LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Tuesday, April 12, 1983 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF VISITORS

MR. M. MOORE: Mr. Speaker, this afternoon I'm pleased to introduce to you and to members of the Assembly a former colleague of ours who served this Legislature with distinction as the MLA for Wetaskiwin-Leduc and as a member of Executive Council. I refer to the hon. Dallas Schmidt, who is seated in your gallery, Mr. Speaker. Would he please rise and be recognized by the Assembly.

head: TABLING RETURNS AND REPORTS

MR. ADAIR: Mr. Speaker, I would like to file with the Legislature Library four copies each of the Battle River Tourism Destination Area Study and the Land of the Midnight Twilight Tourism Destination Area Study.

DR. WEBBER: Mr. Speaker, I'd like to file copies of a publication entitled A Guide to Services for Disabled Albertans. Copies of this are being sent to all agencies in the province that deal with the disabled. It is in response to the recently submitted Klufas report.

MR. HARLE: Mr. Speaker, I wish to table a response to Motion for a Return No. 166, asked by the hon. Member for Clover Bar.

MR. BOGLE: Mr. Speaker, I wish to table with the Legislative Assembly a document for senior citizens who live in their own homes. It pertains to a program implemented by the government to provide a senior citizens' home heating protection plan. This is an information document containing an application form for those seniors who have not received their rebate for the calendar year 1982.

DR. ELLIOTT: Mr. Speaker, I wish to table two reports by the Chief Electoral Officer; one is the 1982 general enumeration and the other is the 1982 general election. I also wish to table the report of the Auditor General for the year ended March 31, 1982.

head: INTRODUCTION OF SPECIAL GUESTS

MR. COOK: Mr. Speaker, I'd to introduce to you, and through you to members of the Assembly, two classes of grades 5 and 6 students from Northmount elementary school in the Dickinsfield area of the constituency of Edmonton Glengarry. They're bright and enthusiastic kids, and they're here to see the Assembly in action. I believe they're in the members gallery, and I wish they'd now rise and receive the warm welcome of the House.

MR. KING: Mr. Speaker, I have pleasure this afternoon in introducing to you, and through you to members of the Assembly, 90 of my friends and neighbors who are students in grade 7 at Highlands junior high school.

I was doing a little calculation as pictures were being taken earlier this afternoon, Mr. Speaker. If my calculations are correct, it is 25 years ago that I was a grade 7 student in Highlands junior high school.

AN HON. MEMBER: Did you graduate?

MR. KING: Neither time nor students have changed very much in the intervening years. [interjections]

The students are accompanied this afternoon by Mrs. Krogh, Mrs. Labrosse, and Miss Abraham. I would like to ask them to rise and receive the warm welcome of the Assembly.

head: ORAL QUESTION PERIOD

Labor Legislation

MR. NOTLEY: Mr. Speaker, I'd like to direct the first question to the hon. Minister of Labour. Is the minister in a position to confirm that prior to the introduction of Bill 44 yesterday, no meetings or consultations were held with the Alberta Union of Provincial Employees, the Canadian Union of Public Employees, or the Alberta Federation of Labour?

MR. YOUNG: Mr. Speaker, the answer is yes.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In view of the scheduled meeting with the Alberta Federation of Labour for Friday this week, why was the Bill introduced prior to the meeting? Or was there ever any intention of consulting with the umbrella labor organization prior to the introduction of Bill 44?

MR. YOUNG: Mr. Speaker, I can advise that the meeting scheduled for this Friday was at my initiative. The initiative occurred approximately one month ago, and in fact there was not a follow-up from the Alberta Federation of Labour. The initiative occurred shortly after the new president assumed that office, and I initiated it.

MR. NOTLEY: Mr. Speaker, a supplementary question. Can the minister outline for the Assembly why the government would not have sought consultative meetings with at least the Alberta Federation of Labour, as the umbrella labor organization in the province, prior to introducing a Bill which contains sweeping changes in many Acts that relate to working people in this province?

MR. YOUNG: Mr. Speaker, I did have a number of meetings with respect to a variety of the subjects in the Bill. I recall to the attention of the hon. Leader of the Opposition that consultation occurred prior to the introduction of the Public Service Employee Relations Act in 1975-76 — there was in fact a joint committee — that the committee did not come to a concurrence upon the very type of items which were introduced in the Bill yesterday, and that it would appear not to have been likely to have

produced a concurrence. The fact of the matter is that in judging all those different approaches, it appeared that the opportunity for public hearings in the Legislature would provide for a more thorough airing of the considerations.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the minister telling the House that a failure of a committee to reach an accord or an agreement in 1975 is a reason for not undertaking prior consultation with the representative organization of working people in this province prior to introducing a Bill as sweeping . . .

MR. SPEAKER: Order please. The hon. leader has simply restated the answer, possibly with a little sting in it.

MR. YOUNG: If I may, Mr. Speaker, I'd just like to make the observation that I believe most people in Alberta and elsewhere work for a living. In some cases they are paid, and in some cases they are unpaid. Only 28 per cent of them in Alberta are members of unions.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the minister in a position to advise the House whether either the minister or other members of Executive Council, through committee or cabinet as a whole, received representation on changes in the Acts we're dealing with from business — any business organization or major company?

MR. YOUNG: Mr. Speaker, I can indicate that I received representation from and had discussion with a variety of unions and business groups, none of them necessarily on the specific items or certainly not on all the items in the statute, because I did not believe it fair to indicate what exact proposals were under discussion. Nevertheless it is fair to say that I had general discussions with groups, and sometimes rather specific discussions, particularly in the hospital sector about the problems of labor relations in that particular area.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. Did those discussions include a review of the arbitration process, including the additions that the minister identified yesterday for the House, as well as the extension of the arbitration process to hospitals? And did those discussions include representatives from the business community on those two items that I have identified?

MR. YOUNG: Mr. Speaker, the discussions — and I now refer to any of the discussions — did not generally touch upon extensions of binding arbitrations. More broadly, perhaps in an indirect manner, the the extension may have been alluded to with a couple of the unions involved. A great deal of discussion was held with a number of unions and with the Alberta Urban Municipalities Association and others from the municipal sector, in terms of the challenge of discouraging groups from going too quickly to compulsory binding arbitration. We've tried to reflect some of those suggestions in the Bill, particularly as I believe they came from the police association and the Fire Fighters Association. Mr. Speaker, I think that is as summary an answer as I can provide to what seemed to be a rather complex question.

MR. NOTLEY: Mr. Speaker, a supplementary question.

MR. SPEAKER: Might this be the last supplementary on this topic, apart from the hon. leader of the Independents.

MR. NOTLEY: Mr. Speaker, my supplementary question is to the hon. Attorney General. I'd like the Attorney General to advise the Assembly on what basis the government concluded that the oral notice given yesterday of two weeks' notice for public hearings was sufficient time, given the precedent in 1972 in this House of some two months on the oil royalty question?

MR. CRAWFORD: Mr. Speaker, I didn't specifically make a comparison of the timing from previous hearings held over 10 years ago. What we did was take into consideration what would be reasonable in the circumstances and whether, by that time, people could prepare themselves to address the issues in the public hearings. The sort of response members of the government have received so far is that people are in fact preparing to proceed with the presentation of briefs. That is the situation at the present time.

MR. R. SPEAKER: Mr. Speaker, my supplementary question to the Minister of Labour is with regard to timing as well, and the opportunity for the umbrella organizations to contact their membership. Why didn't the government consider bringing in Bill 44 this spring and leaving it on the Order Paper until fall, and then after a number of discussions were heard, passing the Bill or defeating it this fall?

MR. YOUNG: Mr. Speaker, in labor relations there is a window, when there's a period of relative inactivity, and that is especially so in the public sector. By late September at the very latest, I imagine a variety of employers and unions will be gearing themselves for collective bargaining, if they have not at that time actually commenced collective bargaining. So there is a need to deal with the legislation this spring if it is to have application to the next round of collective bargaining. I include in that all the bargaining which would involve the hospital sector and a very major part of the municipal sector.

Natural Gas Marketing

MR. NOTLEY: Mr. Speaker, I would like to direct the second question to the hon. Minister of Energy and Natural Resources. Is the government in a position to confirm that last year, following complaints of inequities by small gas producers unable to market their gas, the Department of Energy and Natural Resources or the government of Alberta commenced an investigation into the purchasing practices of major pipeline companies and that subsequently the investigation was dropped?

MR. ZAOZIRNY: Mr. Speaker, my response to that question is no. That arose at a time prior to my taking on the portfolio responsibilities. I can say that I am aware that one or two concerns were raised by individual small gas producers. To my knowledge, that was the extent of the inquiries that were made to the department and to the office of the minister. Of course, any inquiries and concerns of that nature would be followed up in the normal course. In my judgment, it would not be appropriate to describe such a response to a citizen concern as a major inquiry of any sort.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the minister in a position to confirm that last year, the department's policy analysis and planning group, the ERCB, and the Petroleum Marketing Commission prepared preliminary reports on the problems of equity in gas marketing, particularly as it applies to the major pipeline companies' purchasing practices?

MR. ZAOZIRNY: Once again, Mr. Speaker, I have to endeavor to inquire more specifically into the matter. But in the normal course, one would expect that where there is a concern raised by a citizen — a concern of the sort mentioned by the hon. member — in order to provide a full and appropriate response to that citizen, certainly those specific bodies and entities would be bodies one would go to, to seek out specific information, again wanting to make it very clear that such would not constitute a major study of the magnitude the hon. member is trying to suggest in his question.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the minister in a position to advise the Assembly whether at least one of those reports was in fact quite critical of the purchasing practices of the major pipeline companies, as related to market opportunities for smaller gas producers in this province?

MR. ZAOZIRNY: Mr. Speaker, once again the hon. member insists on describing any responses as reports. I have to make it clear to the Assembly that certainly in my judgment such would not be the case in terms of a response from a particular body, whether it be the Petroleum Marketing Commission or a segment of the Department of Energy and Natural Resources. I expect any responses that were forwarded would deal with all aspects of the question. With respect to any comments for improvement or areas that might receive some consideration by government, that would be entirely in the normal course.

Mr. Speaker, I should add that based on the information that has come to my attention, it certainly is not the intention of this government to move toward a system of prorationing, which I think is at the essence of the questions of the hon. member. On a number of occasions in this Assembly, we have heard the hon. member talk about the merits — or supposed merits, in the view of the hon. member — of such a system. In my judgment, that kind of approach would not result in the sale of one additional cubic foot of natural gas.

MR. SPEAKER: With great respect to the hon. minister, it seems that we're now starting a debate on the topic.

MR. NOTLEY: Mr. Speaker, a supplementary question. I'll attempt not to allow the answer to incite a debate in the question, but ask the minister whether it's the position of the government that area contracts which allow certain companies — an example might be Canadian Hunter in the Elmworth field — to expand their share of a declining market at the expense of other producers ... Has the government reviewed the specific complaints of smaller producers, as related to this type of practice undertaken by the major pipeline companies?

MR. ZAOZIRNY: Mr. Speaker, the area contract and a consideration of the approach of area contracts in industry is a very complex matter, because in those instances the producer is making certain sacrifices at such time as they enter into that type of contract. I should also point out that such contracts haven't been entered into in recent years.

Mr. Speaker, I again emphasize that only a couple of inquiries from small producers — the identities of which are well known to the hon. member — have come to my personal attention. So in my judgment, for the hon. member to suggest that there is any significant amount of support for the kind of inquiry or proposal he is putting forward is simply not founded in fact.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. Given the market-sharing arrangements of the major pipeline companies in their purchasing practices, what obstacles does the government see to a system of prorationing?

MR. ZAOZIRNY: Mr. Speaker, the first response I offer to the hon. member's question is that the concept of prorationing he so consistently advances is opposed by the vast majority of the natural gas industry in this province. It is opposed for very good reasons, the first of which is that it constitutes a massive intervention by government into private, contractual arrangements that have been entered into in good faith by industry throughout this province. While the hon. member may not view that as a matter of any great import, the members of the government caucus of this Assembly certainly do.

Mr. Speaker, I go further to say that there has been a tendency, certainly on the part of the hon. member, to suggest that the situation is analogous to that of the sale of crude oil. That clearly is not the case, and I'm pleased to have the opportunity to indicate why. In the first instance, the arrangements with respect to crude oil were entered into in the very early stages of the industry in this province. The hon. member is suggesting that some 30 years into the development of the natural gas industry, the government should now move to intervene in this massive way and disturb the contractual arrangements that have been made.

In a like fashion, Mr. Speaker, the complexity of implementation of such a program is most aptly described in this fashion. At the time that program moved into place with respect to crude oil, there were approximately 100 oil pools in existence in the province of Alberta. That ought to be compared to some 14,000 natural gas pools that exist in the province of Alberta. Nevertheless the hon. member continues to argue that there is essentially no difference.

MR. NOTLEY: Is that not debate, John?

MR. ZAOZIRNY: Mr. Speaker, those would be some of the reasons why the government is very strongly of the view that the appropriate course is not to involve in some splitting of the pie but to seek additional markets, which we intend to do aggressively in the weeks and months ahead.

MR. NOTLEY: Mr. Speaker, since that answer was a clear case of inciting debate, let me just ...

MR. SPEAKER: I don't want to delay the hon. leader too long, but when a question asks for reasons, reasons are debate. That's unavoidable. That's how you debate, by giving reasons.

MR. NOTLEY: Well, Mr. Speaker, we'll discuss that later — on and on and on.

Mr. Speaker, I would like to ask the minister what consideration has been given to an announcement which was made not too long ago, in either the budget or the Speech from the Throne, with respect to the investigation of a gas bank as one way of improving the cash flow of smaller producers, particularly in light of the uncertainty of the initiatives announced yesterday?

MR. ZAOZIRNY: Mr. Speaker, it is my recollection that the discussion with respect to the possibility of natural gas banking arose in advance of the Alberta oil and gas activity plan. With the advent of that plan, a plan which in our judgment provides significant incentives to industry and the opportunity to improve their cash flow so that they can get back to the business of exploring for oil and natural gas, the need for a natural gas bank has significantly diminished.

Natural Gas Exports

MR. R. SPEAKER: Mr. Speaker, my questions to the Minister of Energy and Natural Resources are somewhat in the same vein. The minister indicated that the objective of the government is to increase the markets for natural gas. One of the items not answered by the government is: what direct consultations has the government had with regard to the purchasers in the United States or the government of the United States? And is the federal government doing all the negotiating on behalf of Alberta with regard to natural gas exports?

MR. ZAOZIRNY: Mr. Speaker, as has been mentioned on other occasions, the government of Alberta has been intensively involved with the key players in the industry, particularly on the Canadian side of the border. I won't elaborate too extensively on the discussions that have taken place, both on an intergovernmental basis and with industry participants, including the transmission companies, the producing companies, and other key players in the industry.

Quite recently, I had the opportunity to attend a natural gas conference sponsored by *The Financial Post.* Amongst others, that conference was attended by approximately 70 parties involved in the natural gas industry in the United States. I certainly seized that opportunity to receive some input from them on their views of the natural gas situation as it extends and exists presently in the United States. In addition to that, certainly our discussions with Canadian participants, who have been very significantly involved in discussions, have also focused on the views of the Canadian participants and the American participants. The Premier may wish to elaborate on the comments I've just made.

MR. LOUGHEED: Mr. Speaker, yes I would. I've been in some significant contact by telephone with members of the United States Congress with regard to this matter, and by letter with the administration of the United States. Within the next few weeks, it is my intention to make a trip to Washington, D.C., to carry on those discussions further and to renew my relationships with a number of the congressmen I met during the three previous visits I've made as Premier to Washington, D.C. In addition to that, our Agent General in New York has been in very close contact with the staff of various representatives and senators in the Congress and with representatives in the administration.

MR. R. SPEAKER: Mr. Speaker, I certainly appreciate that. I was a little concerned that Ottawa was acting totally on our behalf.

My further supplementary question to the Minister of Energy and Natural Resources relates to the expanded market opportunities that we hope will happen in the near future. I wonder if the minister could explain how the price cut of 11 per cent as of yesterday, which still leaves the price of Canadian gas at about 75 per cent more than the average U.S. price — because of that situation, how will we be able to compete in the market place and sell more of our natural gas on the export market?

MR. ZAOZIRNY: Mr. Speaker, first of all, I might suggest that it's rather simplistic to suggest that there is a common price in the United States. Were that the case, it would make it a much easier matter for the Canadian industry to come up with specific, long-term policies for the marketing of natural gas in the United States.

The fact is that there are some 28 different categories of natural gas in the United States. In recognition of that overcomplexity, frankly, and with a view to deregulation, the administration of the United States has put forward a specific Bill which, over the period of the next couple of years, is intended to move into a system that is market oriented and which, on the part of the Canadian interests, will facilitate the opportunity for long-term marketing policies.

Mr. Speaker, I should add that we have in existence both pricing and contractual arrangements which involve specific volumes and minimums of volumes by way of take-or-pay arrangements. It is our view that the package proposal put forward by the government of Alberta as our position on the marketing of natural gas in the United States responds to those take-or-pay arrangements by way of the base volume requirements and the Duncan-Lalonde formula price of $4.40 and not only addresses the question of maintaining existing markets, which is of extreme importance at the present time, but provides some opportunity for incremental sales, based upon the incremental sales prices of $3.30.

Social Allowance

MR. MARTIN: Mr. Speaker, my question to the Minister of Social Services and Community Health concerns the decision to eliminate the shelter adjustment for social allowance recipients. I understand provision has been made for loans for payments of extraordinary utility bills, but only once. Is the government reviewing policy options in the event that non-payment of utility arrears causes services to be cut off?

DR. WEBBER: Mr. Speaker, in dealing with the hardships of individuals, there were provisions in the new regulations to deal with exceptions which, through one reason or another, resulted in extra utility charges. Those exceptions were outlined in the document that I filed in the Legislature some time ago. The shelter ceilings are in line with the rents across the province, and the utility costs are included in that. The ceilings are such that it's thought that all people who will be affected will certainly be well taken care of.

MR. MARTIN: A supplementary question, Mr. Speaker. Is the minister able to confirm that if there are children in a home where power has been cut off, especially in winter, it will be government policy to turn this matter over to the child welfare authorities?

DR. WEBBER: Mr. Speaker, in any situation where children are involved and children's welfare and their safety are in jeopardy, certainly the child welfare area would be involved if reports are brought to their attention.

MR. MARTIN: A supplementary question. Are children to be removed by child welfare authorities when they are in a home where utility service has been cut off, due to the elimination of a shelter adjustment?

DR. WEBBER: Mr. Speaker, if the hon. member were to examine the Child Welfare Act, it very specifically outlines the responsibilities of child welfare workers and indicates the conditions under which child welfare workers are involved in apprehensions.

MR. MARTIN: A supplementary question. Specifically, then, is it government policy to take children from their homes when utility arrears occur the second time?

DR. WEBBER: Mr. Speaker, I think the hon. member's questions are getting a little ridiculous [interjections] in terms of an overspecificity.

MR. NOTLEY: Then answer the question.

DR. WEBBER: In this province, when the welfare of a child is in jeopardy and is reported to Social Services and Community Health, Social Services and Community Health investigates that situation and, depending on what is observed, the appropriate action is taken, hopefully in all circumstances.

MR. MARTIN: A supplementary question. Are there any plans to build additional institutions to accommodate children seized for this reason? There are bound to be more of them.

DR. WEBBER: Mr. Speaker, in response to that question, I don't think it even makes sense to think of building institutions for the purpose which the hon. member is raising.

MR. COOK: A point of order.

MR. NOTLEY: A supplementary question, Mr. Speaker.

MR. SPEAKER: Order please. A supplementary question by the hon. Member for Calgary Currie, followed by the hon. Member for Edmonton Glengarry, and then the hon. Leader of the Official Opposition.

MR. COOK: Mr. Speaker, on a point of order, though. I'm having difficulty with the questions, because they are very hypothetical in nature: if there is a certain case, will the minister consider building new institutions? It doesn't seem to bear directly.

MR. SPEAKER: With great respect to the hon. member, it seemed to me that the purport of the questions was to ask whether certain policies where in place to take care of certain eventualities. While that may be close to a hypothetical question, it isn't really across the line.

MR. ANDERSON: Mr. Speaker, my supplementary question to the hon. minister is: will utility costs, among others, be subject to the review of citizens' appeal committees, as with other aspects of social allowance?

DR. WEBBER: Mr. Speaker, the utility costs are included in the shelter allowance, and the shelter ceilings are not appealable. As I mentioned before, however, there are exceptions. And an exception is taken into account for extraordinary utility charges.

MR. ANDERSON: Mr. Speaker, just one final supplementary question. Could the minister indicate how those exceptions are judged? Is it by departmental officials, or is there another mechanism?

DR. WEBBER: It's by the regional directors, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, my supplementary question is simply this: is the minister able to confirm that in discussing this new policy with social workers in the province, appropriate officials of the department have in fact discussed the option of seizing children should the utilities be cut off the second time because of this new policy?

DR. WEBBER: Mr. Speaker, last Friday I visited one of the regional offices in the city of Calgary, to visit with social workers and regional district managers to assess how the new policies or adjustments have resulted in their dealing with the cases. I'm very, very pleased with the way things are operating. The hon. Leader of the Opposition and the hon. Member for Edmonton Norwood appear to be leaving the impression that we are not taking care of the people who are in need in the province. That's certainly not the case. These new adjustments reflect the economic times that we're in and certainly take into account the needs of Albertans.

MR. NOTLEY: Mr. Speaker, a supplementary question. The minister did not answer the question. The question was not the general discussion of what the new policy is. The question was specifically — and perhaps I didn't state it clearly enough, so I'll restate it — is the minister in a position to confirm that in evaluating the options that are now before officials of the department, appropriate officials of the department have included seizing children where the shelter allowance has been adjusted and, for the second time, utility fees haven't been paid and utilities have been cut off? Is that one of the options which has been specifically discussed with social workers in this province?

DR. WEBBER: Mr. Speaker, I think the question is silly, from the point of view that these adjustments are here to meet the needs of Albertans who are in difficulty. There is no question of going out and seizing children because of these shelter adjustments. It's absurd.

MR. NOTLEY: A supplementary question. Then is the minister in a position to assure the House that social workers who have been given instruction on the new policy have in fact been misled and that there will he no

seizing of children should shelter allowances not allow the payment of utilities?

DR. WEBBER: Mr. Speaker, during the course of preparing social workers for the administration of the adjustments, there were numerous meetings across the province with the social workers to take into account any circumstances that might arise that they needed to be concerned about. Certainly the social workers went into this program well prepared, and we are very closely monitoring the situation to see if any concerns arise.

MR. NOTLEY: Mr. Speaker, a supplementary question.

MR. SPEAKER: Might this be the final supplementary on this question, assuming it's not a repetition of the previous question.

MR. NOTLEY: No, Mr. Speaker, it won't be a repetition. Will the minister issue the officials of the department a memorandum to clear up any ambiguity on this question of what should happen, in the administration of the policy, should utilities be cut off because of the new shelter adjustment and that under no circumstances will children be removed from homes because of that factor? [Inaudible] Yes or no.

DR. WEBBER: Mr. Speaker, I did issue all social workers in Alberta a memorandum relative to the adjustments and changes. If any new situations that are of concern arise, certainly we'll take a close look at them. But I'm certainly not going to be issuing memos at the request of the hon. Leader of the Opposition. [interjections]

MR. SPEAKER: Order please.

Senior Citizens' Heating Subsidy

MR. BATIUK: Mr. Speaker, my question to the Minister of Utilities and Telecommunications is with reference to his announcing and tabling of an application for seniors to qualify for a subsidy on their heating fuels. The minister stated that it is for seniors who live in their homes. Could the minister advise whether the seniors must hold title to these homes, or could they live in a home that maybe a son or a daughter has title to?

MR. BOGLE: Mr. Speaker, there are arrangements in place to cover those extraordinary situations where a couple have turned over their property to a son or a daughter, and I am now thinking primarily of a farmstead situation or other instances. So as long as the individuals living in the home are not benefiting from other programs intended for renters and it can be demonstrated that for all intents and purposes the home is the home of the seniors, then they are indeed eligible for the $100 rebate for the 1982 calendar year. The same would apply for the 1983 and 1984 calendar years. Mr. Speaker, that's on the assumption and understanding that the other criteria in terms of qualifications are in fact met by the couple.

MR. BATIUK: A supplementary question, Mr. Speaker. Could the minister advise in what manner distribution of those application forms is going to be made, whether through the mail or . . .

MR. BOGLE: Mr. Speaker, we are in the process of distributing the forms to all the municipal offices across the province, so the forms will be available in those centres where the seniors would normally pay their water and sewage bills and other utility bills relating to the municipality. In addition, we will be issuing advertisements through certain weekly and daily newspapers across the province. I tabled the document in the House today so that members of the Legislature will also have it, because I know some of our colleagues have expressed some concerns relative to calls they have received from seniors who were wondering about the program.

Power Rates

MR. McPHERSON: Mr. Speaker, my question to the hon. Minister of Utilities and Telecommunications is prompted by the news release yesterday by TransAlta Utilities Corporation. Can the hon. minister advise the House if the most recent increase announced by TransAlta Utilities is a result of the averaging process through the Electric Energy Marketing Agency?

MR. BOGLE: Mr. Speaker, TransAlta Utilities has filed with the Public Utilities Board for a rate increase of approximately 2.5 per cent. The factor contributing totally to that rate increase is the Electric Energy Marketing Agency and the fact that beginning April 1, 1983, we are stepping down the shielding to TransAlta customers by some 20 per cent.

MR. McPHERSON: A supplementary question, Mr. Speaker. In light of this stepping down by some 20 per cent, I wonder if the minister could advise what impact this further change — TransAlta is going to charge $14.5 million — to be made by the agency will have on the specific cities of Red Deer, Calgary, and Lethbridge and to the ratepayers of those cities that are mentioned in the news release?

MR. SPEAKER: I am not sure whether this is an answer that is suitable for the question period or whether it should be on the Order Paper. Perhaps the hon. minister knows how much detail will be required to reply.

MR. BOGLE: Mr. Speaker, because I have had some discussions with senior officials in TransAlta, I believe the hon. member is referring to what is called the cities' transmission compensation, which is a slightly different aspect from the total amount of revenue for which TransAlta will have to apply to the Public Utilities Board in terms of a rate increase. The impact the 20 per cent step-down will have on TransAlta customers is approximately $9 million.

There is an anomaly in the system, in that there are transmission lines owned by the cities of Red Deer, Lethbridge, and Calgary which, if they had been owned by TransAlta Utilities, would be eligible for pooling costs. Because they are owned by the municipalities, we did not want to see the municipalities penalized in any way. At the same time, we did not wish to see the municipalities forced into total regulation under the Public Utilities Board because, as the hon. member is aware, his city, along with the cities of Calgary, Lethbridge, and Edmonton, are able to set their own retail power rates without approval of the Public Utilities Board. It is only at the wholesale level that the board becomes directly involved.

For a complete answer, it may be more appropriate

that this matter be put on the Order Paper. But in short, Mr. Speaker, there is a direct sum of money transferred from the Electric Energy Marketing Agency to the cities. The cities, in turn, negotiate with the power company, TransAlta, and the final transfer price is regulated by the Public Utilities Board. But we do not in any way affect the cities' ability to set the price for electricity for residential, commercial, or industrial use in any of the three cities I've mentioned.

MR. GOGO: A supplementary, Mr. Speaker. Is the hon. Minister of Utilities and Telecommunications giving consideration to extending the five-year period of the shielding program to a longer period, as requested by certain municipalities?

MR. BOGLE: No, Mr. Speaker.

MR. SPEAKER: We've just about reached the end of the question period, but perhaps we'd have time for another one by the hon. Leader of the Official Opposition.

Labor Legislation
(continued)

MR. NOTLEY: Mr. Speaker, I have one question to the hon. Minister of Labour. Given the government defence at the ILO hearings on Bill 41, what assessment has the minister requested or commissioned on the impact of including government fiscal policy as one of the items that arbitrators must take into account? What assessment has the government that that change will have on the impartiality of the arbitration process that the government talked about before the ILO?

MR. YOUNG: Mr. Speaker, the Department of Labour has officials who are quite familiar with the International Labour Organization and the decisions made by that organization. Those officials have provided me with their evaluation of the criteria which are contained in Bill 44, which shall be considered by the arbitration boards.

ORDERS OF THE DAY

head: MOTIONS FOR RETURNS

MR. HORSMAN: Mr. Speaker, I move that Motion for a Return No. 167 stand and retain its place on the Order Paper.

[Motion carried]

132. Mr. Notley moved that an order of the Assembly do issue for a return showing copies of all studies, reports, and other documents considered by the government, its departments, or agencies, prior and pertaining primarily to the decision to expend approximately $40 million on the preparation of engineering feasibility studies on the proposed Slave River Dam.

MR. BOGLE: Mr. Speaker, I wish to move an amendment to Motion for a Return No. 132 by deleting the words "prior and" and "the decision to expend approximately $40 million on" and adding the following words at the end of the motion:

subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

In moving the amendment, Mr. Speaker, I would like to point out that it would be inappropriate to accept the motion in its present form for a number of reasons, one of which — and it was made public and has been reported on numerous occasions — is that the government of Alberta is certainly not committed to an expenditure of $40 million on pre-engineering studies. There is a commitment by two private utility companies in this province, along with the government of Alberta, to expend up to that sum.

In addition, it's a widely held view — for as long as I've been in this Assembly we have not been asked for, nor have we as government ministers responded by providing, information which would otherwise be held in a confidential way. I'm now thinking of cabinet documents and interdepartmental memoranda. Of course, we've never tabled correspondence without the concurrence of the individual from whom that correspondence was received.

MR. HORSMAN: Mr. Speaker, I think a word of explanation might be in order with respect to the government's position relative to the presentation of documents pursuant to requests under motions for returns. Having given consideration to the large number of such requests and in view of the precedents which have been established in previous years relative to the practice within this Assembly, we thought it would be useful to put clearly before the Assembly the principles upon which documents would be produced.

Therefore, in reviewing the citation in *Beauchesne,* we carefully took into consideration the nature of the citation, which was originally placed before the House of Commons in 1973 by the government of the day and which outlined general principles relative to the production of documents. In casting the amendment which is before the Assembly with respect to this motion, I wish to give notice to hon. members that the same amendment will be introduced relative to another seven motions on the Order Paper today. We believe this is a fair and accurate method of reflecting the situation that we believe is appropriate and which in fact has been followed over the years in this Assembly.

In effect, the amendment proposed by my colleague the Minister of Utilities and Telecommunications will do the following things. It will eliminate references to the Senate and the House of Commons or Parliament as they appear in Citation 390 in *Beauchesne,* and it will adopt the principles which we have consistently followed in the Assembly.

Without reading the entire section into the record, Mr. Speaker, the important factors that are normally the subject of some concern are that the following documents should be exempt from production: legal opinions or advice which is provided for the use of the government; papers that reflect on the personal competence or character of individuals; papers of a voluminous character which would require an inordinate cost or length of time to prepare; documents which have been requested, submitted, or received in confidence by the government from sources outside the government; any proceedings before a court of justice or judicial inquiry of any sort; and, naturally, cabinet documents and those documents which include a Privy Council confidence.

As well, Mr. Speaker, the subject of consultants' stud-

ies is the subject of this particular section. It points out quite clearly that there are two types of consultant studies: one, the nature of which is identifiable and comparable to work that would be done within the public service and should be treated as such; and the other, where it is obtained as a matter of public policy and should be treated as such, and therefore it may very well be released if it is not in the nature of something which would normally be prepared as departmental advice for a minister.

Mr. Speaker, we went through this issue last week, in discussing a motion before the Assembly at that time. I won't repeat the arguments the government advanced on that occasion. But I would say that an appropriate method of dealing with all these matters will be to accept the amendment proposed today by my colleague. Then, as I have indicated, we will propose the similar amendment to the other motions on the Order Paper requesting documents and production of materials by the government.

MR. NOTLEY: Mr. Speaker, I'm certainly not surprised at the amendment we have before us today. This government could really go one of two routes. They could, in the interests of open government . . .

MR. MARTIN: Remember that term?

MR. NOTLEY: Yes, there was a time when this government used to talk about open government. In 1969, 1970, and '71, when they were government in waiting, they talked a lot about open government, Mr. Speaker, but they seem to have forgotten at this stage.

Of course, one could argue that it's appropriate to construe the advice in *Beauchesne* in the narrowest possible way. But the fact of the matter is that when the government decides they don't want to release information, they have to take the political responsibility for slamming the door shut.

I just refer hon. members to the motion as it read before the amendment. I don't have a copy of the amendment, by the way, but that's the sort of thing we're used to in this House. [interjections] But in any event, I see that there is no . . .

MR. SPEAKER: Order please. May I respectfully express my surprise that the hon. Leader of the Opposition hasn't a copy of the amendment. I had assumed that at least the mover of the motion being amended would have had a copy of it, so that we might have dealt with it expeditiously. I think I made some observation about that last Thursday or Tuesday.

MR. NOTLEY: Mr. Speaker, we could hold the matter over until the hon. minister has an opportunity to supply the opposition with copies of the amendment.

MR. BOGLE: On a point of order, Mr. Speaker. The document was tabled upon making the amendment to the motion, just before I took my seat.

MR. SPEAKER: The tabling would of course go through the normal channels unless copies were provided to the pages to give to hon. members of the opposition. I'm not aware whether or not that happened. I realize that our *Standing Orders* require a motion to be in writing before it is put, but I think it might be too narrow a construction to say that that rule doesn't also apply to amendments.

MR. HORSMAN: On a point of order, Mr. Speaker. If a page will come, I will provide copies of all amendments that will be proposed today for the hon. Leader of the Opposition's consideration.

MR. NOTLEY: Mr. Speaker, just after I rose and you rose, a page delivered the amendment. It would have been nice if we'd had it immediately, but that's fine. We're now going to have the amendments as they're moved. It would be helpful, so we could in fact discuss the motion which is before the House. It makes it a little difficult when one has to read the amendment during the course of one's remarks. So in the interests of open government, perhaps the government might apply a little faster speed. [interjections] Don't worry about it, Jim.

Mr. Speaker, I would simply refer hon. members to the original motion and say to members of the House, why is it that we need this kind of restrictive amendment? We're talking about reports, studies, considered by the government with respect to a major project. As I said last week, looking at *Beauchesne* under 390(4), one could interpret that particular motion for a return as complying with (a). But one could also interpret that it is complying with (b) because we are looking at studies, reports, dealing with a major public project which might in fact well be the subject of an investigation — Royal Commission, parliamentary committee, or what have you.

Mr. Speaker, the issue is whether or not the government wants to make this information available. That's the simple issue.

MR. MARTIN: They'd make Ged Baldwin proud.

MR. NOTLEY: Yes, the former hon. Member of Parliament for Peace River would be absolutely appalled at what is going on in the House today.

Nevertheless, Mr. Speaker, this government is trying to apply the narrowest definition of *Beauchesne* in an effort to restrict access to legitimate public information. As a member of the House, I want to say that I will continue to put forward requests for information which, in my judgment and the judgment of my constituents, is considered useful and necessary for the public debate of this province.

I would also tell the hon. ministers on the front bench that in the absence of freedom of information legislation, in the absence of being able to go to a court — and we are told by our hon. friends that that is somehow completely wrong, because we have all these devices in our parliamentary system. Well, Mr. Speaker, if we have all these devices in our parliamentary system, it is incumbent upon the government to go that extra mile. It is incumbent upon the government, if in doubt, to make available information that is relevant if the choice has to be made, not to close the door. It's convenient to close the door; no question about that. But this is a government that has said no, we're not going to go the route of freedom of information legislation because our parliamentary system allows access to relevant information.

If we have amendments like this, or amendments that may be introduced later this afternoon, what we're doing is reducing one of the important legislative devices for obtaining information for the people, the taxpayers, of this province. Mr. Speaker, that's a sad day. One of the things people in this province could always presume in the past is that if they wanted relevant information, providing it could get on the Order Paper, they could come to a member of the Legislature and request,

through a motion for a return, the release of documents or relevant information. Now we suddenly find new rules by this government to close the door.

I just want to say to members of the House that if they think that just because we're a tiny opposition we're going to roll over and not speak up on this kind of issue or that we are suddenly going to constrain ourselves and not introduce relevant motions for returns because of these kinds of amendments, think again. The issue of the public's right to know is as important — probably more important in many respects — right here in this Legislature Building than it is in other jurisdictions where we've had at least some modest progress in the area of freedom of information legislation.

No, Mr. Speaker. If in doubt, then let's resolve that doubt in the interests of free access to information in a free and democratic society.

MR. R. SPEAKER: Mr. Speaker, speaking to the matter at hand, I would say this. I understand there are two companies plus government putting in the $40 million for preparation of the feasibility studies. I believe that was what the hon. minister indicated. That means that we have a share of the reports. That means each partner in this development should have equal access to those reports and be able to distribute them as they see fit. Requesting it here should be right. I think the public should know.

I stand, Mr. Speaker, because I had a call early this midmorning from the Northwest Territories — because of our visit there at the last parliamentary conference — from a group saying, one, they cannot have access to information relative to this project in terms of the social, economic, and political impact in the Northwest Territories. To me, that was a request, and noting the motion for a return on the Order Paper, I felt that information would be made available to me and, in turn, to those people. There was also concern with regard to the coordinator in the area not providing this kind of material to the Northwest Territories people who were concerned.

I think there is no harm in this type of information being presented. I really find it very difficult to understand the government's position in not tabling objective information such as this. Who can it hurt? It can only enhance the government's position, not harm it in any way.

MR. MARTIN: Mr. Speaker, I too would like to comment on this. It seems to me that the things we're asking about have to do with public policy. If the Slave River dam and the possibility of its going ahead does not affect all of Alberta and Alberta citizens, I don't know what does. We're just asking to look at documentation that was paid for by public money. I can't see how that would be out of order. I remember the hon. Attorney General making a very glowing speech that we do not need this freedom of information, that it would become a catchall for everything because we had the ordinary means to go through the House to get information that was vital to the public. I recall his saying that. If we're not going to have freedom of information, it's as my colleague says: you have to bend over, especially with a small opposition, and make sure relevant documents are available to us.

The point where we get when we become too secretive, frankly, is that it is not good public policy. The best policy is if you can be open; for example, many of the major bamboozles that we got into: the Olympics, Kananaskis, and all the rest of it. If we'd had access to this information, ministers would be very careful what they were doing in the future. So open government — I go back to that term; remember open government — can save the taxpayers of Alberta a lot of money.

I don't know what the government is so frightened about. Are all these documents that awful that you can't let the people of Alberta know about them? What's in them? All you're doing is creating more interest among the people of Alberta. Why don't you come clean and present them? Surely the evidence in these documents cannot be that bad for the government. But what other possible reason can we have for them closing the door on us on these issues?

I just have to ask the government — I know they're all honorable gentlemen over there in the front benches. I'm sure that they would like to go back and reconsider this and, rather than trying to restrict the opposition, that they in fact would move toward their campaign pledge of many years ago, open government. I'm sure the people of Alberta would prefer that, and I hope they would reconsider these amendments because, as my colleague says, Mr. Speaker, we will be presenting them again and again and again till we get some answers out of this government.

Thank you, Mr. Speaker.

MR. BRADLEY: Mr. Speaker, with regard to the information which was requested, I suggest that if hon. members did a search of the Legislature Library, they'd find that these documents are in the library.

MR. CRAWFORD: Mr. Speaker, perhaps just a few comments in light of some of the things that have been said. The hon. Minister of the Environment makes an excellent point. It is surely not for the Legislative Assembly process, by making a formal request of the government, to seek out information for hon. members of the opposition which they can readily obtain in the library.

MR. NOTLEY: Some of them aren't, Neil. You know that.

MR. CRAWFORD: It would be like asking us what's in a statute, and we point to the book and say, read on, or pointing to documents which were filed for the use of the Legislature Library and for the use of anyone who wants to consult and use them, any research facilities that are available both in the library and in the hon. members' offices for that purpose. Mr. Speaker, the other point is that — it's not my thought at this point of course to attribute any motive, but I think it comes through clearly that one or two of the hon. members in the opposition wanted to make a speech on a certain subject and have done so in respect of what is at issue in the motion itself and what's at issue in the amendment.

Mr. Speaker, rather than saying to the Assembly that they will take the opportunity of having the same debate all over again on subsequent occasions and will insist upon that course, I think much would be gained if the notices of motion were simply drafted properly in the first place. Of course that is something that has not occurred to hon. members of the opposition. A little care and study in what guidance is given by parliamentary practice as described in *Beauchesne* — just a little bit of careful study of that — would help hon. members in drafting motions which would then be in accordance with the rules.

So rather than trying to create some other issue, Mr. Speaker, I thought we would just try to make that recommendation. As the hon. Member for Norwood has said, perhaps reasonable people go away from discussions and debates on such an occasion, think things over, and come back again. Perhaps they will do that. Perhaps they will go away, think things over, and come back again with motions that are drafted in accordance with parliamentary practice.

[Motion on amendment carried]

MR. SPEAKER: May I say again, as I said the other day when we dealt with a similar situation, as I understand it, Citation 390 of *Beauchesne* does not set out parliamentary practice; it simply sets out government policy. I'm not aware of any parliament that has adopted that citation as its practice, whether in the U.K. or in any of the provinces. Naturally that could have missed my ken, but I'm not aware of that being — it's government policy. But if the Assembly wishes to import that citation into a motion for a return by using an amendment to bring that into the motion, then of course that certainly is totally proper and within the rights of the Assembly.

[Several members rose calling for a division. The division bell was rung]

MRS. CRIPPS: On a point of order, Mr. Speaker. On every private members' day, we spend our time standing and being counted. If that material is in the library, I suggest that's where they should be looking for it.

MR. R. SPEAKER: Mr. Speaker, on the point of order.

MR. SPEAKER: I'm not aware that this is the time when we can have debate. But perhaps what the hon. Member for Drayton Valley has said and what the hon. leader of the Independents is about to say might be characterized as interesting conversation. Perhaps they could carry it on privately.

MR. R. SPEAKER: Mr. Speaker, on the point of order. Are we going to have conversation? [laughter] That's great.

[Eight minutes elapsed]

MR. SPEAKER: Order please. For those hon. members who may not have noticed, the concluding bell has gone.

[The House divided]

For the motion:		
Adair	Hyland	Payne
Alger	Hyndman	Pengelly
Anderson	Johnston	Planche
Appleby	King	Purdy
Batiuk	Koper	Reid
Bogle	Kowalski	Russell
Chambers	Koziak	Shaben
Clark	Kroeger	Stevens
Crawford	Lee	Stromberg
Cripps	LeMessurier	Szwender
Diachuk	Miller	Thompson
Drobot	R. Moore	Topolnisky
Elliott	Musgreave	Trynchy
Fjordbotten	Musgrove	Weiss
Fyfe	Nelson	Woo
Gogo	Osterman	Young
Harle	Pahl	Zaozirny
Horsman	Paproski	Zip
Against the motion:		
Martin	Notley	R. Speaker
Totals:	Ayes – 54	Noes – 3

MR. SPEAKER: Are you ready for the question on the motion as amended?

[Motion as amended carried]

133. Mr. Notley moved that an order of the Assembly do issue for a return showing copies of all studies, reports, and other documents prepared by or for the government or any of its departments or agencies, primarily for the purposes of evaluating or analysing the relative costs and benefits to the province and its citizens of the development and utilization of various energy sources alternative to petroleum and natural gas.

MR. ZAOZIRNY: Mr. Speaker, in rising to speak to Motion No. 133, I wish to propose an amendment, adding the following words at the end of the motion:

> subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

The basis for the amendment is the same as outlined by the government members who spoke in respect of Motion No. 132.

[Motion as amended carried]

137. Mr. Notley moved that an order of the Assembly do issue for a return showing copies of all studies, reports, and other documents prepared by or for the government or any of its departments or agencies since October 1, 1980, dealing with the effect previously proposed or anticipated constitutional changes, or changes in the Constitution pursuant to the Canada Act, 1982, might have on the status and rights of various aboriginal peoples in Alberta, and specifically including the document titled "Aboriginal Rights Amendment Discussion Paper".

MR. HORSMAN: Mr. Speaker, in rising to speak to Motion for a Return No. 137, I wish to propose an amendment by adding the following words at the end of the motion:

> subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

I'd like to take just a few moments in dealing with this amendment to make reference to the fact that what is being proposed here in this motion is similar to that which was proposed in the previous two motions this afternoon. While I have the opportunity, I would like to point out to hon. members of the Assembly — including the Leader of the Opposition and other members of the opposition who have spoken on this subject today — that what we are trying to do is to provide clear guidelines for members of the Assembly that have never really been

provided before and, as well, point out that, with the exception of one aspect of this particular amendment, the freedom of information legislation which has been accepted by the House of Commons and the government of Canada is all included in the proposed amendment. That exception relates to consultant studies, the nature of which is identifiable and comparable to work that would be done within the public service and should be treated as such.

That was the subject of discussion the other day in this Assembly, Mr. Speaker. The motion was related to a confidential study done on behalf of the hon. Minister of Economic Development. I pointed out at that time that what would have had to happen in order for the rule of confidentiality to apply, relative to information which is exchanged within the department and the minister relative to making a decision, was obtained in that particular case by an outside consultant.

What would the alternative have been? If the expertise was not available within government, it would have been necessary to hire somebody in government. That may be the desire on the part of the bureaucratic empire-builders in the NDP, but it surprises me mightily, Mr. Speaker, that the leader of the Independents would have come before this Assembly and, in effect, expressed such a desire. Because that is exactly what would have to happen. Every time it was necessary to obtain confidential information or advice relative to matters which were not within the expertise of a department of government, it would be necessary to go out and hire somebody with that expertise to work for the government rather than hiring somebody in the private sector. This government believes in hiring people in the private sector to give appropriate advice.

I know that doesn't appeal to the bureaucratic empire-builders in the NDP, and I repeat the term because it is absolutely totally applicable to that bureaucratic empire-building socialist claque that occupies the two seats across the way. But it is not the intention of this government to . . .

MR. SPEAKER: I hesitate to interrupt the hon. minister. I'm not just sure how unfavorably the word "claque" might be interpreted.

MR. NOTLEY: "Claque" is not such a bad word coming from a cluck. [interjections]

MR. SPEAKER: Perhaps there isn't any need to deal with it any further at the moment. I'm just expressing my concern. If I should happen to find out that various reprehensible categories are included under that word, I might express further concern in the future.

MR. HORSMAN: Mr. Speaker, if "claque" is unparliamentary, I apologize. I didn't think it was — in any event, the group.

On a serious note, it has been quite clear that this is a serious effort on the part of government to clarify the issues. If the hon. members of the opposition can point to any of the items listed in section 390 that they think should be made public without either the consent of the government after due consideration and after having made the decisions from which the advice sought may be considered to be desirable, I'd like to hear about it.

As I said earlier, I realize that there is one difference between what we are proposing by way of making information available to the Assembly and that which is now the law of Canada as represented in the freedom of information legislation, which was Bill C-43 when it was going through the House of Commons, and that relates to consultants' reports. I'm quite aware that under section 21(2)(b) of that particular legislation, the exemption against providing information is not extended to

> a report prepared by a consultant or adviser who was not, at the time the report was prepared, an officer or employee of a government institution or a member of the staff of a Minister of the Crown.

That's the only difference between what we have proposed by way of making information available today in the motions that have been made and what is now the law of Canada.

I make my point once again that it is absolutely appropriate that when the expertise is not available within government or in the office of the minister, it should be the right of a minister of the government to go out to the private sector and seek that advice without adding to the size of the bureaucracy, or the civil service, or the size of the ministerial office. I can hardly imagine the indignation one would hear from the members of the opposition if ministerial offices were to expand in size as a result of the necessity of obtaining sometimes confidential information and advice for a minister of the Crown.

If hon. members of the opposition can point to any of the items, other than that particular one I have identified here in section 390 of *Beauchesne,* that they think should be made available to the public without the consent of members of the public who may be affected, I should be most enlightened today. Having heard the representations made by the Leader of the Opposition, I think there is a great deal less substance to his claims than he is normally wont to make. Once in a while there is some substance to his suggestions but, in this particular case, I suggest that his posturing is solely posturing. Therefore, Mr. Speaker, I urge hon. members of the Assembly to accept the amendment to Motion for a Return 137.

MR. NOTLEY: I certainly welcome the opportunity to enter this debate. I really hadn't thought I would, but I was moved by the eloquent intervention of the hon. Member for Medicine Hat, that socialist city of Alberta, the public-owned almost everything — natural gas, electricity, the whole bit practically. But, Mr. Speaker, when the member is back in Medicine Hat I guess he has a slightly different view of some of these public programs.

In any event, I'd just like to observe that I was intrigued with the deputy House leader's debate on the amendment, because he really wasn't discussing why the amendment should be subjected to Motion for a Return No. 137. Is it necessary that the studies, reports, and documents referred to in 137 . . . If you're going to make the proposal for the amendment, it seems to me only reasonable that you must relate — especially if you are the minister in charge of the government's response to this motion — why section 390 applies in this case, not the general policy across-the-board. Surely we're not dealing with a new general policy. Or are we?

As the Speaker has pointed out, this is not a parliamentary question. It is a matter of government policy which is going to be introduced to a motion for a return by a motion for a return. But it would occur to me that if we are going to introduce amendments to motions for returns of this nature, we must then demonstrate in our assertion in support of the amendment why section 390 applies. The minister forgot to do that. He gave us the general run-down on his view of the opposition, and I

certainly welcome that — my little bit of banter, end of discussion — fair enough. I totally missed any relationship between the subject at hand and the minister's remarks.

Mr. Speaker, I simply say to the government that I oppose these kinds of sweeping amendments which gut the ability of the members of this House on both sides to obtain relevant public information. At the very least, if the government is going to propose this kind of amendment, then the burden falls upon the minister to tell us why the amendment and section 390 apply directly to the motion for a return under debate. We all know that there are different types of consulting reports and *Beauchesne* itself deals with different types of consulting reports. You just can't come in and make a general statement, sort of say, okay, that's it. I suggest to other ministers of the Crown that if we are going to have — and I note here that most of the remaining motions for returns are going to be amended. I challenge the government not to just give us a general statement but to show why the particular motion for a return must be amended by the application of section 390 of *Beauchesne.*

[Motion as amended carried]

138. Mr. Notley moved that an order of the Assembly do issue for a return showing copies of all studies, reports, and other documents prepared by or for the government or any of its departments or agencies primarily concerned with evaluation and analysis of and detailing possible policy responses to
   (a) "Western Grain Transportation: Report on Consultations and Recommendations" by J.C. Gilson, released June 15, 1982;
   (b) The announcement made by federal Transportation Minister, the Hon. Jean-Luc Pepin, February 1, 1983, with regard to changes in the Crowsnest Pass statutory freight rates.

MR. FJORDBOTTEN: Mr. Speaker, I move that Motion for a Return No. 138 be amended by adding the following words at the end of the motion:

subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

[Motion as amended carried]

141. Mr. Notley moved that an order of the Assembly do issue for a return showing:
   (1) all reports, correspondence, and other documents received by the Department of the Environment or its minister, dealing with the blowout in October, November, and December of the Amoco sour gas well at Lodgepole, Alberta, and matters arising therefrom;
   (2) all reports, correspondence, and other documents received by the Department of Energy and Natural Resources and its agencies or its minister, dealing with the above-noted blowout and matters arising therefrom.

MR. BRADLEY: Mr. Speaker, I'd like to propose an amendment to Motion for a Return No. 141 by adding the following words at the end of the motion:

subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

[Motion as amended carried]

142. Mr. Notley moved that an order of the Assembly do issue for a return showing copies of all reports, correspondence, and other documents received by, sent by, or prepared for the Minister of the Environment or his department and its agencies, with regard to the advisability of establishing a study, inquiry, or other form of investigation into the public health implications of the blowout of the Amoco sour gas well at Lodgepole in October, November, and December of 1982.

MR. BRADLEY: Mr. Speaker, I'd like to propose that Motion for a Return No. 142 be amended by adding the following words at the end of the motion:

subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

[Motion as amended carried]

145. Mr. Martin moved that an order of the Assembly do issue for a return showing copies of all reports, correspondence, and other documents received by, sent by, or prepared for the Minister of Hospitals and Medical Care or his department and its agencies, with regard to the question of the establishment of a northern Alberta children's hospital proposed by some interested parties for situation in Edmonton.

MR. RUSSELL: Mr. Speaker, I'd like to move an amendment to Motion No. 145 by adding the following words at the end of the motion:

subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

And I'd like to tell you why I moved that amendment, Mr. Speaker. First of all, let's take a look at the motion and the way that it's written, and what in fact it is asking for: "Copies of all reports, correspondence, and other documents ..." What is an "other document"? I think previous interpretation in this House would say that that could be anything that's down on a piece of paper. It could be a telephone message transmittal slip. It could be letters from people supporting or objecting to the idea of a children's hospital. It could be a memorandum from a deputy or an official within the department. It could be any scrap of paper. Any scrap of paper could be a document.

What is it that they want? Is it too much work for them to put down on paper what they're looking for? No, they come in with this fish net that's supposed to sweep up every scrap of paper in our offices. The staff of government is supposed to reproduce four copies of everything because that's what it says on here. [interjections] That's what it says. And you ask us why we object. We object because — what does your office get, $300,000 in research support? What are they doing to earn that money? Don't they even know how to write a motion for a return? It's

time they had their knuckles rapped and their motions corrected. They don't even know what it is they're after.

I'll tell you why I moved the amendment to my motion. I can recall — and the hon. Member for Spirit River-Fairview was in the House at the time. I went to a lot of work at one time preparing some cost estimates in response to a motion for a return for some work up at Fort McMurray. It took us several weeks to do it and several thousand dollars to prepare that return. I filed it with the Legislature. About two days after, one of the hon. members for Calgary got up and said, have you returned everything that was asked for? I said, I have. And the next day I was asked to resign because I'd misled the House. I had missed an expense account of some civil servant at a restaurant up in Fort McMurray. That's the kind of thing the opposition did in those days. I don't think they've changed any in the intervening years. In fact I think they've gotten worse, not better.

SOME HON. MEMBERS: Agreed.

MR. RUSSELL: The second thing is that I think the second part of this motion for a return asks for copies of documents or correspondence. That of course deals with letters that have been received by me from private citizens who expect that when they write a minister of the Crown that letter isn't going to be published all over the place or made public without their concurrence. So if we accept this, we are going to have to go back to all the people who may have written letters on the subject of a children's hospital, get their written permission to file the letter, have it copied four times, and file it.

I know the hon. leader doesn't like to hear this; he's squirming in his seat. But that's what is asked for. So they needn't get up in their haughty manner and talk about freedom of information. If we knew what it was they were fishing for, they would have it.

As a matter of fact, Mr. Speaker, one of the first pieces of information I made available the minute I got it was the special consultant's report on the matter of a northern children's hospital. One of the first copies made public was the one that was delivered to the Leader of the Opposition's office. I had no objection to doing that. I know it was a matter of public interest. He wanted to see it, he got a copy, and that copy is in his desk. I assume it is because he's referred to it in this House. Now we get a motion for a return asking for it, plus all the other letters, plus all the other documents, not just prepared or received by me but by anybody in the department or any of our agencies, for heaven's sake.

What are they asking for? They should go back to their offices and tell those high-paid executive assistants to do their jobs properly.

MR. MARTIN: Mr. Speaker, I knew the minister was under a lot of pressure, but he's getting awfully sensitive lately. What we're asking for — and we'll come back with it; his point is well taken. We don't want any friendly letters from a constituent from Elbow that talked about the children's hospital. If he wanted, we could have worked out an amendment quite freely. We will come back with it, Mr. Minister, and ask for it in a much simpler and different way. But surely I would not want to suggest that you just don't want to bring back the motion for a return, so we'll give you another chance. We'll take in all the serious objections you raised in that nice speech you made and give you another chance to bring it back.

Thank you, Mr. Minister.

[Motion as amended carried]

148. Mr. Martin moved that an order of the Assembly do issue for a return showing copies of all reports, studies, or other documents prepared by or for the government or any of its departments or agencies, commissioned for the purpose of evaluating, analysing, or studying
(a) the effectiveness in the meeting of its objectives, or
(b) the administration, or
(c) the public acceptance and utilization, or
(d) the costs and benefits
of the Alberta Educational Communications Corporation (ACCESS Alberta).

MR. BOGLE: Mr. Speaker, I move an amendment to Motion for a Return 148 by adding the following words at the end of the motion:

subject to the general principles contained in section 390 of the fifth edition of *Beauchesne's Parliamentary Rules and Forms* insofar as they may relate to a provincial legislature, and in the case of correspondence, subject to concurrence of the author.

I might mention, Mr. Speaker, that since the swearing in of the Executive Council on November 19, 1982, an order in council was passed transferring the provincial authority from three ministers of the Crown — namely, the ministers of Education, Advanced Education, and Utilities and Telecommunications — to the board of directors of ACCESS. I am accepting this motion for a return and will be pleased to provide the information which was obtained for the provincial authority as it existed prior to November 19, 1982.

I have advised the hon. Leader of the Opposition — and I assume he has passed that information on to his colleague who has proposed this motion for a return — that there should be direct contact between hon. members and the board of directors of ACCESS. I believe the president has written the hon. member, on behalf of ACCESS.

MR. HORSMAN: Mr. Speaker, just before we conclude here, a few motions ago I invited the hon. Leader of the Opposition to state which of the items on this list which we suggest should be exempt from production, he wishes to have produced. He has not taken the opportunity of doing that. Perhaps he wishes to consider that over the next period of time and advise members of the Assembly or me in writing on another occasion. I just want to take note of the fact that he has not chosen to avail himself of that opportunity today.

MR. SPEAKER: I take it the hon. Deputy Government House Leader is not suggesting or moving a tabling.

[Motion as amended carried]

162. Mr. R. Speaker moved that an order of the Assembly do issue for a return showing:
(1) The date when officials from the Department of Consumer and Corporate Affairs first learned that Dial Mortgage Corporation, which is now bankrupt, had a deficit position in working capital.
(2) The number and dates of reviews undertaken by the Superintendent of Real Estate, relating to Dial Mortgage, from November 1979 to May 1981.
(3) Copies of letters and reports made to the department on Dial Mortgage Corporation during the period of July 1, 1979, to June 30, 1981.

(4) When the Minister of Consumer and Corporate Affairs was made aware of Dial's financial difficulty.

(5) How many unsecured creditors were affected by the bankruptcy of Dial Mortgage Corporation.

MRS. OSTERMAN: Mr. Speaker, I hope the hon. member isn't disappointed; I don't have an amendment. In seriousness, I don't know whether the hon. member is aware that the information he asks for is presently in a case before the courts. In accordance with the sub judice convention cited in *Beauchesne,* I would ask hon. members to vote against this motion.

MR. HORSMAN: Mr. Speaker, in the absence of the hon. Attorney General, I could add that a legal action has been brought in this matter against the the Crown in the right of the province of Alberta, and all of the items that are requested by the hon. member in his motion are in fact the subject matter, in one way or another, of the action which has been brought against the Crown. Therefore that information should be shared at this stage with members of the Assembly. With the remarks made by the hon. Minister of Consumer and Corporate Affairs, I wish to add that information for the benefit of the Assembly.

MR. SPEAKER: I should explain to the Assembly that in approving the motion for the Order Paper, I was not aware of that litigation. Had I been aware, of course, I would have looked quite carefully to see whether it might infringe against the sub judice convention. However, we do have debate by the hon. minister with regard to the adoption of the motion that takes that into account.

MR. R. SPEAKER: Mr. Speaker, on a point of order. That information was not available to me either. In a case such as this, where the submission of the motion for a return was made prior to the opening day of this session — because this is one of the items I have been working on for some time. I wonder whether a member would have a right to the information in a case where the motion was presented but at a later point — let's say two days, a week, or whatever — the court case was raised. The government held the motion for a return on the Order Paper since the opening of session until after the court case was established, then it set up a situation where the information was not available to me.

MR. SPEAKER: There is no absolute right to the information in any event. But as hon. members know, a motion doesn't become a resolution of the House until it has been passed. So regardless of how far back the motion was put on notice, as I understand it, the time that the test must be made as to whether it offends the sub judice rule is the time the motion is going to be decided by the Assembly. That time being now and the litigation, as we have been assured, being under way, it would seem to me that the motion should be dealt with in light of the fact that the litigation is under way.

[Motion lost]

164. Mr. Notley moved that an order of the Assembly do issue for a return showing the study, commissioned by the government and carried out under the direction of Mr. Doug Rabb of Fluor Canada Limited, examining the economic feasibility of a proposal to build and operate a 1,032 kilometre pipeline designed to transport crushed coal in a 10 per cent water solution from the Coalspur area in Alberta to port at Kitimat, British Columbia.

MR. PLANCHE: Mr. Speaker, while I am not going to propose any amendments, it might be interesting to note that in the scrupulous search for the truth by the Leader of the Opposition, there never was an economic feasibility report. It was a technical feasibility report. In fact it was filed December 15, 1981. So on that basis, I urge members to defeat this motion.

[Motion lost]

head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

205. Moved by Mrs. Cripps:

Be it resolved that the Assembly urge the government to give consideration to amending the Municipal Taxation Act to allow for a minimum tax on all rural residential parcels and farmsteads to cover municipal costs on a more equitable basis, and that the property tax reduction program grant become effective over and above that minimum amount.

MRS. CRIPPS: Mr. Speaker, it's my pleasure to introduce Motion 205 today. Over the years, taxation has probably been debated more than any other subject, whether it be in the coffee shop at the municipal level, at the council level, or at the provincial or federal government level, and by the people who are recipients of the notice.

Please note that I'm not talking about taxing farm buildings. I'm talking about taxing the residential parcel or farmstead. It's a whole new concept in taxation. Traditionally, taxes have been based on the ability to pay; that is, the bigger your house, the higher your taxes. To a degree, that is fair. However, there's a device called income tax, which supposedly takes care of the inequity in income level. What I'm proposing today is a base tax which is intended to cover the cost of services provided to the residential property owner. My comments are essentially directed toward the rural problem of equalized taxation. An urban member would have to address whether the principle would be applicable in urban centres.

Mr. Speaker, there are numerous rural residential parcels classed as agricultural on which the residents pay absolutely no tax, one of the reasons being the property tax reduction program. I'm certainly in favor of the property tax reduction program. However, this program should be over and above a base tax paid on every residential property. No one can argue the fairness of a residential property owner paying absolutely no tax while his neighbors up the road pay taxes for essentially the same services. Certainly the property owner who pays no tax can't say it's unfair to pay something for those services. The residential property owner who is now paying taxes isn't going to object to his tax load being lessened because everyone will now pay some taxes.

At the present time, property tax is based on an assessment arrived at by an assessor applying criteria set out in the municipal taxation guide. This guide supposedly provides uniform assessment across the province. This certainly is not the case. Any time I have a complaint about taxes, somebody in one of the municipalities will say, well, we just do it the way your guide says to do it.

First, the house is assessed as if it were in Edmonton or Calgary. That's ridiculous. These cities have ready access to water, sewer, telephone, and power. In the country, sewer systems cost $3,000 to $7,000. The well will be between $3,000 and $6,000. The power will run around $5,000, and that's only for a quarter of a mile.

I might point out that there are two identical houses, built by brothers in the same year. One is in Edmonton and the other is on a residential acreage in the county of Wetaskiwin. The fellow in the county of Wetaskiwin pays $697 in taxes. His brother in Edmonton pays $814 in taxes, $117 more. But he's got a double attached garage along with his house in Edmonton.

AN HON. MEMBER: What did he pay for his lot?

MRS. CRIPPS: I'm talking about the assessment of the buildings. The point is that in Edmonton, water and sewer — the street is paved in front of his house. [interjection] Certainly he paid for it. But so did the fellow in the county pay for his well, his sewer line, and all the services he's provided.

Mr. Speaker, I've done a little bit of comparison in this assessment manual. I won't take much time at it, because time is moving on. But the base rate of two buildings is different. I'm looking at a single-family dwelling in either case. This is average C. The base constant rate varies from $11,300 to $12,350. Then if I go to another one, the base rate is $15,700 to $19,650. I want to touch on one area of that house; that is, a half bath, including a water closet, basin, and accessories. Now the base is different, yet the half bath in those two buildings is also different. If the vanity cabinet and half bath in the average C house is in full, they add $535. In the other house, for the same water closet, vanity, et cetera, they add $705. So already you're starting with a more expensive base. And when you add the different facilities, you're adding a higher tax on the same facilities. But color makes a difference. Mr. Speaker, I really ask you: what difference does it make if the bathroom fixtures are blue, white, or pink? They're all used for the same purpose.

I can go through the manual in every case. In fact back here — no wonder they can't justify their assessments; they can't find out how they figured them out in the first place. The roughing in for bathrooms is different. In one house it's $2,040, in the next house it's $2,685, the next one is $3,270, and in the last one it's $3,845. Mr. Speaker, roughing in is roughing in. You use the same kind of fixtures regardless of whether the toilet is blue, pink, or white. The assessment manual has some noticeable discrepancies which only increase the total inequities.

On the other hand, if the occupant can convince the assessor that his residential parcel is in fact a farm, the basic residence is not taxed unless it is in excess of the average three-bedroom bungalow farm residence. Then taxation is based only on the difference between that average residence and the actual dwelling. So in the case of farm residential property, taxation is based on the productive value of the land. Maybe this works in Nos. 1, 2, and 3 soils. But quite frankly, in the gray-wooded soil areas of the province of Alberta, it's not effective.

I'd like to use myself and our farm as an example so nobody can say I'm picking on them. We have eight quarters.

AN HON. MEMBER: What color is your bathroom?

MRS. CRIPPS: I'm not telling.

The property tax on each and every one of them is higher than on the home quarter. Granted, the home quarter is hills, creeks, bush, and small fields. It certainly isn't developable agricultural property. But if that was the only quarter we owned, Mr. Speaker, we would pay no tax whatsoever. The services on the other seven quarters are minimal. The home quarter is the only quarter that really uses the services provided by the county.

For the purpose of this motion, I'm going to leave aside school taxes and talk about municipal taxes only. I'm going to use the county of Wetaskiwin as an example, but I could be talking about Leduc, Barrhead, Vermilion, or any county or municipal district in the province. For instance, in Leduc 164 people under the age of 65 pay no taxes on residential parcels — that's 4.5 per cent of the total residences in the county — and 218 over the age of 65 pay no taxes, for a total of 382 residents, or 9.1 per cent of the residential parcels, who have their total taxes paid by the provincial government.

In the county of Wetaskiwin, the municipal breakdown of the mill rate is as follows: municipal taxes, 59.29 mills; recreation, 3 mills; planning, .95 mills; senior citizens' lodge, 3.07 mills; and fire protection — which is only in the zone I live in, recreation zone 3 — 5 mills. The further supplementary requisition is 75.19 mills. The problem seems to make itself more manifest in the poorer soil areas. Because the soil is gray wooded, the land has a lower assessment. And this is fair. The unfairness results when the agricultural residential quarter pays no taxes.

Let me illustrate with 12 parcels in a four-mile stretch. I've listed them (a), (b), (c):

(a) 160 acres, farmland, no residence: $120 taxes, total payable.

(b) 120 acres, not classed agricultural, a residence: total taxes, $890.

(c) 40 acres out of this same quarter that I just mentioned, not classed agricultural: total taxes, $427, $387 payable.

That one quarter, Mr. Speaker, is paying over $1,200 taxes.

(d) 160 acres, farmland, no buildings: $91 taxes, total payable.

(e) 160 acres, farmland, buildings, summer residence: $106, total payable.

(f) 160 acres, farmland, residence: taxes, no tax paid.

(g) 160 acres, classed as farmland, residence: taxes, $86, again no tax paid.

Yet the quarter across the road from the one I've just described is subdivided into three parcels. One 20 acre parcel has a trailer on it: $311 taxes, total payable.

(o) 80 acres, nothing, classed recreational: $350 taxes, total payable.

(p) 60 acres out of that same quarter, recreational land: taxes, $315, total payable again.

There's no reason, Mr. Speaker, for the quarter section across the road to pay $975 taxes while a residential farmstead pays no taxes and they're receiving services.

(h) 160 acres of farmland, a huge house but it's classed as farmland: $60 taxes, and they're payable because it's a summer residence.

(i) 160 acres, farmland, older house: taxes, $216.

I've never figured this out; this is senior citizens.

(j) 160 acres, farmland, residence: $127, no tax.

(q) farmland, residence: $199 tax, so they would be partially payable.

(r) 160 acres, residence: $143, so no tax is payable.

Of the above-listed parcels, nine have residences. Three of these residences pay tax in excess of $300. Three of these residential parcels pay tax under $100. Three pay no taxes whatsoever because they are classed as agricultural land and they only own the one quarter. I had a call this morning from a ratepayer in Stony Plain — and I'm sure the Member for Stony Plain will comment on this when he speaks — who indicated that the same situation exists just west of Edmonton.

If I might be permitted to outline the total ambiguity of the system, let me give a more thorough outline of residential parcel (c). That was the 40-acre parcel which payed $427 taxes. It was assessed at $2,920. This fellow spent the last three years arguing about the unfairness of the tax system. He's used a clause in the Municipal Taxation Act to show that he did in fact derive enough income from the land to support one person. That's there. So he's had the parcel assessed as agricultural. This year the assessment — not the tax — is $160, making the tax payable at last year's assessment $24.76. And he wouldn't pay any tax. That's totally unfair. Last year he paid $467, and this year he's assessed $24, of which he will pay nothing. It's totally unfair. He's getting exactly the same services this year as he received last year. Quite frankly, Mr. Speaker, it makes a total mockery of the principle of taxation. The services used by the residents of parcel (c), as I've said, haven't changed one iota.

My proposal, Mr. Speaker, is to provide for a minimum tax on all rural residential parcels. Let's say $250 is the base. I've got one of these little manuals that the minister gave us yesterday. It says, you take your total needs and divide them by the total land base, and that's how you arrive at a mill rate. That would be quite easy to do if we implemented this sort of procedure. We take the total assessment needs of the county and deduct some, because the farmlands should pay a minimal amount of assessment. The only reason we're paying a minimal amount of assessment is that we have a cheap food policy. I wouldn't want to take that away from the members. If you eat, you're involved.

The property tax reduction program would only become effective over this base, be it $250. I think you have to keep it reasonable. We know what happens when we implement something that somebody decides is unreasonable. Because of assessment methods, and due to the benefits of the Alberta property tax reduction program, it is possible for certain landowners to end up paying no taxes at all. As I've indicated two or three times, these people are provided exactly the same services as the people who are actually paying property taxes. Such glaring inequities compromise the credibility of property tax, the single most important source of tax revenue for local municipalities.

The motion also proposes a building site value tax, Mr. Speaker. This is a tax on the site. Buildings are not taxed, thus encouraging improvements rather than penalizing them [as] at present. I'd just like to go back to this taxation manual again. I found it very interesting. Road work: if you grade a driveway into your yard, you're taxed on it. If you put gravel on it, you're taxed on it. If you put weeping tile or a pipe to run the water through the driveway, you're taxed. Every improvement you make, you're taxed. I really couldn't believe this. Driveway, gravel base: you add $1.10 per metre. If it's paved, you add $8.45. So you don't want to pave your driveway; it costs you a lot more than a gravel one.

In Ireland, Mr. Speaker, the property taxes are paid and then incentives or grants are given for improvements, thus encouraging residents to improve property both aesthetically and physically instead of discouraging any and all improvements as we do now. Our present system is regressive when even painting causes an increase in your tax. The land must still be taxed. This figure should be less, and of course the principles of land value, market availability, and access to a major market centre would still apply.

Mr. Speaker, the changes would achieve the following results. One, residential sites could be taxed. Two, there would be fewer inequities between land classed as agricultural and other uses. I got another letter today from a fellow with a recreational parcel who feels there are vast inequities there. Three, municipalities would be in a position to allocate economic resources in an efficient manner. Four, development on and of land would be encouraged rather than penalized. Five, all property owners would be required to pay for benefits received.

Mr. Speaker, this motion is an attempt to assist municipalities in financial straits, as well as restore equity to the system of property taxation in this province. Since the property tax remains the most important source of local tax revenue, it must be administered fairly both in appearance and in fact.

MR. MUSGROVE: Mr. Speaker, I would like to congratulate Mrs. Cripps on such a good presentation on minimum tax. I would also like to make some comments myself.

We require a minimum tax because of the exemption on farm buildings. Where they have few acres of land involved, the home-owners' discount generally covers all their taxes. Therefore they literally don't pay any taxes. One of the problems with the farm exemption and with rural municipalities deciding who is entitled to farm exemptions, is that through the years people who sat on courts of revision found that it is impossible to define a farmer. People will say it's simple to define a farmer: he makes his living from production of crops and livestock. Rightly so. But it's the person who is almost a farmer who is hard to define.

Courts of revision have used the criterion that if a person makes a subsistence from his land, he's entitled to the farm exemption on his dwelling. Quite often, the subsistence used is $2,500 a year net profit on a piece of property. That's easily proved, and quite often it's worked. Twenty-five hundred dollars is not a lot of money to make off a property, particularly when there's a vast house or something on it that would be subject to a lot of taxes, were it taxed. It makes quite an incentive for a person to try to get under the exemption. If the court of revision decides that he's not entitled to the agricultural exemption, he still has the right of the provincial appeal board.

Now there are some reasons why there should be a farm exemption on dwellings. Historically, when the foundation education tax was put on — I believe in several municipalities some research was done on it. It was shown that about 32 per cent of the people in those municipalities paid 35 per cent of the foundation tax. That was several years ago. Recently we got some statistics, and this is because of equalized assessment changes in the last year. I will quote from several municipalities. First, in counties, one I'm quite familiar with: the supplementary requisition per student in the rural area is $415; in the urban areas within that county, it's $111 per student. Another one: the rural area pays $714 per student; the urban people pay $470 per student. By per

capita — and that's the total population of that municipality — the rurals pay $176 per capita, the urbans pay $82 per capita, and on down the line.

Then we go to school districts. This was not counties. In one school district, the requisition per student is $1,605; urban, it's $556. On the total population, rurals pay $375; urbans pay $94. That's the pattern that is followed. So you can see that with the present equalized assessment formula, rural people are contributing considerably more to the supplementary requisition in schools.

Now getting back to the other side. In my opinion the acreage owner, the person who doesn't try for the agricultural exemption, is paying comparatively more taxes than the farm people. I have a good example that I like to use. This is a fellow who had 52 acres of land that he farmed. He was a pipeline welder, but he farmed his 52 acres and sold his crop every year the same as I or anyone else does. But because of an interpretation of the assessment manual, his land was assessed as other than farmland. His taxes for a year were in the neighborhood of $1,800, although he had a modest house on that land, and that was after his home-owner's discount was taken off.

So doing some research, if his land was assessed as farmland and his house was assessed as a residence because he was a pipeline welder, not actually a farmer, then his taxes were in the neighborhood of $750. If he tried for the agricultural exemption and was successful — which he'd quite easily be, selling 50 acres of crop — his taxes then, with the home-owner's discount taken off, were $8.50. That particular person came to that council and said, look, I don't want to pay $8.50 taxes, but I don't want to pay $1,850 either. That council, in its wisdom, decided that he should pay agricultural taxes on his land because he actually farmed it, and residential taxes on his house because his initial living was as a pipeline welder. That's the way he was taxed, and there were several people in that county who were taxed that way. We are told that according to the municipal Act, that was not legal. However, it's being done, and it hasn't been challenged to this time.

Mr. Speaker, there's quite a problem using the annual salary economic process to define whether a person is or is not a farmer. Suppose a farmer gets hailed out and has no income. Does that mean the people are going to assess his dwelling and aggravate his problem? I have a story I like to tell. Of course there are people in this world who would like to define bona fide farmers and guarantee they can do it. I like to leave as an example a beekeeper in my constituency who owns one and a half acres and has a very viable agricultural unit. He gets the agricultural exemption on his buildings, and rightfully so. We also had a ranch in that area that had 72,000 acres of deeded land, and it broke seven millionaires in 10 years. Now if we were to do things according to the process of economics, we would have assessed that ranch's dwellings and charged taxes on them. I don't believe we could have put that across.

There's a new assessment formula that some municipalities are using — I believe it is hoped that they will all be on the new assessment formula by 1985 — whereby your farmland will be assessed six times what it was prior to the change-over. In other words, if your maximum farmland assessment was $40 an acre, it will become $240 an acre. Your house will be assessed, and it will be exempt to the equivalent of a C-3 bungalow, or somewhere in the neighborhood, I believe, of $44,000 right now. You will pay taxes on the rest of your dwelling.

At the time this formula was brought about, it was suggested by research that the cost of acreages should be increased by four and a half times what they were at that time. Part of the reason for that was that anything in excess of three acres would be assessed as farmland and the three acres and the dwelling would be assessed as residential. I understand that that has changed now because the price — 65 per cent of actual value — of these acreages increased to the point where they are now. This formula is changing their assessment more than the six times on farmland.

The new formula says that railway assessments will go up 10 times. Railroads were previously assessed at $1,000 a mile. It wasn't felt that for them to go up to $10,000 was a tremendous increase. Wellheads that were assessed at $100 will go up to $1,000.

With that formula, it was suggested that split mill rates should be used. I think that up until this time there was only one allowable split mill rate, and that was on residential property. It was 25 per cent of your municipal and supplementary requisition mill rate. When this formula went into effect, it was suggested that there probably could be a farm mill rate that could be something between your industrial mill rate and your residential.

Recently I had the advantage of listening to a panel on assessment. There were four speakers, all with a different type of assessment. The first one was the either/or concept. This was introduced by the Alberta Association of Municipal Districts and Counties many years ago, and has been debated for a long time. You would assess your land and your dwelling, and you would pay taxes on whatever was the highest. It seems that the assessment department has had some problems with that. They felt that for services that were paid for by both rural and urban people, the rural people would be paying on only their land or their residence, and urban people would be paying on both. That's in your supplementary requisition from your towns and villages, et cetera. So they felt there were some inequalities.

One of the other panelists was suggesting that they should tax all dwellings, including farm dwellings, and use a split mill rate. But as I pointed out, by the contributions to the supplementary requisition the equalized assessments would have to be changed in that case, because they would then be paying considerably more to your equalized assessment.

The AAMDC had a special committee on assessment and taxation operating this winter. Their opinion was that if equalized assessment problems could be looked after, and if they could use a split mill rate, this probably would be the most equitable way of solving the problem. However, this was voted on at the recent spring convention and, I understand, was turned down.

One of the other panelists was speaking on minimum tax. Of course this is what we are talking about today. It's agreed that everyone who receives services should pay taxes. The problem with the minimum tax was that the principle of taxation should have a tax tied to some kind of assessment. If your minimum tax with the mill rate of that municipality was over the assessment on that dwelling — I'm saying that there are probably some minimal-type dwellings that your assessment would overlap, so that was the problem involved with that.

The principle that I felt had a lot of merit, and it does include a minimum tax, was that in addition to your land assessment, you should assess the first $20,000 of your farm residence. Then you could have your C-3 exemption, or your $44,000 exemption, and tax the balance of the residence. That probably would provide a minimum

tax on all dwellings. It wouldn't necessarily be all the same, but there would be some tax on all dwellings.

An option suggested was that the municipality have the option of working any one of these formulas that they saw fit. That does have some merit, because there are a lot of discrepancies in the type of assessment in rural municipalities. I can think of some municipalities where residential taxes cover almost 40 per cent of their total assessment, and I can think of other municipalities where residential tax is a very small portion of their total assessment. If a municipal council could work out something that is acceptable to the people and put a by-law through to have some of these types of taxes — some of these minimum taxes, whatever they feel would best fit their municipality — I feel that would be an equitable way of handling the situation.

Mr. Speaker, I believe that all people should pay taxes. I'm sure we will have discrepancies in assessment and taxation, no matter how we handle it. I believe it's a ongoing job that the elected people of Alberta have to work at. I hope we can come up with some type of solution that leaves the equities there are.

Thank you very much.

MR. CLARK: Mr. Speaker, it's a pleasure for me today to speak on Motion 205. First, I'd like to compliment the hon. Member for Drayton Valley for putting this motion forward and bringing it to the attention of the Assembly. It's something that's been debated quite often in the House. I don't think we have found a real solution to it yet.

I must say, Mr. Speaker, that I agree with the principle the hon. member is putting forth in the motion, but I'm not sure I agree that it's going to be as fair and equitable as she said it might be. I'm sure that her intention is to achieve a fair and honorable tax for all Albertans. I certainly agree with that. As you know, property taxes have been with us pretty near since time immemorial. I think everybody agrees that there has to be some method of taxing people to pay for the services they get. In reality, I believe it's the fairness of taxation that really counts. It must not only be fair, but it must be perceived to be fair by those people who are paying the tax.

The motion asks for a minimum residential tax to be placed on all parcels and farmsteads, and that the property tax reduction program become effective only over that minimum amount. When you look at taxation, again I must say that you have to look at what is fair and equitable. If you carried this right to the extreme, I suppose you would say: you need $2 million in an MD or county and you have a couple of thousand people; you divide the people into the amount of money you need and say, there it is, everybody pays that much. But this method certainly doesn't take in the ability of people to pay. Although it treats everybody equally, sometimes that can't be done in taxation. Also it assumes that because the services of the municipality are available to everybody, everybody uses them to the same extent. This is something that is not really true either.

In 1972, when I was elected to the municipal council of the county of Wheatland, at my first convention of the AAMDC — I guess it was 1973 or 1972, 10 years ago — the biggest, hottest discussion was over taxes and the assessment of farms. As the hon. Member for Drayton Valley and the hon. Member for Bow Valley have described, there were many people outside the towns and the large cities like Edmonton and Calgary, living on 18 or 20 or 30 acres, who didn't pay any tax at all because of the tax reduction program. It continued to get worse as the years went along. The municipality and the school board still had to keep their services going: the snow-ploughing, they had to educate their children. And as the hon. member said, even the people who didn't have to pay tax didn't really want to be a burden on the municipality. They wanted to pay a fair share of the taxes. You could well ask how such a situation could get started in Alberta and why you should be able to live in a municipality and pay no taxes at all but still receive all the services of those that do.

The biggest problem at that time, Mr. Speaker, was the fact that in many hamlets and villages most of the taxation or assessment of homes was done on 65 per cent of the market value. If you were a farmer, you were assessed at the maximum of $40 an acre on the best farmland available at that time. I don't agree with the country they took. It was around Olds up there, and they said that was the best dryland farming in Alberta. They said that was the highest production land. They took the soil charts in Alberta and proved that that was what they would class as $40-an-acre land. All other farmers paid on a down scale from there. This had a couple of effects. It really worked well for several years, in that farmlands stayed steady and the assessment in some of our smaller villages and towns didn't rise very quickly. But some things happened to change that.

What really happened was two things. One of the first things was that in 1972 they elected a new government in the province. They put in policies that decided that the small rural centres would begin to grow. One of those policies, of course, was our decentralization program. There were many others. They put in a large sewer and water program which, in effect, gave the small villages and towns an opportunity to supply better services. As a result, the small centres began to grow and, as they grew, the assessment began to rise. Seeing as their assessment was based on 65 per cent of market value, the amount of equalized school assessment the urban centres began to pay was a greater percentage than the rural people were paying within the municipality because the farmland was pegged at $40 and had been there for many years.

It's an amazing fact, really, that small centres began to grow so quickly in Alberta in the '60s and '70s, because in our sister province to the east they began to die. They started to become smaller, and some of the centres actually died right away. In Alberta this didn't happen because of the programs we had in effect. As a result of this, of course, the government had to respond.

In 1980 they responded by the Municipal Taxation Amendment Act. It did the following things. It increased the farmlands from a maximum of $40 an acre to a maximum of $240 an acre. It lowered the irrigation lands from a maximum of $55 an acre, $15 over what the best dryland farming was assessed at, to a maximum of $240, which was the same as they had for the best dryland farming land in the province. The third thing they did was assess non-farm commercial buildings in rural areas; that is, buildings that were not used for agricultural purposes. They assessed farm homes to some extent also. They used $28,000 in 1979 as an exemption for farm homes. Anybody who had a house that was assessed over $28,000 was, of course, assessed on the portion that was above $28,000.

Now let's look at those four areas and see whether they appear to be fair and equitable. Taking the first one, moving farmland from $40 an acre to $240 an acre, any farmer will tell you that $40 an acre is not a reasonable

figure for farmland today, and wasn't in 1980. When we moved it from $40 to $240 per acre, it was still what most farmers considered a fair and equitable assessment on the best farmland in Alberta, considering that all the other farmland in the province was scaled down from that.

After that we have to look at number two, which is a lowering of irrigation lands from a maximum assessment $15 over the assessment before on the best dry land, almost one-third higher. They brought it back to the best dry land Alberta. When this first came up, there was some concern in the Western Irrigation District. And after it was explained to them, I never had any more trouble with that portion of it. So I think it's been accepted as a fair and equitable assessment.

The next one was assessment of non-farm commercial buildings in a rural area. I don't think anybody felt abused when we assessed commercial buildings within a rural municipality.

Number four is assessment of farm homes. That's a little different problem out in our area. I guess you've got to have the experience of going around in an election campaign and walking up to a door. You always wondered if an assessor had been there before you, because it seemed that about every third farm home was being assessed in my constituency. I walked in with great care, not looking for the dog but just worrying about whether the assessor had been there. That brings me to the fact that if you have a tax, it has not only to be fair but it has to appear to be fair. When you place rural neighbors in the position where one farm home is taxed and the next one is not, you get into a very difficult position as a government, and you even bring up a little disagreement between neighbors.

I would like to give you an example of what I mean by that. Let's take a couple of young farmers who are starting out. They both want to build new homes. They haven't got decent homes on their farms, so they decide they want to build. One of them decides that he's going to go out and borrow the money, build the home, and use it now. The other young couple is a little more conservative and decide that they would like to set the money aside, put it in the bank, save the interest, and maybe do a lot of the work themselves and build their home in that manner. What happens as a result is that, where we are today, the fellow who built his home a few years ahead of time — because of depreciation and age, the house is tax exempt. But the young fellow who saved his money and built today is assessed. I know that they both have an exemption, but it is not perceived to be fair in the rural areas. As I said before, it has caused quite a bit of concern among the rural people.

You might say that no system is perfect. But I guess that if you are going to complain about one system, you should have something that you feel is better. When you look at that you have to say, what is the answer? I don't believe you can come up with absolutely equitable taxation for rural residences anywhere. For many years the problem has been that you can't define a farmer. You certainly can't define a farmer by the amount of money he makes. There were years when I went in the hole, and I would hate to have my farm classified as commercial land because I wasn't making any money on it. I think the Member for Bow Valley alluded to that. You can't define them by the size of the farm, because there are many farms on small acreages that are very viable and doing a very fine job.

How do you define a farmer? My solution is that you don't define a farmer; you define farmland by land use. If land is used for agriculture, then it would be assessed as farmland. It really makes no difference whether it's 10 acres, five acres, 20 acres, or what it is. If he has a tree farm on it, if he's raising hogs on it, or if he's raising anything like registered horses and makes a little money from it, it's still agriculture. I think it should be classed as agricultural land and assessed as such. Until the land use is changed from agricultural to commercial and is zoned for a higher density, I believe it should be assessed for agriculture.

The second point I'd like to make is that you should assess all farm homes. I know that's a very unpopular statement to make in some places. But it certainly isn't in my area, where we are now assessing one in three or so. They said they wouldn't mind paying their share if everybody was paying, but a lot of people are not. They might be larger farmers, and just because one fellow decided to make a big shop or a big barn, he's not assessed on it. The neighbor decided to build a house, and he's assessed and pays an unfair amount of taxes on the same amount of land. I think that is a very poor way of assessing farmers.

In closing, Mr. Speaker, I would just like to go over that again, to make sure you understand what I really mean. One, you define farmland rather than a farmer, because it is impossible to define who is a farmer. Two, you assess all farm homes in the same way you assess urban homes. It is my understanding that any time a vote has been taken in the AAMDC on whether they assess all farm homes or go to some other method, it's been a very, very close vote. I don't believe the method we now have is working. I think it's time that we take a look at assessing all farm homes and make it as equal as possible for everybody.

Thank you very much, Mr. Speaker.

MR. BATIUK: Mr. Speaker, a very important resolution today. I had looked forward to participating in it, for such legislation has been introduced on numerous occasions. However, regrettably, because of all the time the opposition used, or maybe I should say wasted, I cannot have the opportunity, so I beg leave to adjourn debate. [interjections]

MR. SPEAKER: Does the Assembly agree with the motion that debate be adjourned?

HON. MEMBERS: Agreed.

MR. SPEAKER: It is so ordered.

MR. HORSMAN: Mr. Speaker, it is proposed to deal this evening in the Assembly with Government Motion No. 13 on the Order Paper. I move that we call it 5:30 p.m.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

[The House recessed at 5:28 p.m. and resumed at 8 p.m.]

head: **GOVERNMENT MOTIONS**

13. Moved by Mr. Crawford:

Be it resolved that Bill No. 44, Labour Statutes Amendment Act, 1983, stand referred to the Standing Committee of the Assembly on Public Affairs for the purpose of providing an opportunity to representative, province-wide organizations and groups, in existence as at April 11, 1983, to make written submissions to the standing committee respecting the said Bill.

Be it further resolved that hearings by the standing committee be conducted on April 25, 26, 27, and 28, 1983, from 2:30 p.m. to 6 p.m.

Be it further resolved that when the Assembly adjourns on Friday, April 22, 1983, it shall stand adjourned until 8 p.m. on Thursday, April 28, 1983, unless reconvened at such earlier time as Mr. Speaker may determine upon the request of the standing committee.

Be it further resolved that Al Hiebert, the hon. Member for Edmonton Gold Bar, be vice-chairman of the standing committee for the purposes of the said hearings.

Be it further resolved that public notices in a form approved by the chairman and vice-chairman of the standing committee, be published at the earliest practical date in such publications as the chairman and vice-chairman direct:

(1) inviting written submissions;

(2) specifying 5 p.m. on Wednesday, April 20, 1983, as the latest time at which notice of intention to present a written submission may be delivered to the office of the chairman;

(3) specifying 5 p.m. on Friday, April 22, 1983, as the latest time at which such written submissions may be delivered to the office of the chairman.

Be it further resolved that the chairman and vice-chairman of the standing committee shall:

(1) determine which submissions will be heard by the committee during public hearings and, in determining whether or not a submission is from a representative, province-wide organization or group in existence as at April 11, 1983, the chairman and vice-chairman shall ascertain whether or not there is substantial overlapping or interlocking membership between two or more submitting organizations or groups and choose the organization or group which, in their view, is most representative of a province-wide interest;

(2) determine the order in which submissions will be presented to the committee during public hearings;

(3) inform each organization intending to present a written submission as soon as is practical whether that organization's submission will be heard by the committee during public hearings and, if so, when it is likely to be heard;

(4) take into account in deciding which submissions will be heard and the order of presentation of submissions during public hearings, the need for a broad cross section of the views expressed in the submissions to be presented to the committee, as well as the directness of the provincial interest in the matters in issue on the part of each organization or group proposing to make such submission;

(5) determine the procedure for tabling written submissions received by the committee which:

(a) the chairman and vice-chairman have found not to have qualified for presentation to the standing committee,

(b) the chairman and vice-chairman have found qualified for presentation to the standing committee, but which are unable to be heard by 6 p.m. on Thursday, April 28, or

(c) are received by committee members from organizations or groups requesting that such written submissions form part of the record of the standing committee's proceedings;

(6) be available at specified times before 5 p.m. on Wednesday, April 20, 1983, to inform any interested organization or group in advance whether or not the organization or group would qualify to be heard prior to preparation of a submission.

Be it further resolved that the time allotted for the presentation to the standing committee of any submission during the hearings shall be 40 minutes, including time allotted for committee members to ask questions, and that no member who asks a question shall be allowed more than two supplementary questions.

MR. CRAWFORD: Mr. Speaker, it's not on many occasions that a matter of such magnitude is before the Assembly when procedure of this type is undertaken. There are many, many ways in which representations are made to members and a great variety of work that committees of the Assembly do, and in the process of their regular duties gather all manner of representations and opinions. These are always reflected in the deliberations in the Assembly, of course, and all hon. members act in a similar way in that respect.

When something of such magnitude as Bill 44 is proposed, however, it is thought that perhaps there are special reasons to have an established procedure, in order to be sure that submissions are received and that members will not only receive them but, in the context of the hearings, have the opportunity to elicit from people bringing viewpoints to the committee the additional concerns and considerations that may well come from the opportunity of some questioning, even if it's not as full an opportunity as there might be in repeated conversations, perhaps, or in debate. But it is certainly a step ahead, beyond the mere receiving of the submissions themselves.

So we hope that in considering this motion — and in due course agreeing to it, no doubt — members will bear in mind what that process is and will be, how important it will be, and the interest all of us will have in drawing from persons making submissions some of their detailed thoughts in respect of proposed Bill 44.

Mr. Speaker, I commend the content of the motion to hon. members. It provides for 14 hours of hearings here in the Assembly. I think one of the most important considerations is that it is directed at province-wide organizations or groups which are representative of provincial interests. There is a reason for that, of course. The issues themselves are far reaching. If that is the case, then it's appropriate that given that there are some limitations on the time of the Assembly to resolve itself into committee for hearing representations, those representations which represent the most representative and, perhaps in many respects, the largest of the directly affected interests in the province are those that are heard. So that is the purpose in referring to the directness of interest and the province-wide nature of the interest of the organization that may make representations.

Spread over four days of hearings, with three and a half hours per day, it will give members the opportunity to review in the evenings submissions that will be presented during the four days. The submissions themselves will be in by the preceding Friday, being the proposed deadline. It is always refreshing, of course, to be able to review the matters as the hearings are going on.

The other consideration is 40 minutes as the suggested time a presenter would have to present the oral part of the presentation, based on the written submission, and such portion of that as the presenter would like can be devoted to questions. Forty minutes is a longer time than hon. members have on a given occasion to deal with any item under consideration in the Assembly, members being limited, except for one or two exceptions, to 30 minutes in speaking. So it was thought that 40 minutes would indeed be adequate and fair.

Mr. Speaker, I hope the other considerations in the way in which the hearings will be conducted will be found to be fair and reasonable in the minds of those who would like to take advantage of it, and that members will be reassured by the fact that hearings can be advertised across the province. I think it's fair to say that it's known that some of the most interested organizations are already fully aware of the hearings and are no doubt able to make preparation for the presentation they would like to make by the time they would begin on April 25.

I think the only other item that need be referred to is that there is a process for those that might not be heard because of the brief not qualifying as a province-wide organization or because of there not being enough time for them to be heard prior to the conclusion of the hearings. In either of those cases or in the case where a person has or wants to present any argument or written submission to any individual MLA, a way will be provided in which, through the proceedings of the committee, all those representations could become part of the record of the committee. I think that's very important as well, Mr. Speaker.

In conclusion, I just note that not knowing in advance what sorts of presentations might be received, I know all hon. members will be interested in them and will want to look at them carefully as to the concept and the detail of ideas that may be put forward for some suggested changes. At the time the Bill has been read a second time and is at the Committee of the Whole stage, then of course members will have had time to fully assess suggestions made and take into account whether or not any changes should be made.

So with those remarks, Mr. Speaker, I urge hon. members to support the resolution.

MR. NOTLEY: Mr. Speaker, tonight I'd like to deal with four separate issues that relate to the motion before the House. The first is to discuss the importance of the question and why I think the care in which we conduct the hearings is going to be an important element of a successful resolution of this matter. Secondly, I want to deal in some detail with the various provisions of the resolution; for example, who will be able to make appearances. I want to deal with the powers we are giving the chairman and the vice chairman as a result of this resolution. In addition, Mr. Speaker, I want to take some time to review the process this Legislature adopted in 1972 with respect to the public hearings on changes in the royalties, and, finally, to look at the question of the time period we are allowing representative groups in order to make submissions to the Standing Committee on Public Affairs.

Mr. Speaker, during the course of the question period today, as I listened to the hon. Minister of Labour it became obvious that there has been practically no consultation of any meaningful sort with the trade union movement at least, and perhaps others. As I recollect his comments today, the reason advanced by the minister was that the government had chosen the course of referring this matter to the Standing Committee on Public Affairs. The minister recalled the 1975 example, when a committee was struck to look at the labor relations of public employees in this province, and I suppose it's fair to say that a disputed verdict was rendered by that committee. So the minister told us that because the Committee on Public Affairs is going to be hearing representation from throughout the province, perhaps that was a deliberate choice of the government, as opposed to sitting down and discussing this matter in a very comprehensive way with the stakeholder groups before the Bill was announced.

Mr. Speaker, it's important that we reflect on this for a moment, because in Bill 44, the Labour Statutes Amendment Act, 1983, we are dealing with changes which have far-reaching implications; first of all, implications as they affect the rights of individuals. Any time we alter certain basic rights that we accept as a signatory to the international labor convention, through our federal government, we have to ponder very carefully why and under what conditions we're doing it. We have to be more than ready to hear the representations of those people who feel aggrieved by the proposed changes. That's the first thing.

Mr. Speaker, the second thing is that any time we are going to dramatically change the arbitration process, there's no doubt — and I'm not going to get into the details of the Bill; that will come at the appropriate time and during the hearings. But one has to at least touch on some of the principles to relate the importance of the issue. Anytime you are going to be dealing in a fundamental way with the arbitration process and imposing new conditions, and those conditions include the fiscal policy of the government, and any time you challenge the impartiality of the third-party arbitrator — and surely that's what's happening; at least, I'm sure that's the representation that will be made during the course of these discussions — there is a tremendous burden upon this Assembly not only to be fair but to be seen to be fair, to bend over backwards to make sure there is the most wide-ranging representation of views possible.

Mr. Speaker, there's a third element. Any time we consider legislation of this kind — we already know the example of Bill 41, where various people in this province and in Canada were so concerned about it that they took it to the ILO. There is no doubt that this kind of legislation may very well find its way to that international tribunal. Before we consider legislation of this nature, I say again to members of the House that we have an obligation not to pass it in haste but to be deliberative, cautious and, above all, to go that extra mile in being willing to listen.

Now, I'm well aware of the concern of some members of this House about recent arbitration awards. We've had comments by the Premier; there've been comments by other people. Mr. Speaker, it seems to me that anytime you set up third-party arbitration, you're going to have to accept the inevitable implication that sometimes you win and sometimes you lose, and sometimes you're not going to like the decisions that are rendered by that third-party arbitration. It is rather ironic that probably in times of recession, free collective bargaining might in fact yield less in the way of tangible benefits for employees than a system of arbitration. But in 1977, with Bill 41, it was this government that chose the route of arbitration. Therefore if we are going to change the principles under which arbitration is conducted in this province as it applies to

our provincial employees, and now as it applies to a large group of new people who are going to be swept under the umbrella of this new Act, then it is incumbent upon every single member to consider in the most careful way possible what we are doing here.

Bearing in mind what I've said about the importance of the issue, Mr. Speaker, it certainly will be the intention of my colleague and myself to support the principle of public hearings by the Standing Committee on Public Affairs. I would have been much happier had the minister been able to come before the House and say that prior to requesting the Legislature to hold public hearings, there had been comprehensive discussions with all the stakeholders, and that that had been carried on in a fairly detailed way. Most members have been here long enough to know perfectly well that when legislation is considered, while the phrasing of the legislation and the dotting of the i's and the crossing of the t's may not be discussed, there is frequently comprehensive discussion with groups.

Today we even had the hon. Minister of Energy and Natural Resources telling us that one of the reasons this government isn't in favor of prorationing is because, according to him, apparently the stakeholder group, the oil industry, doesn't want prorationing of gas, so we're not going to have it. Well, fair enough. But if we're going to change labor legislation in this province, Mr. Speaker, there is a tremendous burden of responsibility upon the Premier and the Minister of Labour to meet with those groups, because we are talking about fundamental rights. Anytime we change the rights of people, anytime we qualify things that are accepted as basically part of being free men and women in a free democratic society, we have the obligation to prove beyond any reasonable doubt that no other alternative was available to us. Mr. Speaker, the government can be angry, it can be annoyed, it can even be furious at the decision of arbitration boards. That's irrelevant. If we are going to change in a fundamental way the rights of Alberta working people, then it is incumbent upon this government to show in a very clear way why no other course was available.

I will look forward tonight, Mr. Speaker — because we're not in any great rush. There may be certain hidden agendas of some members to get other business done, but we're not in any rush tonight. We've got the evening in which we can discuss this matter — and well we should — and perhaps even more than this evening to discuss this issue. Not only from the Minister of Labour but from the Premier as head of this government, I look forward to comments as to why this particular course of action contained in Bill 44 is being recommended to the Legislature at this time.

Mr. Speaker, I want to deal with the question of who can appear. As one reads the motion, the hon. Attorney General tells us that groups that can appear will be representative, provincial organizations. Before we take away the rights of individuals, we had better find out what the government means by representative, provincial organizations. For the sake of putting it in *Hansard* so that when they respond in this debate, the Minister of Labour or the Premier can identify what they mean, let me give some examples.

We all know that the Alberta Federation of Labour will be a representative, provincial organization. But what about the Canadian Union of Public Employees, which is an integral part of the Alberta Federation of Labour? Will they be able to make representation to this Committee on Public Affairs? What about the Alberta Union of Provincial Employees, which is a part of the Alberta Federation of Labour? Will they be able to make representation to this Committee on Public Affairs? What about some of the components of the Canadian Union of Public Employees? As you well know, Mr. Speaker, some of the locals would not be especially interested in making representation to this particular committee. But others would, because they are closely associated. Their members are going to be affected by having the right to strike taken away from them. Now some members might not like that right very much. Too bad. The fact of the matter is that any time we qualify other people's rights, we have to be very clear.

Do these representative, provincial organizations include the right to be able to make submission to this committee from the groups that are going to have their rights qualified, local by local? Or will we have one presentation by the Federation of Labour, perhaps another presentation by two or three other labor groups, and then we all say: that's it; we've done our bit; we've heard the point of view. Or are we going to hear representation from some of the big hospital locals of CUPE? Are we going to hear representation from them, or will they not fit the definition we've placed in this resolution? Mr. Speaker, I would welcome from the Minister of Labour and the Premier a very definitive explanation of just exactly who will be and who won't be entitled to make representation to this Public Affairs Committee that is dealing with the rights of thousands and thousands of Albertans.

The second point I want to draw to the attention of members of this House is to examine the rather remarkable power we are going to be giving the chairman and the vice-chairman. I really question whether it is appropriate for us to give this kind of *carte blanche* authority to the chairman and vice-chairman. As a Committee on Public Affairs, surely we should go the same route we did in 1972, when we met as a committee and determined what the rules were. To give the chairman and the vice-chairman this sort of authority — are they ones who are going to determine whether X local of CUPE will be able to make representation on whether their rights are going to be taken away or modified in a major way? Will they be the ones who say: no, it can only be the construction association or some other provincial organization that can make representation representing business, as opposed to the Edmonton Chamber of Commerce, perhaps? Who in fact is going to set the guidelines?

It would appear that we've given the chairman and the vice-chairman very, very sweeping power. But I remind the Attorney General that that was not what we did in 1972. I remember very clearly the discussion that took place in the committee in 1972 when we talked about the rules and the guidelines. It may well be that all the backbenchers have had their say in caucus and feel they have had their input; I don't know. But let me tell you, if we are going to be dealing with a legislative committee that has as its charge the responsibility of hearing from the citizenry of Alberta on one of the most important and far-reaching Bills ever presented to this Legislature, I for one think that committee should have the opportunity to master its own judgments as to who will be appearing and on what basis, and determine what powers the chairman and vice-chairman will have, as opposed to having this unusual power consigned to them by the motion that refers the issue to the committee in the first place.

Mr. Speaker, I want to take a few moments tonight and examine what happened in 1972, the last time this Legislative Assembly assigned a major task of this conse-

quence to the Standing Committee on Public Affairs. The issue was an important one, and I commended the government at the time for holding public hearings. It was the question of what we should do in the review of royalties, which had previously been reviewed every 10 years, so 1972 was the year royalties came up for review. The government took the position — it was a correct position — that because of the implication to the energy industry, because of the fiscal implication to the province of Alberta, there should be public hearings by the Standing Committee on Public Affairs.

But there is a significant difference between the way in which those public hearings were held, fostered, encouraged, and conducted, and the proposal that is contained in Motion No. 13. The first difference is that on March 2, 1972, when the government brought in the Speech from the Throne, the Speech from the Throne itself identified the commitment of the government to hold public hearings on oil royalties. What did that do, Mr. Speaker? It set the ground rules of elementary fairness for every single Albertan who was interested in the issue. When they began the Legislature, the government signalled that we were going to have public hearings.

Contrast that with the fact that yesterday, we had the hon. Attorney General having to request unanimous consent for oral notice that we are going to have public hearings which will start in two weeks. Mr. Speaker, in 1972 the government signalled two and a half months before the hearings began March 23, 24, and 25, of 1972. That's fair, because it gave people who wanted to make representation time to evaluate where they stood and to hire consultants. Members who were here in 1972 — you were here, sir — will recall the extensive preparation that went into those submissions. It was obvious that many of the groups had even hired consultants to prepare submissions to this Assembly which could stand today for researchers as excellent submissions to a public body. They had the time, Mr. Speaker, because in 1972 the government said in the Speech from the Throne, we're going to hold these hearings.

Then what happened after that? The determination of this matter was discussed in the Legislature on April 24, 1972. That was when the motion was passed, and the hearings were set for a month after that: May 23, 24, 25 and 26. We had the motion passed by the Legislature, and we had the public hearings a little over a month later. So first of all, we had the signalling to Albertans in the Speech from the Throne that we were prepared to go the route of public hearings. Then we had a formal motion establishing the committee in the Legislature. Then a month after the formal motion was passed, the hearings began. Small wonder then that the net result is that we had excellent submissions, that I think helped the government to render a judgment on the important question of royalty revision or what they call the natural resource revenue plan. That was the white paper that had been presented to the House.

Mr. Speaker, contrast that deliberative procedure, where everybody in the industry and other interested groups had plenty of time. Contrast one other element too, that we didn't restrict it just to individual groups that had province-wide significance. We didn't say in the oil community that it would only be IPAC, the CPA, and the Canadian Association of Oilwell Drilling Contractors. We allowed various oil companies to come in. For four days, if you remember, Mr. Speaker, we had representation not only from oil companies but from individual groups of Albertans. As a matter of fact we had groups over from the university, public interest groups, organizations that were not only provincial in scope but very localized. But they all made a contribution and so did the individual companies, who had the right to come in 1972 because this government quite properly said, look, if you are going to change the taxation regime, then people should be able to make representation.

Mr. Speaker, if we are going to be changing some of the basic collective bargaining rights of thousands of Albertans, surely the same courtesy should be extended to them. Surely we shouldn't just funnel everything through provincial organizations, because I hope hon. members have been around long enough to know that the trade union movement as one example is much larger than its umbrella organization. While I've known and worked very closely with people in the Alberta Federation of Labour for years, no one in the Alberta Federation of Labour would presume to say that they would speak for everyone, all the time, in the trade union movement. They know that the house of labor is very large; there are many rooms, if I can borrow a biblical quotation.

Mr. Speaker, if we are going to be dealing with the rights of individual Albertans, then surely it's not unreasonable that we give those people the kind of opportunity which is meaningful, not a facade; not the kind of thing which is too clever by half: we're going to have public hearings but they are going to be a rush job. I put it to the Minister of Labour: how is somebody who is really concerned about the impact of this arbitration provision and the impact on the government's own defence when the matter came before the ILO, which was that we had a totally impartial third-party arbitration procedure . . .

I don't know what the final result of that will be. But I do know, Mr. Speaker, that there are many who say that that could lead us into direct contravention of our ILO commitments. But are we or groups going to have time in 10 days to engage consultants who can assess that for the Legislature? Not very likely, Mr. Speaker. But we could have, you see, in 1972 because we gave time to the groups. The information that came to the Assembly was better, stronger, and more effective because of the time that we gave to these groups.

So before government members begin patting themselves on the back over this sudden interest in participatory democracy, let's ask ourselves whether or not we are providing sufficient time so that people can participate fairly — I'm not just talking about the labor movement; I'm talking about management and all the stakeholders in this field — so that they can make representation, and so that their representation can be informed, useful, and relevant to the implications of Bill 44. Members are not in that big a rush that we need to ram through an agenda which may suit some of the backbenchers — I don't know — but is an example of unseemly haste.

Therefore, Mr. Speaker, I would like to move an amendment to Motion No. 13. I will read it:

(1) in the second paragraph (the first "Be it further resolved"), by striking out the words "April 25, 26, 27 and 28, 1983, from 2:30 p.m. to 6 p.m." and replacing them with the words "May 16, 17, 18 and 19, 1983, from 9 a.m. to noon, 2:30 p.m. to 5:30 p.m. and 8 p.m. to 10:30 p.m."; and,

(2) by striking out the third paragraph (the second "Be it further resolved") and replacing it with the following:

"Be it further resolved that, if it is then still sitting, when the Assembly adjourns on Friday, May 13, 1983, it shall stand adjourned until 8 p.m. on Thursday,

May 19, 1983, unless reconvened at such earlier time as Mr. Speaker may determine upon the request of the Standing Committee."; and,

(3) in the fifth paragraph (the fourth "Be it further resolved"),
   (a) in subparagraph (2), by striking out the words "April 20, 1983" and replacing them with the words "May 11, 1983", and
   (b) in subparagraph (3), by striking out the words "April 22, 1983" and replacing them with the words "May 13, 1983"; and,

(4) in the sixth paragraph (the fifth "Be it further resolved"),
   (a) in subparagraph (5)(b), by striking out the words "Thursday, April 28" and replacing them with the words "Thursday, May 19," and,
   (b) in subparagraph (6), by striking out the words "April 20, 1983," and replacing them with the words "May 11, 1983".

Mr. Speaker, to summarize for the hon. members: what this amendment would do is simply set out the very same time frame after the motion has been put to the House as we had in 1972 with respect to the natural resource revenue plan and the changes in oil royalties.

Mr. Speaker, I would say to members of the House that the amendment is one of elementary fairness. It will allow groups a little more time, approximately three weeks more, to be able to prepare themselves for submissions to this Assembly sitting as the Committee of Public Affairs. I would just simply remind the members of the House at this time that what worked well in 1972 commends itself in 1983.

We are not in that big a rush. The minister indicated that he couldn't hold it over until the fall. No one is suggesting in this motion that it be held over until the fall. What this motion would do is simply say that in the — I don't know whether it will be middle or latter stages of the Assembly, but certainly well within the purview of our spring sitting we will have the hearings. If the government chooses to go ahead with the introduction and passage of Bill 44, so be it. But the principle contained in the amendment is that the fairness and equity we showed in 1972 when we looked at changing oil royalties should be applied now on this question of public hearings on Bill 44.

I close, Mr. Speaker, by urging members to consider the merits of the amendment, by saying that there is nothing wrong at all — indeed, the idea of public hearings is desirable. But to be more than a facade, to be more than a smoke screen, public hearings must in fact be set up in such a way that they are not only fair but are seen to be eminently fair, that sufficient time is given to all the groups — labor, management, and others — to be able to make their submissions. Mr. Speaker, if we choose that course rather than some kind of artificial time frame, I think we would be doing something that would be a credit to this Legislature. It would be showing that we are ready and willing to listen to alternative views, wherever they come from, but giving those Albertans who wish to express those views sufficient time so that they can prepare themselves. It is a time-honored tradition in this House that before we have debate, particularly on complex questions, we should have notice.

Mr. Speaker, before we change the rights of Albertans, let us consider carefully whether a few days' more time is not a small price to pay to give those people who are going to be so significantly affected by these proposed changes sufficient notice to tell us what they think.

Thank you.

MR. CRAWFORD: Mr. Speaker, I would like to make a few remarks with respect to the amendment. I don't presume at this point to rise to close debate on the motion of course. I'd just like to say that given the desire that there always is to be accommodating and fair, I still don't think that the amendment is one that merits the support of the members of the Assembly and should not, therefore, be supported.

I would like to talk a little bit about time frames because of what I have just said, Mr. Speaker. The Bill was introduced yesterday. Today is April 12. It would not be possible for the House to deal with the matter again, in effect, until the end of this month, which is some considerable time. We would be looking at the very earliest date for second reading of the 29th or into May. Noting that on April 12, and given the normal process and progress of House business, that is an accommodating time frame.

It is not a matter, therefore, that can be rushed, given the time frame that has been inserted into the legislative process for the purposes of hearings. We know that following second reading debate, there is examination in Committee of the Whole, and no doubt some debate along with it, of the detailed provisions of the Bill. I think the government has no desire to rush legislation under any circumstances, and in these circumstances fully acknowledges the magnitude of the interests involved, the importance of all the subject matters. It's often a difficult thing to come up with the finest and surest, I suppose, judgment on something like what is fair and reasonable in respect of timing. I make my remarks, Mr. Speaker, simply to make it clear that when you're in this period of the month of April and know that surely you're well into the month of May before the next legislative steps can or will be taken, then it is not a time frame which is unduly shortened or indeed, in any normal sense, not shortened at all.

The only other comment I would make is that probably detailed comparisons of what was done in 1972 with what is done now cannot easily be made. I don't know what arguments could be advanced in support of the fact that the issues, or at least the matters to be considered, are equivalent in any way in the sense of what committee time it would take to examine arguments. The suggestion that the committee sit morning, afternoon, and evening, which is what it did in 1972, may just simply point to the fact that some hon. members certainly found at the time of those hearings that at least the evenings would have been welcome in order to be familiar, or at least more familiar, with the written material. So it was with that conscious thought in mind, Mr. Speaker, that we did not deliberately suggest evening sittings of the committee in this case.

So I urge hon. members not to support the amendment.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Are you ready for the question on the amendment?

MR. YOUNG: Mr. Speaker, I believe I can make the comments that I wanted to make as readily on the amendment as I can on the motion itself, so perhaps I should take this opportunity to do that.

I'd like to start by suggesting that we should focus on what is at issue here. It is a process of how this Assembly is going to deal with Bill 44. Bill 44 of course deals with a

very broad question that all society faces; that is, the best means for distributing income, and income of a particular group. That's a very different question, I submit, than the hon. Leader of the Opposition was dealing with in 1972.

In 1972, we were dealing with a very unique event that had to do with the royalty question, which had not been closely or publicly looked at for many years. It's not something that people examine on a daily basis. On the other hand, the distribution of income, particularly as we deal with it here — labor relations and collective bargaining — is something that everybody has opinion about; they also have some experience with. The fact of the matter is that in 1972, we were trying to draw a lot of information that was needed at that time, as well as an expression of opinion and view based upon the conclusions drawn from that information.

In this instance, we are not engaged in that kind of process. We're talking about something that many, many people are familiar with. As a matter of fact, we're talking about something that the Alberta Union of Provincial Employees provided a document to us on just on the last day before we took our Easter break, in which they dealt with the major elements of Bill 44.

So it is not something that is strange, that is unique, that is out of the ordinary. It is a very current topic. In many associations and unions, we are well provided with persons who work with these subjects every day of their working lives. So I do not think it will take them very long to conclude their positions, especially since some of them have made their positions rather well known.

Mr. Speaker, at this time I would indicate to you that I have had a variety of conversations with different groups, as it must be because the question of arbitration has been a very topical one for many, many months. The question of the change in the economy and the responsibility of the parties to adapt to it has been that. So again I submit that there has been a lot of preparation.

It is true that I did not have a meeting with the Alberta Federation of Labour. But I would indicate to the hon. Leader of the Opposition that on March 4, I wrote to the president of the Federation of Labour, congratulated him on his fairly recent election, and invited him to a meeting to meet and become familiar with senior staff of the Department of Labour. I received a response from him last week, and that is a fair run of time. It's partly because he was busy and, I understand, in meetings in Ottawa, but in any event it is a longer span of time than is necessary or possible for us to hold legislation.

I have had meetings with the police, the firefighters, the health sciences, the United Nurses of Alberta, and the nursing assistants' association, among others. So it is not something that is a matter of suddenness or strangeness to any party.

I should indicate as well that yesterday, when the Bill was tabled, I arranged to supply copies of it and the motion to many of the parties that I thought were very directly affected by it so that they would have the best information possible when they may be called upon to make public comment. I further offered to make available, through the staff of the Department of Labour, a briefing opportunity on the style and content of Bill 44, because it is a complex Bill in its wording. Because it is an amending Bill, the way it's worded is complex, although the concepts are not that complex. I'm pleased to say that this afternoon, a number of those groups availed themselves of that opportunity. I think it's gone a long way to assist them to be able to respond very specifically and on point.

Some question was raised about the selection of groups. I would indicate that there's a fairly specific set of criteria which the hon. member should keep in mind. I will just use a few expressions from it: representative, province-wide, substantial, overlapping or interlocking memberships, as well as the directness of provincial interests. I think that's a very good guide that the chairman, the hon. Member for Drumheller, and vice-chairman, the hon. Member for Edmonton Gold Bar, will keep in mind in a very fair-minded way.

In short, Mr. Speaker, in urging the rejection of the amendment I want to conclude by saying that this is a very different subject than were the hearings in 1972, which were a more unique kind of topic, a much more specialized topic. This is one in which many of the parties already have positions. I wish it were possible to believe that we'll design many new wheels in labor relations. The fact of the matter is that the libraries are lined with bookshelves full of books on labor relations, and there aren't that many novel ideas. There are novel experiences which occur, depending upon the parties, with a given system of labor relations, but I think we have a pretty good handle on the variety of possibilities that are there.

From the point of view of the public hearings, I think what would be very important is to hear the parties who are directly concerned, who fit the criteria, make their views on how they see Bill 44 in relation to the other alternatives that are available and what improvements may be possible in Bill 44. Accordingly, Mr. Speaker, I urge all members to reject the amendment.

MR. R. SPEAKER: Mr. Speaker, I'd like to speak with regard to the amendment, and certainly make some remarks later with regard to the motion itself. In listening to the Minister of Labour, I think we should look at the implication of his remarks relative to the amendment. The amendment is requesting that more time be given to the various representative groups — and, I would say hopefully, individuals — across this province that may have a concern with regard to how we're going to handle future salaries, future incomes of individuals, and future organizations in this province.

We may look at this Act as a precedent with regard to other unions, so maybe there is a broader group that would wish to make representation. The question that my opposition colleague has raised in this amendment is whether or not 10 days is adequate. It isn't. How in the world in 10 days can you look at an Act with that number of amendments, that amends three or four different Acts of this Legislature that have developed over years of time — these Acts didn't just grow yesterday — study, and input by various individuals and dedicated people. Now in 10 days we are going to ask representative groups, supposedly, to make representation and to do it with all ability, capability, and quality. Mr. Speaker, it can't be done.

I've said we should look at the implications of the minister's remarks. In his remarks at this time, the minister has admitted that the government already knows the positions of the various labor groups in this province, so why should we give them too much time. That's what the minister has said to us: we've already heard it. So what does the motion actually do? It sets up a procedure to go through the motions, because the government has made up its mind. It has decided what it's going to do, and what the people say in those hearings doesn't matter anyway.

Mr. Speaker, I think that's unfortunate, because that is

not why any one of us was sent to this Legislature. We were sent to have patience and to take time to hear both sides of the story. By implication and by the tightness of time — 10 days — this government is saying that's all we're going to give to it; it's tokenism; we'll get on with the job; we're going to put those amendments in anyway; what these groups say just does not matter at all. Whether I agree with the amendments to Bill 44 or whether I do not agree, we as legislators must take time to hear what people have to say.

I think we have to take time for these representative bodies, if this is the way this resolution is going to be passed, to contact their members and their locals, so they can have input. Well, it's impossible for their legal people to look at all the implications of Bill 44 in the next two or three days, then following that to try to meet with all of their locals across the province and discuss the various implications and impacts, and after that draw conclusions which seem to be a consensus, and come back to this Legislature and make a presentation in the Public Affairs Committee.

MR. NOTLEY: Like Trudeau did with the Constitution.

MR. R. SPEAKER: We hear of that from Ottawa. We don't expect that from the Alberta government. And there is time. In May we can deal with the Bill. Prior to that, in the rest of April we have the estimates to deal with. We have resolutions to deal with. We have Bills to deal with, and we can clean up all of the other business of the House. Then at the end, we could deal with the recommendations, the submissions. We can then deal with second reading of the Bill, move into Committee of the Whole, and then reject, accept, whatever is submitted by the government. Then we could break for the summer recess. I think that can happen. I do not see any reason why that can't happen.

So that's why I support this amendment. I think it is reasonable, logical, and fair to the groups that wish to make presentations. I'd like to say that the government makes another assumption in the remarks that I've heard from the minister and in this resolution: that there will only be representative groups making submissions.

There are people in Alberta who believe that people in essential services, such as nurses, fire fighters, and policemen, should come under legislation such as is being recommended. But under the ground rules which this government has established, not only the 10-day time limit but the restriction on the submissions that are coming into this Assembly, do not allow individual Albertans to come in and make a presentation verbally on the floor of this Legislature. I think that's wrong. When a Public Affairs Committee is going to hear something, we should allow individuals on either side of the argument to come in and make verbal representation, not just submit a letter. They can do that to their MLA or anyone else, and certainly they will do that. But the time limits and the period of time between now and April 22 does not allow those people to get the information out of this Legislature and prepare themselves to make a submission back into the Legislature. I think the government should review what they have recommended to this Legislature and seem to have taken such a firm position on.

I don't know what the government is afraid of. If this issue is controversial and there is a concern about marches outside the Legislature, or some political turmoil that may be created — labor likes to organize and put a little pressure on government — I think it might be a better position to take some time, show openness, hear all sides of the argument, and at the same time maybe take a little flak if that's what the government's concerned about. It doesn't hurt. At each election, the electors seem to return a majority of Conservative members. Maybe a little bit of time and listening, even after the election, like it occurred three months prior to the election or in the late part of the spring Legislature — the government all of a sudden grew ears. Under this circumstance the ears should again be put in place and time should be taken to listen to what the people have got.

The amendment here is suggesting a two- or three-week extension, and I think it'll do the job. If you put the hearing under a pressure cooker situation, we are going to create an environment of confrontation. I don't think that's what the government wants to do at the present time. That's not the kind of environment in which they wish to assess Bill 44 and in which they wish to get good input. They want harmony and concern, and a listening environment. But under the present ground rules, that is not going to happen. I am sure that the groups directly affected are today bitter towards the government, upset, concerned. The feelings are very strong. I think you must give those people time to look at and study the Bill, to come to a point where they are more rational and say they either accept or reject it on reasonable grounds. But the way this process of 10 days is established, I don't think that can happen. So the government will have to live with it under those circumstances. If they are prepared to do that, fine. But I don't see it as the best way to approach such significant amendments that are before us here, Mr. Speaker.

I certainly support the amendment that has been suggested by the Leader of the Official Opposition.

[Motion on amendment lost]

MR. SPEAKER: Are you ready for the question on the main motion?

MR. R. SPEAKER: Mr. Speaker, I am certainly not going to allow the government to move that quickly on a motion of such significance as this. There are some other things I would like to say with regard to the process. The time is a concern. That's number one, and I think I covered that in my remarks.

The second item that concerns me in this motion is with regard to the qualification as to who can make presentations in this Legislature. The resolution points out that the opportunity is given to representative, province-wide organizations and groups that are in existence as of April 11, 1983. We say "representative groups". If the democratic process were allowed to take place where these representative groups could go out and meet with their locals, could talk to individual nurses and hospital workers in Calgary, Edmonton, and across the province, so that they have a representative input, then they could come back to us in the Legislature and the Public Affairs Committee and say, this is the consensus of our group; it represents how our people feel. But under these ground rules, we are forcing the organizations to come in with a position determined by the central executive. They only have time to review the Bill, put their position in place, and present it in the Legislature. That's all the time they have got. I don't think that's fair to the membership across this province.

So I feel very strongly that we should broaden that definition and should allow groups or individuals, and

representative groups to make presentations here in the committee. Certainly that would be determined by time and certain limits that we may have, but the opportunity should be available to those groups or individual persons who may wish to make presentations. If the 10-day rule holds, it becomes even more important that we allow a greater latitude for that to happen.

As well, we have the chairman and the vice-chairman, who are going to determine who qualifies and who does not qualify to make a presentation to the committee. I think that is a rather dangerous precedent in itself. Should it not be the committee itself that determines who can make a presentation and who cannot? To give that kind of power to the chairman and the vice-chairman can lead to discrimination, and that is not part of the legislative process. Certainly, to me that is of great concern as well.

One of the other feelings and general comments I have with regard to this resolution in terms of time is the use of the other process — and I raised this in question period today — whereby the Bill is now introduced, we could go through second reading, and hold the Bill in Committee of [the Whole] and have it brought in the fall session. The minister, in answering the question which I raised today as to why that could not be done, did not clearly explain to me what groups will be negotiating in the fall. As I understand it, I don't think there are any that are going to be affected by this legislation in terms of their negotiations this fall. Early in the fall session, we could pass this legislation and put it into effect. During the summer, we could have hearings and presentations. We would have a lot of time for good input into the legislation. I'm sure that route isn't being considered by the government. I only suggest it as an alternative that would certainly be very fair to the people who are affected.

I believe, Mr. Speaker, that those are the two main points I wanted to make. In light of that, I'd like to move an amendment to the resolution before you, that would read as follows:

Moved by Mr. R. Speaker that Motion No. 13 on today's Order Paper be amended as follows:

(1) in the first paragraph (the first "Be it resolved"), by striking out the words "representative, province-wide organizations and groups, in existence as at April 11, 1983" and replacing them with the words "groups and individuals"; and,

(2) wherever they occur, by striking out the words "organizations or groups", "organization or group" and "organizations", and replacing them with the words "groups and individuals" or "group or individual" as may be grammatically correct; and,

(3) in the sixth paragraph (the fifth "Be it further resolved"),
   (a) by striking out subparagraph (1),
   (b) in subparagraph (3), by striking out the words "whether that organization's submission will be heard by the committee during public hearings and, if so,",
   (c) in subparagraph (5), by striking out subsubparagraph (a), and
   (d) in subparagraph (6), by striking out the words "would qualify" and replacing them with the words "would be likely, given the determination of the chairman and vice-chairman of the committee as made pursuant to subparagraph (5)(b),", and,

(4) in the seventh paragraph (the sixth "Be it further resolved"), by inserting the words "except that, by resolution not requiring notice, the committee may allow any group or individual additional time for the purpose of presenting its or his submission, the amount of such additional time to be allowed to be determined by the resolution," between the word "questions" and the word "and".

The first part of the amendment I have already covered, which talks of allowing for a group or individual to make presentations and not necessarily a provincially representative group. The second item I recommend here for an amendment is to reduce the powers of the chairman and the vice-chairman. The third recommendation is a matter of providing flexibility to the committee so that that 40-minute rule does not hold in every case. We may have a group in the committee when we as a committee may feel the time allotment should be greater than 40 minutes. The fourth part of my amendment makes that possible, where the committee can, by a motion from the floor, extend the hearing time. I think that is only reasonable.

On that basis, Mr. Speaker, I move this amendment and ask the support of the Legislature.

MR. CRAWFORD: Mr. Speaker, just a few comments in respect of the proposed amendment. I think the volumes that the hon. leader of the Independents is able to produce in such a short time makes it abundantly clear that if one has to prepare something that's complex and difficult to follow, given only a day it can be done. The hon. leader has succeeded in that. It's not easy to follow the amendment, look at the motion at the same time, and see precisely what is meant. But perhaps I have the gist of it by now.

I think there are some points that should be made. In particular, Mr. Speaker, one of the central principles proposed in the resolution is that the groups be representative of province-wide organizations and groups. That is one of the things the hon. leader would wish to do away with by his amendment in the first paragraph. I think it's in the interests of the Public Affairs Committee and the expeditious carrying on of its business that when we hear the submissions, the oral representations, and hear questions answered, we know that we are dealing with representative groups. That is a suitable way to proceed in order that members will be assured that, since the proposed legislation deals in several respects with people collectively, what we are hearing in the way of representations are ones where people are speaking on behalf of, if not formal collective bargaining units, at least representative and province-wide organizations.

I don't want to spend too long on the principle, Mr. Speaker, because it's reflected in the second paragraph as well in some way similar by the hon. member's proposed amendment. But I am even more concerned about the suggestions in the third one, the doing away with subparagraph (1). It would really be very important to the business of the committee to have that provision there. I should say that I think the provision that there be certain duties performed by the chairman and vice-chairman is a reasonable one. Were the committee meeting on its own, it would rely very much upon the chairman and vice-chairman of the committee to do the very things that are proposed in the resolution. In that respect, the minutes of the meetings in 1972 showed the committee conferring upon the chairman — and in that case I believe there were two vice-chairmen — numbers of responsibilities. No doubt that is done all the time. I think it would be wrong if any impression were left — because I don't

believe it was intended to be left on the part of either of the members of the opposition who've spoken tonight — that they doubt the impartiality or the ability to make those determinations on the part of either the chairman or vice-chairman. That would be a prejudging of them which would not be appropriate.

The other observations, Mr. Speaker: the third paragraph would — in striking out references to whether or not they would be heard by the committee, as in subparagraph (b), that is the sort of guidance that a person is entitled to have from the chairman and vice-chairman, who have the duty to be sure that the committee's work is efficiently and expeditiously handled, and not to allow people to come forward in the sense of the value of their own time. If they would not be a qualifying group and would not likely be received by the committee, the idea is that there would be a way of informing them of that so they wouldn't go to all sorts of trouble and prepare submissions which would perhaps not be relevant to the committee's deliberations. [interjection] Well, perhaps I misread one portion. The hon. Member for Little Bow is saying that that would still be allowed under his amendment. But I read the striking out of the words "whether that organization's submission will be heard by the committee during public hearings" as being some opposition to the principle as it was more fully expressed in subparagraph (3) of the resolution itself. I don't think I have any more remarks with regard to the proposed paragraph (3).

With regard to paragraph (4), the idea that time beyond the 40 minutes would be allowed, once again, since we're depending so heavily upon the 1972 committee — some of us are, in particular, the hon. Leader of the Opposition and the hon. leader of the Independents — the average hearing was dealt with in 30 minutes. Some were allowed a little bit more, a double time allotment, based on the size of the organization. Once again, the words "province-wide interest" came up at that time, and that was taken into account. But 40 minutes is a significant period of time to make the key points in a brief, and that's what's involved. The submissions are written and to make the key points, that can surely be done.

So, Mr. Speaker, on that basis I suggest that it's not in the interests of the work of the committee to agree to the amendment.

MR. NOTLEY: Mr. Speaker, there are three principles in this amendment that I want to address this evening. The first is with respect to the type of organizations, individuals, or whoever will be able to make representation to our Standing Committee on Public Affairs. The question of access to the committee is the first principle contained in this amendment. The second is to deal with the powers that we are assigning the chairman and vice-chairman, and the suggested changes contained in the amendment. The third is to deal with the issue of the time limit and the suggested change in the time limit that the mover of the amendment has proposed. I certainly support the three principles contained in this amendment, Mr. Speaker.

In taking a moment or two to expand upon those three principles, let me turn my attention first of all to the question of who in fact should be allowed access to the Standing Committee on Public Affairs. The government is saying representative provincial organizations. The hon. Member for Little Bow, the leader of the Independents, has proposed groups and individuals. It seems to me, Mr. Speaker, that the amendment affords the Standing Committee on Public Affairs much greater ability to assess the judgment of the people of this province. Not only will we have the opportunity of hearing from the representative provincial groups, as the Member for Little Bow has pointed out quite properly — indeed one would anticipate that all the representative provincial groups will be making submissions to the standing committee — but in addition, we would have the option of hearing from individuals or perhaps smaller groups of people who want to make representations.

Mr. Speaker, the reason I want to take just a moment on this particular principle is that I really was rather concerned as I listened to the hon. Minister of Labour during his debate on the amendment that I proposed. His definition of representative provincial groups is in fact going to mean that, at least from the standpoint of working people, we're not going to have to listen very long, because there won't be many provincial groups that are going to be able to qualify according to the definition that I heard the minister bring forward.

Mr. Speaker, the point that I think both the hon. Member for Little Bow and I want to make is that there isn't a great deal of value in having hearings if we are not prepared to approach those hearings with an open mind and not prepared to allow the broadest possible accessibility, if you like, to the process of public hearings. I remind members of this House to carefully review the record in 1972. The hon. Attorney General says that the 1972 experience doesn't bind us; of course it doesn't bind us. But it's a guide, because we haven't had public hearings in this legislative body as an entire Legislature since 1972.

We have had many opportunities to hold hearings by legislative committees. I would just remind hon. members that the process by which legislative committees hold public hearings is incredibly comprehensive compared to what we have here. We had the hearings on the question of surface rights. I give considerable credit to the members on that select committee, because they went all over the province. Did they simply say it will only be representative provincial organizations who will make submissions to us on the question of surface rights legislation? No, Mr. Speaker, they didn't. One has to look at the record of that special select committee. We had individuals from one end of this province to the other making submissions.

Mr. Speaker, I simply say to hon. members this evening: what is the rush? In 1972 we had public hearings, and we didn't limit the hearings to provincial organizations that represented the oil industry or some of the organizations that wanted higher royalties. I remember Unifarm made a representation. I think the Alberta Federation of Labour made a representation. We didn't limit it to these provincial organizations. We allowed individual companies and even individual Albertans. I remember in a couple of cases, we even had one or two classes of students that as a class project came before this Assembly in 1972. Some of the members smile, but I think most of us were rather impressed. Here were a couple of young people — as a matter of fact, they were so awed by the experience of coming before the Legislature that they became Tories as a result. You never can tell what will come out of public hearings. They made very, very acute, useful observations to the hearings. [interjection] Of course the Tories are so busy fighting over who's going to be the federal leader at this stage that I don't know whether they can even keep their minds on

Bill 44 long enough to pay attention to the public business of this province.

In any event, we had the opportunity to have all these groups here. Did it take too much time? The answer is no, it didn't. The answer is that we were able to accommodate all the groups, we were able to hear them, and we were were able to hear the individuals. There were several nights I recall that we sat in the evening — that's true — but not all four nights, as I recollect. The point is we went through an important process that gave Albertans who cared enough to make a case, who had the courage to come and sit in that chair and make a presentation to the House. It's not an easy thing to do, but we gave them the opportunity to do it.

In 1972 the hearings on the royalties were, quite frankly, a class act that we about as legislators can be happy about, regardless of where we stood on the issue. Do we want higher royalties, lower royalties, no change at all? It's irrelevant. Where we stand on Bill 44 is irrelevant. It's the process. What the hon. Member for Little Bow was saying is that surely we should have access to individuals as well as provincial groups.

I want to say just a couple of other things about this principle, because it concerns me when I hear the hon. Minister of Labour say that there won't be any problem with the time — I'm not going to debate the question of time, because we've already dealt with that — because these groups already have opinions. We know that certain umbrella groups have opinions; that's true. But the point I want to make to the hon. minister is that just as there are people in management in this province who don't agree with the Manufacturers' Association, the Chamber of Commerce, the Alberta Hospital Association, or various organizations that represent employers in one way or another, just as there are people in management who don't agree with their provincial organizations, the same is very true in terms of people in the trade union movement as well. The advantage of the amendment the hon. Member for Little Bow is presenting to this House is that we then have the opportunity for these groups to make representation.

From my years of close association with the labor movement, Mr. Speaker, I can tell you that at least one of these unions that is clearly affected — as the minister knows, there are probably as many voices in that organization, in terms of major public policies, as there are members in this Legislature. To suggest that somehow it's a cut and dried issue and that we're not going to learn anything more, shuts the door on the effectiveness of the public hearing process. I simply say to the minister and to members of the House: what's wrong with allowing groups and individuals, as the Member for Little Bow has suggested? It will strengthen the hearing process, not weaken it.

The second principle contained in this particular amendment is with respect to the powers of the chairman and the vice-chairman. I'm certainly glad that the hon. Government House Leader, the Attorney General, gives us in the opposition an opportunity to say that we are not here to cast any aspersions on the fairness of the chairman or the vice-chairman. No question that both hon. members are going to do a conscientious and fair-minded job. But that's not the point. The point is, Mr. Speaker, whether or not by a resolution of the Legislature, we are going to consign to these two hon. gentlemen rather remarkable powers. What the Member for Little Bow is saying in this amendment is: just a moment. Instead of saying to the two hon. gentlemen, here it is, you have the authority to determine who and who won't be able to make submissions, the hon. Member for Little Bow is arguing that we should have many of these decisions determined by the committee.

I'm not suggesting that subsection (2) would need to be determined by the entire committee. We don't need a committee of 79 members to determine the order in which submissions will be made. No one is arguing that, and that's not part of the hon. Member for Little Bow's amendment. But it seems to me that the question of who in fact should be allowed to make representation is something the committee should determine. I refer members of this House, and the Government House Leader in particular, to the power that we are authorizing the chairman and vice-chairman in subsection (1):

> determine which submissions will be heard by the Committee during public hearings and, in determining whether or not a submission is from a representative, province-wide organization or group in existence as at April 11, 1983, the chairman and vice-chairman shall ascertain whether or not there is substantial overlapping or interlocking membership between two or more submitting organizations or groups and choose the organization or group which, in their view, is most representative of the province-wide interest;

Mr. Speaker, that wasn't what we did in 1972. In 1972 we had an organizational meeting — I believe it was on May 14 — and we determined a lot of these ground rules as a committee, the entire committee. What we're saying here is that we're going to leave that up to the chairman and the vice-chairman. I wish both hon. gentlemen good luck. In case there are a large number of competing organizations, by the time they get through trying to figure out which is overlapping and who should be representative, let me tell you that they will rue the day they ever let the Minister of Labour talk them into this assignment. We shouldn't place those two hon. gentlemen in that kind of awkward position. We needn't, Mr. Speaker. We should all take our responsibility. The Member for Little Bow has quite properly said, set out the rules as a committee. It worked in 1972. It didn't bring the edifice of this building crashing down on our heads. It worked very well in 1972. Why can't it work again?

The third point that the hon. Member for Little Bow brings to our attention in this, I think, extremely useful amendment, is the flexibility on the time limit. I refer hon. members to what happened in 1972. I must ask the indulgence of the House. I indicated the organizational meeting was on May 14. It was not May 14; it was May 12, 1972.

I thought the minutes of that meeting would be useful because it relates directly to the hon. Member for Little Bow's amendment. On a motion seconded by Mr. Lougheed, it was agreed "that the committee allow 5-10 minutes for presentation of the outline of [a group's] brief and 25 minutes for question period". So that's 30 to 35 minutes. And that "exact timing" — this is one area where we allowed some flexibility — "be left to the chairman to resolve individually", the reason for this caveat being, according to the minutes, that "the chairman advised that he felt the larger groups should be allotted more time and the remaining groups should be allotted equal time in order to ensure fairness and avoid controversy. Members were in agreement with this view."

The point the hon. Member for Little Bow was making in this amendment is that where more time is required, as

it was in 1972 — members will recall that in that set of hearings, most of the groups made their submission within the 30-minute time limit: the five-minute introduction and 25 minutes for questions. But there were a number of groups that appeared before the committee considerably longer. I remember that the CPA, if my memory serves me correctly, appeared for a longer time. So did IPAC. So did the Association of Oilwell Drilling Contractors. So did some of the provincial organizations. I think Unifarm was able to appear for longer than the 30 minutes. But the point that has to be made from what occurred in 1972 is that we had the flexibility to allow more time, where that time was required, for people to make submissions.

Mr. Speaker, when we deal with what is a fairly complex question — the hon. Minister of Labour tells us that while the wording is detailed and complex, difficult to follow, the principles are simple. The principles may be simple, but the implications are not. The implications are far reaching. To suggest that if we have the Alberta Chamber of Commerce or the Alberta Hospital Association here, and that we should be limited to 40 minutes when there may in fact be more value in spending more time — let us take the Alberta Hospital Association as a case in point — or when we have the Alberta Federation of Labour talking about the ILO and the conventions of the ILO and the relationship, do you mean to tell me that fairness and equity are going to be served by one of our hon. colleagues, the chairman or the vice-chairman, saying: no, Minister of Labour, can't ask any more questions; bang, we've got to the time limit.

AN HON. MEMBER: You got it.

Mr. NOTLEY: Somebody says "got it". Well, isn't that interesting. Here we are dealing with the rights of people, and we have somebody saying "got it": cut it off; finish it off. The Trudeau approach to the Constitution is the Lougheed approach to Bill 44. That's not something that should make us proud. What is the all-fired rush about this Bill that this government is not prepared to provide some time flexibility for groups who are going to go to a lot trouble making submissions to the Committee on Public Affairs?

So, Mr. Speaker, what we have in the amendment proposed by the hon. Member for Little Bow are three important, interlocking principles. The first principle is that Albertans, as individuals as well as representative groups, should have access to this important process.

The second interlocking principle is that in determining the order or the process, the committee itself, as the master of its own rules, should have to take responsibility for determining what the ground rules are. The third principle is that there has to be some flexibility, because some groups, even though individuals, should have the right to come. This is why these principles are interlocked, because individuals may have the right to come.

There might well be a strong argument, as we had in 1972, for saying that if it's Joe Brown, it's half an hour, but a province-wide umbrella organization may require more time. Let's not restrict ourselves, as members of the Assembly, in assigning the resolution to the Committee on Public Affairs. Let's not put ourselves in a strait jacket. Let's allow the maximum latitude so that this issue can be properly ventilated in the Legislative Assembly of Alberta through the Public Affairs Committee.

The hon. Member for Little Bow says to the government, and I echo his comments: what's the government afraid of? It has its big majority here. Why resist? Why oppose a little more flexibility to make this system work?

So I would argue that the amendment the hon. Member for Little Bow has presented to the House today has merit, because it is consistent with what we did in the past, because it would open access to hearings to Albertans, and because it would allow us flexibility as legislators to do justice to those Albertans who have given of their time to make a presentation to this Assembly through the Public Affairs Committee on a major matter which is before the Assembly of this province.

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

[Eight minutes having elapsed, the House divided]

For the motion:

Martin	Notley	Speaker, R.

Against the motion:

Adair	Gogo	Pahl
Alexander	Harle	Paproski
Anderson	Hiebert	Payne
Appleby	Hyland	Pengelly
Batiuk	Jonson	Reid
Bogle	King	Russell
Bradley	Koper	Shaben
Carter	Koziak	Shrake
Chambers	Lee	Stevens
Clark	LeMessurier	Stromberg
Cook	Lysons	Thompson
Crawford	Miller	Topolnisky
Cripps	Moore, R.	Trynchy
Drobot	Musgreave	Weiss
Elliott	Musgrove	Woo
Embury	Nelson	Young
Fischer	Oman	Zip
Fjordbotten		
Totals:	Ayes – 3	Noes – 52

MR. MARTIN: Mr. Speaker, I'd like to rise on the main motion. I don't think we should be in a hurry to push this through. I'm going to try flattery with my hon. friends here, and say to them that for once they have half of a good idea here. The half of a good idea is the fact that they recognize they should be going to public hearings. I honestly say to the members, Mr. Speaker, let's carry this through.

The next thing is that we all know — and I hope they're aware, and hope the Minister of Labour would look at changes — that when we're changing the labor Act and affecting thousands and thousands of people, a week to get ready for something as important as this is not enough. I say to the government that I don't understand the hurry. If you're going the public hearing route — for which I commend you; it's a proper way to go — let's be fair about it and take the time to do this right.

My colleague talked about the fact that in 1972, the government did it right. As a result I would suggest — and give the government at that time credit, because they did take the time — we ended up with a much better royalty rate than we'd had before. One of the reasons Alberta has a heritage trust fund is because of the changes at that particular time. The process was done right. That's when the government was new. I guess they

had some new ideas. So when we're going into public hearings — unless they plan it to be a farce, which I take it the hon. members are not planning — why are we in such a hurry?

I would just say to hon. members and the Minister of Labour, specifically, that Bill 44 has far-reaching consequences. It's going to be a labor Act that will be in this province for many, many years. It's going to affect thousands and thousands of people. [interjection] Unless they get turfed out of course, which is possible, very possible, the way they're going at the moment. The point I'm trying to make is that if it's a major document such as Bill 44, and after tonight organizations have one week in which to go through a very complicated Bill — the minister himself said it was complicated when he brought it in — why are we in such a hurry? Why can't we take the time to do this? If Bill 44 is a good Bill, as the Minister of Labour told us, I do not understand why we have to push it through. If we're going to the expense and the time — and it is expensive to hold public hearings; again, I compliment them on the fact that they're holding public hearings — if we're going to go through this procedure on something as major as a major labor Act that will affect thousands of people, why do we not take the time and do it right?

The point that I think has to be said is that there are also restrictive parts to it. There are many people who are going to be affected. It's not only organized labor and just the public service union. Individuals could be affected by this in the future. This is a very, very sweeping labor Act. For the life of me I cannot understand why we have to stop, do it in one week's time, and then come back and rush it through. I would sincerely ask the Minister of Labour — there are many groups that he knows are very concerned about Bill 44. I'm sure he's aware of it. I'm sure he has looked at television and seen the reaction. If we took the time to have the public hearings and do it right, maybe the minister has some good ideas here. I'm not saying that he does, but maybe he does. Maybe with his persuasive capabilities, time to talk to people, they'd see the merits of Bill 44. But at least it would be done in a proper way. It would give organizations time to come back.

The minister may feel that he can push this through in a week because we have an overwhelming majority in the House, Mr. Speaker, but is it worth the confrontation, the bad feeling that will develop? They may think that the labor movement is not strong enough to fight back against a powerful government. Every place we see labor relations working well, it is in some of the Western European countries, where there is some co-operation among labor, business, and government. Nowhere do you see good labor relations where you have the sort of draconian measures that are mentioned in this particular Bill.

So I just say to the minister, let's slow down. You've lived with the Act for a number of years. We don't think it's perfect. We think it could be better. But we've lived with this Act for a number of years without major changes. Why do we have to push ahead with public hearings? Let's not make a farce of a good idea, because I think the minister recognizes that there are major changes in this Act that affect all working people in the province. He recognizes the need to have public hearings. Let's go the second step and make sure it is relevant. Let's make sure, Mr. Speaker, that there is time, so groups and individuals can prepare. I use the term "individuals" deliberately, because there are individuals who are concerned about this Act too. I just say to the minister, slow down if you want this thing to work, if you want a labor Act, if you want good labor relations. Jamming these particular hearings in such a quick period of time and jamming in Bill 44 is not going to give you good labor relations in this province. It is not going to stop strikes, and it is certainly not going to stop strikes in the public sector.

If you look around the world, these types of measures have never worked and never will. Co-operation and consultation have to be the bywords. If the minister, in good will at this particular time, would stand back and say, all right, in looking at Bill 44 we still think it is the way to go, but we recognize that the organizations, individuals, and people who are affected need more time to prepare decent briefs, they need enough time to present their briefs during the public hearings, and we recognize that maybe we're pushing them ahead a little bit, and if they were to back off a month, two, three, or four months, the province isn't going to come to an end at that particular time, I'm sure they then would begin to see more co-operation among the groups.

But I can guarantee them this: if they ram these public hearings ahead in one week's time, there's a danger that they may not even get some of the groups here that are affected. That's not good when you are bringing in an Act, where people aren't even going to bother to come because of the process. They figure the process is stacked against them. That's not going to help you later on in labor relations in this province. You can push people around far enough. The government may feel that what they are dealing with is a weak labor movement at this particular time. But you kick them around enough, and you'll fight back. I tell you that's not good for any Albertan, certainly not the government and certainly not the labor movement. But if it's confrontation we want, it's confrontation we'll get. I don't think that we as a government should be doing that.

Through the Speaker to you, Mr. Minister, we're not asking you with this motion to change Bill 44. If you think it's a good Bill, it will stand on its merits. Let's back off for a little while and give the proper time for public hearings. The government's not going to lose face. They will look good if they back off People will say you are being reasonable if you back off until three, four, or five months. If Bill 44 is worth it, it'll give the public, individuals, and trade union organizations time to look at it and prepare their briefs. After thorough public hearings where we cut off not giving the chairman and vice-chairman all that power and we do have reasonable public hearings, out of that hopefully would come, whether it's Bill 44 or an adaption to it, a labor relations Act that we could all live with.

Mr. Speaker, if we proceed on this course, where we are going to push ahead with just a week's time for organizations to get their briefs in — and I've had calls to my office — I can guarantee them that we're asking for trouble. I don't think that in this tough recessionary time, confrontation is really what we should be striving for. If there was ever a time when we all needed to pull together in this province, when we have 146,000 people out of work — and I say this sincerely — now is the time. I do not believe Bill 44 is the way to go. But at least let's have the process meaningful and realistic. If we do that, I believe out of it would come a decent labor Act. But if we proceed with one week's time, frankly it is a farce, because we are taking — I conclude with this — a labor Act that governs thousands and thousands of people in

this province and are changing it. If they do this — and of course we all know that with the majority in this House, they can do it — I know the government will say, well, we went the public hearing route. But every Albertan will know that that's a farce when you try to jam it through in a week.

I go back to 1972 when this government did it right, when they gave concerned Albertans, and certainly the group that was affected the most, oil companies, time to present their briefs. Out of it came not a bad royalty structure at that particular time. When it was successful once in dealing with public hearings, why do we not change it? Why can we not go back and do the same thing? As a result, because I think this is so important and believe we are fundamentally changing a whole labor Act and trying to push it through in a week, whether the hon. members like it or not I would like to bring in an amendment ... [interjections]

MR. R. SPEAKER: Don't laugh, you guys. We heard six amendments this afternoon — all the same.

MR. MARTIN: ... by adding at the end of the motion:

> Be it further resolved that this Assembly shall not accept the report of the Standing Committee arising from the public hearings until after September 1st, 1983, and that Second Reading of Bill 44 shall not be moved until such time as the Assembly has received the report of the Standing Committee.

I have the amendment here, Mr. Speaker.

MR. YOUNG: Mr. Speaker, just very briefly, I believe I am bound — regrettably, for other members of the Assembly — to repeat the basic thrust of the point I made earlier, when the hon. Member for Edmonton Norwood was not in the Assembly. I relate the hon. member directly to the analogy that is being attempted to be drawn with the hearings in 1972 on the energy industry. That was a very specific and unique situation. We were talking about royalties which hadn't been examined or any thought given to them for some long period of time in terms of the kind of consideration then proposed. This is a very different matter. We are talking about something which many, many people think on and work with daily. We're also talking about something that we've all had representation on, as recently as the day before Easter break, when all members of the Assembly received, to my knowledge, a submission from one of the unions involved. So it is not an area of tremendous change. It's not an area of surprise. It's not a subject which is open to the kind of search for information which, I submit, was the case in 1972.

Mr. Speaker, much has been said about timing. In my estimation the motion before us relates very closely, if it doesn't interlock and overlap, with an earlier motion, which has been disposed of this evening. So I don't think it's useful or needful to go into that particular discussion.

I want to make my final comment this: if there's any suggestion that we're in any manner talking about something of unique concern to trade unions, I think that is not a correct suggestion. What we're talking about, as I mentioned earlier this evening, is a system for the distribution of income, particularly for organized employees, of which about 28 per cent of the employees in the province qualify. Of that 28 per cent, we're talking about a system for an even smaller proportion. So I submit that we are not trying to be unfair. We're not trying to be pro-union or anti-union, pro-management or anti-management. We're trying to find a system which is fair and equitable for all concerned, because that's the way we have to search if we're going to come to a reasonable conclusion in the interests of the society in Alberta.

Mr. Speaker, I recommend to all hon. members that, having regard to the vast difference in the situation between 1972 and this amendment before us, the amendment be defeated.

MR. NOTLEY: Mr. Speaker, I'd like to offer a comment or two on the amendment which is before the House at the moment. I think one of the most important observations that my colleague made during the course of his address was regretfully to have to issue a warning to the members of this government. As the Leader of the Opposition, I would be less than honest if I didn't indicate that I think a cooling off period before the Bill itself is addressed — given the fact that the government has turned down the other amendments that the opposition, both the Independent and New Democratic members, has proposed. Given the fact that those two amendments have been turned down, I say — and I don't say this for the sake of legislative effect, but to tell the members of this government as honestly as I can — that you are playing with fire on this issue. I say that to you directly, Mr. Minister. I think you and your colleague the Attorney General are probably more aware of the dangerous situation than most of your colleagues, who frankly are too far removed to have much of an idea about the complexities of modern labor/management problems. I say that unfortunately and regretfully. But I know the two ministers I'm looking at at the moment do know it's a very dangerous situation.

Mr. Speaker, the two hon. gentlemen who I'm referring to know perfectly well that the principles contained in Bill 44 are issues that strike to the very heart and soul of members of the trade union movement, and that these matters are not going to be taken lightly. We've seen major confrontations in other provinces. We saw that in the province of Quebec, with the teachers and other unions. We've seen it in other provinces. The plea that my colleague was making is that in the situation that faces the province today, we've got to work together. Surely, any move which creates confrontation is not in the interests of this province.

What is at stake is the process. My colleague has pointed out that even if the government decides to stick with the letter of Bill 44 — and we'll deal with that at the appropriate time. But what is critical now, what is at stake, is the very process. Mr. Speaker, if the people in this province feel that that process is simply a charade, that it's not meaningful and that we're just going through appearances, then we are going to be losing the good will that will be necessary regardless of what Bill this Legislature finally passes. Whether it passes Bill 44 chapter and verse the way the minister introduced it, amends it, or modifies it, is irrelevant. What is important is the atmosphere that is created in this province.

I say to members of the government, don't push it. There is absolutely no point in ramming this thing through. Mr. Speaker, we have on many occasions introduced controversial Bills in this Assembly in the spring and had them sit over until the fall. We've introduced controversial Bills that have sat for heaven knows how many years before this government has finally moved on them. Some Bills they won't move on at all because they get enough of the tapping on the shoulder ... The hon. Minister of Municipal Affairs is laughing, as well he

might, because there are many, many examples. But here we have a Bill, Mr. Speaker. There is really no argument at all as to why we have to move this spring.

What my colleague is suggesting in this amendment is let's allow the process, the public hearings — we can't change the time limit now, so we've got to go through that process. But that doesn't mean that we have to proceed immediately with the Bill. Let's have time after the hearings for us as members of this Assembly to be able to go back to our ridings and for groups to be able to contact the minister. It may well be that the new president of the Alberta Federation of Labour will want to meet with the minister, not necessarily in the back alley but on the front porch, to discuss the issues of the day.

Mr. Speaker, what this amendment permits is some additional time so that cooler heads can prevail, and it's not just cooler heads among the people who are going to feel very strongly about this issue. The reason I single out my two hon. colleagues across the way is that I think the cooler heads in this caucus have to begin to prevail. There are cooler heads in the caucus who know perfectly well that confrontation with the labor movement is not in the interests of this province, but they need time to be able to convince some of their more right-wing friends to join the 20th century. This is an issue that every single one of us as members of the House must be judged on. It would be easy for me, representing a rural riding, to stand in this House and give an anti-labor speech. Of course it would. It would appeal in the short run to the anger that exists in this province. But if we're responsible members of the Assembly, surely we have to look at a system which will work.

When we bring in changes to the labor Act which are just so fundamentally antagonistic to everything that not only an entire generation but generations of people in the labor movement have fought for, you can't believe that this will be accepted with resignation, and say: oh well, shucks; maybe there are some awful people in our caucus, but we like Les and the Attorney General; they're nice guys; maybe we'll let them . . . [interjection]

MR. R. SPEAKER: You too, Bill.

MR. NOTLEY: The odd one, sure. We'll live with it. Maybe they'll try to fix it up.

Bill 44 strikes at the heart of traditional labor thinking that dates back to the Wagner Act in the United States, to major changes in industrial relations in this country. It strikes at the very heart of what the trade union movement believes. It's high time that some of the members of this Assembly recognized that. It is shocking and disgraceful that we've had only two members of a government of 74 members in this House who have stood up and spoken on this issue during the course of the debate. What a shameful commentary. Where are the representatives of working-class ridings on this issue? Where are they, Mr. Speaker, that they are so mute?

Mr. Speaker, the amendment before us gives the government some time. All we are saying is that in God's name have the common sense and judgment to take it before you get us into a confrontation situation which all of us will regret.

MR. R. SPEAKER: Mr. Speaker, the issue before is again the timing in terms of public presentation. The minister this evening hasn't answered to this Legislature the question, why was the notification given yesterday? Why was it not given at the opening of the session, in the throne speech, in earlier circumstances. If there was some organizational reason why that couldn't have been done then, one, we should have known about that in this Legislature and, secondly, the government, in terms of outlining and establishing the process, should have compensated for those organizational difficulties. The minister has not explained why the circumstances are as they are. It is not clear at all why the announcement came on April 11, rather than the opening day of the session. The whole attitude that's given because of that fact is that the government wants to rush a Bill through the Legislature, put it in place, impose it on a select group of employees of this province whether it's acceptable or not, and then move ahead and get into the summer. Mr. Speaker, I don't think that is a good environment in terms of labor relations. The two hon. members to my left have already made that point, and I made it earlier in my remarks. We are creating a bad situation, and I think the government should look at this process in light of that.

In other hearings we've had in terms of the Public Affairs Committee, we have allowed time for newspaper advertising, television advertising, and radio broadcasts. In 1972 the hon. Minister of Labour moved that that be done by the committee. The respective ads were placed in the paper so that interested groups and individuals could make presentations to us. The question I raise again with the minister: why wasn't that entered into the process at this time? Why do we all of a sudden have a resolution that outlines a process that imposes very strict controls not only on the committee but on the groups that are going to make presentations? Why didn't the minister give a greater amount of lead time? That explanation has not been made in this Legislature by the government, and I think it should be.

In light of the fact that it hasn't been made, I think the government has a third opportunity to amend the process, to provide more time. It isn't going to give much more time for the groups to make their presentations, but after they have had some thinking time and cooling down time — because we're going to have some good, emotional presentations, I am sure, to the Public Affairs Committee — over the summer we can look at the different facts, we can look at the Act. The minister will have time to contemplate and consider the various recommendations, and the legal people can write them in a very adequate and complete way. We in turn can come back to the Legislature in the fall and review the matter in terms of second reading, go through Committee of the Whole, pass the legislation, if that's what the Legislature wants to do, and have a good piece of legislation in place: well heard, hopefully well received by the general public and by labor, who will have to work within the new terms.

But it won't be, under the present process that's being presented to us here in this Legislature. We are going to have hard feelings over the process, not over the principle of the Bill. The emphasis will be placed in the wrong place. The general public should not be antagonistic towards the government or this Legislature because of the process, because we are paid to spend time to listen and have patience with groups, the general public, or individuals. That's our job. The way this process is being outlined and supported by the government, we are not demonstrating that kind of patience and understanding that must prevail at this time.

I can only ask the House, Mr. Speaker, that they reconsider what has happened. Maybe the government shouldn't give the final vote on either the amendment or the motion this evening and should go back, after they

have heard the discussion that's gone on in this Legislature, and have a quick caucus, possibly tomorrow morning — or I am sure there is a committee that could look at this, review the matter — and possibly come back to the Legislature with a more understanding and a more open type of process that would be made available to Albertans who haven't the privilege of standing in this Legislature like each of us and expressing their opinions at short notice or at any time. I think we should reconsider that. I think the government would place themselves in better stead with labor and with individuals in this province that feel very strongly that certain groups, employees of government, should not have the right to strike. There are lots of people like that in Alberta. They would love to make a presentation in support of the legislation. But under the ground rules we've established, we eliminate that type of representation in this Legislature. In terms of the Conservative partisan party, if they lined up 200, 300, 400 Conservatives or people who supported the Act and came into this Legislature and said, I support it because — not that anybody should write their speech for them, but hopefully each one of them is an individual and thinks about it — then we would know there is more than one side of the story. Under the present ground rules, the government is saying labor, your provincial organizations, come in and make some presentations; we'll hear them; we'll hear one side of the story; the government represents the other side of the story, and we're not too worried about hearing them. And we have this kind of confrontation arrangement, and the government's going to live with the negative impact.

I think the government does have a chance to review the motion presented to us, to look at it, and possibly rearrange the ground rules to the betterment, not only of this Legislature but certainly the groups that want to make a presentation. Mr. Speaker, if the government doesn't support this amendment — I hope they do — I urge that it doesn't take the final vote on this motion and look at some possible amendments of their own that may improve the convenience of the process we're discussing this evening.

MR. KOZIAK: Mr. Speaker, just a few brief words. I have been listening to the remarks made on the amendment proposed by the Member for Edmonton Norwood — not so much his remarks, but the remarks of the Leader of the Opposition and the suggestion in those remarks that somehow, by the process of inviting public participation in hearings before a committee, somehow in that process, which is a very important step, a very important process, we are inviting confrontation with labor. Mr. Speaker, I question the motives of the hon. Leader of the Opposition, for if that confrontation is something we can expect, perhaps it would be at the direction of the Leader of the Opposition.

AN HON. MEMBER: Manufactured.

MR. KOZIAK: Manufactured.

MR. NOTLEY: No. Shame. Withdraw.

MR. KOZIAK: Mr. Speaker, on many occasions, I've heard the concern that the legislation of the province — and I imagine he refers to that in his remarks — does not extend certain privileges to those employees dealing with alcohol but provides it to those dealing with the sick. And somehow or other, the moves provided for in Bill 44 are interpreted by the Leader of the Opposition as inviting confrontation with labor.

Mr. Speaker, in many respects, there's a rationalization that appears in Bill 44 which labor should be very happy with. In the arbitration process, when arbitrators are to take into account the level of remuneration in non-union as well as union sectors, I'm sure that labor as a whole throughout the province should respect that concept as being a fair one. How the Leader of the Opposition can reach the conclusion that by giving the opportunity to the public to participate in discussion and debate on Bill 44, that should invite a confrontation with labor is, to my mind, something that's manufactured in the Leader of the Opposition's mind and not on the floor of this Assembly.

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

[Eight minutes having elapsed, the House divided]

For the motion:		
Martin	Notley	R. Speaker
Against the motion:		
Adair	Fjordbotten	Oman
Alexander	Gogo	Pahl
Anderson	Harle	Paproski
Batiuk	Hiebert	Payne
Bogle	Hyland	Pengelly
Bradley	King	Reid
Carter	Koper	Russell
Chambers	Koziak	Shaben
Clark	Lee	Shrake
Cook	LeMessurier	Stevens
Crawford	Lysons	Thompson
Cripps	Miller	Topolnisky
Drobot	R. Moore	Trynchy
Elliott	Musgreave	Weiss
Embury	Musgrove	Young
Fischer	Nelson	Zip
Totals:	Ayes - 3	Noes - 48

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, in making a few remarks in conclusion of debate, I did not note all of the things that were said by members of the opposition that might be properly commented upon in closing debate. There are a few things, though. I guess I say that first, Mr. Speaker, in the sense that I'm giving the indication that I intend my closing remarks to be quite temperate and not to get overly involved in some of the attitudes that were expressed which would be perhaps inflammatory as they were stated by some of the hon. members of the opposition — not inflammatory here, but perhaps inflammatory elsewhere.

I think that one of the important points is that hon. members of the opposition are gravely underestimating the ability that the people who will be making the presentation have to prepare themselves, to be here, and to make good presentations. It seems that they do not show very much confidence in the ability of the province-wide organizations who will be here to present their arguments in a very effective way. I disagree. I think we will get very

effective presentations and, as we sit here and listen, as we will very carefully during 14 hours of public hearings, that we will be impressed with the people of Alberta and their ability to come to their legislators and make remarks which are timely and relevant to the issues.

In respect of the hearings all told, I would just note that there are many ways to conduct hearings. There is no doubt that anything we propose in respect of hearings could be done over a different time frame. The guidelines could be different, and that too would be a hearing. But what is proposed here is one of many alternatives — almost limitless alternatives — for the way in which such a process could be undertaken. Measured dispassionately, I think observers and hon. members would have to agree that it's workable, fair, and reasonable in the circumstances.

There were some remarks made which I'll conclude by referring to very briefly. The comment was made several times that all of this is to be handled by people presenting submissions in only one week's time. We know that's not so. We know that the proceedings are not even to begin after the passing of this motion until a week Monday, and continue until the second last day of the month. The careless remark — which is what it undoubtedly was — that people are to be ready in one week's time is wrong, but it was repeated. It was also suggested that the hearings would be a farce. I've already disagreed with that and have the confidence that the hon. members in the opposition do not share in the people who will be making presentations. I regretted, as did the hon. Minister of Municipal Affairs when he made his remarks, some of the references to confrontation.

Mr. Speaker, I think it is of importance to know that in speaking to the issues and the way in which the issues that will be involved in the hearings are ones in respect to which organized labor in the province must surely make representations, we are speaking of public-sector labor organizations not as being the only ones interested in making representation but as being the ones that are primarily affected by what is proposed in the legislation. In that sense, whoever the presenters at the hearings are, the issues they will be addressing will not be issues that relate to private-sector unions. I do not think that attempts should be made to say that the unions in the private sector, as distinct from the public-sector unions, would or should have the same types of observations to make.

What we're dealing with in the sense of the health care field is an area that for many years has been handled in a no-strike situation in other provinces. I won't go into those matters that may be deemed by you, Mr. Speaker, to be on the attributes of the legislation as distinct from the motion, but points like this will undoubtedly come out of the hearings. I think that private-sector unions have a totally different interest in the hearings than public-sector ones. We're also dealing, of course, with unions that have been in arbitration legislation over the years — the policemen and firemen.

Given those characteristics of the organizations that will be making presentations, I suggest to hon. members that the hearings have a good future, one that hon. members will take much interest in and, when the presentations have all been made, no doubt be quite pleased with the fact that the hearings were suggested in this motion and that the hearings will have taken place.

[Motion carried]

MR. CRAWFORD: Mr. Speaker, there's one matter of House business that I could perhaps deal with in addition to tomorrow's business. Tomorrow we'll be in Committee of Supply dealing with the estimates of the Department of Hospitals and Medical Care. On a previous occasion, yesterday, the issue came up about what the House might agree to in respect of some business for Thursday afternoon and whether or not there would be unanimous consent to designate the motion standing in the name of the hon. Member for Stony Plain; I think it's Motion No. 18. The suggestion was made that it might be designated for Thursday.

The preference that we among the government members have, Mr. Speaker, would be that the motion be designated for the following Thursday. I just put that forward now as a matter on which maybe unanimous consent could be agreed to. The reason very simply is that we felt that one or two of the other motions which have been pending for some time would, if there were not an opposition motion designated for Thursday, usefully take the Thursday time this week — it's coming upon us very quickly — but if the other motion were designated for a week Thursday, that would be something we would agree to. If hon. members of the opposition want to give any indication, now or later, that's the proposal I would make.

Subject to that, Mr. Speaker, I move that the Assembly adjourn until tomorrow afternoon at 2:30.

MR. NOTLEY: Before you accept the motion to adjourn, Mr. Speaker, on the invitation of the Government House Leader I would just advise the Government House Leader that I will be consulting my colleagues in the opposition on the request. I will communicate with him as quickly as possible. We'll attempt to resolve it. I had discussed the possibility of designating a motion from the hon. leader of the Independents next week, but we will discuss it and get back to the government as quickly as possible.

MR. R. SPEAKER: On the point of order as well, I'd like to direct a question to the hon. House leader with regard to the vote on a designated motion relative to seat belts. Would it be the consideration of government to have a free vote on that resolution?

MR. CRAWFORD: Mr. Speaker, I hadn't intended to respond to that part of the earlier question this evening.

[At 10:53 p.m., on motion, the House adjourned to Wednesday at 2:30 p.m.]