

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Wednesday, April 15, 1987 2:30 p.m.**

Date: 87/04/15

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

[Mr. Speaker in the Chair]

PRAYERS

MR. SPEAKER: Let us pray.

We give thanks to God for the rich heritage of this province as found in our people.

We pray that native-born Albertans and those who have come from other places may continue to work together to preserve and enlarge the precious heritage called Alberta.

Amen.

head: **INTRODUCTION OF VISITORS**

MR. CAMPBELL: Mr. Speaker, it's my pleasure this afternoon to introduce to you and through you to the rest of the Assembly, a very good friend and colleague of the Legislature of Saskatchewan, Mr. Sherwin Peterson. He's the MLA for Kelvington-Wadena in Saskatchewan and, as well, the Legislative secretary to Premier Devine. He's now standing in your gallery, and I'd ask the Assembly to give him their warm welcome.

head: **INTRODUCTION OF BILLS**

MR. SPEAKER: Member for Calgary Mountain View.

Bill 222**An Act to Amend the Remembrance Day Act**

MR. HAWKESWORTH: Thank you, Mr. Speaker. I request leave to introduce Bill 222, being An Act to Amend the Remembrance Day Act.

Mr. Speaker, this Bill would require almost all public and private enterprises in Alberta to close down between the hours of 6 a.m. and 12 noon on Remembrance Day. It exempts from its provisions certain public and industrially essential activities and allows the Lieutenant Governor in Council to set further exemptions.

[Leave granted; Bill 222 read a first time]

Bill 256**An Act to Amend
the Financial Administration Act**

MR. MITCHELL: Mr. Speaker, I request leave to introduce Bill 256, being An Act to Amend the Financial Administration Act.

This Bill would require that any tax expenditures proposed by the government be budgeted and approved by the Legislative Assembly as supply votes of expenditure. As well the Bill will require tax expenditures to be shown in the public accounts as

normal expenditures of public money as recommended by the Auditor General.

[Leave granted; Bill 256 read a first time]

Bill Pr. 21**The William Roper Hull Home
Amendment Act, 1987**

MR. PAYNE: Mr. Speaker, I request leave to introduce Bill Pr. 21, The William Roper Hull Home Amendment Act.

The purpose of this Bill is to expand the objectives of the William Roper Hull Home to promote the emotional and psychological well-being of children and families through the provision of education, preventative and treatment services. The change in the objects of the corporation by these amendments was made to reflect the changes in the needs and circumstances of children involved.

[Leave granted; Bill Pr. 21 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. ANDERSON: Mr. Speaker, I'm very pleased this afternoon to table for hon. members an announcement made earlier today jointly by myself and the federal Secretary of State, the Hon. David Crombie, which announces Canada's first multicultural resource development institute.

MR. DINNING: Mr. Speaker, pursuant to section 6 of the Dental Profession Act, I wish to file with the Assembly copies of the association's annual report for the year ended June 30, 1986.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. YOUNG: Mr. Speaker, it's my pleasure this afternoon to introduce to you and to all members of the Legislature, a grade 6 class from Holy Cross school. I had the pleasure on Sunday last to share with those students the serving of their parents in the annual tea that they provide for fund-raising for the school. They are accompanied by Miss Manuela Ninassi, and I would ask that they rise and be recognized and be given the warm welcome of this Legislature.

MR. ANDERSON: Mr. Speaker, I'm very pleased this afternoon to introduce to you and to members of the Assembly, six individuals who have assisted a great deal in the development of the multicultural institute which has been announced. They're seated in the members' gallery, and I will ask them to stand and receive the welcome of the Assembly once I've read their names. They are: Rowena Massey-Hicks, principal consultant, Tabi Training Implementations; David Bai, member of the institute's advisory committee and chairman of the prairie and north-west region, Canadian Multiculturalism Council; Ted Van Eeken, former chairman, Alberta Cultural Heritage Council and Alberta Cultural Heritage Foundation; Shelley Maerov, vice-chairman of The Jewish Federation of Edmonton; Richard Sheldford, president of the Council of Black Organizations; and Dick Wong, business consultant, Gracefield Investments. I'd ask them to receive the very warm welcome and thanks of the Assembly for their assistance.

MR. STEWART: Mr. Speaker, it is my pleasure to introduce to

you and through you to the members of the Assembly, Mrs. Margaret Lounds, who is the chairman of the Calgary recreation and parks committee as well as being a member of the Alberta Water Resources Commission and, indeed, also the mother of one of our pages. I would ask the Assembly to give her the usual warm welcome.

MR. SPEAKER: Attorney General.

MR. ROSTAD: Mr. Speaker, Solicitor General.

Mr. Speaker, it's my pleasure to introduce . . .

AN HON. MEMBER: A general is a general.

MR. SPEAKER: The Chair apologizes to both individuals.

MR. ROSTAD: We could change places but . . .

Mr. Speaker, I would wish to introduce to you and through you to the Assembly, 27 delightful students, grades 5 and 6, from the Rosebrier school, which is a community school located in the Camrose constituency. They are accompanied by two teachers, Mrs. Jenell Pluim and Mrs. Brenda Rehmann; and three parents, Mr. Don Graff, Mr. Charles Ingles, and Mrs. Kathy Friesen. They are seated in the members' gallery, and I'd ask that they stand and receive the traditional welcome of the House.

head: MINISTERIAL STATEMENTS

Department of Career Development and Employment

MR. ORMAN: Mr. Speaker, I am pleased this afternoon to advise hon. members of the appointment of a six-member apprenticeship and industry training review committee which will conduct a public review into apprenticeship and industry training in Alberta. As hon. members may recall, the government indicated in the Speech from the Throne on March 5 its intention to carry out such a review.

In choosing from among the many names put forward, a decision was taken to utilize the considerable experience and expertise of the Alberta Apprenticeship and Trade Certification Board, keeping in mind the desirability and necessity of also including other individuals whose backgrounds are not represented on the board.

As hon. members may be aware, the Apprenticeship and Trade Certification Board advises the Minister of Career Development and Employment on all matters pertaining to apprenticeship training and certification. The board is comprised of a chairman, an equal number of employee and employer representatives, two people representing the general public, and the executive director of the apprenticeship and trade certification branch of my department.

The six-member review committee that I have announced today includes four members of the Alberta Apprenticeship and Trade Certification board: its chairman, Mr. John Ritter, who will also be chairman of the review committee; Mr. Peter Conboy, employer representative; Mr. Bill Marlowe, employee representative; Muriel Stanley-Venne, a public representative. The remaining two members of the review committee are Brian McClelland, who is head of labour relations and employee development with Sherritt Gordon Mines Limited, and Mr. Ekehard Kolesch, who is general manager of the Edmonton Convention Centre.

Time does not permit me to list the excellent qualifications of these six individuals. However, Mr. Speaker, I am tabling biographical profiles on each member. It is clear from these profiles that collectively they bring to the review committee in-depth knowledge and understanding of industrial, vocational, and apprenticeship training, a broad awareness and sensitivity to community needs, and extensive work experience.

One of our primary objectives is to examine existing practices and programs in light of rapidly occurring changes that are overtaking the workplace. An important objective of the review is to help highlight some of these changes, with a view to identifying modifications to existing apprenticeship and industry training systems to upgrade the skills of journeymen, upgrade industrial training generally, and ensure that Albertans possess the skills needed in the future.

In carrying out its work, the review committee will pay particular attention to the immediate and longer term training needs in new or emerging industries where training requirements have not yet been identified or fully identified.

Among the more important matters the review committee will examine and report on are: current apprenticeship and industry-based training and certification practices; monitoring and enforcement of legislation; on-the-job and institutional training for tradespeople; capacity of small business to train employees, as compared with larger corporations; nontraditional industrial training; employee training needs in new and emerging occupations; and the role of government, labour, and management in training employees to meet future needs.

I wish to note as well, Mr. Speaker, that a 15-member advisory panel comprising a chairman, the seven remaining members of the Alberta Apprenticeship and Trade Certification Board, three members representing labour, three persons representing business, and one person representing postsecondary education will be established to assist the review committee. Details of the advisory panel and the names of its members will be announced within the next short while.

Finally, Mr. Speaker, I wish to advise that the review committee will actively solicit public input. Within the next week or so the general public will be invited to submit their written comments to the committee. In the fall the review committee will conduct a series of public meetings in various locations throughout the province. Both are in keeping with this government's commitment to actively consult with the public on important matters of policy.

MR. SPEAKER: Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. Quickly looking through the ministerial announcement, I certainly have no objection to a public review. I would just suggest to the minister and members of the government that in the time before the recession we probably had some of the best tradesmen not only in Canada but in North America. And what has happened, of course, has a lot to do with the economy and the government's policies, because as we've dismantled the labour movement -- they were actively involved at the time, the Minister is well aware, in upgrading skills and lowering wages. Then we've had an exodus of some of our top people; many of them that I know are in Ontario right now and other parts of North America. It may be hard to get these people back. So a lot of the review has to do with the economy itself.

But in saying this, I look forward to the review. Specifically, number one, "upgrade the skills of journeymen": obviously,

that should always be a high priority. Number two, "update industrial training generally": I hope this doesn't mean a blending of all construction trades to effect downgrading of trades apprenticeship altogether, and I just pass that out; I hope that's not what it means. Number three, "ensure that Albertans possess the skills needed in the future": again, I come back; to make sure that we have the skills in the future will have everything to do with wages, frankly, because people are not going to get those skills if the wages are not competitive and better than they are at this particular time.

So I certainly say, Mr. Speaker, that we welcome the review, and if we ever get this economy turned around, we'd better be looking at how we're going to bring back journeymen, qualified people, into the province to do the things that need to be done in this province.

head: ORAL QUESTION PERIOD

Taxation Policy

MR. MARTIN: Mr. Speaker, I'd like to direct my first question to the Provincial Treasurer, the tax man. Along with a lot of what I would call other sneaky tax hikes, the Treasurer slipped a new flat rate tax on Albertans. My question is to the minister: is he aware of the regressive nature of flat rate taxation, and if he is, will he explain why he went ahead with implementation of this particular tax at this particular time?

MR. JOHNSTON: Mr. Speaker, I am well aware of the impact of various tax proposals which were included in this budget. I might note that in contrast to some other flat rate tax, this flat rate tax is applied at the taxable income as opposed to the net income level, and therefore is less regressive than some flat tax which has been experienced in other provinces.

MR. MARTIN: Well, thank you. Mr. Speaker, at least he admits it's regressive; it's just less regressive than other places.

But my question to follow up on this to the Treasurer: is the Treasurer specifically aware that an average Alberta family with gross pretax earnings of \$30,000 a year will lose \$55 per month from the July paycheque and subsequent paycheques? Now, that's not including the \$35 per month they lose if they are renters.

MR. JOHNSTON: Mr. Speaker, of course you can cast about for any calculation, and of course you can enter the tax tables at any income level, and you can make any assumption you want with respect to the family size, the age of the individuals who are involved. But no matter how you cut it, you must look at the bottom line in this province, and that bottom line clearly shows, no matter who does the analysis, whether it's done by us or whether it's done by the Canadian Tax Foundation, that Albertans are the lowest taxed citizens in Canada. We said we'd maintain that as a priority. We did it, and now the doctrinaire socialists are looking for ways to pick holes in it.

MR. MARTIN: Well, Mr. Speaker, the bottom line, to the Treasurer, is that real people are being hurt and gouged with this particular budget.

Now, Mr. Speaker, the average family income in Alberta is around \$41,000 according to Statistics Canada. Their monthly bite goes up to \$80 per month for the year. And I ask this question: how can this minister justify this type of increase on fami-

lies who are struggling already to live on a tight budget? Many of them will receive no increases at all this year on their paycheque.

MR. JOHNSTON: Well, again, Mr. Speaker, I will fully admit that the increasing taxes are a matter of judgment, and they're a matter of calculations as to where the impact of that tax will hit. Yet there are certain fundamental feelings which are clear to all Albertans, and amongst those feelings and sense of pride which tends to be ignored by the member across the way is that in fact the people of Alberta receive the highest level of services of any citizens in Canada. Now, the people of Alberta have come to expect that we will maintain, as we have in this government, the highest level of educational services, the best health care facilities, high priority on new job generation, and amazing assistance to those people who are in need. That's the priority of this government, and that's what this budget reflects.

Quite clearly, I could get into the narrow kind of comparison, talk about the socialists in Manitoba whom he talks about, where in fact their 2 percent flat tax comes in at the very highest level. If you want to talk about yells and cries about a tax regime, you should see that one, Mr. Speaker. He tends to forget about that. But I won't do that. I'll simply talk about the good policies which . . . [interjections]

MR. SPEAKER: Hon. minister [inaudible]

MR. MARTIN: If he wants to talk about Manitoba, we'll talk about their economy compared to his mistake.

Mr. Speaker, to the Treasurer. He says Albertans have a sense of pride. Yes, they do, but they don't have a sense of pride of being gouged by this government, I can assure him of that.

My question is: we're getting a double whammy, double taxation come July 1st; what assurance will the Treasurer offer that this government, as they fight the deficit, will not make these new tax tables permanent? Can we get absolute assurance from this minister?

MR. JOHNSTON: Oh, I'd like to be that confident about the future, Mr. Speaker, but some of us here have to deal in the area of reality not the area of dreams. We have to face the major challenge before Albertans. We're intending to do that. We have set forth a fiscal plan which still provides the highest level of services, which provides for the lowest level of taxes, and still deals with the deficit. Now, if the socialists had anything to do with this, they'd have us with the highest level of taxes, the highest level of deficit, and the lowest level of services. That's the kind of management you would get from the socialists across the way, Mr. Speaker.

What we intend to do here is to meet the commitment of maintaining the highest level of services and working to a four-year plan to deal with that deficit problem. Mr. Speaker, I know it's contrary to the socialist thinking across the way, but it is fundamental to what is the intention and the desire and the hopes of the citizens of Alberta, and we're going to respond to it. [interjections]

MR. SPEAKER: The Chair will recognize the Member for Edmonton Meadowlark when it hears a little bit more silence.

Member for Edmonton Meadowlark, followed by the Member for Little Bow.

MR. MITCHELL: Thank you very much, Mr. Speaker. Further to the point concerning the regressive nature of this new tax regime, can the Treasurer please confirm that the new gasoline tax is also a highly regressive tax, a sales tax in fact, which takes a greater portion of a low-income earner's income, than it does of a higher income earner's income?

MR. JOHNSTON: Mr. Speaker, without getting into the calculation about where you are on various curves or talking about the functional relationship, I can say, of course, that any tax at some point is regressive. I mean, none of us likes to pay any kind of tax, and it's true that some forms of taxation are more regressive than others. Yet in comparison in the case of the cost of gasoline in Alberta relative to other provinces, it is safe to say, however, that the fuel tax which has been applied in this budget is the lowest in Canada. Now, there are some economists who argue that the tax on gasoline should in fact be higher than it is right here to ensure that conservation takes place.

Mr. Speaker, I can only report the facts. Yes, if you are a very low-income person this tax does tend to become more regressive; yes, it is the lowest fuel tax in Canada; and yes, it will generate revenues to help us balance the budget. And that's the intention of this plan.

MR. R. SPEAKER: Mr. Speaker, to the Provincial Treasurer. The Treasurer indicated in an earlier question period that there may be reconsideration of the 5 percent hotel tax in terms of either timing or date of application. Could the minister indicate whether there is any firm recommendation or announcement at this time on that matter?

MR. JOHNSTON: Well, again, Mr. Speaker, to the Member for Little Bow. Of course we have had under consideration both -- extensive debate. My colleague the Member for Banff-Cochrane raised this first during a variety of estimates; my colleague the Minister of Tourism and even the Member for Edmonton Meadowlark, in fact, have raised this question. But we are in the process of reviewing. We are consulting with the tourist sector to see what kind of recommendations they would entertain. But I can say that it is under consideration right now.

MR. OLDRING: A supplementary, Mr. Speaker, to the Provincial Treasurer. I know that the Provincial Treasurer went to great lengths to shelter and protect low-income Albertans. Could he advise this House how many additional low-income Albertans will be taken off the tax roll this year over last year? [interjections]

MR. JOHNSTON: That's right. There's no question I may have omitted some important facts, Mr. Speaker, when I . . . [interjections] And I wouldn't want to miss an opportunity to make sure that the full record was on the table here.

I appreciate the very clear point made by the Member for Red Deer South, wherein he does reinforce what is the clear intention of this budget to do several things which deal with the low-income side of the income distribution. First of all, properly noted, the Alberta selective tax credit will in fact be applied to more Albertans this year than ever before. Those who have done their income tax recently will see that. I think under the current regime it's about \$370. We intend to raise that to something higher than that -- the numbers escape me; I think it's \$440 -- which will allow another 235,000 Albertans to either

pay no tax or to pay less tax than they would normally under the tax schedule, recognizing fully the impact of the tax on low-income people.

Moreover, Mr. Speaker, as a second element, the two other kinds of temporary taxes which were applied in this budget: one, which is the so-called flat tax I have described, applies to the taxable income. Everyone knows that taxable income is arrived at by deducting most of those calculations such as exemptions, a variety of those items, and therefore very few people are impacted at the low income by any kind of taxable income, and therefore the flat tax would apply there and will be not as regressive as some taxation. In fact, it will apply more on the higher incomes.

Thirdly, Mr. Speaker, with respect to the surtax: that tax will apply to those people with provincial income taxes above the \$3,700 level, ensuring again that the impact of the tax is on the higher income Albertan.

Finally, Mr. Speaker, with respect to the adjustments on the medicare premiums, my colleague the minister of hospitals has always laid before the House the fact that there is a new tier with respect to the way in which the premiums impact on lower income. Once again, we have assisted the lower income Albertan in many ways: in the tax regime, in the medical care system, and in a variety of other programs, Mr. Speaker, which I know you don't want me to recount right now.

MR. SPEAKER: Such perception.

Second main question, Leader of the Opposition.

Natural Gas Deregulation

MR. MARTIN: Yes, Mr. Speaker, to the Minister of Energy. Yesterday the minister came to an interesting conclusion; it seems that even he has to admit that deregulation of energy is not working in the best interests of Albertans. It should have been rather obvious even to Conservatives that we have a \$3.3 billion deficit, higher taxes, and a cutback in people services. But my question simply is this to this minister: will the government now bring back an Alberta border price for gas to protect Alberta's interests?

DR. WEBBER: No, Mr. Speaker.

MR. MARTIN: That's a good answer, Mr. Speaker, one that we expected. Now, my question simply to the minister. He said that this government does not want residential and commercial gas users buying gas on the open market, not only in Ontario but right here in this province. Now, most people thought this was what deregulation was all about, and it shows to me that the right wing knows that their policies have become a disaster. I want to say simply to this minister: when is this government . . .

SOME HON. MEMBERS: Question.

MR. MARTIN: This is the question. Don't get excited, Jimmy. Don't get excited.

My question to the minister is: when is the minister going to admit the failure of its energy policies and get on with the job of seeking fair prices for Alberta's resources?

DR. WEBBER: Well, Mr. Speaker, there's been no failure with respect to energy policies. We've been working with industry and other governments, going through a difficult process of

deregulation when world oil prices fell a year ago. There are a number of obstacles in the road that we believe, by co-operative discussions, we can remove.

MR. MARTIN: Well, most people would consider a \$3.3 billion deficit in one year a failure, but the government has a new record. It seems that the deregulation policy brought in by the government has given Ontario cheaper energy, and it's given them more control over our energy resources. My question: if the government believes so much in deregulation -- they seem to indicate this and they want to continue it. A simple question to this minister: why won't the minister then give average Albertans a break in this so-called deregulated market and let the core users negotiate new, short-term, low-cost contracts, so Albertans can benefit?

DR. WEBBER: Well, Mr. Speaker, the hon. member makes a number of comments prior to his question that really one has to look at. First of all, does he not realize that world oil prices fell last year, resulting in a significant decline in revenues to the province? Knowing his socialist desires, he may wish to try to control what OPEC can do around the world. I don't know. But obviously world oil prices are a significant factor on revenues to this province.

Secondly, Mr. Speaker, he makes the comment that Ontario has more control than it had previously in determining prices. That is not the case. The purpose of deregulation was to have buyers and sellers enter into freely negotiated contracts but that there be respect for existing long-term contracts that are in place. In fact, Mr. Speaker, the negotiations that took place between producers in this province and utilities in central Canada did result in a discount into the core market. And also in this province negotiations are under way between utilities and producers. Albertans have paid lower prices than anywhere else in the country, and I expect that will continue into the future.

MR. MARTIN: A supplementary question, Mr. Speaker. Albertans are in the worst of all worlds: higher taxes, high deficit, lower people services, and high gas prices. Is the minister not prepared to admit that this has been an absolute disaster, and when is the government going to give up its ideology and start doing what's right for Albertans?

DR. WEBBER: Well, Mr. Speaker, I don't know what the policy of the hon. member would be in terms of going through with the gas deregulation process, other than to re-establish an Alberta border price, where we would lose the markets that we had gained over a number of years in the industrial markets of Canada and the United States because of the lower costs of fuel oils.

Mr. Speaker, we are determined to work with other provinces and the industry to see that natural gas deregulation proceeds the way as it was originally intended. This is one step, the announcement we made yesterday, which simply says that the core market for Alberta natural gas must be protected by long-term contracts. What's more reasonable than that? The Energy Resources Conservation Board recently came out with a ruling which indicated that there should be in place an umbrella of a surplus test that would protect Alberta consumers to a 15-year supply of gas, but that in the industrial markets, the contractual route would be the one that should take place. In other words, there would be no surplus tests on the industrial side. So if industries want to go out for short-term, spot market sales, they

can, but they don't have the protection that's on the backs of the producers in this province for that protection.

Mr. Speaker, the protection is there for Alberta consumers.

MR. OLDRING: A supplementary, Mr. Speaker. Could the Minister of Energy advise this House if he intends to restrict or curtail the sales of natural gas to eastern Canada?

DR. WEBBER: Mr. Speaker, unfortunately, that was a notion that arose out of yesterday. There is no intention to cut off supplies of gas at all. We are suggesting that the core market consumers, the residential and the commercial consumers, should be contracting for long-term supplies rather than having that protection on the backs of the producers in this province, that there are long-term contracts in place right now between producers here and utilities in Ontario, and that if we do not want to see those long-term contracts undermined -- and one way of preventing that undermining is to make sure that anyone that wants a long-term supply of gas in the core market actually contracts for it.

MR. R. SPEAKER: A question of clarification. I believe the minister has answered this question. In terms of allowing the low-cost, short-term contracts, is the minister considering in terms of that contract that there should be a waiver of the 15-year guaranteed natural gas supply which certainly guarantees supply to consumers in central Canada?

DR. WEBBER: I'm not sure I caught the significance of the question, Mr. Speaker.

The National Energy Board are currently having hearings related to what they think the protection should be for consumers in the rest of Canada. Our ERCB hearings, of course, came out with a decision which relates to Albertans. We think that the ERCB decision was a fair one and one that the National Energy Board in their hearings will look towards as a guide, hopefully. Also, it is a decision whereby producers in this province and the Alberta government will be making their case before the National Energy Board, and that case will primarily be that there should not be an umbrella protection on the backs of our producers for the industrial market but that in the core market there very well may be a surplus test to provide protection. But even with that, there should be long-term contract protection as well.

MR. SPEAKER: Member for Calgary Buffalo, final supplementary on this issue.

MR. CHUMIR: Thank you, Mr. Speaker. We're now seeing the greatest retreat since Stalingrad but only after the government's deregulation policies have brought this province to its knees economically. The hon. Member for Little Bow hit it right on the head. How is it that the minister thinks his arguments will maintain any credibility when the province is inconsistently asking on the one hand for Ontario consumers to protect themselves by contract, and on the other hand it is supporting the National Energy Board policy of maintaining a 15-year surplus for core consumers? It's inconsistent. How can you argue both sides at the same time?

DR. WEBBER: I'm not sure there was a question there, Mr. Speaker. But if the hon. member wants to debate. I gather that he's suggesting there is an inconsistency, and there isn't at all.

In fact the ERCB in their decision indicated that there should be a 15-year supply in place for our consumers in the residential and the commercial markets here in Alberta, and we agree with that. They also suggested that the contractual route would be the route to go. In fact, utilities in this province for many years have been contracting supplies almost exactly the same length of time period that the surplus test was in place. So, if you like, we have a double protection for our consumers in this province: one, the umbrella of the surplus test, and the other one being the long-term contracted supplies.

Grazing Leases

MR. TAYLOR: Mr. Speaker, my question today is directed towards the Minister of Forestry, Lands and Wildlife. Government has been a bit slow to react to the public sentiment regarding the conversion of grazing leases, although the government has appointed a seven-man task force with a number of backbenchers -- no opposition members on it at all. The Liberal opposition does join most Albertans in welcoming the recent provincewide moratorium on conversions and wishes it was imposed much sooner. But why did the minister wait until last March to impose the provincewide moratorium when he had already imposed a moratorium last June for all of central and southern Alberta?

MR. SPARROW: Mr. Speaker, this province is a very vast province and very rich in its natural resources. We have different problems in southern and central Alberta than we have in northern Alberta. In central zones and in the southern zone there was concern showed a year ago, and that's why the freeze was originally put on. The task force recommendations came in and they recommended a temporary freeze on the balance of the province. And that's why it was done at a later date.

MR. TAYLOR: Mr. Speaker, to the minister then. If it is indeed the case, why didn't the task force hold public hearings rather than the private hearings, as this is an issue where the public has a great investment now that summer is here to get out into the country where there's fishing, hiking, or anything else? This is not a private matter. Why did they not hold and why are they not going to hold public hearings on this matter?

MR. SPARROW: Mr. Speaker, public meetings were held by that committee that traveled throughout the province. It was well advertised, and the public did show up and made many, many presentations to that committee. I'm presently waiting for their recommendations.

MR. TAYLOR: Meetings out in the country are not public hearings. A public hearing is, as the name implies, a formally constituted hearing with a solicitation of briefs and the whole amount, not a bunch of backbenchers wandering around, Mr. Speaker, at \$75 a day, trying to get a free tour of the province.

Now, Mr. Speaker, I'd like to ask whether the minister can tell the House how many applications for conversion of land under policy are now being held in abeyance or being held in your coffers, waiting for the result of the freeze to come off the conversion of grazing leases?

MR. SPARROW: Mr. Speaker, I don't have the number of leases at my fingertips, but I can give them to the hon. member if he comes to my office. We'll do it after and not take up the

House's time. They are available.

MR. TAYLOR: Mr. Speaker, I can understand why he does not want to take up House time. I'd hide under his seat if I were him.

Mr. Speaker, will the government at least accept the basic principle that no sale of any grazing lease or public lands or conversion will take place without public hearings, and even then, after the public hearings, if he decides to go ahead, it will not be done without open competitive bidding?

MR. SPARROW: Mr. Speaker, I'm waiting for the recommendations of the committee and the report from that committee. I know that the public has submitted many, many written submissions, along with the verbal submissions that were given to the committee. Our office has assisted in giving that committee all the information they requested, and we hope that their recommendations will take the considerations made by the public of Alberta during those meetings throughout the province.

MR. TAYLOR: A puffball committee.

MR. SPEAKER: Member for Edmonton Glengarry.

MR. YOUNIE: It won't be a puffball, Nick.

There was something publicly advertised by government tender recently in the newspaper concerning grazing leases, and I'm wondering on what basis does the minister believe that spraying these leases with 2,4-D, a soon to be deregistered chemical, at taxpayers' expense ...

MR. SPEAKER: Order please, hon. member. That's in no way related to the original question.

The Chair recognizes the Member for Cypress-Redcliff.

MR. HYLAND: Thank you, Mr. Speaker. My question as well is to the minister of forestry. Will the minister assure this Assembly that those applications that are being held now in abeyance, that when it's part of the economic operation of a farm, it will be sold to the lessee rather than put up for public auction, as the Liberals suggested, so only the rich can apply?

MR. SPARROW: Again, Mr. Speaker, I am going to wait for the recommendations of the committee to come forward. I will be taking those to forestry caucus committee for discussion prior to any changes in the policy. I'm sure you'll have some input into any changes in the future policy.

MR. SPEAKER: Member for Clover Bar on behalf of the Representative Party, followed by the Member for Calgary North Hill.

Cancer Rate in County of Strathcona

DR. BUCK: Mr. Speaker, my question is to the hon. Minister of Community and Occupational Health, and this has to do with the follow-up of the discussions we had on the estimates Monday night on the apparent abnormally high rate of cancer in the Fort Saskatchewan and county of Strathcona areas. Can the minister indicate what further studies the department is considering following up at this time in light of the fact that some of these statistics did appear to be apparently high?

MR. DINNING: Mr. Speaker, we certainly share the concern expressed by the hon. member, and that's why we've taken some action on this. This week I have asked the occupational health program at the University of Alberta and the Alberta Cancer Board, along with the public health division of my department, to come together to assess the facts that we have now and come back to me with a report within six weeks as to what further steps need to be taken, what further information needs to be found, and a recommended course of action.

DR. BUCK: Mr. Speaker, a supplementary question to the minister. Does the minister have any indication if there is a differential at this time between a higher incidence at the jobsite than there is outside the jobsite?

MR. DINNING: Mr. Speaker, we don't have that information. What we've been able to find in the cancer registry that the province has and which we monitor and watch on a very careful basis -- it detects, it tells us what the cancer is; it tells us about the cancer patient, where he lives and where he may work. We're taking that information and trying to perhaps draw some conclusions. I want to caution, as I'm sure the hon. member would want me to, drawing any conclusions at this point, because we simply don't have those facts. The cancer may be linked to any number of factors, including life-style, including geography, location, where someone has grown up, where they've lived, how long they've lived there. It also may relate to occupational and environmental hazards. That's the kind of information we want to pull together before we draw those conclusions.

DR. BUCK: Mr. Speaker, to the minister. Is the minister considering also a close examination of the people who live downwind from the petrochemical complexes in the county of Strathcona and the city of Fort Saskatchewan? How wide a range is that study going to cover downwind?

MR. DINNING: Well, Mr. Speaker, the statistics that were prepared and put forward in a report by the Alberta Cancer Board focus and address themselves primarily to cancer statistics within county 20. That's where the concern has arisen, and that's the concern we want to address. We've not found significantly abnormal cancer statistics in other regions, in other census areas, and this one is the one we're wanting to come to grips with and come to a conclusion on.

DR. BUCK: Mr. Speaker, a final supplementary. Can the minister indicate if he has established a deadline for this study so that the completion date can be relatively short?

MR. DINNING: Mr. Speaker, I've asked for that report from the university, from the Cancer Board, and from my officials jointly by the end of May, the report on the action that must be taken. And I want, while I have the opportunity, just to caution anybody who may be concerned about these cancer statistics that if there is any concern, they have an opportunity -- and I would encourage them -- to consult with their physician, to consult with the local health unit, and to consult with the Alberta Cancer Board. Because we recognize the concern, and that's why we're taking this action.

MR. TAYLOR: Mr. Speaker, a supplementary to the minister. Can the minister tell the House whether there are any other stud-

ies going on in Alberta to indicate whether there are other areas or incidences of cancer or health problems? And if so, would he undertake to inform the public as soon as studies are complete and give the assurance that no studies of unusual cancer or other incidences will be concealed? In other words, will you release it to the public as soon as possible?

MR. DINNING: Mr. Speaker, this government doesn't conceal anything of that kind, because we don't believe in playing with Albertans' lives. Where there is a problem, we take action. And I want to confirm for the hon. member that we in this province are fortunate enough to have an excellent cancer registry, such that any Albertan who is found to have cancer is monitored, is helped and watched through the progression of that Albertan's disease. Where we have identified a problem, we will go to work on it.

MR. SPEAKER: Member for Edmonton Glengarry.

MR. YOUNIE: Thank you. One aspect of this problem would be its cost factor for the medicare system. So for the Minister of Hospitals and Medical Care: has his department calculated or will they be calculating what it will cost the taxpayers for the government not to get to the bottom of this and alleviate this problem of significantly higher cancer rates in the county of Strathcona? In other words, how much is their higher rate of cancer costing us in treatment?

MR. M. MOORE: Mr. Speaker, that's a question that I would certainly be unable to answer.

Supreme Court Ruling on Labour Legislation

MR. STEWART: Mr. Speaker, my question is to the Attorney General. On Thursday of last week the Supreme Court of Canada handed down its decision in a case which determined constitutional questions concerning the validity of compulsory arbitration in three public service statutes of this Legislature and indeed upheld those provisions. Because of the significance of this decision to potential questions of conflict in the future between provisions of the Charter of Rights and provincial legislation, my question is whether the Attorney General has had an opportunity to review the decision particularly with respect to the judicial review and the legislation of this province?

MR. HORSMAN: Mr. Speaker, the hon. member has made reference to a case which was put before the Supreme Court of Canada as the result of a reference, first of all, to the Court of Appeal of Alberta and then, following a successful -- from the government's perspective -- decision in that court, to the Supreme Court of Canada. Of significance in the judgment was the fact that the court, by a 4 to 2 decision, declined to replace the legislative review that is necessary for labour legislation. It has appeared that many of those concerns that many people had that courts might be placing themselves in legislative positions have not been met. I would say that that is a significant constitutional development, and the judgment, which just arrived yesterday, and its full impact -- I've had an opportunity of reviewing -- appears to be quite supportive of the government of Alberta's position.

MR. STEWART: Supplementary, Mr. Speaker, to the Attorney General again. In view of the court's refusal to answer the ques-

tion on the reference dealing with the right of the Crown to exclude certain classes of employees from collective bargaining units, would it be the intention of the Attorney General to include such a question in a more specific and acceptable form in a future reference to the Supreme Court?

MR. HORSMAN: That's not the present intention of the government. That question, as the hon. member has indicated, was not answered in the Supreme Court of Canada and therefore remains unanswered. I would think that it would not be our intention now to try and take the matter further, and it may await judicial interpretation at a future date when and if legislation is brought to the courts by other parties rather than the government.

MR. STEWART: Mr. Speaker, supplementary to the Minister of Labour. While it is recognized that the decision relates to public service matters rather than labour relations in the private sector, I wonder if the minister can advise us as to whether or not this decision will in any way impact upon the recommendations of the labour review committee concerning the right to strike?

DR. REID: Mr. Speaker, I don't think it would have any impact whatsoever on those recommendations. To review the matter briefly, the committee did not recommend any expansion of limitation upon the right to strike or the corresponding ability of the employer to lock out. What it was doing more was trying to find a system of fairness and equity for all negotiations where that permission continues in legislation. The difficulty is that the committee was not addressing the Public Service Employee Relations Act or the Police Officers Collective Bargaining Act. It was addressing essentially the Labour Relations Act and the Employment Standards Act and, in view of that, was not related to those decisions. The committee was, however, looking at the Labour Relations Act, and of course there are some restrictions in the Labour Relations Act for some employees in the public sector. There was no concept of expanding that restriction.

MR. SPEAKER: Member for Edmonton Beverly, followed by the Member for Calgary Buffalo.

Municipal Taxation

MR. EWASIUK: Thank you, Mr. Speaker. My question is to the Minister of Municipal Affairs. As a result of the recent general assessment, the city of Edmonton is proceeding with a program to rebate taxes to homeowners facing an increase of 13 percent in property taxes. Inasmuch as this proposal has no restrictions based on property value or the ability to pay and, as a result, the taxes collected from people who are having difficulty paying their mortgages and feeding their families will be subsidizing the property taxes of many upper-income homeowners, will the minister inform this Assembly if he will intervene and suggest to the mayor of the city of Edmonton that the city taxes should be made more equitable?

MR. CRAWFORD: Mr. Speaker, I think the plan is the plan of the city of Edmonton, and there may be some small question as to the wisdom of their plans since the hon. member and I have left city council.

MR. EWASIUK: Well, Mr. Speaker, we know of course that

municipal councils do have the power under section 106 of the Municipal Taxation Act to refund part or all the tax levies on specific properties if it is deemed equitable. Now, if the minister obviously is not going to intervene with the city, will the minister at least suggest to the city that it put a cap on the actual rebate -- that is, the actual dollar amount that individuals receive -- so that the bulk of money does not flow simply to the wealthy property owners?

MR. CRAWFORD: Mr. Speaker, I believe the first answer is basically the second answer. The city has the responsibility to attend to this matter in whatever way they choose. It's as the hon. member has said; it's pursuant to municipal taxation legislation. So long as they operate within the scope of that, I think they should be undisturbed. I wouldn't make representation to any municipality about things which are within the scope of the municipality. I think the hon. member should maybe make his case more specifically, and any representation that he specifically made to me, I would be prepared to consider. But that is subject to the overall policy that municipalities have to take the responsibility for their own acts.

MR. EWASIUK: Thank you. Mr. Speaker, I agree with the minister that certainly he and I wouldn't have voted for this particular proposition. However, I think there is more responsibility, that there needs to be some intervention, because I think the proposition is wrong.

Another question to the minister, Mr. Speaker. In 1985 the former Minister of Municipal Affairs promised the Alberta Urban Municipalities Association that he was going to close the loophole that permitted property owners to farm urban land basically to escape the necessary taxes. Will the minister assure this Assembly that he will take action to close that loophole during this sitting of the session?

MR. CRAWFORD: Mr. Speaker, I can't give that assurance today, because the Municipal Taxation Act is one of the Bills I hope to have before the Assembly during this session, so I should not deal with the proposed amendments now. I should wait until the Bill is before the House and introduced. The assurance given the Alberta Urban Municipalities Association: I'm not sure of the terms of that given by the former minister, but I would review that and consider it.

MR. SPEAKER: Final supplementary.

Municipal Planning

MR. EWASIUK: Thank you. Mr. Speaker. Thank you. Mr. Minister. I hope that that provision is in your amendments.

Just last week, Mr. Minister, the Edmonton municipal regional planning commission approved a revision to the regional plan relative to a more equitable and a more equally understood policy to guide the subdivision of better agricultural land. Can the minister inform this Legislature if he plans to ratify that amendment?

MR. CRAWFORD: The question of the one occasion of a regional plan amendment, that particular one hasn't come to me yet through the officials, and I would consider that. Actually, the policy is that if it's a minor amendment that is not totally supported, the minister would consider the minor nature of it and perhaps approve it. But the real test is that basically the

regional planning commission should have strong reasons and a measure of across-the-board support from the municipalities.

MR. SPEAKER: The time for question period has expired. Might we have unanimous consent of the House to do two things: first, to finish this series of questions and then, secondly, the opportunity for the Associate Minister of Agriculture to supplement information of a previous question period. Agreed?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Further supplementaries with regard to this series of questions as raised by the Member for Edmonton Beverly?

The Associate Minister of Agriculture, please.

Farm Loans – Interest Charges

MRS. CRIPPS: Thank you, Mr. Speaker. On April 8 the Member for Vegreville asked about interest rates on ADC guaranteed loans. The staff at ADC have checked the loans that they have had called on guarantee and have found no evidence of overcharging, but they're doing further checking and if there is evidence found would follow up on the problem.

ORDERS OF THE DAY

MR. WRIGHT: Mr. Speaker, I understood I had the consent of the House to raise a point of order on a government motion standing on the Order Paper today, and . . .

MR. SPEAKER: Hon. member, please give way. I think the member has incorrectly stated "consent of the House," but nevertheless notice was given to the Chair, and we're now at that stage with regard to Orders of the Day, once Motion 9 is moved. But it would depend on the nature of which part of the -- whether the Member for Edmonton Strathcona wants to deal with a general issue or deal with a specific of Motion 9.

MR. WRIGHT: Mr. Speaker, it is Motion 9, and I'm quite content to wait until that is called.

head: GOVERNMENT MOTIONS

9. Moved by Mr. Crawford:

Be it resolved that the following matters be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing:

- (1) whether or not a question of privilege arises when the proceedings of the Assembly are conducted solely in English;
- (2) whether or not the hon. Member for Athabasca-Lac La Biche has breached the privileges of the Assembly in remarks while speaking to a question of privilege at pages 636 and 637 in *Alberta Hansard* on April 7, 1987, or in his letter to the hon. Speaker of the Assembly on April 8, 1987, or in remarks in the Assembly on April 10, 1987, or in respect of any other matter in connection therewith;
- (3) should a breach of privilege be determined by the committee to have occurred, to make such recommendations to the Assembly as necessary to provide for reparation

or to supply a remedy; and

- (4) any other question that the committee deems is related to the matters of privilege arising under questions 1 and 2 of this motion and the Speaker's statement to the House as contained in pages 697 to 701 of *Alberta Hansard* on April 9, 1987.

MR. SPEAKER: The Chair recognizes the Member for Edmonton Strathcona.

MR. WRIGHT: Thank you, Mr. Speaker. Government Motion 9 was put on the Order Paper last Friday in response to an invitation by you, Mr. Speaker, on Thursday to make a substantive motion following last Thursday's ruling by you. My point of order, which is a manifold point of order, is taken under Standing Order 15.

The ruling that you made on Thursday last, Mr. Speaker, was a ruling on a question of privilege. You ruled in connection of course with the matter of the use of French in this Assembly by the hon. Member for Athabasca-Lac La Biche, and in your ruling, Mr. Speaker, you found that a question of privilege had been raised.

If I can refer you, Mr. Speaker, to the actual ruling made by you -- and I'm reading from Votes and Proceedings for last Thursday -- the passage I'm talking about is at the end, where you say: "Honourable Members, the Chair rules that a question of privilege has been raised."

That, in terms, Mr. Speaker, is not a finding of a breach of privilege, on the face of things; i.e., a finding of a prima facie breach of privilege, which is what is necessary to be found by you, Mr. Speaker, in order to remit the matter to the House for consideration. Nonetheless, we take it that that was what was meant, having regard to your earlier opinion that the use of French had been abolished as a matter of right in the House and your immediate subsequent invitation of a substantive motion; otherwise, that invitation would have been out of order or at least premature. If I'm wrong in that supposition and you never did intend to make a ruling that the hon. Member for Athabasca-Lac La Biche had breached the privileges of this House on the face of it, then of course this motion stops right here, because unless that finding is made, neither the member who proposed the motion had jurisdiction to propose it, nor the committee that it is to be referred to has jurisdiction to entertain it.

However, Mr. Speaker, presuming we get over that hurdle, may we look at the several parts of the motion itself to see which, if any of them, is in order as conforming to Standing Order 15. I believe I am correct in saying, Mr. Speaker, that unless the motion conforms to Standing Order 15, it is in fact out of order. Members will find the wording of Standing Order 15 of essential relevance to the points I am making.

Paragraph (1) of the motion, Mr. Speaker, which is on page 2 of the Orders of the Day, is as follows:

whether or not a question of privilege arises when the proceedings of the Assembly are conducted solely in English.

Mr. Speaker, this is not for the committee to decide, with the greatest respect to the draftsman of it. Whether a question of privilege arises is for you to decide under suborder (6) of Standing Order 15, and I've just spoken on the question of whether you really did decide that or not.

In order to make the first paragraph of the motion speak in the sense required by Standing Order 15(6) it must be amended,

otherwise it is not the question that the committee must answer. Just to make sure we understand, the question that the committee must answer is: was there in fact a breach of privilege, not whether a breach of privilege arises. You've already decided that, Mr. Speaker. So that is the problem with the first paragraph of the motion standing on the Order Paper.

As to paragraphs (2) and (4), which, to refresh people's memory, I will quickly read:

- (2) whether or not the Hon. Member for Athabasca-Lac La Biche has breached the privileges of the Assembly in remarks while speaking to a question of privilege at pages 636 and 637 in *Alberta Hansard* on April 7, 1987, or in his letter to the Honourable Speaker of the Assembly on April 8, 1987, or in remarks in the Assembly on April 10, 1987, or in respect of any other matter in connection therewith;

and, Mr. Speaker,

- (4) any other question that the Committee deems is related to the matters of privilege arising under Question 1 and 2 of this motion and the Speaker's statement to the House as contained in pages 697-701 of *Alberta Hansard* on April 9, 1987.

As to these paragraphs, the reason why they are out of order, of course, is that a motion under suborder (6), which is the substantive motion that we're supposed to send, if the House so desires, to the Committee on Privileges and Elections, must have been preceded by all the other steps in Standing Order 15. And the key word there, of course, is the word "so" in the expression "if he" -- meaning the Speaker -- "so rules."

Now, I'm afraid that none at all of the steps that are conditions precedent to this motion in respect of anything in paragraphs (2) or (4) of the motion before us were carried out. And those missing steps, if I can notice them, Mr. Speaker, are as follows. First, under suborder (2) -- I won't read the elements in the rule; the members are free to read suborder (2) of Standing Order 15, if they wish. But under suborder (2), a statement in writing of the charge, so to speak, is required -- and was required of you, Mr. Speaker -- of the Member for Athabasca-Lac La Biche on the French question, and complied with by him. But this did not happen in respect of any of the other things that are thrown into this motion.

Secondly, notice of these things was not given to the member in the way required by the rules, or at all. If you remember, you made certain findings and rulings off the bat, as it were, without any prior notice or opportunity to debate and so on. And that also is a requirement -- the notice, that is -- beforehand of suborder (2), and this didn't happen.

The third point on this element, Mr. Speaker: referral of the written statement to the Assembly before the Orders of the Day -- I'm quoting from the order -- and the opportunity for debate on the question of the prima facie case, which is suborders (2), (3), and (6). This didn't happen.

And fourthly, Mr. Speaker: a finding of prima facie breach of privilege thereon by you. This didn't happen either. None of these tilings happened, Mr. Speaker.

I'm not merely raising a technicality. This is a substantial protection, Mr. Speaker, of the rights of members of the House to understand what's being alleged against them when a question of privilege is raised. It has happened, substantially speaking, although I submit not in form, with respect to the one question of the use of French in the House, because that was raised by the hon. member -- first verbally, Mr. Speaker; you asked

him to put it in writing; he did; you made a ruling on it, Mr. Speaker -- but all the other things with which he and others, it seems, are impeached by this motion, did not happen. They did not go through the hoops at all of Standing Order 15, and we are talking something substantial here, not merely technical.

The whole purpose of Standing Order 15 and many other of the Standing Orders is to provide a code of fairness to the member whose conduct is impugned, and I've noticed the particular breaches just now, but starting with particularity in the charges. And, Mr. Speaker, here we really come to what I can only characterize as a gross abuse of the rule, because in paragraphs (2) and (4) it is sought to try -- if I can use that word; I think it's correct in the colloquial sense -- the hon. member for breaches of privilege without stating what they are.

The whole purpose of the standing order is to require -- and I'm quoting from it:

a brief statement of the question

of privilege, and that the complainant -- I quote again:

shall call attention to the alleged breach of privilege and give a brief statement of the nature of the matter which founds the complaint.

And that is there to provide that particularity so that the member will know beforehand what he or she has to answer.

The way paragraphs (2) and (4) are worded in this motion, Mr. Speaker, permits the committee to roam through all the material referred to there, looking to see whether this part or that part might possibly amount to a breach of privilege on the part of the hon. member or anybody else -- the way it's worded -- including, amongst others, the *Edmonton Journal*, and the New Democrat Official Opposition caucus. And if I can make a comparison, it would be as if a Crown prosecutor brought in an indictment to court and asked the judge and jury, after hearing evidence, then to decide whether they would like to convict anyone of any crime on the basis of it. I think you would have to agree, Mr. Speaker, that that would be irregular.

Mr. Speaker, I've stated my point at some length, and I believe it is because of the number of irregularities that are implicit or entailed in this motion and not because of any redundancy in the statement. And I must respectfully submit that the importance of the matter is sufficient reason to go into it with great care. Apart from the actual importance that we are dealing with a matter of privilege is the importance procedurally in that. I most earnestly submit, unless the steps that are laid down in Standing Order 15 have been complied with, then the committee is robbed of its jurisdiction to consider them. I say that in respect of the one question where the hoops in substance have been gone through, it has that jurisdiction. But in respect of all the others, it does not. And equally it robs the mover of this motion of his or her jurisdiction to move this substantive motion, because you haven't got to suborder (6) in Standing Order 15. It sounds technical, but really it is a substantial protection of members whenever they are charged with a breach of privilege.

Mr. Speaker, I am trying to be constructive about this and not obstructive. I do not try to prevent the committee considering what is properly before them or ought to be properly before them if the thing is worded right, and that is the question of French or not in the Assembly. In order to do this, I'm quite prepared, Mr. Speaker, to move or consent to a moving of an amendment to the motion before us to do just that. Such an amendment would be along the lines of: paragraphs (1), (2), and (4) of the motion be deleted; that paragraph (3) be renumbered with paragraph (2) -- paragraph (3) is okay, because that asked for the remedy, Mr. Speaker . . .

MR. SPEAKER: Hon. member, with respect to any proposed amendment, that would have to be dealt with in due course, unless the member is about to make that amendment to the motion right at this point in time. But there's a procedural difficulty there because we are still on the point of order.

MR. WRIGHT: Yes, Mr. Speaker. I anticipated that objection, and of course the reason I'm pointing out the possible amendment very shortly is so that you can understand that I am trying to forward the process of the House and simply not being negative, that I do see an easy way of making it conform to Standing Order 15.

I close making the point that in the wording that I propose, I am adopting the very wording of your ruling, Mr. Speaker, on Thursday last, where you say -- and this is the sole ruling that you make that is recorded in Votes and Proceedings, and in which the proceeding parts . . . Yes, I see you looking at *Hansard*, Mr. Speaker, but Votes and Proceedings are the record of the House. *Hansard* is what is said; Votes and Proceedings is the only place we go to for what is done, with the greatest respect, Mr. Speaker. Even I understand that and I haven't been here very long.

I continue. What you said, Mr. Speaker, was that it "refers back to this House." The Chair is what you were speaking of.

The Chair refers back to this House the question of whether the privileges of the hon. Member for Athabasca-Lac La Biche have been abrogated or [those] of the House itself . . . by the hon. Member for Athabasca-Lac La Biche."

The second half of that did not go through the hoops; the first did. That is the sole question which, according to the *Standing Orders* and your actual ruling on Thursday, Mr. Speaker, should be before the House.

MR. YOUNG: Mr. Speaker, speaking to the point of order, I'd like first of all to begin by reminding the hon. Member for Edmonton Strathcona that we're indeed addressing, and all of us are aware of that I'm sure, a most serious matter this afternoon with Motion 9 before us.

The hon. member in addressing his point of order seems to be making two arguments. The first seems to be an attempt to raise doubts as to whether there was a question of privilege raised. I do not think there is any doubt at all. Your ruling, Mr. Speaker, is absolutely clear. As a matter of fact, to quote, "the Chair rules that indeed a question of privilege has been raised." To go on:

The Chair refers back to this House the question of whether the privileges of the hon. Member for Athabasca-Lac La Biche have been abrogated or whether the privileges of the House itself have been abrogated by the hon. Member for Athabasca-Lac La Biche.

Mr. Speaker, in addressing those questions, Motion 9 very carefully addresses those in subpart (1) and subpart (2) and is quite specific in wording, addressing it as "whether or not a question." "Whether or not a question": if not one then the other. Mr. Speaker, that flows very clearly from your ruling that a question of privilege has been raised. So I submit to the House that there is no doubt as to whether there is a question of privilege.

Now, to address the second part of a very convoluted argument about whether all of the rules have been observed. Mr. Speaker, it seems to me that the only question that has any va-

lidity at all in the hon. member's comments is whether the rules were followed. The hon. member agreed that in fact the hon. Member for Athabasca-Lac La Biche did in fact submit in writing his letter to you and therefore his complaint. He did that, I believe, on April 8, 1987.

From that, Mr. Speaker, there is a question raised as to whether there was sufficient opportunity for hon. members of this House to make comment at the various points when there was consideration either of points of order or question of privilege. There was clearly -- and I think *Hansard* will show it clearly -- opportunity, exhaustive opportunity, for those who wish to make use of that opportunity. Therefore, I submit that there was no problem in respect of that point that is attempted to be raised.

With respect to the other points, they all flow; they're all part of one issue. The hon. member is making an eloquent debate with us today to ask us to treat them severally rather than jointly. They are all one, and that is why Motion 9 is stated as it is. Mr. Speaker, I submit that, with respect, the hon. member's point of order is unfounded.

MR. CHUMIR: Mr. Speaker, I rise to support the comments of the hon. Member for Edmonton Strathcona with respect to paragraphs (2), (3), and (4) of the motion. With respect to paragraph (1), differing considerations apply and the hon. Member for Westlock-Sturgeon will have something to say on that later if the matter proceeds.

But the rules of the House very, very clearly state in rule 15(2) that if a member wishes "to raise a question of privilege," there shall be "written notice containing a brief statement of the question" to the Speaker. Regardless of the form of the notice, the issue of notice to the House, to the Speaker and to, in fact, the member's conduct in issue is very clearly commanded by the particular rule. That matter of notice has very clearly been complied with in respect of the notice of privilege given by the hon. Member for Athabasca-Lac La Biche but is very, very clearly absent in respect of the other matters raised. With respect to those matters, (2) clearly relates to the conduct of the hon. Member for Athabasca-Lac La Biche. Paragraph (3) of the motion refers to "a breach of privilege," which in itself clearly appears to relate to the terminology of the preceding paragraph (2), as opposed to (1) which merely relates to whether a question of privilege arises. And, of course, as has been noted by the Member for Edmonton Strathcona, paragraph (4) referring to both questions (1) and (2) follows upon the validity of at least paragraph (2).

So, Mr. Speaker, unless we are to depart very significantly from the hardened core of paragraph (2) of rule 15 -- which is not merely a procedural rule without meaning but has sense behind it from the point of view of requiring appropriate notice to be given to an individual so that they are aware of what breach of privilege has arisen -- that rule has not been complied with. I would support the suggestion of the hon. Member for Edmonton Strathcona that paragraphs (2), (3), and (4) are definitely out of order, leaving in abeyance any comment with respect to paragraph (1), which will be commented later on by the Member for Westlock-Sturgeon.

Thank you.

MR. SPEAKER: Member for Edmonton Highlands.

MS BARRETT: Thank you, Mr. Speaker. On the point of order, I understand the Minister of Technology, Research and

Telecommunications to have argued that the point of order is invalid on the basis that one can extrapolate from your comments in *Hansard* the ruling which has been interpreted by the government in its Motion 9 to legitimately refer to all of the points contained in that motion. I think what we have to keep in mind is truly what appears in the official document, the official publication of the Assembly which records what in fact was ordered for consideration to the Standing Committee on Privileges and Elections, Standing Orders and Printing. And I think that the minister, in arguing against the validity of the point of order, inadvertently explained what it is that we're trying to get at here. That is, whether or not it is in the minds of members of this Assembly that several issues are bound together. The fact of the matter is that those several issues, whether or not they are related to each other, are not specified in the ruling of the Speaker of last Thursday and recorded in Votes and Proceedings.

It may appear to be a minor technical issue that we are arguing here. It is not. It would establish a parliamentary precedent which I believe could lead to other similar errors being conducted, perhaps in the name of goodwill and good faith, but I don't believe should be established or struck in the first place, Mr. Speaker. I therefore ask that the point of order be upheld so we can move to dealing with the substantive issue itself.

MR. TAYLOR: Mr. Speaker, if I may speak to the point of order, I just want to keep my attention on paragraph (1) of the government's motion. It may well be -- and of course, Mr. Speaker, you have much more experience than I -- that we will have to take this apart (1), (2), (3), (4), but ... The question of (1) is:

whether or not a question of privilege arises when the proceedings of the Assembly are conducted solely in English.

Mr. Speaker, in your ruling of April 9, you were quite clear and you're quoted as:

If the right to use French in the Chamber is a matter of law, then clearly it is not a matter of privilege and beyond the jurisdiction of the Speaker.

Your comments are very clear in this matter, but in the ruling on page 700 of *Hansard*, the Speaker ruled

that the matter of the usage of the French language in the House is not a matter of law ...

I would submit, however, Mr. Speaker, that it is a matter of law.

We have before us a number of statutes: the Alberta Act, the North-West Territories Act, the Constitution Acts of 1867 and '84.

MR. SPEAKER: Hon. member, with due respect, perhaps the comments could be framed to the point of order, which relate much more to Standing Orders being conformed to or not at this moment, before we get on to that other section.

MR. TAYLOR: I think, Mr. Speaker, the point I'm trying to make on the point of order is that (1) should not be included in the motion, and that in the current interpretation of various statutes, there is no right, indirect or implied, to use the French language in the Legislature. Now while the Member for Athabasca-Lac La Biche contends that these rights were never extinguished, until such time as the court decides that right, whether or not it exists, there is no decided case of law to support him or refute him. In other words, there is no standing. So I think we are dealing with a point of law, Mr. Speaker, and not

a point of privilege. And since Alberta, as the Attorney General has already pointed out, has joined with Saskatchewan on a case that bears directly on this province and we are eagerly awaiting the decision on this, I would submit that it is a constitutional matter, that number (1) is a constitutional matter to be dealt with by the courts and not by this House.

Your statement to the House on April 9, Mr. Speaker, where you discussed the interpretation of the Constitution and case law in 20 minutes -- which the courts, in all respect, Mr. Speaker, have been deliberating for two years -- you did this despite *Beauchesne's* ruling 240.

MR. YOUNG: Mr. Speaker, on a point of order on what is now being stated.

MR. TAYLOR: Well, I'm giving ...

MR. SPEAKER: [Inaudible] on a point of order on a point of order.

MR. YOUNG: Mr. Speaker, my point of order is this. What I understand now being argued is a challenge to the ruling of the Speaker that was received. And with due respect to all members, if I may have the opportunity, I would like to quote what I think is of fundamental importance to the conduct of this House today and the conduct of this House in the future. I quote from *Beauchesne*, section 117(2), the last sentence. This is with reference to the Speaker as a presiding officer.

He is selected and appointed to the trust of Presiding Officer in the confidence and upon the supposition of the conformity of his will to that of the House.

I go further, to section 119(1), and read as follows:

Speakers' rulings, once given, belong to the House which, under S.O. 12, must accept them without appeal or debate.

Mr. Speaker, I submit on the point of order I am now making that you have rendered a ruling and therefore this applies, and the hon. Member for Westlock-Sturgeon is out of order in the line of debate in which he has recently been engaged.

MR. TAYLOR: I'm glad, Mr. Speaker, that he raised a point of order because I was just getting to it. He moved with alacrity and speed that I've seldom seen on that side. Nevertheless, *Beauchesne*, 117(6), the very paragraph he quotes, and a later one, 240, say quite clearly:

The Speaker will not give a decision upon a constitutional question nor decide a question of law.

And this is our whole issue: that you did give a statement on a constitutional question. You did decide a question of law, and that's the point of order. We're saying that paragraph (1), maybe for different reasons, should be removed from the point of order, that you did not have the authority to do that because of *Beauchesne* 240 and 117(6).

If I may take a summary just for a moment then, I would like again to quote your own statement:

If the right to use French in the Chamber is a matter of law, then clearly it is not a matter of privilege and beyond the jurisdiction of the Speaker.

I would quote that in my opinion if the courts are considering this matter, then it must be a matter of law. If it were not a matter of law, the courts would not be considering it. The Attorney General himself earlier in this session said that it was a matter under consideration by the courts. So if the Attorney General

says it's under consideration by the courts, if the government has joined it and if it's in the courts, then it is a matter of law and not a matter of Constitution, on which you, Mr. Speaker, do not have the right to rule.

MR. RUSSELL: Mr. Speaker, I'm disturbed by a practice and a pattern that we've seen developing during this sitting of the Legislature. Your honourable office was elected with confidence by the members in all quarters of the House, and you give rulings and we abide by them just as athletes abide by the rules of the referee or people abide by the rules of officers of the law in conditions of traffic. Although we may not like your ruling, we are bound as parliamentarians to either accept it and follow the practices of parliament or challenge it. But this halfway debating and arguing and weaseling after you have made your ruling I believe is an indirect attack upon your office.

We've got the Votes and Proceedings of Thursday, April 9, and under the heading "Speaker's Ruling" follows a very comprehensive dissertation and record of your ruling, and the summary found on page 8 ties in directly with the motion that the government has put forward to deal with that. But the point I am making, Mr. Speaker, is that in purporting to address a point of order, the hon. leader of the Liberal Party is in fact challenging your ruling, which is history. If he wishes to challenge it, there is a procedure to be followed.

MR. SPEAKER: We almost have here a point of order within a point of order as raised by the Member for Westlock-Sturgeon, and the Chair must deal with that rather quickly. The contention of the Member for Westlock-Sturgeon was under citation 117(6):

The Speaker will not give a decision upon a constitutional question nor decide a question of law.

Indeed, with regard to selective reading of what transpired that day, the member should realize that the Chair, while referring to constitutional issues and legal issues, did indeed order with respect to privilege.

Now, with respect to continuing, there are other individuals who wish to speak. [interjection] That's an order. We have a difference of opinion, hon. member, on that particular issue.

Does any other member wish to speak to the original point of order?

MR. SPEAKER: Member for Edmonton Strathcona.

MR. WRIGHT: Thank you, Mr. Speaker. Briefly, to reply to the hon. minister of technology, telecommunications, et cetera, the matter is not all bound up together. It may have been discussed altogether by you, but they are very distinctly different points of privilege because they flow in the opposite direction. The point of privilege raised by the hon. Member for Athabasca-Lac La Biche was a single point, that he had suffered a breach of his privileges by being refused the right to ask a question in French. All the others set out in paragraphs (2) and (4) are allegations of breach of privilege by that member or by others unnamed, with the possible exception of the caucus of the New Democratic Party, so they flow in different directions. They are very distinctly different, and I hope I have made that plain now.

MR. SPEAKER: The Chair appreciates the comments from all quarters of the House, as well as the input of the letter which was delivered to my office by the Member for Edmonton Strath-

cona earlier today.

The Chair also goes on to point out that while the Chair majored in Canadian history in one of the degrees, one is now going to have to go back and develop even more of an ongoing interest in present history.

The Chair would also like to point out a number of issues that all members of the House, including the Chair, have to realize: that when the Chair finally does rule on a point of order, then that is indeed the decision of the Chair and it does take other remedial action for the House to deal with that issue.

Many of the points which have been raised in the discussion this afternoon really have dealt with points of order and with differences of opinion. The Chair is very much of the mind that *Alberta Hansard* and the recording of every word which has been uttered in the Chamber is indeed the real statement of the House's business but, as pointed out by the Minister of Advanced Education in his role as Deputy House Leader, that indeed it was printed in Votes and Proceedings as being indeed a ruling of the Chair. [interjection] This is not a matter for dialogue, hon. member.

Now, I have indeed referred the matter of privilege to the committee to make a permanent ruling for the House one way or the other. With respect to the usage of French in this Chamber, the ruling was that it would be English as the usage of the Chamber, following the customs, conventions, and usages of this Chamber, until such time as the committee reports back to this Chamber as a whole and has the concurrence of the House.

Again, the Chair was very explicit in the matters referred to the committee. First was whether or not the Member for Athabasca-Lac La Biche's privileges had been abrogated by the House by not allowing him to speak in French. Secondly, because it was a two-sided case that was put to the House, whether or not the House's privileges have been abrogated by the Member for Athabasca-Lac La Biche by being bound to communicate in a language which was not specifically approved by the House. In addition, whether or not the Member for Athabasca-Lac La Biche and the New Democratic caucus breached the privileges of the House by releasing the hon. member's letter to the media before releasing same to the Chamber. The fourth one was the issue whether the *Edmonton Journal*, through its editorial, was in contempt of the House. As for the specific words that dealt with the issue, they are indeed there in *Hansard*.

The Chair can only make a prima facie determination of privilege, and the committee is the only body empowered to make a permanent and binding determination. So it is that the Chair ruled that a prima facie case of privilege exists. There is nothing irregular about handing the further examination of any of the issues on to that standing committee, and the Chair is of the opinion that no doubt a fair number of issues will be raised in terms of the committee.

And so it is, with due respect to the House, taking things into consideration, that the Chair believes that we have not a point of order but a difference of opinion.

With respect to the motion before the Chamber, Motion 9 . . .

MR. WRIGHT: I move an amendment to that motion, Mr. Speaker. The amendment is being handed around. Thank you.

MR. SPEAKER: Sergeant-at-Arms, please. Do all members now have copies? The hon. Member for Edmonton Strathcona, speaking to the amendment.

MR. WRIGHT: Thank you, Mr. Speaker. We've finished with your ruling now, and we're dealing with the motion before the House, to which I propose an amendment. And it's up to the House now to decide what should go before the committee on elections, privileges, et cetera.

I suggest, Mr. Speaker, that the only thing that ought to go is the question of French or not, for the various reasons that I've already advanced as a matter of a point of order. They are substantively standing on their own feet, however; namely, an absence of notice, an absence of any chance to debate the matter before a ruling was made by the Speaker and, generally, the complete want of particularity as to what is being charged against anybody. It's elementary, I submit, that on the basis of natural justice that particularity must exist before so serious a matter as this goes before the committee.

What is the committee to talk about? Is it to roam through *Hansard* -- and not just one day's *Hansard* but two or three days' *Hansard* -- to see if there was something that could be interpreted as a breach of privilege? You see, paragraph (1) is fine. Adaptation of that, to put it in proper form, so that the actual question that has to be decided -- was there in fact a breach of privilege by the hon. member? -- can be answered. All the rest has not been dealt with at all pursuant to Standing Order 15, and the wording of the motion as it stands in paragraph (1) is not what the committee should decide, because it simply asks

whether or not a question of privilege arises when the proceedings of the Assembly are conducted solely in English.

Now, it's already been ruled upon. Why do we need to deal with it again? The question surely should be whether an hon. member breached privilege in attempting to speak a language other than English. And that is the purpose of this amendment, Mr. Speaker. The rest opens up a genuine fishing expedition.

The purpose of the Standing Order -- which the Speaker's rule has in fact been complied with; I guess that's the ruling -- is to make clear what it is that's being charged, and yet it is not clear in fact. So paragraphs (2) and (4) ought to be deleted. Paragraph (3), which acts for the remedy, is fine; that can stand. But let us get the committee squarely charged with the responsibility to answer the one question that is important and the only question on which there was written notice of an alleged breach of privilege handed in, in accordance with the Standing Order. Yes, I say that -- before the committee and nothing else.

MR. YOUNG: Mr. Speaker, on a point of order. The hon. Member for Edmonton Strathcona is persisting in debating a matter on which there has been a ruling in this House within the last 10 minutes. The hon. member is out of order since that question has been decided. He has proposed an amendment to this motion, and if he chooses to debate the amendment on other grounds and advance his reasons for it on other grounds, fine, but a ruling has been given on all the questions of technicality and order which are now being raised in support of his amendment.

MS BARRETT: What's the point of order, Mr. Speaker?

MR. SPEAKER: Under which citation are we hearing . . .

MS BARRETT: The same one the Minister of Technology, Research and Telecommunications was, I imagine, referring to. Well, if he can raise this . . .

MR. YOUNG: *Beauchesne* 119.

MS BARRETT: Citation 119, *Beauchesne*. Thank you very much to the minister. [some laughter] Well, it is very difficult, let's face it, if the minister doesn't make his reference, for me to make the same reference with my book closed and when I'm on my feet.

Mr. Speaker, on the minister's point of order. First of all, it is true that the Speaker has ruled that the point of order failed. There was no point of order, in the Speaker's estimation. That ruling is not being challenged. Let us make it very clear: we are not attempting to be partisan; we are not attempting to do anything but require that under the provisions of Standing Order 15 those provisions be upheld, in the technical sense, in the passing of responsibility and the charging of responsibility to the Committee on Privileges and Elections, according to what Standing Order 15 says. I believe that the minister's point of order is actually itself perpetrated by a decision to try to . . .

MR. SPEAKER: Thank you, hon. member.

With respect to all the comments, the Chair would invite all quarters of the House to read carefully the amendment. The Chair has some hesitancy to have to jump up and try to rule an amendment out of order, but some care should be taken and some examination by all members that if indeed this amendment were to be allowed to go forward, then in actual fact it almost totally negates what the original motion is. So this is another issue that needs to be addressed in the remarks.

Member for Edmonton Strathcona to continue please, but with relevance to the amendment.

MR. WRIGHT: Mr. Speaker, I was not challenging your ruling at all; I was simply talking about matters of fact. And the facts are that the only paper setting out the charge as required by the Standing Order was the paper delivered by the hon. Member for Athabasca-Lac La Biche, and that is therefore the sole foundation for what follows. Now, it is said and it has been ruled that the other things are bound up in it, but that doesn't alter the necessity of the House, if they're to be fair and reasonable and possessing common sense, to set out what those other things are that are allegedly bound up. It hasn't been done, and I submit that it cannot be done, because they are inchoate. And consequently, all we are left with that has in any sense complied with what common sense would require is the original statement by the hon. Member for Athabasca-Lac La Biche and the ruling thereon of the Speaker.

And just so there is no misapprehension in the House as to what is or what is not in the Votes and Proceedings of the House, it should be noted that what is printed there in the Votes and Proceedings for the day in question, which was Thursday last, starts with the discussion by the Speaker of the question of French or no French.

The other matters before that are not in the official record of the House. I remind members that before 1972 there was no *Hansard*. There was only Votes and Proceedings; they were the official record. And in other jurisdictions the similar facts exist, that at some point there was at first an unofficial record of the debates, and it became official later. But still, the record is what is set out in Votes and Proceedings. Otherwise, what's the point of having it? You might as well just refer back to *Hansard* and try and deduce the things that were done. There is some point to that document, and that's it.

And I submit, Mr. Speaker, that in order to deal with what

really should be before the House from several points of view, we should be dealing with the single question of French or no French and not wander off into an excursion into all sorts of other matters which are not germane to that question.

MR. HORSMAN: Mr. Speaker, in rising to address the amendment, I would respectfully submit that the amendment is not in order because indeed it does purport to negate the whole of the motion -- or not entirely, but to only deal with one aspect of the matters put before this House by Your Honour on April 9.

In your opening statement, Mr. Speaker, you said, and I quote from *Hansard*:

In the opinion of the Chair, there is not one purported privilege to be dealt with; there are four.

You have already stated that today. What the hon. member's amendment would do would be to deal with only one of the four. You also went on to say that the customs and usages of this Assembly provide that the business and proceedings of the Assembly should be conducted in English until such time as the House further determines the situation with regard to language. And that is why the questions were framed in the way they were and will permit the Committee on Privileges and Elections in due course, with its report back to this House, to deal with the matter as Your Honour directed in your concluding remarks, wherein you said that:

The Chair refers back to this House the question of whether the privileges of the hon. Member for Athabasca-Lac La Biche have been abrogated or whether the privileges of the House itself have been abrogated by the hon. Member for Athabasca-Lac La Biche.

If we were to accept the amendment put forward by the hon. Member for Strathcona, we would be restricted solely to dealing with the first of those questions that Your Honour referred to. And therefore, Mr. Speaker, the amendment is out of order. If it is not -- if it is in order because it restricts the motion to only one aspect of the matters which arose in the Assembly on April 7 and have been referred to subsequently, then I would urge hon. members to defeat the amendment.

MR. SPEAKER: The Chair with great reluctance invokes citation 436, all three parts, of *Beauchesne*:

- (1) An amendment proposing a direct negative, though it may be covered up by verbiage, is out of order.
- (2) An amendment which would produce the same result as if the original motion were simply negated is out of order.
- (3) An amendment approving part of a motion and disapproving the remainder is out of order.

And the Chair regards the proposed amendment as being out of order.

Speaking to the main motion, Motion 9, Member for Edmonton Highlands.

MS BARRETT: I'd like to speak to the motion, Mr. Speaker. I'd like to move an amendment, as a matter of fact. Following the ruling that's just come down on the basis of *Beauchesne*, citation 436, it occurs to me that it might be difficult to rule this one out of order. Shall I wait while this is distributed?

MR. SPEAKER: Thank you. Hon. member, order please.

The perusal of this, hon. Member for Edmonton Highlands, the Chair would regard this as being an amendment that would

be in order to be discussed. Speaking to your amendment.

MS BARRETT: Small victories, one at a time. Thank you, Mr. Speaker.

Mr. Speaker, I'd like to explain what this amendment calls for and why I'm asking for support. What it calls for is essentially the committee to deal with those issues specifically referred to it in the Speaker's ruling of April 9, 1987, and exclude other territories basically over which the committee may arbitrarily decide to select, interpret, and proceed. The effect of this is to ask the Assembly to approve that the committee now be charged with dealing with the essential issues which are, as has been said many times today, quoted in Votes and Proceedings from April 9, the words of the Speaker:

Honourable Members, the Chair rules that a question of privilege has been raised. It refers back to this House the question of whether the privileges of the Honourable Member for Athabasca-Lac La Biche have been abrogated or those of the House itself by the Honourable Member for Athabasca-Lac La Biche.

And the Chair then asked that the "substantive motion" be "put forward by some quarter" so that the House would have the vehicle by which it could deal with that substantial matter.

Now, Motion 9, that's on the Order Paper, allows for the committee itself to deem what is related to the matters of privilege arising under questions (1) and (2), which are currently intact, our prior amendment having been defeated. This section 4 would permit the committee to consider matters as expressed on pages 697 to 701 of *Alberta Hansard* of April 9, 1987. It seems to me that if we strike those words and in fact substitute that the committee stick only to the issues as reflected and published in Votes and Proceedings of the Assembly of Alberta, No. 26, Thursday, April 9, 1987, we will have stayed with the substantive issue.

The concern is that the committee, being dominated as it is by one political party, can arbitrarily determine just about anything that it wants out of the rest of *Hansard*. Not only that, but the rest of *Hansard* is not contained in the Speaker's ruling as stated in the Votes and Proceedings, which I still am convinced is the official document about what was done and what was ordered. It is not a document of interpretation. It is not a document of argument leading up to what happened. It is a document about what happened. Therefore, I encourage all members to support this amendment so that the committee, instead of having to travel or perhaps wanting to travel all over the place on matters it deems related, stick to the substantive issue as ordered by the Speaker.

MR. HORSMAN: This amendment is ridiculous. I mean, what it purports to do is to negate the publishing of *Hansard*, which is provided for in *Standing Orders*. Standing Order 107 says:

- (1) For each sitting day, there shall be a printed record of the deliberations and proceedings of each sitting day of the Assembly and committees of the whole Assembly, to be known as the "Alberta Hansard", which shall be compiled, edited, printed, distributed and administered under the direction and authority of Mr. Speaker . . . [e t cetera, et cetera]

And it goes on. *Hansard* is the official record of this Assembly, and to fall back to relying on Votes and Proceedings to determine what took place in the Assembly is the height of absurdity. This government introduced *Hansard* when it came into office in '71, and to now fall back to the ancient practices of the previ-

ous governments and not rely upon *Hansard* for the official record of this Assembly, Mr. Speaker, is just the height of absurdity. And the hon. member for moving the motion should really hang her head in shame.

MR. WRIGHT: Mr. Speaker, what started out, as far as I was concerned, as an attempt to come to grips with a very important subject in an orderly way has deteriorated into name-calling.

With respect to the question of the place of Votes and Proceedings, *Beauchesne*, section 149, Votes and Proceedings:

(1) This is a record of the proceedings of the House. The entries are compiled under the responsibility of the Clerk of the House by the Journals Branches, mainly from the entries in the Scroll of the Clerks-at-the-Table. The *Votes and Proceedings* record all that is, or is deemed to be, done by the House, but they ignore everything that is said unless it is especially ordered to be entered.

That's *Beauchesne*, Mr. Speaker. I'll repeat that for members:

The *Votes and Proceedings* record all that is, or is deemed to be, done by the House . . . they ignore everything that is said unless it is especially ordered to be entered.

That's why it was not necessary and never is necessary to have *Hansard*, and why there was a sufficient record before 1972. The coming of *Hansard* merely made it possible for members and anyone interested to see what was said during debates and so on. And, of course, it would be a very sad state of affairs to return to a condition in which *Hansard* did not exist, of course. I'm not arguing that; I'm not arguing the importance of *Hansard*. But when we look to see what has been done, it is only to the Votes and Proceedings.

Now, there are ways of amending Votes and Proceedings, it seems, in the books. We've come to the limit of my knowledge of how it works there. But the fact is that you look at the Votes and Proceedings to see what is done. And for the Attorney General of this province to say we can ignore that and deem as actions of this House things not recorded in Votes and Proceedings really bewilders me. But I'm afraid that I've fallen into the very thing I deplored, which is name-calling, albeit politely.

So, Mr. Speaker, I suggest that we can only look at the Votes and Proceedings of what was ordered by you on Thursday last. I happen to have it here; probably other members don't. I'll just repeat that the part that has been referred to by various members of the Assembly concerning the involvement of the people and issues other than French and the French question have been left out of Votes and Proceedings. It starts with the part in which the Speaker comes to the main ruling of the day. It starts as follows:

Honourable Members, on April 7, several issues were brought to the attention of this House with regard to the use of the French language in the proceedings of the Assembly.

Now, it may even be that perhaps someone could look up in *Hansard* and see how that squares with the pages, but we are not dealing with anything in *Hansard* prior to that point where the Speaker made the ruling concerning the French question.

Mr. Speaker, the ruling that you made as to the abrogation of the privileges of the House itself by the hon. Member for Athabasca-Lac La Biche as being a matter that should be looked into is, we have been told, properly before us, and it is necessary, to be fair, to have some particularity of what we are talking about there, much more than exists in paragraph 4 and

part of paragraph 2 of the motion before us. And that is the purpose of this amendment. Again, we are not trying to be obstructive. We're simply trying to produce an agenda for the Committee on Privileges and Elections which makes sense and is fair to those concerned.

MR. TAYLOR: Mr. Speaker, I hesitate to stick my head in between two learned members of the bench.

AN HON. MEMBER: The Bar.

MR. TAYLOR: Okay, the Bar. I'm sorry. That, I'm sure, is more familiar anyhow.

Mr. Speaker, I'm speaking to the amendment, and I'd probably even enlist the Premier, who, although he hasn't got as much gray hair as I have, shows by the sparsity of its placing about the same amount of time around the House as I have. As he was part of the government that introduced *Hansard*, certainly he recalls this very debate taking place possibly, as to what was going to take precedence. Some people argued that if *Hansard* got on, it would take precedence over the ancient recording of Votes and Proceedings that had moved from quill to fountain pen to ball point to laser printing. And I think it was clearly brought out that the Votes and Proceedings were to take precedence and that *Hansard* was indeed just to help give a background as to how the Votes and Proceedings were arrived at. As the hon. Member for Edmonton Strathcona has said, it might even give some help in case the Votes and Proceedings had to be changed; in other words, if they weren't correctly reported.

So *Hansard* was certainly thought of as being secondary, but also you might see a great deal of information to be had to be used. Now, I think this is why I would have thought, Mr. Speaker, if the government hadn't been so jumpy -- and maybe this is because I'm sticking my nose between two old adversaries -- that they could have accepted it as a friendly amendment. I really think to give the . . .

AN HON. MEMBER: Exactly.

MR. TAYLOR: Yes, friendly. It does occur occasionally.

I really think to give the committee a number of pages of *Hansard* to wander around in is not a very fair thing to the committee, and I would really have hoped that this amendment could have been accepted as a friendly amendment in the nature of what this government originally designed back in '71-72. Consequently, Mr. Speaker, I find that we have to support the amendment and hope that it doesn't come to a vote, that somebody will leap up over there -- the minister of telecommunications who, once he's finished eating his pencil, might want to get up and assure us that it's all right to include.

MR. SPEAKER: On the amendment.

MR. YOUNG: On the amendment, Mr. Speaker, very briefly. I just again for the information of the hon. member, the leader of the Liberal Party, would like to cite again section 107 of the *Standing Orders of the Legislative Assembly of Alberta*, which are very clear, and they would govern us more than would *Beauchesne*, since they are so very specific in this instance:

For each sitting day, there shall be a printed record of the deliberations and proceedings of each sitting day of the Assembly and committees of the whole Assembly,

to be known as the "Alberta Hansard", which shall be compiled, edited, printed, distributed and administered under the direction and authority of Mr. Speaker . . . [e t cetera]

With due respect to the comments that were made about the significance of Votes and Proceedings -- and I've no quarrel with their value to the Assembly -- it is quite clear, based on *Standing Orders*, the significance of *Hansard*.

My problem in chewing on my pencil was that I had to do something useful while I was listening to the hon. Member for Westlock-Sturgeon.

HON. MEMBERS: Question.

MR. SPEAKER: There's a call for the question on the amendment. May the . . .

AN HON. MEMBER: Summation.

MR. SPEAKER: No, there's no summation on an amendment.

All those in favour of the amendment, please signify by saying aye.

SOME HON. MEMBERS: Aye

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The amendment fails.

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

[Eight minutes having elapsed, the House divided]

MR. SPEAKER: The question before the House is an amendment to Motion 9, an amendment as moved by the Member for Edmonton Highlands.

For the motion:

Barrett	Hawkesworth	Pashak
Buck	Hewes	Piquette
Chumir	Laing	Roberts
Ewasiuk	Martin	Taylor
Fox	McEachern	Wright
Gibeault	Mitchell	Younie

Against the motion:

Ady	Getty	Orman
Alger	Gogo	Osterman
Betkowski	Heron	Payne
Bogle	Horsman	Pengelly
Bradley	Hyland	Reid
Brassard	Isley	Rostad
Campbell	Johnston	Russell
Cherry	Jonson	Schumacher
Crawford	Koper	Shrake
Cripps	Kowalski	Stevens
Dinning	McCoy	Stewart
Downey	Mirosh	Weiss
Drobot	Moore, M.	West
Elliott	Moore, R.	Young

Elzinga	Musgrove	Zarusky
Totals	Ayes - 18	Noes - 45

MR. SPEAKER: Speaking to the main motion, the Member for Edmonton Highlands.

MS BARRETT: Thank you, Mr. Speaker. I attempted, through proposing that amendment, or in speaking to that amendment -- I will stay very careful about this -- not to provoke debate on a partisan level despite the provocations from certain government members who chose to use adjectives which are certainly inflammatory and decidedly used to provoke partisan debate. I think that's a real shame. It doesn't surprise me, but it's a shame.

In speaking against the motion, I have three points to make. One, if Votes and Proceedings are not considered the paramount recording vehicle of this Assembly, why is it we have to vote annually to approve their printing? We do not vote annually to approve the printing of *Hansard*. [interjection] I will get to it. Two, in parliamentary tradition it is Votes and Proceedings, not *Hansard*, which go to the Crown as an official record of what goes on. Three, I do not understand, and I'm not convinced I shall ever understand, because there have been no explanations to enlighten any member in this Assembly or any Albertan as to why, suspiciously, the first seven paragraphs of the Speaker's ruling of Thursday last were omitted from Votes and Proceedings. I believe that this government motion amounts to no more than deliberate gerrymandering of the determinations of this Assembly.

MR. TAYLOR: Mr. Speaker, I will try to be as nonpartisan as the House leader of the Official Opposition.

I would like to speak against the motion, and I must admit I can share some of her anxiety, because *Standing Orders* do say that to the Queen each day, or her representative, the Lieutenant Governor, is delivered a certified copy of the Votes and Proceedings, not a certified copy of *Hansard*. But be that as it may -- and I couldn't get a friendly amendment through -- I will try to speak a bit more on the motion.

Mr. Speaker, I feel that -- and I've addressed all four portions of the motion -- I've already covered some ground in the original part, in that I do not think the committee or the House has the right to consider question one. I think that indeed we are saddling a committee with an impossible task. The committee may well just come back -- and I'm sure that if I were on it, I would suggest that they tell them that we'll wait until the court decides whether or not the House has the right to decide whether there is a right to speak French or not in the House.

I believe there should be a right to speak French in the House. I very strongly believe that, and everyone in this party believes that. But in the absence, why get a fight going? Why ask a committee to come up with a decision when the courts themselves have the issue under question? In other words, I think it's very questionable that (1) should be in there, Mr. Speaker.

Questions two, three, and four: I did agree with the Member for Strathcona on the technicality that it was not framed right, in effect that the Speaker had put together the charge rather than, as I read the Orders of the Day, that the charge should come from the member itself. It was a technical point and it was overruled in this House, so therefore they stand and are going to have to be debated.

Now on those questions, Mr. Speaker. I would look at it -- you might almost say that when you look at section (2) of the motion, you look at three or perhaps four separate questions of privilege: the reference to the remarks on April 7 on pages 636 and 637 of *Hansard*, the letter of April 8, and the remarks in *Hansard* on April 10. At the end of the motion it says, "any other matter in connection therewith."

By reasoning in the first section of this motion that although it pertains to the first and third questions of privilege raised in the second motion, we are dealing with a matter of law when the Member for Athabasca-Lac La Biche comments on dates 7 and 10 and also the matters of law, since he addressed his constitutional right to speak French. So there again we're back to what the law says.

However, in the case of the letter, three separate matters were raised. First, the hon. member's comments on the constitutionality of the issue: there again, a very valid comment when the Attorney General, the government of Saskatchewan, the Speaker himself -- everybody is talking about the constitutionality of the issue. I feel it is not a matter of privilege but one of law.

Second, the hon. member questioned the competence of the Speaker in noting that "You exceeded your authority." I agree, Mr. Speaker, this is a matter of privilege and one which should be considered by the committee. But having said that, I want to make it clear that although I may not agree with his wording, I agree with the sentiments expressed by the Member for Athabasca-Lac La Biche in this matter -- there again speaking on the Constitution.

The third point to make on the letter is the question of a release of a paper belonging to the House. I agree that this too is a question of privilege and should be considered by the committee, but I'd like to comment a bit on that. *Beauchesne* 41 provides the House absolute control over its publications, but the reference is, I believe, to publications of the House, *Hansard*, and the Votes and Proceedings, which we have just been arguing about quite a lot here. There is no reference in *Beauchesne* to a letter to the Speaker being a publication of the House, and if such precedents exist. I would welcome the Speaker or some member to bring them to our attention.

I would add that even we in the opposition have been in error, Mr. Speaker. The House leader of the Liberal opposition, the Member for Edmonton Gold Bar, recently released to the press a copy of her letter to the Government House Leader, with a copy to the Speaker, referring to our recommendations for alterations of procedures. And I hope that we're not going to be taken to task on that. I could preach some clarification on that one when the time comes, of course.

Now, the final aspect of the motion which I wish to comment on was the catchall phrase, "any other question that the Committee [may deem to be] related to the matters of privilege." I'm wondering if this is meant to include anything in particular which was not referred to in the first or second stages of the motion -- such as a possible censure of the *Edmonton Journal* -- because the details were not spelled out and apparently left to the imagination of the committee. A catchall like this I feel is a dangerous position.

Now, I know the language in the *Edmonton Journal* was very -- well, shall we say -- extreme. Mr. Speaker, as a politician that has hardly ever had a favourable editorial in the last 11 years out of the *Edmonton Journal*, I really did, although I've never even considered trying to burn the place down or cancel my subscription -- it has been one of the necessary parts of Al-

berta. It comes with the blizzards in winter, the mud in the spring, and many other undesirable features, but it's still one of the things that makes Alberta as a whole. And if I may borrow from that great American, Patrick Henry: I will not agree with the words that he might say, but I will defend to my death their right to say it -- if I may be allowed to use an American in this great Legislature up here.

In summarizing my points then, I believe we're dealing with a matter of law, number one, and not one of privilege, and therefore this first approach should not succeed. Secondly, if there are questions of privileges, they're confined to (2), (3), and (4). Consequently, Mr. Speaker, although I have not got it written out, but it's very short and complete, I move an amendment: that we delete paragraph (1). Can't be much shorter than that.

MR. SPEAKER: Well, hon. member, we now have an amendment as proposed, but it's out of order.

DR. BUCK: You have ruled . . .

MR. TAYLOR: I'm sorry; do we have a point of order?

MR. SPEAKER: Well, the Chair has serious misgivings about it, so let us hear -- this is with respect to this proposed amendment -- the Member for Clover Bar.

DR. BUCK: Mr. Speaker, if you have ruled the amendment out of order, I want to speak to the motion.

MR. TAYLOR: Oh, I take it we've got a point of order. I'm sorry, Mr. Speaker. I'll just ask you -- I don't understand how deleting a paragraph out of a motion can be considered out of order.

MR. SPEAKER: The difficulty, hon. member, is that it negates what the Chair declared to be a *prima facie* case of privilege, so therefore one cannot delete that part of this particular motion, and therefore the Chair has ruled it out of order. I'm now on the main motion. Member for Clover Bar.

DR. BUCK: Mr. Speaker . . .

MR. TAYLOR: It just says "whether or not." It doesn't say . . .

MR. WRIGHT: Well, have you made a final ruling on this point, Mr. Speaker? It would be of help, I believe -- and I say this with the greatest respect to the members of this Assembly -- if on points of order, particularly on so important a matter, you gave some opportunity for members who are interested in discussing that point of order to discuss it.

MR. SPEAKER: Thank you for the direction and the concern, but again the matter refers back to *Beauchesne* 436, which had to be read to the House earlier this afternoon in all three of its component parts.

Member for Clover Bar, the main motion.

DR. BUCK: Mr. Speaker. I would like to speak to the motion. First of all, I supported the amendment because I thought they did have a point, but I would like to say that I take some exception to the hon. House leader of the Official Opposition, because I really feel that the government brought this motion forward believing that this is the way it should be handled. I've sat on

both sides of this Assembly. I believe that the government in good faith brought forward this resolution to try and put it where I think it should be put. and that is in the committee on elections and privileges.

I feel for you, Mr. Speaker, when you had to make a decision, but you had to make a decision the same as a judge has to make a decision: only on the law that is written. And he must interpret. You made that decision. Mr. Speaker, and the decision was such, and it was moved by the government that it be sent to committee. I think that's the way it should be held. That's the way it should be done. And I think that because there are members of both sides of the House, that committee is charged to make a recommendation that's going to serve the interests of this Assembly and the people of this province.

Now, I know that we could go on for days, because politicians, especially those who are learned in the law, can extend a simple layman's debate that should take no more than 10 minutes to 10 days. Mr. Speaker, I think the people of this province think that we have better things to do with our time. I believe that the resolution that's before us to be voted on is a resolution that the committee has sufficient latitude to make a decision and make a recommendation to this Assembly, and this Assembly will ultimately decide if that decision we agree with or we do not agree with.

So as a person who tries to respect the fact that we should not be wasting the House's time and the committee's time, I support the resolution, Mr. Speaker.

SOME HON. MEMBERS: Question.

MR. SPEAKER: There is a call for the question, but Member for Edmonton Strathcona.

MR. WRIGHT: Mr. Speaker, we now come to the resolution as printed. It's really a shame that a lawyer didn't draft this resolution, because lawyers do have their use sometimes. On an occasion such as this, when it's necessary to be precise about the matter, it would have been useful.

But the various parts of it, with the exception of (3) which is empty unless the other parts work, are, as I would call it, a load of cobblers. I've checked, and that's a parliamentary expression, Mr. Speaker. [interjection] Yes, a load of cobblers.

Paragraph (1) of it has already been decided and is not for the Committee on Privileges and Elections to decide anyway; they have to decide whether privilege has in fact been breached, not whether it arises. So the main question is removed from the jurisdiction or the consideration of the committee by that form of words. We tried to fix it up. and you haven't fixed it up. so we're going to get into committee and it's going to be obvious that question (1) has been answered. It's very obvious anyway, of course, a question of privilege arises. And that's the end of it. So we won't be getting to the real question. How often do we have to make that point? Yet it falls on deaf ears. You think we're being obstructive or something like that, that we're just talking for the sake of talking, instead of getting to the real point, which is French or not. That is the point. Where is that here? Where is it? It isn't here.

Instead, there is a ragbag of possible allegations against the hon. Member for Athabasca-Lac La Biche and others, to which there is no precision at all, which can roam over the whole field, delineated in page 636 and 637 of *Hansard* and between 697 and 701 of *Hansard*...

MR. YOUNG: With great regret, once more I rise on a point of order. My point of order is that the hon. member, having moved an amendment, has already spoken to the motion.

MR. WRIGHT: If I may reply, I did not speak to the main motion ever.

MR. SPEAKER: That's the understanding of the Chair. Continue with regard to the amendment.

MR. WRIGHT: On the second paragraph of the motion:

whether or not the Hon. Member for Athabasca-Lac La Biche has breached the privileges of the Assembly in remarks while speaking to a question of privilege at pages 636 and 637 in... *Hansard*,

Again, we are not concerned with points of order at this point; we're concerned with making sure that the question we are sending to the committee is one that is reasonable to send there.

How it could ever be believed that there might have been a breach of privilege by the member stating what his point of privilege was, in reasonable terms in which he said that he believed that the Speaker had exceeded his authority in stopping him speaking French, or words to that effect -- how we can seriously put that before this committee as an example of a breach of privilege by the member is really standing the whole question on its head and is extremely unfair and, besides, a waste of time on the part of the committee.

The point of the House sending the question to the committee instead of it just being straight referred there by the Speaker is so the House can come up with a reasonable mandate for the committee to deal with. With our amendments, which have failed, we tried to fix it up so that mandate would be reasonable. Now we are stuck with, as I say, a mess.

MR. SPEAKER: It would be inappropriate to refer back to the previous actions of the House in such terms, hon. member. And we can quote that, but please carry on with your comments.

MR. WRIGHT: No, with respect, Mr. Speaker, I'm not referring to the previous action of the House. I'm referring to this motion. And if I sincerely believe, or even if I don't sincerely believe, I'm making a submission that a motion is a mess, I can say so. It does not reflect on previous actions of the House.

Next. In his letter to the hon. Speaker of the Assembly on April 8, 1987 -- now this letter you've seen, I presume, if you're going to vote intelligently on this motion. That was simply the letter that was requested by the Speaker pursuant to Standing Order 15(2) in which he set out his point of privilege. In that letter he submitted that the Speaker had again exceeded his authority and made an error. Now, it was temperate language. It reflected in no way on the character of the Speaker, unless you think it's a reflection on character to allege that someone made a mistake in a ruling. That is not a reflection of character. How could that possibly be a breach of privilege? Yet we are sending it to a committee that will have to deliberate that question.

"Or in remarks in the Assembly on April 10, 1987, or in respect of any other matter in connection therewith": well, we're really in the stratosphere on this, Mr. Speaker, looking around to see if there's anything we could hang on this member. I mean, it's been ruled it's in order, but that doesn't mean to say we just have to accept it. We can defeat it, and any fair-thinking person will vote to defeat this. And it will be a shame that nothing will

go before the committee, because we on this side of the House do want the relevant question to go before the committee. If you are thinking that a Machiavelli had drafted this, you might have thought that perhaps it was drafted so that the main question would not get before the committee, and in fact literally the main question does not.

The member's remarks in the Assembly on April 10, 1987, were the remarks on Friday last, and again the idea that that could amount in any seriousness at all to a breach of privilege by that member is ludicrous, in my respectful submission. But not content with that, we've thrown in the rest of the ragbag: "or in respect of any other matter in connection therewith." This is a joke, Mr. Speaker, a joke.

As for 9(4):

any other question that the committee deems is related to the matters of privilege arising under questions 1 and 2 of this motion and the Speaker's statement to the House as contained in pages 697 to 701 . . .

Now, where was the finding of a prima facie breach? We've been through all that again, and I suppose the answer is, "Well, you don't look in the Votes and Proceedings; you go before that and see what the Speaker said."

I repeat the important question though: it's not what is in order at this point; it is what should go before the committee. How can we deal with so vague a question? Are we just to roam around and a member of the committee has an idea which we then debate and another member has another idea which we debate? How can we ever come to grips with this vague, waffling matter which is supposed to be the agenda for the committee? I mean, the committee can't make up its own set of considerations; it's stuck with this. It is a disgrace that any deliberative body should be judging a dog-catching ticket on such a vague set of charges, let alone the privileges of the members of this House.

I submit that such a disgraceful thing does not deserve the approval of any fair-thinking member of this House, Mr. Speaker.

MR. SPEAKER: Member for Calgary Buffalo.

MR. CHUMIR: Thank you, Mr. Speaker. The first issue relates to that of using the French language in this House, and I believe that is an appropriate issue for privilege and should be referred to the committee.

The next issue relates to that of the conduct of the hon. Member for Athabasca-Lac La Biche in respect of his letter to the hon. Speaker in respect of the release of the letter and the making of the letter public. I find it difficult to find any precedent or references to where this is or is not a document of this House, but I don't believe that is fundamental, Mr. Speaker. The main issue is with respect to the degree and the nature of the conduct of the Member for Athabasca-Lac La Biche, and as I read the comments in the letter of April 8, 1987, they certainly don't in any way go beyond many of the comments that have been expressed in this House in one form or another. They contain no vilification, and in fact all they do is make an allegation that the Speaker was wrong in a ruling of the Chair. In that regard, as I read *Hansard*, the Member for Athabasca-Lac La Biche has apologized. If the apology is inadequate -- I've never heard a suggestion that the apology is inadequate; if it is, I think that in all fairness the hon. member might be given an opportunity to rectify that. Instead we see him being potentially subjected to what should be considered to be relevant proceedings

before the Committee on Privileges and Elections.

I don't believe, Mr. Speaker, that under these circumstances this House should be taking the time of its members dragging an elected member of the Legislature through this process. It is totally out of proportion to the conduct of the hon. member in absolute terms and in relation to conduct of this House in the proceedings I have seen in my tenure as a member of this House to date.

I'd like to move on briefly to comment with respect to further matters that may arise pursuant to the way in which the motion is presently worded, and that relates to the comments in the editorial of the *Edmonton Journal*. I must say, and have said outside this House, that I think the comments of the *Edmonton Journal* were intemperate under the circumstance. I don't believe they were an accurate reflection of what went on in this House and emanated from the Speaker's chair, and I believe that if the *Edmonton Journal* is acting in good conscience, it will and should apologize.

However, an issue beyond good manners arises here, Mr. Speaker, and that is the issue of freedom of speech. I am a very strong believer that we as members of this House and living in a community in which we have a newly enacted Charter of Rights should be supportive of the most robust debate in our community. I believe that robust debate should go as far as allowing intemperate comments to be made. The rules with respect to comments in the press or otherwise with respect to this House or the Speaker have been developed over many hundreds of years, but if one looks over the history of freedom of speech, one will see that there has been a tremendous change in attitude. One would have been put in stocks not so long ago for comments which are now considered to be not only within the pale of propriety but in the public interest. It's my belief that the House would not be enhancing the reputation of the House or enhancing the reputation of the Speaker by suppressing criticism, even if intemperate.

In balance, I believe that the actions of this House, were it to pass this motion to the committee, would be lacking both in balance and in wisdom, and I don't believe they would serve the democratic process well. I think this House is overreacting and that on quieter contemplation and reflection the issue that should be dealt with is the question of the right to use the French language in this House. We have no business dealing with these other matters, and this motion proposing that we deal with those matters should not be passed.

MR. PIQUETTE: I just want to say a few words here, Mr. Speaker, to clarify why our party and all parties here speaking against the motion are against the other matters to be brought in the Committee on Privileges and Elections, that the question should be only about whether I have the right to speak in French as a right to be determined by this House. Because one of the things that I feel I haven't had a chance to communicate to all members of this House is that the release of the publication that was asserted -- the night before the ruling came out, I came to the Speaker's chamber and apologized already in person that by accident that letter was released to the press. I had just come back from a funeral, driving 120 miles, when that was released to the press with no intent on my part. Now, the Speaker was aware of that situation. I have a witness that was in the chamber when that statement was made by me, and I find it incredulous that this question is being brought forth before the Committee on Privileges and Elections to be dealt with as a matter of privilege, because I already apologized in private to the

Speaker. It was purely an accident on my part.
Thank you.

SOME HON. MEMBERS: Question.

MR. SPEAKER: There's a call for the question. The Chair reacts with great surprise to the last statement. All those in favour of Motion 9, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

[Motion carried]

MR. CRAWFORD: Mr. Speaker, I move that the Assembly now adjourn until Monday, April 27, at 2:30 in accordance with Motion 8.

[At 5:29 p.m. the House adjourned to Monday, April 27, at 2:30 p.m.]

