MacNeil. In telephone conversations with all three, I have indicated a desire to have an interim report by December 20 this year addressing the circumstances currently before us. They will have an opportunity to make a final report at a time in 1981 convenient to them in terms of the general responsibility of the committee; that is, to advise on future directions for education within the jurisdiction of the Northland School Division.

MR. NOTLEY: A supplementary question, Mr. Speaker. Then is the minister advising the Assembly that the interim report will deal with the specific allegations and that the ultimate report, which may be sometime later in 1981, will deal with long term? And I'd like the minister to be a little more specific, if he could, as to the target date being evaluated now for that complete report.

MR. KING: It is my intention that the interim report should deal with those accusations which have recently been made. As I said to members in the House on Monday afternoon, they are serious and wide-ranging, and it is unfair to a large number of people that they should sit amongst the public unconsidered. So the interim report will address the accusations that have most recently been made.

As far as the final report is concerned, that is correct; it will be directed toward future educational services within the jurisdiction of the Northland School Division. I can't be precise about an expected date for completion; I don't think it would be fair to the members of the committee, until I have had an opportunity to discuss with them personally what might be involved in that. Very tentatively or speculatively, I would suggest a period of about six months for that final report. But I caution members that I'm using the word "speculatively".

MR. NOTLEY: One final supplementary question. Has any arrangement been made between the Department of Education and the Department of Social Services and Community Health with respect to making available to the inquiry board of three all the relevant data and information that may be contained in health reports that may be contained in the department, so in fact there will be a full opportunity for the commissioners to examine in total?

MR. KING: Mr. Speaker, on the basis of an answer I gave in the House on Monday, a well-known Alberta newspaper wrote today that I had not discussed this with my colleague the hon. Minister of Social Services and Community Health. That of course is not true. I don't know how often they are four days behind the times, but I can assure the hon. Member for Spirit River-Fairview that there is close co-operation between the Department of Social Services and Community Health and the Department of Education. I don't anticipate that the members of the committee will experience any problem whatsoever in getting necessary material or assistance from other departments of government.

Land Acquisition — Fort Kent Area

MR. NOTLEY: Thank you, Mr. Speaker. I'd like to direct this question to the hon. Minister of Housing and Public Works or the hon. Provincial Treasurer. It concerns a recent acquisition of land in the Fort Kent area. Is either hon. gentleman in a position to advise the Assembly of the reasons for the purchase of some 1,000 acres of agricultural land in the Fort Kent area over the last eight months? Incidentally, this is in addition to acquisitions by Alberta Housing and Public Works in Ardmore, Bonnyville, and Fort Kent.

MR. CHAMBERS: Mr. Speaker, we acquire land all over the province for a variety of reasons: institutional purposes, provincial buildings, housing, and so forth. We often acquire land for both a short-term reason and long-term purposes. The land in that area was acquired for long-term purposes. It was acquired at appraised value, and we felt very fair value, for long-term, land banking purposes.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. What decided the government to purchase land in that area, in view of the fact that the draft regional plan does not envisage development in that area? Were there discussions with local officials before the acquisition was made, and why that particular area?

MR. CHAMBERS: Again, Mr. Speaker, the land that was acquired is situated in a number of different areas: Ardmore, Fort Kent, and through that general corridor. It was acquired for long-term purposes. It may be years before that land is utilized, but it was felt useful and important that we have that land for various purposes, whether for housing or institutional. The price was fair, and we felt it was appropriate to acquire the land the way we do — I was going to say routine, but that isn't quite the correct way to put it. We acquire land across the province from time to time, for both relatively immediate purposes and long-term purposes, for a number of reasons.

MR. NOTLEY: A supplementary question to the hon. minister. The minister indicated long-term reasons. Mr. Speaker, are those long-term reasons related to any decision by the government at this stage to shift residential development away from the Cold Lake-Grand Centre area to the Fort Kent area, or is there some other reason? Are we looking at the purchase of the land for some industrial reason?

MR. CHAMBERS: Again, Mr. Speaker, the land may be used for a variety of reasons. We acquire land for industrial land-banking purposes, communities, institutional purposes, and housing purposes. No, there is no intention of interfering with the normal state of development of land in Bonnyville, Grand Centre, or anywhere else. In fact, there is a relatively good land situation there with regard to land that has potential for development. Again, I'm talking about land for long-term purposes. I think it's just good planning to land bank for long-term purposes.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. What specific consultation took place with local governments in the area, in view of the fact that we're talking about long-term planning and good planning? Was there any specific consultation, for example, with the municipality in question, before the acquisition was made?

While I'm on my feet, Mr. Speaker, what steps has the government taken to address the concerns of the Lakeland Environmental Protection Society, representing local farmers, that at this stage some of the land is lying idle and is contributing to potential weed problems in the area?

MR. CHAMBERS: When we acquire land, Mr. Speaker, it's our normal policy to lease back the land, generally to the farmer who is presently farming it, so that it's maintained in an agricultural way for the years required before the land may be needed for some other, public purpose.

I think the member and members will appreciate when one is acquiring land, negotiations are required. It's not good procedure to be out there advertising that you're going to go into an area and acquire land. The normal procedure is to acquire it in a businesslike way for fair market value.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In view of the minister's comment concerning good, long-term planning, why did the government choose to purchase what is some of the better agricultural land in the area as opposed to examining options for purchase of less productive land?

MR. CHAMBERS: Mr. Speaker, this question of course is very subjective. Some of the land acquired is relatively high quality agricultural land, but a considerable other part of it is of less agricultural value. As members appreciate, even in any given quarter the land may range from the very best to land that is barely arable.

The land that was acquired is not among the best agricultural land in the area. Of course, it's very difficult to acquire land objectively that is all of the very worst agricultural character. I think all members appreciate that. But certainly consideration is given to attempt to acquire land that is not of the best agricultural nature.

MR. NOTLEY: Mr. Speaker . . .

MR. SPEAKER: Might this be the final supplementary on this question.

MR. NOTLEY: To the hon. minister. I can appreciate that we're not going to advertise the purchase of land before we go out and do it. However, in view of land being purchased in Fort Kent, which is some equal distance between Bonnyville and Cold Lake-Grand Centre, was there any consultation between the Department of Housing and Public Works and the local governments in the area with respect to the general area of development, both residential and industrial, so that purchases made by the government would be consistent with local planning objectives?

MR. CHAMBERS: Certainly, Mr. Speaker, if land is acquired within the annexed area of the community, the normal nature of things is that consultation occurs, but when the land lies outside of the jurisdictional boundary of any given area, then who do you consult with?

Frankly, I'd like to underline again that the land was purchased for long-term purposes. As to future uses of any land that might be taken into their boundaries, the communities of course will ultimately have the say.

Corporate Tax Amendments

MR. WOLSTENHOLME: Thank you, Mr. Speaker. My question is to the hon. Provincial Treasurer. Does the government expect to introduce amendments to the corporate tax act during the 1981 spring sitting?

MR. HYNDMAN: Yes, Mr. Speaker, our general intention is to introduce amendments in 1981. As hon. members will recall, the caucus committee on corporate tax and tax incentives has been reviewing submissions over the summer pursuant to advertisements this spring. I understand that over three dozen useful submissions have been received and that there will be ongoing discussions and reviews of them.

I expect that in the spring we would be able to look to proposing to the Assembly amendments to the new Alberta corporate tax act, which would enable the original goals of encouraging small Alberta businesses to take place and perhaps, in light of recent events, to ensure that there can be protection and stimulation of jobs in the province of Alberta.

MR. WOLSTENHOLME: A supplementary, Mr. Speaker. Would that have anything to do with why the Treasury Department is buying ads asking companies to register with the department?

MR. HYNDMAN: Those advertisements don't have anything to do directly with the corporate tax committee, Mr. Speaker. We have been advertising, though, because in order to be as helpful and informative as possible, we want to get the names of all the Alberta corporations — something over 100,000, I believe — on record and on file, so that we can put into effect the program of Alberta corporate tax effective January 1, 1981, and to be as helpful, informative, and pleasant in dealing with tax matters with Alberta consumers.

Highway Right of Way Purchasing

MR. FJORDBOTTEN: Mr. Speaker, my question is to the Minister of Transportation. Would the minister ad-

vice the House whether there has been any change in policy with regard to right-of-way purchasing for highway construction?

MR. KROEGER: Mr. Speaker, not really in the policy itself, except that as a result of the approval of Bill 72 a short time ago, our capability to do more purchasing in advance has been expanded.

MR. FJORDBOTTEN: A supplementary, Mr. Speaker. I take it to mean that there hasn't been any substantial change in policy. Could the minister indicate if there has been a change in procedure? My question really flows from the concerns of landowners in the Nobleford area that there seems to be some confusion as to what the procedure is as far as land purchase for highway realignment.

MR. KROEGER: Mr. Speaker, I am not familiar with the specifics of this. Generally in establishing a value, we do a thorough check on land values, costs, and previous transactions in specific areas, so that we can relate what we're going to offer to the prices established by previous purchasers. We also look at such things as assessment values, and then enter into negotiations.

MR. FJORDBOTTEN: A supplementary, Mr. Speaker. Since you mentioned market value, could the minister advise that since you are buying a small portion and not a whole block, isn't there any procedure or policy to allow for more than just market price?

MR. KROEGER: Yes, Mr. Speaker. We use the market value as a guide, but certainly in instances where our right of way cuts up land, we have to consider that. In the description the hon. member gives of a small portion that really is a nuisance, we also consider that.

MR. FJORDBOTTEN: Another supplementary, Mr. Speaker. If the landowners are not satisfied with market value, besides expropriation, what can they do? What procedure is there? Is any other means open to them?

MR. KROEGER: Mr. Speaker, if there is a specific problem I guess the best approach would be for the landowner in question to contact his MLA, who could certainly assist that particular farmer in making an approach to our department.

MR. FJORDBOTTEN: A supplementary, Mr. Speaker. Since that has already been done, would the minister agree that I could refer that problem to him?

MR. KROEGER: Yes, Mr. Speaker.

MR. GOGO: Mr. Speaker, a supplementary question to the hon. minister for clarification. With reference to comments about Bill 72 going through the Assembly, hopefully today, does this mean that the four-lane highway so long planned from Nanton in southern Alberta to the U.S. border is closer to reality?

MR. KROEGER: Mr. Speaker, the purchase of the right of way is closer to reality.

Athabasca University Relocation

DR. BUCK: Mr. Speaker, I would like to address my

question to the hon. Minister of Advanced Education and Manpower. It has to do with the costs of the relocation of Athabasca University to the town of Athabasca. In light of the fact that the minister made a statement that the costs for relocation would be approximately \$16 million, is the minister now in a position to indicate if those costs have escalated and what they may be at this time?

MR. HORSMAN: Mr. Speaker, I am not prepared to comment on highly speculative press stories which may have come to the attention of the hon. Member for Clover Bar and others. I can say that I have received no report from the governing council of the university. It is my understanding that the governing council has not yet received the report of the internal commission, and that all this talk is based on some internal working documents that commission presently has under consideration.

DR. BUCK: Mr. Speaker, to the hon. minister. I ask the question because I just want to see if the government is consistent with some of the costs: the Legislature going 45 to 53, Kananaskis going 40 to 210, and on and on. I just want to know how tight the budgeting procedure is. Can the minister indicate how many of the people who are going to be relocated have been contacted and how many of these people are willing to go to the new location?

MR. HORSMAN: Mr. Speaker, the Athabasca University board of governors has set up an internal commission to review the relocation of Athabasca University to the town of Athabasca, where it will have its permanent home. That commission is presently reviewing the entire matter, including matters raised in the first question and the supplementary by the hon. Member for Clover Bar. Suffice it to say that until such time as that commission completes its study and reports to its governing council, I have very little further I can say to hon. members of the Assembly, except that I hope the hon. Member for Clover Bar, along with other members of the opposition, continues to support this very exciting move in decentralization of our educational services to all parts of Alberta.

DR. BUCK: Mr. Speaker, I would certainly like to reassure the minister that I do not support their inconsistency in not-tight budgeting.

MR. NOTLEY: Agreed.

DR. BUCK: Mr. Speaker, I'd like to know from the hon. minister if he is in a position to indicate whether, in the department's study, if the costs go too high above \$16 million, the government and the minister would reconsider their decision to relocate the university.

MR. SPEAKER: Possibly that rather speculative or hypothetical question might be asked at a later time.

DR. BUCK: Mr. Speaker, is the hon. minister in a position at this time to indicate if he has any estimates if the costs are going to escalate beyond the so-called budget the minister presented in the spring?

MR. HORSMAN: Mr. Speaker, I answered that question the first time I stood up. In case the hon. member didn't quite catch it, I'll do it again. I have received no reports other than the highly speculative press reports, which I really don't think are proper to comment on in the Legislature.

As to the projected costs of this relocation, the institution is quite properly reviewing that entire matter internally. I understand the reports which have surfaced are based on a series of working papers which have ranges for various items within the institution. I don't know how the figures being bruited about now have come about. Suffice it to say, however, that when the governing council has come forward with a recommendation to this government and my department, those will be budgetary matters for consideration by all members of the Assembly, probably in the course of the next budget and others, until the university finds its permanent home in Athabasca in approximately 1984.

MR. SPEAKER: Might this be the last supplementary on this question.

DR. BUCK: Mr. Speaker, a supplementary question to the minister. That really worries me when he says, and the next budget and the next budget.

MR. NOTLEY: In 1984 too.

DR. BUCK: Shades of Kananaskis, Mr. Speaker.

In all the studies the minister and his department have been doing, is the minister in a position to indicate if there will be substantial differences between the operating costs at Athabasca University in Edmonton, as opposed to the operating costs in Athabasca?

MR. HORSMAN: Mr. Speaker, I repeat that the studies which are under way at the present time are internal studies at the university itself, which is quite properly the role and function of the governing council. Those projections, both in terms of capital and operating, will come forward quite properly from that governing council to my department for consideration and discussion. I don't have them yet. It's very, very difficult at this stage to speculate on what they might indeed be. I understand that the commission is some months away from completing its study even to be prepared to make a recommendation to the governing council of the university itself. So until I get them, I can't speculate on them.

DR. BUCK: Mr. Speaker, that's not good enough.

MR. SPEAKER: Order please. Order please. There is no standard by which to measure whether an answer is adequate or not, and the same with a question.

We're just about at the end of the allotted time for the question period. I'm sorry there are some members I won't be able to reach, but we could perhaps fit in the question of the hon. Member for Edmonton Kingsway.

DR. BUCK: Mr. Speaker, the hon. minister has stood in this Assembly and indicated that the cost of that move will be \$16 million. My question is very simply to him ...

MR. SPEAKER: Order please. The hon. member may have a difference of opinion with the minister. There may be some other occasion to discuss it, but not now at the end of the question period.

MR. NOTLEY: Is there no price limit?

DR. BUCK: Why do we go through the budgeting process in this Legislature? [interjections]

AN HON. MEMBER: Walter.

DR. PAPROSKI: Thank you, Mr. Speaker. My question regarding Athabasca University has been very well answered by the Minister of Advanced Education and Manpower.

MR. SPEAKER: On Orders of the Day, perhaps the Assembly would allow me to refer to today being the day of the funeral of His Excellency the late Governor General of Canada. Might I ask members to stand to observe a moment of silence.

[In tribute to the late Rt. Hon. Jules Leger, members of the Assembly observed a few moments of silence]

MR. SPEAKER: Please be seated.

MR. COOK: Mr. Speaker, if I might rise on a point of privilege. I'd like to refer to some remarks I made in the debate on Bill 93 on Tuesday, November 25. I wish to withdraw some remarks that may have suggested that the hon. Member for Spirit River-Fairview was not relating ... [interjections]

MR. NOTLEY: It's just like porridge. Get it over with quickly.

MR. COOK: ... accurately some remarks about the intent of the government in dealing with The Workers' Compensation Act. I know that the hon. member wasn't ...

DR. BUCK: You can always resign. [laughter]

MR. COOK: Mr. Speaker, I don't want to leave the impression that these remarks are meant in a jocular way. It's a sincere attempt to withdraw the remarks I made that suggested the hon. Member for Spirit River-Fairview was something less than honest in his remarks. I know that's not the case.

ORDERS OF THE DAY

head: MOTIONS FOR RETURNS

138. Mr. Notley moved that an order of the Assembly do issue for a return showing:

- (a) copies of all correspondence received by the Department of Workers' Health, Safety and Compensation concerning the report of the Select Committee of the Legislative Assembly on Workers' Compensation, and
- (b) a list of all individuals and organizations with whom the Minister of Workers' Health, Safety and Compensation, or officials of his department, held discussions concerning the above report from the date of its release to present.

MR. DIACHUK: Mr. Speaker, if I may, I wish to make an amendment as follows:

That an order of the Assembly do issue for a

return showing:

- (a) Copies of all correspondence received by the Ministry of Workers' Health, Safety and Compensation concerning the report of the Select Committee of the Legislative Assembly on Workers' Compensation subject to the consent of the originators of such correspondence. Subparagraph (b) be deleted.

[Motion as amended carried]

head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

226. Moved by Mr. Notley:

Be it resolved that this Assembly declares unequivocally and without any reservation whatsoever that the historical, cultural, and economic bonds which tie Alberta to the rest of Canada must never be severed; that separatism is not an option that will be considered for Alberta by this Assembly.

MR. NOTLEY: Mr. Speaker, I want to make four very brief comments in support of designated Motion No. 226. The motion makes reference to the historical bonds, and I think that's perhaps an important point to emphasize. There's a good deal of frustration and alienation today in western Canada, but when one looks at the history of our country, the alienation that has existed before has always been discussed and always taken place in the context of changes that would make federalism work for western Canada. Many of the major swings that have dominated the politics of western Canada, whether it be the election of the UFA or the Social Credit in Alberta, or the CCF in Saskatchewan, the progressive members who were elected to the House of Commons in 1921, or the famous Ginger Group, have always been based on a pretty solid commitment to the presumption that, however alienated people feel, alienation must be resolved within the framework of continued commitment to Canada and making federalism work for the west.

[Mr. Appleby in the Chair]

I think it's also fair to say, Mr. Speaker, that perhaps one of the most impressive displays of that positive outlet for western alienation took place in 1957 and again in 1958 when Mr. Diefenbaker — whom I consider one of the genuinely great Canadians in the history of our country, though not of my political party — had a vision for Canada. It wasn't a vision of a hyphenated Canadianism on the basis of either national origin or, for that matter, province. It was the basis of an unhyphenated Canadianism, which I think struck a cord right across the country, especially in western Canada. Mr. Speaker, I raise that because it's important, as we look at some of the strains that face this country today, to keep clearly in perspective that our tradition in the west has been to work within the federal system in an unequivocal commitment to the preservation of Canada.

Mr. Speaker, over the last few days in this House we've discussed constitutional matters. There's no question that there are different views of what Canada should be in the future. But while there may be different opinions as to what this country should be, it seems to me there can really be no question about the continuation of the country itself. In my judgment, we must be very clear

about that. It would be a mistake for people to argue, yes, we're in favor of Canada, but on our terms. The fact of the matter is that it's not possible in a federal state, and can never be possible. Members of this Assembly are practical enough to realize that in no democratic society can people have their way totally, or have their view carried totally. That's true of the federal Prime Minister, who is going to have to make some important concessions. It's also true of provincial politicians as well. The fact of the matter is that when we hear people say, yes, we're in favor of Canada, provided we get X, Y, and Z, I say that "yes, but" isn't really good enough. The commitment to this country must be unequivocal.

Mr. Speaker, the third point I want to make is the failure on the part of members of this Assembly to speak out clearly against separatism. This doesn't mean we don't accept the right in a democratic society of Albertans and other Canadians to offer the point of view that West-Fed and the Western Canada Concept do. I would always argue that people have the right to express a point of view, even a point of view which would lead to the dismemberment of the country. That has to be clear in a democratic society. But the fact of the matter is, Mr. Speaker, that while people have a right in a free and democratic country to advance the cause of separatism, those of us who don't share that view not only have a right but, in my judgment, have an obligation to speak out clearly against separatism, in the clearest, most unequivocal form. I say that failure to do so, failure to be clear on this matter, can only legitimize what would otherwise be a fringe element.

The latest polls indicate — even the ones Mr. Hurtig referred to last night, of 15 or 16 per cent — that is still a minority point of view. But what concerns me is that failure on the part of the elected members of this Legislature to make it clear that we oppose separatism gives this particular viewpoint a certain amount of respectability which it otherwise does not merit and would not have.

The final point I want to make, Mr. Speaker, is to say as clearly as I can that it's not possible for us to be neutral on the issue of separatism. Setting aside the question of what will happen to this country in the future — no one can predict or prejudge what will happen in the years ahead — I don't think we can be neutral in the face of separatism. As far as I'm concerned, I'm opposed to separatism wherever I see it. I was opposed to separatism in the province of Quebec in the form of sovereignty association when you had a left-of-centre party promoting it. I thought that was wrong. I was delighted, as I'm sure all members of this Assembly were, when the people of Quebec voted against sovereignty association by a resounding majority in May of this year. At the same time, we have to be just as clear in being opposed to that kind of approach in our own region of the country.

Mr. Speaker, for those four reasons, I say to hon. members that it is vital that a very clear motion be on the record of this Legislature stating our opposition to a viewpoint which, while people have the right to express it, is nevertheless a viewpoint that I do not think can be accepted by reasonable people and must be opposed by us regardless of our political point of view, whether we are Conservatives, Liberals, Social Creditors, New Democrats, or whatever the case may be. It's fair to say that there are members of all four political parties who have given up hope in this country and have jumped on the separatist bandwagon. That's why it's so imperative that those of us who I think can speak with at least some kind of authority, because we have been elected by our fellow

constituents, place clearly on the record our opposition to this sort of approach. It doesn't mean that we won't have important political battles on the future of this country, on the route we take in the years ahead, but that is another matter that must be separated from whether we see the option of breaking away as a valid approach. Mr. Speaker, I don't think that can ever be considered a valid approach by westerners.

So deliberately making my remarks as brief as possible, I ask hon. members of the Assembly to take this opportunity to speak, because I think it's important that members have the opportunity to place clearly on the record where they stand so that their constituents can know. But I say in conclusion that there must be a clear and unequivocal commitment on the part of members of this Assembly to the preservation of a strong Alberta and a strong united Canada, and that must mean a revocation and opposition to separatism in whatever form we see it.

DR. CARTER: Mr. Speaker, with respect to designated Motion 226, brought forward by the Member for Spirit River-Fairview, I recognize that the topic is not only of current interest but of very deep meaning to western Canada and, in effect, to Canada as a whole.

First, with respect to the motion, in reading it I find that it raises certain technical difficulties. I would like to comment briefly on two of them. The first is with respect to *Beauchesne*, Section 415(1):

A motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately.

Perhaps we should give some thought as to whether that applies to this particular motion, because as I read it, it appears to be two distinct propositions.

However, there's another matter with respect to *Beauchesne*. It is Section 423, which reads as follows: "a motion should be neither argumentative" — and I believe this motion is somewhat argumentative — "nor in the style of a speech". But this is the appropriate line: "nor contain unnecessary provisions". With respect to unnecessary provisions, I find a certain imprecision involved with respect to the motion. It's with regard to the last line. I wonder if the Member for Spirit River-Fairview would follow it with me: "that separation is not an option that will be considered for Alberta by this Assembly". Part of the imprecision in my mind is: does that mean this Second Session of the 19th Legislature, or does it mean this Legislative Assembly of Alberta for all time? That's part of my initial difficulty with respect to the motion.

However, Mr. Speaker, I would go on to make certain comments with respect to the motion itself. Firstly, with regard to the statement, "that the historical, cultural and economic bonds which tie Alberta to the rest of Canada must never be severed", I suppose in one respect there is an inherent thought process in the wording, which almost directs our minds toward ties with eastern Canada. I think for a moment we need to realize and underline the obvious fact that Canada is more than eastern Canada. It's more than Ontario and Ottawa, even though that happens to be where the federal seat of government is. It also involves the maritimes, and goes westward into British Columbia and northward into the Northwest Territories and the Yukon. The bonds referred to in any motion such as this obviously have to radiate in all directions with respect to the total geographic delineation of Canada.

Obviously, of course, there's yet another matter raised

with respect to ties. How easily can the ties of history, culture, or even economics be severed? Perhaps in one sense it's easier to sever economic ties. But in the sense of trying to analyse historical ties, those historical realities are there. The historical realities are involved in such volumes as *The Road to Confederation*, the kind of stuff some of us had to wade through not only in high school but in university. Some of it is coming back now. I've been amazed in this last year how much some of the stuff I used to think was so dry has become terribly relevant for each of us.

AN HON. MEMBER: It's still dry.

DR. CARTER: No, I'm afraid it's not still dry. Even if one were to go along with any kind of proposition with regard to separatism, there is the whole matter that ties just cannot be broken. The ties exist.

With regard to a cultural tapestry, this again involves a multitudinous aspect, the whole matter that with respect to this nation we're not dealing simply with people who are of English or French-Canadian background, but such a vast cultural mosaic has been evident at every stage of the development of this nation. Of course all too often when we think about the whole matter of what Canada is, we tend to forget about our native Canadian peoples. I think it comes as a surprise to most of us to realize that with the migration of native people — whether it be Indian, Dene or Inuit; no matter what the name of the tribal division, whether it be Blackfoot, Crow, or any of the other common names familiar to us — there is that surprise to discover these people have been living in this area for well over 10,000 years. That does seem to be just a little longer than this nation of Canada has existed.

The whole matter of founding nations: when we think of the aspect of the growth toward nationhood of Canada and its influence with a special regard to western Canada, if we want to look at the equation, it is not just English, French, and native peoples. Over the years we have been the beneficiaries of this vast immigration.

There have been certain periods in the history of this nation when of course greater numbers of people have arrived from certain countries around the world. On more than one occasion, we have had vast immigrations of people from the American midwest, as well as migrations of people from Ontario, Quebec, and the maritimes — people coming from probably every nation in the world. That immigration continues, oftentimes in terms of refugees. Nevertheless, the immigration is present with us today and probably will be present in the future of this nation. But what happens here is that there is still this growing mosaic, this growing weaving if you will, of the tapestry of Canada. Those kinds of cultural background bonds just cannot be severed.

There's the whole matter of economic bonds, as mentioned here. Again, in terms of the wording of the motion, I believe there is this kind of expectation that we will think only in terms of bonding with the eastern part of this nation of Canada. In actual fact our own economic bonds are there, but many other economic bonds have developed, not just recently but over the course of our history. One of our natural bonding partners has been the United States. Another natural bonding, of course, is with the United Kingdom and beyond with the Commonwealth. Nevertheless, when we think of economic bonds in terms of this particular motion, one finds one's mind drifting toward the matter of Ontario and eastern Canada, meaning in particular the Ontario/Quebec axis.

I would like to quote briefly from Donald Smiley's editorial work on *The Rowell/Sirois Report*; for the second time this week, but it's amazing how important this kind of document is. Reading from page 163, this is reflective of the year 1930:

The national economic policies were put into effect and ultimately achieved their purposes under the influence of the wheat boom and the demands of the great war. The west was filled with settlers whose products and purchases created a rising volume of traffic moving over the railways and waterways through Canadian channels. The protective tariff directed the demands of the great exporting industry on the prairies to Canadian producers and promoted a rapid growth in manufacturing in central Canada. Thus, the hitherto isolated regions were drawn together with an expanding flow of internal trade and economic integration. The trans-continental Canadian nation achieved a new level of prosperity, political security, and unity.

It's quite evident that the Canadian nation owes much of its cohesiveness to sheer economics. It wasn't simply a matter of sending settlers to the west. It was a matter of sending them out there to . . . If you will, it developed what's known as *landnama*, a possessiveness, a possession and a development of the land. But again, the bringing in of people in terms of migration was a whole matter of having an economic base out there. Let's face it, most of the economic production was taking place within that region of Ontario and Quebec. We became that economic hinterland.

In many respects the struggle of the last 100 years in western Canada has been that we want to develop the ability to stand on our own feet economically, to stand on our own feet and no longer be seen as just an economic wasteland, perhaps, in terms of a depression. We were to be seen as equal partners within this Confederation. We know it's only within recent times, especially since World War II and even more recently, that we have achieved this sense of what could be styled economic muscularity.

With respect to historical bonds, I will not comment with respect to various rebellions which have taken place, such as the battle of the Plains of Abraham or the rebellion of 1837, and that they were in eastern Canada. I mention them just to keep in perspective that difficulties which have resulted in rebellions, separatism, or people standing up to be heard, have taken place in eastern Canada in time past, not just in western Canada.

We need to look briefly at the aspects of the rebellion or, if you will, the expression of separatism. I would rather call it the frontier society's expression of rugged independence, as evidenced in both 1869 and 1885. I think we would find there are also similarities with the political climate, if you will, the reality of life in 1980 in western Canada.

In 1869 four basic difficulties were involved. One was the possession of the land. We can regard land as being perhaps our most vital resource in this country. Another was that the people were not finding themselves adequately represented in the decision-making process. Again there was a great lack of communication with local areas, in this case Manitoba and Ottawa. The other thing that had happened to make the fourth was that there was really no negotiation; there was a whole matter of take-over. Those aspects were there in 1869. Again I come back to 1869 and 1885 as having sown the seeds of the present situation in this country. But the seeds were sown by whom? That's the interesting question. I believe the

seeds were sown then, as now, by the government in Ottawa.

In 1885, with the North-West Rebellion, we have the same four basic difficulties involved. Land as a resource: land titles, the shape of the land, the registration, the disruption of communities. Again there was lack of representation. At that time the people of the west believed they were not adequately represented in the decision-making process in Ottawa. Again, there was a lack of communication. This seems to be inevitable in our relationships. The fourth thing again: no negotiation.

Obviously the similarities to 1980 are quite evident, the whole matter that a resource — while it isn't land, but certainly a resource — is involved in terms of this whole feeling of western dissatisfaction. Again, many people are concerned; they do not believe they are adequately represented at Ottawa. They believe they are not being heard. Once again we come back to the four basic principles present in 1869 and 1885: the resource, inadequate representation and communication, and no real negotiation between the federal government and the governments in western Canada, not simply the province of Alberta.

Mr. Speaker, with respect to Motion 226, there is one more aspect. It's that last section which deals with the matter of separatism "not an option that will be considered for Alberta". Separation does not necessarily involve a one-sided action. We need to think about that for a moment. It may well be a mutual separation which one has to analyse in terms of the present climate in this nation. Perhaps it is not a matter of individuals in western Canada separating themselves from a concept; rather, it may well be that the government in power in Ottawa has chosen to separate itself from the ongoing concept of Confederation, from the ongoing historical milieu and our understanding as Canadians of what this nation truly is. So who is the separatist?

There is a poster which some of you have probably seen. I think it goes somewhere along these lines: when you build a wall, take care what you are keeping out as well as what you are keeping in. That is very applicable to the whole matter of an issue. It's applicable in terms of Motion 226.

Any student of history, whether a good one, a terribly serious one, or a dilettante, knows full well that nations come and go. We hope this nation is not in decline; we hope we are still in the building process. There is no doubt that most nations, perhaps like most individuals, are in a constant state of flux and development. I believe that any of us, when we stop to meditate on what Canada is, perhaps come up with this question that Canada is somewhat of a conundrum because of its size, population, diversity, history, and cultural base. When we as Canadians in 1980 have to deal with what have been known as the dry historical factors and now see them with a new immediacy, more of us perhaps are impressed or frightened by the fact that Canada is a more fragile entity than some people, including ourselves, believe.

I, for one, really believe strong provinces make for a stronger nation. I believe people have come to this western part of our country just as people have gone to the Yukon or the Northwest Territories: to build a strong way of life for themselves, but also in terms of their communities, whether it be a territory or province. So I really can agree to the proposition that strong provinces make a stronger nation.

Earlier this year, as one means of marking the anniversary of this province, a motto was added to the shield of the province of Alberta: "*Forté et Libre*". We know that

translates as "strong and free". So, Mr. Speaker, I would offer the following two brief verses I have written. I offer them within the context of the Canadian nation — within the context of the Canadian nation.

Alberta strong and free,
A land of destiny,
A place to grow and grow,
Alberta strong and free.

Albertans strong and free,
Persons with strength to be
Pioneers in every age,
Albertans strong and free.

DR. BUCK: Mr. Speaker, my remarks will be very brief. As the debate progresses this afternoon, I want to start by saying that I am a Canadian. I will always be a Canadian. I am not a Ukrainian-Canadian; I am a Canadian of Ukrainian descent. I have never and will never consider myself a second-class citizen. Anybody in this Legislature who tries to tell me they are trying to relegate us to second-class citizens — they're not relegating this person to a second-class citizen.

I cheered when the Quebec referendum voted for Canada. I have tried to take my children from sea to sea. I don't want them to depend on the politicians to decide if they want to keep this country whole; I want them to decide.

I'd like to say at this time that in talking to people in this province and to my constituents, they are becoming very, very cynical that the politicians are leading them down the garden path. The politicians are causing the problems. Mr. Speaker, all you have to do is go to other parts of the world to find that we have the greatest country in the world. But we can become separatists by default. We can become silent separatists. I am standing in my place today, and I will not be a separatist of any type or description.

We as members of the official opposition met with the legislative committee from Ontario. They were quite taken aback when I spoke about what other Canadians think. What do you people as Canadians think? They said they hadn't heard that from the government side of the House. What do other Canadians think? Mr. Speaker, I am very disturbed when this government talks about the Ottawa government. I was not happy with the decision the Canadian people made in the last election. But the people made that decision; it is the Canadian government, like it or not. I don't like it, but that is democracy in action.

So, Mr. Speaker, I am calling on the leaders at the provincial and federal levels. Our constituents in this province and this country elect us to act as leaders. I am saying to our leaders that it is time to start acting like leaders.

I thank you, Mr. Speaker.

MR. BATIUK: Thank you, Mr. Speaker. In rising to participate in Motion 226, proposed by the hon. Member for Spirit River-Fairview, I do so with some mixed feelings.

This motion stirred up the spirit displayed in numerous areas of the province's 75th anniversary celebrations. At several dozen celebrations I attended in and outside the constituency, every community paid tribute to their pioneers, to those who are with us today and those who have passed. They paid tribute because these pioneers left their parents, homes, relatives, and friends to come to a

strange country. Truly they came to a strange country, regardless whether they came from Norway, Sweden, Lebanon, Czechoslovakia, the Ukraine, Poland, or any other place. They came to a country where the settlers spoke a different language, dressed differently, ate different kinds of foods, had different traditions, worshipped differently, and at times even looked at these pioneers with suspicion.

However, they did know that for a token they could acquire 160 acres of land to do what they would like with, with very little government interference. They also realized they were migrating to a country that would become a strong, united Canada. With great hardships, they achieved their goals in providing a better life for their descendants than they themselves had experienced.

Not long after their arrival, Mr. Speaker, many were called to war. Many went very willingly because they wanted to protect for their families that which they had longed for a long time: the freedom of speech, religion, and press. Some of them gave up their lives; some came back handicapped.

In 1939, when another world conflict erupted, I was just becoming a teen-ager. Many men journeyed to another continent, sacrificing their own future so I could grow to be strong and free, to live in a strong united Canada. They did not go to fight as Albertans or as Prince Edward Islanders, but only as Canadians, believers in the future of a young country.

Today we Canadians have to face a new struggle. We have earned the right to be equal Canadians, yet that heritage is in danger. Mr. Speaker, it is only 35 years, barely more than one generation, since that sacrifice of so much to have a strong, united Canada. Never in the last number of years has Canada been as disunited as it is today. There has already been one referendum. The outlook is that there may be more to follow. Have we forgotten so quickly why our loved ones fought? Maybe we should pause and consider how fortunate we are to live in a country like Canada, and a province like Alberta.

We are not strangers that we have to fight to live and build. We've only been a province for 75 years. Today our perseverance in the face of these immense adversities has been rewarded. After 75 years, we are full-fledged Canadians, contributing to our country.

Mr. Speaker, we must continue to struggle to preserve our heritage so we can have a proud future. Let us continue to stand firm in what we believe. I wonder whether the hon. Member for Spirit River-Fairview is trying to convince this Legislature that the principles and desires of several generations who have lived hardships to build a strong democratic system . . . Is the hon. member telling us that the dictatorial, socialistic government in Ottawa is good for the people? Our fathers and forefathers fled such jurisdictions where state control and socialism existed.

Mr. Speaker, the vote taken the other evening was an indication of how this Legislature stands for a strong, united Canada. Once again, I stress that we must stand firm and be treated as equal partners in Canada. Because of that, I cannot support this motion.*

Thank you.

MR. MUSGREAVE: Mr. Speaker, these are very tense times in Canada, and I think Motion 226 doesn't do anything to dispel that tension. Or does it do anything when we consider the fact of separation that is mentioned in the motion?

Right now, Mr. Speaker, people in Ontario are losing their jobs. People in the service industries of the oil industry in Alberta are losing their jobs. We know of the deadening effect on the economic life of our province of the delay in the oil sands project. Many Canadians from coast to coast are becoming more concerned every day because of our reliance on foreign oil. It's most disturbing. It's nice to have friends who will sell you oil when you need it. Of course our hon. Prime Minister didn't add the fact that they were charging him world price.

I find it regrettable, Mr. Speaker, that a motion on separation such as this would give credence to groups in our community, some of them led by outsiders in our province, some led by angry businessmen. I sympathize with those who go to these meetings. I understand their frustration and alienation. As the hon. Member for Cardston said the other day, our country has been wounded. But I'd like to point out that the west, as hon. members have already mentioned, has a long history of protest movements. We go back to the progressive movement after World War I, which was gobbled up by Mackenzie King and kept him in power for many years. We go back to the CCF movement, which started on the prairies — I think they had their first organization meeting in the city of Calgary — and which later became the NDP, which have become the policy-makers of the Liberal party. We can think of the Social Credit movement that was first concerned about those 50 bankers and the toadies of the eastern financial world; how they tried to muzzle the press and create their own money. It was all born out of a sense of frustration and alienation on the prairies.

Mr. Speaker, as I mentioned earlier, right now people all across our nation are losing jobs. I think the people in eastern Canada are recognizing at last that we in the west are not going on bended knees to Ottawa; we're not going to our Prime Minister for handouts.

I'd like to get back to the motion, Mr. Speaker. In spite of the ties the hon. Member for Spirit River-Fairview mentioned, I don't feel my being a Canadian rests on any ties that bind me to the rest of the country. I sometimes wonder if this reflects his philosophy of a party that would desire and support central planning and central control. I suggest to you, Mr. Speaker, that my citizenship in this country is because of part of my existence as a Canadian. My wife was raised in Ottawa, we were married there, and I had two children who were born there. I went to university in Ottawa. I spent 12 years of my life outside the province of Alberta. My love of my country is not bound by any economic, historical, or cultural ties; it's part of myself.

The hon. member mentions that on many occasions we haven't spoken out. I would suggest that he read *Hansard*, listen to the Premier, listen to the government members. On many occasions we have emphasized our support. It's regrettable that perhaps the news media is not getting the message out as well as it could. I'd like to point out something that happened just recently in the city of Calgary. The federal government was putting on a display when they were opening a new building honoring Senator Harry Hays. As Harvie Andre, the MP for Calgary Centre, said:

There is a bloody offensive tone to this kind of thing when a government feels that it has to sell itself to Western Canadians as it would to foreigners.

He was speaking about the fact that they had displays set up to show westerners what great and wonderful things our federal government from Ottawa was doing for us. That's a frightening analogy, but unfortunately it's partly

*See page 1771, left column, paragraph 5

true.

Again, to quote from a recent article by Peter Hepher in *The Calgary Herald* of November 24, he mentions that

The separatist noises now being heard in this part of the country imply a belief that the real and alleged faults of Pierre Trudeau and his . . . colleagues are merely the faults of the federal institutions writ large; and I fear that a growing number of Westerners who stop short of separatism share that [view].

Mr. Speaker, if we look at the record we can see why. Unfortunately, for the last 40 years in our country the Liberals have been in power most of the time. But they have proven they have a great ability: they cannot hold or win seats in the west. I would suggest to members of the Legislature that Canada is more than Pierre Trudeau; it is more than the Hon. Louis St. Laurent or Mackenzie King.

I'd like to reflect on one area I hold with many Canadians — a lot of the abilities our Prime Minister has. But I would point out to you that when many members of this Legislature were called to serve their country, they didn't question; they went. But he had to sit at home and think about it and make fun of those of us who did go. I would suggest to you that in spite of all his other credible things, that would never lead me to retain the kind of favor he has in the eyes of some Canadians.

Mr. Speaker, just because we can't stand the Liberals, their policies, or their leaders, I don't think we have to consider separation. No socialist Prime Minister is going to drive me out of Canada.

Mr. Speaker, some hon. members have mentioned that we have good reason for dissatisfaction with the federal government. We have physical remoteness in our country, and unfortunately for a long time we had a colonial relationship of a primary producing region to a commercial, industrial zone. And yes, we do have less population. But fortunately as time goes on, as our Premier has mentioned many times, that can be changed. We can be involved in the selection of Supreme Court judges, national commissions, and agency memberships. We can restructure the Senate to represent our regions more fairly. There are other factors working in our favor. Finally, after all the years of toil, sweat, crop failures, and other frustrations, we are getting to the point where we have some wealth. Our population is growing and, as new technology develops, we will become a stronger part of our country.

Mr. Speaker, the question is: do we listen to separatists, or do we press for change? Surely we'll give our country time to be Canadian. I think all of us are still Canadians at heart, and we have more important things to do than squabble over money. Money is the last thing that's going to drive me out of my country.

I'm aware that I'm a Canadian. This might strike you as rather strange, but the time I'm aware that I'm a Canadian is when I return from a holiday in a foreign country and see a bilingual sign in a customs office. I can't speak French, but that tells me I'm back home. Or when I can drive from here to Vancouver and see all the beautiful scenery, and don't worry about border crossings and things of that nature. Or when I can visit Quebec City, the oldest walled city in North America, and not worry about the fact that they don't speak the same language I do. We have to continue thinking as Canadians. It's not easy in a vast land. We've had our difficulties, and we still have the east versus the west and the maritimes, but let's not give up on Canada because we detest Mr. Trudeau.

I would like to point out to members of the House that I think our message is getting across, particularly to the citizens of Ontario. Just this week Premier Davis, speaking to the Women's Canadian Club of Ottawa, said:

As Canadians, I believe we have a duty to face up to the depth of division which confronts this country.

In his speech, there were no snarly references to our heritage fund, no remarks on distributing the resource income from the west. But he did mention the reasons for the west's distrust. He mentioned the Red River Rebellion, the railway scandals of the past, the fact that Louis Riel was hung at the insistence of Orangemen from the province of Ontario and, for the benefit of rural members, the "horrendous inequity" of freight rates. This is the Premier of Ontario I'm quoting. Mr. Davis said:

It is time to develop a new perspective. Ontario has nothing to gain and everything to lose from protracted disagreement between East and West.

I think this is a most remarkable speech. To quote Mr. Davis again, Mr. Speaker:

As the divisions continue from generation to generation . . . the day-to-day issues will become less important than the deep and angry emotions with which there can be little if any negotiation.

In another Canadian Club meeting, this time in Hamilton, Ontario, Darcy McKeough, a former treasurer of the Ontario government — I know that now he's become more enlightened because he has joined the energy industry — said there are two basic issues facing our nation: energy and the desperate need to increase our energy supply, and unity. He said that we have to start to build national unity

. . . and to start rebuilding a united Canada in which, without sacrificing regional differences and interests, we work together for a stronger nation.

Again, to quote Mr. McKeough, and I think this is significant:

. . . while a few people have passed a harsh judgment on Alberta's response to the federal budget, its measures really were quite moderate compared with some of the actions the province might have taken or tried to [make]. He described Premier Peter Lougheed as a devoted and dedicated Canadian.

Mr. Speaker, he mentioned the warning on patriotism too. If we disagree with Trudeau, we're not being unpatriotic and the feelings around this central issue will become a permanent threat. So I feel that the mood is changing in the rest of Canada, particularly Ontario. Trudeau and his colleagues may become more inflexible. They may be determined to find a place in Canadian history, and take their present route regardless of the consequences to Canada. I hope not. We obviously have to communicate strongly with the United Kingdom and with other Canadians, and we have to stay and fight for a place in new Canada.

As our Premier said on November 21 in this Assembly:

. . . the position of this government has and will continue to be that this province can play an increasingly meaningful role in Confederation.

I hope the hon. Member for Spirit River-Fairview was listening. I think it should be clear to all members where we stand. I'd like to say once more what our government says. Again, I quote from the Premier in *Hansard* on November 21:

. . . the future of this province is within Confederation, and it's within Confederation because we feel we can play such a significant contribution. We will

have a positive approach to Canadian Confederation.

DR. REID: Mr. Speaker, the hon. Member for Spirit River-Fairview has introduced a motion in regard to separatism. I regret this motion. I think it may well — and I worry about this — give some credence to the impression elsewhere in my country that anyone in this Legislature, on either side of it, has encouraged separatism. He's included in his motion the words "historical", "cultural", and "economic bonds", and has thereby begged for some argument.

The current problems in this country compel one to look at our country and province and ask: where did we come from, where are we at this time in our history, and where are we going? In answering those questions, Mr. Speaker, we have to look at history, culture, economic ties, and the effects they've had in the 113 years since Confederation. In doing so we find that this country, like other countries and like languages, is always changing. Latin is described as a dead language because it didn't have that ability for change, and some countries have shared the fate of that language.

Where did we come from? As we all know, Canada is a country that started with the amalgamation of the remnants of the French and British colonies in North America. In Charlottetown, Prince Edward Island, John A. Macdonald and the other Fathers of Confederation sat around a table and decided that the people in those remnants of empires wanted to join together freely; they wanted to become self-governing. They wanted to do that by an evolutionary process, rather than by revolution.

The characteristic of evolution has been a continuing characteristic of this country; in fact, the absence of revolution, except for — and the hon. member from Calgary mentioned it earlier — some minor exceptions. That characteristic of evolution has been the outstanding characteristic of this country. The evolution has occurred within the framework put together by the Fathers of Confederation, that framework of a federation with two levels of government of equal importance to the country, two levels of government with division of powers, the division of powers necessary in a country that is so large and so diverse. Let us not forget that if one is in St. John's, Newfoundland, one is as close to Poland as he is to Long Beach, British Columbia. That's a long way, and many people don't realize that fact of our country.

Since our original amalgamation of what are referred to as the two founding races, many other national and cultural groups as diverse as Ukrainians, Vietnamese, Germans, Chinese, Russians, and Scots have come to this country. There have been many other smaller groups I haven't mentioned. But this heterogeneous people who have become Canada, along with those original natives mentioned previously, have developed a nation that has lived in a remarkable degree of harmony in view of that diverse origin. We've lived with freedom, opportunity, initiative, and usually with optimism and ambition. We've talked to each other in a civilized manner under federal Prime Ministers as diverse as John A. Macdonald, Wilfrid Laurier, John Diefenbaker, and Louis St. Laurent — Uncle Louis, to so many people who came to this country after the war. We've always tried to exist in a state of conciliation with each other and in fairness.

Where are we now? We live in a country very different from what I've described. We have a state of confrontation. Perhaps the episode in 1967 at the first ministers' conference, when the current Prime Minister of this coun-

try attacked the elected Prime Minister of the province of Quebec, was a premonition of what was to come. We've had a vote of 40 per cent in Quebec for separation. Amongst the Francophones, it was almost 50 per cent. The 60 per cent who voted *non* in that referendum did not vote for the status quo, and they didn't vote for the Canada we had 10 years ago. They voted for a continuation of the evolutionary process in this country. That's what we all listened to and what we all felt so happy about when they made that decision.

We've heard statements recently by federal ministers saying there are too many federal/provincial meetings. What does that say of their idea of what this country should be? We've heard federal ministers say, if we take some of your riches maybe that will get rid of your social problems from affluence. We've even had the Prime Minister say, perhaps the country isn't worth saving.

I disagree with that man. This country is worth saving. In actual fact, they have given us three possibilities for action, because we have to decide where we are going. After the so-called negotiations on the constitution that went on all summer, and then at the time of the first ministers' meeting this document, for ministers' eyes only, was leaked, is it much wonder that Canadians, not just Albertans, began to be alienated? When the energy negotiations were shown to be a sham as well, is it much wonder that frustration developed in this country? When one considers the events of October 2 and 28, is it much wonder that some Albertans, with less reasonableness and patience than this government, reacted by looking at separatism?

Mr. Speaker, we are really left with three options. One is to capitulate and go back to the economic colonialism that apparently Messrs. Trudeau, MacEachen, Lalonde, and Chretien want to go back to. They want to destroy the Canada we live in and want. The vast majority of Canadians in Alberta want to retain that Canada. As the hon. Leader of the Opposition said last Monday, the actions of the federal government are making it "damned difficult" as a legislator in this Assembly to convince Albertans their loyalties should remain where they are.

We want to continue the country established by our forebears, the ideals of equality, freedom, individual responsibility and initiative and, above all, fairness. I'd like to emphasize that word "fairness". We want to have a strong Alberta and a strong Canada.

As I've said before, I regret this motion, because it may give the impression to other Canadians that it is otherwise. We in this Assembly know it is not otherwise. The problems that have led to alienation, frustration and, in some people, the feeling of separatism were not created by the people of Alberta, nor were they the making of this Assembly. They were created by other legislators in another parliament in Ottawa.

The real answers to alienation, frustration, and the feeling that separatism may be the answer are not going to be found in a motion of this Assembly. The real answers to the problems of this country that have created frustration, alienation and, worst of all, in some people a feeling of separatism are to be found in the actions and the hearts of those people in Ottawa who have been making the wrong decisions.

In view of the hour, I would beg to adjourn debate.

MR. SINDLINGER: Mr. Speaker, on a point of privilege, if I may please. Given the obvious interest of the members in this motion and the fact that the Chair has been unable to recognize several members who wish to

speak, including me, may I please move that consent be given to continue the debate?

MR. DEPUTY SPEAKER: The fifth edition of *Beauchesne*, Section 13, requires unanimous consent for such a motion. Do we have unanimous consent of the Assembly?

SOME HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: We will proceed with the next order of business.

MR. BATIUK: Mr. Speaker, on a point of privilege. It was brought to my attention that I said in my conclusions that I can't support Motion 226. I had intended — if I didn't catch it — that I cannot support separatism. I felt that a motion such as this was not necessary. I would ask the indulgence of the House to have that corrected for *Hansard*.*

HON. MEMBERS: Agreed.

[Mr. Speaker in the Chair]

CLERK ASSISTANT: For second reading: Bill 219, The Tenancies of Mobile Home Sites Act.

MR. SPEAKER: Before the hon. member starts debate on this topic, might we revert to Introduction of Special Guests.

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS** (*reversion*)

MR. ZAOZIRNY: Mr. Speaker, it's my pleasure to introduce to you, and through you to all members of this honorable Assembly, a group of Albertans who have journeyed to the Legislature this afternoon specifically in light of second reading of Bill 219. They are representatives of the Mobilehome Owners of Alberta and are seated in the public gallery at this time. They include Mr. Lawrence Playne, the president of the Mobilehome Owners of Alberta; Doris Manners; Carol Howard; Delia St. Louis; Ailsa Mackay; and Math. Sitler. I would ask them all to rise and receive the warm welcome of the Assembly.

head: **PUBLIC BILLS AND ORDERS** **OTHER THAN** **GOVERNMENT BILLS AND ORDERS** (**Second Reading**)

Bill 219 **The Tenancies of Mobile Home Sites Act**

MR. ZAOZIRNY: Mr. Speaker, I'm very pleased this afternoon to move second reading of Bill No. 219, The Tenancies of Mobile Home Sites Act. As mentioned at the time of introduction of the Bill, its purposes are essentially twofold: first, to recognize the intrinsic differences between the traditional landlord/tenant relationship and that which exists between a mobile-home owner and mobile-home park owner; and secondly, to provide some reasonable measure of protection to mobile-home

owners from arbitrary action on the part of the mobile-home park owners and operators. It is respectfully submitted, Mr. Speaker, that this Bill strikes a fair and reasonable balance between the proprietary rights of park owners and the legitimate needs of mobile-home owners.

Prior to focussing on the essential aspects of this Bill, I think it might be useful to relate to members of the Assembly the history giving rise to the Bill now before us. I think it's fair to say that mobile homes are attractive to some, given the relatively low cost relative to other forms of housing, and to others because of a simple preference for this type of housing and accommodation. However, the fact is that some significant difficulties have been experienced by many mobile-home owners, and arise from the very precarious nature of their home ownership, which is some sort of halfway point between owning and renting, a fact that regrettably many purchasers of mobile homes were never completely aware of or never understood at the time of purchase.

As a result of the emergence of many problems associated with mobile-home ownership, the very respected Institute of Law Research and Reform of this province began studying the matter, and prepared a background paper in November, 1975. Finally, in April, 1978, they brought forward report no. 28 on the tenancies of mobile-home sites. Bill No. 219, before members of this Assembly this afternoon, is in fact the model Bill proposed by the institute in report no. 28, with one important addition, which I will refer to later.

Now some may say, Mr. Speaker, that the real problem in the area of mobile-home ownership and mobile homes generally is the depressed state of the industry, which has seen a significant decline in the number of companies manufacturing mobile homes in the last few years. Well, while we must be concerned about the state of the industry, which is in fact declining, and should look at specific ways in which it can be revitalized, the fact is that the problems of mobile-home owners have not disappeared with the decline of the industry. They're just as serious as ever and perhaps even more serious, given the number of mobile-home parks that are closing down so park owners can put the land, in most instances, to a more profitable economic use.

In that regard I'd like to make brief reference to a letter dated November 26, 1980, a copy of which was forwarded to me. The original was directed to the Hon. Julian Koziak, the Minister of the Department of Consumer and Corporate Affairs. The letter bears the signature of Mr. Lawrence H. Playne, the president of the Mobilehome Owners of Alberta. Mr. Playne states that Appendix A in that letter

... shows that at least 34 mobile home parks have been closed in the past eight years, with 10 other parks in danger of closing in the near future. We are aware of only approximately 11 new parks having been opened in the past 10 years. Many tenants were forced to sell their mobile homes, at a loss, for relocation in other areas or for use for purposes other than dwellings.

In Appendix A, attached to the copy of that letter, is a reference to mobile-home parks in Fort McMurray, Edmonton, Cold Lake, Calgary, Grand Centre, Leduc, Lloydminster, Stony Plain, Hinton, Cooking Lake, Bonnyville, Red Deer, and Wetaskiwin; parks that have been closed since 1970.

Perhaps, Mr. Speaker, if we have a set of proper legislation on the books to protect mobile-home owners, it might just help to rekindle interest in this form of housing

*See page 1768, left column, paragraph 8

in Alberta. It certainly has been a well-accepted form of housing in other jurisdictions. In particular, I would refer to the United States, where mobile-home ownership has been a very highly regarded form of home ownership for a number of years.

But, Mr. Speaker, others may argue that we have a new Landlord and Tenant Act and surely that document should solve the problems of mobile-home owners. Regrettably the fact is that the new Landlord and Tenant Act does not deal in any significant way with the unique circumstances and problems of the mobile-home owner.

Still others may argue that the only long-term solution to the problems is a sufficient number of mobile-home parks that will create necessary competition. That may be, Mr. Speaker, but that still is not an argument against proper legislation that sets out some reasonable rules to protect all our mobile-home owners in the province of Alberta.

What will this Bill accomplish then? First of all, by being embodied in a separate statute rather than as an appendage to The Landlord and Tenant Act or some other legislation, the Bill will recognize the critical fact that in many respects the interests of landlords and tenants of mobile-home sites are fundamentally different from those of other residential landlords and tenants. In that regard I'd like to make reference to page 32 of the background paper of the Institute of Law Research and Reform that I referred to earlier. The following was stated:

Possibly the most striking difference between the landlord/tenant relationships of mobile homes and of apartments is the ramification of eviction. Although eviction may be traumatic for apartment dwellers, the consequences of evicting mobile home-owners are usually more upsetting. The evicted mobile-home owner must not only move himself, but must also move his home. The owner-tenant, in effect, faces the options of either abandoning the home, attempting to sell it, or moving it into storage until a new pad is obtained. All of these options may potentially destroy the mobile home-owner's equity in his unit.

Secondly, Mr. Speaker, Bill No. 219 seeks to correct the present imbalance in bargaining power that exists between the mobile-home park operator and the home-owner. This imbalance shows itself in a variety of ways, and has been addressed in legislation in a multitude of other jurisdictions, including the provinces of Ontario and British Columbia, and a number of states in the United States of America.

Dealing specifically with the provisions of the Bill, the first major provision of the Bill is contained in Section 32, which essentially requires that a mobile-home owner shall be entitled to a minimum of six months' clear written notice to vacate the mobile-home park; and further, that this six months' notice can be given only after the mobile-home owner has been a tenant in the mobile-home park for a minimum of one full year. This provision will therefore ensure that a mobile-home owner, who has either moved his mobile home into a mobile-home park recently or has purchased a mobile home already located in the park, will be assured of a minimum term of 18 months before the park-operator could legally terminate the tenancy agreement. This recommendation of the Institute of Law Research and Reform is designed to strike a reasonable balance, to make a compromise between the existing Landlord and Tenant Act under which the mobile-home owner could be forced off his lot on a

bare three months' notice, and the concept of security of tenure, which has the disadvantage that the park-operator would be unable to obtain vacant possession of his land unless the tenant was guilty of a substantial breach of the tenancy agreement.

It should be pointed out that these extended-notice requirements would of course not apply if the tenant were guilty of a substantial breach of the tenancy, such as a failure to pay rent or causing damage to the park, in which case the tenancy could be severed on a much shorter notice. That shorter period could ultimately be established through a court of law if there were a dispute between the park owner and the mobile-home owner.

Related to these provisions for extended notice, Section 38 of the Bill has been added to the model Bill suggested by the institute. This section provides that, even given the expanded-notice provisions referred to earlier, if notice is given to a mobile-home owner as part of a plan to change the use of the mobile-home park, that period of notice must be a minimum of one year prior to vacant possession being required. This section did exist in the temporary rent regulations that have since been repealed by the Legislature, and, in the opinion of this hon. member, is an important provision and should be embodied in our complete and comprehensive legislation in respect of mobile homes.

A further major provision in the Bill is Section 10, which deals with rent increases. It provides that any rent increases must be preceded by a minimum of six months' notice to the mobile-home owner. This is contrasted to The Landlord and Tenant Act, which of course has the three-month notice provision. It's inserted in the Act to take into account again the difficulty a mobile-home owner has in relocating if that owner feels the increase is excessive or is simply unable to pay the increased rent.

Another major provision of the Bill deals with the right of the mobile-home owner to sell his home and thereby assign or sublet his mobile-home site in the mobile-home park. Under the present law a landlord can, for any reason whatsoever, refuse to allow such a transfer by simply giving three months' notice to vacate the mobile-home site. Through this mechanism, regrettably, the park-owner can extract other benefits to him from the mobile-home owner. Section 13 provides that the landlord, namely the park owner, cannot unreasonably withhold consent to such a transfer of interest. I believe this provision again strikes a balance. It does not deny the landlord the ability to refuse a prospective purchaser on proper and legitimate grounds, but it does ensure that the mobile-home owner is not at the absolute mercy of the landlord.

Related to this section, in effect, is another major provision in Section 13(7), which stipulates that the landlord cannot require a tenant to make the landlord the tenant's agent for the purpose of selling the mobile home. This section of the Act is in response to the current practice by a few mobile-home park operators of insisting that home-owners wishing to sell their homes sell them through an agent company owned by the park-owner, often at commission rates higher than those charged by conventional real estate agents. The park owner is able to force the home-owner to agree to this for fear that the park owner will otherwise refuse to approve the new purchaser, and will require that the mobile home be taken off the site on three months' notice.

The final major provision of this Bill which I wish to highlight on second reading is Section 6(2), which provides that the park-owner may establish rules for the

running and operation of the park, but that they must be reasonable, applied to all tenants in a fair manner, and explicit and clear to facilitate their compliance. Hopefully this provision will ensure that mobile-home park owners will not be at liberty to impose frivolous or outrageous rules that seriously prejudice the rights of the mobile-home owner.

Mr. Speaker, these are the major provisions of the legislation. Of course it is a comprehensive document, and I feel that in the time available, and recognizing that a number of other members have indicated a keen interest to speak to the Bill, are the provisions that I have taken the liberty of referring to. I firmly believe that this Bill, if adopted by this Legislature, will achieve fairness and equity to an extent that doesn't presently exist under The Landlord and Tenant Act insofar as mobile-home owners are concerned. I believe it is moderate legislation, and hope that its provisions will be adequate to eliminate the objectionable practices of a few mobile-home park owners and operators in this province.

Mr. Speaker, I very much look forward to the remarks of my hon. colleagues, and would urge passage of this legislation. Thank you.

MR. STEVENS: Mr. Speaker, as the MLA for Banff-Cochrane, I very much support the private member's Bill 219, brought to the Assembly by the Member for Calgary Forest Lawn. Considerable effort has been put forth in this presentation, and I very much appreciated the description of the unique features of the Bill.

When the member introduced the Bill on April 2, 1980, I delivered copies to a number of constituents in a variety of locations throughout the constituency to have their advice and their concerns. I'd like to share with the Assembly some of the problems, as well as some of the unique situations, that exist in Banff-Cochrane and, I'm sure, in each of our ridings. First of all, going from west to east, in Lake Louise there is a temporary mobile-home park under the management of Parks Canada. I say temporary. It's been there since the early '50s, and the federal government has done absolutely nothing to ensure that the residents of that mobile-home park have the opportunities and advantages that many other mobile-home park communities enjoy in Alberta. I regret this very much. The units are crowded. It's very difficult to obtain access to them in winter when the snow is piled up quite high, significantly at Lake Louise.

Employees who are forced to live in this accommodation, since there is no other permanent accommodation provided for yet in the planning for Lake Louise, either have to live in the accommodation provided by their employers, or if they can get on a list and fight for a mobile-home site, they may eventually be able to locate their mobile home on that site. Otherwise, they face a 70-mile round trip from Banff, or even further from Canmore. The employees who have the opportunity to own their own homes are not enabled in any way to sell their homes to an incoming employee of the federal government. In fact they must remove the home. It is extremely difficult for 100 families and a number of employees in the national parks living at Lake Louise. I think the provisions of this Bill would assist them, as well as others, very much.

In addition to the problems I just described, there is the problem of single employees, employees perhaps are on shift work, who are living in accommodation that is really more like a bunkhouse. These bunkhouses are located indiscriminately among the other more permanent mobile

homes, causing problems for families and friction between them. Again that's an example of poor, unacceptable, and disgraceful management.

In the townsite of Banff itself, no mobile homes are permitted. It seems very strange, as the member for this constituency. In the case of Jasper, there is a fine mobile-home park community developed. Yet we have a situation in a community in Alberta where housing costs are astronomical because of the location in the national park and the fixed density or, if you like, the lack of opportunity for further development, to protect the national park itself, which means that with a fixed supply and an increasing demand there is no other opportunity for people to find lower cost accommodation, which can be provided in the form of mobile homes, unless they locate those homes in Canmore. That then requires a further 25 mile round-trip drive each day, perhaps two or three times a day if one is working in the community of Banff, on an inadequate, two-lane, federal Trans-Canada Highway.

When we get to the municipality of Canmore, we have a horrible example of a mobile-home park as far as management is concerned. For example, I'd like to quote some of the correspondence I've received from constituents who have faced the problems of living in the only mobile-home park in town. This is a notice that was given to each of the constituents who live in the mobile-home park in Canmore. It simply starts off by saying:

Policy Re: Sale of Mobile Homes — Effective November 1, 1978.

By selling your home through the Park Office [for a relators fee of \$500.00 or 5% whichever is greater], the prospective tenant will be properly screened for residency eligibility. No sale will be completed with an ineligible client.

I think the use of the words "relators fee" may possibly be a typographical error, but I wondered about the use of the word "relator" rather than "realtor".

At a meeting of a number of the residents, one of the tenants of this mobile-home park brought these concerns to my attention, noting that the tenant was being required to sell his or her mobile home at an offered price established not by the market place but by the manager. If that sequence was not acceptable to the owner of the mobile home, eviction notices well below the limits proposed in the private member's Bill 219 were then issued. In addition, the mobile-home owner was not allowed to rent the mobile home to another party. In fact if the owner left, the mobile home was to be left on the site vacant until its sale, again at a price established by the owner of the park.

Those are serious concerns. I brought those to the attention of our colleague the Minister of Consumer and Corporate Affairs, who is not able to be with us today. He advised me that this type of procedure, which is not uncommon in North America — I think it should be totally uncommon in Alberta — violated The Rent Decontrol Act. Specific claims were then brought forward by a number of the constituents I was able to reach. Some people had sold their homes for the price established by the park, and then in order to receive the proceeds they were required to provide this 5 per cent fee. They were not allowed to go to work without the manager following them to make sure they would have that 5 per cent fee.

That information was brought forward, and I'm pleased to say that as the park was not licensed, the management was brought before the courts on a charge by the regional office of Consumer and Corporate Affairs

and fines were assessed. Until I hear further from my constituents, though, I have no way of knowing as to whether these practices are continuing. Again, I think the Bill before us would do a great deal to alleviate such concerns.

Going further to the east in the constituency, in Cochrane there's a small group of mobile homes temporarily located on a site that is not zoned or suitable for mobile-home development. As mentioned by the Member for Calgary Forest Lawn, a municipal council may not necessarily endorse mobile-home development. So until there is the opportunity in the town of Cochrane for an additional mobile-home park, these people are living in a tenancy situation that is unknown to them. The same situation occurs throughout Rocky View and perhaps other municipal districts, where councils have tended to resist development and location, and the management opportunities offered by mobile-home parks and subdivisions.

Their arguments are generally based on, one, assessment and therefore the resulting taxation to the municipality. The second argument has to do with something that is not often said. It's something that I think we as legislators should try to resist whenever we can, whenever we find this in councils. Some tendency exists on the part of some Albertans to classify or put mobile-home occupants into some lesser category, as though they were not first-class citizens and home-owners proud of their homes and interested in committing themselves and their families to the service of a community. I think we as MLAs can do a lot in meeting with our councils and with other groups to encourage recognition of the fact that we are all Albertans, and we should have the opportunity to live in the housing we chose to live in, housing that of course meets the standards established by the province and the municipality itself.

Finally in my constituency, in the northwest corner of the city of Calgary, there's a very large mobile-home park called Greenwood Village. I think there are over 400 families living in mobile homes in an operation that is very well managed and very well developed, and where sales in fact are permitted.

Some of the rents charged by the various management companies or individuals include hookups; some do not. Some include charges for utility services such as water, sewer, and garbage; others do not. Some of the facilities provide for meeting rooms; others do not. Some have newsletters and all sorts of other organizations. Each place in Banff-Cochrane has its own opportunity and advantages, and I'm very glad to see this is being encouraged by several of the managers.

There are other problems, though, problems where a municipality will allow, for example, overnight trailers and temporary recreational campers to locate in a mobile-home park. Certainly that should not be acceptable in a zoning by-law. On the other hand, some of these uses throughout the constituency have been in existence since before 1977, when The Planning Act was established. Therefore they may now be considered as non-conforming uses and allowed to continue. Again, though, through contact with my colleague the Minister of Municipal Affairs, we have been able to advise those municipalities involved that they can charge a mobile-home licence, which at least puts the families into the same situation and consideration as far as their payments to municipalities are concerned.

The difficulty that came to me, and perhaps to other members, is that the request by the mobile-home park to

have tenants sell their homes through park offices is not illegal as the legislation currently stands. The Rent De-control Act did cover entry and exit charges. That's why the Department of Consumer and Corporate Affairs was able to successfully charge and see a conviction in the case of the situation I mentioned. But where the landlord permits the tenant to sell his or her own mobile home, providing the mobile home is moved from the premises, there is no legislation. The landlord is not requesting any moneys and there is no true exit. So there certainly is an inequity here as far as the tenant is concerned. I'm very, very pleased that the proposed Bill has been drafted, which would permit the tenant who leaves the premises of a mobile-home park to sell the unit and to pass the tenancy rights on to the new purchaser. This would still enable the landlord to have the opportunity to approve or disprove the prospective purchaser. But his or her approval cannot be unreasonably withheld.

I have a number of questions, and perhaps I might mention them to the sponsor of the Bill. Section 1(9) refers to a tenancy agreement meaning "a lease or a written or oral agreement creating a mobile home site tenancy". My constituents have brought to my attention their concern with the words "or oral". Perhaps that is based on the experience they have had with this particular operator in Canmore. So I would suggest that perhaps in considering the Bill further, some definition or review of the words "or oral" might be considered by the sponsor.

The next section that was brought to my attention is Section 6, which the Member for Calgary Forest Lawn described in detail. This would require that a landlord disclose in full "all rules and regulations prior to a tenant entering into [the] agreement". The member went on to mention that these would be reasonable rules. My constituents would be concerned about what the meaning of the word "reasonable" entails. Would they be reasonable from only the landlord's point of view, or all the parties involved? That's something that perhaps the member could expand on as we are further into our remarks.

Finally, I would just repeat that I think it's important for each of us to resist wherever we can the tendency for some people to place the occupants or owners of mobile homes in some lesser category than those of us who live in a high-rise, an apartment, a self-contained flat, a duplex, a single-family home, or whatever form of accommodation we choose and can afford.

I support the principles outlined in Bill 219. I look forward to further remarks of our colleagues.

MR. WOO: Mr. Speaker, in rising to participate in this debate, I do so in support of the principles and intent of the Bill brought forward by my colleague the hon. Member for Calgary Forest Lawn. At the same time, I congratulate him on his initiative. It is not my intention to speak to the technical aspects of the Bill, for I believe the hon. Member for Calgary Forest Lawn has performed a more than adequate service in that respect. However, Mr. Speaker, though general in nature, I hope my remarks will serve to reflect the concerns of the mobile-home owners in my constituency of Sherwood Park, who constitute a significant portion of the residents of the county of Strathcona, and also reflect a form of residency and life style which is on the increase.

Mr. Speaker, it would appear that the current situation is such that there is a need to develop a separate set of rules and regulations which will alleviate problems of a special circumstance, as experienced by mobile-home

owners. Some hon. members may feel that such rules and regulations are premature, or else they are not required, in that mobile-home owners' concerns are already adequately covered in existing legislation dealing with matters related to housing standards, The Landlord and Tenant Act, Consumer and Corporate Affairs and other government departments, be they federal, provincial, or municipal. Mr. Speaker, it is this situation alone which in my view supports a need for a separate set of rules. I have great difficulty in developing appreciation for a situation which requires a mobile-home owner to visit three or more departments, acquaint himself with three or more Acts, and then attempt to reconcile this information with what might be a different municipal interpretation in order to seek a resolution to his specific problem. Given such circumstances, I don't believe I'm overstating the case when I suggest it is time for us to get our act together.

The history of the mobile home and mobile-home parks, which some believe to have evolved from the trailer and trailer parks, is much misunderstood and often misinterpreted. As matters stand, it would appear that today mobile homes are still neither fish nor fowl, although the physical environment surrounding them has been much improved. This is due in large part to mobile-home owners themselves seeking a form of justice with respect to improved facilities and services. Mr. Speaker, it is my view that historically the mobile-home owner has been relegated to the position of a second-class citizen, simply because he chose to own and live in a mobile home. Mobile homes today, and what I view as their forerunner, the trailer, offered a convenience in earlier days, but during that time were always treated with a certain degree of disdain and contempt.

I recall my first exposure to them during the early part of my service career. For example, on many military bases, particularly those located in the north, trailers and mobile homes were generally hidden away in bush or treed areas, whereas the conventional home situated in the PMQ area was landscaped and laid out in the proper urban fashion. The same situations applied in the early days of the uranium boom in Elliot Lake, Ontario and, to a degree, in our own oil patch. Perhaps the greatest disdain that occurred was when the so-called mobile-home site was located at one or the other end of the runway or, in the case of a mining community, backed onto the edge of a cliff. However, the mobile home today has gained respectability, and rightly so.

Mr. Speaker, I think it is important to note that a new element has entered into the question of choice as to the type of home we live in; that is, some no longer have a choice. When we have a situation that combines high land costs, servicing and construction, the ability for many people to own a conventional home is placed beyond reach. A reasonable and attractive alternative is the mobile home. Given the situation that the purchase of such a home does not require the purchase of land, in almost all cases, the cost is tied into the installation and provision of services. This in itself will contribute significantly to a rise in mobile-home ownership.

However, Mr. Speaker, I believe there is a need to recognize that mobile-home owners have some very real concerns. As a conclusion to my participation in this debate, I wish to re-emphasize and specify just a few of them. For example, in the past, rules and regulations concerning damage deposits were often verbal and varied greatly from park to park. If managers or owners complied, so did the rules and regulations. There were no

standard lease agreements. As a result, there were as many types of lease forms as there were parks.

Mobile-home owners are at a disadvantage in relation to The Fire Protection Act. There is no reference to mobile homes in that Act. In the case of The Electrical Protection Act, the same situation holds true. There is only a vague mention in the natural gas protection Act, and only a very brief mention in The Alberta Housing Act, The Planning Act, The Alberta Property Tax Reduction Act, and The Municipal Taxation Act.

Mr. Speaker, because The Land Titles Act is silent on the subject of mobile-homes, mobile-home owners have put forward a recommendation which I support. That recommendation is that a central registry be established for mobile homes. The purpose of such a registry is to recognize a major investment by the mobile-home owner in the purchase of a home and to secure that purchase accordingly, while at the same time recognizing that such a home must be classed as a chattel because it's not necessarily attached to real estate and hence cannot be secured by land titles.

In conclusion, Mr. Speaker, I wish to refer to the report of the Institute of Law Research and Reform, titled *Tenancies of Mobile Home Sites*. This report contains some very significant recommendations and makes specific reference to desirable legislation which would serve to respond to the needs of Albertans who own mobile homes.

Mr. Speaker, I support Bill 219, for I believe there is a need to bring together under one Act those elements which will address those specific concerns of the mobile-home owners in this province.

DR. BUCK: Mr. Speaker, I would like to briefly address a few remarks to the Bill we have before us. I'm not going to rethraash a lot of old straw and some of the horror stories, which we as MLAs have all had brought to our attention, about people who had a lease agreement and there was a stipulation that if the parks were crowded you had to buy from a specific owner, and if you had to move on short notice, you were selling out at a much lower rate than when you bought the home. I won't go into too many of those stories, because I am sure people in mobile homes know them all too well.

I think our philosophy as a society has certainly changed. We don't consider people in mobile homes as second-class citizens, as we did at one time. I think that is an improvement. Also, the physical structure of the mobile home has certainly changed over the last several years.

The contractual arrangements that people in mobile homes had with the landlord many times were just oral contracts. There were promises made to entice people to come into the mobile-home park, and many times the landlord never lived up to some of these commitments as far as snow removal, improvements, or parks for the children. It certainly was a sort of no man's land that no one seemed to be too concerned about.

The question we must ask ourselves is: why has this not been made a government Bill? It's fine for the government members to fly these kites. They can go back and tell people in mobile homes, look, we're doing these great things. Well, this is a private member's Bill. Why is it not a government Bill? We all agree there is a certain need. Mr. Speaker, I'm saying to the hon. government members, make it a government Bill. We all agree it's a need. It's fine to have the government members make a speech to the people sitting in the gallery, but actions speak

louder than words.

I would like to say it's long overdue. Whoever the Acting Government House Leader is, I challenge him to make it a government Bill. Let's get this show on the road. Instead of milking the publicity, what the people want is some action. I support the Bill in its present form, but I would support it much more enthusiastically if it were made a government Bill.

Thank you, Mr. Speaker.

MRS. FYFE: Mr. Speaker, I also would like to add a few words of wisdom to this Bill, hopefully.

I think the comments made by the previous speaker perhaps have partly reflected that there has been an attitude within our society toward the development of mobile-home parks. That attitude has not necessarily been a very positive one. A few of the other members have referred to it. That attitude comes from individuals and from the municipalities that look after the zoning, regulation, or establishment of parks within their jurisdictions.

If we really look at what a mobile home is and what a mobile-home park does, not everyone in this world can or wishes to have single-family accommodation. Mobile homes have been an advantage in a number of different ways: firstly, they have provided acceptable housing at a lower cost than the traditional stick-by-stick built housing. There's also an advantage related to timing. We noticed in our growth areas in the north, or in the resource areas, that mobile-homes have played a very important role in providing housing that is necessary very quickly when weather conditions and expediency have not permitted the conventional development of subdivisions and of housing. For those two main reasons, mobile-homes have become a very acceptable form of housing throughout various parts of the world. But I think Alberta still primarily faces the problem of attitude.

In addition to the parks that have been developed, on the whole by individuals who have provided a site on a rental basis, there have certainly been disadvantages in many parks — as has been set out by other members. One of the disadvantages I find in my constituency, in the largest mobile-home park which exists there, relates to size. I think the size of the park has to be a consideration. A smaller park has the advantage of being able to have that kind of development integrated within the total community, without having a totally instant community of only mobile-homes, which then provides the challenges to the municipalities for desperately required services. One in my constituency, Evergreen mobile home park, brought hundreds of families into the municipality instantly — close to 1,000 families live in the park — and provided a tremendous strain on the schools and public health services, not through any fault of the mobile-home owners but because of the sudden influx that came so very quickly.

If more consideration had been taken in developing a park, perhaps in staging a smaller park, it would have been accommodated with less impact on those living in homes and adjacent properties. Therefore I think that has contributed to a negative attitude toward the mobile home, which I believe is very unfortunate.

This Bill that is put forward provides for increased protection in situations where we know the supply for sites has exceeded the supply. For a number of years, I've had a very deep concern relating to the trap that mobile-home owners often find themselves in: the disreputable practice of controlling the sale of the mobile home

through one agency which requires this commission, repayment, realtor's fee, whatever you wish to call it. I believe this practice is reprehensible and is a very serious concern to all of us who believe in a fair market place. I think there must be responsibility on both sides, the owner of the mobile-home site and the mobile-home owner.

Normally in the market place a vendor sells supplies and services to the purchaser or consumer. As our society and the products have become more complex, the need for regulations has become more apparent. In a situation where the landowner provides a parcel of land under certain conditions, in my opinion many of these conditions have been unfair. They have been extremely unfair to the mobile-home owner who chooses, for whatever reason, this type of accommodation. I believe that although this government has previously been involved in the development of mobile-home sites at cost, has been able to provide sites in a situation where it was extremely necessary, perhaps this is a direction we should re-examine. If the supply of sites were increased, perhaps we would be able to regulate not just through legislation but through the fact that an additional supply was available for the mobile-home owners themselves, a choice available to them to remove this Catch 22 situation.

I would like to finish by saying that I commend the Member for Calgary Forest Lawn, who has taken the time and initiative to research the situation, to bring the Bill forward, and I certainly support the intent and provisions of this Bill completely.

MR. PAYNE: Mr. Speaker, as the Member for Calgary Fish Creek, I welcome this opportunity to participate today, albeit briefly. At the outset I would like to indicate my full and unqualified support for this legislation. In sum, I think it's well drafted. It fills an obvious legislative void, and it deals with matters of urgent concern to many residents of mobile-home parks throughout the province, including those who reside in the two mobile-home parks in the Lake Bonavista community in the constituency of Calgary Fish Creek.

I welcome the attendance today in the gallery of representatives of the Mobilehome Owners of Alberta. Their letter of October 20 to me and others in the Assembly describes Bill 219 as "an excellent piece of legislation that will benefit many Albertans", and I think they're right on both points.

Members of the House may recall that in June 1979 I directed a question to the Minister of Consumer and Corporate Affairs regarding the Institute of Law Research and Reform report Nr. 28, and questioned the deficiencies of The Landlord and Tenant Act with respect to mobile-home owners. That question that summer day was triggered by a number of experiences I had during the 1979 election campaign, during which I had met a number of mobile-home owners who helped me understand the serious imbalance that existed then, and still exists today, between the power of the tenant and the power of the landlord within the mobile-home park setting. That initial understanding has since been reinforced by research, conversations, and correspondence with owners of mobile homes. As a consequence, I certainly support Bill 219.

I was further persuaded by the comments by the members participating in today's debate. I felt the Member for Calgary Forest Lawn, the sponsor of this legislation, argued very persuasively that the new Landlord and Tenant Act simply does not deal with the unique circum-

stances of mobile-home owners. I was similarly persuaded by the Member for Banff-Cochrane, particularly during his review of correspondence that he had obtained from mobile-home owners in his constituency. I thought those letters and excerpts gave us additional insight into their problems, many of which I feel would be solved or at least alleviated by Bill 219. Of course the Member for Edmonton Sherwood Park argued persuasively for the need for a separate set of rules. I thought he well illustrated the inconsistency that exists between rules, regulations, and procedures from one mobile-home park to another.

I was also impressed with the Member for Clover Bar in his quite logical, albeit perhaps somewhat strained, plea that this private member's Bill become a government Bill at some stage. I would like him to know that I concur with that point of view.

There isn't time today for me to review this document I have before me, but it's a one-page summary of the 11 fundamental rights that would accrue to the tenants of mobile-home parks were Bill 219 to become enacted. Perhaps on another occasion I might have an opportunity to review those basic rights, because I feel that they are undeniably appropriate and justified. I'm sure all members of this Assembly would agree that these rights are appropriate and justified. Therefore, Mr. Speaker, today I urge all members at this second reading stage to support Bill 219 and to continue that support until this Bill has finally been enacted.

Thank you.

MR. PURDY: Mr. Speaker, I'd like to make a few comments on Bill 219. I want to congratulate my colleague from Calgary Forest Lawn for the legislation that's before us in this House today. I know on a number of other occasions questions have been asked in the Legislature by other members who have tried to put legislation in place, but the Bill we now see before us is the answer as far as I'm concerned. I've studied the Bill and looked at it, and would also be talking to my colleagues on the front bench and the member that serious consideration be given to making this a government Bill so the mobile-home owners in the province have a piece of legislation they can look upon as their own, without having to look through a multitude of pieces of legislation that may or may not mention mobile homes.

There are a number of mobile homes in the Stony Plain constituency. I would estimate that I probably represent a large number of people, probably more so than any other constituency in the province. We have Westview Village, just west of the city of Edmonton, which has about 700 homes in it now; Parkland Village, which has about 500 homes at the present time and can be enlarged to include a number of others; Mobile City Estates in Spruce Grove, which has about 350 homes; and many, many others situated throughout the Stony Plain constituency, some in summer villages, some in the village of Wabamun, and many on acreages where the county has allowed them.

Since 1974 I've had a number of meetings with the Mobilehome Owners of Alberta. I got acquainted with them at a meeting that was primarily set up at Westview Village in the Winterburn school. At that time I got to know their concerns and worked with them on a number of occasions to try to eliminate these concerns. I think today is the answer to these concerns.

A document has been handed to us. If all hon. members haven't seen this document, I would urge them

to obtain it from me. It sets out the parameters of what the Mobilehome Owners of Alberta are attempting to do, some of their concerns, how we can eliminate these concerns, and their recommendations. I would ask members to seriously look at that document when this legislation is being discussed again.

I have a number of other items to go into, Mr. Speaker, but in view of the time I beg leave to adjourn the debate.

HON. MEMBERS: Agreed.

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

HON. MEMBERS: Agreed.

[The House recessed at 5:27 p.m. and resumed at 8 p.m.]

[Mr. Appleby in the Chair]

head: **GOVERNMENT MOTIONS**

26. Moved by Mr. Crawford:

Be it resolved that

- (1) a select special committee of this Assembly be established to explore constitutional and related issues with members of other provincial legislatures, to gain knowledge of the point of view in other jurisdictions, and help convey the position taken by this Legislative Assembly as reflected in the resolution on Government Motion No. 24, dated November 24, 1980, to other parts of Canada;
- (2) the committee shall consist of the following members:
Hon. G. Amerongen, Chairman,
D. Anderson,
F. Bradley,
R. Clark,
I. Reid,
C. Stewart;
- (3) members of the committee shall be paid in accordance with S.59(1) of The Legislative Assembly Act;
- (4) reasonable disbursements by the committee for staff assistance, equipment and supplies, public information needs, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chairman;
- (5) in carrying out its responsibilities, the committee may, with the concurrence of the head of a department, utilize the services of members of the public service employed in that department or of the staff employed by the Assembly;
- (6) the committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued;
- (7) when its work has been completed, the committee shall report to the Assembly if it is then sitting, and may release its report during a period when the Assembly is adjourned or prorogued by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

MR. CRAWFORD: Mr. Speaker, I'd like to move Motion No. 26 on the Order Paper with respect to the choice

and establishment by the Assembly of a select special committee in regard to certain constitutional positions, communications, and concerns we would like to have the committee achieve.

Mr. Speaker, just a few words in connection with it. Very often I think a motion to establish a committee is almost routinely done, because often committees are for very familiar purposes. In this particular situation the motion for the establishment of a select special committee has particular importance and significance.

It is truly unfortunate that the attitude of the government of Canada at the present time is the way that has become so familiar to us, in regard to the grave and difficult circumstances they have created for Canadians in all parts of Canada as a result of the most extraordinary and unprecedented discrimination they have created in connection with the citizens of this province. This is a creation of the Ottawa government, Mr. Speaker — the feeling of anger and frustration Albertans have in regard to the apparent non-response that is a fact on the part of the federal government in its relationships with this province and indeed with many other provinces at the present time.

Therefore we are of the view that important work can be done by this committee, indeed that important work must be done by this committee. I hope, Mr. Deputy Speaker, that the fact you are in the Chair will enable me to say that I'm very pleased His Honour Mr. Speaker Amerongen has agreed to be chairman of this committee. I know all the other members of the committee will feel that that is of special importance in the work the committee will carry on, and the fact that relationships with other legislatures are the essential part of the work that will be undertaken by the committee. I know having Mr. Speaker, the hon. Leader of the Opposition, and the other four members who are on the committee — all of them experienced in the sort of work they are about to undertake, unique as it is — will be a very considerable credit to this Legislature in the communications they bring to others on behalf of Albertans, and will make their voices heard in those other jurisdictions in Canada where it's so important that the message of this Assembly be understood.

Mr. Speaker, the other day the Assembly went so far as to equip the committee with, I think, a uniquely valuable instrument; that is, Government Motion No. 24, which was passed virtually unanimously and which declared some of the feelings on behalf of Albertans at that time. I have no doubt that that resolution is in fact a statement not only of the members of this Assembly but of the people of Alberta. It is that message which is to be carried.

Mr. Speaker, in conclusion I would like to indicate that the work of the committee is of course in the hands of the chairman and the members. Nevertheless I think all of us would hope there is some possibility of a report at a date that is early enough that we might not ordinarily anticipate, ask for, or expect, when asking that such work be carried out. But something up until late February or maybe very early March 1981 would be hoped for as a possible time frame. As I say, the members of the committee must themselves determine what is done, the manner in which their itinerary unfolds, and the extent to which they carry out their obligations and make their message known in each of the jurisdictions.

So, Mr. Speaker, it's an extremely important function on behalf of this Legislature and of the people of the province. I take great pleasure in moving Motion No. 26.

MR. PAYNE: Mr. Speaker, as all members assembled tonight surely must, I recognize that this special select committee could have a significant role in clarifying Alberta's position on constitutional and energy matters, thereby reducing the hostility I detect, those feelings that now divide Canadians in general and legislators in particular.

Rather than speak in these few minutes on the subject of constitutional issues, I would like to make a comment or two regarding energy issues. I would hope it's not too presumptuous of me to make suggestions to the Speaker, who will chair this important committee, and to members of that committee, for messages they might bear from this Assembly to those parties with whom they meet in the weeks ahead in eastern Canada. The suggestions I would like to make refer to energy issues, as I've indicated. I would like to suggest initially that the members of this committee make every possible effort to emphasize and explain the basic justness and fairness of the energy position taken by this government, particularly in its July 24 and 25 proposals to the Prime Minister. I would also like to ask them to attempt to explain that the negotiations that have taken place between February and November of this year have failed primarily because of the shallow and artificial attempts made by the federal government representatives to negotiate an energy pricing agreement and an energy package.

Mr. Speaker, I'd like to submit that it would be crucially important for this committee to explain to those with whom they meet in eastern Canada that eastern Canadians will benefit from a negotiated energy settlement not unlike that proposed by the Premier last July. I thought that point was well made in a newspaper advertising campaign recently conducted by the several hundred independent oil and gas operators in the west. In an advertisement placed by IPAC, the Independent Petroleum Association of Canada, four points were made which, I submit, are most relevant and pertinent to those of eastern Canada. It said "Mr. Lalonde, your energy policy will harm Canadians" — note, Mr. Speaker, it did not say Albertans, but Canadians — in four ways:

It will make Canadians more dependent on expensive, insecure foreign oil.

It will cost Canadians more for gasoline and heating oil in the long run.

It will delay essential frontier exploration, oil sands plants and heavy oil development.

It will cost thousands of jobs that could be created by the oil industry across Canada.

The final point I would like to make this evening, by way of a suggestion to the select committee, I have taken from a respected eastern Canadian. As pointed out by in a recent *Globe and Mail* article by John Crispo, professor of industrial relations and public policy at the University of Toronto:

Despite short-term political risks involved, Ontario's party leaders must begin to demonstrate more statesmanship. Otherwise, they risk jeopardizing their own province's future as well as that of the country. Ontario's relative position in Canada is bound to slip. The danger is that an absolute position could deteriorate as well.

Continuing with the quote from Mr. Crispo:

But that does not have to happen as long as Ontarians realize they can benefit from the boom that will sweep the west if Canadians come to grips with a realistic energy policy.

And he concludes:

Ontario should at least press Ottawa to take a closer look at Alberta's last energy offer to the federal government before the latter decided to proceed unilaterally on its own.

Mr. Speaker, I suggest that is classically good advice from one of their own.

The members of this House who are members of the special select committee have a role to play in the next few weeks that could be as important as any role they might undertake in public life. On behalf of all my colleagues here, I wish them all well.

MR. KNAACK: Mr. Speaker, it gives me great pleasure to be able to congratulate the members appointed to the select legislative constitutional committee, on accepting this significant responsibility on behalf of the people of Alberta. It will be a difficult and challenging job for them, but I have every confidence in them.

This evening I would like very briefly to identify a misunderstanding that exists even among some people in Alberta; that is, the role of provincial governments in Confederation. The question is: what is meant when one says it's a federal government, and what is meant when one says the provincial government, in a sense, is equal to the federal government? I think that's where the confusion lies. For some reason, a lot of people think there are three levels of government. That is not the correct terminology. The municipal governments are a creation of the provincial governments and fall under provincial constitutional jurisdiction. The provincial governments are not the creation of the federal government. Quite the contrary, in Canada the federal government was created by the union of four colonies, which later became provinces.

There is a sense in which the federal government, the national government, has some paramountcy, and so it should have. Those are cases of national emergency and of what, in constitutional law, one calls an apparent conflict between provincial and federal jurisdictions. In constitutional law it is called the doctrine of paramountcy.

But initially I would like to quote from Lord Watson, of the Privy Council, who sat on an appeal in 1892. It explains the object of the British North America Act, that created Canada: the object of the British North America Act was neither to weld the provinces into one, nor to subordinate provincial governments to a central authority, but to create a federal government in which they would all be represented, entrusted with the exclusive administration of affairs in which they had a common interest, each province retaining its independence and autonomy. The object was accomplished by distributing between the Dominion and the provinces all powers, executive and legislative, and all public property and revenue which had previously belonged to the provinces, so that the Dominion government should be vested with such of these powers, property, and revenues as were necessary for the due performance of its constitutional functions, and that the remainder should be retained by the provinces for the purposes of provincial government. But insofar as regards those matters which by Section 92 are specifically reserved for provincial legislation, the Legislature of each province continues to be free from the control of the Dominion and as supreme as it was before the passing of the Act. It's in this sense that we talk about the equality of governments and that there aren't levels of government.

Let me quote from the BNA Act, which sets that out. This is where the confusion lies. There seems to be a

belief that the federal government can override a provincial government in the normal sense. But as Lord Watson points out, when we're talking about the exclusive jurisdiction of the provinces, which is substantial, the provincial and federal governments are equals. I quote from Section 91 of the British North America Act, which is the primary section allocating responsibilities to the federal government:

POWERS OF THE PARLIAMENT

91. It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the Peace, Order, and good Government of Canada, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces

...

It's pretty clear that the federal government, under its peace, order, and good government clause — it goes on to enumerate 31 specific matters assigned exclusively to the provinces and withdrawn from federal legislation. Then it goes on to say that if there is an overlap with the enumerated federal powers, they in effect take paramountcy over the exclusive provincial jurisdiction. But that has nothing to do with the concept of exclusiveness. As far as the exclusive powers of the province are concerned, the federal and provincial governments are equal. The provincial powers are very significant: property and civil rights, all matters of a private and local nature, ownership of resources.

Now the point comes to constitutional amendment. Here's where the dilemma comes in, the step by the federal government which unfortunately is creating divisions within Canada and Alberta. We've talked about that in this House before. Even if we win this battle in terms of the constitutional amendment — and we will — the scars will remain.

These are the federal powers with respect to amendment of the Canadian constitution, set out in the British North America Act, 91.1:

1. The amendment from time to time of the Constitution of Canada, except as regards matters coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces ...

That's the first exception. The federal government can amend the constitution, but not with respect to powers allocated to the provinces. One of the main powers belonging to the provinces is property and civil rights, human rights. That's proposed to be amended. No provision allows the federal government to amend the constitution generally. Quite the contrary, it's confined to matters that fall within its jurisdiction.

So what do we have? We have a federal government acting unilaterally, trying to amend the constitution contrary to the provisions of the BNA Act, trying to sell us on the idea that it's a national necessity and that it needs to override the strong objections of the provinces. We have an advertising campaign trying to confuse and, to some extent, persuade Canadians to that point of view.

The national — it's not national; it's really an Ottawa government in the sense I'm talking about. I want to make one other point while I'm on that. In the context, what are we talking about? I'm not talking about the Trudeau government, but any federal government. What does it represent? Does it represent all the people of Canada? It does in a sense, but in what sense? It only represents the people of Canada on those matters as-

signed to it by the British North America Act. It doesn't represent the people of Canada on property and civil rights matters or matters of a local and private nature. Those are assigned to the provinces. We don't elect the federal government to deal with those matters.

Nevertheless, we now have in place an Ottawa government which has, as its plan, to change this country to a more or less unitary state. It has forced us in Alberta to take sides in a way — we didn't want to do that — and to fight the best we can to preserve the kind of country we love. I'm sure this committee will do its best to preserve that.

Thank you.

MR. PAHL: Mr. Speaker, I would like to rise and briefly support the resolution. I commend the hon. Member for Edmonton Meadowlark, the Speaker of our Assembly, for his commitment to lead the select special committee of this assembly. I'm sure our Speaker's fine reputation, the dean of speakers in our Canadian assemblies, will add immeasurably to the warm reception that I know the select special committee will enjoy in its visits to other Canadian jurisdictions.

I'm sorry to see that the hon. Member for Clover Bar is not in his place. I hope he will note in the resolution that he doesn't have a corner on the listening market as he implied, at least to me, in his participation in the debate on the designated motion before the Assembly earlier today. I would draw to his attention and to that of all members of the Assembly that in the first portion of the resolution, the select special committee will have the mandate and is established

to explore constitutional and related issues with members of other provincial [legislatures], to gain knowledge on the point of view in other jurisdictions.

...
I would also like to draw to the hon. member's attention that at the last round of first ministers' constitutional meetings, the government of Alberta was with the majority on every issue, hardly a government not prepared to listen. That sort of record of being with the majority has to involve a good deal of listening and a good deal of consideration for the points of view and concerns of other Canadians.

Mr. Speaker, the other side of the select special committee's proposed mandate is to

help convey ... the resolution on Government Motion No. 24, dated November 24, 1980, to other parts of Canada.

On behalf of my constituents in Edmonton Mill Woods, in support of this motion I would include a message, if I may, to the select special committee on energy and constitutional issues. Mr. Speaker, in addition to listening to the views of Canadians in other jurisdictions, I hope the committee will inform them of the very generous offer presented on behalf of all Albertans by Premier Lougheed to Prime Minister Trudeau on July 25, 1980. The Alberta energy proposal was a fair and generous offer for all Canada that, importantly, would have achieved liquid hydrocarbon energy self-sufficiency. Prime Minister Trudeau rejected that offer, that in return asked only that the Ottawa government not impose a natural gas export tax nor a wellhead tax, nor otherwise impose punitive taxation on other measures that would injure the viability of the oil and gas industry in Alberta. In other words, we had — unrealistically, it seems — asked only to be treated fairly.

Mr. Speaker, it will be important for our committee to

communicate the negative impacts of the wrong-headed federal budget and national energy program upon Alberta and the rest of Canada. These negative impacts, as we have said so many times — and so well said by the hon. Member for Calgary Fish Creek — will be a further dimming of the hope of energy self-sufficiency for Canada in a world where oil supply at any price could be in jeopardy with even another minor Arabian border dispute. The national energy program and federal budget will not only be a crippling of the effectiveness of the highly efficient Canadian oil and gas explorers, but also a body blow — no, not a body blow, but a low blow to the oil and gas service industry all across Canada.

On constitutional issues, as has been well stated by the hon. Member for Edmonton Whitemud, Alberta has not been opposed to patriation. Indeed, if you look at the intrusions on the ownership and control of Alberta's resources, as evidenced by the federal budget and national energy program, obviously there is a need for change. What we would like to have our committee communicate, of course, is the need to have adequate safeguards on provincial rights with any patriation of the constitution. Our constitution should be the formal bond that links and unifies our country, not the tie that binds.

The amending formula: we have stated many times in this House our opposition to the Victoria formula with its power of veto to two provinces, Ontario and Quebec; the prospect of having second-class provinces through population numbers; also a referendum ball game, if you will, where the federal government has the ball, the referee, the rule book, and controls the timekeeper. We would ask them to simply sail across Georgia Strait from Victoria to Vancouver and accept the Vancouver consensus, where provinces which have a concern with respect to an amendment that would seriously affect them in areas such as provincial rights and jurisdictions or control over their energy resources, would have the opportunity to opt out without in fact hurting the opportunity for the majority across Canada to make a change important to Canada.

In summary, Mr. Speaker, I support the resolution. I have full confidence in our committee. They have an important job. I wish them luck and urge all members to do similarly.

Thank you.

[Motion carried]

head: GOVERNMENT BILLS AND ORDERS (Third Reading)

Bill 74

The Planning Amendment Act, 1980

[Adjourned debate November 26: Mr. King]

MR. MOORE: Mr. Speaker, I'd like to just make a couple of brief comments relative to the comments made by the hon. Member for Spirit River-Fairview on third reading of Bill 74. First, although the hon. member may have been provided with different advice, I did undertake to provide, on first reading, copies of the Bill that's before the House by courier to all planning commissions and planning authorities in the province, at least in the major cities. So there was in fact information provided to them at that time.

[Mr. Speaker in the Chair]

In addition I should say that I didn't set any particular deadlines with respect to responding. In fact three of the four amendments before the House in this Bill, major ones, were the subject of representations made to me by planning authorities. That's why they're before the House. The one exception is the amendment that deals with the ability of municipalities to jointly form municipal planning authorities, hence subdivision approving authorities, which was not the subject of representations directly to me by planning authorities, but as far as I've been able to determine is indeed supported by the elected officials of all the planning commissions in Alberta.

Finally the hon. member made the point, which I thought I had explained well on second reading with respect to the section of the Act that deals with the change that allows a member of a council to vote on a by-law that was the subject of a public hearing, even though that member may not have been at the entire proceedings of that public hearing. All I can say again, as I said on second reading, is that I'm confident the municipal councillors across this province won't abuse that privilege. Following to the end the principle the hon. member put forward yesterday, it would have meant that he and I could not have voted on third reading of this Bill, because the hon. member was absent during second reading when I made my remarks, and I was absent yesterday afternoon when he made his. If we were to live by the rule he expounded yesterday afternoon, a great many of us would not be able to pass judgment on legislation before this House simply because we're not here all the time. I think the same rules that apply here can apply equally well to municipal governments throughout Alberta, and I have every confidence that no elected municipal official will abuse that privilege, Mr. Speaker.

[Motion carried; Bill 74 read a third time]

head: **GOVERNMENT MOTIONS** (continued)

27. Moved by Mr. Crawford:

Be it resolved that when the Assembly adjourns, it shall stand adjourned until such time and date prior to the commencement of the 1981 session as is determined by Mr. Speaker after consultation with the Lieutenant Governor in Council.

[Motion carried]

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

[Mr. Speaker left the Chair]

head: **ROYAL ASSENT**

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

[The Honourable Frank Lynch-Staunton, Lieutenant-Governor of Alberta, took his place upon the Throne]

HIS HONOUR: Please be seated.

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

CLERK: Your Honour, the following are the titles of the Bills to which your assent is prayed:

No.	Title
8	The Service of Documents During Postal Interruptions Act
33	The Medical Services Research Foundation Amendment Act, 1980
59	The Alberta Heritage Savings Trust Fund Special Appropriation Act, 1981-82
61	The Reciprocal Enforcement of Maintenance Orders Amendment Act, 1980
62	The Petroleum Marketing Amendment Act, 1980
63	The Natural Gas Price Administration Amendment Act, 1980
64	The Motor Vehicle Accident Claims Amendment Act, 1980
65	The Rural Electrification Revolving Fund Amendment Act, 1980
66	The Students Loan Guarantee Amendment Act, 1980
67	The Students Finance Amendment Act, 1980
68	The Agricultural Societies Amendment Act, 1980
69	The Irrigation Amendment Act, 1980
70	The Agricultural Statutes Amendment Act, 1980
71	The Natural Gas Rebates Amendment Act, 1980
72	The Department of Transportation Amendment Act, 1980
73	The Public Inquiries Amendment Act, 1980 (No. 2)
74	The Planning Amendment Act, 1980
75	The Liquor Control Act, 1980
76	The Rural Gas Amendment Act, 1980
77	The Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1980
78	The Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Supplementary Act, 1980
79	The Labour Relations Act
80	The Employment Standards Act
81	The Financial Administration Amendment Act, 1980 (No. 2)
82	The Alberta Government Telephones Amendment Act, 1980
83	The Court of Queen's Bench Amendment Act, 1980
84	The Health Occupations Act
86	The Pension Fund Act
87	The Ground Water Development Act
88	The Election Act, 1980
89	The Legislative Assembly Amendment Act, 1980
90	The Architects Act, 1980
92	The Mines and Minerals Amendment Act, 1980 (No. 3)
93	The Workers' Compensation Amendment Act, 1980
94	The Alberta Health Care Insurance Amendment Act, 1980
95	The Interpretation Act, 1980
96	The Engineering and Related Professions Amendment Act, 1980
97	The Police Amendment Act, 1980

No.	Title
Pr. 1	The La Fondation de l'Association Canadienne-Francaise de l'Alberta Act
Pr. 3	The Alberta Wheat Pool Amendment Act, 1980
Pr. 4	The Keith Dial Adoption Termination Act
Pr. 5	The Alberta Foundation Act
Pr. 7	The Warren Dean Boyd Adoption Act

[The Lieutenant-Governor indicated his assent]

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

HIS HONOUR: Mr. Speaker, Mr. Premier, Members of the Legislative Assembly of the province of Alberta:

Notwithstanding the fact that you took me away from a helluva good party tonight [laughter] in order that you could get away for your holiday, I want to wish you all a very, very Merry Christmas and a Happy New Year. [applause]

I think we all appreciate the efforts you've made. These are trying times in the province of Alberta, but we are sure we will come out all right.

Thank you very, very much.

SERGEANT-AT-ARMS: Order!

[The Lieutenant-Governor left the House]

[Mr. Speaker in the Chair]

MR. CRAWFORD: Mr. Speaker, I move that the Assembly now adjourn in accordance with the provisions of Government Motion No. 27, passed earlier today.

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

HON. MEMBERS: Agreed.

[The House adjourned at 8:44 p.m.]